



# CITY OF SANTA CLARITA CITY COUNCIL REGULAR MEETING

Tuesday, November 27, 2018  
6:00 PM

City Council Chambers  
23920 Valencia Blvd.  
Santa Clarita, CA 91355

## AGENDA

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Joint Meeting with  
Board of Library Trustees

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### How to Address the City Council

Pursuant to Government Code section 54954.3 members of the public are afforded the opportunities to address the City Council. You may address the Council once per meeting during *Public Participation* on any matter within the Council's jurisdiction that is *not* listed on the agenda. Public Participation speaker's cards must be submitted to the City Clerk BEFORE this portion of the meeting begins. To address the Council regarding an *item* on the agenda, please fill out a speaker's card and submit it to the City Clerk BEFORE the Mayor announces the item. Each person addressing the Council is given three minutes to speak (with double the time allotted to non-English speakers using a translator) indicated by a colored light system on the Council dais. If you wish to provide information to the Council, please present the City Clerk with 10 copies. Otherwise, your materials will simply be added to the official record. Please note use of City Council Chamber technology equipment to present electronic material during meetings is not allowed.

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In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office, (661) 255-4391. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28CFR 35.102-35.104 ADA Title II)

Pursuant to Government Code 54957.5 any writings or documents distributed to a majority of the members of the City Council regarding any open session item on this agenda will be made available for public inspection in the City Clerk's Office located at 23920 Valencia Boulevard, Suite 120, during normal business hours. These writings or documents will also be available at the meeting.

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**INVOCATION**

Smyth

**CALL TO ORDER**

**ROLL CALL**

**FLAG SALUTE**

**EXECUTIVE MEETING**

This time has been set aside for Councilmembers to review the agenda and obtain any further information that may be needed. Council will also discuss each individual item during the course of the meeting with the exception of the Consent Calendar, which may be approved in its entirety by one motion, unless there is a request to pull an item for discussion. No action will be taken on public agenda items during the Executive Meeting.

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**APPROVAL OF AGENDA**

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**AWARDS AND RECOGNITIONS**

Recognition of Outgoing Officials

Salvation Army

**PRESENTATIONS**

Public Opinion Poll

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**PUBLIC PARTICIPATION**

This time has been set aside for the public to address the City Council on items NOT listed on the agenda. The City Council will not act upon these items at this meeting other than to review and/or provide direction to staff. All speakers must submit a speaker's card to the City Clerk PRIOR to the beginning of this portion of the meeting. Thirty minutes are allotted for public input at this time. The FIRST TEN people to submit a speaker card prior to the beginning of Public Participation will be heard. Speaker cards will be accepted beginning at 5:45 p.m. Any speaker cards received once the first speaker has begun will be heard at the end of the meeting regardless if the ten person limit has been met.

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**STAFF COMMENTS**

**COMMITTEE REPORTS/COUNCILMEMBER COMMENTS**

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**CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered routine and will be enacted by one motion by the City Council. The items are not individually discussed by the City Council unless a request is made by a member of the public or the Council, in which case, the item(s) will be removed from the Consent Calendar and will be considered separately.

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1. **APPROVAL OF SPECIAL MEETING MINUTES** – The minutes of the City Council are submitted for approval.

**RECOMMENDED ACTION:**

City Council approve the minutes of the October 25, 2018 Special Meeting.

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2. **APPROVAL OF SPECIAL MEETING MINUTES** – The minutes of the City Council are submitted for approval.

**RECOMMENDED ACTION:**

City Council approve the minutes of the November 13, 2018 Special Meeting.

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3. **APPROVAL OF REGULAR MEETING MINUTES** – The minutes of the City Council are submitted for approval.

**RECOMMENDED ACTION:**

City Council approve the minutes of the November 13, 2018 Regular Meeting.

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4. **READING OF ORDINANCE TITLES** - Government Code Section 36934 requires that all ordinances be read in full prior to Council taking action on the ordinance. By listing the ordinance title on the Council agenda, Council may determine that the title has been read.

**RECOMMENDED ACTION:**

City Council determine that the titles to all ordinances which appear on this public agenda have been read and waive further reading.

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5. **FISCAL YEAR 2017 AND 2018 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM** - The City of Santa Clarita has been awarded two grants for a total of \$48,519 by the United States Department of Justice, Bureau of Justice Assistance, through the Fiscal Year 2017 and 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) program. JAG allows state and local governments to support a broad range of activities to prevent and control crime, based on local needs and conditions.

**RECOMMENDED ACTION:**

City Council:

1. Accept Fiscal Year 2017 and 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) funds from the U.S. Department of Justice, Bureau of Justice Assistance.
2. Increase estimated revenues in account 206-4461.018 (Justice Assistance Grant 2017) by \$23,872 for Fiscal Year 2017 and in account 206-4461.019 (Justice Assistance Grant 2018) by \$24,647 for Fiscal Year 2018.
3. Increase estimated expenditures in account 16119-5111.001 (Special Supplies) by \$23,872 for Fiscal Year 2017 and in account 16120-5111.001 by \$24,647 for Fiscal

Year 2018.

4. Authorize the City Manager, or designee, to execute all contracts and associated documents, subject to City Attorney approval.

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6. **APPROVAL OF FINAL TRACT MAP, ACCEPTANCE OF OFFERS OF DEDICATION, ABANDONMENT OF EXISTING EASEMENT, AND APPROVAL OF ACQUISITION AGREEMENT FOR OFFSITE RIGHT-OF-WAY FOR TRACT NO. 50283-02 - NEEDHAM RANCH** - Pursuant to Section 66474.1 of the Subdivision Map Act, approve Final Tract Map and accept Offers of Dedication for Tract No. 50283-02; abandon existing easement, and approve acquisition agreement. The map is a subdivision of 40.05 acres into 11 lots, including six open space lots and five industrial/commercial lots, and is located west of Sierra Highway, south of Newhall Avenue.

**RECOMMENDED ACTION:**

City Council:

1. Approve Final Tract Map for Tract No. 50283-02.
2. Accept on behalf of the public the offer of dedication of easement for public use and road purposes; the offer of dedication of easement for sight distance; and the right to prohibit any and all allowable uses within open space.
3. Abandon the existing easement for slope purposes.
4. Make findings as follows: This project is consistent with the provisions of Sections 66474 and 66474.1 of the Subdivision Map Act and should be approved.
5. Instruct the Director of Administrative Services to endorse the Special Assessment Statement on the face of Final Tract Map for Tract No. 50283-02, which indicates all special assessments levied by the City of Santa Clarita (City) are paid.
6. Instruct the City Clerk to endorse the City Clerk's Statement on the face of Final Tract Map for Tract No. 50283-02, which embodies the approval of said map, the acceptance of the dedications shown thereon, and the abandonment of the easements shown thereon.
7. Instruct the City Engineer to endorse the City Engineer's Statement on the face of Final Tract Map for Tract No. 50283-02, which provides for verification of substantial conformance with the Tentative Tract Map and all provisions of local ordinances and state laws applicable at the time of approval.
8. Instruct the City Surveyor to endorse the City Surveyor's Statement on the face of Final Tract Map for Tract No. 50283-02, which provides for verification that the map is technically correct.

9. Authorize the City Manager or designee to execute the Acquisition Agreement between the City of Santa Clarita and Center at Needham Ranch Land, LLC for right-of-way acquisition, subject to City Attorney approval.

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7. **APPROVAL OF FINAL TRACT MAP, ACCEPTANCE OF OFFERS OF DEDICATION, AND REJECTION OF IRREVOCABLE OFFER OF DEDICATION FOR TRACT NO. 69164-02 - VISTA CANYON RANCH; APPROVAL OF GRANT DEED, SOUTHERN CALIFORNIA EDISON EASEMENT, AND WATER FACTORY INTERCONNECTION AGREEMENT -** Pursuant to Section 66474.1 of the Subdivision Map Act, approve Final Tract Map, accept Offers of Dedication, and reject Irrevocable Offer of Dedication for Tract No. 69164-02. Approve Grant Deed, Southern California Edison Easement, and Water Factory Interconnection Agreement. The map is a subdivision of 45.38 acres into 19 lots, including 11 lots for condominium purposes, and is located on the east side of the City of Santa Clarita.

**RECOMMENDED ACTION:**  
City Council:

1. Approve Final Tract Map for Tract No. 69164-02.
2. Reject irrevocable offer of dedication and grant in fee simple all of Lot 7.
3. Accept on behalf of the public the offers of dedication of the easements for public use and road purposes; the easements for sanitary sewer and sanitary sewer ingress and egress purposes; all sanitary sewers and appurtenant structures; the easements for covered storm drain, appurtenant structures, ingress and egress purposes; the right to prohibit any and all allowable uses within open space; the easement for sight distance; and the right to restrict direct vehicular ingress and egress to Lost Canyon Road.
4. Make findings as follows: (a) this project is consistent with the provisions of Sections 66474 and 66474.1 of the Subdivision Map Act and should be approved, and (b) this proposed subdivision, together with the provisions for this design and improvement, is consistent with the General Plan required by Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of the Government Code, or any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of the Government Code.
5. Instruct the Director of Administrative Services to endorse the Special Assessment Statement on the face of Final Tract Map for Tract No. 69164-02, which indicates all special assessments levied by the City of Santa Clarita are paid.
6. Instruct the City Clerk to endorse the City Clerk's Statement on the face of Final Tract Map for Tract No. 69164-02, which embodies the approval of said map, and the acceptance and rejection of dedications shown thereon and the abandonment of the easements.

7. Instruct the City Engineer to endorse the City Engineer's Statement on the face of Final Tract Map for Tract No. 69164-02, which provides for verification of substantial conformance with the Tentative Tract Map and all provisions of local ordinances and state laws applicable at the time of approval.
8. Instruct the City Surveyor to endorse the City Surveyor's Statement on the face of Final Tract Map for Tract No. 69164-02, which provides for verification that the map is technically correct.
9. Approve and authorize the City Manager or designee to execute the grant deed and associated documents conveying four acres of City-owned property to Vista Canyon Phase II, LLC, consistent with Condition No. PR 12 of City Council Resolution No. 11-23, subject to City Attorney approval.
10. Approve and authorize the City Manager or designee to execute the grant of easement to Southern California Edison for a power vault within the Vista Canyon Water Factory parcel, subject to City Attorney approval.
11. Approve and authorize the City Manager or designee to execute the Vista Canyon Water Factory Interconnection Agreement with Santa Clarita Valley Sanitation District of Los Angeles County, subject to City Attorney approval.

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8. **AWARD CONTRACTS TO MOTORCOACH INDUSTRIES AND GILLIG CORPORATION FOR THE PURCHASE AND DELIVERY OF COMMUTER AND LOCAL BUSES** - Consideration for the purchase and delivery of two commuter and three local buses.

**RECOMMENDED ACTION:**

City Council:

1. Authorize the City Manager or designee to execute a contract with Motor Coach Industries for the purchase of two 45-foot compressed natural gas (CNG) powered buses, in an amount not to exceed \$1,697,440, or modify the award in the event issues of impossibility of performance arise, subject to City Attorney approval.
  2. Authorize the City Manager or designee to negotiate and execute a contract with Gillig Corporation for the purchase of three 40-foot CNG buses, in an amount not to exceed \$1,841,053, or modify the award in the event issues of impossibility of performance arise, subject to City Attorney approval.
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9. **APPROVAL OF LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION'S (METRO) AUTHORITY OFFER TO ACQUIRE 8.26 SQUARE FEET AND 1,578 SQUARE FEET FOR A TEMPORARY CONSTRUCTION EASEMENT (TCE) OF PROPERTY IN THE NEWHALL PASS OPEN SPACE** - Los Angeles County Metropolitan Transportation Authority is seeking to acquire 8.26 square feet of property and a Temporary Construction Easement of 1,578 square feet for property in the Newhall Pass Open Space to facilitate construction and operation of the I-5 HOV and Truck Lane Project.

**RECOMMENDED ACTION:**

City Council:

1. Approve Los Angeles County Metropolitan Transportation Authority's offer to acquire 8.26 square feet and grant a Temporary Construction Easement of 1,578 square feet for property in the Newhall Pass Open Space to facilitate construction and operation of the I-5 HOV and Truck Lane Project.
2. Increase anticipated revenues for Fiscal Year 2018-19 by \$2,500 in revenue account 358-4621.001 Miscellaneous Revenue.
3. Authorize repayment of \$887.50 to the Wildlife Conservation Board from revenue account 358-4621.001 Miscellaneous Revenue.
4. Authorize the City Manager, or designee, to execute all documents subject to City Attorney approval.

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10. **SECOND READING OF AN ORDINANCE ENTITLED "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, AMENDING SECTIONS OF CHAPTER 6.04 OF TITLE SIX OF THE SANTA CLARITA MUNICIPAL CODE CONCERNING MANUFACTURED HOME PARKS - CHANGE IN USE REVIEW PROCEDURES"** - At the regular meeting of the City Council on November 13, 2018, the City Council introduced and passed to second reading an ordinance amending Chapter 6.04 of the Santa Clarita Municipal Code to maintain consistency with chapter 6.02.

**RECOMMENDED ACTION:**

City Council adopt an ordinance entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, AMENDING SECTIONS OF CHAPTER 6.04 OF TITLE SIX OF THE SANTA CLARITA MUNICIPAL CODE CONCERNING MANUFACTURED HOME PARKS - CHANGE IN USE REVIEW PROCEDURES."

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11. **LOCAL APPOINTMENTS LIST/DECLARING VACANCIES** - Terms of various Local Appointments will expire on December 31, 2018, and January 7, 2019. This item will initiate the process to fill these vacancies.

**RECOMMENDED ACTION:**

City Council:

1. Approve the Local Appointments List;
2. Declare vacancies for the Planning Commission, Parks, Recreation and Community Services Commission, Arts Commission, Open Space Preservation District Financial Accountability and Audit Panel, and the City’s appointment to the Greater Los Angeles County Vector Control Board;
3. Approve a four-year term for the City’s appointment to the Greater Los Angeles County Vector Control Board; and
4. Approve the recruitment process for the vacancies.

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12. **CHECK REGISTER NO. 23** - Check Register No. 23 for the Period 10/12/18 through 10/25/18 and 11/01/18. Electronic Funds Transfers for the Period 10/15/18 through 10/26/18.

**RECOMMENDED ACTION:**

City Council approve and ratify for payment the demands presented in Check Register No. 23.

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**NEW BUSINESS**

13. **FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, AMENDING CHAPTER 11.37 OF THE SANTA CLARITA MUNICIPAL CODE CONCERNING PEDDLERS AND SOLICITORS** - Senate Bill (SB) 946, known as the Safe Sidewalk Vending Act, was signed by Governor Brown and will take effect on January 1, 2019. The City Council will consider an ordinance to amend Chapter 11.37 of the Santa Clarita Municipal Code to be in compliance with the provisions of SB 946, and to regulate the sale of food and other goods on sidewalks in a manner addressing objective health, safety, and welfare concerns.

**RECOMMENDED ACTION:**

City Council approve and pass to second reading an ordinance entitled “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, AMENDING CHAPTER 11.37 OF THE SANTA CLARITA MUNICIPAL CODE CONCERNING PEDDLERS AND SOLICITORS.”

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**PUBLIC PARTICIPATION**

This time has been set aside for any speakers that have turned in speaker cards and *were not heard* in the first thirty minutes allotted to address the City Council on items that are NOT on the agenda. No further speaker cards will be accepted once Public Participation begins. Speaker cards may not be submitted relating to any items listed on the agenda.

**STAFF COMMENTS**

**ADJOURNMENT**

**FUTURE MEETINGS**

The next regular meeting of the City Council will be held December 11, 2018, at 6:00 PM in the Council Chambers, 1st floor of City Hall, 23920 Valencia Blvd., Santa Clarita, CA.

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**CERTIFICATION**

On November 21, 2018, I, Mary Cusick, do hereby certify that I am the duly appointed and qualified City Clerk for the City of Santa Clarita and that the foregoing agenda was posted at City Hall.



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Mary Cusick  
City Clerk  
Santa Clarita, California



**CITY OF SANTA CLARITA**  
**City Council**  
**Special Meeting**

~Minutes~

**Thursday, October 25, 2018**

**11:30 AM**

**Hyatt Valencia**

**CALL TO ORDER**

The meeting was called to order at 11:40 a.m. at the Hyatt Valencia Grand Ballroom at 24500 Town Center Drive, Santa Clarita California.

**ROLL CALL**

All Councilmembers were present.

**PUBLIC PARTICIPATION FOR AGENDIZED ITEMS (ONE MINUTE LIMIT)**

No requests to speak were received.

**FLAG SALUTE**

The Ronald Reagan Marine Corps League posted the colors and let the flag salute.

**INVOCATION**

Pastor Hegg provided the invocation.

**STATE OF THE CITY LUNCHEON**

**ADJOURN**

The meeting was adjourned at 1:30 p.m.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

Minutes Acceptance: Minutes of Oct 25, 2018 11:30 AM (Consent Calendar)



**CITY OF SANTA CLARITA  
City Council  
Special Meeting**

~Minutes~

**Tuesday, November 13, 2018**

**5:30 PM**

**City Council Chambers**

**CALL TO ORDER**

The City Council Special Meeting was called to order at 5:30 p.m. by Mayor Weste.

**ROLL CALL**

All Councilmembers were present, with the exception of Councilmember Smyth.

**PUBLIC PARTICIPATION FOR AGENDIZED ITEMS (ONE MINUTE LIMIT)**

No requests to speak were received.

**CLOSED SESSION**

Joseph Montes, City Attorney, advised of the need to conduct a Closed Session for the purpose of holding a:

**CONFERENCE WITH LABOR NEGOTIATOR**

Government Code Section 54957.6

Agency Negotiator: City Manager or designee

Unrepresented Employees: All positions not represented by SEIU Local 721

Government Code Section 54957.6

Agency Negotiator: City Manager or designee

Represented Employees: All positions represented by SEIU Local 721

**RECESS TO CLOSED SESSION - TO BE HELD IN THE CENTURY ROOM**

Mayor Weste recessed the meeting to Closed Session at 5:30 p.m.

**RECONVENE TO OPEN SESSION**

Mayor Weste reconvened the meeting to Open Session at 6:02 p.m.

**CITY ATTORNEY ANNOUNCEMENT**

City Attorney Joseph Montes announced that no action was taken in Closed Session that was required to be reported.

Minutes Acceptance: Minutes of Nov 13, 2018 5:30 PM (Consent Calendar)

**ADJOURN**

Mayor Weste adjourned the meeting at 6:02 p.m.

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MAYOR

ATTEST:

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CITY CLERK

Minutes Acceptance: Minutes of Nov 13, 2018 5:30 PM (Consent Calendar)



**CITY OF SANTA CLARITA  
City Council  
Regular Meeting**

**Joint Meeting with  
Board of Library Trustees**

*Hereinafter the titles Mayor, Mayor Pro Tem, Councilmember, City Manager, City Attorney, and City Clerk may be used also to indicate Mayor/Chair/President, Mayor Pro Tem/Vice-Chair/Vice President, City Manager/Executive Director, City Attorney/Counsel, and City Clerk/Secretary*

**~Minutes~**

**Tuesday, November 13, 2018**

**6:00 PM**

**City Council Chambers**

**INVOCATION**

Councilmember Miranda delivered the invocation.

**CALL TO ORDER**

Mayor Weste called to order the Joint Regular meeting of the City Council and Board of Library Trustees at 6:02 p.m.

**ROLL CALL**

All Councilmembers were present with the exception of Councilmember Smyth.

**FLAG SALUTE**

Councilmember Miranda led the flag salute.

**EXECUTIVE MEETING**

This time has been set aside for Councilmembers to review the agenda and obtain any further information that may be needed. Council will also discuss each individual item during the course of the meeting with the exception of the Consent Calendar, which may be approved in its entirety by one motion, unless there is a request to pull an item for discussion. No action will be taken on public agenda items during the Executive Meeting.

**APPROVAL OF AGENDA**

Addressing the Council on Approval of Agenda was Doug Fraser.

**Motion by Kellar, second by McLean, to approve the agenda pulling item 11 for public comment.**

**Hearing no objections, it was so ordered.**

**RESULT: APPROVED AGENDA**

Minutes Acceptance: Minutes of Nov 13, 2018 6:00 PM (Consent Calendar)

## **PUBLIC PARTICIPATION**

Addressing the Council was Shannon McInteer, regarding Green Business Certification program; Ken Dean, regarding congratulating Council on the recent election and citizen committees; Lynn Lowe, regarding Abelia Road speed humps; Tom Dobbs, regarding Abelia Road speed cushions; and Steve Petzold, regarding the local municipal election and replacement of carpet at Santa Clarita Performing Arts Center at College of the Canyons.

## **STAFF COMMENTS**

City Manager Ken Striplin commented that staff will contact Ms. McInteer to address the Green Business Certification program; commented on the large amount of public input on traffic issues, that decisions are based on engineering studies, and the City is spending millions on the Intelligent Transportation System for greater coordination for traffic flow; addressed the traffic calming measures on Abelia Road, discussed exhausting other options for slowing down speeds, and will revisit the design of the humps that have been placed and designed per industry standards; and clarified facts pertaining to the election.

## **COMMITTEE REPORTS/COUNCILMEMBER COMMENTS**

Councilmember Kellar encouraged all to take part in the annual Household Hazardous Waste and E-Waste Round Up taking place at the College of the Canyons on Saturday, November 17; commented on the remarkable Veterans Day event where the 100-year anniversary of the end of World War I was commemorated at the Veterans Historical Plaza; and invited residents to attend the Light Up Main Street event on Saturday, November 17.

Mayor Pro Tem McLean announced the High Speed Rail board meeting will take place in Burbank this week where she will continue to advocate for the all underground route through Santa Clarita; commented on voter approved Measure W, a property tax on stormwater fees, and working to protect residents from double taxation; commented on continuing to work on the Antelope Valley Line Metrolink infrastructure improvements and additional trains, including late night trains; announced the new art exhibit at The Main's art gallery in Old Town Newhall and an art reception on Saturday, November 17, and wished all a Happy Thanksgiving.

Councilmember Miranda announced the City's new website "City Snapshot" that accompanies the current open data website and to visit [santa-clarita.com/CitySnapshot](http://santa-clarita.com/CitySnapshot) to view the City's projects and achievements over the last year.

Mayor Weste commented on the Veterans Day World War I Centennial, marking the 100-year anniversary of the end of the war; commented that the 75th anniversary to end World War II will take place in September 2020 and requested that the City begin to plan an event to mark this important milestone; commented on attending the Junior Chamber International 40 Under 40 event, where Administrative Analyst Masis Hagobian, Communications Specialist Mayumi Miyasato, and Management Analyst Michael Villegas were recognized; and offered condolences to the recent wildfire victims and Thousand Oaks tragedy and gratitude to the firefighters who are working tirelessly.

**CONSENT CALENDAR**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bob Kellar, Councilmember
<b>SECONDER:</b>	Marsha McLean, Mayor Pro Tem
<b>AYES:</b>	Laurene Weste, Marsha McLean, Bob Kellar, Bill Miranda
<b>ABSENT:</b>	Cameron Smyth

**ITEM 1**

APPROVAL OF SPECIAL MEETING MINUTES – The minutes are submitted for approval.

RECOMMENDED ACTION: City Council approve the minutes of the October 23, 2018, Special Meeting.

**ITEM 2**

APPROVAL OF REGULAR MEETING MINUTES – The minutes are submitted for approval.

RECOMMENDED ACTION: City Council approve the minutes of the October 23, 2018, Regular Meeting.

**ITEM 3****READING OF ORDINANCE TITLES**

Government Code Section 36934 requires that all ordinances be read in full prior to Council taking action on the ordinance. By listing the ordinance title on the Council agenda, Council may determine that the title has been read.

**RECOMMENDED ACTION:**

City Council determine that the titles to all ordinances which appear on this public agenda have been read and waive further reading.

**ITEM 4****NORTH LOS ANGELES COUNTY TRANSPORTATION COALITION APPOINTMENTS**

The City of Santa Clarita is a member of the North County Transportation Coalition (NCTC) Joint Powers Authority. The cities of Lancaster, Palmdale and Santa Clarita, as well as the County of Los Angeles comprise the NCTC. Each jurisdiction is entitled to have three representatives serve on the Board of Directors. The governing body of each jurisdiction may also appoint an alternate delegate to serve in the event a Board Member from the respective jurisdiction is not available to attend a Board meeting. The City Council will be appointing Santa Clarita's delegates, alternate delegate, and ex-officio representative of Santa Clarita Transit to the North County Transportation Coalition.

**RECOMMENDED ACTION:**

City Council:

1. Appoint Mayor Pro Tem Marsha McLean, Councilmember Bob Kellar, and Public Works Director Robert Newman to serve as the City of Santa Clarita's representatives to the governing board of the North Los Angeles County Transportation Coalition for an unspecified term, serving at the pleasure of the City Council.
2. Appoint City Engineer Mike Hennawy to serve as the City of Santa Clarita's alternate

governing board representative to the North County Transportation Coalition for an unspecified term, serving at the pleasure of the City Council.

3. Appoint Santa Clarita Transit Manager Adrian Aguilar as the non-voting ex-officio governing board representative for Santa Clarita Transit for an unspecified term, serving at the pleasure of the City Council.

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**ITEM 5**

**2018-19 PAVEMENT MANAGEMENT SYSTEM UPDATE, PROJECT M0128 - AWARD PROFESSIONAL SERVICES CONTRACT**

Award a professional services contract to Pavement Engineering, Inc., to update the City's pavement management system for the 2018-19 Annual Overlay and Slurry Seal Program.

**RECOMMENDED ACTION:**

City Council:

1. Award a one-year professional services contract to Pavement Engineering, Inc., to update the City of Santa Clarita's pavement management system, including pavement inspection and miscellaneous pavement engineering services for the 2018-19 Annual Overlay and Slurry Seal Program, Project M0128, in the amount of \$89,860, plus a 15 percent contingency in the amount of \$13,479, for a total amount not to exceed \$103,339.
2. Authorize the City Manager or designee to execute up to three additional one-year renewal options not to exceed the annual contract amount of \$89,860 and authorize an annual contingency of \$13,479, plus an appropriate Consumer Price Index adjustment, upon request of the contractor and contingent upon the appropriation of funds by the City Council in the annual budget for such fiscal year.
3. Authorize the City Manager or designee to execute all contracts and associated documents, or modify the awards in the event impossibility of performance arises and execute all documents subject to City Attorney approval.

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**ITEM 6**

**AWARD SERVICE CONTRACT FOR LANDSCAPE MAINTENANCE FOR LMD ZONE T68 AND LMD ZONE T69**

Award a two-year contract to Oakridge Landscape, Inc., for an amount not to exceed \$796,954 to provide maintenance services to Landscape Maintenance District Zones T68 and T69.

**RECOMMENDED ACTION:**

City Council:

1. Award a two-year contract to Oakridge Landscape, Inc., to provide contractual landscape maintenance services for Landscape Maintenance District (LMD) Zone T68 (West Creek) and Zone T69 (West Hills) for an annual amount of \$332,064, and authorize an annual contingency of \$66,413 to address unforeseen maintenance and repairs, for a total two-year amount not to exceed \$796,954.

2. Authorize an ongoing annual appropriation from LMD Fund Balance 357 in the following amounts: \$112,068 to expenditure account 12569-5161.010; \$2,395 to expenditure account 12570-5161.010; \$9,620 to expenditure account 12569-5161.014; and \$35,000 to expenditure account 12569-5131.006 for maintenance, monitoring, and irrigation costs associated with award of this contract.
3. Authorize the City Manager or designee to execute up to three additional, one-year renewal options beginning in year three, not to exceed the annual contract amount, inclusive of contingency of \$66,413, plus an adjustment consistent with the appropriate Consumer Price Index, upon request of the contractor, and contingent upon the appropriation of funds by the City Council in the annual budget for such fiscal year.
4. Authorize the City Manager or designee to execute all contracts and associated documents, or modify the awards in the event impossibility of performance arise, and execute all documents subject to City Attorney approval.

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#### **ITEM 7**

**AWARD SERVICE CONTRACT FOR LANDSCAPE MAINTENANCE FOR LMD ZONE 27**  
Award a two-year contract to BrightView Landscape Services, Inc., for an amount not to exceed \$327,558 to provide maintenance services to Landscape Maintenance District Zone 27.

**RECOMMENDED ACTION:**

City Council:

1. Award a two-year contract to BrightView Landscape Services, Inc., to provide contractual landscape maintenance services for Landscape Maintenance District (LMD) Zone 27 (Circle J) for an annual amount of \$136,482, and authorize an annual contingency of \$27,297 to address unforeseen maintenance and repairs, for a total two-year amount not to exceed \$327,558.
2. Authorize an appropriation from LMD Fund (Fund 357) in the amount of \$36,077 to expenditure account 12550-5161.010 and \$7,215 to expenditure account 12550-5141.001 in Fiscal Year (FY) 2018-19, and an ongoing annual appropriation of \$136,482 to expenditure account 12550-5161.010 and \$27,297 to expenditure account 12550-5141.001 commencing in FY 2019-20, for maintenance costs associated with the award of this contract, contingent upon the appropriation of funds by the City Council during the annual budget process in subsequent fiscal years.
3. Authorize the City Manager or designee to execute up to three additional, one-year renewal options beginning in year three, not to exceed the annual contract amount of \$136,482, and authorize an annual contingency of \$27,297, plus an appropriate Consumer Price Index adjustment, upon request of the contractor, and contingent upon the appropriation of funds by the City Council in the annual budget for such fiscal year.
4. Authorize the City Manager or designee to execute all contracts and associated documents, or

modify the awards in the event impossibility of performance arise, and execute all documents subject to City Attorney approval.

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### ITEM 8

#### LANDSCAPING AND LIGHTING DISTRICT MODIFICATION 2018-4 RESOLUTIONS INITIATING PROCEEDINGS, APPROVING AN ENGINEER'S REPORT, AND TAKING OTHER RELATED ACTIONS

Initiation of proceedings associated with Santa Clarita Landscape and Lighting District Modification 2018-4, approving an Engineer's Report in connection with proposed modified assessments for properties within designated areas of Streetlight Maintenance District Zone A and various Landscape Maintenance District Zones.

#### RECOMMENDED ACTION:

City Council:

1. Adopt a resolution initiating proceedings and making certain designations in connection with modifying assessments for properties within designated areas of the Santa Clarita Landscaping and Lighting District (LLD), Streetlight Maintenance District (SMD) Zone A, and Landscape Maintenance District (LMD) Zones 15, 27, 31, 32, T3, T4, T20, T23, T23-1, T23-2, T33, T46, T47, T65, T65A, T65B, T67, T68, T69, T71, and T77.
2. Adopt a resolution approving an Engineer's Report declaring its intention to order proposed new assessments for properties within designated areas of the LLD, SMD Zone A, and LMD Zones 15, 27, 31, 32, T3, T4, T20, T23, T23-1, T23-2, T33, T46, T47, T65, T65A, T65B, T67, T68, T69, T71, and T77 to levy an assessment thereon and taking certain other actions in connection therewith.
3. Appropriate funds in the amount of \$20,840 from the SMD Fund (Fund 359) to expenditure account 12593-5161.001 and \$10,020 from the LMD Fund (Fund 357) to expenditure account 12500-5161.002.
4. Award a professional services agreement to Willdan Financial Services to provide assessment engineering and balloting services in an amount not to exceed \$99,975, and authorize the City Manager or designee to execute all contracts and associated documents subject to City Attorney approval.

#### Adopted Resolution No. 18-69 and Resolution No. 18-70

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### ITEM 9

#### ADOPT RESOLUTION FOR SUMMARY VACATION OF LANDSCAPE MAINTENANCE EASEMENT ON CLEAR VIEW COURT

Resolution for the summary vacation of a landscape maintenance easement at 25323 Clear View Court.

#### RECOMMENDED ACTION:

City Council:

1. Adopt a resolution for the summary vacation of the landscape maintenance easement at

25323 Clear View Court, as described in the attached Legal Description (Exhibit A of attached resolution).

2. Direct City Clerk to record the certified original resolution in the County of Los Angeles Registrar-Recorder's office.

### **Adopted Resolution No. 18-71**

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#### **ITEM 10**

APPROVAL OF THE LICENSE AGREEMENT REGARDING THE INSTALLATION AND OPERATION OF A CELLULAR COMMUNICATIONS FACILITY ON CITY-OWNED PROPERTY ASSESSOR'S PARCEL NUMBER 2866-007-910

Approval of License Agreement with T-Mobile for relocation of their Wireless Communications Facility to a City-owned monopole.

RECOMMENDED ACTION:

City Council:

1. Approve the License Agreement with T-Mobile to install cellular communications equipment on City-owned property known as Round Mountain.
2. Increase anticipated revenues for Fiscal Year 2018-19 by \$11,000 in revenue account 100.4012.004 Franchise Agreement-Other.
3. Authorize the City Manager, or designee, to execute all documents subject to City Attorney approval.

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#### **ITEM 11**

FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, AMENDING SECTIONS OF CHAPTER 6.04 OF TITLE SIX OF THE SANTA CLARITA MUNICIPAL CODE CONCERNING MANUFACTURED HOME PARKS-CHANGE IN USE REVIEW PROCEDURES

At the regular meeting of July 11, 2017, the City Council updated Santa Clarita Municipal Code (SCMC) 6.02 - Manufactured Home Park Rent Adjustment Procedures. Several changes are needed to SCMC 6.04 - Manufactured Home Parks-Change in Use to maintain consistency among the two Chapters.

RECOMMENDED ACTION:

City Council:

1. Conduct the Public Hearing, and
2. Approve and pass to second reading an ordinance entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, AMENDING SECTIONS OF CHAPTER 6.04 OF TITLE SIX OF THE SANTA CLARITA MUNICIPAL CODE CONCERNING MANUFACTURED HOME PARKS-CHANGE IN USE REVIEW PROCEDURES."

Addressing the Council on this item was Doug Fraser and Alan Ferdman.

Mayor and Council requested that City Attorney Joseph Montes comment on this item. Mr. Montes clarified first that the item does not require a public hearing. He further clarified that the proposed ordinance amendment is a clerical clean-up, unlike the more comprehensive changes that were made to Santa Clarita Municipal Code (SCMC) 6.02. Because the revisions to 6.02 eliminated the provisions governing the mobile home panel, this ordinance identifies the Planning Commission as the body to review proposed changes of use to existing mobile home parks in connection with any planned change of land use.

Mayor Pro Tem McLean inquired regarding the cost associated with appealing to City Council and proposed that the Planning Commission should make a recommendation and then Council review the Planning Commission decision.

Councilmember Kellar commented that the process should mirror current practices and Mayor Weste agreed that changes should not be made to the process of the Planning Commission and proposed a "no charge" for an appeal hearing to the Council on this matter.

Mayor Pro Tem McLean concurred that there should not be a cost to appeal to Council and requested that affected coach owners are notified in both English and Spanish, and Council concurred to make these changes to the ordinance.

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#### **ITEM 12**

CHECK REGISTER NO. 22

Check Register No. 22 for the Period 09/28/18 through 10/11/18 and 10/18/18. Electronic Funds Transfers for the Period 10/01/18 through 10/12/18.

RECOMMENDED ACTION:

City Council approve and ratify for payment the demands presented in Check Register No. 22.

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#### **PUBLIC HEARINGS**

#### **ITEM 13**

PRE-ANNEXATION AGREEMENT BETWEEN THE CITY OF SANTA CLARITA AND PLUM CANYON MASTER, LLC, REGARDING VESTING TENTATIVE TRACT MAP 073858

This is a Pre-Annexation Agreement between the City of Santa Clarita and Plum Canyon Master, LLC, accepting the approval issued by Los Angeles County for Vesting Tentative Tract Map 073858.

RECOMMENDED ACTION:

City Council:

1. Conduct a Public Hearing; and
2. Grant the City Manager the authority to execute a Pre-Annexation Agreement between the

City of Santa Clarita and Plum Canyon Master, LLC, accepting the Los Angeles County approval for Vesting Tentative Tract Map 073858, subject to City Attorney approval.

Mayor Weste opened the public hearing.

City Clerk Mary Cusick announced that all notices required by law have been provided.

Senior Planner Patrick Leclair presented the staff report.

Mayor Pro Tem McLean inquired if the park is fully developed with restroom facilities and all amenities similar to City parks and Mr. Leclair answered yes.

No requests to speak were received.

Mayor Weste inquired regarding proposed open space and Frank Su, representing Plum Canyon Master LLC, responded that there are 88 acres of open space and a ten acre park planned, along with a private recreation center with a pool.

Mayor Weste closed the public hearing.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bob Kellar, Councilmember
<b>SECONDER:</b>	Bill Miranda, Councilmember
<b>AYES:</b>	Laurene Weste, Marsha McLean, Bob Kellar, Bill Miranda
<b>ABSENT:</b>	Cameron Smyth

**ITEM 14**

**PRE-ANNEXATION AGREEMENT BETWEEN THE CITY OF SANTA CLARITA AND PARDEE HOMES, INC., AND TRI POINTE HOMES, INC., REGARDING VESTING TENTATIVE TRACT MAP 060922**

This is a Pre-Annexation Agreement between the City of Santa Clarita and Pardee Homes, Inc., and Tri Pointe Homes, Inc., accepting the approval issued by Los Angeles County for Vesting Tentative Tract Map 060922.

**RECOMMENDED ACTION:**

City Council:

1. Conduct a Public Hearing; and
2. Grant the City Manager the authority to execute a Pre-Annexation Agreement between the City of Santa Clarita and Pardee Homes, Inc., and Tri Pointe Homes, Inc., accepting the Los Angeles County approval for Vesting Tentative Tract Map 060922, subject to City Attorney approval.

Mayor Weste opened the public hearing.

City Clerk Mary Cusick announced that all notices required by law have been provided.

Senior Planner Patrick Leclair presented the staff report.

Mayor Pro Tem McLean inquired and Mr. Leclair responded that this development is up to the City standards and that it is similar to the successful Aliento development.

Council discussed the open space designation, the width of the trails, which does not meet the City standards, public access to the planned open space, dedicated parking at the park and trailhead; and requested safe accessibility to the park and open space.

Addressing the Council on this item was Steve Petzold in a neutral position.

City Manager Ken Striplin requested that staff respond to comments by Mr. Petzold, and Mr. Leclair responded that while the Skyline Ranch project does not have an affordability component, when the applicant revised the project, they included a range of product types for all different levels to enter or move up in the market; additionally, the Plum Canyon development has 34 units of affordable housing units.

Mayor Weste closed the public hearing.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bob Kellar, Councilmember
<b>SECONDER:</b>	Bill Miranda, Councilmember
<b>AYES:</b>	Laurene Weste, Marsha McLean, Bob Kellar, Bill Miranda
<b>ABSENT:</b>	Cameron Smyth

**PUBLIC PARTICIPATION II**

Addressing the Council was Alan Ferdman regarding changes to SCMC 6.04.

**ADJOURNMENT**

Mayor Weste adjourned the meeting at 7:38 p.m., stating to hold in our thoughts and prayers for those lives lost in Thousand Oaks.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK



**CITY OF SANTA CLARITA  
AGENDA REPORT**

CONSENT CALENDAR

CITY MANAGER APPROVAL:

*Ken Stripling*

DATE: November 27, 2018

SUBJECT: READING OF ORDINANCE TITLES

DEPARTMENT: Administrative Services

PRESENTER: Mary Cusick

RECOMMENDED ACTION

City Council determine that the titles to all ordinances which appear on this public agenda have been read and waive further reading.

BACKGROUND

Government Code Section 36934 requires that all ordinances be read in full prior to Council taking action on the ordinance. By listing the ordinance title on the Council meeting agenda, Council may determine that the title has been read. In addition, by placing an item on the Consent Calendar to waive further reading of all ordinances whose titles appear on the public agenda, the reading requirement set forth in the Government Code is satisfied once Council approves the Consent Calendar item.

This provides an opportunity to streamline the process and shorten Council meetings and is in compliance with the Government Code regarding the introduction and adoption of ordinances.

ALTERNATIVE ACTION

The City Attorney or City Clerk would read aloud all ordinance titles prior to Council introducing or adopting any ordinance.

FISCAL IMPACT

None by this action.



**CITY OF SANTA CLARITA  
AGENDA REPORT**

CONSENT CALENDAR

CITY MANAGER APPROVAL:

*Ken Stripling*

DATE: November 27, 2018

SUBJECT: FISCAL YEAR 2017 AND 2018 EDWARD BYRNE MEMORIAL  
JUSTICE ASSISTANCE GRANT (JAG) PROGRAM

DEPARTMENT: City Manager's Office

PRESENTER: Jerrid McKenna

RECOMMENDED ACTION

City Council:

1. Accept Fiscal Year 2017 and 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) funds from the U.S. Department of Justice, Bureau of Justice Assistance.
2. Increase estimated revenues in account 206-4461.018 (Justice Assistance Grant 2017) by \$23,872 for Fiscal Year 2017 and in account 206-4461.019 (Justice Assistance Grant 2018) by \$24,647 for Fiscal Year 2018.
3. Increase estimated expenditures in account 16119-5111.001 (Special Supplies) by \$23,872 for Fiscal Year 2017 and in account 16120-5111.001 by \$24,647 for Fiscal Year 2018.
4. Authorize the City Manager, or designee, to execute all contracts and associated documents, subject to City Attorney approval.

BACKGROUND

The City of Santa Clarita (City) has been awarded a grant of \$23,872 for Fiscal Year 2017 and \$24,647 for Fiscal Year 2018 by the United States (U.S.) Department of Justice, Bureau of Justice Assistance, through the Edward Byrne Memorial Justice Assistance Grant (JAG) program. JAG funds are allocated by using a formula, based on each city's share of the total violent crime reported within the state. This program allows state and local governments to support a broad range of activities to prevent and control crime, based on local needs and conditions. It provides agencies with the flexibility to prioritize and place justice funds where they are needed most. With this allocation formula, the 2017 and 2018 awarded amounts, respectively, reflects a decrease from JAG 2016 funds, which totaled \$24,677.

JAG 2017 and 2018 grant funds will be used for the purchase of technologically-advanced equipment to enhance existing law enforcement, advance community policing efforts to help reduce crime, address quality-of-life issues, and safeguard public safety in the City Santa Clarita.

Equipment proposed for JAG 2017 grant funding includes the purchase of three electronic ticket writers to be used by motor deputies during routine traffic stops. The cost for the electronic ticket writers, including system upgrades and maintenance and support for one year, is \$11,688. Implementation of this technology will increase productivity and accuracy. Additionally, the grant funding will be used for the purchase of two Stalker XS Long Range LIDAR units and two Pro-Lite+ binocular-style LIDAR units. Implementation of this technology will increase productivity of the motor deputies. The cost of the LIDAR units is \$8,161.

In addition to the electronic ticket writers, the remaining allocation of \$28,670 will be spent toward the purchase of fixed Automated License Plate Readers (ALPRs). This technology continuously scans cars traveling on roadways to instantly alert the local Sheriff's station should a car be reported as stolen. ALPRs have proven to be an instrumental tool in the recovery of stolen vehicles.

#### ALTERNATIVE ACTION

Other actions as determined by the City Council.

#### FISCAL IMPACT

The total of this program is \$48,519, \$23,872 for Fiscal Year 2017 and \$24,647 for Fiscal Year 2018, to be offset completely by grant funds.



**CITY OF SANTA CLARITA  
AGENDA REPORT**

CONSENT CALENDAR

CITY MANAGER APPROVAL:

*Ken Striplen*

DATE: November 27, 2018

SUBJECT: APPROVAL OF FINAL TRACT MAP, ACCEPTANCE OF OFFERS OF DEDICATION, ABANDONMENT OF EXISTING EASEMENT, AND APPROVAL OF ACQUISITION AGREEMENT FOR OFFSITE RIGHT-OF-WAY FOR TRACT NO. 50283-02 - NEEDHAM RANCH

DEPARTMENT: Public Works

PRESENTER: Shannon Pickett

RECOMMENDED ACTION

City Council:

1. Approve Final Tract Map for Tract No. 50283-02.
2. Accept on behalf of the public the offer of dedication of easement for public use and road purposes; the offer of dedication of easement for sight distance; and the right to prohibit any and all allowable uses within open space.
3. Abandon the existing easement for slope purposes.
4. Make findings as follows: This project is consistent with the provisions of Sections 66474 and 66474.1 of the Subdivision Map Act and should be approved.
5. Instruct the Director of Administrative Services to endorse the Special Assessment Statement on the face of Final Tract Map for Tract No. 50283-02, which indicates all special assessments levied by the City of Santa Clarita (City) are paid.
6. Instruct the City Clerk to endorse the City Clerk's Statement on the face of Final Tract Map for Tract No. 50283-02, which embodies the approval of said map, the acceptance of the dedications shown thereon, and the abandonment of the easements shown thereon.
7. Instruct the City Engineer to endorse the City Engineer's Statement on the face of Final Tract Map for Tract No. 50283-02, which provides for verification of substantial conformance with

the Tentative Tract Map and all provisions of local ordinances and state laws applicable at the time of approval.

8. Instruct the City Surveyor to endorse the City Surveyor's Statement on the face of Final Tract Map for Tract No. 50283-02, which provides for verification that the map is technically correct.
9. Authorize the City Manager or designee to execute the Acquisition Agreement between the City of Santa Clarita and Center at Needham Ranch Land, LLC for right-of-way acquisition, subject to City Attorney approval.

### BACKGROUND

The Final Tract Map for Tract No. 50283-02, an exhibit of which is attached hereto, has been reviewed by staff and found to be in substantial conformance with the principles and standards required by the Unified Development Code and State Subdivision Map Act. The Needham Ranch project was originally approved by the City Council on June 24, 2003, as a part of Master Case 99-264 including the certification of the Environmental Impact Report prepared for the project, along with the following entitlements: Tentative Tract Map 50283; the Development Agreement; General Plan Amendment; Zone Change; Conditional Use Permit; Hillside Review; and Oak Tree Permit. The project was also approved as Tentative Tract No. 50283 by the City of Santa Clarita's Planning division on January 18, 2017. This Final Tract Map consists of a subdivision of 40.05 acres into 11 lots, including six open space lots and five industrial/commercial lots. The subject property is located west of Sierra Highway, south of Newhall Avenue.

The Final Tract Map was reviewed to the satisfaction of the City Engineer and the City Surveyor and found to be in substantial conformance with the previously approved tentative tract map. The conditions of approval established by the City of Santa Clarita were also met and fees have been and/or will be paid as indicated on the attached Fact Sheet. Therefore, the Final Tract Map is ready for City Council approval and acceptance of the dedications shown thereon.

Pursuant to Section 66474.1 of the Subdivision Map Act, a legislative body shall not deny approval of a final or parcel map if it was previously approved as a tentative map for the proposed subdivision and if it finds the final or parcel map is in substantial compliance with the previously approved tentative map.

The Acquisition Agreement, a draft copy of which is attached hereto, is necessary to construct offsite improvements in accordance with the certified environmental impact report.

### ALTERNATIVE ACTION

Staff has not identified alternative actions that would conform to requirements set forth in the Subdivision Map Act.

## FISCAL IMPACT

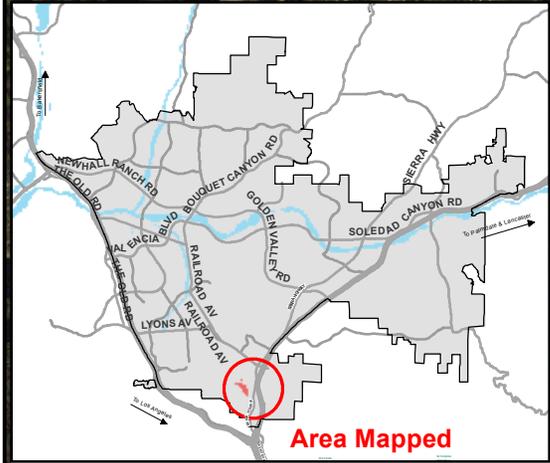
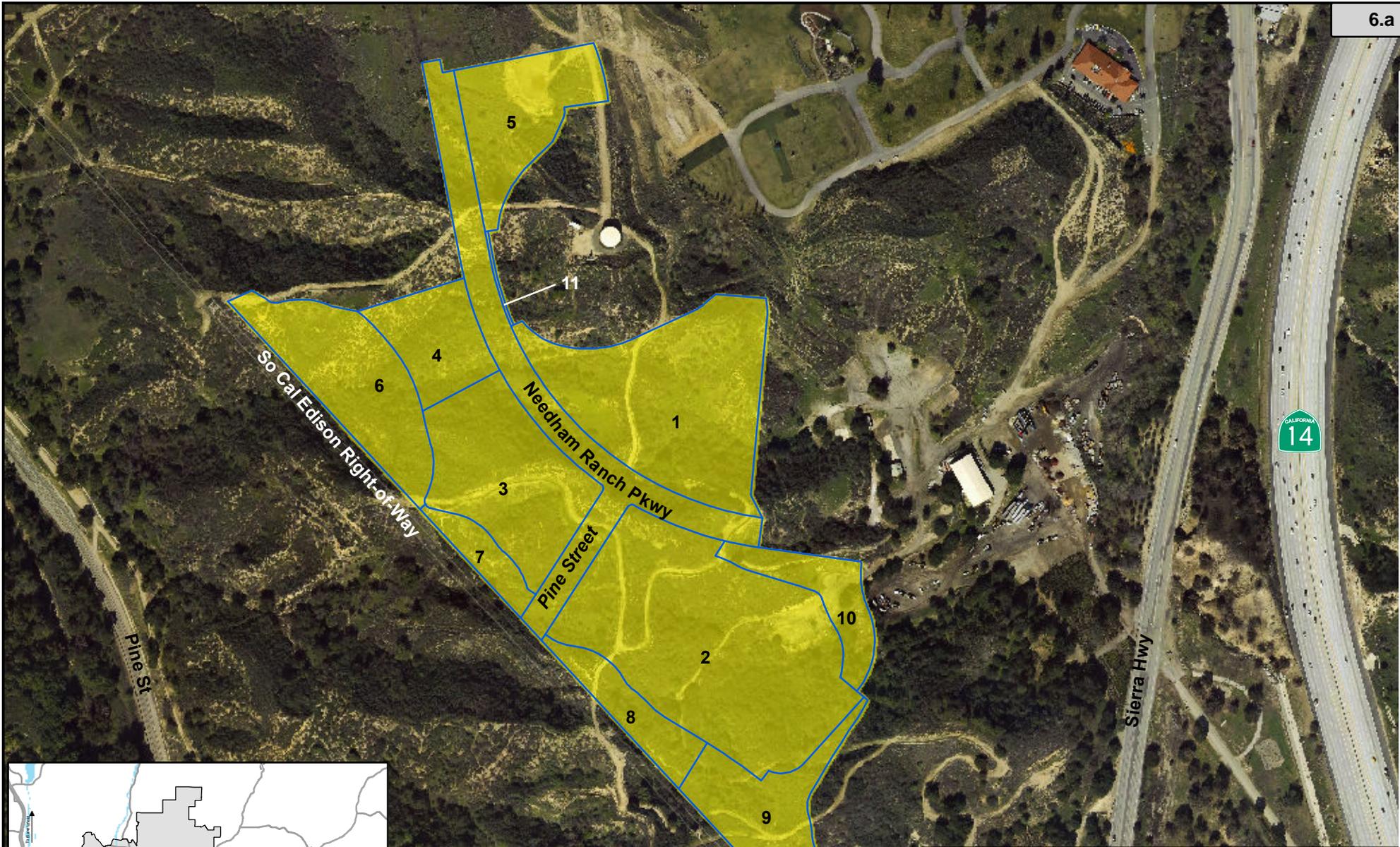
The public streets shown on the Final Tract Map for Tract No. 50283-02 will be dedicated to the City. The maintenance of this additional pavement will have minimal impact on the City's street maintenance budget. All applicable Bridge and Thoroughfare fees have been paid.

## ATTACHMENTS

Exhibit Map

Fact Sheet

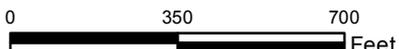
DRAFT offsite acquisition agreement




 City of **SANTA CLARITA**  
**Exhibit Map**  
**TRACT NO. 50283-02**  
**(FMP17-00005)**  
**Needham Ranch**



The City of Santa Clarita does not warrant the accuracy of the data and assumes no liability for any errors or omissions.  
 Map prepared by: City of Santa Clarita GIS Division

0                      350                      700  

 Feet

**Packet Pg. 29**

Attachment: Exhibit Map (APPROVE FINAL TRACT MAP, ACCEPT OFFERS OF DEDICATION, ABANDON

**FACT SHEET  
PARCEL MAP 50283-02**

Location: West of Sierra Highway and south of Newhall Avenue

Acreage: Approximately 40.05 acres

Number of Lots: Eleven (11)

Use: Industrial/Commercial

Owner: Center at Needham Ranch Land, LLC, a Delaware Limited Liability Company and Needham Ranch Land Company, LLC, a California Limited Liability Company

Trails/Paseos: No new trails are being dedicated to the City by this map.

Streets: This map is dedicating portions of Needham Ranch Parkway and Pine Street.

B&T Fees: The applicable Bridge and Thoroughfare (B&T) fee(s) have been paid.

Transit Fees: Transit fee(s) are not applicable to commercial developments.

Quimby Fees: Quimby fee(s) are not applicable to commercial developments.

School Fees: School fee(s) are not applicable to commercial developments.

**AGREEMENT REGARDING ACQUISITION OF OFF-SITE PROPERTY  
(AGT18-00003)**

This Agreement is made and entered into by and between the CITY OF SANTA CLARITA, a municipal corporation (“City”), and CENTER AT NEEDHAM RANCH LAND, LLC, a Delaware Limited Liability Company (“Developer”) (hereinafter, City and Developer shall collectively be referred to as the “Parties”).

**WITNESSETH:**

The Parties do agree as follows:

Section 1 Recitals. This Agreement is entered into with respect to the following facts, which the Parties agree are true and correct:

- A. Developer is the current owner in fee simple of certain real property in the City of Santa Clarita, as shown in Exhibit A (“Property”).
- B. The Property is located within the City of Santa Clarita.
- C. The Property was entitled on June 24, 2003 as Master Case No. 99-264 for the Gate King Industrial Park project (now the Needham Ranch Business Park). The entitlement process resulted in the certification of an Environmental Impact Report that included a mitigation measure to construct a right-turn lane at the intersection of Sierra Highway and Newhall Avenue (“Improvement”).
- D. The Improvement requires an offsite right-of-way easement for access over and across property owned by Mike Redmond, SFXS Group (“ROW Easement”), which is legally described and depicted on Exhibits B and C attached hereto.
- E. Developer has been unable to acquire the ROW Easement and has thus been unable to construct the Improvement related to said ROW Easement.
- F. Pursuant to Sections 66462 and 66462.5 of the Government Code, City has required that, as a condition precedent to approval of the final map consistent with the VTTM and Master Case No. 99-264, Developer enter into an agreement upon mutually agreeable terms to complete Improvement related to the ROW Easement at such time as the City acquires the ROW Easement, and that Developer pay the cost of acquiring the ROW Easement.

- G. As of the Effective Date of this Agreement, Developer requests that the City use its best efforts to acquire the ROW Easement either by negotiation or by commencing proceedings pursuant to Title 7 of Part 3 of the Code of Civil Procedure, at Developer's sole expense.

Section 2 Acquisition by City.

- A. Developer shall complete at its sole cost the Improvement within 90 days after City certifies in writing to Developer that it owns or has the right of possession to the ROW Easement.
- B. Commencement of Proceedings. On July 12, 2018, CBRE Valuation and Advisory Services submitted an Appraisal Report for the Property and concluded its value to be \$179,000. Developer understands and agrees that City shall utilize that appraisal for initial acquisition purposes, but that City reserves its right, in its sole and unfettered discretion, to select, retain and use a separate appraiser for litigation and trial.

In the event City staff is unable to acquire the ROW Easement by negotiation, City staff shall within 90 days thereafter recommend to the Santa Clarita City Council that the City Council adopt a Resolution of Necessity pursuant to Code of Civil Procedure §§1245.310 *et seq.* for the acquisition of the ROW Easement. If after holding a hearing and giving judicious consideration to relevant testimony, the City Council elects to adopt the proposed Resolution of Necessity, City shall then commence an eminent domain proceeding for the acquisition of the ROW Easement within 60 days after the adoption of the Resolution of Necessity.

- C. Deposit of Probable Compensation. If an eminent domain action is filed and Developer desires to obtain possession of the ROW Easement prior to judgment pursuant to Section 1255.410 *et seq.* of the Code of Civil Procedure, the Developer shall provide City with an amount sufficient under Section 1255.010 *et seq.* to make a deposit of probable compensation with the Los Angeles County Superior Court for the purpose of obtaining such an order with respect to the ROW Easement. Developer shall also provide on a timely basis any further monetary amounts for any additional court deposits as may be directed by the court pursuant to Section 1255.030 of the Code of Civil Procedure in the eminent domain action.
- D. Payment of Purchase Price or Just Compensation for Acquisition of the ROW Easement. Should the ROW Easement be acquired by agreement through negotiation, Developer shall be solely responsible for payment of the purchase price of the ROW Easement. Likewise, if the ROW Easement is acquired through the eminent domain process, Developer shall be solely responsible for depositing

with the court the amount of just compensation to be awarded for the taking of the ROW Easement. In the event of any eminent domain action, Developer shall be solely responsible for payment to the defendants in said action for any and all Acquisition Costs (as defined below) associated with the taking of the ROW Easement.

- E. Right To Terminate Agreement. Upon written notice to City, Developer shall have the right, at any time, to request that this Agreement be terminated . Upon its receipt of such notice, City shall attempt to terminate the proceedings for acquisition of the ROW Easement and shall refund any unused deposit money to Developer; provided, however, that Developer shall be liable and shall reimburse the City for any and all Acquisition Costs (as defined below) incurred to the date of termination, as well as any and all further damages, costs or expenses required to be paid for abandoning the acquisition including, but not limited to, all such damages and costs pursuant to Code of Civil Procedure section 1268.610. The Parties understand the court may preclude City from abandoning the eminent domain proceedings and, if this occurs, this Agreement shall remain in place, and Developer shall remain liable to City for all further Acquisition Costs associated with the completion of the eminent domain action.
- F. Right To Amend Acquisition. Developer shall have the right, at any time following written notice to and approval by the City, to have the acquisition of the ROW Easement amended to include additional interests or exclude a portion of the ROW Easement. Upon its receipt of such written notice and the City's approval, City shall modify the necessary documents and/or pleadings to reflect the interests to be acquired as amended. Developer shall be liable and shall reimburse the City for any and all damages, costs or expenses required to be paid for amending the acquisition including, but not limited to, such damages and costs pursuant to Code of Civil Procedure section 1250.340(a).
- G. Settlement Offers. The Parties agree and understand that all offers of settlement made voluntarily, or as may be required by law (including those required under Section 1250.410(a) of the Code of Civil Procedure), will be so made in the sole and unfettered discretion of the City, and Developer shall have no input whatsoever in the decision to make settlement offers or accept settlement demands from the property owner. Developer understands that if, for any reason, a settlement offer by City made pursuant to Section 1250.410 is subsequently found by a court to be unreasonable within the meaning of the provisions of, *inter alia*, Section 1250.410(b) of the Code of Civil Procedure, Developer shall, in addition to all of its other obligations pursuant to this Agreement, promptly reimburse City for all court awarded costs and litigation expenses paid by the City to the owners of the ROW Easement ("Owners") pursuant to Section 1250.410(b).

- H. Litigation Discretion Vested Solely In City. If necessary in the City's sole discretion, City may consult with Developer in regard to any proposed material communications with Owners regarding the ROW Easement to be acquired pursuant to this Agreement, which communications Developer shall keep confidential to the extent permitted by law. However, City and its counsel shall, in their sole and unfettered discretion, direct all decisions regarding the litigation and trial of any eminent domain matter, including decisions regarding discovery, law and motion, retention and use of experts and witnesses.

### Section 3 Payment by Developer.

- A. Acquisition Costs. The term "Acquisition Costs" as used herein shall include but not be limited to costs and payments incurred for attorneys' fees; expert witness fees including appraisers, whether or not said expert witnesses are called to testify at trial; fees paid to non-party or adverse expert witnesses, court costs; litigation expenses as defined by Code of Civil Procedure Section 1235.41; relocation costs; costs and fees charged by acquisition and relocation agents; any court awards including but not limited to compensation for the value of the property taken, any severance damages, any loss of goodwill, any delay damages, interest on the award, interest for immediate possession of the property taken; sanctions, if any, awarded to the owner of the property being taken; costs for trial exhibit preparation without regard to whether an exhibit was actually offered into evidence or used at trial; filing and recordation fees; court costs awarded to the owner or payable to the court; court reporter fees; court costs awarded to the owner for abandonment or dismissal for all or any part of any condemnation action; jury fees and fees for official reporting of testimony and proceedings during trial and after judgment; all fees and costs recoverable pursuant to Code of Civil Procedure sections 1250.410(b), 1235.140, 1268.610, 1268.620, 1268.710, and 1268.720; all arbitration, mediation, and other alternative dispute resolution fees; the costs associated with any appeal of a judgment; costs and payments incurred for any out-of-court settlements providing for compensation in avoidance of trial of any issue, and Fees & Costs (defined below).

Developer shall be liable for any and all such Acquisition Costs whether City acquires the ROW Easement through a negotiated transaction, or through a settlement or judgment in an eminent domain proceeding. Further, Developer shall also be liable for such Acquisition Costs actually incurred by City in the event that: [1] the City Council does not adopt a Resolution of Necessity, [2] an eminent domain action is commenced and the action is abandoned at the direction of Developer, [3] the acquisition is abandoned due to Developer's failure to reimburse and/or pay the City as set forth herein, and/or [4] it is ultimately adjudged that the City is not entitled to acquire the ROW Easement.

- B. Fees & Costs. Developer shall reimburse the City for all fees and costs incurred by the City in connection with the acquisition of the ROW Easement by the City, including but not limited to, attorney's fees by counsel for the City, costs for City Staff, direct and indirect administrative costs (including fees fixed by law or assessed by public agencies, long distance telephone calls, messenger and other delivery fees, postage, parking and other local travel expenses, photocopying and other reproduction costs, word processing charges, fax charges, charges for computer research, court reporter fees, and other similar items), transportation and travel expenses, attorneys' fees, and services of experts, such as appraisers (collectively, "Fees & Costs").
- C. Deposit. Developer shall deposit with the City within 10 days after the execution of this agreement each of the following:
1. A faithful performance bond in a form approved by the City in an amount determined by the City to assure (i) performance of the obligations to reimburse the City for all Acquisition Costs; and (ii) construction of the Improvements; and
  2. An initial amount of EIGHTY FIVE THOUSAND AND 00/100 DOLLARS (\$85,000.00) in the form of a cashier's or certified check, which will be applied by the City toward the Acquisition Costs ("Deposit"). The Deposit shall be made with the City prior to any public hearing by the Council to consider the adoption of a Resolution of Necessity pursuant to the Eminent Domain Law. Upon termination of this Agreement, City shall refund any unused portion of the Deposit to Developer within 90 days, without interest.

City may, but shall be under no duty to, proceed with the proposed acquisition of the ROW Easement until the faithful performance bond and Deposit or any other funding deposits required under the terms of this Agreement have been delivered to the City. No time periods required in this agreement for the City to take any actions required herein or by statute shall commence to run against the City until the faithful performance bond, Deposit and any other required advanced payment deposits have been deposited with the City. Neither the failure to deposit said faithful performance bond and Deposit, nor the failure to make any other funding deposits required under the terms of this Agreement, shall relieve Developer of the duty to construct the Improvement required in VTTM and Master Case No. 99-264 when the City certifies that it owns or has the right of possession to the ROW Easement, or constitute a waiver of any City condition for approval related to the construction of the Improvements.

- D. Expenditure of Deposit. City may deduct from the Deposit such sums as are necessary to reimburse it for Acquisition Costs incurred in the acquisition process. City shall give written notice to Developer of all Acquisition Costs so reimbursed within 30 days after such reimbursement.
- E. Replenishment of Deposit. Developer shall replenish the Deposit so as to keep it at a minimum balance of FORTY THOUSAND AND 00/100 DOLLARS (\$40,000.00) during the term of this Agreement. City will notify Developer when the amount on deposit is approaching this minimum amount.

#### Section 4 Compliance with Eminent Domain Procedures.

The Parties acknowledge that, notwithstanding any provision of this Agreement to the contrary, City in exercising its power of eminent domain is required to do so in strict accordance with the provisions of the Eminent Domain Law. This includes, but is not limited to, establishing the project's compliance with CEQA prior to the adoption of a Resolution of Necessity, the conducting of the hearing for a Resolution of Necessity authorizing the formal commencement of eminent domain proceedings against the ROW Easement ("Resolution") and being able, based upon competent evidence presented thereat, to make the findings required under, *inter alia*, Chapter 3 of Title 7 of the Code of Civil Procedure (beginning with Section 1240.010) as a condition precedent to the adoption of such Resolution. The Parties acknowledge that the City cannot promise or guarantee the outcome of such hearing on the Resolution; rather, the Council will act in its sole and unfettered discretion upon such evidence as is presented to it at the said hearing. If the Council is able to make the findings required for the adoption of a Resolution based upon the evidence so presented, and does in fact adopt such a Resolution in the exercise of its discretion, then the City will prosecute an eminent domain action in regard to the ROW Easement in the time and manner contemplated pursuant to this Agreement. Notwithstanding the provisions of Government Code section 66462.5, the Parties agree that City's failure to adopt a resolution of necessity or otherwise acquire any property hereunder shall not be a breach of this Agreement, nor shall it be deemed a waiver of any development condition or obligation imposed upon Developer that requires such property interests.

#### Section 5 Defense and Indemnity.

Developer agrees to hold harmless, defend (with counsel selected by City) and indemnify City, its employees, agents and assigns, from and against any and all claims arising out of Developer's breach of this Agreement or Developer's negligent or wilfull conduct or any third party challenges to the legality of this Agreement. In the event that City is required to defend itself against any such claim, Developer shall maintain an adequate deposit to cover the costs of such defense, consistent with the provisions of Sections 3.B and 3.C of this Agreement

Section 6 Entire Agreement.

This Agreement constitutes the entire understanding between the Parties with respect to the acquisition of ROW Easement by the City, superseding all negotiations, prior discussions, and preliminary agreements or understandings, whether oral or written.

Section 7 Amendment.

This Agreement may not be amended except in writing by the Parties or their successors or assigns.

Section 8 Applicable Law.

The terms of this Agreement shall be construed in accordance with California law and shall not be construed for or against either party by reason of the authorship of this Agreement.

Section 9 Notices.

All notices with respect to this Agreement, or concerning matters arising out of this Agreement, shall be in writing and shall be given by personal service, facsimile, or by deposit of the same in the custody of the United States Postal Service or its lawful successor, as registered mail, postage prepaid, return receipt requested, addressed to the respective Parties, as follows:

For Developer:

Center at Needham Ranch Land, LLC  
2221 Rosecrans Avenue, Suite 200  
El Segundo, CA 90245  
Attn: Gregory Ames, Vice President

For the City of Santa Clarita:

City of Santa Clarita  
23920 Valencia Boulevard  
Santa Clarita, CA 91355  
Fax: (661) 259-8125  
Attn: Mike Hennawy, City Engineer

With a copy to:

Burke, Williams & Sorensen, LLP  
444 S. Flower St., 24<sup>th</sup> Floor  
Los Angeles, California 90071  
Fax: (213) 236-2700

Attn: Joseph M. Montes, Esq.

Notices shall be deemed, for all purposes, to have been given on the date of personal service or facsimile, or three (3) consecutive calendar days following deposit of the same in the custody of the United States Postal Services.

Either party may change its address for service hereunder by serving written notice on the other in the manner provided herein.

Section 10 Binding Effect.

The provisions of this Agreement shall be binding upon the Parties and their respective successors in interest.

Section 11 Section Headings.

The section headings contained in this Agreement are for convenience and identification only and shall not be deemed to limit or define the contents of the sections to which they relate.

Section 12 No Presumption Re: Drafter.

The Parties acknowledge and agree that the terms and provisions of this Agreement have been negotiated and discussed between the Parties and their attorneys, and this Agreement reflects their mutual agreement regarding the same. Because of the nature of such negotiations and discussions, it would be inappropriate to deem any party to be the drafter of this Agreement, and therefore no presumption for or against validity or as to any interpretation hereof, based upon the identity of the drafter shall be applicable in interpreting or enforcing this Agreement.

Section 13 Assistance of Counsel.

Each party to this Agreement warrants to each other party, as follows:

- (1) That each party either had the assistance of counsel or had counsel available to it, in the negotiation for, and execution of, this Agreement, and all related documents; and
- (2) That each party has lawfully authorized the execution of this Agreement.

Section 14 Severability.

If any term or provision of this Agreement is, to any extent, held invalid or unenforceable by a court of competent jurisdiction, the remainder of this Agreement shall not be affected.

Section 15 Modification.

This Agreement shall not be modified except by written agreement of the Parties.

Section 16 Effective Date.

The effective date of this Agreement shall be the date upon which the last party executes this Agreement.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date written by their signatures.

**CENTER AT NEEDHAM RANCH LAND, LLC,  
a Delaware Limited Liability Company (“Developer”):**

By: Lion-TCC Development II, LLC,  
A Delaware corporation,  
its Managing Member

By: TC Industrial Associates, Inc.,  
a Delaware corporation,  
its Managing Member

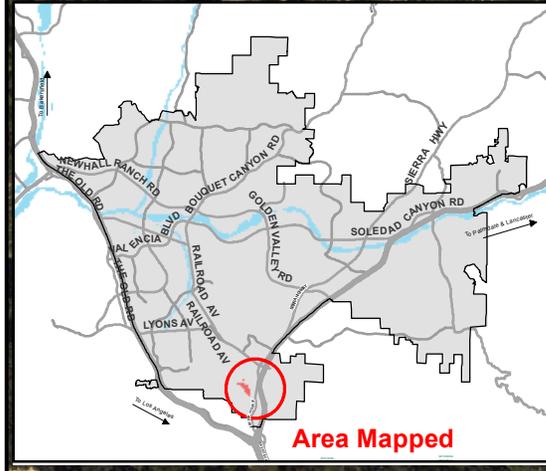
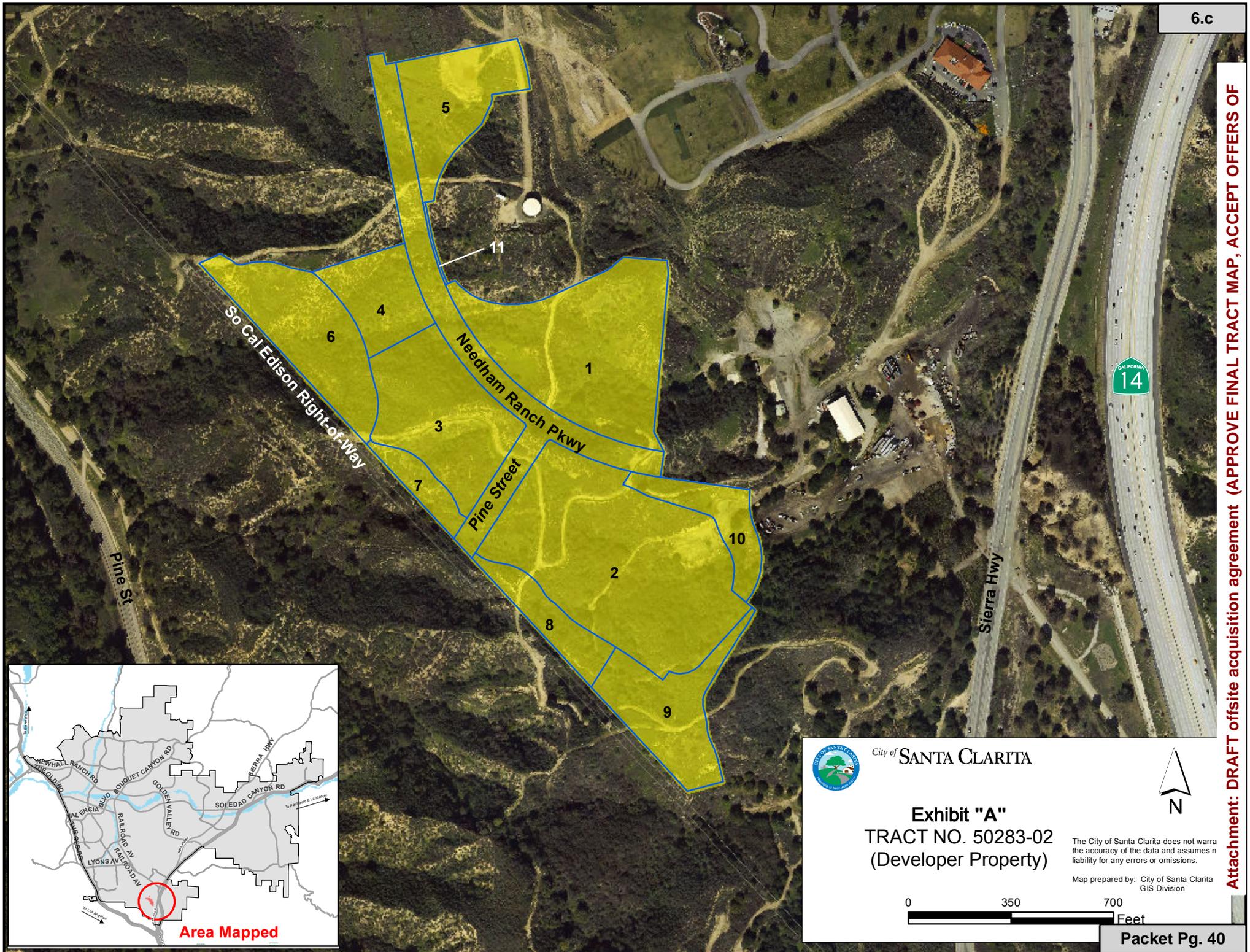
By: \_\_\_\_\_  
Gregory Ames, Vice President

Dated: \_\_\_\_\_

**CITY OF SANTA CLARITA,  
a municipal corporation (“City”):**

By: \_\_\_\_\_  
Kenneth W. Striplin, City Manager

Dated: \_\_\_\_\_




 City of **SANTA CLARITA**

**Exhibit "A"**  
**TRACT NO. 50283-02**  
**(Developer Property)**

  
 N

The City of Santa Clarita does not warrant the accuracy of the data and assumes no liability for any errors or omissions.  
 Map prepared by: City of Santa Clarita GIS Division

0                      350                      700  
 Feet

Packet Pg. 40

**Attachment: DRAFT onsite acquisition agreement (APPROVE FINAL TRACT MAP, ACCEPT OFFERS OF**

**EXHIBIT "B"**  
**LEGAL DESCRIPTION**

**DEDICATION AND GRANT OF EASEMENT FOR PUBLIC USE AND ROAD PURPOSES  
IN THE CITY OF SANTA CLARITA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA**

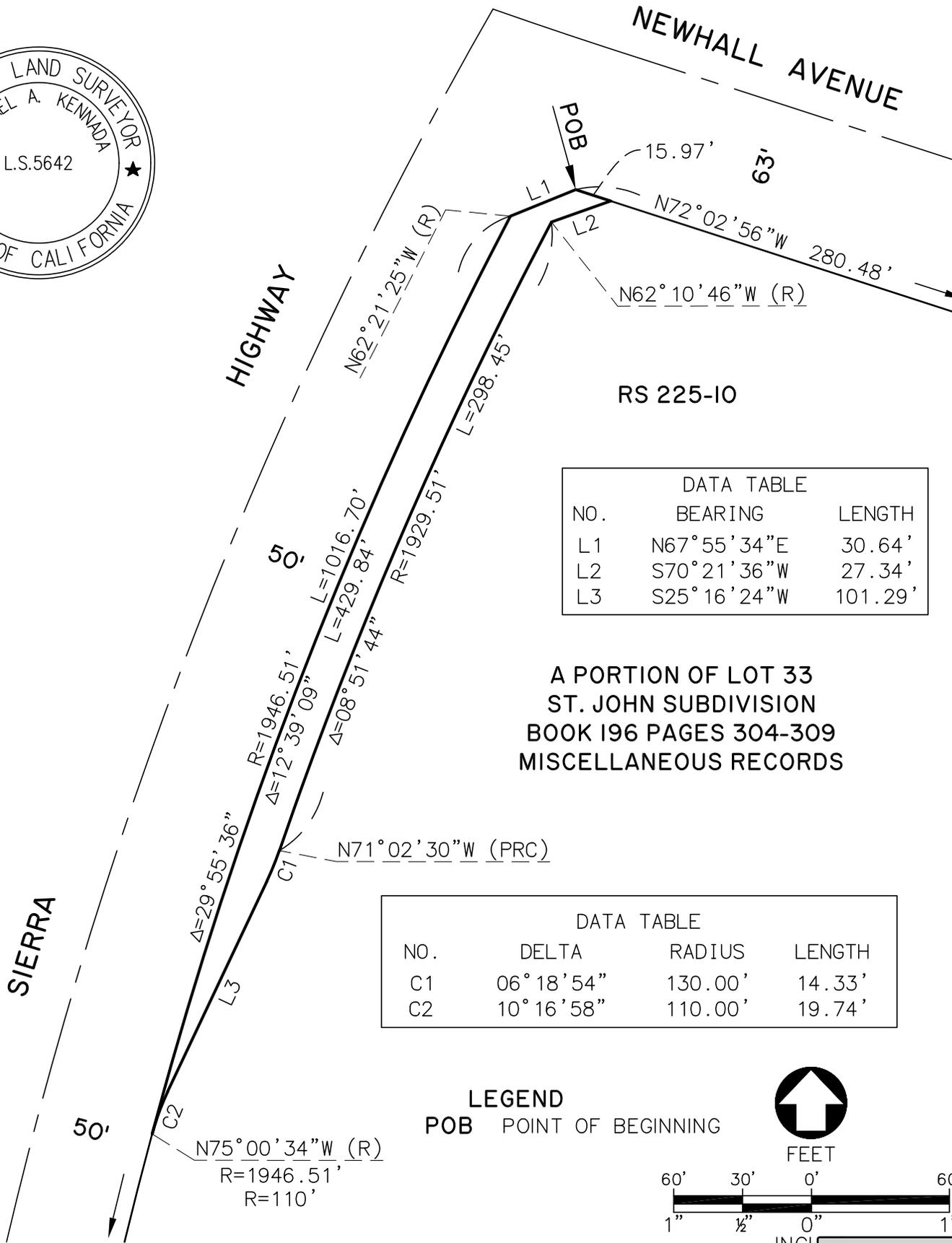
THAT PORTION OF LOT 33, IN THE CITY OF SANTA CLARITA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP OF ST. JOHN SUBDIVISION, RECORDED IN BOOK 196, PAGES 304 THROUGH 309 INCLUSIVE, OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY TERMINUS OF THAT COURSE IN THE SOUTHWESTERLY LINE OF NEWHALL AVENUE, FORMALLY SAN FERNANDO ROAD, SHOWN ON MAP FILED IN BOOK 225, PAGE 10, OF RECORD OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AS HAVING A BEARING AND DISTANCE OF NORTH 72°08'19" WEST 280.48 FEET, AND FOR THE PURPOSE OF THIS DESCRIPTION SHALL BEAR NORTH 72°02'56" WEST;  
 THENCE ALONG SAID SOUTHWESTERLY LINE OF NEWHALL AVENUE, SOUTH 72°02'56" EAST 15.97 FEET;  
 THENCE LEAVING SAID SOUTHWESTERLY LINE OF NEWHALL AVENUE, SOUTH 70°21'36" WEST 27.34 FEET TO A POINT ON A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 1,929.51 FEET, A RADIAL LINE THROUGH SAID POINT BEARS NORTH 62°10'46" WEST;  
 THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08°51'44" AN ARC DISTANCE OF 298.45 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 130.00 FEET;  
 THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 06°18'54" AN ARC DISTANCE OF 14.33 FEET;  
 THENCE TANGENT TO SAID CURVE, SOUTH 25°16'24" WEST 101.29 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 110.00 FEET;  
 THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°16'58" AN ARC DISTANCE OF 19.74 FEET TO A POINT IN THE SOUTHEASTERLY LINE OF SIERRA HIGHWAY, AS SHOWN ON SAID RECORD OF SURVEY, SAID POINT BEING ON A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 1,946.51 FEET, A RADIAL LINE THROUGH SAID POINT BEARS NORTH 75°00'34" WEST;  
 THENCE NORTHEASTERLY ALONG SAID SOUTHEASTERLY LINE OF SIERRA HIGHWAY AND ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 12°39'09" AN ARC DISTANCE OF 429.84 FEET TO AN ANGLE POINT IN SAID SOUTHEASTERLY LINE OF SIERRA HIGHWAY;  
 THENCE CONTINUING ALONG SAID SOUTHEASTERLY LINE OF SIERRA HIGHWAY, NORTH 67°55'34" EAST 30.64 FEET TO THE POINT OF BEGINNING.

# EXHIBIT "C"

## EXHIBIT MAP

DEDICATION AND GRANT OF EASEMENT FOR PUBLIC USE AND ROAD PURPOSES  
IN THE CITY OF SANTA CLARITA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA



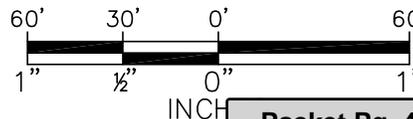
RS 225-10

A PORTION OF LOT 33  
ST. JOHN SUBDIVISION  
BOOK 196 PAGES 304-309  
MISCELLANEOUS RECORDS

DATA TABLE		
NO.	BEARING	LENGTH
L1	N67° 55' 34" E	30.64'
L2	S70° 21' 36" W	27.34'
L3	S25° 16' 24" W	101.29'

DATA TABLE			
NO.	DELTA	RADIUS	LENGTH
C1	06° 18' 54"	130.00'	14.33'
C2	10° 16' 58"	110.00'	19.74'

**LEGEND**  
POB POINT OF BEGINNING



Attachment: DRAFT offsite acquisition agreement (APPROVE FINAL TRACT MAP, ACCEPT OFFERS OF DEDICATION, ABANDON EASEMENT



**CITY OF SANTA CLARITA  
AGENDA REPORT**

CONSENT CALENDAR

CITY MANAGER APPROVAL:

*Ken Stripling*

DATE: November 27, 2018

SUBJECT: APPROVAL OF FINAL TRACT MAP, ACCEPTANCE OF OFFERS OF DEDICATION, AND REJECTION OF IRREVOCABLE OFFER OF DEDICATION FOR TRACT NO. 69164-02 - VISTA CANYON RANCH; APPROVAL OF GRANT DEED, SOUTHERN CALIFORNIA EDISON EASEMENT, AND WATER FACTORY INTERCONNECTION AGREEMENT

DEPARTMENT: Public Works

PRESENTER: Shannon Pickett

RECOMMENDED ACTION

City Council:

1. Approve Final Tract Map for Tract No. 69164-02.
2. Reject irrevocable offer of dedication and grant in fee simple all of Lot 7.
3. Accept on behalf of the public the offers of dedication of the easements for public use and road purposes; the easements for sanitary sewer and sanitary sewer ingress and egress purposes; all sanitary sewers and appurtenant structures; the easements for covered storm drain, appurtenant structures, ingress and egress purposes; the right to prohibit any and all allowable uses within open space; the easement for sight distance; and the right to restrict direct vehicular ingress and egress to Lost Canyon Road.
4. Make findings as follows: (a) this project is consistent with the provisions of Sections 66474 and 66474.1 of the Subdivision Map Act and should be approved, and (b) this proposed subdivision, together with the provisions for this design and improvement, is consistent with the General Plan required by Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of the Government Code, or any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of the Government Code.

5. Instruct the Director of Administrative Services to endorse the Special Assessment Statement on the face of Final Tract Map for Tract No. 69164-02, which indicates all special assessments levied by the City of Santa Clarita are paid.
6. Instruct the City Clerk to endorse the City Clerk's Statement on the face of Final Tract Map for Tract No. 69164-02, which embodies the approval of said map, and the acceptance and rejection of dedications shown thereon and the abandonment of the easements.
7. Instruct the City Engineer to endorse the City Engineer's Statement on the face of Final Tract Map for Tract No. 69164-02, which provides for verification of substantial conformance with the Tentative Tract Map and all provisions of local ordinances and state laws applicable at the time of approval.
8. Instruct the City Surveyor to endorse the City Surveyor's Statement on the face of Final Tract Map for Tract No. 69164-02, which provides for verification that the map is technically correct.
9. Approve and authorize the City Manager or designee to execute the grant deed and associated documents conveying four acres of City-owned property to Vista Canyon Phase II, LLC, consistent with Condition No. PR 12 of City Council Resolution No. 11-23, subject to City Attorney approval.
10. Approve and authorize the City Manager or designee to execute the grant of easement to Southern California Edison for a power vault within the Vista Canyon Water Factory parcel, subject to City Attorney approval.
11. Approve and authorize the City Manager or designee to execute the Vista Canyon Water Factory Interconnection Agreement with Santa Clarita Valley Sanitation District of Los Angeles County, subject to City Attorney approval.

## BACKGROUND

The Final Tract Map for Tract No. 69164-02, an exhibit of which is attached hereto, has been reviewed by staff and found to be in substantial conformance with the principles and standards required by the Unified Development Code and State Subdivision Map Act. It was approved as a tentative tract map by the City Council on April 26, 2011. The Final Tract Map for phase two consists of 19 lots, is approximately 45.38 acres, and is located on the east side of the City of Santa Clarita (City). At this time, all parcels are vacant.

The Final Tract Map was reviewed to the satisfaction of the City Engineer and the City Surveyor and found to be in substantial conformance with the previously approved tentative tract map. The conditions of approval established by the City were also met and fees have been and/or will be paid as indicated on the attached Fact Sheet. Therefore, the Final Tract Map is ready for City Council approval and acceptance of the dedications.

Pursuant to Section 66474.1 of the Subdivision Map Act, a legislative body shall not deny approval of a final or parcel map if it was previously approved as a tentative map for the

proposed subdivision and if it finds the final or parcel map is in substantial compliance with the previously approved tentative map.

A 10-acre park will be constructed by the developer within Lot 7. The City will take ownership of Lot 7 after the improvements are constructed.

Condition No. PR 12 of City Council Resolution No. 11-23 required the applicant to purchase four acres of City-owned property to be utilized by the project applicant for development within Planning Area 3, which is included within the Final Tract Map for Tract No. 69164-02. Vista Canyon Phase II, LLC has deposited \$111,000 (the purchase price) to the City based upon the appraisal prepared for this property. The Exhibit Map, attached hereto, highlights the City-owned parcel that is partially within the development. This parcel was acquired through the Los Angeles County Safe Neighborhood Parks proposition in 1992. The four-acre portion to be sold is described and shown in the Grant Deed. A copy of the Grant Deed, shown as Exhibit D of the Purchase and Sale Agreement, is attached hereto. The Los Angeles County Board of Supervisors approved the disposal of the grant-funded property at the county's September 4, 2018, meeting. The adopted Board Letter is attached.

Southern California Edison (SCE) is requesting an easement over a portion of Lot 1 in Tract 69164-01, a copy of which is attached hereto. Lot 1 is owned by the City and includes the Vista Canyon Water Factory (Water Factory). This easement is located west of the Water Factory, adjacent to the right-of-way. The easement is necessary to accommodate the required SCE facilities to serve the Water Factory, the multi-family units in Planning Area 1, and the residential and commercial development in Planning Area 2.

Finally, as part of this action, the City Council is authorizing the City Manager to execute the Vista Canyon Water Factory Interconnection Agreement (Agreement), a copy of which is attached hereto. The City of Santa Clarita and the Santa Clarita Valley Sanitation District (District) are parties to this Agreement as the City will ultimately own and operate the Water Factory.

This Agreement, approved by the District's Board of Directors on October 27, 2017, authorized the construction of the Water Factory within the District's territory, and provided for the diversion of certain wastewater flows within the District to the Water Factory for treatment prior to treatment at District facilities. The Water Factory will produce approximately 371,000 gallons of recycled water each day.

Under the Agreement, the Water Factory will treat wastewater generated by the development, produce recycled water, and discharge excess effluent to the District. It will also treat a portion of the wastewater flow originating from existing development upstream of the Water Factory and within the District's territory. Because ratepayers in the development will pay District connection fees and service charges that cover the District's capital, conveyance, and treatment costs, the District will pay the City a recycling credit in consideration for the treatment of the wastewater.

### ALTERNATIVE ACTION

Staff has not identified alternative actions that would conform to requirements set forth in the Subdivision Map Act for recommended action numbers 1 through 8. With respect to recommended action numbers 9, 10, and 11, other actions as determined by the City Council may be considered.

### FISCAL IMPACT

The public streets shown on the Final Tract Map for Tract No. 69164-02 will be dedicated to the City. The maintenance of these streets will have minimal impact on the City's street maintenance budget.

### ATTACHMENTS

Exhibit Map

Fact Sheet

Grant Deed

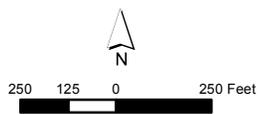
Southern California Edison Easement

Adopted Board Letter

Exhibit - Vista Canyon Water Factory Interconnection Agreement



City of **SANTA CLARITA**  
 Exhibit Map  
 TRACT NO. 69164-02  
 (FMP16-00002)  
 Vista Canyon Phase II



**Legend**

- Proposed Lots
- City-owned Property
- TRACT NO. 69164-02
- Parcels
- City-owned Property Within Map Boundary

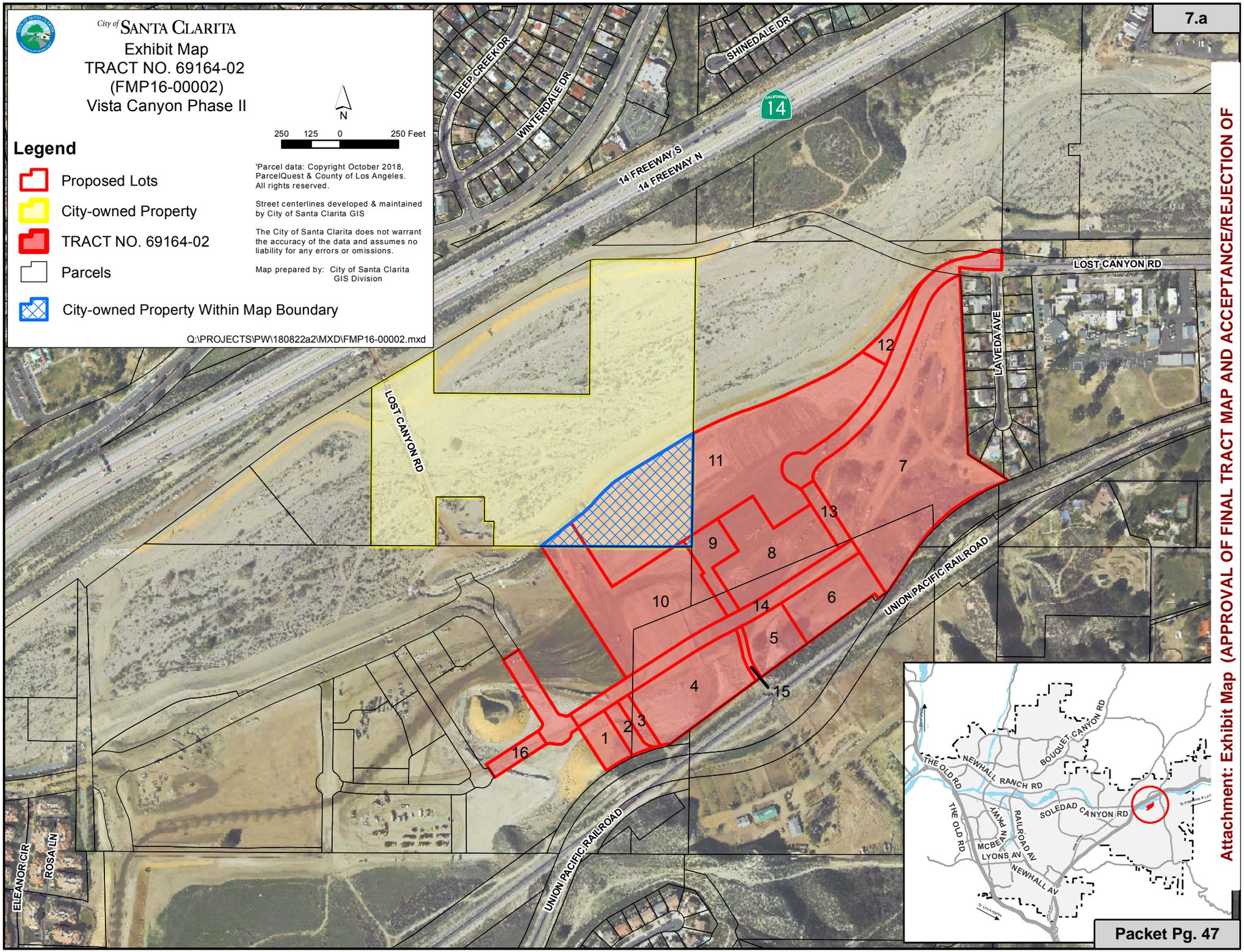
\*Parcel data: Copyright October 2018, ParcelQuest & County of Los Angeles. All rights reserved.

Street centerlines developed & maintained by City of Santa Clarita GIS

The City of Santa Clarita does not warrant the accuracy of the data and assumes no liability for any errors or omissions.

Map prepared by: City of Santa Clarita GIS Division

Q:\PROJECTS\IPW180822a2\IMXD\FMP16-00002.mxd



Attachment: Exhibit Map (APPROVAL OF FINAL TRACT MAP AND ACCEPTANCE/REJECTION OF

**FACT SHEET  
PARCEL MAP 69164-02**

- Location:** Vista Canyon Ranch, on the east side of the City of Santa Clarita (City).
- Acreage:** Approximately 45.38 acres
- Number of Lots:** Nineteen (19)
- Use:** 3 commercial-condominium lots, 8 residential-condominium lots comprised of 445 residential units, 4 lots dedicated as private driveways and firelanes, 1 park lot, and 3 open space lots to be maintained by HOA/POA.
- Owner:** Vista Canyon Phase I, LLC, a Delaware Limited Liability Company and Vista Canyon Phase II, LLC, a Delaware Limited Liability Company. The portion owned by the City will be sold to the developer, prior to map recordation.
- Trails/Paseos:** No new trails are being dedicated to the City by this map.
- Streets:** This map is dedicating portions of Lost Canyon Road as a public street to comply with the City's General Plan.
- B&T Fees:** The applicable Bridge and Thoroughfare (B&T) fee(s) will be satisfied by the construction of B&T eligible improvements.
- Transit Fees:** The developer shall pay the applicable Transit Mitigation fee(s) prior to issuance of building permits.
- Quimby Fees:** The applicable Quimby Fee(s) will be satisfied after constructing the improvements for the park lot.
- School Fees:** All applicable school fees will be paid prior to issuance of building permits.

EXHIBIT D  
FORM OF GRANT DEED

**RECORDING REQUESTED BY  
AND WHEN RECORDED MAILTO:**

City of Santa Clarita  
23920 Valencia Boulevard, Suite 120  
Santa Clarita, California 91355  
Attention: City Clerk

---

(SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE)

**TITLE(S)**

**GRANT DEED**

**GDE18-00005**

Attachment: Grant Deed (APPROVAL OF FINAL TRACT MAP AND ACCEPTANCE/REJECTION OF OFFERS OF DEDICATION FOR TRACT NO.

**RECORDING REQUESTED BY  
AND WHEN RECORDED MAILTO:**

City of Santa Clarita  
23920 Valencia Boulevard, Suite 120  
Santa Clarita, California 91355  
Attention: City Clerk

(SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE)

**GRANT DEED**

A.P.N. 2840-002-270

The undersigned grantor(s) declare(s):  
Documentary transfer tax is \$122.1. City transfer tax is \$0.00.  
 computed on full value of property conveyed, or  
 computed on full value less value of liens and encumbrances remaining at time of sale.  
 Unincorporated area:  City of Santa Clarita, and

**FOR VALUABLE CONSIDERATION**, receipt and sufficiency of which is hereby acknowledged, **CITY OF SANTA CLARITA**, a California municipal corporation ("Grantor"), hereby GRANTS in fee simple to **VISTA CANYON PHASE II, LLC**, a Delaware limited liability company ("Grantee"), the real property located in the City of Santa Clarita, County of Los Angeles, State of California more particularly described on Exhibit A attached hereto and shown on Exhibit B attached hereto and by this reference incorporated herein (the "Property").

*[Remainder of page intentionally blank; signature page follows]*

Attachment: Grant Deed (APPROVAL OF FINAL TRACT MAP AND ACCEPTANCE/REJECTION OF OFFERS OF DEDICATION FOR TRACT NO.

IN WITNESS WHEREOF, Grantor has executed this Grant Deed as of \_\_\_\_\_, 2018.

**GRANTOR:**

**CITY OF SANTA CLARITA,**  
a California municipal corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of Los Angeles )

On \_\_\_\_\_, before me, \_\_\_\_\_, a Notary Public, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

Attachment: Grant Deed (APPROVAL OF FINAL TRACT MAP AND ACCEPTANCE/REJECTION OF OFFERS OF DEDICATION FOR TRACT NO.

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**GRANT DEED**  
**IN THE CITY OF SANTA CLARITA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA**

THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 4 NORTH, RANGE 15 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF SANTA CLARITA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND FILED IN THE DISTRICT LAND OFFICE ON MARCH 29, 1877 AND SHOWN ON MAP OF TRACT NO. 69164-01 FILED IN BOOK 1396 PAGES 40 THROUGH 48, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 22;

THENCE ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER, NORTH 89°41'12" WEST 644.04 FEET;

THENCE LEAVING SAID SOUTH LINE, NORTH 51°43'41" EAST 205.12 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 523.00 FEET, A RADIAL LINE THROUGH SAID POINT BEARS SOUTH 38°14'10" EAST;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 09°42'54" AN ARC DISTANCE OF 88.68 FEET;

THENCE TANGENT TO SAID CURVE, NORTH 42°02'56" EAST 38.42 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 507.00 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 16°39'57" AN ARC DISTANCE OF 147.47 FEET;

THENCE TANGENT TO SAID CURVE, NORTH 58°42'53" EAST 265.80 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 1,467.00 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°37'26" AN ARC DISTANCE OF 67.18 FEET TO A POINT IN THE EAST LINE OF SAID NORTHEAST QUARTER;

THENCE ALONG THE EAST LINE OF THE NORTHEAST QUARTER, SOUTH 00°42'18" WEST 484.95 FEET TO THE POINT OF BEGINNING.

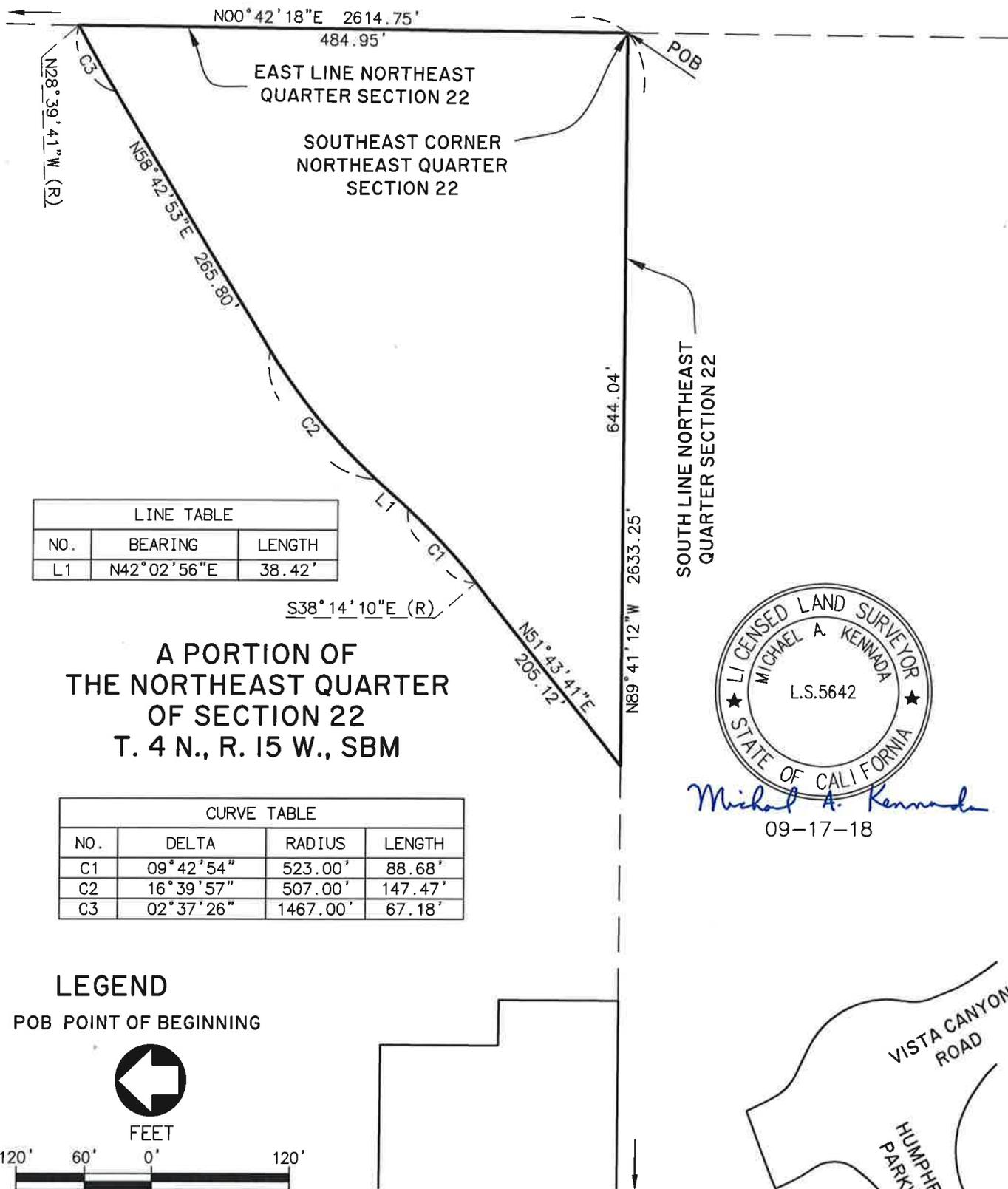


*Michael A. Kennada*  
09-17-18

Attachment: Grant Deed (APPROVAL OF FINAL TRACT MAP AND ACCEPTANCE/REJECTION OF OFFERS OF DEDICATION FOR TRACT NO.

# EXHIBIT "B" EXHIBIT MAP

GRANT DEED  
IN THE CITY OF SANTA CLARITA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA



LINE TABLE		
NO.	BEARING	LENGTH
L1	N42°02'56\"E	38.42'

A PORTION OF  
THE NORTHEAST QUARTER  
OF SECTION 22  
T. 4 N., R. 15 W., SBM

CURVE TABLE			
NO.	DELTA	RADIUS	LENGTH
C1	09°42'54"	523.00'	88.68'
C2	16°39'57"	507.00'	147.47'
C3	02°37'26"	1467.00'	67.18'



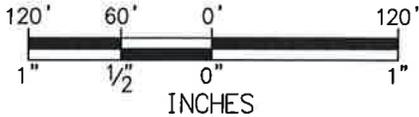
*Michael A. Kenwada*  
09-17-18

### LEGEND

POB POINT OF BEGINNING



FEET



Attachment: Grant Deed (APPROVAL OF FINAL TRACT MAP AND ACCEPTANCE/REJECTION OF OFFERS OF DEDICATION FOR TRACT NO.

RECORDING REQUESTED BY



SOUTHERN CALIFORNIA  
**EDISON**

An EDISON INTERNATIONAL Company

WHEN RECORDED MAIL TO  
SOUTHERN CALIFORNIA EDISON COMPANY

2 INNOVATION WAY, 2nd FLOOR  
POMONA, CA 91768

Attn: Title and Valuation

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SCE Doc. No.

**GRANT OF  
EASEMENT**

DOCUMENTARY TRANSFER TAX \$ NONE VALUE AND CONSIDERATION LESS THAN \$100.00		DISTRICT Valencia	SERVICE ORDER TD1332029	SERIAL NO.	MAP SIZE
SCE Company FIRM NAME		FIM 108-61D-1 APN 2840-029-900	APPROVED: REAL PROPERTIES DEPARTMENT	BY SLS/VW	DATE 9/5/18

CITY OF SANTA CLARITA, (hereinafter referred to as "Grantor"), hereby grants to SOUTHERN CALIFORNIA EDISON COMPANY, a corporation, its successors and assigns (hereinafter referred to as "Grantee"), an easement and right of way to construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time and from time to time underground electrical supply systems and communication systems (hereinafter referred to as "systems"), consisting of wires, underground conduits, cables, vaults, manholes, handholes, and including above-ground enclosures, markers and concrete pads and other appurtenant fixtures and equipment necessary or useful for distributing electrical energy and for transmitting intelligence, data and/or communications (eg. through fiber optic cable), in, on, over, under, across and along that certain real property in the County of Los Angeles, State of California, described as follows:

FOR LEGAL DESCRIPTION, SEE EXHIBITS "A" AND "B", BOTH ATTACHED HERETO AND MADE A PART HEREOF.

Grantor further grants, bargains, sells and conveys unto the Grantee the right of assignment, in whole or in part, to others, without limitation, and the right to apportion or divide in whatever manner Grantee deems desirable, any one or more, or all, of the easements and rights, including but not limited to all rights of access and ingress and egress granted to the Grantee by this Grant of Easement.

Grantor agrees for himself, his heirs and assigns, not to erect, place or maintain, nor to permit the erection, placement or maintenance of any building, planter boxes, earth fill or other structures except walls and fences on the above described real property. The Grantee, and its contractors, agents and employees, shall have the right to trim or cut tree roots as may endanger or interfere with said systems and shall have free access to said systems and every part thereof, at all times, for the purpose of exercising the rights herein granted; provided, however, that in making any excavation on said property of the Grantor, the Grantee shall make the same in such a manner as will cause the least injury to the surface of the ground around such excavation, and shall replace the earth so removed by it and restore the surface of the ground to as near the same condition as it was prior to such excavation as is practicable.

Attachment: Southern California Edison Easement (APPROVAL OF FINAL TRACT MAP AND ACCEPTANCE/REJECTION OF OFFERS OF

EXECUTED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**GRANTOR**

CITY OF SANTA CLARITA

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )

County of \_\_\_\_\_ )

On \_\_\_\_\_ before me, \_\_\_\_\_, a Notary Public, personally appeared

\_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (Seal)

**EXHIBIT "A"**  
**SOUTHERN CALIFORNIA EDISON COMPANY**  
**EASEMENT WITHIN VISTA CANYON RANCH**  
**CITY OF SANTA CLARITA**

THAT PORTION OF LOT 1, IN THE CITY OF SANTA CLARITA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP OF TRACT NO. 69164-01 FILED IN BOOK 1396 PAGES 40 THROUGH 48, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY, DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE SOUTHWESTERLY TERMINUS OF THAT COURSE IN THE SOUTHEASTERLY LINE OF SAID LOT 1, SAID POINT BEING ON A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1955.00 FEET AND HAVING A DELTA OF 09°06'45", A RADIAL LINE THROUGH SAID POINT BEARS SOUTH 19°53'49" EAST;  
THENCE NORTHEASTERLY ALONG SAID SOUTHEASTERLY LINE AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°57'46" AN ARC DISTANCE OF 101.09 FEET TO THE **TRUE POINT OF BEGINNING**;  
THENCE CONTINUING NORTHEASTERLY ALONG SAID SOUTHEASTERLY LINE AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°50'54" AN ARC DISTANCE OF 97.19 FEET;  
THENCE LEAVING SAID SOUTHEASTERLY LINE, SOUTH 77°17'34" WEST 46.30 FEET;  
THENCE NORTH 23°57'26" WEST 1.47 FEET;  
THENCE SOUTH 66°02'34" WEST 35.95 FEET;  
THENCE SOUTH 23°35'06" EAST 4.45 FEET;  
THENCE SOUTH 43°20'32" WEST 17.11 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 692 SQUARE FEET, MORE OR LESS

  
*Michael A. Kennada*  
08-06-18

Attachment: Southern California Edison Easement (APPROVAL OF FINAL TRACT MAP AND ACCEPTANCE/REJECTION OF OFFERS OF





**LOS ANGELES COUNTY  
REGIONAL PARK AND  
OPEN SPACE DISTRICT**

RPOSD.lacounty.gov  
ParksProjects.lacounty.gov  
twitter.com/RPOSD

1000 S. Fremont Ave., Unit #40 • Building A-9 East, Ground Floor • Alhambra, CA 91803

(626) 588-5060

September 04, 2018

The Honorable Board of Directors  
County of Los Angeles  
Regional Park and Open Space District  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Directors:

**APPROVE DISPOSAL OF GRANT-FUNDED PROPERTY, ALLOCATE RESULTING PROCEEDS,  
AND AUTHORIZE AWARD AND ADMINISTRATION OF PROJECT AGREEMENTS TO THE CITY  
OF SANTA CLARITA FOR THE SANTA CLARA RIVER TRAIL AND SAND CANYON TRAIL  
GENERAL IMPROVEMENTS PROJECTS  
(FIFTH DISTRICT - 3 VOTES)**

**SUBJECT**

The approval of the City of Santa Clarita's proposed disposal of property acquired with Specified Funds of the Safe Neighborhood Parks Proposition of 1992; reallocation of \$111,000 in proceeds from the disposal; and the authorization to award to the City of Santa Clarita a non-monetary grant for the Santa Clara River Trail General Improvements Project and a \$111,000 grant for the Sand Canyon Trail General Improvements Project.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Find that the proposed actions to approve a grant-funded property disposal, allocate the resulting proceeds as well as award of grant project agreements are not subject to the California Environmental Quality Act for the reasons stated herein.
2. Approve the City of Santa Clarita's proposed disposal of property purchased with Specified Project funds allocated under Section 8, Subsection (b), Paragraph (2), Subparagraph (LL), of the Los Angeles County Safe Neighborhood Parks Proposition of 1992 for the acquisition of open space land along the Santa Clara River.
3. Allocate \$111,000 in proceeds from the City of Santa Clarita's proposed disposal of grant-funded

property to the City of Santa Clarita for the Sand Canyon Trail General Improvements Project.

4. Authorize the Director of Parks and Recreation, in his capacity as Director of the Los Angeles County Regional Park and Open Space District, or his designee, to award to the City of Santa Clarita a non-monetary grant for the Santa Clara River Trail General Improvements Project and a \$111,000 grant for the Sand Canyon Trail General Improvements Project. The grant awards are subject to the City of Santa Clarita's compliance with applicable conditions. The grants will be administered when applicable conditions have been met and pursuant to guidelines in the Procedural Guide for Specified, Per Parcel, and Excess Funds Projects; otherwise, funds shall remain in the appropriate account.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

On August 3, 1998, the Los Angeles County Regional Park and Open Space District (RPOSD) awarded a grant to the City of Santa Clarita (City) in the amount of \$334,000 in Specified Project funds allocated under Section 8, Subsection (b), Paragraph (2), Subparagraph (LL) of the Los Angeles County Safe Neighborhood Parks Proposition of 1992 (1992 Proposition) for the acquisition of open space land along the Santa Clara River. In 1998, the City acquired an approximately 27-acre parcel under the grant, known as Assessor's Identification No. 2870-002-270 (Parcel No. 270). The City currently has an offer from a private real estate developer, Vista Canyon Ranch LLC (Vista), to purchase a 4-acre portion of Parcel No. 270, consistent with the City's approval of Vista's transit-oriented, mixed-use community in the eastern area of the City in the Fifth Supervisorial District.

In its communications with RPOSD, the City has articulated that the proposed disposal of a portion of Parcel No. 270 will further the purposes of the 1992 Proposition as follows:

1. The proposed disposal will facilitate Vista's dedication of an additional 37 acres of property in and along the Santa Clara River. A portion of the dedicated property will be developed by Vista as the Mitchell Hill Trailhead, consisting of parking, landscaping, trails, and enhancements to the historic Mitchell family cemetery. The value of the 37 acres is estimated to be over \$800,000, and improvements costs are estimated at \$1,000,000.
2. In consideration for receiving the 4-acre portion of Parcel No. 270, Vista will construct over four miles of public trails, including two miles of the regional Santa Clara River Trail. The Santa Clara River Trail General Improvements Project (Santa Clara River Project) is estimated at \$2,000,000.
3. Included in Vista's plan is the construction of a new 11-acre park that will be turned over to the City for operations and maintenance upon its completion. The 11-acre park site was valued at over \$9,000,000 of land value and park improvements costs estimated at \$3,000,000 for a total value of \$12 million.

Approval of the recommended actions will authorize the proposed disposal, as required pursuant to the Agreement entered into between the grantee and grantor subject to the 1992 Proposition. It is also recommended that the Director of the Department of Parks and Recreation (Director), or his designee, be authorized to award a non-monetary Project Agreement to the City for the Santa Clara River Project when applicable conditions have been met. The conditions consist of grantee qualifications, consistency between the Project and requirements of the 1992 Proposition, and grantee's agreement with California Environmental Quality Act (CEQA) requirements for the Project (if applicable), and to administer the grant pursuant to the Procedural Guide previously approved by the Board.

Pursuant to Section 16, Subsection (b) of the 1992 Proposition and Section D, Subsection 10 of the Grant Project Agreement (Agreement), the City is required to refund to RPOSD an amount equal to the greater of the 1) proceeds from the disposal or 2) the fair market value of the disposed property. A recent appraisal determined that the fair market value of the 4-acre portion of Parcel No. 270 is \$111,000. If your Board approves the disposal, then the City will complete the sale agreement with Vista and refund the \$111,000 to RPOSD.

Approval of the recommended actions will also allocate the \$111,000 of disposal proceeds for a grant to Santa Clarita for the Sand Canyon Trail General Improvements Project (Sand Canyon Project).

The proposed Sand Canyon Project involves construction of approximately 134 linear-feet of recreational trail and related improvements to align and improve safety of a section of Sand Canyon Trail. The estimated project cost is \$111,000 and will be fully funded by the recommended grant.

Approval of the recommendations will also authorize the award of a non-monetary grant to the City for the Santa Clara River Project, which will be constructed by Vista in exchange for the proposed disposal. The proposed Santa Clara River Project Agreement will hold the four (4) miles of public trails to be constructed by Vista subject to the terms and conditions of the 1992 and 1996 Propositions, including the requirement to maintain and operate the property in perpetuity with reasonable public access and non-discrimination. In addition to the Project Agreement, a deed restriction will be required to provide public notice of the grant obligations attached to the property.

If the total Santa Clara River Project's cost is less than \$1,000,000, then the Project Agreement will stipulate that any remaining amount to reach the minimum amount of \$1,000,000 be deposited to RPOSD in the City's Maintenance and Servicing Fund sub account for future expenditure on the Project or another of its RPOSD grant-funded projects. The Project Agreement will further stipulate that if the Project has not been completed within 3 years of approval by the Board, the appraisal of the 4-acre parcel shall be updated and the fair market value be paid to RPOSD for reallocation by the Board to an eligible project.

### **Implementation of Strategic Plan Goals**

The proposed recommendations further the Board-approved County Strategic Plan Goal of Pursuing Operational Effectiveness, Fiscal Responsibility and Accountability (Strategy III.3) by enhancing recreational opportunities in the Fifth Supervisorial District.

### **FISCAL IMPACT/FINANCING**

The proposed actions are without fiscal impact to RPOSD's funds or the General Fund.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The 1992 Proposition prescribes that if a portion of the property acquired or improved with Proposition funds is sold or otherwise disposed of, the greater of 1) the proceeds from the disposal or 2) the fair market value of the disposed property shall be either used by the grantee for a similar purpose or returned to RPOSD for reallocation for a purpose authorized in the Proposition's funding category. The Board-approved Grant Project Agreement between RPOSD and its grantees requires that the greater of the two amounts be returned to RPOSD for allocation to a grant project.

Under the City's proposal, in addition to the \$111,000 of disposal proceeds, Vista will construct public

trail improvements valued at approximately \$2,000,000. Since the proposal includes construction of public trails improvements in addition to the disposal proceeds, a non-monetary grant project agreement will be administered between the City and RPOSD to make the improvements being constructed by Vista subject to the terms and conditions of the 1992 and 1996 Propositions, including maintenance and operation in perpetuity, non-discrimination, and prohibition against preferential treatment.

In addition to the over \$2 million of public trails improvements, the City has articulated that the proposed disposal will benefit RPOSD's residents and taxpayers by facilitating 1) Vista's dedication of an additional 37 acres of property in and along the Santa Clara River, and Vista's development of a portion of the dedicated property as the Mitchell Hill Trailhead, consisting of parking, landscaping, trails, and enhancements to the historic Mitchell family cemetery, with a land value of over \$800,000, and estimated \$1,000,000 of improvements; and 2) Vista's construction of a new 11-acre park that will be turned over to the City for operations and maintenance upon its completion, with over \$9,000,000 of land value and estimated \$3,000,000 of improvements. The recommendations to approve the disposal, allocate \$111,000 of disposal proceeds to the City for the Sand Canyon Project, and accept public trails improvements in addition to monetary consideration are consistent with the intent of the 1992 Proposition and Project Agreement in ensuring that the proposed disposal will result in public benefit from trails improvements that exceed its fair-market value.

If the Board does not approve the City's request, the City may not proceed with the proposed disposal and Vista must adjust its plans for development of the property.

On June 2, 2009, the Board approved the Procedural Guide for governing the administration of RPOSD grants. The Procedural Guide will appropriately govern the administration of the recommended additional grant as well.

### **ENVIRONMENTAL DOCUMENTATION**

The recommendations to allocate and award grant funds are not subject to the California Environmental Quality Act (CEQA) in that the actions do not meet the definition of a project according to Section 15378 (b)(2) of the State CEQA Guidelines, because the actions are administrative activities of government grants.

All projects funded by RPOSD are required to comply with CEQA as a condition of the grant. The lead agency is responsible for preparing the appropriate environmental documentation for its project. The City of Santa Clarita is the lead agency for the proposed Sand Canyon and Santa Clara River projects.

### **CONTRACTING PROCESS**

Grant Project Agreements (Agreements) will be entered into and administered under authority delegated to the Director and pursuant to the Procedural Guide approved by the Board in 2009. The Agreements will be approved as to form by County Counsel.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

These actions will have no impact on any other RPOSD grant-funded projects. These actions are required to approve the disposal of property acquired with Specified Funds of the 1992 Proposition,

The Honorable Board of Directors

9/4/2018

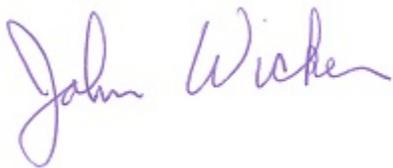
Page 5

allocation of disposal proceeds, and the award of Grant Project Agreements to obligate the City to maintain and operate the projects consistent with the terms and conditions of RPOSD grants in perpetuity, if all applicable conditions are met.

### **CONCLUSION**

Please instruct the Executive Officer-Clerk of the Board to return one adopted copy of this action to the Chief Executive Office, Capital Programs Division, and to the Department of Parks and Recreation.

Respectfully submitted,



JOHN WICKER

Director

JW:JIB:wro

c: Chief Executive Officer  
County Counsel  
Executive Officer, Board of Supervisors

Attachment: Adopted Board Letter (APPROVAL OF FINAL TRACT MAP AND ACCEPTANCE/REJECTION OF OFFERS OF DEDICATION FOR

## VISTA CANYON WATER FACTORY INTERCONNECTION AGREEMENT

This Vista Canyon Water Factory Interconnection Agreement (“**Agreement**”) is dated \_\_\_\_\_, 2017, (“**Effective Date**”) and is between the City of Santa Clarita (the “**City**”) and the Santa Clarita Valley Sanitation District of Los Angeles County (“**District**”). The City and the District are referred to in this Agreement individually as a “**Party**” and collectively as the “**Parties**.”

A. The District is a county sanitation district organized and existing pursuant to the County Sanitation District Act, Health and Safety Code section 4700 et seq. The District owns and operates the Saugus and Valencia Water Reclamation Plants.

B. The City is a general law city. The City’s territory is within the boundaries of the District.

C. The City will own, operate, and maintain a water reclamation plant known as the Vista Canyon Water Factory (“**Water Factory**”) located on City-owned land south of State Route 14, west of Sand Canyon, east of Fair Oaks Ranch, and north of the Metrolink railroad tracks.

D. The Water Factory is a component of the Vista Canyon Specific Plan project (“**Vista Canyon Project**”) that was approved by the City on May 10, 2011. The Vista Canyon Project consists of:

- (i) 1,100 single-family, multi-family, and apartment units;
- (ii) 950,000 square feet of retail, office, and hotel uses;
- (iii) a Multi-Modal Transit Center;
- (iv) the Water Factory;
- (v) amenities;
- (vi) preservation, enhancement, and/or dedication of animal movement corridors and the Santa Clara River Corridor; and,
- (vii) other related infrastructure, services and amenities (e.g., roadway improvements, trails, buried bank stabilization).

E. The Vista Canyon Project area has been or will be annexed to the District.

F. The Water Factory will be designed to treat wastewater generated by the Vista Canyon Project, and to treat a portion of the wastewater flow from an existing development

upstream of the Water Factory and within the District's territory. The Water Factory will produce disinfected tertiary recycled water in accordance with all applicable state and federal standards, including the California Code of Regulations Title 22 requirements.

G. The Water Factory has a design capacity of 392,135 gallons per day ("gpd") (equivalent to 439.2 acre-feet per year), and is expected to produce approximately 371,000 gpd (equivalent to 415.5 acre-feet per year) of recycled water.

H. Under Water Code Section 1210, the City has the exclusive right to all recycled water produced by the Water Factory as long as the City owns the Water Factory. The City is authorized under Government Code Section 38742 to provide water for use in the City. The City intends to enter into an agreement with the Castaic Lake Water Agency to sell wholesale recycled water.

I. The City has obtained Waste Discharge Requirements and Water Reclamation Requirements Discharge Permits from the California Regional Water Quality Control Board, Los Angeles Region.

J. The Water Factory lacks the capacity for solids treatment, and the City requires solids treatment for the Water Factory's residual waste. The recycled water produced by the Water Factory may exceed Vista Canyon Project's recycled water needs, especially during rain events. The City requires a disposal option for any excess treated effluent.

K. The District is willing to accept the Water Factory's effluent, including its solids, for further treatment and disposal at the District's Saugus or Valencia Water Reclamation Plants.

L. The Parties intend by this Agreement to provide for the diversion of certain wastewater flows within the District's system to supply the Water Factory; and to provide for the District's acceptance and treatment of the Water Factory's discharges.

The Parties, therefore, agree as follows:

1. Definitions. For the purposes of this Agreement, the terms below have the following definitions:
  - 1.1 "**Agreement**" means this Vista Canyon Water Factory Interconnection Agreement.
  - 1.2 "**City**" means the City of Santa Clarita.
  - 1.3 "**District**" means the Santa Clarita Valley Sanitation District of Los Angeles County.

1.4 “**Downstream Facilities**” means the portion of the City’s wastewater facilities between the Water Factory and the point of connection with the District’s sewerage system.

1.5 “**gpd**” means gallons per day.

1.6 “**Party**” or “**Parties**” means the City and the District, either individually or collectively.

1.7 “**Permit**” means any permit (e.g. WRR) issued to the City by the Regional Board or any other governmental or regulatory authority relating to the use of recycled water or the operation of the Water Factory.

1.8 “**Regional Board**” means the California Regional Water Quality Control Board, Los Angeles Region.

1.9 “**Upstream Facilities**” means all sewerage facilities discharging (directly or indirectly) to and upstream of the Water Factory.

1.10 “**Vista**” means Vista Canyon Ranch, LLC, the project proponent for the Vista Canyon project, or its successors or assigns.

1.11 “**Vista Canyon Project**” means the Vista Canyon Specific Plan approved by the City on May 10, 2011, and its related entitlements and the project constructed under that specific plan and related entitlements.

1.12 “**Wastewater Ordinance**” means the District’s Wastewater Ordinance, adopted April 1, 1972, as amended July 1, 1998, and as thereafter further amended.

1.13 “**Water Factory**” means the Vista Canyon Water Factory.

1.14 “**WRR**” means the Water Reclamation Requirements or Water Recycling Requirements established for the Water Factory by the Regional Board, which are attached as Exhibit 3.

2. Duration. The duration of this Agreement is 20 years from the Effective Date.
3. Diversion of District Sewer Flows to Water Factory. The City may divert to the Water Factory up to 392,135 gpd of wastewater generated within the District’s service area as shown on Exhibit 1.
4. Discharge to District’s Sewerage System. Subject to the requirements of Section 5, the Water Factory may discharge to the District’s sewerage system.

5. Conditions Precedent to Diversion & Discharge. Prior to diverting any wastewater out of the District's collection system and prior to connecting the Water Factory to the District's sewer system:
- 5.1 The Vista Canyon Project area shown in Exhibit 1 must be annexed to the District;
  - 5.2 The City must obtain from the District an industrial wastewater discharge permit for the Water Factory subject to all requirements of the Wastewater Ordinance;
  - 5.3 The City must obtain from the District a connection permit for the Water Factory;
  - 5.4 The City shall submit the construction plans and specifications for the Water Factory and its connections to the District's sewerage system to the District's Chief Engineer and General Manager ("**Chief Engineer**") for review and approval;
  - 5.5 The City shall reimburse the District for all the District's direct costs of plan review and any inspections related to the Vista Canyon Project determined to be necessary by the Chief Engineer.
  - 5.6 The City shall provide the District with a minimum of two hard copies of as-built drawings for the Water Factory and its connection to the District's sewerage system along with a an electronic version in a format approved by the Chief Engineer;
  - 5.7 The City must obtain all other permits and agreements necessary for the construction, operation, and maintenance of the Water Factory and the recycled water distribution system; and
  - 5.8 The Water Factory must be in compliance with all federal, state, and local laws and regulations (collectively, "**Laws**"), including the District's Wastewater Ordinance.
6. Downstream Facilities Design Requirements. The City shall cause all Downstream Facilities and the point of connection to be designed and constructed in accordance with the District's standards (including the most recent version of Standard Specifications for Public Works Construction and the District's amendments, including any special provisions required by the Chief Engineer).
7. Compliance with Laws and Permits. The City shall comply with all Laws and Permits, at no cost to the District. The District will adopt, concurrently with its execution of this Agreement, a Vista Canyon Ordinance, pertaining to the Water Factory and the Upstream

Facilities. The City shall be subject to the District's ordinances with respect to all matters relating to the Water Factory, and diversions to and discharges from the Water Factory. The City shall promptly submit any information concerning the Water Factory or its operations as may be requested from time to time by the Chief Engineer.

8. Connection Fees. The City acknowledges that the District's Master Connection Fee Ordinance (and any related rate ordinances) will apply to all parcels in the Vista Canyon Project area, which requires the owner or developer of each parcel within the Vista Canyon Project area to pay to the District a Connection Fee for all structures in the Vista Canyon Project area in the same amount and in the same manner as any other person imposing an added burden on the District's sewerage system.
9. Service Charges. The City acknowledges that the District's Master Service Charge Ordinance (and any related rate ordinances) will apply to all parcels in the Vista Canyon Project area.
10. Recycling Credit.
  - 10.1 In consideration of the reduction in flow to the District's plants as a result of the Water Factory's recycling operations, the District shall pay to the City a "**Recycling Credit**" calculated according to the formula set forth on Exhibit 2.
  - 10.2 The City shall provide the District with recycled water use volumes on a semi-annual basis for the July 1 – December 31 period and for the January 1 – June 30 period. Relevant meter readings must also be provided. The City shall report the following flow amounts for each period:
    - a. total volume of recycled water delivered to users; and
    - b. total volume of recycled water used onsite at the Water Factory for irrigation.
  - 10.3 The District shall pay the City the Recycling Credit within 45 days after receipt of reports required in 10.2, subject to review and audit.
11. Industrial Wastewater. The Water Factory shall not accept any wastewater from "categorical dischargers" as that term is defined by U.S. Environmental Protection Agency. The Water Factory shall not accept any hauled wastewater.
12. Sewer Connections. All sewer connections in the Vista Canyon Project area must comply with all ordinances and requirements established by the District.

13. Water Factory Ownership and Responsibility for Recycled Water. The District will not own or be responsible in any way for the recycled water produced by the Water Factory. The City shall bear all legal and regulatory responsibility associated with the use of the recycled water produced by the Water Factory. The City shall be responsible for all revenue and expenses derived from the recycled water produced by the Water Factory.
14. CEQA. The City shall be the lead agency for all matters relating to the Water Factory's compliance with the California Environmental Quality Act.
15. Annexation. The City has caused or shall cause Vista to annex the Vista Canyon Project area to the District, subject to the District's Master Annexation Fee Ordinance. The City acknowledges, and shall use its best efforts to ensure that all District rules, regulations and ordinances will apply to all properties and wastewater dischargers within the Vista Canyon Project area.
16. Indemnity. The City shall indemnify, defend, and hold harmless the District, all other County Sanitation Districts of Los Angeles County, and its and their directors, officers, employees, and agents from any and all claims, actions, liabilities, administrative actions or fines, losses, damages, costs and expenses (including reasonable attorneys' fees and legal costs) for any damage or injury (including bodily injury, death, or any environmental damage) arising out of or relating to the Water Factory, the Upstream Facilities, the Downstream Facilities, the industrial waste discharge from the Water Factory, or the recycled water produced by the Water Factory. This indemnity provision will survive the expiration or earlier termination of this Agreement.
17. Duplication of Service
- 17.1 The City acknowledges that the District currently contracts with various entities for provision of recycled water. Nothing in this Agreement restricts the District from making recycled water available to its own facilities, or to third parties that are authorized to sell or otherwise transfer recycled water within the Santa Clarita Valley region either directly or by contract.
- 17.2 The City waives and relinquishes any rights it may have against the District pursuant to the Service Duplication Law and further agrees to indemnify, defend, and hold harmless the District, its officers, agents and employees, from and against any and all claims, liabilities, losses, costs, damages, actions, causes of action (whether legal, equitable or administrative), fees of attorneys, and other expenses which the District may sustain or incur by reason of or in consequence of the assertion by others, whether successful or not, of rights expressed in the Service Duplication Laws of the State of California, Chapter 8.5 of Part 1, Division 1 of the Public Utilities Code (Section 1501, et seq.) or similar laws,

with regard to the District's sale of recycled water. The foregoing indemnity extends to the Service Duplication Law and any similar law which may be enacted after the date of this Agreement, to any amendments to the Service Duplication Law enacted after the date of this Agreement, and to any recodification of the Service Duplication Law, irrespective of form, which may subject the District to liability to any privately owned public utility or any other person, association, corporation, or political subdivision.

18. Notices. All notices, correspondence, reports, or other written documents exchanged between the Parties under this Agreement must be addressed to the City or the District as set forth below or as the City or the District may later designate in writing, and must be sent through the United States mail or overnight delivery by a nationally-recognized delivery service such as FedEx or UPS, or by any other method providing positive proof of delivery. In addition, each Party shall send a courtesy copy of each the notice to the other Party by email.

TO CITY:

Director of Public Works  
City of Santa Clarita  
23920 Valencia Blvd., Suite 302  
Santa Clarita, CA 91355

Email: [rnewman@santa-clarita.com](mailto:rnewman@santa-clarita.com)

TO DISTRICT:

*If by U.S. Mail:*

Chief Engineer and General Manager  
Santa Clarita Valley Sanitation District of Los Angeles County  
P.O. Box 4998  
Whittier, CA 90607

*If by overnight mail or hand delivery:*

Chief Engineer and General Manager  
Santa Clarita Valley Sanitation District of Los Angeles County  
1955 Workman Mill Road  
Whittier, CA 90601

With a courtesy copy to: Raymond Tremblay, [RTremblay@lacsdsd.org](mailto:RTremblay@lacsdsd.org)

19. General Provisions.

- 19.1 Integration. This Agreement, together with its exhibits, supersedes any and all other agreements, either oral or in writing, between the Parties with respect to the Water Factory.
- 19.2 Modification. Any modification of this Agreement will be effective only if it is in writing and signed by all Parties.
- 19.3 Assignment. The City shall not assign this Agreement except upon the express written consent of the District in its sole and absolute discretion to another public entity.
- 19.4 Interpretation. Each Party has received independent legal advice from its attorneys with respect to the advisability of executing this Agreement and the meaning of its provisions. This Agreement has been drafted through a joint effort of the Parties and their counsel and therefore will not be construed against either of the Parties, but instead in accordance with its fair meaning.
- 19.5 Choice of Law and Venue. This Agreement is governed by California law. Any legal action arising out of this Agreement must be brought in the Los Angeles County Superior Court, Central Division.
- 19.6 Counterparts. This Agreement may be executed in duplicate originals, one for each Party, each of which will be deemed to be an original, but all of which constitute one and the same agreement.
- 19.7 City Engineer's Authority. The City hereby delegates to the City Engineer the authority to take all actions on behalf of the City in connection with any approvals, consents, or actions required of or by the City under this Agreement.
- 19.8 Chief Engineer's Authority. The District hereby delegates to its Chief Engineer the authority to take all actions on behalf of the District in connection with any approvals, consents, or actions required of or by the District under this Agreement.
- 19.9 Force Majeure. If the performance of any act required by any of the Parties is directly prevented or delayed by reason of strikes, lockouts, labor disputes, unusual governmental delays, acts of God, fire, floods, epidemics, freight embargoes, or other causes beyond the reasonable control of the Party required to perform the act, that Party will be excused from performing that act for a period of time equal to the period of time of the prevention or delay. In the event of such

delay, the Party claiming the delay shall notify the other Party in writing of the delay no later than 10 calendar days after the beginning of the delay.

19.10 Severability. The unenforceability, invalidity, or illegality of any provision of this Agreement will not render any other provision of this Agreement unenforceable, invalid, or illegal to the extent provided by law.

19.11 No Third Party Beneficiaries. This Agreement does not create rights in any third party, and there are no intended third party beneficiaries of this Agreement.

*[Signatures appear on following page.]*

The Parties are executing this Agreement to be effective as of the Effective Date.

SANTA CLARITA VALLEY  
SANITATION DISTRICT OF  
LOS ANGELES COUNTY

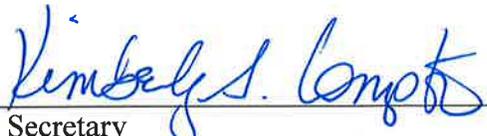
CITY OF SANTA CLARITA

By:   
Chairperson **OCT 27 2017**

By: \_\_\_\_\_  
City Manager

ATTEST:

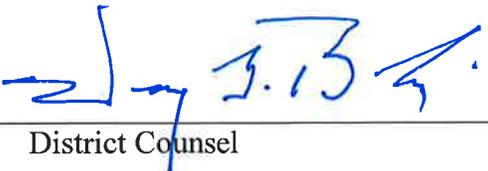
ATTEST:

  
Secretary

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:  
Lewis Brisbois Bisgaard & Smith, LLP

APPROVED AS TO FORM:

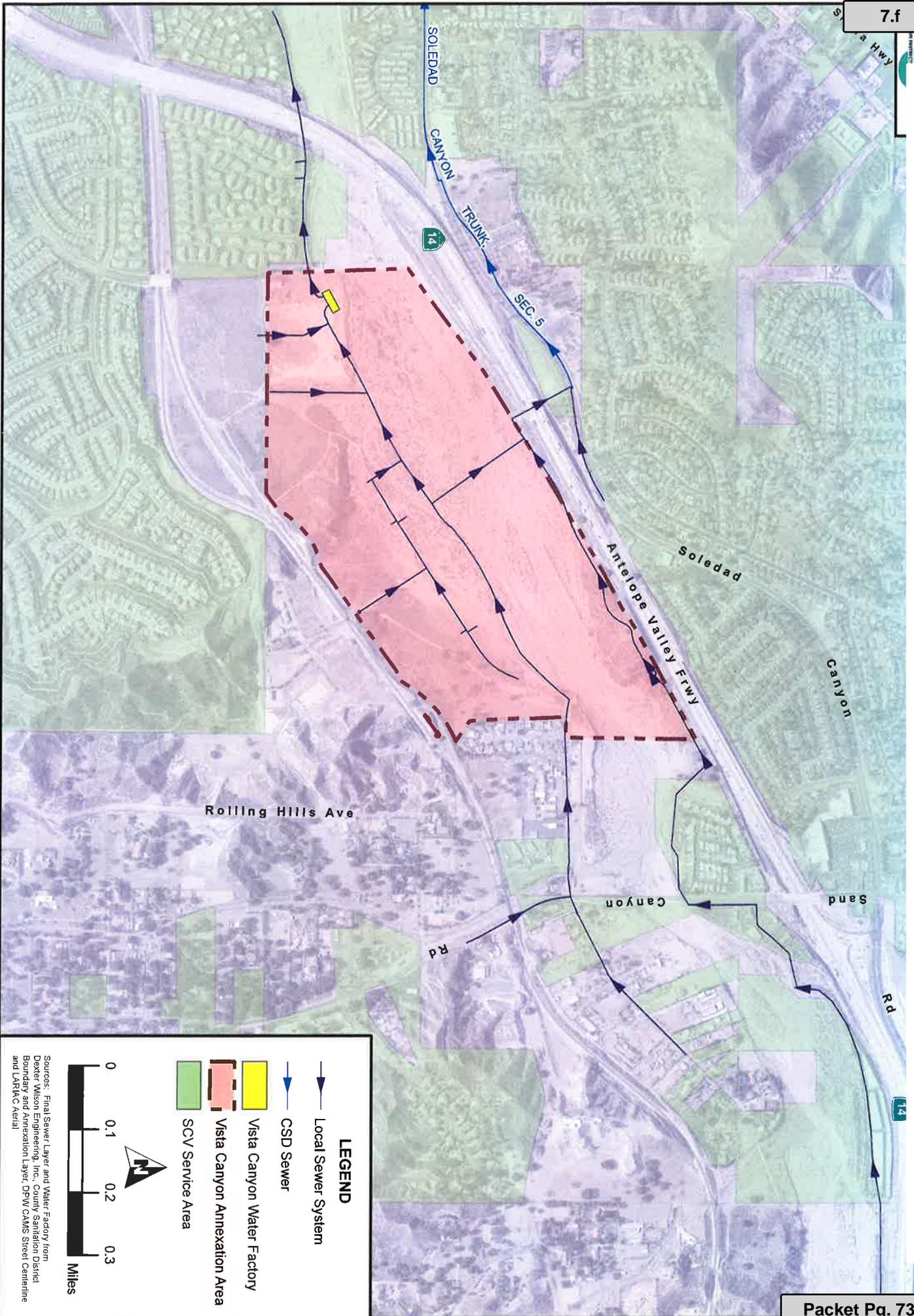
By:   
District Counsel

By: \_\_\_\_\_  
City Attorney

Attachment: Exhibit - Vista Canyon Water Factory Interconnection Agreement (APPROVAL OF FINAL TRACT MAP AND

**EXHIBIT 1**  
**PERMITTED DIVERSION AREA**

**Attachment: Exhibit - Vista Canyon Water Factory Interconnection Agreement (APPROVAL OF FINAL TRACT MAP AND**



**LEGEND**

- Local Sewer System
- CSD Sewer
- Vista Canyon Water Factory
- Vista Canyon Annexation Area
- SCV Service Area

Sources: Final Sewer, Layer and Water Factory from Dexter Wilson Engineering, Inc. County Sanitation District Boundary and Annexation Layer; DPW CAIMS Street Centerline and LRR/C Aerial

0 0.1 0.2 0.3  
Miles

VISTA CANYON DIVERSION AREA

EXHIBIT 1

**EXHIBIT 2**  
**RECYCLING CREDIT**

FORMULA AND  
EXAMPLE CALCULATION  
FOR A TYPICAL SEMI-ANNUAL BILLING PERIOD

Formula:

Water Diverted / Assumed Flow per Sewage Unit ("SU") x Flow Component x Service Charge x Proportion non-fixed Costs.

Example Calculation:

Service Charge <sup>1</sup> :	\$ 307 per SU/ year =\$ 153.50 per SU/ semi-annual period
Water Diverted, Daily Average <sup>2</sup> :	50,000 gallons per day (gpd)
Flow Component Portion of Service Charge <sup>3</sup> :	0.2798
Proportion non-fixed Costs <sup>4</sup> :	0.25
Assumed Flow per SU <sup>5</sup> :	260 gpd

**Semi-Annual**

**Recycling Credit for Diverted Water:  $50,000/260 \times 0.2798 \times \$153.30 \times 0.25 = \$2064.87$**

4840-3417-1908.1

2

<sup>1</sup> The rate in effect during the reporting period. In this example, the FY 2016-17 rate.

<sup>2</sup> Daily average during the reporting period, as reported by the City in accordance with the agreement.

<sup>3</sup> The Service Charge Ordinance's "A" factor in effect during the reporting period.

<sup>4</sup> Determined by District cost calculations

<sup>5</sup> Per the Service Charge Ordinance in effect during the billing period.

4840-5729-3899.5

**EXHIBIT 3**  
**WDR AND WRR FOR THE**  
**VISTA CANYON WATER FACTORY**

**Attachment: Exhibit - Vista Canyon Water Factory Interconnection Agreement (APPROVAL OF FINAL TRACT MAP AND**

EDMUND G. BROWN JR.  
GOVERNORMATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## Los Angeles Regional Water Quality Control Board

June 17, 2016

Mr. Shannon Pickett  
City of Santa Clarita  
23920 Valencia Blvd  
Santa Clarita, CA 91355-2196

Certified Mail  
Return Receipt Requested  
Claim No. 7015 3010 0001 9147 6386

**WASTE DISCHARGE REQUIREMENTS AND WATER RECLAMATION REQUIREMENTS AND A MONITORING AND REPORTING PROGRAM FOR VISTA CANYON WATER FACTORY – CITY OF SANTA CLARITA (FILE NO. 14-031, ORDER NO. R4-2016-0220, CI-10041, GLOBAL ID WDR100016910)**

Dear Mr. Pickett,

Our letter of April 21, 2016, transmitted revised tentative Waste Discharge Requirements and Water Reclamation Requirements (WDRs/WRRs), and a Monitoring and Reporting Program (MRP) for Vista Canyon Water Factory-City of Santa Clarita.

Pursuant to Division 7 of the California Water Code, the California Regional Water Quality Control Board, Los Angeles Region (Regional Board) at a public meeting held on June 9, 2016, reviewed the revised tentative WDRs/WRRs and MRP, considered all factors in the case, and adopted WDRs/WRRs Order No. R4-2016-0220 and MRP No. CI-10041, (copies enclosed) relative to this discharge. The adopted WDRs/WRRs and MRP will be posted on the Regional Board's website at:

[http://www.waterboards.ca.gov/losangeles/board\\_decisions/adopted\\_orders/](http://www.waterboards.ca.gov/losangeles/board_decisions/adopted_orders/)

City of Santa Clarita shall comply with the Electronic Submittal of Information (ESI) requirements by submitting all reports required under the WDRs/WRRs and MRP, including groundwater monitoring data, discharge location data, and searchable Portable Document Format of monitoring reports to the State Water Resources Control Board GeoTracker database under Global ID WDR100016910.

IRMA MUÑOZ, CHAIR | SAMUEL UNGER, EXECUTIVE OFFICER

320 West 4<sup>th</sup> St., Suite 200, Los Angeles, CA 90013 | [www.waterboards.ca.gov/losangeles](http://www.waterboards.ca.gov/losangeles)

♻️ RECYCLED PAPER

Attachment: Exhibit - Vista Canyon Water Factory Interconnection Agreement (APPROVAL OF FINAL TRACT MAP AND

Mr. Shannon Pickett  
Vista Canyon Water Factory

- 2 -

June 17, 2016

If you have any questions, please contact the Project Manager, Dr. Don Tsai at (213) 620-2264 ([Don.Tsai@waterboards.ca.gov](mailto:Don.Tsai@waterboards.ca.gov)), or me at (213) 576-6683 ([Eric.Wu@waterboards.ca.gov](mailto:Eric.Wu@waterboards.ca.gov)).

Sincerely,



Eric Wu, Ph.D., P.E.  
Chief of Groundwater Permitting Unit

Enclosures:

1. Waste Discharge Requirements and Water Reclamation Requirements Order No. R4-2016-0220
2. Monitoring and Reporting Program No. CI-10041

CC: Mr. Randy Barnard, SWRCB – Division of Drinking Water  
Mr. Kurt Souza, SWRCB – Division of Drinking Water  
Mr. Mark Subbotin  
Mr. Dexter Wilson, Dexter Wilson Engineering  
Ms. Tracy Egoscue

Attachment: Exhibit - Vista Canyon Water Factory Interconnection Agreement (APPROVAL OF FINAL TRACT MAP AND

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LOS ANGELES REGION**

320 West 4<sup>th</sup> Street, Suite 200, Los Angeles, California 90013  
(213) 576-6660 • Fax (213) 576-6640  
<http://www.waterboards.ca.gov/losangeles/>

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**ORDER NO. R4-2016-0220  
FILE NO. 14-031  
CI NO. 10041**

**WASTE DISCHARGE REQUIREMENTS AND  
WATER RECLAMATION REQUIREMENTS  
ISSUED TO  
CITY OF SANTA CLARITA  
(VISTA CANYON WATER FACTORY)**

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) finds:

**INTRODUCTION**

1. **The Vista Canyon Project** proposes to develop an approximately 185-acre Vista Canyon area, providing 1,100 residential units with a residential population estimated at 3,500, as well as up to 950,000 square feet of commercial and medical offices, retail stores, theater, restaurants, and hotel. Approximately 932,000 gallons per day (GPD) of wastewater will be generated from this project, once it is fully developed.
2. **The Vista Canyon Water Factory Project (Water Factory Project)** proposes to build the Vista Canyon Water Factory (Water Factory) that is a tertiary wastewater treatment and recycling plant that treats wastewater generated from the Vista Canyon Project. This treated wastewater is recycled for on-site and off-site landscape irrigation and other non-potable applications. During rainy weather, effluent will be conveyed to downstream facilities of the Santa Clarita Valley Sanitation District (SCVSD), including the Saugus Water Recycling Plant (WRP) or/and the Valencia WRP. The Saugus WRP will be the primary plant to treat wastewater. The Valencia WRP is the backup plant to treat the extra wastewater generated beyond the wastewater treatment capacity of the Saugus WRP.
3. The Water Factory construction is anticipated to be completed and begin operation in October 2017. Once completed, the Water Factory will be operated by the City of Santa Clarita (City). The City, thereafter defined as Permittee or Discharger, will become the owner of the Water Factory. The City will be responsible for the treatment of wastewater, wastewater quality, recycled water quality, and any groundwater quality impacted by the discharge and the recycled water applications. The City will also be responsible for compiling and submitting all monitoring data and reports to the Regional Board.
4. The City will distribute recycled water to the City and the Los Angeles County and will establish appropriate ordinances to (1) regulate the proper uses and distributions of recycled water, (2) maintain and inspect recycled water facilities, and (3) ban water softener use.

**REGULATORY AGENCIES**

5. The Regional Board is the permitting agency for the Water Factory Project for the discharge of tertiary-treated effluent with disinfection via non-potable recycled water applications. This Regional Board issues Waste Discharge Requirements (WDRs) and Water Reclamation Requirements (WRRs) to assure that this Project does not adversely affect the receiving groundwater quality and its beneficial uses.
6. The Regional Board is required pursuant to California Water Code section 13523 to consult with and receive recommendations from the Division of Drinking Water (DDW) within the State Water Resources Control Board (State Water Board) (formerly within the California Department of Public Health) regarding public health, safety, or welfare.

**PURPOSE OF ORDER**

7. Pursuant to California Water Code (CWC) sections 13260 (WDRs) and 13522.5 (WRRs), the City submitted a Report of Waste Discharge (ROWD) on March 20, 2014 and applied for WDRs and WRRs to discharge disinfected tertiary-treated wastewater generated at the Water Factory for non-potable recycled water applications.
8. CWC section 13260 requires any person "proposing to discharge waste, within any region that could affect the quality of the waters of the state, other than to a community sewer system," to file a report of waste discharge. The term "waste" is defined in CWC section 13050(d) to include "sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, . . . prior to, and for purposes of, disposal." The Discharger proposes to discharge human sewage, i.e., "waste" to land where it could affect the quality of the waters of the state. Sewage contains various waste constituents, including total dissolved solids, sulfate, salts (e.g., chloride, boron), bacteria, nitrogen, priority pollutants and constituents of emerging concern (CECs). In accordance with CWC section 13263(g), no discharge of waste into waters of the state, whether or not the discharge is made pursuant to waste discharge requirements, shall create a vested right to continue the discharge. All discharges of waste into waters of the state are privileges, not rights.
9. CWC section 13263 authorizes the Regional Board, after any necessary hearing, to prescribe requirements as to the nature of any proposed discharge with relation to the conditions existing in the disposal area or receiving waters upon, or into which, the discharge is made or proposed. The requirements must implement any relevant water quality control plans that have been adopted, and shall take into consideration the beneficial uses to be protected, the water quality objectives reasonably required for that purpose, other waste discharges, the need to prevent nuisance, and the provisions of CWC section 13241.
10. CWC section 13267 authorizes the Regional Board to require that any person who proposes to discharge waste to furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports. This Order incorporates Monitoring and Reporting Program (MRP) Cl. No. 10041 for the City (File No.

14-031), which is necessary to assure that the discharge of waste, including the use of recycled water complies with this Order and is protective of human health and the environment.

11. This Order is adopted pursuant to CWC sections 13263, 13267, and 13523. It sets forth requirements, prohibitions, and other conditions to implement the Basin Plan; prescribes the limits for the recycled water and the Discharger's responsibilities for the production, distribution, monitoring, and application of recycled water; and includes an MRP. The Discharger is responsible for inspecting point-of-use facilities, and ensuring compliance with the WDRs and WRRs contained in this Order.
12. For the purposes of this Order, references to the "discharger" or "permittee" in applicable federal and state laws, regulations, plans, or policy are held to be equivalent to references to the City.
13. A Water Factory Project site visit was conducted on August 10, 2015. The site is along the Santa Clara River with an estimated distance of 500 feet southeast to the center of the Santa Clara River. The majority of the riverbed adjacent to the site is dry with no surface water observed as this is a dry reach of the Santa Clara River during dry weather. Currently, the site is under grading for development.

#### VISTA CANYON PROJECT

##### 14. Vista Canyon Project Vicinity

- A. The Vista Canyon Project (Figure 1) is located in the Santa Clarita Valley in the unincorporated Los Angeles County, directly adjacent to the City. The Vista Canyon Project is immediately south of State Route 14 (SR-14), west of La Veda Avenue, north of the Metrolink rail line, and east of the Colony Townhome community. The Vista Canyon Project is also in Management Zone 1 of the *Salt and Nutrient Management Plan Santa Clara River Valley East Subbasin*.
- B. The Vista Canyon Project is in the eastern portion of the easternmost Subbasin of the Santa Clara River, known as the Eastern Santa Clara Groundwater Basins (DWR Basin No. 4-4.07) (Figure 2) defined in the Basin Plan, specifically within the Santa Clara-Mint Canyon area.

##### 15. Water Factory

- A. The proposed Water Factory (34° 24' 51.73" N, 118° 26' 22.58" W) will be located in the southwest corner of the Vista Canyon Project and approximately 200 feet from Santa Clara River (Figure 1).
- B. Wastewater generated from the Vista Canyon Project will be conveyed by gravity flow to the Water Factory.
- C. The Water Factory has a design capacity of 392,000 gallons per day (GPD), which will generate 371,000 GPD of effluent to be recycled. The wastewater treatment process (See Figure 3 for process flow schematic) consists of preliminary treatment (comminutor), flow equalization (flow equalization basin), secondary treatment with a retention time of 18 hours (two aeration tanks with nitrification and denitrification

activated sludge, reducing ammonia and nitrate concentrations), clarification with a retention time of 0.5 hour (two sedimentation tanks with coagulation and flocculation, reducing solids), tertiary treatment (disc filters, reducing turbidity, and suspended solids greater than 85%), and disinfection (UV and chlorination with sodium hypochlorite). The sludge (21,000 GPD), any excess treated effluent not being recycled from the Water Factory, and any untreated wastewater generated from the Vista Canyon Project will be discharged to the downstream facilities of the SCVSD, including the Saugus Water Recycling Plant (WRP) or/and the Valencia WRP. Any effluent not meeting effluent limitations will be delivered to the headworks for further treatment.

#### D. Influent Quality

- a. The Santa Clarita Water Division (SCWD) is the primary water district which supplies potable water to the Vista Canyon Project and is one of four water retailers (Santa Clarita Water Division, Newhall County Water District, Valencia Water Company, and Los Angeles County Waterworks District No. 36) supplying potable water to communities in the Santa Clarita Valley. The SCWD blends imported water purchased from the Castaic Lake Water Agency (CLWA) with local groundwater. Based on the records provided by SCWD for the period of 2001 through 2014, the percentage of use of imported water from CLWA ranged from 55.7% to 84.7%. In the years between 2011 and 2014, which are considered as drought years, the use of imported water has increased from 60.5 % (2011) to 84.7% (2014).
- b. Based on water quality data collected between year 2010 and 2014, the imported water purchased from CLWA has better water quality (see column 2 of Table 1 below), on average, than the local groundwater (Column 3 of Table 1). The water supply records (2001-2014) indicate that the percentage of imported water for drinking water has never been below 55%. The average imported water used during drought years of 2010 through 2014 was 68.6%. The blending of 50% groundwater with 50% imported water takes into account the range of water supply quality during drought years based on the historical blending records. Column 4 of Table 1 is the anticipated potable water quality, resulting from the blending 50% of imported water with another 50% of local groundwater.
- c. The estimated influent quality of the Water Factory (Column 6 of Table 1) results from the summation of Column 4 (anticipated potable water quality) and Column 5 in Table 1. Column 5 in Table 1 is the addition of concentration as the result of contributions of pollutants from household use.

1	2	3	4	5	6
Constituent	Imported Water (mg/L <sup>[1]</sup> )	Local Ground Water (mg/L <sup>[1]</sup> )	Anticipated Potable Water <sup>[3]</sup> (mg/L <sup>[1]</sup> )	Addition to Potable Water (mg/L <sup>[1]</sup> )	Water Factory Influent (mg/L <sup>[1]</sup> )
TDS	280 <sup>[2]</sup>	732 <sup>[2]</sup>	506	225 <sup>[4]</sup>	731

1	2	3	4	5	6
Constituent	Imported Water (mg/L <sup>[1]</sup> )	Local Ground Water (mg/L <sup>[1]</sup> )	Anticipated Potable Water <sup>[3]</sup> (mg/L <sup>[1]</sup> )	Addition to Potable Water (mg/L <sup>[1]</sup> )	Water Factory Influent (mg/L <sup>[1]</sup> )
Chloride	71 <sup>[2]</sup>	91 <sup>[2]</sup>	81	31 <sup>[5]</sup>	112
Sulfate	48 <sup>[2]</sup>	150 <sup>[2]</sup>	99	20 <sup>[4]</sup>	119
Nitrate-N	0.5 <sup>[2]</sup>	5.2 <sup>[2]</sup>	2.7	---	Varied
Boron	0.18 <sup>[2]</sup>	0.87 <sup>[2]</sup>	0.53	0.15 <sup>[4]</sup>	0.68

- [1]. mg/L: milligram per liter.
- [2]. Based on average quality of 2011 – 2015 of Santa Clarita Valley Water Quality Report.
- [3]. The blending of 50% imported water with 50% groundwater takes into account the range of water supply quality during drought years based on historical blending records.
- [4]. *Engineering Report for the Vista Canyon Water Factory (Municipal Wastewater Treatment Facility, dated March 21, 2016.*
- [5]. *2008 Chloride Source Identification/Reduction, Pollution Prevention, and Public Outreach Plan, Sanitation districts of Los Angeles County, dated November 2008.*

- d. The City Plumbing Code adopted on November 26, 2013 and the SCVSD Ordinance adopted on June 11, 2008 prohibits water softener installation within the site boundary. The purpose of the Code and the Ordinance is to limit the discharge of total dissolved solids including chloride to the Water Factory, which is not designed to remove salts.

#### E. Effluent Quality

The Water Factory is a new facility and not designed to remove salts through its wastewater treatment process, therefore, the salt concentrations in the effluent will be the same as those in the influent (Table 1), however, compliance with effluent limits must be achieved. Based on the proposed tertiary treatment process, the nutrients in effluent, under proper operation and maintenance, will achieve the effluent limits in Table 2 below.

Constituents	Units	Concentrations
Ammonia-N + Nitrate-N + Nitrite-N	mg/L	6.0 <sup>[1]</sup>
Total Dissolved Solids	mg/L	731 <sup>[2]</sup>
Sulfate	mg/L	119 <sup>[2]</sup>
Chloride	mg/L	112 <sup>[2]</sup>

Constituents	Units	Concentrations
Boron	mg/L	1.0

- [1]. Nitrate-nitrate in effluent is expected to be less than 6.0 mg/L with the full NDN process at the Water Factory.
- [2]. Based on the projected water supply quality described at Table 1.

#### F. Treated Effluent Applications

- a. The treated effluent will be stored in a 100,000-gallon recycled water storage tank. Recycled water will be distributed via the recycled water pump station to on-site uses of the Vista Canyon Project for landscape irrigation and public restrooms in commercial areas and off-site uses for landscape irrigation and other Title 22 non-potable recycled water applications approved by the DDW. A summary of proposed recycled water uses are shown in Table 3. Figure 4 presents the quantity of recycled water uses at each location.

On-Site Landscape Irrigation	77,600 GPD (87 AFY <sup>[1]</sup> )
On-Site Dual-Plumbed Use	44,600 GPD (50 AFY <sup>[1]</sup> )
Off-Site Use	248,300 GPD (278 AFY <sup>[1]</sup> )
<b>Total</b>	<b>370,600 GPD (415 AFY <sup>[1]</sup>)</b>

[1]. AFY: Acre feet per year.

- b. The recycled water storage tank and the recycled water pump station will be located at the Water Factory.

#### G. Effluent Storage Equalization Tank

- a. A 200,000-gallon effluent storage equalization tank (Figure 5) will be constructed adjacent to the Water Factory and along the Santa Clara River bank in order to store the treated wastewater with the following conditions:
- Disinfected tertiary-treated effluent when there is no demand for recycled water; and,
  - Overflow from the 100,000-gallon recycled water storage tank.

Water in excess of this capacity will be sent downstream to either the Saugus or Valencia recycling facilities.

- b. The Water Factory and the bank along the Santa Clara River are within the 100-year floodplain and will be raised in elevation and will no longer be within the floodplain. The bank along the Santa Clara River is reinforced and protected by a concrete retaining wall (approximately 18 feet) plus a freeboard (approximately 3 feet) above the Santa Clara River corridor. This wall is

designed in conformance with the County of Los Angeles Capital-Flood (Qcap) requirements, which exceed a 1,000-year storm event.

### **GROUNDWATER MONITORING PROGRAM**

16. Groundwater monitoring wells, specified in Figure 6, are used to ensure that the treated effluent (recycled water) used for landscape irrigation does not cause the groundwater to exceed groundwater limits set forth in Table 9 in the Vista Canyon Project site.
17. The groundwater network monitoring program implemented by the City consists of a total of nine (9) wells, six (6) upgradient; two (2) downgradient, and one (1) cross-gradient. More information of these groundwater monitoring wells is available in Table 4, Section IV. 3.A. of the accompanying Monitoring and Reporting Program CI No. 10041 (MRP).

### **GLOBAL WARMING AND CLIMATE CHANGE**

18. In Southern California, the predicted impacts of climate change are numerous. Annual average temperatures are expected to increase, coupled with a higher frequency of extreme heat days. A likely consequence of this warmer climate will be more severe drought periods, leading to an increase in the amount and intensity of fires and a longer fire season. In addition, precipitation patterns are likely to be modified. A decrease in snowfall, combined with warmer temperatures, will induce a decrease in the amount and duration of snowpack, an essential source of freshwater to the region. Although changes to mean precipitation are expected to be small, the increasing occurrence of extreme precipitation events will amplify the risk of flooding.

These impacts may affect water quality in multiple ways, including decreases in stream flow, reductions in, and changes to, aquatic habitats, increases in surface water temperature, increases in pollutant levels, sedimentation, algal growth, and changes in salinity levels and acidification in coastal areas. For permitted facilities such as Publicly Owned Treatment Works (POTWs), specific impacts could include, but are not limited to, an increase in the concentration of pollutants entering the facility, an increase in the temperature of effluents and receiving waters, an increase in storm water inflow and infiltration, increase in flooding/inundation of facilities, sewer overflows, power outages, pump maintenance issues, and onsite or nearby hillside destabilization.

Executive Order B-30-15, issued on April 29, 2015, recognizing the challenges posed by climate change, directed state agencies to take climate change into account in their planning decisions, guided by the following principles: Priority should be given to actions that both build climate preparedness and reduce greenhouse gas emissions; where possible, flexible and adaptive approaches should be taken to prepare for uncertain climate impacts; actions should protect the state's most vulnerable populations; and natural infrastructure solutions should be prioritized.

19. The Water Factory and the bank along the Santa Clara River are within the 100-year floodplain. Therefore, in response to anticipated climate change effects, the City has considered additional flood control measures and protection of the Vista Canyon Project and the Water Factory Project, including the design of a concrete retaining wall along the Santa Clara River bank exceeding protections from impacts from a 1,000-year storm event

(see Finding No. 15.G.b. for more information). Climate change may also increase drought and related impacts such as reduced potable water supply. The Water Factory will produce a new source of recycled water for areas of Los Angeles County and the City to reduce the need for potable water use in the area.

20. Waste Discharge Requirements for this facility contain provisions to require planning and actions to address climate-related impacts that can cause or contribute to violations of permit requirements and/or degradation of waters of the state.

## APPLICABLE PLANS, POLICIES AND REGULATIONS

Due to the unique hydrogeological conditions of the Plant location and its vicinity, this permit incorporates Basin Plan, Title 22 CCR, and other essential plans, policies, and regulations to protect the receiving groundwater quality.

21. ***Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties (Basin Plan)*** – On June 13, 1994, the Regional Board adopted a revised Basin Plan. The Basin Plan (i) designates beneficial uses for surface and groundwater, (ii) establishes narrative and numeric water quality objectives that must be attained or maintained to protect the designated beneficial uses, and (iii) sets forth implementation programs to protect the beneficial uses of the waters of the state. The Basin Plan contains prohibitions on the discharge of certain types of waste or to specified locations. The Basin Plan also incorporates State Water Board Resolution 68-16 “Statement of Policy with Respect to Maintaining High Quality of Waters in California” (also called the “Antidegradation Policy”). In addition, the Basin Plan incorporates by reference applicable State and Regional Board plans and policies and other pertinent water quality policies and regulations. The Regional Board prepared the 1994 update of the Basin Plan to be consistent with previously adopted State and Regional Board plans and policies. This Order implements the plans, policies and provisions of the Regional Board’s Basin Plan. The Basin Plan has been amended occasionally since 1994.

The Basin Plan (Chapter 3) incorporates Title 22 CCR primary maximum contaminant levels (MCLs) by reference (see Finding No. 20 below for detail) as water quality objectives. This incorporation by reference is prospective including future changes to the incorporated provisions as the changes take effect. The Title 22 CCR primary MCLs are applicable water quality objectives for a receiving water to protect beneficial uses when that receiving water is designated as municipal and domestic supply. Also, the Basin Plan specifies that “Ground waters shall not contain taste or odor-producing substances in concentrations that cause nuisance or adversely affect beneficial uses.” Therefore the Title 22 CCR secondary MCLs, which are limits based on aesthetic, organoleptic standards, are applicable water quality objectives for a receiving water to protect beneficial uses when that receiving water is designated as municipal and domestic supply. These water quality objectives are implemented in this Order to protect groundwater quality.

In addition, the Basin Plan implements State Water Board Resolution No. 88-63, which established state policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. Beneficial uses applicable to the groundwater in Table 5 are as follows:

<b>Receiving Water</b>	<b>Beneficial Uses</b>
Eastern Santa Clara Groundwater (DWR Basin No. 4-4.07)	<u>Existing:</u> Municipal and domestic water supply, industrial service supply, industrial process supply, and agricultural supply.

- A. **Total Maximum Daily Loads (TMDLs).** To restore water quality and impaired beneficial uses, the Regional Board has adopted the Nitrogen Compounds TMDLs for the Santa Clara River Reach 7 (Figure 7). The TMDLs has assigned local allocation for nonpoint source contributions from agricultural and urban runoff and groundwater discharge (Table 6):

<b>Nonpoint Source Load Allocation Target</b>	<b>Groundwater</b>
<b>Ammonia-N + Nitrate-N + Nitrite-N (Resolution No. 2003-011) <sup>[1]</sup></b>	Monthly Average: 8.5 mg/L

- [1]. Resolution No. 2003-011 (Santa Clara River Nitrogen Compounds TMDL), adopted by the Regional Board on August 7, 2003, the State Water Board on November 19, 2003, the Office of Administrative Law on February, 27, 2004, and the USEPA on March 18, 2004.

The treated effluent for irrigation percolating from the Site will reach underlying groundwater, which are likely to connect to the Santa Clara River Reach 7. Resolution No. 2003-011 has assigned a load allocation for nutrients to groundwater. However, considering the soil composition, groundwater depth, and quality of effluent discharged, the more stringent nutrient effluent limit (see section II.2.) shall be imposed to ensure the protection of groundwater quality based on the Antidegradation analysis.

- B. **Clean Water Act section 401 Water Quality Certification.** On April 24, 2013, the Regional Board issued an order (File No. 12-034, see Attachment A for more information including the Water Quality Certification, Project Information, and Conditions of Certification) certifying that any discharge from the Vista Canyon Project including Water Factory Project would comply with the applicable provisions of Clean Water Act section 301 (Effluent Limitations), section 302 (Water Quality Related Effluent Limitations), section 303 (Water Quality Standards and Implementation Plans), section 306 (National Standards of Performance), and section 307 (Toxic and Pretreatment Effluent Standards) of the Clean Water Act, and with other applicable requirements of State law. This discharge is also regulated under State Board Order No. 2003-0017-DWQ, "General Waste Discharge Requirements for Dredge and Fill Discharges that have received State Water Quality Certification" which requires compliance with all conditions of this Water Quality Certification.

22. **Title 22 CCR** –Title 22 CCR contains primary and secondary MCLs for inorganic, organic, and radioactive contaminants in drinking water. These MCLs are codified in Title 22 CCR. Title 22 primary MCLs (see Attachments B-1 to B-6) have been incorporated into the Basin Plan as water quality objectives. MCLs are used as one of the primary bases for effluent limits for discharges of recycled water in WDRs and WRRs to protect the designated beneficial uses of municipal and domestic supply.
23. **Recycled Water Policy** – State Water Board Resolution No. 2009-0011, *Adoption of a Policy for Water Quality Control for Recycled Water (Recycled Water Policy)*, is intended to support the State Water Board's Strategic Plan to promote sustainable local water supplies. Increasing the acceptance and promoting the use of recycled water is a means towards achieving sustainable local water supplies and can result in reduction in greenhouse gases, a significant driver of climate change. The Recycled Water Policy is also intended to encourage beneficial use of, rather than solely disposal of, recycled water generated from municipal wastewater sources in a manner that fully implements state and federal water quality laws.
24. **State Water Board Resolution No. 68-16** Antidegradation requires the Regional Board, in regulating the discharge of waste, to maintain the high quality waters of the state until it is demonstrated that any change in quality will be consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than that described in the State Water Board's policies (e.g., quality that exceeds water quality objectives). Further, any activity that produces waste must meet waste discharge requirements that will result in the best practicable treatment or control of the discharge necessary to assure that (a) a pollution or nuisance will not occur and (b) the highest water quality consistent with maximum benefit to the people of the State will be maintained.

In accordance with the Recycled Water Policy, the Upper Santa Clara River Integrated Regional Water Management Group, which is comprised of CLWA, City, Santa Clarita Water Division, Los Angeles County Flood Control District, Newhall County Water District, San Gabriel & Lower Los Angeles Rivers and Mountains Conservancy, SCVSD, and Valencia Water Company entered into a Memorandum of Understanding to prepare the draft *Salt and Nutrient Management Plan Santa Clara River Valley East Subbasin (SNMP East Subbasin)*. This group of agencies collectively known as the Salt and Nutrient Task Force facilitated by the CLWA directed the preparation of the *SNMP East Subbasin*, which was prepared using guidance set forth by the Regional Board.

The draft *SNMP East Subbasin* provides a conceptual analysis on the possible groundwater quality impacts resulting from the discharge. Staff conducted an independent antidegradation analysis taking into consideration work done under the SNMP effort and analyzed the data using a mass balance. The use of recycled water generated from the Water Factory will not cause degradation of the receiving groundwater quality for TDS, chloride, nitrate, and sulfate. The concentrations of chloride, nitrate, and sulfate in groundwater will remain the same as the current concentrations.

<b>Table 7 – Antidegradation Analyses: Comparison between 50<sup>th</sup> Percentile of Ambient Groundwater Quality and the Basin Plan Groundwater Quality Objectives</b>				
<b>Groundwater Subunit Water Quality Comparison</b>	<b>TDS (mg/L)</b>	<b>Chloride (mg/L)</b>	<b>Nitrate-N (mg/L)</b>	<b>Sulfate (mg/L)</b>
<b>Basin Plan GWQO <sup>[1]</sup></b>	800	150	10	150
<b>50<sup>th</sup> Percentile Ambient Groundwater Concentration <sup>[2]</sup></b>	745	89	4.3	152

[1]. Basin Plan GWQO: Basin Plan Groundwater Quality Objectives.

[2]. Groundwater data collected from 18 potable wells between 2001 and 2011.

25. This Order establishes effluent and groundwater limitations that will prevent unreasonable threats to present and anticipated beneficial uses and will not result in receiving ground water quality that exceeds water quality objectives set forth in the Basin Plan. Limitations for each waste constituent are based on the most stringent applicable water quality objective to protect all beneficial uses. This Order contains requirements for assuring that BPTC and the highest water quality consistent with the maximum benefit to the people of the State will be achieved. Accordingly, the discharge is consistent with the antidegradation provisions of Resolution 68-16. Based on the results of wastewater treatment and monitoring of effluent and groundwater quality, the Regional Board may reopen this Order to reconsider groundwater limitations and other requirements to comply with Resolution 68-16.
26. AB 685 – CWC Section 106 – It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This Order promotes that policy by requiring discharges to meet maximum contaminant levels developed to protect human health and ensure that water is safe for domestic use.
27. This Order is established pursuant to CWC section 13263 because this project has the potential to affect the quality of the waters of the State, to impact the beneficial uses of those waters, or to cause a nuisance. This Order conforms to CWC section 13523 and State Water Board Resolution 2009-011, the Recycled Water Policy, because it meets the need for recycled water use.
28. Section 13523 of the CWC provides that a Regional Board, after consulting with and receiving recommendations from DDW or its delegated local health agency, and after any necessary hearing, shall, if it determines such action to be necessary to protect the health, safety, or welfare of the public, prescribe water recycling requirements for water that is used or proposed to be used as recycled water. Section 13523 further provides at a minimum that the recycling requirements shall include, or be in conformance with, the statewide water recycling criteria established by DDW pursuant to Water Code Section 13521. DDW adopted revised Water Recycling Criteria (Chapter 3, Division 4, Title 22, CCR) that became effective on June 18, 2014. Criteria applicable to this recycling project are prescribed in this Order.
29. These WRRs are established pursuant to CWC section 13523. The WRRs prescribe the limits for recycled water and the City's responsibilities for the production and monitoring of recycled water and ensuring compliance with the WRRs contained in this Order.

30. The City prepared the revised *Engineering Report for the Vista Canyon Water Factory (Municipal Wastewater Treatment Facility)*, dated November 16, 2015, on its proposed production, distribution, and use of recycled water for irrigation as required by section 60323 of Title 22, CCR. On December 1, 2015, the revised Title 22 Engineering Report was conditionally approved by the DDW with recommendations to the Regional Board. This Order incorporates conditions and requirements in the Attachment A, consistent with DDW's recommendations.
31. **State Water Board Resolution No. 77-1** – The State Water Board adopted Resolution No. 77-1, Policy with Respect to Water Recycling in California, which includes principles that encourage and recommend funding for water recycling and its use in water-short areas of the State. On September 26, 1988, the Regional Board also adopted Resolution No. 88-012, *Supporting Beneficial Use of Available Reclaimed Water in Lieu of Potable Water for the Same Purpose*, which encourages the beneficial use of recycled wastewater and supports water recycling projects.
32. The requirements contained in this Order are in conformance with the goals and objectives of the Basin Plan, the TMDLs, and implement the requirements of the CWC, Title 22, Recycled Water Policy, and Resolutions specified in this Order.
33. **Publicly Owned Treatment Works (POTW)** – The term POTW means a treatment works as defined by section 212 of the federal Clean Water Act, which is owned by a State or municipality (as defined by section 502(4) of the Act). This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW treatment facility. The term also means the municipality as defined in section 502(4) of the Clean Water Act, which has jurisdiction over the indirect discharges to and the discharges from such treatment works. (40 CFR 403.3(q)). The Water Factory meets all above criteria and therefore is considered a POTW.
34. **Constituents of Emerging Concerns (CEC) Requirements** - In recent years, the Regional Board has incorporated monitoring of a select group of anthropogenic chemicals, particularly pesticides, pharmaceuticals and personal care products, known collectively as CECs, into permits to better understand the propensity, persistence and effects of CECs in our environment. Recently adopted permits in this region contain requirements for CEC effluent monitoring, including identification of the CECs to be monitored in the effluent, sample type, sampling frequency, and sampling methodology.

## CEQA AND NOTIFICATION

35. The City is the lead agency for purposes of the California Environmental Quality Act (CEQA) (Pub. Res. Code §§21000 et seq). The City released a Notice of Preparation (NOP) on October 1, 2009. The NOP provided notice to the public and public agencies that an Environmental Impact Report (EIR) would be prepared for the construction of the Vista Canyon Project. The Draft EIR was released for public comment on October 19, 2010, with notices published in the Signal Newspaper, notices mailed to interested parties, and notices mailed to the State Clearinghouse for circulation to responsible agencies (SCH No. 2007071039). The comment was due on December 3, 2010. Thirty-one written and oral comments were received, including a comment letter from the Regional Board dated December 2, 2010. The City conducted Planning Commission Meetings on October

19, 2010, November 2, 2010, and December 21, 2010 and a City Council Hearing on March 22, 2011 to accept verbal comments on the Draft EIR. On April 26, 2011, the City Council held a public hearing and certified the Final EIR.

The EIR had identified the potential impacts on wastewater disposal and water quality, resulting from the development of the Vista Canyon Project. To mitigate the impacts to groundwater and surface water quality caused by wastewater disposal, the Water Factory Project, pursuant to local, regional, state and federal design standards, proposed to treat the domestic wastewater to the Title 22 Recycled Water standards at the Water Factory and will not cause any adverse impact to the underlying groundwater aquifer. The discharge is also required to obtain all necessary permits for the construction of the Vista Canyon Project and the Water Factory Project.

36. The Regional Board is a responsible agency for purposes of CEQA and has considered the EIR prepared by the City. The Regional Board has incorporated requirements into this Order to protect the quality of the waters of the state consistent with the applicable plans and policies that apply to the discharges regulated by this Order. This Order is consistent with the mitigation measures identified by the City in the EIR because it requires compliance with Title 22 standards. This Order includes a monitoring and reporting program to determine compliance with the terms of the Order, including the Title 22 standards, and to assure protection of water quality.
37. **Petition** – Any person aggrieved by this action of the Regional Board may petition the State Water Board to review the action in accordance with CWC section 13320 and CCR title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or a state holiday, the petition must be received by the State Water Board by 5:00 pm on the next business day. Copies of the law and regulations applicable to filling petitions may be found on the Internet at [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality/](http://www.waterboards.ca.gov/public_notices/petitions/water_quality/) or will be provided upon request.
38. **Public Notice** – On April 20, 2016, the Regional Board notified the City and interested agencies and persons of its intent to issue WDRs/WRRs Order No. R4-2016-0220 for the distribution and use of tertiary-treated and disinfected effluent as recycled water, and has provided them with an opportunity to submit written comments.

The Regional Board, in a public meeting, heard and considered all comments pertaining to these WDRS/WRRs.

**IT IS HEREBY ORDERED** that the City shall comply with the following:

**I. INFLUENT LIMITS AND REQUIREMENTS**

Influent waste shall be limited to domestic wastewater from the Vista Canyon Project and a portion of existing domestic flows from the City and shall not exceed its design capacity of 392,000GPD.

**II. TERTIARY-TREATED EFFLUENT/RECYCLED WATER LIMITS**

1. The wastewater discharged from the Water Factory shall not exceed 371,000\_GPD.
2. Tertiary-treated effluent/recycled water shall not contain constituents with concentrations exceeding limits listed in Table 8.

<b>Constituents</b>	<b>Units</b>	<b>Monthly Average</b>	<b>Daily Maximum</b>
<b>Oil and grease</b>	mg/L	10 <sup>[1]</sup>	15 <sup>[1]</sup>
<b>Total suspended solids</b>	mg/L	15 <sup>[1]</sup>	45 <sup>[1]</sup>
	% removal	≥ 85 <sup>[2]</sup>	---
<b>BOD<sub>5@20 °C</sub></b>	mg/L	20 <sup>[1]</sup>	45 <sup>[1]</sup>
	% removal	≥ 85 <sup>[2]</sup>	---
<b>MBAS</b>	mg/L	0.5 <sup>[3]</sup>	---
<b>Ammonia-N + Nitrate-N + Nitrite-N</b>	mg/L	---	6.0 <sup>[4]</sup>
<b>Total Dissolved Solids</b>	mg/L	731 <sup>[5]</sup>	---
<b>Sulfate</b>	mg/L	119 <sup>[5]</sup>	---
<b>Chloride</b>	mg/L	112 <sup>[5]</sup>	---
<b>Boron</b>	mg/L	1.0 <sup>[6]</sup>	---

- [1]. Limits are based on best professional judgment. Limits adopted by this Regional Board exist in the permits for tertiary-treated wastewater treatment plants.
- [2]. Limits are based on secondary treatment requirements, 40 CFR section 133.102.
- [3]. Basin Plan Title 22 Drinking Water Standard for methylene blue activated substances (MBAS).
- [4]. Considering the soil composition, groundwater depth, and quality of effluent discharged, the more stringent nutrient effluent limit shall be imposed to ensure the protection of groundwater quality based on Antidegradation analysis.
- [5]. Based on projected water supply and effluent water quality (see findings 15.E).
- [6]. Basin Plan Groundwater Quality Objective.
3. The pH of effluent discharged shall at all times be within the range of 6.5 to 8.5. Excursion from this range shall not be considered a violation provided the duration is not more than 10 minutes in a 24-hour period, and pH shall at all times be within 6 to 9.
  4. The tertiary-treated effluent shall be filtered and subsequently disinfected with UV and chlorination that meets the following criteria:
    - A. UV disinfection shall comply with the "Ultraviolet Disinfection Guidelines for Water Research Institute, which specifies for permeability of membrane filtration that:

- a. The design UV dose shall be at least 100 millijoules per square centimeter ( $\text{mJ}/\text{cm}^2$ ) under maximum daily flow; and,
- b. The filtered effluent UV transmittance shall be 55%.

The City shall submit a performance testing protocol for the UV system prior to operation and submit results of the performance testing to the Executive Officer of the Regional Board and DDW prior to the initial discharge.

- B. Effluent shall be, at all times, adequately disinfected and oxidized. In the event that the effluent exceeds any of the following, based on daily grab samples, the City shall suspend recycled water applications until such time that the cause of the failure has been identified and corrected. Any failure to meet the total coliform limits shall be reported to the DDW and the Regional Board in the next quarterly report.
  - a. A 7-day median of 2.2 most probable number (MPN) per 100 milliliters for two consecutive days;
  - b. 23 MPN per 100 milliliters in more than one sample in any 30-day period; and,
  - c. 240 MPN per 100 milliliters in any sample.
- C. Filtered wastewater shall be an oxidized wastewater that has been coagulated and passed through a bed of filter media under the following conditions:
  - a. At a rate that does not exceed 5 gallons per minute per square foot of surface area in mono, dual or mixed media gravity, upflow or pressure filtration systems, or does not exceed 2 gallons per minute per square foot of surface area in a traveling bridge automatic backwash filter; and,
  - b. The turbidity of the filtered wastewater does not exceed any of the following:
    - i. An average of 2 Nephelometric Turbidity Unit (NTU) within a 24-hour period;
    - ii. 5 NTU more than 5 percent of the time within a 24-hour period; and,
    - iii. 10 NTU at any time.
- 5. Maximum Contaminant Limits: The effluent shall not contain trace, toxic and other constituents in concentrations exceeding the applicable maximum contaminant levels (Attachment B) for drinking water established by the DDW in sections 64431 (Attachment B-1), 64442 (Attachment B-2), 64443 (Attachment B-3), 64444 (Attachment B-4), 64449 (Attachment B-5), and 64533 (Attachment B-6), Article 5, Chapter 15, Title 22 of the CCR, or subsequent revisions or at levels that adversely affect the beneficial uses of receiving groundwater. Concentrations of contaminants in the effluent shall, at all times, not exceed the following MCLs. In case of a

violation of any primary or secondary MCL, the City shall notify and submit a report according to Provision IX.5. of this Order.

- A. Primary MCLs specified in Chapter 15, Domestic Water Quality and Monitoring, Title 22, CCR:
  - a. Inorganic chemicals in Section 64431, Table 64431-A, except for nitrogen compounds, Attachment B-1 of this Order;
  - b. Radionuclides in Section 64442, Table 64442, Attachment B-2 and Section 64443, Table 64443, Attachment B-3 of this Order; and,
  - c. Regulated organic chemicals in Section 64444, Table 64444-A, Attachment B-4 of this Order.
- B. Secondary MCLs in Chapter 15, Domestic Water Quality and Monitoring, Title 22, CCR, Table 64449-A, Attachment B-5 of this Order.
- C. Primary MCLs for disinfection byproducts specified in Chapter 15.5, Article 2, Section 64533, Table 64533-A, Attachment B-6 of this Order.

### III. GROUNDWATER LIMITATIONS

1. The City is prohibited from altering the quality or elevation of the underlying groundwater.
2. Groundwater shall not contain constituents with concentrations exceeding limits specified in Attachments B-1 to B-6 and Table 9 as a result of this discharge.

Table 9 – Receiving Water Limits for Groundwater Quality		
Constituents	Units	Single Sample Maximum
Total Dissolved Solids	mg/L	750 <sup>[1]</sup>
Sulfate	mg/L	150 <sup>[2]</sup>
Chloride	mg/L	95 <sup>[1]</sup>
Ammonia-N + Nitrate-N + Nitrite-N	mg/L	4.9 <sup>[1]</sup>
Nitrite-N	Nitrite-N	1.0 <sup>[3]</sup>
Boron	mg/L	1.0 <sup>[3]</sup>
Total coliform	MPN/100mL	1.1 <sup>[3]</sup>
Fecal coliform	MPN/100mL	1.1 <sup>[3]</sup>
Enterococcus	MPN/100mL	1.1 <sup>[3]</sup>

[1]. Limits for groundwater are based on protecting background groundwater quality set at the 50<sup>th</sup> percentile of the ambient groundwater concentrations measured between 2001 to 2011 for this constituent, and in consideration of the antidegradation policy by adding 10 percent of the difference between the Basin Plan Groundwater Quality Objective and the 50<sup>th</sup> percentile of the ambient groundwater quality.

[2]. Limits for all groundwater quality consider both the antidegradation analyses and the

Basin Plan Groundwater Quality Objective. The Basin Plan Groundwater Quality Objective is used as groundwater quality limitation because it is more protective.

[3]. Basin Plan Groundwater Quality Objective.

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3. The City shall monitor groundwater for a minimum of two years, once in 2016 and once in 2017, prior to operation of the Water Factory to understand the groundwater quality in the shallow and deep aquifer before any discharge and/or recycled water application.
4. The City shall demonstrate that the discharge and recycled water use from the Water Factory do not contribute to the degradation of groundwater quality by meeting all groundwater quality limits specified in Table 9. In the event that the groundwater quality exceeds the limits specified in Table 9, the discharger shall demonstrate that the discharge/recycled water use do not contribute to the groundwater quality exceedance.

#### IV. SPECIFICATIONS FOR PRODUCTION, OPERATION, AND USE OF RECYCLED WATER AND ITS FACILITIES

1. The City is responsible to ensure that appropriate ordinances are established to regulate production, operation, and use of recycled water and its facilities.
2. The City shall submit a revised Title 22 Engineering Report to DDW and the Regional Board for review and approval, if additional recycled water use is proposed.
3. Recycled water shall not be used for direct human consumption or for the processing of food or drink intended for human consumption.
4. The City shall receive the final approval from DDW prior to the initial discharge of recycled water.
5. The delivery of recycled water to new end-users shall be subject to DDW approval and/or its delegated local agency.

#### V. USE AREA REQUIREMENTS

"Use area" means an area with defined boundaries, which may contain one or more facilities where recycled water is used. The City shall be responsible to ensure that all users of recycled water comply with the following:

1. No irrigation with disinfected tertiary-treated recycled water shall take place within 50 feet of any domestic water supply well is located within 100 feet of any domestic water supply well.
2. Recycled water shall be applied at such a rate and volume as not to exceed vegetative demand and soil moisture conditions. Special precautions must be taken to prevent clogging of spray nozzles and over-watering, and minimize the production of runoff. Pipelines shall be maintained so as to prevent leakage.
3. All above ground irrigation appurtenances need to be marked appropriately.

4. Any incidental runoff from recycled water projects shall be handled as follows:
  - A. The discharge of recycled water to surface water is prohibited.
  - B. Discharges of recycled water to surface waters may only occur where regulated under a separate NPDES permit issued by the Regional Board.

Incidental runoff is defined as unintended small amounts (volume) of runoff from recycled water use areas, such as unintended, minimal over-spray from sprinklers that escapes the recycled water use area. Irrigation system maintenance shall be consistent with the requirements found in the State Water Board's Recycled Water Policy.

5. Spray, mist, or runoff shall not enter dwellings, designated outdoor eating areas, or food handling facilities, and shall not contact any drinking water fountain.
6. Recycled water shall not be used for irrigation during periods of rainfall and/or runoff.
7. Recycled water shall be retained on the designated area and shall not be allowed to escape as surface flow.
8. All recycled water use areas that are accessible to the public shall be posted with signs that are visible to the public, in a size no less than 4 inches high by 8 inches wide, that include the following wording: "RECYCLED WATER – DO NOT DRINK" as shown in Figure 8. Each sign shall display an international symbol similar to that shown in Figure 8. An alternative signage and wording may be used upon approval by the Executive Officer of the Regional Board.
9. No physical connection shall be made or allowed to exist between any recycled water piping and any piping conveying potable water, except as allowed under Section 7604 of Title 17, CCR.
10. The portions of the recycled water piping system that are in areas subject to access by the general public shall not include any hose bibs (a faucet or similar device to which a common garden hose can be readily attached). Only quick couplers that differ from those used on the potable water system shall be used on the portions of the recycled water piping system in areas subject to public access.
11. Recycled water use shall not result in earth movement in geologically unstable areas.
12. The City or its authorized agency will develop the User Agreements and Ordinances with the potential non-potable users of recycled water. Copies of the User Agreements and Ordinances shall be provided to the Regional Board and the DDW.
13. Use/site-supervisors must be appointed for the recycled water use areas and their staff must be trained on the hazards of working with recycled water and periodically retrained.
14. For each new recycled water use area, the City needs to provide the Regional Board and DDW with a description of the use area including, but not limited to: a description

of the recycled water use (e.g. landscape, specific food crop, cooling tower, etc.); method of use (e.g. spray, flood, or drip); the location of domestic water supply facilities adjacent to the use areas; site containment measures; the party responsible for the distribution and use of the recycled water at the site; identification of other governmental entities which may have regulatory jurisdiction over the reuse site(s) such as State Food and Drug, State Licensing and Certification, County Health Department, etc. These Agencies should also be provided with a copy of the approved Title 22 Engineering Report for review and comment.

## VI. REQUIREMENTS FOR DUAL-PLUMBED SYSTEMS

1. "Dual plumbed" means a system that utilizes separated piping systems for recycled water and potable water within a facility and where the recycled water is used for either of the following purposes:
  - A. To serve plumbing outlets (excluding fire suppression systems) within a building; or,
  - B. Outdoor landscape irrigation at individual residences.
2. The public water supply shall not be used as a backup or supplemental source of water for a dual-plumbed recycled water system unless the connection between the two (2) systems is protected by an air gap separation which complies with the requirements of Section 7602 (a) and 7603 (a) of Title 17, CCR, and that such connection has been approved by the DDW and/or its delegated local agency.
3. The City or its authorized agency shall not deliver recycled water to a facility using a dual-plumbed system unless the report required pursuant to Section 13522.5 of the CWC, and which meets the requirements set forth in sections VI.4. and/or VI.5. of this Order, has been submitted, and approved by DDW or its delegated local agency and the Regional Board. The Regional Board shall be furnished with a copy of the DDW approval within 30 days following the approval.
4. Prior to the initial operation of the dual-plumbed recycled water system and annually thereafter, the dual-plumbed system within each facility and use site shall be inspected by the City or its authorized agency for possible cross connections with the potable water system. The recycled water system shall also be tested for possible cross connections at least once every four (4) years. The inspections and the shutdown testing shall be performed by a cross connection control specialist certified by the California-Nevada section of the American Water Works Association or an organization with equivalent certification requirements. A written report documenting the result of the inspection and shutdown testing for the prior year shall be submitted to the DDW and the Regional Board within 30 days following completion of the inspection or shutdown testing. The procedures used to conduct the shutdown testing must be described.
5. The City shall notify DDW of any incidence of backflow from the dual-plumbed recycled water system into the potable water system within 24 hours of discovery of the incident.
6. Any backflow prevention device installed to protect the public water system serving

the dual-plumbed recycled water system shall be inspected and maintained in accordance with Section 7605 of Title 17, CCR.

7. The City shall obtain the final approval from DDW prior to the initial use of recycled water.

## VII. GENERAL REQUIREMENTS

1. Dischargers shall operate and maintain facilities, treatment operations, associated collection systems and outfalls in ways to preclude adverse impacts to surface or groundwater from impacts predicted to occur due to climate change.
2. The Discharger shall submit a Climate Change Effects Vulnerability Assessment and Management Plan (Climate Change Plan) no later than 12 months after adoption of this permit. Submittal of the Climate Change Plan is required pursuant to Water Code section 13267. As required by this provision, a regional board may require a person to submit technical or monitoring program reports which the regional board requires. The Climate Change Plan is needed in order to assess and manage climate change related-effects associated with Discharger operations that may affect water quality.

The Climate Change Plan shall include an assessment of short and long term vulnerabilities of the facility(ies) and operations as well as plans to vulnerabilities of collection systems, facilities, treatment systems, and outfalls for predicted impacts in order to ensure that facility operations are not disrupted, compliance with permit conditions is achieved, and receiving waters are not adversely impacted by discharges. Control measures shall include, but are not limited to, emergency procedures, contingency plans, alarm/notification systems, training, backup power and equipment, and the need for planned mitigations to ameliorate climate-induced impacts including, but not limited to, changing influent and receiving water quality and conditions, as well as the impact of rising sea level (where applicable) storm surges and back-to-back severe storms that are expected to become more frequent.

3. The recycling facility and areas where any potential pollutants are stored shall be adequately protected from inundation and damage by storm flows and run-off.
4. Adequate freeboard and/or protection shall be maintained in the recycled water storage tanks and process tanks to ensure that direct rainfall will not cause overtopping.
5. The wastewater treatment and use of recycled water shall not result in nuisance conditions caused by breeding of mosquitoes, gnats, midges, or other pests.
6. Odors of sewage origin shall not be perceivable any time outside the boundary of the treatment facility.
7. The City shall, at all times, properly operate and maintain all treatment facilities and control systems (and related appurtenances), which are installed or used by the City to achieve compliance with the conditions of this Order. Proper operation and maintenance includes: effective performance, adequate funding, adequate operator

- staffing and training, and adequate laboratory and process controls (including appropriate quality assurance procedures).
8. Any wastes that do not meet the foregoing requirements shall be held in impervious containers and discharged at a legal point of disposal.
  9. A copy of these requirements shall be maintained at the water recycling facility so as to be available at all times to operating personnel.
  10. The distribution and irrigation systems shall be maintained and periodically inspected by the City or its authorized agency for proper maintenance and operation.
  11. Pursuant to section 3860 of Title 23 CCR, the Water Factory Project shall meet the standard conditions specified in Attachment F Conditions of Certification File No. 12-034.

### VIII. PROHIBITIONS

1. Recycled water shall not be used for direct human consumption or for the processing of food or drink intended for human consumption.
2. Wastes discharged and recycled water applications shall not contain tastes, odors, color, foaming, any materials, or other objectionable characteristics in concentrations that would:
  - A. Affect human, animal, and plant life;
  - B. Cause nuisance or adversely affect the beneficial uses and quality of the receiving groundwater; and,
  - C. Impact surface water that may be in hydraulic connection with groundwater.
3. Discharge of waste classified as 'hazardous', as defined in Section 2521(a) of Title 23, CCR, Section 2510 et seq., is prohibited. Discharge of waste classified as 'designated,' as defined in CWC Section 13173, in a manner that causes violation of receiving water limitations, is prohibited.
4. The recycled water storage basin and storage tank shall not contain floating materials, including solids, foams or scum in concentrations that cause nuisance, adversely affect beneficial uses, or serve as a substrate for undesirable bacterial or algae growth or insect vectors.
5. There shall be no onsite disposal of sludge. Sludge-drying activities are allowed, but only as an intermediate treatment prior to off-site disposal. Any offsite disposal of wastewater or sludge shall be made only to a legal point of disposal. For purposes of this Order, a legal disposal site is one for which requirements have been established by a California Regional Board or comparable regulatory entity, and which is in full compliance therewith. Any wastewater or sludge handling shall be in such a manner as to prevent its reaching surface waters or watercourses.

6. Odors originating at this Water Factory shall not be perceivable beyond the limits of the property owned by the City.
7. No new connections of using recycled water may be made without notification to the Regional Board and DDW.
8. The discharge of waste shall not create a condition of pollution, contamination, or nuisance.
9. Bypass, discharge or overflow of untreated wastes, except as allowed by Section VIII.10. of this Order, is prohibited.
10. Bypass (the intentional diversion of waste stream from any portion of a treatment facility) is prohibited. The Regional Board may take enforcement action against the City for bypass unless:
  - A. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage. (Severe property damage means substantial physical damage to property, damage to the treatment facilities that cause them to become inoperable, or substantial and permanent loss in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.)
  - B. There were no feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated waste, or maintenance during normal periods of equipment down time. This condition is not satisfied if adequate back-up equipment shall have been installed in the exercise of reasonable engineering judgment to prevent a bypass that could occur during normal periods of equipment downtime or preventive maintenance.
  - C. The City must submit written notice at least 24 hours in advance of the need for a bypass to the Regional Board Executive Officer.
11. Any discharge of wastewater from the treatment system (including the wastewater collection system) at any point other than specifically described in this Order and except as provided for in Section VIII.10 of this Order, is prohibited and constitutes a violation of this Order.
12. Any discharge of effluent/recycled water at any point(s) other than designated recycled water use areas is prohibited and constitutes a violation of this Order.
13. The discharge of effluent, including runoff, spray or droplets from the irrigation system, shall not occur outside the boundaries of the land application area.
14. The discharge of waste to surface waters of the state or of the United States is prohibited.

## IX. PROVISIONS

1. The City shall submit plans for any change of the recycled water project to and obtain approval from DDW and the Regional Board. The American Water Works Association Guidelines for the Distribution of Non-Potable Water shall be followed, including installation of purple pipe, adequate signs, etc. As-built drawings shall show the final locations of the potable water, sewer, and recycled water pipelines; and indicate adequate separation between the recycled water and potable domestic water lines, which shall also be marked clearly or labeled using separate colors for identification. In addition, a copy of each application to DDW for a recycled water project shall be delivered to the Regional Board for inclusion in the administrative file.
2. If the recycled water system lateral pipelines are located on an easement contiguous to a homeowners private property and where there is a reasonable probability that an illegal or accidental connection to the recycled water line could be made, the City or its authorized agency shall provide a buffer zone or other necessary measures between the recycled water lines and the easement to prevent any illegal or accidental connection to the recycled water lines. If the City or its authorized agency does not feel it can maintain adequate control of the recycled water system pipelines, the pipelines will need to be relocated or a physical barrier needs to be installed to prevent this type of potential problem. The homeowners need to be educated on the use of recycled water in the area. The City or its authorized agency should specify a plan to interface with the homeowners as a part of the Rules of Service Agreement in an adjacent property awareness program.
3. The City or its authorized agency shall inspect the recycled water use areas on a periodic basis. A report of findings of the inspection shall be submitted to the City that will incorporate it with the quarterly report, specified in the MRP, to the DDW and the Regional Board.
4. The City shall file with the Regional Board, under penalty of perjury, annual and quarterly reports on self-monitoring work performed according to the detailed specifications contained in MRP attached hereto and incorporated herein by reference, as directed by the Executive Officer. The results of any monitoring done more frequently than required at the location and/or times specified in the MRP shall be reported to the Regional Board. The Discharger shall comply with all of the provisions and requirements of the MRP.
5. The City shall notify DDW and this Regional Board by telephone or electronic means within 24 hours of knowledge of any violations of recycled water use conditions, any adverse conditions as a result of the use of recycled water and any discharge exceeding the effluent limits prescribed in this Order from the Water Factory or/and the recycled water storage basin; written confirmation shall follow within 5 working days from date of notification, unless otherwise specified in this Order. The report shall include, but not limited to, the following information, as appropriate:
  - A. Nature and extent of the violation;
  - B. Date and time: when the violation started, when compliance was achieved; and, when discharge was suspended and restored, as applicable;

- C. Duration of violation;
  - D. Cause(s) of violation;
  - E. Corrective and/or remedial actions taken and/or will be taken with time schedule for implementation to prevent future violations; and
  - F. Impact of the violation.
6. The direct use of disinfected recycled water for irrigation and unpaved roadway dust control could affect the public health, safety, or welfare; requirements for such uses are therefore necessary in accordance with Section 13523 of the Water Code.
  7. This Order does not exempt the City and its authorized agencies from compliance with any other laws, regulations, or ordinances which may be applicable; they do not legalize the recycling and use facilities; and they leave unaffected any further constraint on the use of recycled water at certain site(s) that may be contained in other statutes or required by other agencies.
  8. This Order does not alleviate the responsibility of the City and its authorized agencies to obtain other necessary local, state, and federal permits to construct facilities necessary for compliance with this Order; nor does this Order prevent imposition of additional standards, requirements, or conditions by any other regulatory agency. Expansion of the recycled water distribution facility shall be contingent upon issuance of all necessary requirements and permits, including a conditional use permit.
  9. After notice and opportunity for a hearing, this Order may be modified, revoked and reissued, or terminated for cause, that include, but is not limited to: failure to comply with any condition in this Order, endangerment of human health or environment resulting from the permitted activities in this Order, obtaining this Order by misrepresentation or failure to disclose all relevant facts, and acquisition of new information which could have justified the application of different conditions if known at the time of Order adoption.  
  
The filing of a request by the City for modification, revocation and reissuance, or termination of the Order; or a notification of planned changes or anticipated noncompliance does not stay any condition of this Order.
  10. The City shall furnish, within a reasonable time, any information that the Regional Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order. The City shall also furnish the Regional Board, upon request, with copies of records required to be kept under this Order for at least three years.
  11. In an enforcement action, it shall not be a defense for the City that it would have been necessary to halt or to reduce the permitted activity in order to maintain compliance with this Order. Upon reduction, loss, or failure of the treatment facility, the City shall, to the extent necessary to maintain compliance with this Order, control production or all discharges, or both, until the facility is restored or an alternative

method of treatment is provided. This provision applies, for example, when the primary source of power of the treatment facility fails, is reduced, or is lost.

12. This Order includes "Standard Provisions Applicable to Waste Discharge Requirements" (Attachment C – Standard Provisions). In the event of conflict between provisions stated herein and the Standard Provisions, the provisions stated herein prevail.
13. This Order includes the WDRs/WRRs and the attached MRP (CI No. 10041). If there is any conflict among provisions stated in the MRP and these WDRs/WRRs, those provisions stated herein before prevail.
14. After a year of percolating recycled water into the aquifers, the City shall update the operation, maintenance, and monitoring plan (OMM Plan) and submit it to the Regional Board for review and approval, if there is any change to the original OMM Plan. The Water Factory shall be operated in accordance with the approved plan.

The OMM Plan shall cover critical operational parameters to include routine testing procedures for optimization of the UV dose for disinfection and reduction of light-sensitive contaminants, and all treatment processes, maintenance and calibration schedules for all monitoring equipment, process alarm set points, and response procedures for all alarms in each treatment process of the Water Factory, including criteria for diverting recycled water if water quality requirements are not met, start-up, emergency response and contingency plans. During the first year of operation of the Water Factory, all treatment processes shall be optimized to reduce contaminant levels. The results of these initial optimization efforts shall be incorporated into the updated OMM Plan. The OMM Plan shall include staffing levels with applicable certification levels for the Water Factory operations personnel. Significant changes in the operation of any of the treatment processes shall be reported to the DDW and the Regional Board. Changes in the approved OMM Plan must be approved by the DDW and the Regional Board prior to instituting changes.

15. For any material change or proposed change in character, location or volume of recycled water, or its uses, the City shall submit at least 120 days prior to the proposed change an engineering report or addendum to the existing engineering report to the Regional Board and DDW [pursuant to CWC, sections 13260(c) and 13522 and CCR, Title 22, Section 60320.080] for approval.
16. The City shall provide an Annual Report described in the MRP to this Regional Board.
17. In order to limit the presence of constituents of concerns specified in Section II in the effluent including regulated and unregulated contaminants identified in Attachments B-1 to B-6 and Attachments D to E of the accompanying MRP, the City shall, for the purposes of protecting public health, ensure that its equipment and facilities for treatment and disposal operate at levels of peak performance.
18. Spill Clean-Up Contingency Plan (SCP) Requirements – Within six (6) months prior to discharge, the City is required to submit a SCP, which describes the activities and protocols to address clean-up of spills, overflows, and bypasses of untreated or partially treated wastewater from the City's collection system or treatment facilities.

At a minimum, this SCP shall include sections on spill clean-up and containment measures, public notification, and monitoring. The City shall review and amend this SCP as appropriate after each spill from the Water Factory or in the service area of the Water Factory. The City shall include a discussion in the annual summary report of any modifications to the SCP and the application of the SCP to all spills during the year.

19. Construction, Operation, and Maintenance Requirements

- A. The Water Factory subject to this Order shall be supervised and operated by persons possessing certificates of appropriate grade pursuant to CCR, Title 23, division 3, chapter 26 (Section 13625 - 13633).
- B. The City shall maintain in good working order a sufficient alternate power source for operating the wastewater treatment and disposal facilities. All equipment shall be located to minimize failure due to moisture, liquid spray, flooding, and other physical phenomena. The alternate power source shall be designed to permit inspection and maintenance and shall provide for periodic testing. If such alternate power source is not in existence, the City shall halt, reduce, or otherwise control all discharges upon the reduction, loss, or failure of the primary source of power.
- C. The City shall provide standby or emergency power facilities and/or storage capacity or other means so that in the event of plant upset or outage due to power failure or other cause, discharge of raw or inadequately treated sewage does not occur.

20. Collection System Requirements

The State Water Board adopted General WDRs for Sanitary Sewer Systems, (WQ Order No. 2006-0003) on May 2, 2006, to provide a consistent, statewide regulatory approach to address SSO. The SSO WDRs require public agencies that own or operate sanitary sewer systems to develop and implement sewer system management plans and report all SSOs to the State Water Board's online SSO database. The City's collection system is part of the system that is subject to the WQ Order No. 2006-0003. As such, the City must properly operate and maintain its collection system (40 CFR part 122.41(e)). The City must report any non-compliance (40 CFR part 122.41(l)(6) and (7)) and mitigate any discharge from the collection system in violation of this Order (40 CFR part 122.41(d)).

21. Spill Reporting Requirements

- A. **Initial Notification** – Although State and Regional Board staff do not have duties as first responders, this requirement is an appropriate mechanism to ensure that the agencies that do have first responder duties are notified in a timely manner in order to protect public health and beneficial uses. For certain spills, overflows and bypasses, the City shall make notifications as required below:
  - a. In accordance with the requirements of Health and Safety Code section 5411.5, the City shall provide notification to the local health officer or the

director of environmental health with jurisdiction over the affected water body of any unauthorized release of sewage or other waste that causes, or probably will cause, a discharge to any waters of the state as soon as possible, but no later than two (2) hours after becoming aware of the release.

- b. In accordance with the requirements of CWC section 13271, the City shall provide notification to the California Emergency Management Agency (Cal EMA) of the release of reportable quantities of hazardous substances or sewage that causes, or probably will cause, a discharge to any waters of the state as soon as possible, but not later than two (2) hours after becoming aware of the release. CCR, Title 23, section 2250, established 1,000 gallons or more as a reportable quantity of sewage. The phone number for reporting these releases to the Cal EMA is (800) 852-7550.
- c. The City shall notify the Regional Board of any unauthorized release of sewage from the Water Factory that causes, or probably will cause, a discharge to a water of the state as soon as possible, but not later than two (2) hours after becoming aware of the release. This initial notification does not need to be made if the City has notified Cal EMA and the local health officer or the director of environmental health with jurisdiction over the affected waterbody. The phone number for reporting these releases of sewage to the Regional Board is (213) 576-6683. The phone numbers for after hours and weekend reporting of releases of sewage to the Regional Board are (213) 305-2284 and (213) 305-2253.

At a minimum, the following information shall be provided to the Regional Board:

- i. The location, date, and time of the release;
  - ii. The water body that may be impacted by the discharge;
  - iii. An estimate of the amount of sewage or other waste released and the amount that reached the receiving water at the time of notification;
  - iv. If ongoing, the estimated flow rate of the release at the time of the notification;
  - v. The name, organization, phone number and email address of the reporting representative; and,
  - vi. A certification that the State Office of Emergency Services and the local health officer or directors of environmental health with jurisdiction over the possibly affected water bodies have been notified of the discharge.
- B. **Monitoring** – For spills, overflows and bypasses reported under Section IX.21.A., the City shall monitor as required below:

To define the geographical extent of spill's impact, the City shall obtain grab samples (if feasible, accessible, and safe) for all spills, overflows or bypasses of any volume that reach any waters of the State (including surface and ground waters). The City shall analyze the samples for total and fecal coliform, E. coli (if fecal coliform test shows positive), enterococcus, and relevant pollutants of concern, upstream and downstream of the point of entry of the spill (if feasible, accessible and safe). This monitoring shall be done on a daily basis from time the spill is known until the results of two (2) consecutive sets of bacteriological monitoring indicate the return to the background level or the County Department of Public Health authorizes cessation of monitoring.

- C. **Reporting** – The initial notification required under Section IX.21.A. shall be followed by:
- a. As soon as possible, but not later than twenty-four (24) hours after becoming aware of an unauthorized discharge of sewage or other waste from its wastewater treatment plant to a water of the state, the City shall submit a statement to Regional Board staff via email. If the discharge is 1,000 gallons or more, this statement shall certify that Cal EMA has been notified of the discharge in accordance with CWC section 13271. The statement shall also certify that the local health officer or director of environmental health with jurisdiction over the affected water bodies has been notified of the discharge in accordance with Health and Safety Code section 5411.5. The statement shall also include at a minimum the following information:
    - i. Agency, Order No., and MRP CI No.;
    - ii. The location, date, and time of the discharge;
    - iii. The water body that received the discharge;
    - iv. A description of the level of treatment of the sewage or other waste discharged;
    - v. An initial estimate of the amount of sewage or other waste released and the amount that reached the impacted water body;
    - vi. The Cal EMA control number and the date and time that notification of the incident was provided to Cal EMA; and,
    - vii. The name of the local health officer or director of environmental health representative notified (if contacted directly); the date and time of notification; and the method of notification (e.g., phone, fax, email).
  - b. A written preliminary report shall be submitted to the Regional Board within five (5) working days after disclosure of the incident via the State Water Board GeoTracker database under Global ID WDR100016910. The final written report shall be included in the next quarterly monitoring report submitted to the GeoTracker database above. The written report

shall document the information required in paragraph Section IX.21.D. below, monitoring results and any other information required in provisions of the Standard Provisions document including corrective measures implemented or proposed to be implemented to prevent/minimize future occurrences.

- c. The City shall include a certification in the annual summary report (due according to the schedule in the accompanying MRP) that states that the sewer system emergency equipment, including alarm systems, backup pumps, standby power generators, and other critical emergency pump station components were maintained and tested in accordance with the City's preventive maintenance plan. Any deviations from or modifications to the Plan shall be discussed.
- D. **Records** – The City shall prepare and maintain a record of all spills, overflows or bypasses of raw or partially treated sewage from its collection system or Water Factory. This record shall be made available to the Regional Board upon request and a spill summary shall be included in the annual report, as required in the MRP CI No. 10042. The record shall contain:
- a. The date and time of each spill, overflow, or bypass;
  - b. The location of each spill, overflow, or bypass;
  - c. The estimated volume of each spill, overflow, or bypass including gross volume, amount recovered and amount not recovered, monitoring results as required by Section IX.21.B.;
  - d. The cause of each spill, overflow, or bypass;
  - e. Whether each spill, overflow, or bypass entered a receiving water and, if so, the name of the water body and whether it entered via storm drains or other man-made conveyances;
  - f. Any corrective measures implemented or proposed to be implemented to prevent/minimize future occurrences; and
  - g. The mandatory information included in Sanitary Sewer Overflows (SSO) online reporting for finalizing and certifying the SSO report for each spill, overflow, or bypass under the SSO WDR.
- E. **Activities Coordination** – The Regional Board expects that the City will coordinate their compliance activities for consistency and efficiency with other entities that have responsibilities to implement: (i) this WDRs/WRRs permit, and (ii) the SSO WDRs.
- F. **Consistency with SSO WDRs** – The requirements contained in this Order in Sections IX.18. (SCP Requirements), IX.19. (Construction, Operation, and Maintenance Requirements), and IX.21. (Spill Reporting Requirements) are intended to be consistent with the requirements of the SSO WDRs. The Regional Board recognizes that there may be some overlap between the

WDRs/WRRs permit provisions and SSO WDRs requirements. The requirements of the SSO WDRs are considered the minimum thresholds (see Finding 11 of WQ Order No. 2006-0003). To encourage efficiency, the Regional Board will accept the documentation prepared by the City under the SSO WDRs for compliance purposes, as satisfying the requirements in Sections IX.18., IX.19., and IX.21. provided the more stringent provisions enumerated in this Order, have also been addressed.

22. Constituents of Emerging Concerns (CEC) Requirements

The City shall monitor the CECs in the effluent discharge as listed in Attachment D. Monitoring results shall be reported as part of the annual report. Analysis under this section is for monitoring of occurrence purposes only. Analytical results will not be used for compliance determination purposes, as there are not water quality standards for these chemicals at this time.

23. The City shall submit to the Regional Board an Operation, Maintenance, and Monitoring Plan (OMM Plan) for the entire Water Factory and disposal facilities prior to startup of the Water Factory. The OMM Plan shall address all conditions specified in the Attachment A, DDW Conditional Approval Letter dated December 1, 2015. The City shall maintain the OMM Plan in useable condition, and available for reference and use by all applicable personnel. The City shall regularly review, and revise or update as necessary, the OMM Plan in order for the document(s) to remain useful and relevant to current equipment and operation practices. Reviews shall be conducted annually, and revisions or updates shall be completed as necessary and submitted to the Regional Board on an annual basis.

**X. REOPENER**

This Order may be reopened any time at the Regional Board's discretion to include the most scientifically relevant, and appropriate limits or other requirements for the Water Factory and may specifically be reopened to make revisions consistent with an approved salt and nutrient management plan.

**XI. EFFECTIVE DATE OF THE ORDER**

This Order takes effect upon its adoption.

I, Samuel Unger, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region on June 9, 2016.

  
Samuel Unger, P.E.  
Executive Officer



-  : Boundary of Vista Canyon Project
-  : Vista Canyon Water Factory
-  : Metrolink

Figure 1 – Vicinity of Vista Canyon Project and Vista Canyon Water Factory

Attachment: Exhibit - Vista Canyon Water Factory Interconnection Agreement (APPROVAL OF FINAL TRACT MAP AND

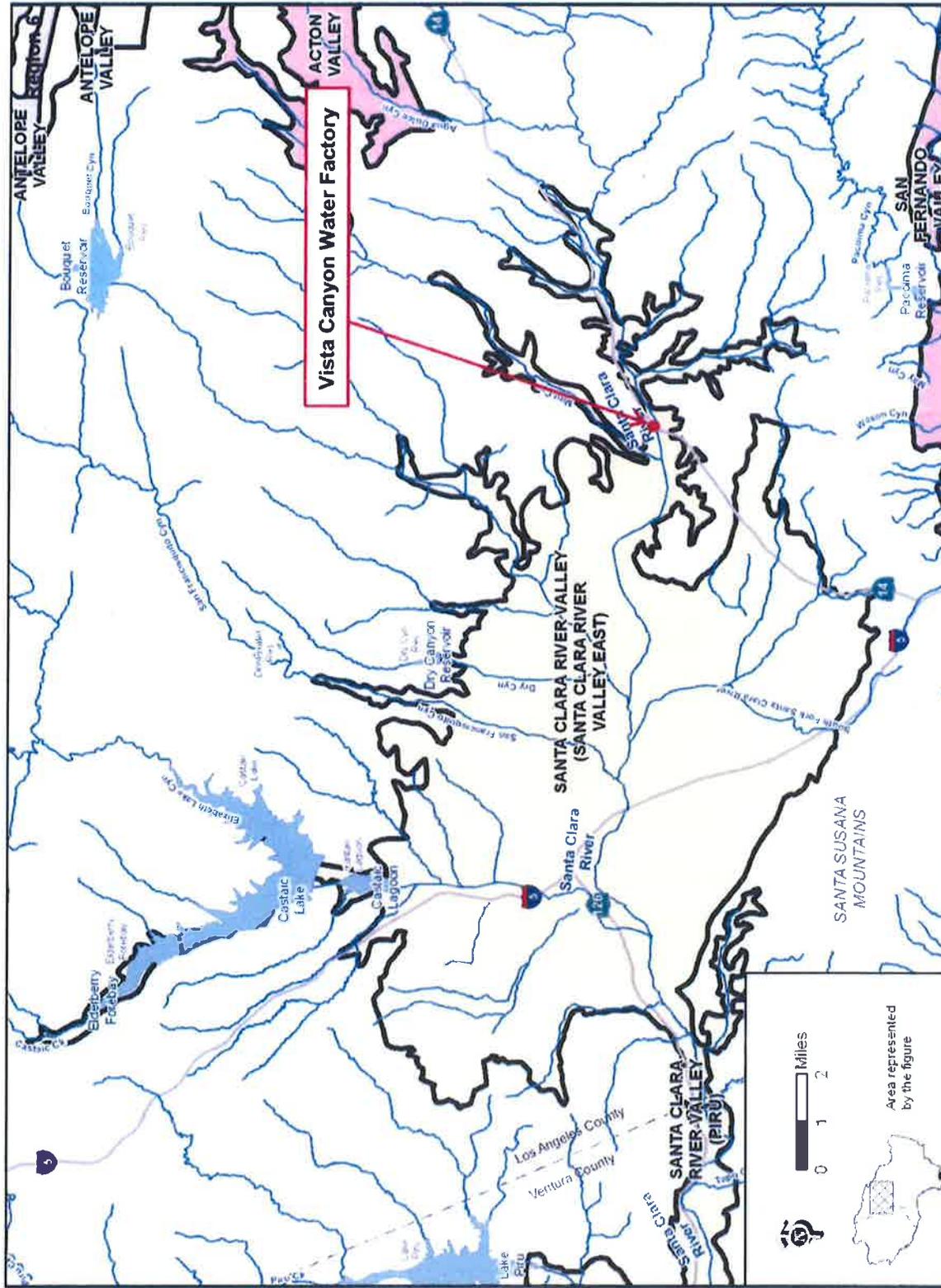


Figure 2 – Eastern Santa Clara Groundwater Basin



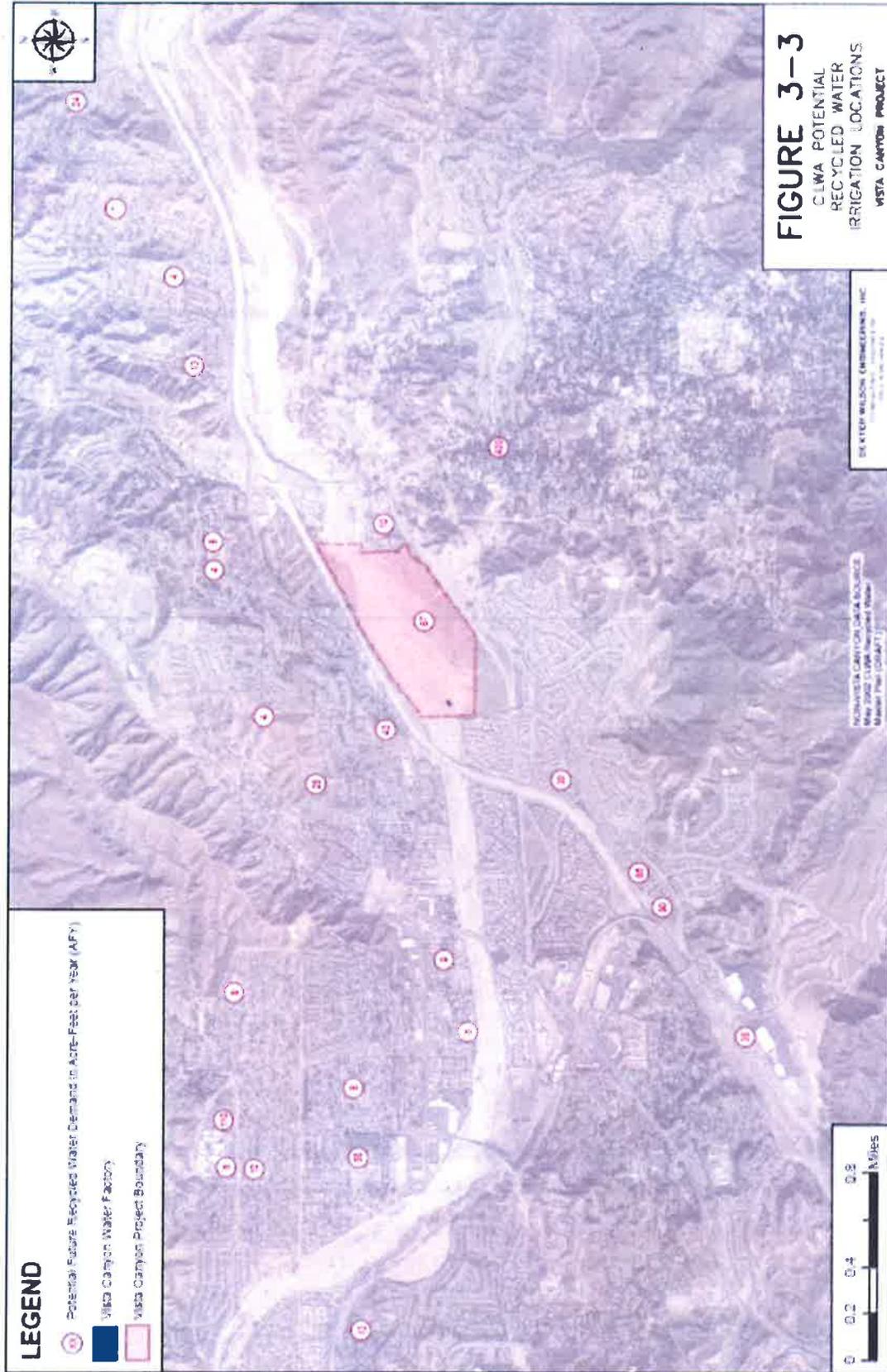


Figure 4 – Locations of Quantities and Recycled Water Uses

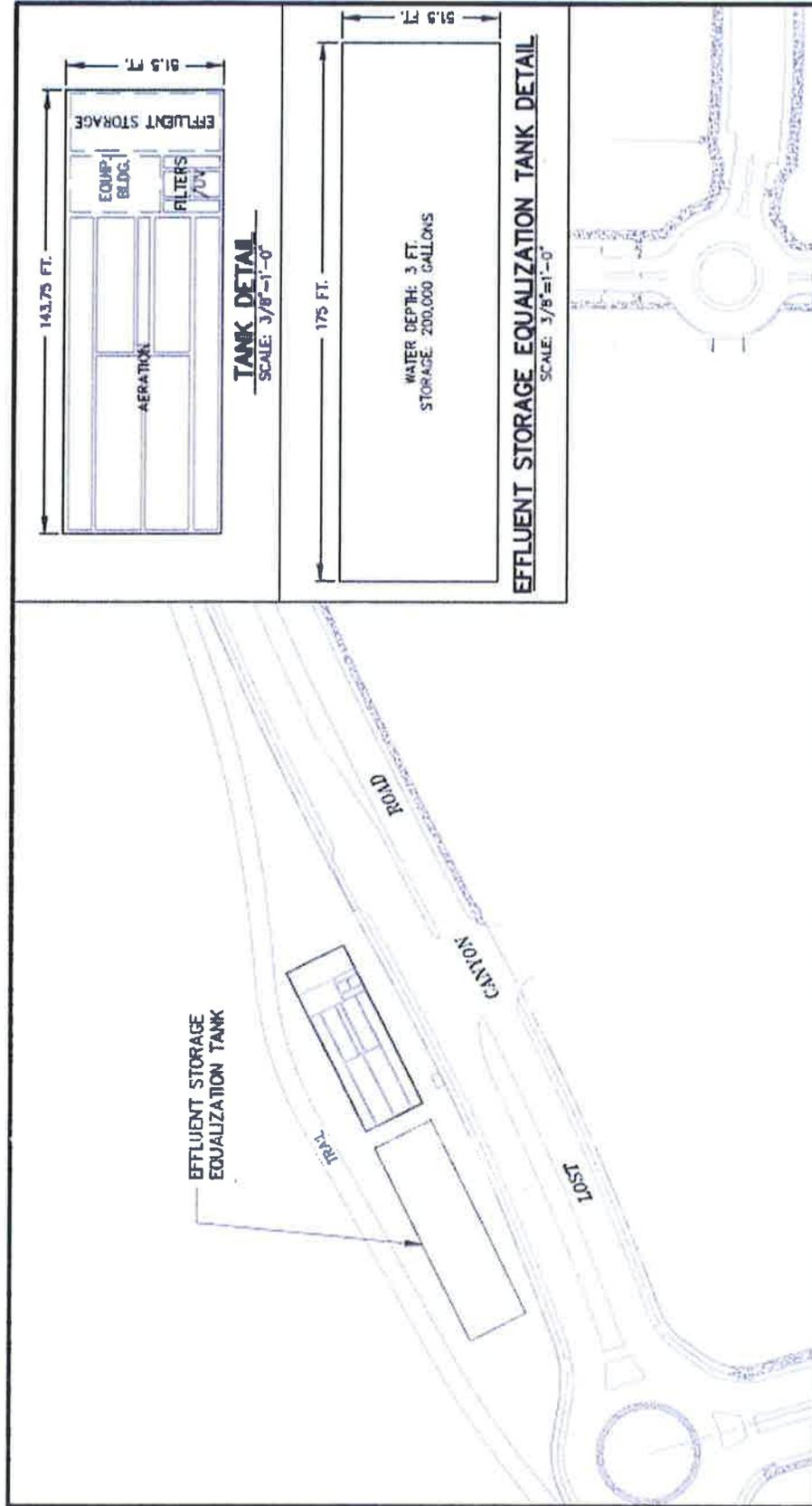


Figure 5 – Layouts of Vista Canyon Water Factory



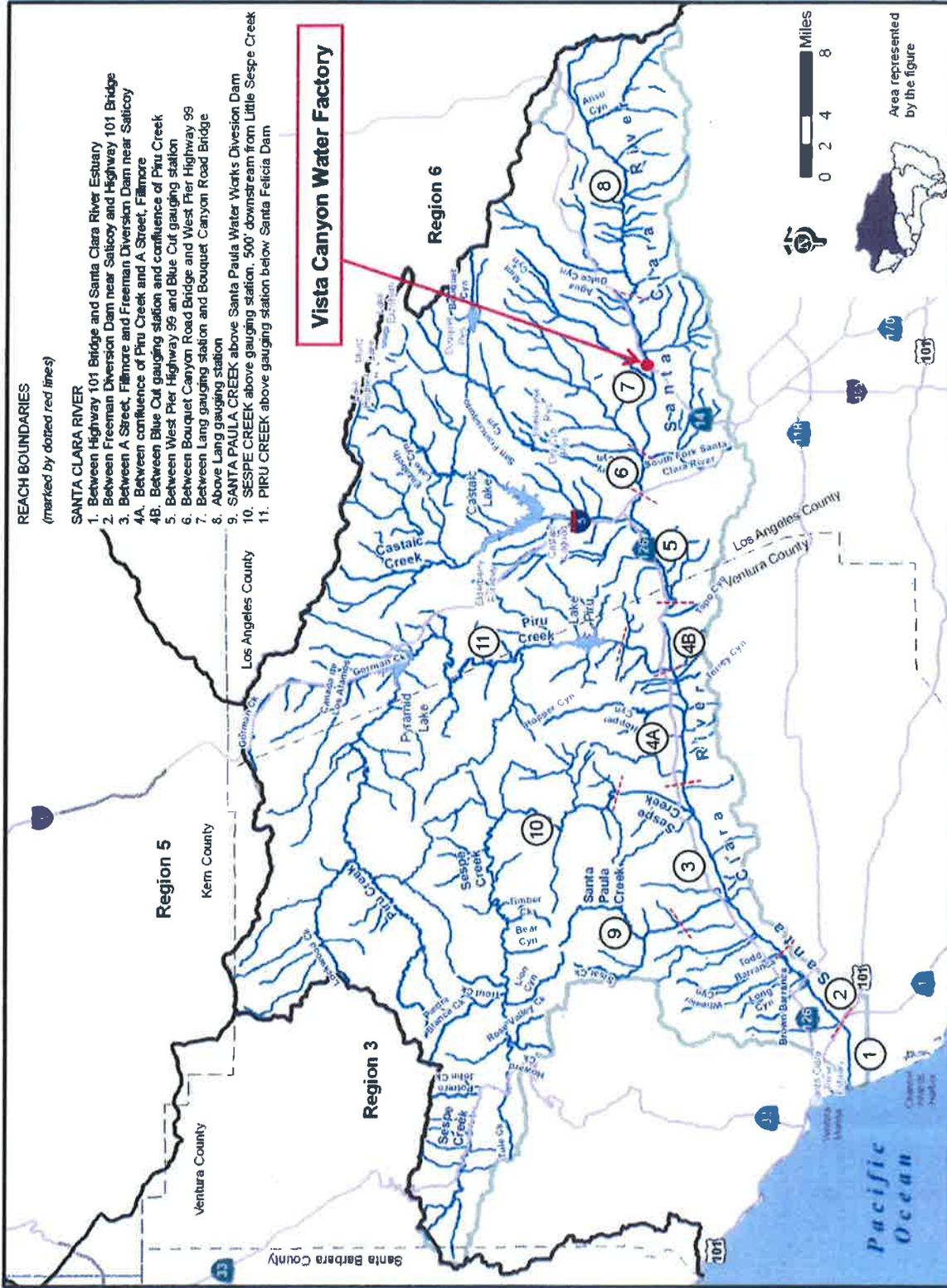


Figure 7 – Santa Clara River Watershed Surface Reaches



Figure 8 – Exhibition of “Recycled Water – Do Not Drink”

# CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD LOS ANGELES REGION

320 West 4<sup>th</sup> Street, Suite 200, Los Angeles, California 90013  
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## MONITORING AND REPORTING PROGRAM CI. NO. 10041 FOR THE VISTA CANYON WATER FACTORY (File No. 14-031)

### ISSUED TO CITY OF SANTA CLARITA

This Monitoring and Reporting Program (MRP) No. CI 10041 is issued pursuant to California Water Code section 13267, which authorizes the Regional Water Quality Control Board, Los Angeles Region, (Regional Board) to require the City of Santa Clarita (City) who discharges the tertiary-treated wastewater generated from the Vista Canyon Water Factory (Water Factory) for landscape irrigation and non-potable recycled water applications to furnish technical or monitoring reports. The reports required herein are necessary to assure compliance with Waste Discharge Requirements (WDRs) and Water Reclamation Requirements (WRRs) Order No. R4-2016-0220 and to protect the waters of the state and their beneficial uses. The evidence that supports the need for the reports is set forth in the WDRs/WRRs and the Regional Board record.

#### I. SUBMITTAL OF REPORTS

1. The City shall comply with the Electronic Submittal of Information (ESI) requirements by submitting all reports (including reports conducted by the City's authorized agencies) required under the MRP, including electronic data format (EDF) effluent and groundwater monitoring data, effluent storage equalization tank\_data, and use of recycled water data. These reports shall be received by the Regional Board via the State Water Resources Control Board (State Water Board) GeoTracker database under Global ID WDR100016910 on the dates indicated as follows:
  - A. **Quarterly Monitoring Reports** shall be received by the Regional Board by the 30<sup>th</sup> day of the month following the end of each quarterly monitoring period according to Table 1. The first Quarterly Monitoring Report under this program must be received by the Regional Board by October 30, 2016.

Table 1 – Reporting Period and Due Date	
Reporting Period	Report Due Date
January ~ March	April 30
April ~ June	July 30
July ~ September	October 30
October ~ December	January 30

- B. **Annual Summary Report** shall be received by the Regional Board by March 1 of each year. The first Annual Summary Report under this program must be received by the Regional Board no later than March 1, 2017.
2. If there is no discharge and/or water recycled during any reporting period, the report shall so state.
  3. Data collected from monitoring wells shall be included in the quarterly and annual report. The data shall include the well specifications, ordinances, well heads elevation to mean sea level (MSL) and the method to develop the well. The construction of wells shall follow *California Well Standards* of the California Department of Water Resources.
  4. All report shall be prepared by or under the direction of a licensed engineer in the State of California or a certified hydrogeologist in the State of California. All monitoring reports must include, at minimum, the following:
    - A. Well and surface water station identification, date and time of sampling;
    - B. Sampler identification, and laboratory identification; and,
    - C. Quarterly observation of groundwater levels, recorded to 0.01 feet MSL, and flow direction.

## II. MONITORING REQUIREMENTS

1. Monitoring shall be used to determine compliance with the requirements of the Order No. R4-2016-0220 and shall include, but not limited to, implementation, documentation, and reporting of the following:
  - A. Locations of each monitoring point, including groundwater wells where representative samples can be obtained and the rationale for the selection. The City must include a map, at a scale of 1 inch equals 1,200 feet or less, that clearly identifies the locations of the Water Factory and all groundwater monitoring wells.
  - B. Sampling protocols (specified in 40 CFR Part 136 or American Water Works Association standards where appropriate) and chain of custody procedures.
  - C. For groundwater monitoring, outline the methods and procedures to be used for measuring water levels; purging wells; collecting samples; decontaminating equipment; containing, preserving, and shipping samples; and maintaining appropriate documentation. Also include the procedures for handling, storing, testing, and disposing of purge and decontamination waters generated from the sampling events.
  - D. Laboratory or laboratories, which conducted the analyses. Include copy or copies of laboratory certifications by the Environmental Laboratory Accreditation Program (ELAP) of the State Water Board's Division of Drinking Water (DDW) every year or when the City change their contract laboratory.

- E. Analytical test methods used and the corresponding Detection Limits for Purposes of Reporting (DLR) for unregulated and regulated chemicals. Please see the DDW's website at [http://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/EDT.shtml](http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/EDT.shtml) for unregulated and regulated chemicals.
- F. Quality assurance and control measures.
2. Unless specified differently below, all samples shall be analyzed using analytical methods described in 40 CFR Part 136; or where no methods are specified for a given pollutant, by commercially available methods approved by the United State Environmental Protection Agency (USEPA) or DDW, Regional Board and/or State Water Board. The City shall select the analytical methods that provide reporting detection limits (RDLs) lower than the limits prescribed in the accompanying Order No. R4-2016-0220.
  3. The City shall instruct its laboratories to establish calibration standards so that the RDLs (or its equivalent if there is a different treatment of samples relative to calibration standards) are the lowest calibration standard. At no time shall the City use analytical data derived from extrapolation beyond the lowest point of the calibration curve.
  4. Upon request by the City, the Regional Board, in consultation with the USEPA or DDW and the State Board Quality Assurance Program, may establish RDLs, in any of the following situations:
    - A. When the pollutant has no established method under 40 CFR 136 (revised May14, 1999, or subsequent revision);
    - B. When the method under 40 CFR 136 for the pollutant has a RDL higher than the limit specified in this Order; or,
    - C. When the City agrees to use a test method that is more sensitive than those specified in 40 CFR Part 136 and is commercially available.
  5. Samples of influent and disinfected effluent must be analyzed within allowable holding time limits as specified in 40 CFR Part 136.3. All QA/QC analyses must be run on the same dates when samples were actually analyzed. The City shall make available for inspection and/or submit the QA/QC documentation upon request by Regional Board staff. Proper chain of custody procedures must be followed and a copy of that documentation shall be submitted with the quarterly report.
  6. For unregulated chemical analyses, the City shall select methods according to the following approach:
    - A. Use drinking water methods, if available;
    - B. Use DDW-recommended methods for unregulated chemicals, if available;

- C. If there is no DDW-recommended drinking water method for a chemical, and more than a single USEPA-approved method is available, use the most sensitive USEPA-approved method;
  - D. If there is no USEPA-approved method for a chemical, and more than one method is available from the scientific literature and commercial laboratory, after consultation with DDW, use the most sensitive method;
  - E. If no approved method is available for a specific chemical, the City's laboratory may develop or use its own methods and should provide the analytical methods to DDW or the Regional Board for review. Those methods may be used until DDW recommended or USEPA-approved methods are available.
  - F. If the only method available for a chemical is for wastewater analysis (e.g., a chemical listed as a priority pollutant only), sample and analyze for that chemical in the treated and disinfected effluent. Use this approach until the City's laboratory develops a method for the chemical in drinking water, or until a DDW-recommended or USEPA-approved drinking water method is available.
  - G. The City is required to inform the Regional Board, in event that D, E, F is occurring.
7. For constituents of emerging concerns (CECs) analyses:
- CECs (see Attachment D) are being collected to determine occurrence of these compounds in the effluent. There are currently no numeric water quality objectives for the constituents listed in Attachment D. The attached (in Appendix D) reporting limits shall be used for these constituents.

### III. REPORTING REQUIREMENTS

The City shall submit all reports to the Regional Board by the dates indicated in Section I. All quarterly, and annual monitoring reports shall contain a separate section titled "Summary of Non-Compliance", which discusses the compliance records and corrective actions taken or planned that may be needed to bring the reuse into full compliance with water reclamation requirements. All quarterly and annual reports shall clearly list all non-compliance with WDRs/WRRs, as well as all excursions of effluent limits.

#### 1. Quarterly reports

- A. These reports shall include, at a minimum, the following information:
  - a. The volume of the effluent to sewer and the volume of treated wastewater used for non-potable Title 22 recycled water applications including landscape irrigation. If no recycled water is used during the quarter, the report shall so state.
  - b. The date and time of sampling and analyses on the influent, effluent, and groundwater.
  - c. All analytical results of samples collected during the monitoring period of

the influent, effluent, and groundwater.

- d. Documentation of all QA/QC procedures that were followed during sampling and laboratory analyses.
  - e. Santa Clarita Water District water quality data containing information on the quality and quantity of these two water sources (State Water Project water and local groundwater) provided by Castaic Lake Water Agency (CLWA) and local groundwater purveyor(s) to the service area for the Vista Canyon Water Factory.
  - f. Records of any operational problems, plant upset and equipment breakdowns or malfunctions, and any discharge(s) used for non-potable Title 22 recycled water applications including landscape irrigation.
  - g. Discussion of compliance, noncompliance, or violation of requirements.
  - g. All corrective or preventive action(s) taken or planned with schedule of implementation, if any violation occurs.
  - h. Documentation of all non-compliances with Conditions of Certification File No. 12-034 specified in Attachment F and all corrective or preventive action(s) taken or planned with schedule of implementation.
- B. For the purpose of reporting compliance with numerical limitations, analytical data shall be reported using the following reporting protocols:
- a. Sample results greater than or equal to the RDL must be reported "as measured" by the laboratory (i.e., the measured chemical concentration in the sample);
  - b. Sample results less than the RDL, but greater than or equal to the laboratory's method detection limit (MDL), must be reported as "Detected, but Not Quantified", or DNQ. The laboratory must write the estimated chemical concentration of the sample next to DNQ as well as the words "Estimated Concentration" (may be shortened to Est. Conc.); or,
  - c. Sample results less than the laboratory's MDL must be reported as "None-Detected", or ND.
- If more than one analytical test method is available for a given parameter, the City must select the test method with lowest Minimum Level.
- C. If the City samples and performs analyses (other than for process/operational control, startup, research, or equipment testing) on any sample more frequently than required in this MRP using approved analytical methods, the results of those analyses shall be included in the report. These results shall be included in the calculation of the average used in demonstrating compliance with average effluent, receiving groundwater water, etc., limitations.

- D. The Regional Board may request supporting documentation, such as daily logs of operations.

**2. Annual Reports**

- A. Tabular and graphical summaries of the monitoring data (quantity and quality of water imported from CLWA and local groundwater, quality of influent, effluent, and groundwater; quantity of influent, effluent to effluent storage equalization tank and sewer, and effluent used for recycled water applications) obtained during the previous calendar year. A comparison of laboratory results against effluent limits contained in these WDR/WRRs and notations of any exceedances of limits or other requirements shall be summarized and submitted at the beginning of the report.
- B. Discussion of the compliance record and corrective or preventive action(s) taken or planned that may be needed to bring the following items into full compliance with:
  - a. Requirements of the treated effluent, including the treated effluent used for recycled water specified in the accompanying Order No. R4-2016-0220, and/or,
  - b. Conditions of Certification File No. 12-034 specified in the accompanying Attachment F.
- C. An in-depth discussion of the results of the final effluent monitoring and groundwater monitoring conducted during the previous year includes:
  - a. Any change of receiving groundwater resulting from effluent discharges as recycled water for landscape irrigation;
  - b. Any change of groundwater flow pattern resulting from irrigation; and,
  - c. Mass balance and groundwater assimilative capacity calculations for total dissolved solids, chloride, sulfate, boron, and nitrate.

Temporal and spatial trends in the data shall be analyzed, with particular reference to comparisons between stations with respect to distances from the monitoring wells and comparisons to data collected during previous years. Appropriate statistical tests and indices, subject to approval by the Executive Officer, shall be calculated and included in the annual report.
- D. The description of any changes and anticipated changes including any impacts in operation of any unit processes or facilities shall be provided.
- E. A list of the analytical methods employed for each test and associated laboratory quality assurance/quality control procedures shall be included. The report shall restate the laboratories used by the City to monitor compliance with the accompanying Order, their status of certification, and provide a summary of analyses.

Attachment: Exhibit - Vista Canyon Water Factory Interconnection Agreement (APPROVAL OF FINAL TRACT MAP AND

- F. The report shall confirm operator certification and provide a list of current operating personnel, their responsibilities, and their corresponding grade of certification.
- G. The report shall also summarize any change of the **Operation, Maintenance, and Monitoring Plan (OMM Plan)** due to the optimization of the existing Water Factory operation. The summary shall discuss conformance with the Water Factory's OMM Plan for operations, maintenance, and monitoring of the Water Factory, and whether the OMM Plan requires revision for the current facilities.

#### IV. WATER QUALITY MONITORING REQUIREMENTS

##### 1. Influent Monitoring

- A. The City shall monitor influent to the Water Factory at Influent Pump Station located in the main stream of the influent channel prior to the headworks as specified in Table 2.

Constituents	Units <sup>[1]</sup>	Type of Sample	Minimum Frequency of Analysis
Total waste flow	gpd	Recorder	Continuous <sup>[2]</sup>
Total suspended solids	mg/L	24-hour comp.	Weekly <sup>[3]</sup>
BOD <sub>5@20</sub> °C	mg/L	24-hour comp.	Weekly <sup>[3]</sup>

[1]. gpd: gallons per day;

mg/L: milligram/liter;

[2]. The City shall report the daily minimum, maximum, and average values.

[3]. During the startup period of the first month, this constituent shall be monitored on a daily basis.

##### 2. Effluent Monitoring

- A. The City shall monitor the tertiary-treated effluent at downstream of all treated effluent passing through the final disinfection process of UV and chlorination.
- B. The following shall constitute the effluent monitoring program, specified in Table 3:

Constituent	Unit <sup>[1]</sup>	Type of Sample <sup>[2]</sup>	Minimum Frequency of Analysis
Total Flow	gpd	Recorder	Continuous <sup>[3]</sup>
pH	pH units	Grab	Daily
BOD <sub>5@20</sub> °C	mg/L	24-hour composite	Weekly <sup>[4]</sup>

<b>Constituent</b>	<b>Unit <sup>(1)</sup></b>	<b>Type of Sample <sup>(2)</sup></b>	<b>Minimum Frequency of Analysis</b>
Total Suspended Solids	mg/L	Grab	Weekly <sup>(4)</sup>
Turbidity	NTU	Recorder	Continuous <sup>(5)</sup>
UV Transmittance	%	Recorder	Continuous
UV dose	mW-s/cm <sup>2</sup>	Calculated	Continuous
Total Coliform	MPN/100mL	Grab	Daily
Fecal Coliform	MPN/100mL	Grab	Daily
Oil and Grease	mg/L	Grab	Monthly <sup>(6)</sup>
Nitrate as Nitrogen	mg/L	Grab	Weekly <sup>(4)</sup>
Nitrite as Nitrogen	mg/L	Grab	Weekly <sup>(4)</sup>
Ammonia Nitrogen	mg/L	Grab	Weekly <sup>(4)</sup>
Organic Nitrogen	mg/L	Grab	Weekly <sup>(4)</sup>
Total Nitrogen <sup>(7)</sup>	mg/L	Grab	Weekly <sup>(4)</sup>
Total Phosphorus	mg/L	Grab	Monthly <sup>(6)</sup>
Total Dissolved Solids	mg/L	Grab	Monthly <sup>(6)</sup>
Sulfate	mg/L	Grab	Monthly <sup>(6)</sup>
Chloride	mg/L	Grab	Monthly <sup>(6)</sup>
Boron	mg/L	Grab	Monthly <sup>(6)</sup>
MBAS <sup>(8)</sup>	mg/L	Grab	Monthly <sup>(6)</sup>
Constituents listed in Attachments B-1 to B-6	various	Grab/24-hour composite	Quarterly
CECs <sup>(9)</sup> in Attachment D	various	Grab	Annually
Priority Pollutants in Attachment E	µg/L	Grab	Annually

[1]. NTU: nephelometric turbidity unit;

MPN/100mL: Most Probable Number/100 milliliter

- [2]. Grab sample is an individual sample collected in a short period of time not exceeding 15 minutes. Grab samples shall be collected during normal peak loading conditions for the parameter of interest, which may or may not be during hydraulic peaks. When an automatic composite sampler is not used, composite sampling shall be done as follows: If the duration of the discharge is equal to or less than 24 hours but greater than eight (8) hours, at least eight (8) flow-weighted samples shall be obtained during the discharge period and composited. For discharge duration of less than eight (8) hours, individual 'grab' sample may be substituted. 24-hour composite is for semi-volatile and volatile chemicals.
- [3]. The City shall report the daily minimum, maximum, and average values. The City shall report the estimated daily volume of wastewater used for irrigation and for disposal.

- [4]. During the startup period of the first month, this constituent shall be monitored on a daily basis.
- [5]. If the continuous turbidity meter and recorder failed, grab sampling may be substituted for a period of up to 24-hours. The turbidity samples must be taken at intervals of no more than 1.2 hours over a 24-hour period to determine compliance for turbidity.
- [6]. During the startup period of the first month, this constituent shall be monitored on a weekly basis.
- [7]. Total nitrogen: Sum of nitrate, nitrite, organic nitrogen and ammonia (all expressed as nitrogen).
- [8] MBAS: Methylene Blue Active Substances
- [9]. CECs: Constituents of Emerging Concerns. The City shall monitor the CECs in the effluent discharge. The City shall follow the requirements as discussed in the accompanying Permit Section IX.22.B. Analysis under this section is for monitoring of occurrence purposes only. Analytical results obtained will not be used for compliance determination purposes, as there are not water quality standards for these chemicals at this time.

- D. CECs: CECs, listed in Attachment D, shall be monitored annually. The Executive Officer may add or delete chemicals from this list as new analytical methods become available and may also make revisions to approved analytical methods as needed. A revised CECs list will be made available to the City when changes occur. The City shall request (and submit a justification for) any deviation from the attached list for EO approval, if a change is required, before collecting samples.

### 3. Groundwater Monitoring

- A. Groundwater Monitoring Well Specifications: Table 4 shows specifications of groundwater monitoring wells for baseline and long-term groundwater monitoring programs.

<b>ID</b>	<b>Monitoring Well Location</b>	<b>Purpose of Monitoring Location</b>
MW-1	34°25'09.9690" N; 118°25'44.3696" W	Upgradient background groundwater quality
MW-2	34°25'09.9820" N; 118°25'43.4433" W	Upgradient background groundwater quality
MW-3	34°25'09.2759" N; 118°25'43.8822" W	Upgradient background groundwater quality
MW-4	34°25'03.2932" N; 118°25'43.5712" W	Upgradient background groundwater quality
MW-5	34°24'50.5360" N; 118°25'58.5262" W	Upgradient background groundwater quality
MW-6	34°25'02.4202" N; 118°25'50.3356" W	Cross-gradient groundwater quality for impacts of recycled water for irrigation

ID	Monitoring Well Location	Purpose of Monitoring Location
Sand Canyon	34°25'12.2121" N; 118°25'38.5636" W	Upgradient background groundwater quality
Mitchell 5B	34°25'01.1846" N; 118°26'07.3717" W	Impacts of recycled water for irrigation
Sierra	34°24'49.2181" N; 118°27'26.7537" W	Impacts of recycled water for irrigation

- B. Baseline groundwater monitoring:
- a. Baseline groundwater monitoring is required to:
    - i. Establish groundwater water quality database prior to landscape irrigation; and,
    - ii. Determine the responsibility of possible non-compliances in the future.
  - b. The City shall initiate the baseline groundwater quality monitoring during the dry season by September 15, 2016 and shall conclude the baseline monitoring prior to initiation of the landscape irrigation. Representative samples of groundwater shall be simultaneously collected at nine (9) monitoring wells specified in Table 4.
  - c. Table 5 sets forth the minimum constituents and parameters for monitoring baseline groundwater quality.

Constituent/Parameter	Units	Type of Sample	Minimal Frequency
Water Level <sup>[1]</sup>	feet	Vertical measure	Annually <sup>[2]</sup>
pH	pH unit	Grab	Annually <sup>[2]</sup>
Total Dissolved Solids	mg/L	Grab	Annually <sup>[2]</sup>
Sulfate	mg/L	Grab	Annually <sup>[2]</sup>
Chloride	mg/L	Grab	Annually <sup>[2]</sup>
Boron	mg/L	Grab	Annually <sup>[2]</sup>
Ammonia nitrogen	mg/L	Grab	Annually <sup>[2]</sup>
Nitrate as nitrogen	mg/L	Grab	Annually <sup>[2]</sup>
Nitrite as nitrogen	mg/L	Grab	Annually <sup>[2]</sup>
Total Coliform	MPN/100mL	Grab	Annually <sup>[2]</sup>
Fecal Coliform	MPN/100mL	Grab	Annually <sup>[2]</sup>
Enterococcus	MPN/100mL	Grab	Annually <sup>[2]</sup>

<b>Constituent/Parameter</b>	<b>Units</b>	<b>Type of Sample</b>	<b>Minimal Frequency</b>
Constituents listed in Attachments B-1 to B-6	various	Grab	Annually <sup>[2]</sup>
CECs <sup>[3]</sup> in Attachment D	various	Grab	Annually <sup>[2]</sup>
Priority Pollutants in Attachment E	µg/L	Grab	Annually <sup>[2]</sup>

- [1]. Water level elevations must be measured to the nearest 0.01 feet, and referenced to mean sea level.
- [2]. Annual samples shall be collected during the dry season each year.
- [3]. CECs: Constituents of Emerging Concerns. The City shall monitor the CECs in the receiving groundwater. The City shall follow the requirements as discussed in the accompanying Permit Section IX.22.B. Analysis under this section is for monitoring of occurrence purposes only. Analytical results obtained will not be used for compliance determination purposes, as there are not water quality standards for these chemicals at this time.

- C. Long-Term Groundwater Monitoring after Discharge:
- Long-term groundwater monitoring is used to monitor any possible impact from landscape irrigation.
  - Long-term groundwater monitoring after discharge shall be simultaneously collected the minimum constituents and parameters, specified in Table 6, for monitoring groundwater quality at all nine (9) monitoring wells.

<b>Constituent/Parameter</b>	<b>Units</b>	<b>Type of Sample</b>	<b>Minimal Frequency</b>
Water Level <sup>[1]</sup>	feet	Vertical measure	Quarterly
pH	pH unit	Grab	Quarterly
Total Dissolved Solids	mg/L	Grab	Quarterly
Sulfate	mg/L	Grab	Quarterly
Chloride	mg/L	Grab	Quarterly
Boron	mg/L	Grab	Quarterly
Ammonia nitrogen	mg/L	Grab	Quarterly
Nitrate as nitrogen	mg/L	Grab	Quarterly
Nitrite as nitrogen	mg/L	Grab	Quarterly
Total Coliform	MPN/100mL	Grab	Quarterly
Fecal Coliform	MPN/100mL	Grab	Quarterly
Enterococcus	MPN/100mL	Grab	Quarterly
Constituents listed in	various	Grab	Annually <sup>[3]</sup>

Table 6 – Groundwater Monitoring			
Constituent/Parameter	Units	Type of Sample	Minimal Frequency
Attachments B-1 to B-6			
CECs <sup>[2]</sup> in Attachment D	various	Grab	Annually <sup>[3]</sup>
Priority Pollutants in Attachment E	µg/L	Grab	Annually <sup>[3]</sup>

[1]. Water level elevations must be measured to the nearest 0.01 feet, and referenced to mean sea level.

[2]. CECs: Constituents of Emerging Concerns. The City shall monitor the CECs in the receiving groundwater. The City shall follow the requirements as discussed in the accompanying Permit Section IX.22.B. Analysis under this section is for monitoring of occurrence purposes only. Analytical results obtained will not be used for compliance determination purposes, as there are not water quality standards for these chemicals at this time.

[3]. Annual samples shall be collected during the dry season each year.

- D. All monitoring reports must include, at minimum, the following:
  - a. Well or location identification, date and time of sampling;
  - b. Sampler identification, laboratory identification; and chain of custody;
  - c. Water temperature (in field); and,
  - d. Calculation of vertical separation of the water table from the bottom of the disposal system.
- E. Based on the results of the quarterly analyses, the City may propose to the Executive Officer for review and approval a reduced sampling and testing program to annually.

**4. Effluent Storage Equalization Tank Monitoring**

The City shall record the volume in gallons per day of treated wastewater discharged to the effluent storage equalization tank, therefore to sewer as well.

**VI. GENERAL MONITORING AND REPORTING REQUIREMENTS**

- 1. The City shall comply with all Standard Provisions (Attachment C) related to monitoring, reporting, and recordkeeping.
- 2. For every item where the requirements are not met, the City shall submit a statement of the actions undertaken or proposed which will bring the treated effluent and/or treated effluent used for the recycled water program into full compliance with requirements at the earliest possible time, and submit a timetable for implementation of the corrective measures.

3. Monitoring reports shall be signed by either the principal Executive Officer or ranking elected official. A duly authorized representative of the aforementioned signatories may sign documents if:
- A. The authorization is made in writing by the signatory;
  - B. The authorization specifies the representative as either an individual or position having responsibility for the overall operation of the regulated facility or activity; and,

The written authorization is submitted to the Executive Officer of this Regional Board.

4. The monitoring report shall contain the following completed declaration:

"I certify under penalty of law that this document, including all attachments and supplemental information, was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of a fine and imprisonment."

Executed on the \_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_  
 \_\_\_\_\_ Signature  
 \_\_\_\_\_ Title

5. The City shall retain records of all monitoring information, including all calibration and maintenance, monitoring instrumentation, and copies of all reports required by this Order, for a period of at least three (3) years from the date of sampling measurement, or report. This period may be extended by request of the Regional Board at any time and shall be extended during the course of any unresolved litigation regarding the regulated activity.
6. Records of monitoring information shall include:
- A. The date, exact place, and time of sampling or measurements;
  - B. The individual(s) who performed the sampling or measurements;
  - C. The date(s) analyses were performed;
  - D. The individual(s) who performed the analysis;
  - E. The analytical techniques or methods used; and
  - F. The results of such analyses.
7. The City shall submit to the Regional Board, together with the first monitoring report required by this Order, a list of all chemicals and proprietary additives which could

affect the quality of the treated effluent and the treated effluent used for recycled water, including quantities of each. Any subsequent changes in types and/or quantities shall be reported promptly. An annual summary of the quantities of all chemicals, listed by both trade and chemical names, which are used in the treatment process shall be included in the annual report.

**VII. WASTE HAULING REPORTING**

In the event that waste sludge, septage, or other wastes are hauled offsite, the name and address of the hauler shall be reported, along with types and quantities hauled during the reporting period and the location of final point of disposal. In the event that no wastes are hauled during the reporting period, a statement to that effect shall be submitted in the quarterly monitoring report.

**VIII. MONITORING FREQUENCIES**

Monitoring frequencies may be adjusted to a less frequent basis or parameters dropped by the Executive Officer if the City makes a request (with justification) and the Executive Officer determines that the request is adequately supported by statistical trends in the monitoring data submitted. The City cannot make any adjustments until written approval is received from the Executive Officer.

These records and reports are public documents and shall be made available for inspection during normal business hours at the office of the California Regional Water Quality Control Board, Los Angeles Region.

Ordered by:

  
Samuel Unger, P.E.  
Executive Officer  
Date: June 9, 2016

Attachment: Exhibit - Vista Canyon Water Factory Interconnection Agreement (APPROVAL OF FINAL TRACT MAP AND



**CITY OF SANTA CLARITA  
AGENDA REPORT**

CONSENT CALENDAR

CITY MANAGER APPROVAL:

*Ken Stripling*

DATE: November 27, 2018

SUBJECT: AWARD CONTRACTS TO MOTORCOACH INDUSTRIES AND GILLIG CORPORATION FOR THE PURCHASE AND DELIVERY OF COMMUTER AND LOCAL BUSES

DEPARTMENT: Neighborhood Services

PRESENTER: Adrian Aguilar

RECOMMENDED ACTION

City Council:

1. Authorize the City Manager or designee to execute a contract with Motor Coach Industries for the purchase of two 45-foot compressed natural gas (CNG) powered buses, in an amount not to exceed \$1,697,440, or modify the award in the event issues of impossibility of performance arise, subject to City Attorney approval.
2. Authorize the City Manager or designee to negotiate and execute a contract with Gillig Corporation for the purchase of three 40-foot CNG buses, in an amount not to exceed \$1,841,053, or modify the award in the event issues of impossibility of performance arise, subject to City Attorney approval.

BACKGROUND

Santa Clarita Transit has a fleet replacement program that meets the Federal Transit Administration's (FTA) 12-year life cycle for transit vehicles. Two of the City of Santa Clarita's (City) commuter buses and three of the local buses have reached their useful life and are scheduled to be replaced over the next 18 months. With approval of this action by the City Council, the City will be able to replace a number of aging buses that have reached the end of their useful life and take advantage of recent developments in engine technology by replacing older, less-efficient diesel-powered commuter buses with clean-burning CNG vehicles.

The City's local transit fleet is composed of all CNG buses and this purchase will allow the City to continue to improve fleet reliability, take advantage of new vehicle designs and technology to improve the customer experience, reduce emissions within the region, and improve the overall

fuel economy of the City's bus fleet. The recommended action would also bring the City more in line with the desired capital replacement schedule where approximately 1/12 of the transit fleet is scheduled for replacement each fiscal year.

In late 2013, the City partnered with Victor Valley Transit Authority, Antelope Valley Transit Authority, Monterey-Salinas Transit, and Ventura County Transportation Commission to issue a Request for Proposal (RFP) for the manufacture and delivery of commuter buses.

In late 2015, the City entered a similar partnership with Livermore Amador Valley Transit Authority, City of Los Angeles, City of Norwalk, and the Gold Coast Transit to issue a RFP for the manufacture and delivery of local transit buses.

Under these joint agency procurements, the partner agencies collaborated to establish design specifications and listed quantities of the vehicles needed over the next five years. Bidders were asked to submit fixed unit pricing for each vehicle and provide line-item pricing for optional features such as bicycle racks, onboard camera systems, and fareboxes.

An evaluation panel, consisting of one representative from each participating agency, reviewed and ranked the proposals submitted. Based on the recommendation of the evaluation panel, Victor Valley Transit Authority, acting as the lead agency, negotiated and awarded a five-year contract to Motor Coach Industries for the manufacture and delivery of commuter buses. Also acting as the lead agency for the transit bus procurement, Livermore Amador Valley Transit Authority negotiated and awarded a five-year contract to Gillig Corporation for the manufacture and delivery of local transit buses.

By partnering with other transit agencies, the City was able to share the costs associated with this extensive process with multiple agencies. It also allows the partner agencies to negotiate pricing based on a much larger procurement, further reducing costs. As an added measure, staff conducted a price analysis to ensure the proposed pricing is within industry standards and is the most advantageous to the City. The joint procurement approach to acquisition is prevalent within the transit industry and is accepted by the FTA.

#### ALTERNATIVE ACTION

1. Direct staff to reissue a RFP for the procurement of two 45-foot CNG powered commuter buses and three 40-foot CNG powered transit buses.
2. Other action as determined by the City Council.

#### FISCAL IMPACT

There is no impact to the General Fund with this procurement. The City has programmed Federal 5307 transit grant funds to cover 100 percent of the total contractual cost of the buses. Adequate funds are available in the Transit Capital Equipment Account 12402-5201.003.



**CITY OF SANTA CLARITA  
AGENDA REPORT**

CONSENT CALENDAR

CITY MANAGER APPROVAL:

*Ken Stripling*

DATE: November 27, 2018

SUBJECT: APPROVAL OF LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION'S (METRO) AUTHORITY OFFER TO ACQUIRE 8.26 SQUARE FEET AND 1,578 SQUARE FEET FOR A TEMPORARY CONSTRUCTION EASEMENT (TCE) OF PROPERTY IN THE NEWHALL PASS OPEN SPACE

DEPARTMENT: Recreation and Community Services

PRESENTER: Frank Oviedo

RECOMMENDED ACTION

City Council:

1. Approve Los Angeles County Metropolitan Transportation Authority's offer to acquire 8.26 square feet and grant a Temporary Construction Easement of 1,578 square feet for property in the Newhall Pass Open Space to facilitate construction and operation of the I-5 HOV and Truck Lane Project.
2. Increase anticipated revenues for Fiscal Year 2018-19 by \$2,500 in revenue account 358-4621.001 Miscellaneous Revenue.
3. Authorize repayment of \$887.50 to the Wildlife Conservation Board from revenue account 358-4621.001 Miscellaneous Revenue.
4. Authorize the City Manager, or designee, to execute all documents subject to City Attorney approval.

BACKGROUND

The Los Angeles County Metropolitan Transportation Authority (METRO) is partnering with the California Department of Transportation to widen the Interstate Highway 5 (I-5) between State Route 14 (SR-14) Interchange and the Parker Road Interchange, designated as the I-5 HOV and Truck Lane Project (Project) covering approximately 13.6 miles. This Project will extend the High Occupancy Vehicle (HOV) lanes on I-5 from the HOV lanes south of the SR-14

Interchange to just south of Parker Road/I-5 Interchange incorporating truck climbing lanes from the SR-14 interchange to Pico Canyon Road/Lyons Avenue and constructing and/or extending auxiliary lanes between interchanges at six locations. According to METRO, this Project will improve the flow of vehicle and truck traffic in the area.

To facilitate construction and operation of the HOV lane improvements, METRO is seeking to acquire 8.26 square feet and temporarily use 1,578 square feet for a Temporary Construction Easement (TCE) of property in the Newhall Pass Open Space. The acquisition and temporary use of this property does not affect the access or use of the Newhall Pass Open Space.

Los Angeles County Assessor's Parcel No. 2827-028-274, Newhall Pass Open Space, was purchased as part of a multi-agency collaboration approved by City Council on July 9, 2013 for the preservation of the former Las Lomas development known as Gateway Ranch. The Wildlife Conservation Board (WCB) funded approximately 35.5 percent of the Gateway Ranch Property acquisition through a grant process. Per the grant agreement awarded for the property acquisition in what is now known as the Newhall Pass Open Space, the City of Santa Clarita (City) received approval from WCB to convey this portion of the property and to recover its portion of the funds jointly with the City.

A METRO third party appraisal determined a value of \$2,500 as just compensation for the acquisition of the 8.26 square feet of property and TCE interest in the Property for a term of four years and seven months, after such time the TCE will expire. Based on the appraised value, METRO has offered to purchase the subject property and temporary construction easement for \$2,500. Of the \$2,500 compensation to the City by METRO for this project, \$887.50 will be refunded to WCB in accordance to the WCB Grant Agreement.

#### ALTERNATIVE ACTION

Other action as determined by the City Council.

#### FISCAL IMPACT

The increase in estimated revenue as a result of this action is a one-time revenue of \$2,500. Of the revenue received, repayment of \$887.50 will be made to the Wildlife Conservation Board (WCB) for its contribution to the initial purchase of the subject parcel.

#### ATTACHMENTS

Location Map detail  
 Location Map - Parcel in Newhall Pass Open Space  
 Letter of Approval from Wildlife Conservation Board  
 METRO offer to purchase

# Location Map



Attachment: Location Map detail (METRO acquisition in Newhall Pass Open Space for I-5 HOV and Truck

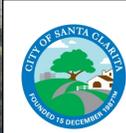


This map is a user-generated static output from City of Santa Clarita GIS Online mapping website and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. The City of Santa Clarita does not warrant the accuracy of the data and assumes no liability for any errors or omissions.

# Location Map



Attachment: Location Map - Parcel in Newhall Pass Open Space (METRO acquisition in Newhall Pass



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EDMUND G. BROWN Jr., Governor  
 NATURAL RESOURCES AGENCY  
 DEPARTMENT OF FISH AND WILDLIFE  
**WILDLIFE CONSERVATION BOARD**  
 Mailing Address: P.O. Box 944209  
 Sacramento, California 94244-2090  
[www.wcb.ca.gov](http://www.wcb.ca.gov)  
 (916) 445-8448  
 Fax (916) 323-0280

Frank Oviedo, Assistant City Manager  
 City of Santa Clarita  
 23920 Valencia Boulevard  
 Santa Clarita, California 91355-2196

Dear Mr. Oviedo,

The City of Santa Clarita (City) has requested approval from the Wildlife Conservation Board (WCB) regarding the sale of a partial interest and the granting of a temporary construction easement (TCE) over a portion of the Gateway Ranch Property (Property), land previously acquired by the City to provide recovery benefits for federally threatened and endangered species and to provide corridors linking separate habitat areas to prevent habitat fragmentation, protect significant natural landscapes and ecosystems, and provide the potential for future wildlife oriented public use opportunities.

It is my understanding that the Los Angeles County Metropolitan Transportation Authority (METRO) is partnering with The California Department of Transportation (Caltrans) to widen I-5 between SR-14 Interchange and the Parker Road Interchange, designated as the I-5 High Occupancy Vehicle (HOV) and Truck Lane Project (Project). The Project will extend the HOV lanes on I-5 from the HOV lanes south of the SR-14 Interchange to just south of Parker Road/I-5 Interchange. The Project is expected to improve the flow of vehicle and truck traffic in the area.

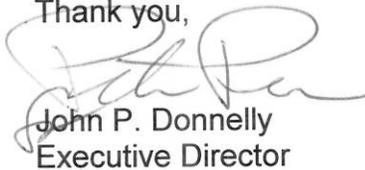
The Project requires acquisition of 8.26 square feet of partial take on the above mentioned City owned land by METRO. Additionally, METRO also requires a 1,578 square foot TCE.

The City received grant funds for the purchase of the Property, which is subject to WCB Grant Agreement WC-1408BG. That Grant Agreement, Per Section 5.4, places conditions on sale or transfer of the Property and requires WCB approval of such sale or transfer.

An appraisal was performed by Joe J. Villegas, MAI. The appraisal determined the value of the 8.26 square foot partial take and 1,578 square feet of TCE to be \$2,500.00. The WCB funded approximately 35.5% of the Property acquisition and as such is entitled to \$887.50.

WCB approves the sale as requested. If you any questions please feel free to contact myself or Brian Gibson to discuss.

Thank you,



John P. Donnelly  
Executive Director



**Metro**

Metropolitan Transportation Authority

One Gateway Plaza  
Los Angeles, CA 90012-2952

213.922.2000 Tel  
metro.net

August 8, 2018

**Via Certified Return Receipt & Regular Mail**

The City of Santa Clarita, a municipal corporation  
23920 Valencia Blvd., Suite 120  
Santa Clarita, CA 91355-5316

RE: I-5 HOV and Truck Lane Project  
Vacant Land- Open Space, Santa Clarita CA 91355  
Assessor's Parcel No. 2827-028-274, CPN No.80860-1 and 80860-2  
Offer – Temporary Construction Easement and Partial Fee Interest

Dear City of Santa Clarita, a municipal corporation:

The Los Angeles County Metropolitan Transportation Authority ("METRO") is partnering with The California Department of Transportation ("Caltrans") to widen I-5 between SR-14 Interchange and the Parker Road Interchange, designated as the I-5 HOV and Truck Lane Project (Hereinafter the "Project"). The Project area is in Los Angeles County along I-5 and covers approximately 13.6 miles. The project will extend the High Occupancy Vehicle (HOV) lanes on I-5 from the HOV lanes south of the SR-14 Interchange to just south of Parker Road/I-5 Interchange incorporating truck climbing lanes from the SR-14 interchange to Pico Canyon Road/Lyons Avenue, and constructing and/or extending auxiliary lanes between interchanges at six locations. The Project will improve the flow of vehicle and truck traffic in the area. Our title records reflect that **City of Santa Clarita** is the fee owner of the Property.

METRO is seeking to acquire property rights to facilitate construction and operation of the HOV lane improvements for the project as described in Exhibits "A" and "B". METRO's interest is to acquire a partial interest of 8.26 square feet at the southwestern side of the parcel, and 1,578 square feet for a TCE along the southwest freeway frontage around the take (See attached Legal Description and plat map describing the property and labeled as Exhibits "A" and "B"). This letter constitutes METRO's offer to purchase the afore-mentioned property interest for the Project.

**1. OFFER TO PURCHASE:**

Subject to, and upon the terms and conditions set forth below, METRO offers to purchase the Temporary Construction Easement in the Property, which is identified as APN 2827-028-274, for a term of four (4) years and seven (7) months. It is the policy of METRO to acquire property that is in private ownership only when it is necessary to do so, and through voluntary purchase if possible. In accordance with applicable law, METRO has obtained, reviewed, and approved an appraisal to establish the fair market value of the Property.

Attachment: METRO offer to purchase (METRO acquisition in Newhall Pass Open Space for I-5 HOV and Truck Lane Project)

The City of Santa Clarita, a municipal corporation

Page 2

The attached Statement of Just Compensation and Appraisal Summary outlines the basis for this offer Pursuant to Government Code Section 7267.2, the attached Acquisition/Eminent Domain Informational Brochure explains the public acquisition process and the eminent domain process.

**2. PURCHASE PRICE:**

METRO hereby offers the sum of **\$2,500 (Two Thousand and Five Hundred Dollars)** as just compensation for the acquisition of the partial take and temporary construction easement (“TCE”) interest in the Property for a term of four (4) years and seven (7) months. This amount does not include any relocation assistance, benefits, or payments (if any) which you may be entitled to receive.

**3. BASIS FOR OFFER:**

The appraisal of the Property takes into account the highest and best use, the location, condition, and size of any improvements existing on the land, the date of value, and the factors that affect fair market value.

The Statement of Just Compensation and Appraisal Summary includes an analysis of highest and best use, a valuation analysis, and the various approaches to value used by the appraiser. Also included are the comparable properties used by the appraiser to determine the fair market value.

**4. CONDITIONS OF OFFER:**

This offer is subject to and conditioned upon the following:

- (a) METRO’s approval, at its sole discretion, of the results of such soils, geological, toxic waste, hazardous substance, and/or any kind of tests and analyses, as METRO, or its representative, may perform prior to the opening of escrow, or in METRO’s sole and absolute discretion, after the opening of escrow;
- (b) The execution of a Right of Way Contract ;
- (c) The timely acceptance of this offer by the owner in accordance with Paragraph 6 below.

**5. OFFER TO PAY REASONABLE COSTS OF AN INDEPENDENT APPRAISAL PURSUANT TO CODE OF CIVIL PROCEDURE 1263.025:**

Pursuant to Code of Civil Procedure Section 1263.025, METRO offers to pay your reasonable costs, up to \$5,000.00 (Five Thousand Dollars), for an independent appraisal of the Property interests. By law, an appraiser licensed by the Bureau of Real Estate Appraisers must prepare the independent appraisal. Although you are not required to obtain an appraisal at this time or at all, if you believe such an appraisal can assist you in evaluating this offer, it is in your interest to

The City of Santa Clarita, a municipal corporation

Page 3

obtain the independent appraisal as expeditiously as possible. If you choose to obtain an appraisal, please forward METRO an invoice from your appraiser identifying the Property that is the subject of the appraisal and the fee charged.

**6. ACCEPTANCE:**

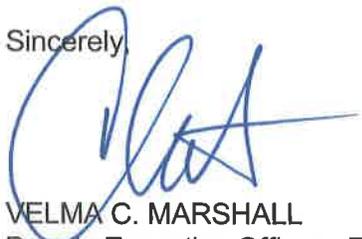
If the above offer is acceptable to you, please indicate your acceptance by signing in the space provided below, and return an original signed copy of this letter to my attention. Upon receipt of your acceptance of the purchase offer, a Right of Way Contract will be prepared for your execution. METRO will pay all expenses associated with this transaction and may implement the use of an internal escrow process.

**7. ADMISSIBILITY OF OFFER:**

If for any reason you do not accept the METRO's offer, please be advised that this letter and the offer made herein are tendered under the provisions of the California Evidence Code Section 1152, as an offer to compromise, and shall not be admissible to prove METRO's liability, and may not be used as an admission of value in any eminent domain or other proceeding.

Please contact Louis George, Sr. Real Estate Officer at (213) 922-2104 or Michael Romo, SR/WA Project Manager in our Real Estate Department at (213) 922-2408 if you have any questions regarding either the appraisal or the acquisition process.

Sincerely,



VELMA C. MARSHALL  
Deputy Executive Officer - Real Estate  
Los Angeles County Metropolitan Transportation Authority

Attachments:

1. Exhibit "A" Legal Description
2. Exhibit "B" Plat Map
3. Statement of Just Compensation and Appraisal Summary
4. Acquisition/Eminent Domain Informational Brochure
5. Your Rights Under Title VI
6. Certificate of Occupancy & Receipt of Relocation Information (RW 10-25)

The City of Santa Clarita, a municipal corporation

Page 4

ACCEPTANCE

This offer dated August 8, 2018 from the Los Angeles County Metropolitan Transportation Authority in the amount of \$2,500 for the acquisition of the Property described above is hereby accepted.

The City of Santa Clarita, a municipal corporation

Sign: \_\_\_\_\_

Date: \_\_\_\_\_

Attachment: METRO offer to purchase (METRO acquisition in Newhall Pass Open Space for I-5 HOV and Truck Lane Project)

**EXHIBIT "A-1"**  
**LEGAL DESCRIPTION**  
**A.P.N. 2827-028-274**

**80860-1 – (RIGHT OF WAY ACQUISITION)**

THAT PORTION OF PARCEL 1 OF LOT LINE ADJUSTMENT NO. 102,135, IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, PER DOCUMENT RECORDED JANUARY 9, 2004 AS INSTRUMENT NO. 04-0063723, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE OF SAID PARCEL 1 AND THE GENERALLY EASTERLY RIGHT-OF-WAY LINE OF THE GOLDEN STATE FREEWAY (I-5) PER RECORD OF SURVEY FILED IN BOOK 271, PAGES 79 THROUGH 92, OF RECORDS OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY;

THENCE ALONG SAID GENERALLY EASTERLY RIGHT-OF-WAY LINE NORTH 11°01'18" WEST, 2.89 FEET;

THENCE LEAVING SAID GENERALLY EASTERLY RIGHT-OF-WAY LINE SOUTH 64°53'03" EAST, 7.08 FEET TO SAID SOUTHERLY LINE;

THENCE ALONG SAID SOUTHERLY LINE NORTH 88°21'00" WEST, 5.86 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS A GRID AREA 8.26 SQUARE FEET, MORE OR LESS.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE CALIFORNIA COORDINATE SYSTEM (CCS83), ZONE V, NAD 83, EPOCH 1991.35, ALL DISTANCES SHOWN ARE GRID DISTANCES. DIVIDE THE GRID DISTANCES SHOWN BY 0.99988045 TO OBTAIN GROUND DISTANCES.

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "B", ATTACHED HERETO AND MADE A PART HEREOF.

THIS DOCUMENT HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

  
RALPH W. GUIDA, IV, P.L.S. 7076

1/29/18  
DATE



Attachment: METRO offer to purchase (METRO acquisition in Newhall Pass Open Space for I-5 HOV and Truck Lane Project)

PLAT TO ACCOMPANY  
LEGAL DESCRIPTION

PREPARED BY ME OR UNDER MY DIRECTION:

*Ralph W. Guida, IV*

1/29/2018

RALPH W. GUIDA, IV P.L.S. 7076

DATE

**LEGEND**



CPN 0001 - RIGHT OF WAY  
ACQUISITION

(XXXX) INDICATES RECORD DATA PER  
R.S.B. 271/79-92

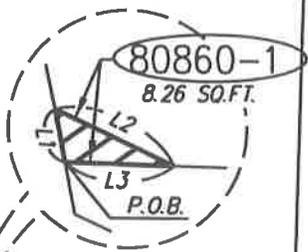
PORTION  
NW 1/4, NE 1/4,  
SECTION 15  
T3N, R16W, S.B.M.

PORTION PARCEL 1  
LOT LINE ADJUSTMENT NO. 102,135  
INSTRUMENT NO. 04-0063723 O.R.  
RECORDED JANUARY 9, 2004  
A.P.N. 2827-028-274

LINE TABLE		
NO.	BEARING	LENGTH
L1	(N 11°01'18" W)	2.89'
L2	S 64°53'03" E	7.08'
L3	N 88°21'00" W	5.86'



PORTION PARCEL 2  
LOT LINE ADJUSTMENT NO. 102,135  
INSTRUMENT NO. 04-0063723 O.R.  
RECORDED JANUARY 9, 2004



VARIES

50'

THE OLD ROAD

50'

GOLDEN STATE  
FREEWAY (I-5)

2515

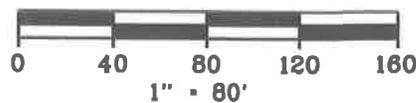
2514

2513

2512

SHEET 1 OF 1

EXHIBIT "B-1"  
A.P.N. 2827-028-274



THE BEARINGS AND DISTANCES SHOWN ARE  
CALIFORNIA COORDINATE SYSTEM (CCS83),  
ZONE V, NAD 83, EPOCH 1991.35.  
ALL DISTANCES SHOWN ARE GRID DISTANCES.  
DIVIDE THE GRID DISTANCES SHOWN  
BY 0.99988045 TO OBTAIN GROUND DISTANCES.

RIGHT OF WAY ACQUISITION

Attachment: METRO offer to purchase (METRO acquisition in Newhall Pass Open Space for I-5 HOV and Truck Lane Project)

**EXHIBIT "A-2"**  
**LEGAL DESCRIPTION**  
**A.P.N. 2827-028-274**

**80860-2 – (30' WIDE TEMPORARY CONSTRUCTION EASEMENT)**

THAT PORTION OF PARCEL 1 OF LOT LINE ADJUSTMENT NO. 102,135, IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, PER DOCUMENT RECORDED JANUARY 9, 2004 AS INSTRUMENT NO. 04-0063723, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTHERLY LINE OF SAID PARCEL 1 AND THE GENERALLY EASTERLY RIGHT-OF-WAY LINE OF THE GOLDEN STATE FREEWAY (I-5) PER RECORD OF SURVEY FILED IN BOOK 271, PAGES 79 THROUGH 92, OF RECORDS OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY;

THENCE ALONG SAID GENERALLY EASTERLY RIGHT-OF-WAY LINE NORTH 11°01'18" WEST, 2.89 FEET TO THE **TRUE POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID GENERALLY EASTERLY RIGHT-OF-WAY LINE NORTH 11°01'18" WEST, 37.15 FEET;

THENCE LEAVING SAID GENERALLY EASTERLY RIGHT-OF-WAY LINE SOUTH 64°53'03" EAST, 98.10 FEET TO SAID SOUTHERLY LINE;

THENCE ALONG SAID SOUTHERLY LINE NORTH 88°21'00" WEST, 75.34 FEET TO A LINE THAT BEARS SOUTH 64°53'03" EAST FROM THE TRUE POINT OF BEGINNING;

THENCE LEAVING SAID SOUTHERLY LINE AND ALONG SAID LINE NORTH 64°53'03" WEST, 7.08 FEET TO THE TRUE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS A GRID AREA 1,578 SQUARE FEET OR 0.036 ACRES, MORE OR LESS.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE CALIFORNIA COORDINATE SYSTEM (CCS83), ZONE V, NAD 83, EPOCH 1991.35, ALL DISTANCES SHOWN ARE GRID DISTANCES. DIVIDE THE GRID DISTANCES SHOWN BY 0.99988045 TO OBTAIN GROUND DISTANCES.

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "B", ATTACHED HERETO AND MADE A PART HEREOF.

THIS DOCUMENT HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.



RALPH W. GUIDA, IV, P.L.S. 7076

1/29/18

DATE



Attachment: METRO offer to purchase (METRO acquisition in Newhall Pass Open Space for I-5 HOV and Truck Lane Project)

PLAT TO ACCOMPANY  
LEGAL DESCRIPTION

PREPARED BY ME OR UNDER MY DIRECTION:

*Ralph W. Guida, IV*  
RALPH W. GUIDA, IV P.L.S. 7076

1/29/2018

DATE

**LEGEND**



CPN 0002 - 30' WIDE TEMPORARY  
CONSTRUCTION  
EASEMENT

(XXXX) INDICATES RECORD DATA PER  
R.S.B. 271/79-92

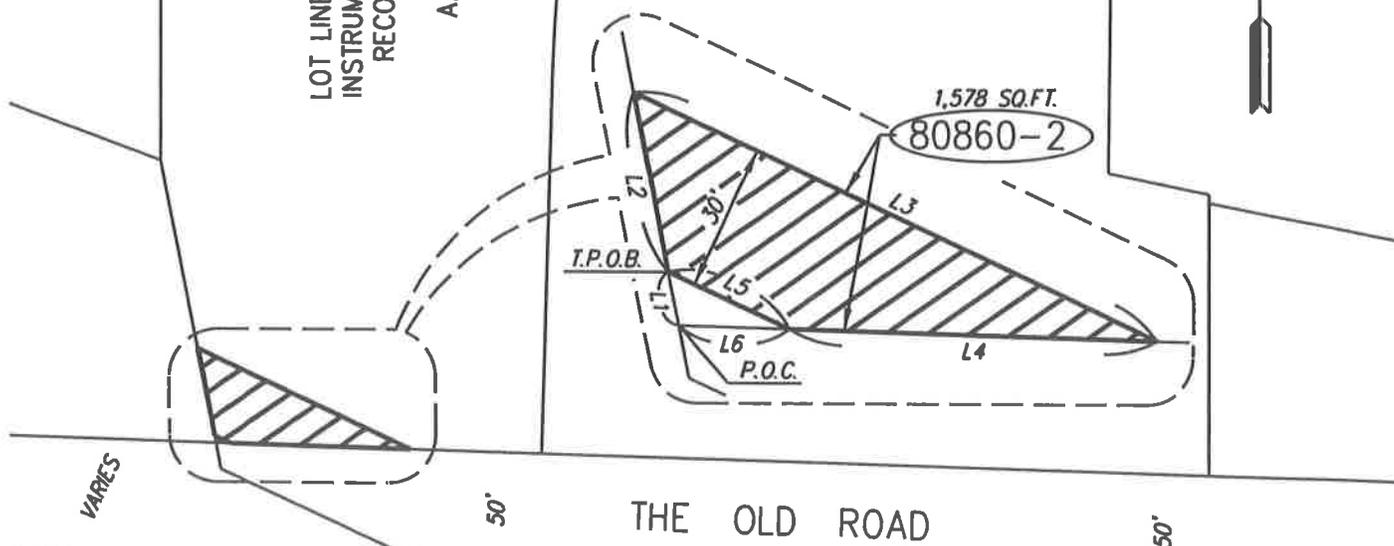
LINE TABLE		
NO.	BEARING	LENGTH
L1	(N 11°01'18" W)	2.89'
L2	(N 11°01'18" W)	37.15'
L3	S 64°53'03" E	98.10'
L4	N 88°21'00" W	75.34'
L5	N 64°53'03" W	7.08'
L6	N 88°21'00" W	5.86'



PORTION  
NW 1/4, NE 1/4,  
SECTION 15  
T3N, R16W, S.B.M.

PORTION PARCEL 1  
LOT LINE ADJUSTMENT NO. 102,135  
INSTRUMENT NO. 04-0063723 O.R.  
RECORDED JANUARY 9, 2004  
A.P.N. 2827-028-274

PORTION PARCEL 2  
LOT LINE ADJUSTMENT NO. 102,135  
INSTRUMENT NO. 04-0063723 O.R.  
RECORDED JANUARY 9, 2004



VARIES

50'

THE OLD ROAD

50'

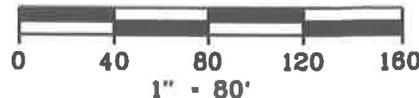


THE BEARINGS AND DISTANCES SHOWN ARE  
CALIFORNIA COORDINATE SYSTEM (CCS83),  
ZONE V, NAD 83, EPOCH 1991.35.  
ALL DISTANCES SHOWN ARE GRID DISTANCES.  
DIVIDE THE GRID DISTANCES SHOWN  
BY 0.99988045 TO OBTAIN GROUND DISTANCES.

TEMPORARY CONSTRUCTION EASEMENT

SHEET 1 OF 1

EXHIBIT "B-2"  
A.P.N. 2827-028-274



Attachment: METRO offer to purchase (METRO acquisition in Newhall Pass Open Space for I-5 HOV and Truck Lane Project)



**CITY OF SANTA CLARITA  
AGENDA REPORT**

CONSENT CALENDAR

CITY MANAGER APPROVAL:

*Ken Stripling*

DATE: November 27, 2018

SUBJECT: SECOND READING OF AN ORDINANCE ENTITLED "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, AMENDING SECTIONS OF CHAPTER 6.04 OF TITLE SIX OF THE SANTA CLARITA MUNICIPAL CODE CONCERNING MANUFACTURED HOME PARKS - CHANGE IN USE REVIEW PROCEDURES"

DEPARTMENT: Community Development

PRESENTER: Sarona Vivanco

RECOMMENDED ACTION

City Council adopt an ordinance entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, AMENDING SECTIONS OF CHAPTER 6.04 OF TITLE SIX OF THE SANTA CLARITA MUNICIPAL CODE CONCERNING MANUFACTURED HOME PARKS - CHANGE IN USE REVIEW PROCEDURES."

BACKGROUND

At the regular meeting of the City Council on November 13, 2018, the City Council introduced and passed to second reading an ordinance amending Chapter 6.04 of the Santa Clarita Municipal Code (SCMC), which pertains to Manufactured Home Parks - Change in Use.

Prior to that action, at the regular meeting of the City Council on July 11, 2017, the City Council adopted a set of updates to SCMC Chapter 6.02, Manufactured Home Park Rent Adjustment Procedures. Of the changes made to SCMC Chapter 6.02, the most significant was the elimination of the Manufactured Home Rental Adjustment Panel in favor of implementing a Hearing Officer protocol to hear appeals of space rent adjustments.

With the changes to SCMC Chapter 6.02 in place, amendments need to be made to SCMC Chapter 6.04 to ensure consistency between the two Municipal Code Chapters that concern manufactured homes and manufactured home parks.

The initial proposed change to SCMC Chapter 6.04 was the removal of all references to the now-defunct Manufactured Home Rental Adjustment Panel and giving the Planning Commission responsibility for the permit process associated with Manufactured Home Parks seeking a change in use. During the discussion of the first reading of the ordinance, the City Council directed staff to include two additional changes:

- Adding language to ensure that notices are provided to manufactured home owners and residents in both English and in Spanish, and
- Adding language stating that there would be no fee associated with appeals to the City Council of either the Planning Commission's decision to grant a tentative permit or of the Planning Commission's decision to grant a final permit.

#### ALTERNATIVE ACTION

Other action as determined by the City Council.

#### FISCAL IMPACT

None by this action.

#### ATTACHMENTS

Ordinance

## ORDINANCE NO. 18-\_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA,  
CALIFORNIA, AMENDING SECTIONS OF CHAPTER 6.04 OF TITLE SIX  
OF THE SANTA CLARITA MUNICIPAL CODE CONCERNING  
MANUFACTURED HOME PARKS-CHANGE IN USE REVIEW PROCEDURES

THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA,  
DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. In order to make Chapter 6.04 consistent with prior amendments to Chapter 6.02, amendments are needed to replace the Manufactured Home Rent Adjustment Panel with the Planning Commission to review and approve Change of Use applications.

SECTION 2. That Sections 020, 050, 060, 070, 080, 090, 100, 110, and 120 to Chapter 6.04 are amended to read as follows:

**“6.04.020 Definitions.**

For purposes of this chapter only, the following definitions shall apply unless based on the context, another definition is clearly intended:

“Applicant” means the park owner or his or her designee of an existing manufactured home park that applies under this chapter for a change in use of such park.

“Change in use” means the use of a park for a purpose other than rental or the holding out for rental of two (2) or more manufactured home sites to accommodate manufactured homes for human habitation. A change of use may affect the entire park or any portion thereof. A change of use includes, but is not limited to, a change of the park or any portion thereof to a condominium, stock cooperative, planned unit development, or any form of ownership wherein spaces within the park are to be sold. A “change in use” shall not include a decision by a mobilehome park owner not to rent or lease a vacant space or a space occupied by a vacant mobilehome owned by the park.

“Final permit” means the permit granted pursuant to Section 6.04.110 once a park owner has substantially complied with all conditions of a tentative permit.

“Illegal addition” is an addition to a manufactured home for which all required building permits were not obtained and which does not currently comply with the Santa Clarita Municipal Code.

“Illegal structure” is a structure which did not comply with applicable building and/or design regulations and laws at the time which it was built.

“Manufactured home” is synonymous with the term “mobilehome.”

“Manufactured home owner” is a person who has a tenancy in a manufactured home park under a rental agreement with the park and has an ownership interest in the manufactured home.

“Manufactured home park” or “park” means an area of land where two (2) or more manufactured home spaces are rented or leased out for manufactured homes used as residences. The term “manufactured home park” does not include developments which sell lots for manufactured homes or which provide condominium ownership of such lots, even if one or more manufactured homes in the development are rented or leased out.

“Manufactured home park owner” or “park owner” means the owner, lessor, operator, manager, or designated agent thereof, of a park located in the City of Santa Clarita.

“Manufactured home resident” or “resident” is a manufactured home owner or other person who lawfully occupies a manufactured home in a park.

“Mobilehome” means that definition used in Civil Code Section 798.3, and includes a structure designed for human habitation and for being moved on a street or highway under permit. The term “mobilehome” includes a manufactured home, as defined in Health and Safety Code Section 18007.

“Mobilehome owner” is synonymous with the term “manufactured home owner.”

“Mobilehome park” is synonymous with the term “manufactured home park.”

“Mobilehome resident” is synonymous with the term “manufactured home resident.”

“Nonresident owner” is a person who owns a manufactured home located within a park but does not reside there. A “nonresident owner” shall not include the park owner or applicant in circumstances where the park owner or applicant owns one or more manufactured homes in the park.

“Planning Commission” is the Planning Commission as established pursuant to Chapter 2.26 of the Santa Clarita Municipal Code.

“Report” means the relocation impact report required by Section 6.04.030.

“Tenancy” is the right of a manufactured home owner to use a site within a park on which to locate and maintain a manufactured home, site improvements, and the necessary accessory structures for human habitation.

“Tentative permit” means the permit granted pursuant to Section 6.04.090.

#### **6.04.050 Notice Regarding Proposed Change in Use.**

At least thirty (30) days prior to the hearing before the Planning Commission on the change in use, the applicant shall provide notice in both English and Spanish to all residents and manufactured home owners affected by the change in use. Such notice shall state the time, date, place, and nature of the hearing, shall include a copy of the relocation impact report and a proposed tentative permit, and shall inform each manufactured home owner that he or she has a right to appear to object to the failure to meet the requirements of this chapter with respect to his or her home’s relocation if they have not been met. Such notice shall also state whether the applicant contends that a manufactured home owner’s manufactured home is illegal or legal and, if illegal, informs the manufactured home owner that he or she has sixty (60) days to bring the manufactured home into compliance with applicable laws, as determined by the State of California, or lose the rights of a manufactured home owner under this chapter. The hearing shall

not be held until the applicant has satisfactorily verified to the City that all persons have received proper notification.

**6.04.060 Hearing on the Change in Use.**

A hearing shall be held before the Planning Commission on any proposed change in use. At this hearing, the Planning Commission shall review the relocation impact report.

**6.04.070 Allowable Relocation Costs and Conditions on Park Change in Use.**

A. The Planning Commission may impose payment for the relocation costs outlined in this section on the applicant as conditions of the tentative permit, subject to the provisions of Section 6.04.080. The Planning Commission shall not require any applicant to pay any relocation costs for the relocation of residents who rent their manufactured home from another. The applicant is to pay for the following relocation costs for each manufactured home owner's manufactured home in the park if such costs are imposed by the Planning Commission.

1. Reasonable moving expenses charged by a professional mover for packing and moving the manufactured home owner's personal items within the City limits of the City of Santa Clarita, including full-value replacement insurance on the goods being moved.
2. Payment for any necessary storage expense while the manufactured home is being set up in a new park.
3. Payment of an amount set by the City Council by resolution to cover lodging, meals, and incidental expenses from the time when a manufactured home owner in an existing park is required to move out of his or her manufactured home to relocate until the time when the manufactured home is set up in the new park and ready for habitation. This provision shall be inapplicable in the event that the mobilehome cannot be relocated within the City of Santa Clarita and the manufactured home owner is compensated pursuant to subsection (B)(5) of this section.

B. The Planning Commission shall impose as conditions to the tentative permit, the following mitigation measures:

1. The applicant shall move and relocate all manufactured home owners' manufactured homes to a legal location within the City limits of the City of Santa Clarita comparable to the prior location in terms of amenities, rent, location and space size, including professional moving, preparation and take-down services incidental to preparation of the manufactured home for moving to the extent a site is available. A site is not deemed available unless a mobilehome park in the City is willing to accept the specific mobilehome and its manufactured home owner. "Comparable rent" as used herein shall mean rent not more than one percent higher than the previous rent unless a higher rent is justified by an increased space size or other compensating factors and the manufactured home owner consents to such an increase.
2. The applicant shall obtain and retain insurance for moving the manufactured home owner's manufactured home for the full replacement value of the manufactured homes for the entire time of the move including take-down and reinstallation. The replacement value shall be determined in the same manner as used by insurance companies authorized to do business in the State of California in determining the replacement value of the mobilehome if it had been destroyed while situated in the mobilehome park. Insurance shall be with a company authorized to do business in the State of California.

3. The applicant shall install the manufactured home owner's manufactured home in a comparable park within the City limits of the City of Santa Clarita, including rebuilding existing legal structures and additions to the manufactured home.

4. The applicant shall replace the manufactured home with a comparable manufactured home if the manufactured home is destroyed or severely damaged in transit to the new park. The manufactured home owner may elect, at his or her sole option, to receive the cash value of the manufactured home destroyed or severely damaged in transit. If a manufactured home owner receives compensation pursuant to this subsection, he or she shall not be entitled to receive any insurance payment.

5. The applicant shall ensure that the manufactured homes meet the requirements of the new park(s) in which they are relocated. The applicant shall rehabilitate manufactured homes to enable them to be accepted into a new park within the City of Santa Clarita. In the event that a manufactured home owner's manufactured home cannot be relocated to another park within the City of Santa Clarita either due to its age, condition or lack of any available relocation sites for the specific manufactured home, the applicant shall pay to the manufactured home owner the appropriate amount as determined by an appraiser (paid for by the park owner) for the value of the manufactured home. The appraisal shall value the manufactured home as if located in a comparable manufactured home park and will be based on a real estate valuation method and not the blue book value. If the home owner does not agree with the resulting appraisal, the home owner may pay for his or her own appraisal. The home owner and park owner will then negotiate using both of the appraisals. If an agreement cannot be reached, the City will provide an impartial mediator. The City will endeavor to select a mediator that has a background in analyzing appraisals. The cost of the mediator will be equally shared by the park owner and the home owner. Payment for the mediator will be made in advance to the City by the parties. If one party fails to make the required payment, the value of the relocation shall be determined to be the amount of the other party's appraisal. If the parties still cannot agree, the impartial mediator shall determine the amount to be paid, which amount shall be no greater than the higher of the two (2) appraisals.

C. Notwithstanding the above, if a manufactured home is illegal, as determined by the State of California, the applicant will only be responsible for moving the manufactured home to a legal location for storage and the applicant will not be responsible for the costs and mitigation measures in subsections (A)(2) and (3) and B of this section, even if the same are imposed as conditions by the Planning Commission. The applicant shall not be responsible for paying any storage costs for the illegal manufactured home. Notwithstanding the above, a manufactured home owner shall have sixty (60) days' notice pursuant to Section 6.04.050 to bring his or her manufactured home into compliance with applicable law. If the manufactured home comes into compliance with the applicable laws of the State of California within the sixty (60) day period, as evidenced by the manufactured home owner having provided to the applicant proof from the State of California that the home complies with California law, then the home shall be considered legal for all purposes of this chapter and the manufactured home owner shall be entitled to all rights accorded by this chapter, except that when the tentative permit is granted, the owner shall not be accorded the rights of a legal owner at that time. However, at the time of granting of this final permit, the applicant must provide all of the relocation benefits set forth in this section with respect to such manufactured homes.

D. Notwithstanding the above, if a manufactured home includes illegal additions or structures, the applicant shall not be responsible for the costs associated with tearing down, moving, or setting up the same at a new location.

E. If a manufactured home owner locates his or her manufactured home in a park after notice has been given of a change in use which would affect the portion of the park in which the manufactured home would be located, the manufactured home owner shall not be entitled to any of the relocation benefits provided by this chapter. If the proposed change of use does not take place or does not affect the manufactured home owner, then the manufactured home owner shall be eligible for all applicable relocation benefits for any subsequent change of use which affects that manufactured home owner. The manufactured home owner shall sign a written statement acknowledging that said owner is aware that a change of use is contemplated for the park.

**6.04.080 Eligibility of Nonresident Owners for Relocation Mitigation Measures.**

If the manufactured home owner is a nonresident owner, then the manufactured home owner shall only be entitled to the relocation mitigation measures specified in Section 6.04.070(B) as determined by the Planning Commission as a condition to the tentative permit and not the relocation costs set forth in Section 6.04.070(A).

**6.04.090 Tentative Permit.**

Following the hearing on the change of use, the Planning Commission shall grant a tentative permit if it determines that all of the requirements of Sections 6.04.030, 6.04.040 and 6.04.050 have been satisfied.

**6.04.100 Notice to Residents Regarding Hearing on Final Permit.**

At least thirty (30) days prior to the hearing before the Planning Commission on the final permit, the applicant shall provide notice in both English and Spanish to all residents and manufactured home owners affected by the change in use. Such notice shall state the time, date, place, and nature of the hearing, and shall inform each manufactured home owner that he or she has a right to appear to object to the failure to meet the requirements of this chapter or the tentative permit with respect to his or her home's relocation. The hearing shall not be held until the applicant has satisfactorily verified to the City that all persons have received proper notification.

**6.04.110 Final Permit.**

A. After notice is provided as required by Section 6.04.100 and a hearing held regarding compliance by the applicant with the tentative permit, the Planning Commission shall grant the applicant a final permit when he or she has both: (1) substantially complied with the conditions of the tentative permit, and (2) substantially complied with the requirements of Section 6.04.070 with respect to all manufactured homes which were illegal at the time that notice was provided pursuant to Section 6.04.050 but came into compliance with all laws within sixty (60) days of such notice.

B. The applicant and a manufactured home owner may agree to a resolution different than that approved in the tentative permit after the approval of the tentative permit, and compliance with said agreement by the applicant shall constitute "substantial compliance" under this section with respect to matters relating to such manufactured home owner's home set forth in the tentative permit. The agreement shall include a copy of this chapter as an attachment, together with a statement that the homeowner is aware of his or her rights under this chapter, and that he or she is recommended to consult with an attorney. Any such agreement which is procured by fraud or misrepresentation shall be null and void.

C. Notwithstanding the above, the final permit shall not be issued if the applicant has disturbed or caused to be disturbed the area and facilities of the park that are the subject of the application in anticipation of closure of the park to facilitate future development until the affected manufactured home owners receive fair and reasonable compensation for the inconvenience, resulting from such disturbance, as such compensation is determined by the Planning Commission. The Planning Commission shall make this determination at the hearing held pursuant to Section 6.04.120. For the purposes of this section, the removal of uninhabited manufactured homes from the park shall not be considered a disturbance under this chapter.

**6.04.120 Appeal from Imposition of Conditions for Change of Use.**

The applicant, manufactured home owner, and nonresident owners affected by the proposed change in use have fifteen (15) days to appeal to the City Council either the Planning Commission’s decision to grant a tentative permit or the Planning Commission’s decision to grant a final permit. There shall be no fee for such appeal. If no appeal is filed within fifteen (15) days of either action, the Planning Commission’s decision on either the tentative permit or final permit, as the case may be, shall be deemed final. If an appeal is filed on either action, the City Council shall hear the appeal within thirty (30) days. The City Council’s decision shall be final as of the date it is rendered.

**6.04.130 Notice After Public Hearing and City Approval.**

After the tentative permit is deemed final, the applicant shall give manufactured home owners, nonresident owners, and residents written notice of termination of tenancy as required by State law in both English and Spanish.

SECTION 3. This ordinance shall be in full force and effect thirty (30) days from its passage and adoption.

SECTION 4. The City Clerk shall certify to the passage of this ordinance and shall cause the same to be published as required by law.

PASSED, APPROVED, AND ADOPTED this                    day of                    2018.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

DATE:\_\_\_\_\_

Attachment: Ordinance (Update of SCMC, Chapter 6.04-Second Reading)

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) ss.  
CITY OF SANTA CLARITA )

I, Mary Cusick, City Clerk of the City of Santa Clarita, do hereby certify that the foregoing Ordinance 18-\_\_\_\_\_ was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the 13th day of November 2018. That thereafter, said Ordinance was duly passed and adopted at a regular meeting of the City Council on the day of \_\_\_\_\_ 2018, by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

AND I FURTHER CERTIFY that the foregoing is the original of Ordinance No. 18-\_\_\_\_ and was published in The Signal newspaper in accordance with State Law (G.C. 40806).

\_\_\_\_\_  
CITY CLERK

Attachment: Ordinance (Update of SCSMC, Chapter 6.04-Second Reading)

**Agenda Item: 11**

**CITY OF SANTA CLARITA  
AGENDA REPORT**

**CONSENT CALENDAR**

CITY MANAGER APPROVAL:

*Ken Stripling*

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DATE: November 27, 2018

SUBJECT: LOCAL APPOINTMENTS LIST/DECLARING VACANCIES

DEPARTMENT: Administrative Services

PRESENTER: Mary Cusick

**RECOMMENDED ACTION**

City Council:

1. Approve the Local Appointments List;
2. Declare vacancies for the Planning Commission, Parks, Recreation and Community Services Commission, Arts Commission, Open Space Preservation District Financial Accountability and Audit Panel, and the City's appointment to the Greater Los Angeles County Vector Control Board;
3. Approve a four-year term for the City's appointment to the Greater Los Angeles County Vector Control Board; and
4. Approve the recruitment process for the vacancies.

**BACKGROUND**

Section 54970 et seq. of the Government Code, also known as "The Maddy Act," takes into consideration a vast and largely untapped reservoir of talent which exists among the citizenry that frequently is not aware of the opportunities for participation on local regulatory and advisory boards and commissions. For that reason, the Maddy Act was enacted for maximum public awareness of appointments to be made by the Governor, the City Council, or other legislative bodies.

Government Code Section 54972 requires that, on or before December 31 of each year, the legislative body, or City Council, must cause to be prepared a list of appointments of all ongoing boards, commissions, and committees which are appointed by the City Council. The list must include which terms will expire during the next calendar year, with the name of the incumbent

appointee, the date of appointment, the date the term expires, and the necessary qualifications for the position. Section 54973 requires that the legislative bodies designate the public library with the largest service population within the jurisdiction to receive a copy of the list.

Terms of various Planning Commissioners, Parks, Recreation and Community Services Commissioners, Arts Commissioners, and Open Space Preservation District Financial Accountability and Audit Panel members will expire on December 31, 2018. The term of the Trustee of the Greater Los Angeles County Vector Control Board expires January 7, 2019. The various appointees, their appointment dates, the dates those appointments expire, and names of the Councilmembers who made the appointments are provided in the attached Local Appointments List.

Pursuant to applicable resolutions and/or ordinances, members of the Planning Commission, Parks, Recreation and Community Services Commission, Arts Commission, and Open Space Preservation District Financial Accountability and Audit Panel serve at the will of the Council for regular appointed terms of four years. The City’s appointment to the Greater Los Angeles County Vector Control Board is set forth by Health & Safety Code section 2000 et seq. and can serve a two or four-year term. Staff recommends, for consistency, that the City Council approve a four-year term.

Pursuant to procedures adopted by the City Council in Resolution 91-194, below is a recommended schedule for the appointment process:

- November 27 Council declares vacancies.
- November 28 City Clerk posts and prepares for publication the Notice of Vacancies.
- December 20 Deadline for City Clerk to receive applications.
- January 8 Nominating authority submits nominations for ratification by the City Council.

It is anticipated the City Clerk will administer the oath of office for the newly appointed members to the City’s commissions and panel at or prior to their next regularly scheduled meetings following appointment.

ALTERNATIVE ACTION

Other action as determined by the City Council.

FISCAL IMPACT

Costs of publishing the Notice of Vacancies have been budgeted in Fiscal Year 2018-19.

ATTACHMENTS

- Local Appointments List
- Resolution 91-194

# CITY OF SANTA CLARITA - LOCAL APPOINTMENTS LIST

COPIES MAY BE OBTAINED FROM THE CITY CLERK'S OFFICE

23920 VALENCIA BLVD., SANTA CLARITA, CA 661-255-4391

November 27, 2018

## PLANNING COMMISSION

<u>Name</u>	<u>Appointment Date</u>	<u>Expiration Date</u>	<u>Nominated by</u>
Philip Hart	May 3, 2018	December 31, 2020	Bob Kellar
Renee Berlin	January 10, 2017	December 31, 2020	Cameron Smyth
Lisa Eichman	August 26, 2014	December 31, 2018	Marsha McLean
Dennis Ostrom	August 26, 2014	December 31, 2018	Laurene Weste
Timothy Burkhart	August 26, 2014	December 31, 2018	Dante Acosta

Duties: The Planning Commission shall have the power and duty, except as otherwise provided by law, to investigate and make recommendations to the City Council regarding review of proposals for major public works projects; review proposals for acquisition of property for street, park or other public purposes; make recommendations to the City Council with respect to a specific plan or regulation or amendment; hold public hearings on proposed zoning; hear and decide applications for conditional uses or other permits; hear and decide applications for exceptions or variances; consider tentative maps of proposed subdivisions; have and exercise all of the powers, duties, rights, privileges and authorities of a City Planning Commission, as provided for by the State of California.

Qualifications: Each of the five (5) Commissioners shall be a resident of the City and shall be appointed by and serve at the pleasure of the City Council.

## PARKS, RECREATION AND COMMUNITY SERVICES COMMISSION

<u>Name</u>	<u>Appointment Date</u>	<u>Expiration Date</u>	<u>Nominated by</u>
Donald S. Cruikshank	January 10, 2017	December 31, 2020	Bob Kellar
Kieran Wong	January 10, 2017	December 31, 2020	Cameron Smyth
Dianna Boone	August 26, 2014	December 31, 2018	Marsha McLean
Ruthann Levison	August 26, 2014	December 31, 2018	Laurene Weste
Victor Lindenheim	April 11, 2017	December 31, 2018	Bill Miranda

Duties: The Parks, Recreation and Community Services Commission shall have the power and duty, except as otherwise provided by law, to advise the City Council in all matters pertaining to parks, public recreation, and community services; cooperate with other governmental agencies and civic groups in the advancement of sound park, recreation, and community services planning and programming; and have and exercise all of the powers, duties, rights, privileges and authorities of a City Parks, Recreation and Community Services Commission, as provided for by the State of California.

Qualifications: Each of the five (5) Commissioners shall be a resident of the City and shall be appointed by and serve at the pleasure of the City Council.

**THIS NOTICE SHALL REMAIN POSTED UNTIL SUPERSEDED**

# CITY OF SANTA CLARITA - LOCAL APPOINTMENTS LIST

COPIES MAY BE OBTAINED FROM THE CITY CLERK'S OFFICE

23920 VALENCIA BLVD., SANTA CLARITA, CA 661-255-4391

November 27, 2018

## ARTS COMMISSION

<u>Name</u>	<u>Appointment Date</u>	<u>Expiration Date</u>	<u>Nominated by</u>
John Dow	January 10, 2017	December 31, 2020	Bob Kellar
Vanessa Wilk	January 10, 2017	December 31, 2020	Cameron Smyth
Dr. Michael Millar	August 26, 2014	December 31, 2018	Marsha McLean
Patti Rasmussen	August 26, 2014	December 31, 2018	Laurene Weste
Susan Shapiro	August 26, 2014	December 31, 2018	Dante Acosta

Duties: The Arts Commission shall have the power and duty, except as otherwise provided by law, to advise the City Council and the Director of Parks, Recreation and Community Services, or City Manager, in all matters pertaining to arts programming and public art; cooperate with other governmental agencies and civic groups in the advancement of sound arts development and arts planning and programming; and have and exercise all of the powers, duties, rights, privileges and authorities of a City Arts Commission, as provided for by the State of California.

Qualifications: Each of the five (5) Commissioners shall be a resident of the City and shall be appointed by and serve at the pleasure of the City Council.

## OPEN SPACE PRESERVATION DISTRICT FINANCIAL ACCOUNTABILITY AND AUDIT PANEL

<u>Name</u>	<u>Appointment Date</u>	<u>Expiration Date</u>	<u>Nominated by</u>
Frederick Andre Hollings	January 10, 2017	December 31, 2020	Bob Kellar
Henry Rodriguez	January 10, 2017	December 31, 2020	Cameron Smyth
Sandra Cattell	August 26, 2014	December 31, 2018	Marsha McLean
Susan Orloff	August 26, 2014	December 31, 2018	Laurene Weste
Wendy Langhans	August 26, 2014	December 31, 2018	Dante Acosta

Duties: The Financial Accountability and Audit Panel reviews and recommends approval of the annual work program to City Council to ensure land acquisition priorities are adhered to; reviews the accounting of the funds generated by the Open Space Preservation District; works in conjunction with the City's independent auditor to ensure the Preservation District funds were spent properly and good fiscal management of the funds is occurring; makes determinations as to whether the expenditures are consistent with the criteria and the requirements established in the Engineer's Report; and approves an annual written report for the public, summarizing these actions.

Qualifications: Each of the five (5) Panel Members shall be a resident of the City and shall be appointed by and serve at the pleasure of the City Council.

**THIS NOTICE SHALL REMAIN POSTED UNTIL SUPERSEDED**

# CITY OF SANTA CLARITA - LOCAL APPOINTMENTS LIST

COPIES MAY BE OBTAINED FROM THE CITY CLERK'S OFFICE

23920 VALENCIA BLVD., SANTA CLARITA, CA 661-255-4391

November 27, 2018

## BOARD OF LIBRARY TRUSTEES

<u>Name</u>	<u>Appointment Date</u>	<u>Expiration Date</u>	<u>Nominated by</u>
Marsha McLean	December 12, 2017	June 30, 2020	Laurene Weste
Bob Kellar	June 26, 2018	June 30, 2021	Marsha McLean
Laurene Weste	June 26, 2018	June 30, 2021	Marsha McLean
Cameron Smyth	December 13, 2016	June 30, 2019	Cameron Smyth
Bill Miranda	January 24, 2017	June 30, 2019	Cameron Smyth

Duties: The Santa Clarita Public Library shall be governed and operated in accordance with the provisions of the Municipal Libraries Act (Education Code Section 18900 et seq.).

Qualifications: Each of the five (5) Trustees shall be appointed by the Mayor with the consent of the City Council and hold office for three years.

## GREATER LOS ANGELES COUNTY VECTOR CONTROL BOARD OF TRUSTEES

<u>Name</u>	<u>Appointment Date</u>	<u>Expiration Date</u>	<u>Nominated by</u>
Heidi Heinrich	January 10, 2017	January 7, 2019	City Council

Duties: Board member duties and responsibilities include setting policy, establishing the budget, approving expenditures, and retaining legal counsel.

Qualifications: The appointee shall (1) be appointed by the City Council, (2) be a resident voter of the City of Santa Clarita, and (3) serve a full two- or four-year term. It is the intent of the Legislature that persons appointed to boards of trustees have experience, training, and education in fields that will assist in the governance of the districts. (Health & Safety Code 2000 et seq.)

**THIS NOTICE SHALL REMAIN POSTED UNTIL SUPERSEDED**

# CITY OF SANTA CLARITA - LOCAL APPOINTMENTS LIST

COPIES MAY BE OBTAINED FROM THE CITY CLERK'S OFFICE

23920 VALENCIA BLVD., SANTA CLARITA, CA 661-255-4391

November 27, 2018

## NORTH COUNTY TRANSPORTATION COALITION

<u>Name</u>	<u>Appointment Date</u>	<u>Expiration Date</u>	<u>Nominated by</u>
Bob Kellar	November 13, 2018	Council Discretion	City Council
Marsha McLean	November 13, 2018	Council Discretion	City Council
Robert Newman	November 13, 2018	Council Discretion	City Council
Mike Hennawy	November 13, 2018	Council Discretion	City Council
Adrian Aguilar	November 13, 2018	Council Discretion	City Council

Duties: The mission is to improve the movement of people and goods in the North Los Angeles County subregion through the development of policies and programs that address critical transportation issues, promote economic development, and maximize transportation opportunities for the subregion and its member jurisdictions.

Qualifications: The North County Transportation Coalition Joint Powers Authority (JPA) has 12 Governing Board members. Of these members, the Santa Clarita City Council appoints four representatives: one member of the City Council; one representative from a business community organization; one at-large representative; and one non-voting ex officio representative of Santa Clarita Transit. Additionally, one alternate representative of the Governing Board is designated. Should any person serving on the Governing Board fail to maintain the status as required by Section 5 of the JPA, that person's position shall be deemed vacated as of the date such person ceases to qualify.

Attachment: Local Appointments List (Local Appointments List/Declaring Vacancies)

**THIS NOTICE SHALL REMAIN POSTED UNTIL SUPERSEDED**

## RESOLUTION NUMBER 91-194

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF SANTA CLARITA  
PRESCRIBING THE PROCEDURE FOR  
APPLICATION, NOMINATION AND APPOINTMENT  
TO CITY COMMISSIONS

THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council does hereby prescribe the following procedure for the application, nomination and appointment process to City Commissions:

Within twenty (20) days of the creation of a vacancy on a Commission, the City Clerk shall cause to be advertised a notice of the vacancy and solicitation of applications.

The application period shall not be less than fourteen (14) calendar days.

Completed applications shall be submitted to the City Clerk. Applications shall require not less than three references.

The City Clerk shall submit copies of the applications to the nominating authority on the City Council and the other members of the City Council.

The nominating authority shall submit a nomination for ratification by the City Council. Ratification shall consist of not less than three affirmative votes for the nominee.

Failure of a nominee to receive ratification by the full City Council shall cause the nominating authority to submit a new nominee to the City Council for ratification at the next regular meeting of the City Council.

Failure of a nominating authority to receive ratification on three nominees, shall cause a nomination for the appointment to be made by any member of the City Council from the list of applicants for that position. Ratification votes shall be taken until such time as a nominee is approved.

The final appointment shall not be made less than ten (10) days after publication of the notice in conformance with Government Code 54974.

The appointee of the City Council shall be seated on the Commission at the next regular meeting of the Commission.

Reappointments to Commissions are not automatic. Commissioners desiring reappointment for another term of office shall be required to follow the full Commission appointment procedure as outlined.

PASSED, APPROVED AND ADOPTED THIS 26th day of November,  
1991.

Carroll Boyer  
MAYOR

ATTEST:

Sandra M. Grady  
CITY CLERK

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) ss.  
CITY OF SANTA CLARITA )

I HEREBY CERTIFY that the foregoing Resolution was adopted by the City Council of the City of Santa Clarita, at a regular meeting thereof, held on the 26th day of November, 1991, by the following vote of the Council:

- AYES: COUNCILMEMBERS Darcy, Klajic, McKeon
- NOES: COUNCILMEMBERS Heidt, Boyer
- ABSENT: COUNCILMEMBERS None

Sandra M. Grady  
CITY CLERK

MPM:105

Attachment: Resolution 91-194 (Local Appointments List/Declaring Vacancies)

**Agenda Item: 12**

**CITY OF SANTA CLARITA  
AGENDA REPORT**

**CONSENT CALENDAR**

CITY MANAGER APPROVAL:

*Ken Stripling*

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DATE: November 27, 2018

SUBJECT: CHECK REGISTER NO. 23

DEPARTMENT: Administrative Services

PRESENTER: Brittany Houston

**RECOMMENDED ACTION**

City Council approve and ratify for payment the demands presented in Check Register No. 23.

**BACKGROUND**

Check Register No. 23 for the Period 10/12/18 through 10/25/18 and 11/01/18 in the aggregate amount of \$14,829,657.72.

Electronic Funds Transfers for the Period 10/15/18 through 10/26/18 in the aggregate amount of \$2,212,619.42.

**FISCAL IMPACT**

No Fiscal Impact.

**ATTACHMENTS**

Memo - Check Register No. 23

Check Register No. 23 (available in the City Clerk's Reading File)

**CITY OF SANTA CLARITA**  
**INTEROFFICE MEMORANDUM**

TO: Kenneth W. Striplin, City Manager

FROM: Carmen Magaña, City Treasurer

DATE: October 30, 2018

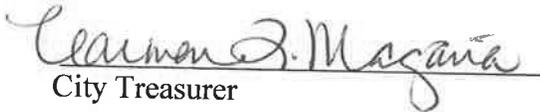
SUBJECT: Check Register No. 23 for the Period 10/12/18 through 10/25/18 and 11/01/18;  
and Electronic Funds Transfers for the Period 10/15/18 through 10/26/18.  
Purchase Orders between \$20,000 and \$50,000 for the Period 10/14/18 through  
10/28/18.

---

Please review the attached Check Register No. 23 for the Period 10/12/18 through 10/25/18 and 11/01/18; and Electronic Funds Transfers for the Period 10/15/18 through 10/26/18. Purchase Orders between \$20,000 and \$50,000 for the Period 10/14/18 through 10/28/18.

**CHECK REGISTER CERTIFICATE**

Pursuant to the Government Code Section 37202, I hereby certify that the demands or claims covered by Check numbers 334013 through 334313, Voucher numbers V1016326 through V1016450 and other EFTs in the aggregate amount of \$14,829,657.72 are accurate and that the funds are legally liable for payment thereof.

  
City Treasurer

  
City Manager

CM: LB: SD

S:\FIN\Accounts Payable\Check Register Memo Packet\Check Register Memo\2018\Check Register Memo 11-01-18.doc

Attachment: Memo - Check Register No. 23 (Check Register No. 23)

CITY OF SANTA CLARITA  
CHECK REGISTER  
CHECK DATE: 11/01/2018  
Summary Sheet

Check No	Check Date	Account	Vendor	Description	Account Description	Amount
Sub-Total Check Register:						
						\$ 12,568,838.07
Sub-Total- Other Electronic Funds Transfer:						
						\$ 2,212,619.42
Sub-Total Precheck Register:						
						\$ 48,200.23
Total Check Register:						
						<u><u>\$ 14,829,657.72</u></u>

Void Checks: 252570, 279402, 293592, 299612, 296909, 296931, 296933, 296939, 296941, 296954, 296955, 296965,  
296967, 296978, 298257, 301692, 306405, 306896, 307611, 307632, 307704, 310857, 330577, 330930,  
333608, 333850, 333920, 333948, 333970, 333971, 333972, 333984, 333985, 334013, 334014, 334015,  
334016, 334017, 334018, 334019, 334020, 334021, 334022, 334023, 334024, 334025, 334027, V1016194,  
V1016304, V1016305

**Electronic Funds Transfers  
For the Period 10/15/18 through 10/26/18**

<u>ACCOUNT</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
19006-5011.016	CaIPERS	UAL Pre-Payment	1,862,263.00
100-2003.002	IRS	Federal Payroll Taxes	169,969.92
100-2003.011	ICMA-457	Deferred Compensation	96,234.77
100-2003.004	EDD	State Payroll Taxes	60,638.14
100-2003.021	TASC	Health Care	7,402.28
100-2003.011	ICMA-401	Deferred Compensation	7,322.14
100-2003.017	TASC	Dependent Care	3,466.43
100-2003.015	CA SDU	Child Support Garnishments	1,959.21
100-4303.001	UBOC	Analysis Fees	1,756.17
100-2003.011	ICMA-ROTH	Deferred Compensation	1,607.36
		<b>TOTAL</b>	<b>\$ 2,212,619.42</b>



**CITY OF SANTA CLARITA  
AGENDA REPORT**

**NEW BUSINESS**

CITY MANAGER APPROVAL:

*Ken Stripling*

DATE: November 27, 2018

SUBJECT: FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, AMENDING CHAPTER 11.37 OF THE SANTA CLARITA MUNICIPAL CODE CONCERNING PEDDLERS AND SOLICITORS

DEPARTMENT: Community Development

PRESENTER: Daniel Rivas

**RECOMMENDED ACTION**

City Council approve and pass to second reading an ordinance entitled “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, AMENDING CHAPTER 11.37 OF THE SANTA CLARITA MUNICIPAL CODE CONCERNING PEDDLERS AND SOLICITORS.”

**BACKGROUND**

Senate Bill 946 (SB 946), known as the Safe Sidewalk Vending Act, was authored by Senator Ricardo Lara (D-Bell Gardens) and signed by Governor Brown on September 17, 2018. The law will go into effect on January 1, 2019. SB 946 limits cities’ regulation of sidewalk vending to only those restrictions that are directly related to objective health, safety, or welfare concerns.

SB 946 allows sidewalk vendors to sell food and merchandise on public sidewalks, pedestrian paths, and at city parks. The law also allows local authorities to regulate the sale of food and other goods on sidewalks, as long as the permit processes address health, safety, and welfare concerns. In order to regulate the sale of food and merchandise in this manner, cities may adopt individual sidewalk vending programs to ensure that city regulations for roaming and stationary vendors are in compliance with the provisions of SB 946.

The proposed ordinance seeks to amend Chapter 11.37 of the Santa Clarita Municipal Code (SCMC) by changing the title of the chapter to read “Peddlers, Sidewalk Vendors, and Solicitors,” and by establishing a Sidewalk Vending Program to accomplish the following goals:

- Prohibit stationary vendors, defined as sidewalk vendors who vend from a fixed location, from operating in residential zones.

- Require that all sidewalk vendors obtain a County of Los Angeles Public Health Permit, County of Los Angeles Business License, and a City of Santa Clarita Sidewalk Vendor Permit prior to commencing any sidewalk vending operations.
- Require sidewalk vendors to maintain sanitary conditions, and to ensure that trash and debris are removed from the area vending is taking place.
- Maintain compliance with the Americans with Disabilities Act when regulating sidewalk vendors.
- Limit the hours that sidewalk vendors may operate.
- Prohibit sidewalk vendors from operating within the immediate vicinity of a Farmers Market, Swap Meet, or temporary special events for purposes including, but not limited to, filming, parades, or outdoor concerts.
- Prohibit stationary vendors from operating within city parks where there is a signed, exclusive agreement for concessions.
- Establish objective distance requirements for sidewalk vendors from street intersections, schools, and between other sidewalk vendors.

The proposed distance requirements prohibit sidewalk vending:

- 1,000 feet from a school;
- 300 feet from a Farmers Market, Swap Meet, or temporary special event;
- 50 feet between other vendors;
- 25 feet from a street corner, controlled intersection, traffic signal, or crosswalk;
- 15 feet from any fire hydrant, fire-call box, or other emergency facility;
- 10 feet from any bus stop;
- 10 feet from any driveway or driveway apron; and
- 18 inches from the edge of any curb.

Distance limits and areas where sidewalk vending would be prohibited are intended to protect pedestrians, persons with disabilities, drivers, students, vendors, and public property from hazards that may be caused when vendor carts obstruct views or block portions of the sidewalk. The distance limits are also intended to ease congestion and lessen the amount of distraction that may be created when vendors are operating. For example, the distance limit from a school is intended to discourage young students who may not be aware of traffic safety concerns from running in an unsafe manner toward a sidewalk vendor.

SB 946 also requires cities to rescind any pending enforcement action or prosecution of a sidewalk vendor prior to January 1, 2019. The amendments to Chapter 11.37 of the SCMC establishes a penalty structure for violations that will be consistent with SB 946, along with an Ability-to-Pay Determination Program.

The ordinance, with the accepted changes to SCMC Chapter 11.37 included as Exhibit A, is attached. A redline version of Chapter 11.37 is also attached, showing all proposed changes. The second reading of the ordinance is calendared for the December 11, 2018, City Council meeting. Should the City Council approve, the ordinance would take effect on January 10, 2019.

ALTERNATIVE ACTION

Other action as determined by the City Council.

FISCAL IMPACT

None by this action.

ATTACHMENTS

Ordinance - Chapter 11.37 - With Exhibit A  
Redline Version - SCMC Chapter 11.37

## ORDINANCE NO. 18-\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA,  
CALIFORNIA, AMENDING CHAPTER 11.37 OF THE SANTA CLARITA MUNICIPAL  
CODE CONCERNING PEDDLERS AND SOLICITORS

THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, DOES  
HEREBY ORDAIN AS FOLLOWS:

## SECTION 1. Findings.

A. The Ordinance amends Chapter 11.37 regarding “Peddlers and Solicitors.” On September 18, 2018, Governor Brown signed into law Senate Bill (SB) 946, which adopts State law that imposes limits on how local authorities, including cities, may regulate sidewalk vending. SB 946 is codified in Government Code 51036 and following.

B. Among other things, SB 946 limits City regulation of sidewalk vending to restrictions that are directly related to objective health, safety, or welfare concerns, and prohibits punishment for street vending-related violations unless it is through a civil fine.

C. SB 946 also recognizes that California has an interest in the regulation of traffic, to ensure the appropriate flow of traffic and to ensure the safety of pedestrians on the road or the sidewalk, and has acknowledged that there are regulations that are directly related to objective health, safety, or welfare concerns that a City may adopt, which include, but are not limited to, regulations concerning hours of operation, sanitation, sidewalk access, health and vendor permits, compliance with other generally applicable laws, registration requirements, and interference with other special events or permitted activities.

D. The City desires to update the Santa Clarita Municipal Code (SCMC) to establish a Sidewalk Vending Program which will govern sidewalk vendors operating within the City, and impose sidewalk vending regulations that are consistent with State law, while maintaining regulations that are directly related to the objective health, safety, and welfare of the City. With respect to the following, the City Council finds:

- i. Regulations are needed regarding the sale of food and merchandise in the public right-of-way;
- ii. Regulations are needed to ensure that the public has a simple way to ensure vendors prepare food safely and according to Los Angeles County Department of Public Health requirements;
- iii. Regulations are needed to prevent unsanitary conditions, and to ensure trash and debris in the areas vending is taking place are removed by vendors; and
- iv. Regulations are needed to accommodate a vendor’s equipment, while safeguarding visibility, sight lines, and accessibility for vehicular and pedestrian traffic on sidewalks and other rights of way.

SECTION 2. Chapter 11.37 of the Santa Clarita Municipal Code will be renamed “Peddlers, Sidewalk Vendors, and Solicitors,” and is hereby amended to read in its entirety as shown in Exhibit A of the Ordinance, which is attached hereto.

SECTION 3. If any section, subsection, sentence, clause, phrase, part, or portion of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part, or portion thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses, phrases, parts, or portions be declared invalid or unconstitutional.

SECTION 4. This ordinance shall be in full force and effect thirty (30) days from its passage and adoption.

SECTION 5. The City Clerk shall certify to the passage of this Ordinance and shall cause the same to be published as required by law.

PASSED, APPROVED, AND ADOPTED this 11<sup>th</sup> day of December 2018.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

DATE: \_\_\_\_\_

Attachment: Ordinance - Chapter 11.37 - With Exhibit A (First Reading) - Amendment of SCMC Chapter 11.37 - Peddlers, Sidewalk Vendors, and

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) ss.  
CITY OF SANTA CLARITA )

I, Mary Cusick, City Clerk of the City of Santa Clarita, do hereby certify that the foregoing Ordinance 18- was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the 27<sup>th</sup> day of November 2018. That thereafter, said Ordinance was duly passed and adopted at a regular meeting of the City Council on the 11<sup>th</sup> day of December 2018, by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

AND I FURTHER CERTIFY that the foregoing is the original of Ordinance 18- and was published in The Signal newspaper in accordance with State Law (G.C. 40806).

\_\_\_\_\_  
CITY CLERK

Attachment: Ordinance - Chapter 11.37 - With Exhibit A (First Reading) - Amendment of SCMC Chapter 11.37 - Peddlers, Sidewalk Vendors, and

**EXHIBIT A**  
**OF ORDINANCE NO. \_\_\_\_\_**  
**Chapter 11.37**  
**PEDDLERS, SIDEWALK VENDORS, AND SOLICITORS**

Sections:

- [11.37.010](#) Definitions.
- [11.37.020](#) Identification, license, and permit(s) required.
- [11.37.030](#) Exemptions.
- [11.37.040](#) Claims of exemption.
- [11.37.050](#) General soliciting regulations.
- [11.37.060](#) General sidewalk vending regulations.
- [11.37.070](#) General peddling regulations.
- [11.37.080](#) Peddlers of prepared food products from motor vehicles permitted.
- [11.37.090](#) Violation—Penalty.

\* Prior ordinance history: Ords. 94-11 and 96-34.

**11.37.010 Definitions.**

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For purposes of this chapter, the following definitions apply:

“Cart” means any pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance, and includes a stationary cart or a mobile cart as defined in this section.

“Charitable purpose” means any tax exempt purpose or function as specified in Article I of Chapter 4 of the California Revenue and Taxation Code (Sections [23701](#) and following).

“City Manager” means the City Manager or designee.

“Commercial peddling” means any peddling that is not for a charitable purpose or does not involve expressive merchandise.

“Enforcement Officer” means any sworn peace officer, City Code Enforcement Officer, or City employee or agent with the authority to enforce any provision of this code.

“Expressive merchandise” means merchandise bearing an express or obvious ideological, philosophical, political, or religious message that is inextricably intertwined with other forms of protected expression as recognized under the California Constitution or the United States Constitution.

“Fixed place of business” means the premises in the City occupied for a period of not less than sixty (60) days for the particular purpose of conducting business, and regularly kept open for at least twenty (20) hours every week.

“Food” means any type of edible substance or beverage.

“Goods” or “merchandise” means any item that is not food.

“Health Permit” means a Public Health Permit issued from the County of Los Angeles Department of Public Health for prepared food products defined in this section.

“License” means a Peddler’s or Solicitor’s License issued from the County of Los Angeles Treasurer and Tax Collector.

“Mobile cart” means a pushcart, pedal-driven cart, wagon, or other non-motorized conveyance used by a roaming sidewalk vendor as defined in this section.

“Parkway(s)” means that portion of a public street which is not improved for actual street, curb, gutter, or sidewalk use, and which is available for planting, landscaping, and maintaining street trees.

“Peddle(s)” or “peddling” means to sell and make immediate delivery, or offer for sale and immediate delivery, any edible product, goods, merchandise, ware or thing, in possession of the seller, at any place within the City other than from a fixed place of business.

“Peddler(s)” means any person who peddles as defined in this section.

“Person” or “persons” means one or more natural persons, individuals, groups, businesses, business trusts, companies, corporations, joint ventures, joint stock companies, partnership, entities, associations, clubs, or organizations composed of two or more individuals (or the manager, lessee, agent, servant, officer, or employee of any of them), whether engaged in business, nonprofit, or any other activity.

“Prepared food products” means any liquids or edibles for human consumption that are prepackaged or in sealed containers, or are prepared for consumption at the location of the sale. For the purposes of Section [11.37.080](#), the term “prepared food products” includes the incidental sale of fruits and vegetables that are not prepackaged or in sealed containers; provided, that such fruits and vegetables consist of no more than ten (10) percent of the peddler’s total prepared food products offered for sale.

“Public right-of-way” means the area dedicated to public use for street or pedestrian purposes, including privately owned and maintained roads within the City that are generally held open to the public for purposes of

vehicular and pedestrian traffic and includes alleys, driveways, highways, medians, parkways, planter strips, roads, sidewalks, and streets.

“Roaming sidewalk vendor(s)” has the same meaning as set forth in Government Code section 51036(b), and includes a sidewalk vendor who moves from place to place and stops only to complete a transaction.

“Sidewalk” means any surface in the public right-of-way provided for the use of pedestrians.

“Sidewalk vendor(s)” or “sidewalk vend(s)” means a person who sells food or merchandise from a pushcart, stand, equipment, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance, or from one’s person, upon a public sidewalk or other pedestrian path. “Sidewalk vendor” includes “roaming sidewalk vendor” and “stationary sidewalk vendor.” “Sidewalk Vendor Permit” means a permit related to the use of a cart that is issued by the City in accordance with this chapter.

“Stationary cart” means a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance, that is intended to be operated from a fixed location by a stationary sidewalk vendor instead of being moved from place to place, where stops are limited to completing a transaction.

“Stationary sidewalk vendor” has the same meaning as set forth in Government Code section 51036(c), and includes a sidewalk vendor who vends from a fixed location.

“Solicit” or “soliciting” means to:

1. Sell or take orders or offer to sell or take orders, for any edible product, goods, merchandise, ware or thing, for future delivery, or for services to be performed; or
2. Distribute advertising material or samples; or
3. Request contributions, either directly or indirectly, at any place within the City other than a fixed place of business.

“Solicitor(s)” means a person who solicits as defined in this section.

“Vend(s)” or “vendor” or “vending” means any person who peddles or sidewalk vends as defined in this section.

To the extent any of the definitions in this section conflict with the definitions contained in Title [7](#) of the Los Angeles County Code, which the City has adopted by reference in Chapter [5.02](#) of this code, the definitions in this section will control. (Ord. 08-8 § 2, 7/8/08)

### **11.37.020 Identification, license, and permit(s) required.**

A. Peddler's and Solicitor's License. No person may peddle, sidewalk vend, or solicit unless such person has a valid Peddler's or Solicitor's License, as applicable, issued by the County of Los Angeles Treasurer and Tax Collector on behalf of the City under Title 5 of this code and Title 7 of the Los Angeles County Code prior to operation.

B. Sidewalk Vendor Permit. In addition to the required Peddler's License, any person that sidewalk vends shall also obtain a valid Sidewalk Vendor Permit issued by the City prior to operation. To obtain or to renew a Sidewalk Vendor Permit, a sidewalk vendor must provide the following as part of their application:

1. Valid identification, such as a State of California identification;
2. The name, address, and telephone number of the sidewalk vendor;
3. Proposed hours of operation;
4. Proposed location of operation;
5. Whether the sidewalk vendor intends to operate a stationary cart or a mobile cart;
6. The type of merchandise offered for sale or exchange;
7. Proof of a valid Peddler's License issued from the County of Los Angeles Treasurer and Tax Collector;
8. Proof of a valid Public Health Permit issued from the County of Los Angeles Department of Public Health for prepared food products for peddling or sidewalk vending, if applicable;
9. Proof of liability insurance;
10. Payment of an application or renewal fee;
11. A valid California Department of Tax and Fee Administration Seller's Permit and additional licenses from State or local agencies to the extent required by law;
12. A declaration that the information provided is true, correct, and indemnifies the City from liability; and
13. Any other information, including operations-related information, as may be required by City rules and regulations in this chapter.

C. Health Permit for Peddlers and Sidewalk Vendors of Prepared Food Products. In addition to the required Peddler's License or Sidewalk Vendor Permit, any person that peddles or sidewalk vends prepared food products shall also obtain the applicable Public Health Permit issued by the County of Los Angeles Department of Public Health on behalf of the City prior to operation.

D. Possession of Peddler's or Solicitor's License. Every peddler, sidewalk vendor, or solicitor must maintain an original copy of their valid Peddler's or Solicitor's License on their person at all times while peddling, sidewalk vending, or soliciting, and, upon request, must show such license to any Enforcement Officer, or any person to whom they are peddling, sidewalk vending, or soliciting in the City. (Ord. 08-8 § 2, 7/8/08)

E. Possession of Sidewalk Vendor Permit. Every sidewalk vendor must maintain an original copy of their valid Sidewalk Vendor Permit on their person at all times while sidewalk vending, and, upon request, must show such permit to any Enforcement Officer, or any person to whom they are sidewalk vending in the City.

F. Possession of Health Permit. Every peddler and sidewalk vendor of prepared of food products must maintain an original copy of their valid Public Health Permit on their person at all times while peddling or sidewalk vending, and, upon request, must show such permit to any Enforcement Officer, or any person to whom they are peddling or sidewalk vending.

G. Possession of Identification. Every peddler, sidewalk vendor, or solicitor must, upon request, show their valid California identification to any Enforcement Officer, or any person to whom they are peddling, sidewalk vending, or soliciting.

H. License and Permit Expiration. Peddler's and Solicitor's Licenses, and Public Health and Sidewalk Vendor Permits will expire one year after the date of issuance.

I. Transfer of License or Permit. Peddler's and Solicitor's Licenses, and Public Health and Sidewalk Vendor Permits are not transferable.

J. Renewal of License or Permit after Revocation. A person whose Peddler's or Solicitor's License, or Public Health or Sidewalk Vendor Permit is revoked may not renew their license or permit for one year from the date it is revoked.

### **11.37.030 Exemptions.**

The provisions of this chapter do not apply to:

A. Soliciting conducted solely by means of facsimile machines, the Internet, newspapers, magazines, radio, television broadcasts, telephone, or through the United States mail.

- B. Charitable soliciting that is conducted among the members of the soliciting group by other members, whether at regular assemblies, service, or otherwise.
- C. Soliciting, on premises owned or controlled by the solicitor.
- D. Soliciting that is subject to disclosure under state or federal political disclosure laws.
- E. Soliciting by commercial sales agents or representatives selling goods wholesale to dealers for resale, or to manufacturers for manufacturing purposes, or to bidders for public works or supplies.
- F. Farmers selling farm products produced by them. (Ord. 08-8 § 2, 7/8/08)

#### **11.37.040 Claims of exemption.**

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Any person claiming to be exempt from any of the provisions of this chapter, including the identification, licensing, and permitting requirements, must cite to the City Manager or designee the statute or other legal authority under which such exemption is claimed and present proof of qualification for such exemption. (Ord. 08-8 § 2, 7/8/08)

#### **11.37.050 General soliciting regulations.**

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Solicitors must comply with the following regulations when soliciting:

- A. Hours. Except as otherwise authorized under this code, soliciting may only take place between the hours of eight a.m. and sunset.
- B. Minors. Any solicitor under the age of eighteen (18) years must be accompanied by an adult who holds a valid Solicitor's License in accordance with Section [11.37.020](#).
- C. Premises Posted for No Soliciting. No soliciting is permitted at any house, apartment, or other dwelling unit, or at any commercial premises where a sign is displayed in public view indicating "no solicitors or peddlers," or where there is a similar indication that no soliciting is desired by the owners or occupants of the premises, except with the prior consent or at the invitation of the owners or occupants.
- D. Aggressive Solicitation. No solicitor may persistently and importunately engage in soliciting with a person after that person has indicated that he or she is not interested in the solicitation.
- E. Refusal to Leave Premises. No solicitor may refuse to leave any residential or commercial premises when requested to leave by an owner, occupant, or responsible person for such premises.

F. Obstruction of Movement. No solicitor may intentionally and deliberately obstruct the free movement of any person on any public right-of-way or other public place, or any place open to the public generally. (Ord. 08-8 § 2, 7/8/08)

### **11.37.060 General Sidewalk Vending Regulations.**

Sidewalk vendors must comply with the following regulations when vending:

A. Except as otherwise authorized under this code, including the issuance of any applicable Temporary Use, Special Event, or Conditional Use or Event Permit, no person may engage in sidewalk vending on any public right-of-way in the City without first obtaining and having in possession a valid Peddler's License, Public Health Permit, and Sidewalk Vending Permit. (Ord. 08-8 § 2, 7/8/08)

B. Hours. Except as otherwise authorized under this code, sidewalk vending shall only take place between the hours of eight a.m. and sunset on sidewalks, and between the hours of sunrise and ten p.m. in City parks, or when posted closed or within specific hours, except as authorized by the City Manager or designee. For sidewalk vending in nonresidential areas, the City Manager or designee may limit the hours of operation in a manner consistent with other businesses or uses on the same street(s) in those nonresidential areas.

C. Minors. Any sidewalk vendor under the age of eighteen (18) years must be accompanied by an adult who possesses a valid Sidewalk Vendor Permit in accordance with Section [11.37.020](#).

D. Aggressive Vending. No sidewalk vendor may persistently and importunately engage in vending with a person after that person has indicated that he or she is not interested in the things being vended.

E. Refusal to Leave Premises. The City may request the sidewalk vendor remove any cart if the cart is creating an imminent safety hazard or is placed within a prohibited area as set forth in this chapter. If the sidewalk vendor refuses to remove the cart, or if the cart has been abandoned, the City may remove the cart and dispose of the cart after providing at least a ninety- (90) day notice of redemption to the address associated with the Public Health Permit or Peddler's License identified on the cart, if any, or if left unclaimed for ninety (90) days from the date of removal.

F. Obstruction of Movement. No sidewalk vendor may intentionally and deliberately obstruct the free movement of any person on any public right-of-way or other public place, or any place open to the public generally.

G. Operational Requirements. A cart used for sidewalk vending shall be placed and used at all times in compliance with the terms and conditions of their Public Health Permit, Peddler's License, and Sidewalk Vendor Permit, and all other applicable laws and regulations, including, but not limited to, the following:

1. Prominently display their valid Public Health Permit and Peddler's License on the cart used for sidewalk vending.
2. Maintain a clean and trash-free ten- (10) foot radius from a stationary cart during hours of operation, and must leave the area clean at all times.
3. Provide a trash receptacle for customers and ensure proper disposal of customer trash. The trash receptacle must be large enough to accommodate customer trash.
4. Shall not sidewalk vend to customers in moving vehicles.

H. Vending in Residential Zoned Areas. No stationary cart shall be used to vend within a residential zoned area. However, a sidewalk vendor may use a mobile cart within a residential zone, and shall move continuously except when necessary to complete a sale.

I. Vending next to School. No sidewalk vending is permitted within one thousand (1,000) feet from any school property boundary while children are going to or leaving such school during opening or closing hours, or during the noon or lunch-time recess period.

J. Prohibitions on Placement of Stationary and Mobile Carts. No sidewalk vendor shall place or leave any cart in a manner that obstructs vehicular or pedestrian traffic, or creates visibility, sight line, or accessibility issues, and includes the following:

1. Within fifty (50) feet of any other sidewalk vendor.
2. Within twenty-five (25) feet of a street corner, controlled intersection, traffic signal, or crosswalk.
3. Within fifteen (15) feet of any fire hydrant, fire-call box, or other emergency facility.
4. Within ten (10) feet of any bus stop.
5. Within ten (10) feet of a driveway or driveway apron.
6. Within eighteen (18) inches from the edge of the curb.
7. Where placement impedes the flow of vehicular traffic or parking, such as on public streets or public highways, or would cause vehicles to stop in traffic lanes.
8. Where placement impedes the accessible route and flow of pedestrians by reducing the clear width space on a public sidewalk to less than four (4) feet, or impedes access to or the use of abutting property, including, but not limited to, residences and places of business, in accordance with the

Americans with Disabilities Act (ADA). The clear width of the sidewalk shall be four (4) feet minimum, exclusive of the width of the curb.

9. No cart or accessory equipment of a sidewalk vendor may be chained or fastened to any pole, sign, tree, or other object in the public right-of-way or left unattended, unless as permitted by the City.
10. Notwithstanding any specific prohibitions in this section, no sidewalk vendor may install, use, or maintain a cart where placement endangers the safety of persons or property, such as on parkways or other landscape-maintained areas.

K. Sidewalk Vending related to Parks, Special Events, or Locations that are Subject to Special Permits.

Sidewalk vendors shall operate in a manner consistent with the following:

1. No sidewalk vendors may vend within three hundred (300) feet of a permitted event for the duration or within operating hours of such an event. Permitted events include certified Farmers Markets, Swap Meets, and any event that requires the temporary use of, or encroachment on, the sidewalk or other public area, including, but not limited to, an Encroachment Permit, Special Event Permit, Film Permit, or Temporary Use Permits.
2. No stationary sidewalk vendors may vend in any park subject to a signed, exclusive concessionaire's agreement.
3. The City may, by resolution, adopt additional requirements consistent with Government Code section 51038(b)(2)(B) for City-owned or operated parks, effective after signs are posted giving notice of such additional requirements.

L. Violation—Penalty. Sidewalk vending in violation of this section will not be punishable as a criminal infraction or misdemeanor, but will be subject to an Administrative Citation as follows:

1. For vending without a valid Peddler's License, Public Health Permit, or Sidewalk Vendor Permit:
  - a. An administrative fine of \$250 for a first violation.
  - b. An administrative fine of \$500 for a second violation within one year of the first violation.
  - c. An administrative fine of \$1,000 for a third violation and each subsequent violation within one year of the first violation.
  - d. Upon proof of a valid Peddler's License, Public Health Permit, or Sidewalk Vendor Permit issued by the County of Los Angeles or City before such fines are due, the City will reduce the

amount of the fines to \$100 for the first violation, \$200 for the second violation, and \$500 for each violation thereafter.

2. For all violations of this chapter other than vending without a valid Peddler's License, Public Health Permit, or Sidewalk Vendor Permit as outlined in subsection 1 above:
  - a. An administrative fine of \$100 for a first violation.
  - b. An administrative fine of \$200 for a second violation within one year of the first violation.
  - c. An administrative fine of \$500 for a third violation within one year of the first violation.
  - d. An administrative fine of \$500 for a fourth and each subsequent violation, and revocation of a Peddler's License, Public Health Permit, or Sidewalk Vendor Permit. Revocation proceedings will be conducted in accordance with the rules and regulations established by the City.
3. The City will provide the person subject to the administrative fine notice of his or her right to request an Ability-to-Pay Determination, and will make available instructions or other materials for requesting an Ability-to-Pay Determination.
4. Administrative fines assessed pursuant to this section may be reduced to twenty (20) percent of the original fine amount, or may be fulfilled through performing community service in lieu of paying the administrative fine, upon submission of proof of inability to pay at an adjudication hearing if requested by the person, pursuant to Government Code section 51038(f).

#### **11.37.070 General peddling regulations.**

Peddlers must comply with the following regulations when peddling:

- A. Hours. Except as otherwise authorized under this code, peddling may only take place between the hours of eight a.m. and sunset.
- B. Premises Posted for No Peddling. No peddling is permitted at any house, apartment, or other dwelling unit, or at any commercial premises where a sign is displayed in public view indicating "no solicitors or peddlers," or where there is a similar indication that no peddling is desired by the owner or occupant of the premises, except with the prior consent or at the invitation of the owner or occupant.
- C. Aggressive Peddling. No peddler may persistently and importunately engage in peddling with a person after that person has indicated that he or she is not interested in the things being peddled.

D. Refusal to Leave Premises. No peddler may refuse to leave any residential or commercial premise when requested to leave by an owner, occupant, or responsible person for such premises.

E. Obstruction of Movement. No peddler may intentionally and deliberately obstruct the free movement of any person on any public right-of-way or other public place, or any place open to the public generally. (Ord. 08-8 § 2, 7/8/08)

#### **11.37.080 Peddlers of prepared food products from motor vehicles permitted.**

A. Peddling of prepared food products is permitted from motor vehicles used for the transportation or preparation of such prepared food products when conducted on public streets, but not including public sidewalks or parkways.

B. The parked location of a motor vehicle used for the peddling of prepared food products must be at least one hundred (100) feet from an intersection to minimize impacts on traffic flow and the potential obstruction of sight lines and observation. The opening of the motor vehicle from which sales are made must face the sidewalk or such other direction so that customers are not required to stand in the vehicular right-of-way.

C. A person peddling prepared food products from motor vehicles may not remain in any one location for the purposes of peddling, or any other location less than one-half mile from the same location, for more than thirty (30) minutes during any six (6) hour period.

D. During the period of such peddling, the peddler must maintain the location in a neat, sanitary, and hazard-free condition, and pick up and dispose of in a sanitary manner all debris, garbage, or litter that is left by any customer of the peddler.

E. No peddling of prepared food products from motor vehicles is permitted within one thousand (1,000) feet from any school property boundary while children are going to or leaving such school during opening or closing hours, or during the noon or lunch-time recess period. (Ord. 08-8 § 2, 7/8/08)

#### **11.37.090 Violation—Penalty.**

A violation of sidewalk vending will be subject to the applicable penalties under section 51039 of the Government Code and section 11.37.060.L of the Santa Clarita Municipal Code. All other violations of this chapter shall be prosecuted civilly or criminally, pursuant to Title 23, as either an infraction, misdemeanor, civil nuisance, or Administrative Citation, and will be subject to the applicable penalties under Chapter 23.10 of the Santa Clarita Municipal Code, in addition to any other applicable penalties or remedies prescribed by law.

## Chapter 11.37 PEDDLERS, SIDEWALK VENDORS, AND SOLICITORS

Sections:

- [11.37.010](#) Definitions.
- [11.37.020](#) Identification, license, and permit(s) required.
- [11.37.030](#) Exemptions.
- [11.37.040](#) Claims of exemption.
- [11.37.050](#) General soliciting regulations.
- [11.37.060](#) General sidewalk vending regulations. ~~Commercial peddling prohibition on public rights-of-way.~~
- [11.37.070](#) General peddling regulations.
- [11.37.080](#) Peddlers of prepared food products from motor vehicles permitted.
- [11.37.090](#) Violation—Penalty.

\* Prior ordinance history: Ords. 94-11 and 96-34.

### **11.37.010 Definitions.**

---

For purposes of this chapter, the following definitions apply:

“Cart” means any pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance, and includes a stationary cart or a mobile cart as defined in this section.

“Charitable purpose” means any tax exempt purpose or function as specified in Article I of Chapter 4 of the California Revenue and Taxation Code (Sections [23701](#) and following).

“City Manager” means the City Manager or designee.

“Commercial peddling” means any peddling that is not for a charitable purpose or does not involve expressive merchandise.

“Enforcement Officer” means any sworn peace officer, City Code Enforcement Officer, or City employee or agent with the authority to enforce any provision of this code.

“Expressive merchandise” means merchandise bearing an express or obvious ideological, philosophical, political, or religious message that is inextricably intertwined with other forms of protected expression as recognized under the California Constitution or the United States Constitution.

“Fixed place of business” means the premises in the City occupied for a period of not less than sixty (60) days for the particular purpose of conducting business, and regularly kept open for at least twenty (20) hours every week.

“Food” means any type of edible substance or beverage.

“Goods” or “merchandise” means any item that is not food.

“Health pPermit” means a Public hHealth pPermit issued from the County of Los Angeles Department of Public Health for prepared food products defined in this section.

“License” means a pPeddler’s or sSolicitor’s lLicense issued from the County of Los Angeles Treasurer and Tax Collector.

“Mobile cart” means a pushcart, pedal-driven cart, wagon, or other non-motorized conveyance used by a roaming sidewalk vendor as defined in this section.

“Parkway(s)” means that portion of a public street which is not improved for actual street, curb, gutter, or sidewalk use, and which is available for planting, landscaping, and maintaining street trees.

“Peddle(s)” or “peddling” means to sell and make immediate delivery, or offer for sale and immediate delivery, any edible product, goods, merchandise, ware or thing, in possession of the seller, at any place within the City other than from a fixed place of business.

“Peddler(s)” means any person who peddles as defined in this section.

“Person” or “persons” means one or more natural persons, individuals, groups, businesses, business trusts, companies, corporations, joint ventures, joint stock companies, partnership, entities, associations, clubs, or organizations composed of two or more individuals (or the manager, lessee, agent, servant, officer, or employee of any of them), whether engaged in business, nonprofit, or any other activity.~~means an individual.~~

“Prepared food products” means any liquids or edibles for human consumption that are prepackaged or in sealed containers, or are prepared for consumption at the location of the sale. For the purposes of Section

11.37.080, the term “prepared food products” includes the incidental sale of fruits and vegetables that are not prepackaged or in sealed containers; provided, that such fruits and vegetables consist of no more than ten (10) percent of the peddler’s total prepared food products offered for sale.

“Public right-of-way” means the area dedicated to public use for street or pedestrian purposes, including privately owned and maintained roads within the City that are generally held open to the public for purposes of vehicular and pedestrian traffic and includes alleys, driveways, highways, medians, parkways, planter strips, roads, sidewalks, and streets.

“Roaming sidewalk vendor(s)” has the same meaning as set forth in Government Code section 51036(b), and includes a sidewalk vendor who moves from place to place and stops only to complete a transaction.

“Sidewalk” means any surface in the public right-of-way provided for the use of pedestrians.

“Sidewalk vendor(s)” or “sidewalk vend(s)” means a person who sells food or merchandise from a pushcart, stand, equipment, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance, or from one’s person, upon a public sidewalk or other pedestrian path. “Sidewalk vendor” includes “roaming sidewalk vendor,” and “stationary sidewalk vendor.”

“Sidewalk Vendor Permit” means a permit related to the use of a cart that is issued by the City in accordance with this chapter.

“Stationary cart” means a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance, that is intended to be operated from a fixed location by a stationary sidewalk vendor instead of being moved from place to place, where stops are limited to completing a transaction.

“Stationary sidewalk vendor” has the same meaning as set forth in Government Code section 51036(c), and includes a sidewalk vendor who vends from a fixed location.

“Solicit” or “soliciting” means to:

1. Sell or take orders or offer to sell or take orders, for any edible product, goods, merchandise, ware or thing, for future delivery, or for services to be performed; or
2. Distribute advertising material or samples; or

3. Request contributions, either directly or indirectly, at any place within the City other than a fixed place of business.

“Solicitor(s)” means a person who solicits as defined in this section.

“Vend(s)” or “vendor” or “vending” means any person who peddles or sidewalk vends as defined in this section.

To the extent any of the definitions in this section conflict with the definitions contained in Title 7 of the Los Angeles County Code, which the City has adopted by reference in Chapter 5.02 of this code, the definitions in this section will control. (Ord. 08-8 § 2, 7/8/08)

#### **11.37.020 Identification, License, and permit(s) required.**

~~1.A.~~ A. Peddler’s and Solicitor’s License. No person may peddle, sidewalk vend, or solicit unless such person has a valid ~~p~~Peddler’s or ~~s~~Solicitor’s ~~l~~License, as applicable, issued by the County of Los Angeles Treasurer and Tax Collector on behalf of the City under Title 5 of this code and Title 7 of the Los Angeles County Code prior to operation.

~~B.~~ B. Sidewalk Vendor Permit. In addition to the required ~~p~~Peddler’s ~~l~~License, any person that sidewalk vends shall also obtain a valid ~~s~~Sidewalk ~~v~~Vendor ~~p~~Permit issued by the City prior to operation. To obtain or to renew a sSidewalk vVendor pPermit, a sidewalk vendor must provide the following as part of their application:

1. Valid identification, such as a State of California identification;
2. The name, address, and telephone number of the sidewalk vendor;
3. Proposed hours of operation;
4. Proposed location of operation;
5. Whether the sidewalk vendor intends to operate a stationary cart or a mobile cart;
6. The type of merchandise offered for sale or exchange;

7. Proof of a valid ~~p~~Peddler's ~~L~~icense issued from the County of Los Angeles Treasurer and Tax Collector;
8. Proof of a valid Public ~~H~~Health ~~p~~Permit issued from the County of Los Angeles Department of Public Health for prepared food products for peddling or sidewalk vending, if applicable;
9. Proof of liability insurance;
10. Payment of an application or renewal fee;
11. A valid California Department of Tax and Fee Administration ~~s~~eller's ~~p~~Permit and additional licenses from State or local agencies to the extent required by law;
12. A declaration that the information provided is true, correct, and indemnifies the City from liability; and
13. Any other information, including operations-related information, as may be required by City rules and regulations in this chapter.

CB. Health Permit for Peddlers and Sidewalk Vendors of Prepared Food Products. In addition to the required ~~p~~Peddler's ~~perm~~it ~~L~~icense or ~~s~~Sidewalk Vendor ~~p~~Permit, any person that peddles or sidewalk vends prepared food products ~~must shall~~ also obtain ~~the any~~ applicable Public ~~H~~Health ~~p~~Permit issued by the County of Los Angeles Department of Public Health on behalf of the City prior to operation.

GD. Possession of Peddler's or Solicitor's License. Every peddler, sidewalk vendor, or solicitor must maintain an original copy of their valid ~~p~~Peddler's or ~~s~~Solicitor's ~~L~~icense on their person at all times while peddling, sidewalk vending, or soliciting, and, upon request, must show such license to any ~~City code enforcement or law enforcement officer~~ Enforcement eOfficer, or any person to whom they are peddling, sidewalk vending, or soliciting in the City. (Ord. 08-8 § 2, 7/8/08)

E. Possession of Sidewalk Vendor Permit. Every sidewalk vendor must maintain an original copy of their valid ~~s~~Sidewalk ~~v~~Vendor ~~p~~Permit on their person at all times while sidewalk vending, and, upon request, must show such permit to any ~~e~~Enforcement ~~e~~Officer, or any person to whom they are sidewalk vending in the City.

F. Possession of Health Permit. Every peddler and sidewalk vendor of prepared of food products must maintain an original copy of their valid Public ~~H~~Health ~~p~~Permit on their person at all times while peddling or sidewalk vending, and, upon request, must show such health permit to any ~~e~~Enforcement ~~e~~Officer, or any person to whom they are peddling or sidewalk vending.

G. Possession of Identification. Every peddler, sidewalk vendor, or solicitor must, upon request, show their valid California identification to any eEnforcement eOfficer, or any person to whom they are peddling, sidewalk vending, or soliciting.

H. License and Permit Expiration. Peddler's and eSolicitor's lLicenses, and Public hHealth and eSidewalk vVendor pPermits will expire one year after the date of issuance.

I. Transfer of License or Permit. Peddler's and eSolicitor's lLicenses, and Public hHealth and eSidewalk vVendor pPermits are not transferable.

J. Renewal of License or Permit after Revocation. A person whose pPeddler's or eSolicitor's lLicense, or Public hHealth or eSidewalk vVendor pPermit is revoked may not renew their license or permit for one year from the date it is revoked.

### **11.37.030 Exemptions.**

The provisions of this chapter do not apply to:

- A. Soliciting conducted solely by means of facsimile machines, the Internet, newspapers, magazines, radio, television broadcasts, telephone, or through the United States mail.
- B. Charitable soliciting that is conducted among the members of the soliciting group by other members, whether at regular assemblies, ~~services-service~~, or otherwise.
- C. Soliciting\_ on premises owned or controlled by the solicitor.
- D. Soliciting that is subject to disclosure under state or federal political disclosure laws.
- E. Soliciting by commercial sales agents or representatives selling goods wholesale to dealers for resale, or to manufacturers for manufacturing purposes, or to bidders for public works or supplies.
- F. Farmers selling farm products produced by them. (Ord. 08-8 § 2, 7/8/08)

### **11.37.040 Claims of exemption.**

Any person claiming to be exempt from any of the provisions of this chapter, including the identification, licensing, and permitting requirements, must cite to the City Manager's Director of Community Development or

designee the statute or other legal authority under which such exemption is claimed and present proof of qualification for such exemption. (Ord. 08-8 § 2, 7/8/08)

### **11.37.050 General soliciting regulations.**

Solicitors must comply with the following regulations when soliciting:

- A. Hours. Except as otherwise authorized under this code, soliciting may only take place between the hours of eight a.m. and sunset.
- B. Minors. Any solicitor under the age of eighteen (18) years must be accompanied by an adult who holds a valid ~~s~~Solicitor's ~~l~~License in accordance with Section [11.37.020](#).
- C. Premises Posted for No Soliciting. No soliciting is permitted at any house, apartment, or other dwelling unit, or at any commercial premises where a sign is displayed in public view indicating "no solicitors or peddlers," or where there is a similar indication that no soliciting is desired by the owners or occupants of the premises, except with the prior consent or at the invitation of the owners or occupants.
- D. Aggressive Solicitation. No solicitor may persistently and importunately engage in soliciting with a person after that person has indicated that he or she is not interested in the solicitation.
- E. Refusal to Leave Premises. No solicitor may refuse to leave any residential or commercial premises when requested to leave by an owner, occupant, or responsible person for such premises.
- F. Obstruction of Movement. No solicitor may intentionally and deliberately obstruct the free movement of any person on any public right-of-way or other public place, or any place open to the public generally. (Ord. 08-8 § 2, 7/8/08)

### **11.37.060 ~~Commercial peddling prohibition on public rights-of-way.~~ General Sidewalk Vending Regulations.**

Sidewalk vendors must comply with the following regulations when vending:

- A. Except as otherwise authorized under this code, including the issuance of any applicable ~~t~~Temporary Use, ~~s~~Special Event, or ~~e~~Conditional Use or ~~e~~Event ~~p~~Permit, no person may engage in ~~commercial peddlingsidewalk vending~~ on any public right-of-way in the City without first obtaining and having in possession a valid ~~p~~Peddler's ~~l~~License, Public ~~h~~Health ~~p~~Permit, and ~~s~~Sidewalk ~~v~~Vending ~~p~~Permit. (Ord. 08-8 § 2, 7/8/08)

B. Hours. Except as otherwise authorized under this code, sidewalk vending shall only take place between the hours of eight a.m. and sunset on sidewalks, and between the hours of sunrise and ten p.m. in City parks, or when posted closed or within specific hours, except as authorized by the City Manager or designee. For sidewalk vending in nonresidential areas, the City Manager or designee may limit the hours of operation in a manner consistent with other businesses or uses on the same street(s) in those nonresidential areas.

C. Minors. Any sidewalk vendor under the age of eighteen (18) years must be accompanied by an adult who possesses a valid sSidewalk vVendor pPermit in accordance with Section 11.37.020.

D. Aggressive Vending. No sidewalk vendor may persistently and importunately engage in vending with a person after that person has indicated that he or she is not interested in the things being vended.

E. Refusal to Leave Premises. The City may request the sidewalk vendor remove any cart if the cart is creating an imminent safety hazard or is placed within a prohibited area as set forth in this chapter. If the sidewalk vendor refuses to remove the cart, or if the cart has been abandoned, the City may remove the cart and dispose of the cart after providing at least a ninety- (90) days notice of redemption to the address associated with the Public hHealth pPermit or pPeddler's lLicense identified on the cart, if any, or if left unclaimed for ninety (90) days from the date of removal.

F. Obstruction of Movement. No sidewalk vendor may intentionally and deliberately obstruct the free movement of any person on any public right-of-way or other public place, or any place open to the public generally.

G. Operational Requirements. A cart used for sidewalk vending shall be placed and used at all times in compliance with the terms and conditions of their Public hHealth pPermit, pPeddler's lLicense, and sSidewalk vVendor pPermit, and all other applicable laws and regulations, including, but not limited to, the following:

1. Prominently display their valid Public hHealth pPermit and pPeddler's lLicense on the cart used for sidewalk vending.
2. Maintain a clean and trash-free ten- (10) foot radius from a stationary cart during hours of operation, and must leave the area clean at all times.
3. Provide a trash receptacle for customers and ensure proper disposal of customer trash. The trash receptacle must be large enough to accommodate customer trash.
4. Shall not sidewalk vend to customers in moving vehicles.

-H. Vending in Residential Zoned Areas. No stationary cart shall be used to vend within a residential zoned area. However, a sidewalk vendor may use a mobile cart within a residential zone, and shall move continuously except when necessary to complete a sale.

I. Vending next to School. No sidewalk vending is permitted within one thousand (1,000) feet from any school property boundary while children are going to or leaving such school during opening or closing hours, or during the noon or lunch-time recess period.

J. Prohibitions on Placement of Stationary and Mobile Carts. No sidewalk vendor shall place or leave any cart in a manner that obstructs vehicular or pedestrian traffic, or creates visibility, sight line, or accessibility issues, and includes the following:

1. Within fifty (50) feet of any other sidewalk vendor.
2. Within twenty-five (25) feet of a street corner, controlled intersection, traffic signal, or crosswalk.
3. Within fifteen (15) feet of any fire hydrant, fire-call box, or other emergency facility.
4. Within ten (10) feet of any bus stop.
5. Within ten (10) feet of a driveway or driveway apron.
6. Within eighteen (18) inches from the edge of the curb.
7. Where placement impedes the flow of vehicular traffic or parking, such as on public streets or public highways, or would cause vehicles to stop in traffic lanes.
8. Where placement impedes the accessible route and flow of pedestrians by reducing the clear width space on a public sidewalk to less than four (4) feet, or impedes access to or the use of abutting property, including, but not limited to, residences and places of business, in accordance with the Americans with Disabilities Act (ADA). The clear width of the sidewalk shall be four (4) feet minimum, exclusive of the width of the curb.
9. No cart or accessory equipment of a sidewalk vendor may be chained or fastened to any pole, sign, tree, or other object in the public right-of-way or left unattended, unless as permitted by the City.
10. Notwithstanding any specific prohibitions in this section, no sidewalk vendor may install, use, or maintain a cart where placement endangers the safety of persons or property, such as on parkways or other landscape-maintained areas.

K. Sidewalk Vending related to Parks, Special Events, or Locations that are Subject to Special Permits. ~~No~~ Sidewalk vendors shall operate in a manner ~~in~~consistent with the following:

1. No sidewalk vendors may vend ~~W~~within three hundred (300) feet of a permitted event ~~for~~during the duration or within operating hours of such an event. ~~-~~Permitted events include certified ~~#~~Farmers' ~~m~~Markets, ~~s~~Swap ~~m~~Meets, and any event that requires the temporary use of, or encroachment on, the sidewalk or other public area, including, but not limited to, an ~~e~~Encroachment ~~p~~Permit, ~~s~~Special ~~e~~Event ~~p~~Permit, ~~f~~Film ~~p~~Permit, or ~~t~~Temporary ~~u~~Use ~~p~~Permits.
2. No stationary sidewalk vendors may vend in any park subject to a signed, exclusive concessionaire's agreement.
3. The City may, by resolution, adopt additional requirements consistent with Government Code section 51038(b)(2)(B) for City-owned or operated parks, effective after signs are posted giving notice of such additional requirements.

L. Violation—Penalty. Sidewalk vending in violation of this section will not be punishable as a criminal infraction or misdemeanor, but will be subject to an ~~a~~Administrative ~~e~~Citation as follows:

1. For vending without a valid ~~p~~Peddler's ~~l~~License, Public ~~h~~Health ~~p~~Permit, or ~~s~~Sidewalk ~~v~~Vendor ~~p~~Permit:
  - a. An administrative fine of \$250 for a first violation.
  - b. An administrative fine of \$500 for a second violation within one year of the first violation.
  - c. An administrative fine of \$1,000 for a third violation and each subsequent violation, within one year of the first violation.
  - d. Upon proof of a valid ~~p~~Peddler's ~~l~~License, Public ~~h~~Health ~~p~~Permit, or ~~s~~Sidewalk ~~v~~Vendor ~~p~~Permit issued by the County of Los Angeles or City before such fines are due, the City will reduce the amount of the fines to \$100 for the first violation, \$200 for the second violation, and \$500 for each violation thereafter.
2. For all violations of this chapter other than vending without a valid ~~p~~Peddler's ~~l~~License, Public ~~h~~Health ~~p~~Permit, or ~~s~~Sidewalk ~~v~~Vendor ~~p~~Permit as outlined in subsection 1 above:

- a. An administrative fine of \$100 for a first violation.
  - b. An administrative fine of \$200 for a second violation within one year of the first violation.
  - c. An administrative fine of \$500 for a third violation within one year of the first violation.
  - d. An administration fine of \$500 for a fourth and each subsequent violation, and revocation of a ~~p~~Peddler's ~~H~~License, Public ~~H~~Health ~~p~~Permit, or ~~s~~Sidewalk ~~v~~Vendor ~~p~~Permit. -Revocation proceedings will be conducted in accordance with the rules and regulations established by the City.
3. The City will provide the person subject to the administrative fine notice of his or her right to request an ~~a~~Ability-to-~~p~~Pay ~~d~~Determination, and will make available instructions or other materials for requesting an ~~a~~Ability-to-~~p~~Pay ~~d~~Determination.
4. Administrative ~~F~~ines assessed pursuant to this section may be reduced to twenty (20) percent of the original fine amount, or ~~e~~ompleted may be fulfilled through performing community service in lieu of paying the administrative fine, upon submission of proof of inability to pay at an adjudication hearing if requested by the person, pursuant to Government Code section 51038(f).

### 11.37.070 General peddling regulations.

Peddlers must comply with the following regulations when peddling:

- A. Hours. Except as otherwise authorized under this code, peddling may only take place between the hours of eight a.m. and sunset.
- B. Premises Posted for No Peddling. No peddling is permitted at any house, apartment, or other dwelling unit, or at any commercial premises where a sign is displayed in public view indicating "no solicitors or peddlers." or where there is a similar indication that no peddling is desired by the owner or occupant of the premises, except with the prior consent or at the invitation of the owner or occupant.
- C. Aggressive Peddling. No peddler may persistently and importunately engage in peddling with a person after that person has indicated that he or she is not interested in the things being peddled.
- D. Refusal to Leave Premises. No peddler may refuse to leave any residential or commercial premise when requested to leave by an owner, occupant, or responsible person for such premises.

E. Obstruction of Movement. No peddler may intentionally and deliberately obstruct the free movement of any person on any public right-of-way or other public place, or any place open to the public generally. (Ord. 08-8 § 2, 7/8/08)

### **11.37.080 Peddlers of prepared food products from motor vehicles permitted.**

A. Peddling of prepared food products is permitted from motor vehicles used for the transportation or preparation of such prepared food products when conducted on public streets, but not including public sidewalks or parkways.

B. The parked location of a motor vehicle used for the peddling of prepared food products must be at least one hundred (100) feet from an intersection to minimize impacts on traffic flow and the potential obstruction of sight lines and observation. The opening of the motor vehicle from which sales are made must face the sidewalk or such other direction so that customers are not required to stand in the vehicular right-of-way.

C. A person peddling prepared food products from motor vehicles may not remain in any one location for the purposes of peddling, or any other location less than one-half mile from the same location, for more than thirty (30) minutes during any six (6) hour period.

D. During the period of such peddling, the peddler must maintain the location in a neat, sanitary, and hazard-free condition, and pick up and dispose of in a sanitary manner all debris, garbage, or litter that is left by any customer of the peddler.

E. No peddling of prepared food products from motor vehicles is permitted within one thousand (1,000) feet from any school property boundary while children are going to or leaving such school during opening or closing hours, or during the noon or lunch-time recess period. (Ord. 08-8 § 2, 7/8/08)

### **11.37.090 Violation—Penalty.**

A violation of sidewalk vending of this chapter will be subject to the applicable penalties under section 51039 of the Government Code and section 11.37.060.L- of the Santa Clarita Municipal Code. All other violations of this chapter shall be prosecuted civilly or criminally, pursuant to Title 23, as either an infraction, misdemeanor, civil nuisance, or aAdministrative eCitation, and will be subject to the applicable penalties under Chapter 23.10 of the Santa Clarita Municipal Code, in addition to any other applicable penalties or remedies prescribed by law.

~~constitutes a misdemeanor, and will be subject to the applicable penalties under Chapter 23.10 of the Santa Clarita Municipal Code in addition to any other applicable penalties or remedies. (Ord. 08-8 § 3, 7/8/08)~~