



**CITY OF SOUTH PASADENA
CITY COUNCIL**

AMENDED AGENDA

**SPECIAL MEETING
CLOSED SESSION**

**WEDNESDAY, NOVEMBER 16, 2022
5:00 P.M.**

**AMEDEE O. "DICK" RICHARDS JR. COUNCIL CHAMBERS
1424 MISSION STREET, SOUTH PASADENA, CA 91030**

NOTICE ON PUBLIC PARTICIPATION & ACCESSIBILITY

The South Pasadena City Council Meeting will be conducted in-person from the Amedee O. "Dick" Richards, Jr. Council Chambers, located at 1424 Mission Street, South Pasadena, CA 91030. Pursuant to Assembly Bill 361 Government Code Section 54953, subdivision (e)(3), the City Council may conduct its meetings remotely and may be held via video conference.

Public Comment regarding items on the Closed Session Meeting agenda will be taken at the beginning of the meeting. The public will be released from the meeting so that the City Council may convene Closed Session discussion of items allowed under the Government Code. Any reportable action taken in Closed Session will be reported by the City Attorney during the next Open Session meeting. A separate Zoom link will be provided for the Open Session for the public to attend.

Public Participation may be made as follows:

- In-Person Hybrid – Council Chambers, 1424 Mission Street, South Pasadena, CA 91030
- Via Zoom – Meeting ID: **226 442 7248**
- Written Public Comment – written comment must be submitted by 12:00 p.m. the day of the meeting

1. Go to the Zoom website, <https://zoom.us/join> and enter the Zoom Meeting information; or
2. Click on the following unique Zoom meeting link:
<https://us06web.zoom.us/j/2264427248?pwd=aEFuSGszQ2I5WjJkemoTms0RTIVUT09> or
3. You may listen to the meeting by calling: +1-669-900-6833 and entering the Zoom Meeting ID listed above and Passcode when prompted.

CALL TO ORDER: Mayor Michael Cacciotti

ROLL CALL: Mayor Michael Cacciotti
 Mayor Pro Tem Jon Primuth
 Councilmember Jack Donovan
 Councilmember Diana Mahmud
 Councilmember Evelyn G. Zneimer

PUBLIC COMMENT

CLOSED SESSION AGENDA ITEMS

A. REAL PROPERTY NEGOTIATIONS

(Government Code Section 54956.8)

- 1. Property Address: 920 Lohman Lane
 Agency Negotiator: Arminé Chaparyan, City Manager
 Negotiating Party: John Letts, iTennis
 Under Negotiation: Price and Terms

B. CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION

(Government Code Section 54956.9(d)(1))

- 1. City of South Pasadena v. California Department of Transportation (LASC Case No. 21STCP01779)
- 2. James v. City of South Pasadena (CDCA, Case No. 2:21-cv-08256-DSF-KK)
- 3. Travelers Property Casualty Insurance Company v. City of South Pasadena (LASC 228TCV22759)

C. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9(d)(2)

Number of Potential Cases: 1

D. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION (Initiating)

Pursuant to Government Code Section 54956.9(d)(4)

Number of Potential Cases: 1

CERTIFICATION OF POSTING

*I declare under penalty of perjury that I posted this notice of agenda for the meeting to be held on **November 16, 2022**, on the bulletin board in the courtyard of City Hall located at 1414 Mission Street, South Pasadena, CA 91030, and on the City website as required by law, on the date listed below.*

11/15/2022

/S/

Date

Desiree Jimenez, CMC, Chief City Clerk



**CITY OF SOUTH PASADENA
CITY COUNCIL**

A G E N D A

**REGULAR MEETING
WEDNESDAY, NOVEMBER 16, 2022, AT 7:00 P.M.**

**AMEDEE O. “DICK” RICHARDS JR. COUNCIL CHAMBERS
1424 MISSION STREET, SOUTH PASADENA, CA 91030**

South Pasadena City Council Statement of Civility

As your elected governing board, we will treat each other, members of the public, and City employees with patience, civility, and courtesy as a model of the same behavior we wish to reflect in South Pasadena for the conduct of all City business and community participation. The decisions made tonight will be for the benefit of the South Pasadena community and not for personal gain.

NOTICE ON PUBLIC PARTICIPATION & ACCESSIBILITY

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The Meeting will be available:

- In Person Hybrid – Council Chambers, 1424 Mission Street, South Pasadena, CA 91030
- Live Broadcast via the City website - http://www.spectrumstream.com/streaming/south_pasadena/live.cfm
- Via Zoom – **Webinar ID: 825 9999 2830**

To maximize public safety while still maintaining transparency and public access, members of the public may observe the meeting via Zoom in one of the three methods below:

1. Go to the Zoom website, <https://zoom.us/join> and enter the Zoom Meeting information; or
2. Click on the following unique Zoom meeting link: <https://us06web.zoom.us/j/82599992830> or
3. You may listen to the meeting by calling: +1-669-900-6833 and entering the Zoom Meeting ID listed above.

CALL TO ORDER:	Mayor	Michael Cacciotti
ROLL CALL:	Mayor	Michael Cacciotti
	Mayor Pro Tem	Jon Primuth
	Councilmember	Jack Donovan
	Councilmember	Diana Mahmud
	Councilmember	Evelyn G. Zneimer
PLEDGE OF ALLEGIANCE:	Councilmember:	Jack Donovan

PUBLIC COMMENT GUIDELINES

The City Council welcomes public input. Members of the public may comment on a non-agenda subject under the jurisdiction of the City Council or on an agenda item. Members of the public will have three minutes to address the City Council, however, the Mayor and City Council may adjust the time allotted, as needed. You may participate **by one of the following options:**

Option 1:

Participate in-person at the City Council Chambers.

Option 2:

Participate via Zoom.

Public comment speakers are able to speak by going to the Zoom webinar controls and clicking on the "Raise Hand" icon. The Meeting Host will be notified that a hand has been raised and speakers will have their microphone un-muted by the Host during the appropriate Public Comment period.

Option 3:

Email public comment to ccpubliccomment@southpasadenaca.gov.

Public Comments received in writing will not be read aloud at the meeting, but will be part of the meeting record. Written public comments will be uploaded to the City website for public viewing under Additional Documents. When submitting a public comment, please make sure to include the following:

- 1) Name (optional), and
- 2) Agenda item you are submitting public comment on.
- 3) Submit by no later than 12:00 p.m., on the day of the City Council meeting. Correspondence received after this time will be distributed the following business day.

PLEASE NOTE: The Mayor may exercise the Chair's discretion, subject to the approval of the majority of the City Council, to adjust public comment time limit to less than three minutes, as needed.

Pursuant to State law, the City Council may not discuss or take action on issues not on the meeting agenda, except that members of the City Council or staff may briefly respond to statements made or questions posed by persons exercising public testimony rights (Government Code Section 54954.2). Staff may be asked to follow up on such items.

CLOSED SESSION ANNOUNCEMENTS**1. CLOSED SESSION ANNOUNCEMENTS****PUBLIC COMMENT****2. PUBLIC COMMENT – GENERAL (NON-AGENDA ITEMS)**

General Public Comment will be limited to 30 minutes at the beginning of the agenda. If there are speakers remaining in the queue, they will be heard at the end of the meeting. Only Speakers who submit a Public Comment card within the first 30 minutes of Public Comment period will be queued up to speak.

PRESENTATIONS**3. PRESENTATION OF CERTIFICATES OF RECOGNITION TO BANK OF AMERICA COMMUNITY VOLUNTEERS AND SOUTH PASADENA BEAUTIFUL FOR THEIR COMMITMENT TO THE SOUTH PASADENA NATURE PARK AND COMMUNITY**

Randy Caruso, Monica Kelly, Virginia Gumbert, Bank of America Community Volunteers; and Barbara Eisenstein, South Pasadena Beautiful

4. **PRESENTATION OF A PROCLAMATION DECLARING NOVEMBER 2022, AS “NATIVE AMERICAN HISTORY MONTH” IN THE CITY OF SOUTH PASADENA**
5. **MERCHANT MINUTE – ARROYO VISTA INN**
Business Owner: Janice Lupien
6. **DEPARTMENT HIGHLIGHT VIDEO: SOUTH PASADENA POLICE DEPARTMENT**
7. **STAFF INTRODUCTIONS**

Community Development:
Alison Becker, Deputy Community Development Director

Finance Department:
Maida Alcantara, Interim Finance Director

Public Works Department:
Maizon Van Zandt, Maintenance Worker I
Ariane Quizon, Civil Engineering Assistant
8. **2022 SOUTHERN CALIFORNIA EDISON RELIABILITY REPORT FOR SOUTH PASADENA**

COMMUNICATIONS

9. **COUNCILMEMBER COMMUNICATIONS**
Time allotted to speak per Councilmember is three minutes. Additional time will be allotted at the end of the City Council meeting agenda, if necessary.
10. **CITY MANAGER COMMUNICATIONS**
11. **REORDERING OF, ADDITIONS, OR DELETIONS TO THE AGENDA**

CONSENT CALENDAR

OPPORTUNITY TO COMMENT ON CONSENT CALENDAR

Items listed under the Consent Calendar are considered by the City Manager to be routine in nature and will be enacted by one motion unless a public comment has been received or Councilmember requests otherwise, in which case the item will be removed for separate consideration. Any motion relating to an ordinance or a resolution shall also waive the reading of the ordinance or resolution and include its introduction or adoption as appropriate.

12. **APPROVAL OF PREPAID WARRANTS, GENERAL CITY WARRANTS, VOIDS, ONLINE PAYMENTS AND THE BI-WEEKLY PAYROLL**

Recommendation
The Warrants detail is forthcoming, and will be provided under separate cover.
13. **MONTHLY INVESTMENT REPORT FOR SEPTEMBER 2022**

Recommendation
It is recommended that the City Council receive and file the Monthly Investment Report for September 2022.

14. SECOND READING AND ADOPTION OF THE ORDINANCE AMENDING CHAPTER 5.5 “CERTAIN FOWL PROHIBITED” OF CHAPTER 5 “ANIMALS AND FOWL” OF THE SOUTH PASADENA MUNICIPAL CODE (SPMC) TO ADDRESS THE PROHIBITION OF FEEDING PEA FOWL AND SECTION 5.5B AS 1.7A “SAME – INFRACTIONS” TO THE SOUTH PASADENA MUNICIPAL CODE

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, AMENDING CHAPTER 5.5 “CERTAIN FOWL PROHIBITED” TO THE SOUTH PASADENA MUNICIPAL CODE AND SECTION 1.7A “SAME-INFRACTIONS”

Recommendation

It is recommended that the City Council read by title only for the second reading, waving further reading and adopt an ordinance amending South Pasadena Municipal Code Chapter 5.5, prohibiting the feeding of peafowl and amending section 5.5b, to allow the prosecution under 1.7A, an infraction.

15. FIRST READING AND INTRODUCTION OF AN ORDINANCE AMENDING ARTICLES XI (“PURCHASING”) AND XIII (“AWARDING PUBLIC WORKS CONTRACTS”) OF THE SOUTH PASADENA MUNICIPAL CODE PERTAINING TO PURCHASING POLICIES

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, AMENDING SECTION 2.99-29 OF ARTICLE XI RELATING TO “PURCHASING PROCEDURES”, AND SECTIONS 2.99-35 AND 2.99-37 OF ARTICLE XIII “AWARDING PUBLIC WORKS CONTRACTS” OF CHAPTER 2 OF THE SOUTH PASADENA MUNICIPAL CODE

Recommendation

It is recommended that the City Council read by title only for the first reading, waiving further reading, and introduce an ordinance of the City Council of the City of South Pasadena, California, Amending Section 2.99-29 of Article XI Relating to “Purchasing Procedures”, and Sections 2.99-35 and 2.99-37 of Article XIII “Awarding Public Works Contracts” of Chapter 2 of the South Pasadena Municipal Code.

16. FIRST READING AND INTRODUCTION OF AN ORDINANCE TO ADOPT BY REFERENCE THE 2023 LOS ANGELES COUNTY BUILDING, RESIDENTIAL, ELECTRICAL, MECHANICAL, PLUMBING AND EXISTING BUILDING CODES WITH CERTAIN AMENDMENTS, ADDITIONS AND DELETIONS THERETO BY AMENDING CHAPTER 9 ARTICLE 1 OF THE SOUTH PASADENA MUNICIPAL CODE AND ADD NEW SECTION TO ARTICLE 2 OF CHAPTER 9 TO COMPLY WITH AB 1236 AND AB 970 TO EXPEDITE PERMITTING FOR ELECTRICAL VEHICLE CHARGING STATIONS

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, AMENDING THE CITY OF SOUTH PASADENA MUNICIPAL CODE BY MODIFYING CHAPTER 9 ARTICLE I THEREOF ADOPTING BY REFERENCE THE 2023 LOS ANGELES COUNTY BUILDING CODE (TITLE 26), ELECTRICAL CODE (TITLE 27), PLUMBING CODE (TITLE 28), MECHANICAL CODE (TITLE 29), RESIDENTIAL CODE (TITLE 30), AND EXISTING BUILDING CODE (TITLE 33) AND BY MODIFYING ARTICLE II THEREOF ADDING EXPEDITED PERMITTING WITH CERTAIN AMENDMENTS, ADDITIONS AND DELETIONS THERETO

Recommendation

It is recommended that the City Council:

1. Introduce for first reading by title only and waive further reading of an ordinance adopting by reference and amending the 2023 Los Angeles County Building, Electrical, Plumbing, Mechanical, Residential and Existing Building Codes; and
2. Schedule a public hearing on December 7, 2022 to consider adoption and second reading of the same ordinance.

17. ADOPTION OF A RESOLUTION APPROVING FINAL PARCEL MAP NO. 72784 FOR 1974 HUNTINGTON DRIVE

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 72784 FOR 1974 HUNTINGTON DRIVE

Recommendation

It is recommended that the City Council:

1. Adopt a resolution approving final parcel map No. 72784 for 1974 Huntington Drive; and
2. Authorize its recordation with Los Angeles County.

18. ADOPTION OF A RESOLUTION APPROVING FINAL PARCEL MAP NO. 80319 FOR 203 CEDAR CREST/204 MOCKINGBIRD LANE

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 80319 FOR 203 CEDAR CREST/204 MOCKINGBIRD LANE

Recommendation

It is recommended that the City Council:

1. Adopt a resolution approving the final parcel map No. 80319 for 203 Cedar Crest/204 Mockingbird Lane; and
2. Authorize its recordation with Los Angeles County.

19. ADOPTION OF A RESOLUTION APPROVING FINAL PARCEL MAP NO. 82291 FOR 1612 SPRUCE STREET

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 82291 FOR 1612 SPRUCE STREET

Recommendation

It is recommended that the City Council:

1. Adopt a resolution approving the final parcel map No. 82291 for 1612 Spruce Street; and
2. Authorize its recordation with Los Angeles County.

20. APPROVAL OF A DISCRETIONARY FUNDS REQUEST FROM COUNCILMEMBER JACK DONOVAN IN THE AMOUNT OF \$300 FOR THE SOUTH PASADENA TOURNAMENT OF ROSES FLOAT

Recommendation

It is recommended that the City Council:

1. Find that the requested allocation of Discretionary Funds to support the South Pasadena Tournament of Roses (SPTOR) float is consistent with the findings required pursuant to the Guidelines for the Application of City Council Discretionary Budget Accounts adopted by Resolution No. 7174; and
2. Approve the requested allocation in the amount of \$300 by Councilmember Donovan to support the SPTOR float.

PUBLIC HEARING

21. SECOND READING AND ADOPTION OF AN ORDINANCE ADOPTING BY REFERENCE THE 2022 CALIFORNIA FIRE CODE WITH CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS THERETO AMENDING CHAPTER 14 OF THE SOUTH PASADENA MUNICIPAL CODE

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, MAKING CERTAIN FINDINGS; AMENDING THE CITY OF SOUTH PASADENA MUNICIPAL CODE BY MODIFYING CHAPTER 14 (FIRE PREVENTION) THEREOF ADOPTING BY REFERENCE THE 2022 CALIFORNIA FIRE CODE WITH CERTAIN AMENDMENTS, ADDITIONS AND DELETIONS THERETO

Recommendation

It is recommended that the City Council:

1. Hold a Public Hearing to hear any objections of an ordinance adopting by reference and amending the 2022 California Fire Code (CFC);
2. Read by title only and waive further reading of an ordinance adopting by reference, make those certain express findings in Exhibit A to the proposed ordinance (Attachment 1), supporting amendments to the CFC as a local ordinance; and
3. Adopt an ordinance repealing the current South Pasadena Fire Code and South Pasadena Municipal Code Chapter 14, and replace it with a new Fire Code that adopts the CFC by reference with amendments that serve the specific needs of the City of South Pasadena.

ACTION / DISCUSSION**22. AWARD OF A TWO-YEAR CONTRACT WITH FLOCK GROUP, INC. FOR FLOCK CAMERA AUTOMATED LICENSE PLATE READER TECHNOLOGY SERVICES IN AN AMOUNT NOT TO EXCEED \$69,550**Recommendation

It is recommended that the City Council:

1. Award a two-year contract with Flock Group, Inc. for Automated License Plate Reader technology services in an amount not to exceed \$69,550;
2. Authorize the City Manager to execute the agreement and future amendments to the contract, including exercise of the contract extension options; and
3. Approve an appropriation of \$9,550 from Fiscal Year 2022-23 General Fund reserves to Contract Services Account Number 101-4010-4011-8180 for the two-year contract.

23. ADOPTION OF A RESOLUTION APPROVING A 2022 SEWER SYSTEM MANAGEMENT PLAN**RESOLUTION**

AN A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, APPROVING A 2022 SEWER SYSTEM MANAGEMENT PLAN

Recommendation

It is recommended that the City Council adopt a Resolution approving the 2022 Sewer System Management Plan.

INFORMATIONAL REPORTS**24. PRESENTATION OF A CITYWIDE OPERATIONAL STATUS UPDATE**Recommendation

It is recommended that the City Council receive a monthly Citywide operational status update.

PUBLIC COMMENT – CONTINUED**25. CONTINUED PUBLIC COMMENT – GENERAL**

This time is reserved for speakers in the Public Comment queue not heard during the first 30 minutes of Item No. 2. No new speakers will be accepted at this time.

ADJOURNMENT

Adjourn the City Council Meeting in Memory of Clara Marion Richards.

FOR YOUR INFORMATION

FUTURE CITY COUNCIL MEETINGS

December 7, 2022	Regular City Council Meeting - State of the City	7:00 p.m.
December 21, 2022	Regular City Council Meeting - City Council Reorganization	7:00 p.m.
January 18, 2023	Regular City Council Meeting	7:00 p.m.

PUBLIC ACCESS TO AGENDA DOCUMENTS AND BROADCASTING OF MEETINGS

City Council meeting agenda packets, any agenda related documents, and additional documents are available online for public viewing on the City’s website:

www.southpasadenaca.gov/CityCouncilMeetings2022


Regular meetings are live streamed via the internet at:

http://www.spectrumstream.com/streaming/south_pasadena/live.cfm

AGENDA NOTIFICATION SUBSCRIPTION

If you wish to receive an agenda email notification please contact the City Clerk’s Division via email at CityClerk@southpasadenaca.gov or call (626) 403-7230.

ACCOMMODATIONS

 The City of South Pasadena wishes to make all of its public meetings accessible to the public. If special assistance is needed to participate in this meeting, please contact the City Clerk’s Division at (626) 403-7230 or cityclerk@southpasadenaca.gov. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities. Notification at least 48 hours prior to the meeting will assist staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II).

CERTIFICATION OF POSTING

*I declare under penalty of perjury that I posted this notice of agenda for the meeting to be held on **November 16, 2022**, on the bulletin board in the courtyard of City Hall located at 1414 Mission Street, South Pasadena, CA 91030, and on the City website as required by law, on the date listed below.*

11/09/2022	/S/
Date	Desiree Jimenez, CMC, Chief City Clerk

PROCLAMATION



Declaring November 2022,
as “Native American Heritage Month”
in the City of South Pasadena

WHEREAS, Native American Heritage Month is observed by acknowledging the contributions of Native Americans long before the formation of the United States, which we recognize as inextricably woven into the history of this country; and

WHEREAS, In celebrating the traditions, cultures, and accomplishments of Native Americans, we also acknowledge our nation’s history has inflicted discrimination, deprivation, and genocide upon Indigenous Peoples; and

WHEREAS, We are aware of the historical importance of local and national tribes and the way Native Americans continue to enrich our heritage and add to all aspects of our society by sharing their customs and traditions; and

WHEREAS, As business owners, artists, teachers, writers, courageous members of our Armed Forces, and so much more, their contributions to our society are cause for celebration and appreciation by all Americans; and

WHEREAS, This month, as we honor the heritage of Native American Tribes and Peoples, we resolve to support their legacy and communities for generations to come; and

WHEREAS, The City of South Pasadena acknowledges we occupy land originally and still inhabited and cared for by the Indigenous Peoples; and

WHEREAS, We honor and pay respect to the Native American elders and descendants, past, present, and emerging, as they continue their stewardship of these lands and waters; and

WHEREAS, We acknowledge that settlers resulted in land seizure, disease, subjugation, slavery, relocation, broken promises, genocide, and multigenerational trauma; and

WHEREAS, This acknowledgment demonstrates our responsibility and commitment to truth, healing, and reconciliation and to elevating the stories, culture, and community of the original inhabitants of the City South Pasadena; and

WHEREAS, We are grateful to have the opportunity to live and work on these ancestral lands; and

WHEREAS, We honor our native Peoples, their ancestral homes, their religion, and recognize their contributions historically, today, and in the future of our community.

NOW, THEREFORE, BE IT RESOLVED, I, Michael A. Cacciotti, Mayor, on behalf of the City Council of the City of South Pasadena, hereby declare November 2022, as “Native American History Month” in the City of South Pasadena and encourage everyone to participate in this very worthwhile event.

Mayor Michael A. Cacciotti

Date



City Council Agenda Report

ITEM NO. 12

DATE: November 16, 2022

FROM: Arminé Chaparyan, City Manager *AC*

PREPARED BY: Kenneth L. Louie, Interim Deputy City Manager-Finance

SUBJECT: **Approval of Prepaid Warrants, General City Warrants, Voids,
Online Payments and the bi-weekly Payroll**

Recommendation

The Warrants detail is forthcoming, and will be provided under separate cover.



City Council Agenda Report

ITEM NO. 13

DATE: November 16, 2022

FROM: Arminé Chaparyan, City Manager *AC*

PREPARED BY: Ken Louie, Interim Deputy City Manager - Finance
Albert Trinh, Finance Manager
Stephanie Pinto, Management Assistant

SUBJECT: **Monthly Investment Report for September 2022**

Recommendation

It is recommended that the City Council receive and file the Monthly Investment Report for September 2022.

Background

As required by law, a monthly investment report, including water bond funds, is presented to the City Council disclosing investment activities, types of investments, dates of maturities, amounts of deposits, rates of interest, and securities with a maturity of more than 12 months at current market values.

The reports reflect all investments at the above-referenced date and are in conformity with the City Investment Policy as stated in Resolution No. 7635. A copy of the Resolution is available in the City Clerk's Office.

Analysis

The Monthly Investment Report provides a detailed report of the City's investments in various bonds and the Local Agency Investment Fund (LAIF). The report provides assurance that the City is in compliance with California Government Code Section 53646, whereby the investment liquidity meets the City's expenditure requirements for the next six months. The Investment Report has been certified by the City Treasurer.

Fiscal Impact

The investments herein provide sufficient cash flow liquidity to meet the estimated expenditures, as required in the investment policy.

Commission Review and Recommendation

Item not required to be reviewed by a commission.

Attachment: City Investment Report for September 2022

ATTACHMENT
City Investment Reports for September 2022

Exhibit A
City of South Pasadena
INVESTMENT REPORT
September 30, 2022

Investment Balances at Month End

INSTITUTION NAME	MATURITY DATE	CURRENT YIELD	PERCENT OF PORTFOLIO	COST	CURRENT MARKET VALUE *
LOCAL AGENCY INVESTMENT FUND:					
LAIF City	ON DEMAND	1.513%	24.33%	15,610,187.55	15,610,187.55
SUBTOTAL			24.33%	\$ 15,610,187.55	\$ 15,610,187.55
ZIONS BANK					
Corporate Bonds	See Exhibit B-1	2.86%	21.46%	13,773,678.83	13,019,496.64
U.S. Treasury Bills	See Exhibit B-1	1.97%	6.79%	4,355,408.81	4,370,603.51
US Treasury Notes & Bonds	See Exhibit B-1	1.17%	45.76%	29,363,561.17	27,959,410.19
US Obligations Variable	See Exhibit B-1	3.30%	1.66%	1,066,455.34	1,066,070.33
SUBTOTAL			75.67%	\$ 48,559,104.15	\$ 46,415,580.67
TOTAL INVESTMENTS			100.00%	\$ 64,169,291.70	\$ 62,025,768.22

BANK ACCOUNTS:

Bank of the West Accounts Balance:	\$ 4,168,528.78
Zions Bank Uninvested Cash Balance ¹ :	\$ 165,796.34
Zions Bank Unsettled Transactions ¹	-
BNY Mellon Uninvested Cash Balance ²	\$ 158,969.81

Footnotes:

¹ The Zions Bank Uninvested Cash Balance and Unsettled Transactions are separate from the investment portion. The sum of the three Zions Bank balance totals to the balance reflected on the provided statement.

² The BNY Mellon Uninvested Cash Balance is information-only as it is funds intended for 2016 Water Revenue Bond.

Required Disclosures:

Average weighted maturity of the portfolio	<u>502</u> DAYS
Average weighted total yield to maturity of the portfolio	<u>1.704%</u>
Projected Expenditures for the next 6 months:	
Projected with Prior Year Same Period:	\$ 22,840,449
Projected with FY 2023 Adopted Budget:	\$ 38,563,906

* Current market valuation is required for investments with maturities of more than twelve months.

In compliance with the California Code Section 53646, as the City Treasurer of the City of South Pasadena, I hereby certify that sufficient investment liquidity to meet the City's expenditure requirements for the next six months and that all investments are in compliance to the City's Statement of Investment Policy.

I also certify that this report reflects all Government Agency pooled investments and all City's bank balances.



Gary Pia, City Treasurer

11/08/2022

Date

ZIONS BANK®

Exhibit B-1

Statement of Account

September 1, 2022 Through September 30, 2022

South Pasadena Custody

Account Number: [REDACTED]

City of South Pasadena
1414 Mission Street
South Pasadena, CA 91030

[REDACTED]

[REDACTED]

[REDACTED]

Cash Reconciliation

	Income	Principal
Opening Balance September 1, 2022	\$ 583,853.28	\$ -583,853.28
Receipts		
Sales	0.00	1,617,307.76
Interest	82,628.64	0.00
Dividends	1,461.65	0.00
Other Receipts	0.00	0.00
Collective Fund Earnings	0.00	0.00
Transfers	0.00	0.00
Total Receipts	84,090.29	1,617,307.76
Disbursements		
Purchases	0.00	-2,218,643.71
Fees	0.00	0.00
Other Disbursements	0.00	-4,508.71
Transfers	0.00	0.00
Total Disbursements	0.00	-2,223,152.42
Net Cash Management	0.00	521,754.37
Closing Balance September 30, 2022	\$ 667,943.57	\$ -667,943.57

Portfolio Summary

September 30, 2022	Portfolio %	Market Value	Projected Income	Current Yield
Cash & Equivalents	0.36%	165,796.34	4,184.96	2.52%
Fixed Income	99.64%	46,415,580.67	822,173.47	1.77%
Total Portfolio	100.00 %	46,581,377.01	826,358.43	1.77%
Accrued Income		177,635.31		
Total Market Value		46,759,012.32		

Holdings

Shares / PV	Asset Description		Cost	Price	Market Est	Ann Inc	Yield	Acc Income	
<u>Money Market Funds - Taxable</u>									
165,796.34	Fidelity Gov Port III FCGXX		165,796.34	1.00	165,796.34	4,184.96	2.52%	616.90	
165,796.34	* * Sub Totals * *		165,796.34		165,796.34	4,184.96	2.52%	616.90	
<u>Corporate Bonds (30/360)</u>									
469,000	Chubb INA Holdings Inc	2.875%	11/03/2022	473,209.72	99.83	468,183.94	13,483.75	2.88%	5,536.62
383,000	Bank of New York Mellon	2.950%	01/29/2023	384,493.77	99.60	381,471.39	11,298.50	2.96%	1,925.16
353,000	Amazon Com Inc	2.400%	02/22/2023	352,656.56	99.20	350,170.01	8,472.00	2.42%	899.26
470,000	General Dynamics Corp	3.375%	05/15/2023	476,093.05	99.33	466,873.45	15,862.50	3.40%	5,981.67
466,000	Burlington Northn Santa Fe	3.850%	09/01/2023	471,247.13	99.17	462,131.86	17,941.00	3.88%	1,453.32
237,000	Cisco Systems Inc	2.200%	09/20/2023	235,410.30	97.77	231,705.42	5,214.00	2.25%	145.64
373,000	Deere John Capital Corp	3.650%	10/12/2023	383,670.76	99.31	370,415.11	13,614.50	3.68%	6,388.93
374,000	State Street Corp	3.700%	11/20/2023	392,227.00	99.07	370,511.61	13,838.00	3.73%	5,024.97
469,000	Caterpillar Finl Svcs	3.750%	11/24/2023	488,541.36	99.08	464,701.90	17,587.50	3.78%	6,190.01
468,000	Truist Finl Corp	3.750%	12/06/2023	485,403.26	99.07	463,669.83	17,550.00	3.79%	5,588.55
237,000	3M Co	3.250%	02/14/2024	233,641.71	97.93	232,105.25	7,702.50	3.32%	989.71
467,000	Blackrock Inc	3.500%	03/18/2024	471,794.13	98.58	460,387.32	16,345.00	3.55%	547.88
235,000	MetLife Inc	3.600%	04/10/2024	242,189.29	98.17	230,703.90	8,460.00	3.67%	4,017.32
468,000	Comcast Corp New	3.700%	04/15/2024	486,999.46	98.31	460,079.56	17,316.00	3.76%	7,980.84
478,000	Texas Instruments Inc	2.625%	05/15/2024	484,080.02	97.41	465,620.10	12,547.50	2.69%	4,731.60
242,000	Paccar Financial Corp	2.150%	08/15/2024	245,945.38	95.45	230,988.92	5,203.00	2.25%	654.01
598,000	Unitedhealth Group Inc	2.375%	08/15/2024	612,447.46	96.08	574,558.69	14,202.50	2.47%	1,785.23
241,000	United Parcel Svcs Inc	2.200%	09/01/2024	242,165.57	95.52	230,214.58	5,302.00	2.30%	429.49
390,000	Coca Cola Co	1.750%	09/06/2024	395,146.14	95.27	371,545.28	6,825.00	1.84%	457.54
610,000	PNC Finl Svcs Group Inc	2.200%	11/01/2024	612,034.86	95.03	579,658.09	13,420.00	2.32%	5,585.42
483,000	Pepsico Inc	2.250%	03/19/2025	494,354.84	94.61	456,962.34	10,867.50	2.38%	333.92
487,000	Target Corp	2.250%	04/15/2025	494,519.29	94.35	459,474.87	10,957.50	2.38%	5,050.24
504,000	US Bancorp	1.450%	05/12/2025	498,297.09	91.81	462,716.09	7,308.00	1.58%	2,817.05
827,000	JPMorgan Chase & Co	3.900%	07/15/2025	873,558.57	96.73	799,919.44	32,253.00	4.03%	6,756.91

Holdings

Shares / PV	Asset Description		Cost	Price	Market Est	Ann Inc	Yield	Acc Income	
585,000	Bank Of America Corp	3.875%	08/01/2025	624,331.14	96.81	566,362.68	22,668.75	4.00%	3,735.91
472,000	Home Depot Inc	3.350%	09/15/2025	499,974.23	96.57	455,822.07	15,812.00	3.47%	662.51
513,000	Bristol-Myers Squ bb Co	0.750%	11/13/2025	473,796.54	88.76	455,321.65	3,847.50	0.85%	1,472.37
257,000	Prudential Finl Inc	1.500%	03/10/2026	249,874.41	89.46	229,908.76	3,855.00	1.68%	215.36
403,000	Procter & Gamble Co	1.000%	04/23/2026	394,061.18	88.94	358,422.61	4,030.00	1.12%	1,767.35
524,000	Schwab Charles Corp	1.150%	05/13/2026	503,714.96	87.51	458,559.61	6,026.00	1.31%	2,306.04
485,000	Intel Corp	2.600%	05/19/2026	497,799.65	92.85	450,330.31	12,610.00	2.80%	4,614.27
13,568,000	** Sub Totals **			13,773,678.83		13,019,496.64	372,420.50	2.86%	96,045.10
	<u>U.S. Treasury Bills</u>								
2,382,000	U S Treasury Bills		10/06/2022	2,370,406.81	99.98	2,381,535.51	28,245.01	1.19%	0.00
2,000,000	U S Treasury Bills		12/08/2022	1,985,002.00	99.45	1,989,068.00	57,822.21	2.91%	0.00
4,382,000	** Sub Totals **			4,355,408.81		4,370,603.51	86,067.22	1.97%	0.00
	<u>U.S. Treasury Notes & Bonds</u>								
2,246,000	U S Treasury Notes	1.750%	01/31/2023	2,251,056.92	99.36	2,231,677.26	39,305.00	1.76%	6,515.23
2,648,000	U S Treasury Notes	1.375%	06/30/2023	2,640,009.54	97.98	2,594,523.64	36,410.00	1.40%	9,102.50
1,471,000	U S Treasury Notes	0.250%	09/30/2023	1,446,948.50	96.09	1,413,539.80	3,677.50	0.26%	0.00
2,133,000	U S Treasury Notes	2.875%	11/30/2023	2,179,603.78	98.36	2,098,089.19	61,323.75	2.92%	20,441.25
2,036,000	U S Treasury Notes	2.125%	03/31/2024	2,034,316.55	96.84	1,971,739.77	43,265.00	2.19%	0.00
2,888,000	U S Treasury Notes	2.000%	04/30/2024	2,893,472.33	96.48	2,786,356.84	57,760.00	2.07%	24,014.35
2,753,000	U S Treasury Notes	0.625%	10/15/2024	2,688,117.38	92.99	2,560,075.27	17,206.25	0.67%	7,897.95
2,539,000	U S Treasury Notes	0.500%	03/31/2025	2,466,140.98	91.25	2,316,837.50	12,695.00	0.55%	0.00
2,320,000	U S Treasury Notes	0.250%	06/30/2025	2,213,630.56	89.78	2,082,923.84	5,800.00	0.28%	1,450.00
2,077,000	U S Treasury Notes	0.375%	11/30/2025	1,972,491.75	88.68	1,841,796.37	7,788.75	0.42%	2,596.25
2,215,000	U S Treasury Notes	0.375%	01/31/2026	2,109,604.43	88.09	1,951,277.67	8,306.25	0.43%	1,376.85
2,062,000	U S Treasury Notes	0.750%	03/31/2026	1,982,404.35	88.81	1,831,233.33	15,465.00	0.84%	0.00
2,598,000	U S Treasury Notes	0.750%	08/31/2026	2,485,764.10	87.73	2,279,339.71	19,485.00	0.85%	1,614.78
29,986,000	** Sub Totals **			29,363,561.17		27,959,410.19	328,487.50	1.17%	75,009.16

Holdings

Shares / PV	Asset Description		Cost	Price	Market Est	Ann Inc	Yield	Acc Income
<u>U.S. Obligations Variable</u>								
1,065,000	U S Treasury Notes Adj Rt	3.305%	10/31/2023	1,066,455.34	100.10	1,066,070.33	35,198.25	3.30% 5,964.15
1,065,000	* * Sub Totals * *			1,066,455.34		1,066,070.33	35,198.25	3.30% 5,964.15
49,166,796.34	* * Grand Totals * *			48,724,900.49		46,581,377.01	826,358.43	1.77% 177,635.31

Cash Summary

Principal Cash	-667,943.57
Income Cash	667,943.57
Invested Income	0.00

Account Transactions

Date	Description	Income	Principal	Carrying Value
	Starting Balances	\$ 583,853.28	\$ -583,853.28	\$ 48,916,419.28
	<u>Interest</u>			
09/01/2022	Interest	8,970.50		
	Burlington Northn Santa Fe 3.8500% 09/01/23			
09/01/2022	Interest	2,651.00		
	United Parcel Svcs Inc 2.2000% 09/01/24			
09/06/2022	Interest	3,412.50		
	Coca Cola Co 1.7500% 09/06/24			
09/06/2022	Maturity - Interest	2,692.24		
	U S Treasury Bills 09/06/22			
09/12/2022	Interest	1,927.50		
	Prudential Finl Inc 1.5000% 03/10/26			
09/15/2022	Interest	7,906.00		
	Home Depot Inc 3.3500% 09/15/25			
09/15/2022	Interest	2,053.25		
	Visa Inc 2.1500% 09/15/22			
09/19/2022	Interest	8,172.50		
	Blackrock Inc 3.5000% 03/18/24			
09/19/2022	Interest	5,433.75		
	Pepsico Inc 2.2500% 03/19/25			
09/19/2022	Purchase Accrued Interest	-748.85		
	3M Co 3.2500% 02/14/24			
09/20/2022	Interest	2,607.00		
	Cisco Systems Inc 2.2000% 09/20/23			
09/30/2022	Interest	21,632.50		
	U S Treasury Notes 2.1250% 03/31/24			
09/30/2022	Interest	6,347.50		
	U S Treasury Notes 0.5000% 03/31/25			
09/30/2022	Interest	7,732.50		
	U S Treasury Notes 0.7500% 03/31/26			
09/30/2022	Interest	1,838.75		
	U S Treasury Notes 0.2500% 09/30/23			
	Sub Total	82,628.64	0.00	0.00

Account Transactions

Date	Description	Income	Principal	Carrying Value
<u>Dividends</u>				
09/01/2022	Dividend Fidelity Gov Port III FCGXX Interest From 08/01/2022 To 08/31/2022	1,461.65		
	Sub Total	1,461.65	0.00	0.00
<u>Buys</u>				
09/08/2022	Buy U S Treasury Bills 12/08/22 2000000 Par Val @ \$99.2501		-1,985,002.00	1,985,002.00
09/19/2022	Buy 3M Co 3.2500% 02/14/24 237000 Par Val @ \$98.583		-233,641.71	233,641.71
	Sub Total	0.00	-2,218,643.71	2,218,643.71
<u>Sells</u>				
09/06/2022	Maturity U S Treasury Bills 09/06/22 1429000 PV @ \$ 99.81159972 Cost Basis Removed \$1,426,307.76		1,426,307.76	-1,426,307.76
09/15/2022	Maturity Visa Inc 2.1500% 09/15/22 191000 PV @ \$ 100.00 Cost Basis Removed \$192,555.51 Short Term Gain/Loss : \$-1,555.51		191,000.00	-192,555.51
	Sub Total	0.00	1,617,307.76	-1,618,863.27
<u>Disbursements</u>				
09/08/2022	Cash Disbursement Miscellaneous Disbursement Paid To : Morgan Stanley & Co. LLC Per Sec. 9 of the Custody Agreement-Inv#10823022245 dtd 09-02-22 Inv#010830		-3,888.71	
09/16/2022	Cash Disbursement Fee Paid To Bank - CC Paid To : Zions Bank		-620.00	

Account Transactions

Date	Description	Income	Principal	Carrying Value
	Per Sec. 9 of the Custody Agreement. Custody Services Quarterly Administration Fee \$620 (April 2022 - June 2022) Invoice No. 10633 Dated 08/12/22.			
	Sub Total	0.00	-4,508.71	0.00
	<u>Other/Miscellaneous</u>			
09/16/2022	Explanation Market Fee received in the amount of \$500.00. Per invoice dated 06/30/2022.			
09/16/2022	Explanation Miscellaneous Fee received in the amount of \$120.00. Per invoice dated 09/16/2022.			
	Sub Total	0.00	0.00	0.00
	<u>Cash Management</u>			
09/01/2022	Sweep - Buy Fidelity Gov Port III FCGXX 13083.15 Par Val @ \$1.00		-13,083.15	13,083.15
09/06/2022	Sweep - Buy Fidelity Gov Port III FCGXX 1432412.5 Par Val @ \$1.00		-1,432,412.50	1,432,412.50
09/08/2022	Sweep - Sell Fidelity Gov Port III FCGXX Sold 1988890.71 Par Val @ \$1.00		1,988,890.71	-1,988,890.71
09/12/2022	Sweep - Buy Fidelity Gov Port III FCGXX 1927.5 Par Val @ \$1.00		-1,927.50	1,927.50
09/15/2022	Sweep - Buy Fidelity Gov Port III FCGXX 200959.25 Par Val @ \$1.00		-200,959.25	200,959.25
09/16/2022	Sweep - Sell Fidelity Gov Port III FCGXX Sold 620 Par Val @ \$1.00		620.00	-620.00
09/19/2022	Sweep - Sell Fidelity Gov Port III FCGXX Sold 220784.31 Par Val @ \$1.00		220,784.31	-220,784.31
09/20/2022	Sweep - Buy Fidelity Gov Port III FCGXX 2607 Par Val @ \$1.00		-2,607.00	2,607.00

Account Transactions

Date	Description	Income	Principal	Carrying Value
09/30/2022	Sweep - Buy Fidelity Gov Port III FCGXX 37551.25 Par Val @ \$1.00		-37,551.25	37,551.25
	Sub Total	0.00	521,754.37	-521,754.37
	Ending Balances	\$ 667,943.57	\$ -667,943.57	\$ 48,994,445.35

**Corporate Trust Services provided by Zions Bancorporation, N.A.
Statement Disclosures & Other Important Information**

Please review your statement promptly and report any discrepancies immediately to your account administrator listed on the first page.

Market value information (including accrued income) furnished herein has been obtained from sources that Zions Bancorporation, N.A. believes to be reliable. Zions Bancorporation, N.A. makes no representation, warranty or guarantee, express or implied, that any quoted value necessarily reflects the proceeds that may be received on the sale of a security or asset. Securities and asset prices may vary from actual liquidation value and should only be used as general guide to portfolio value. Prices are received from various pricing services. However, pricing services are sometimes unable to provide timely information. Where pricing sources are not readily available, particularly on certain debt securities, estimated prices may be generated by a matrix system taking various factors into consideration.

Securities, including mutual funds, are not bank deposits and are not FDIC insured, nor are they obligations of or guaranteed by Zions Bancorporation, N.A., its affiliates or of any federal or state government or government sponsored agency. Securities, including mutual funds, involve investment risks, including the possible loss of the principal amount invested.

Exhibit B-2

**Funds and Investments
Held by Contracted (Third) Parties
September 30, 2022**

2016 Water Revenue Bonds

Investment Type	Issuer	Settlement Date	Par Value	Coupon Rate	Market Value	Current YTM	Maturity Date	Days to Maturity	CUSIP Account Number
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BNY Mellon Project Fund

1	Cash		44.89	0.010%	44.89	0.010%		1	
2	Morgan Stanley Treasury Portfolio		158,924.92	0.250%	158,291.81	0.250%		1	
Subtotal Cash & Cash Equivalents		0.52%	158,969.81	0.250%	158,336.70	0.250%		1	
Total Project Fund			158,969.81	0.250%	158,336.70	0.250%		1	

Exhibit C

**September 30, 2022
Investment Report**

Summary of Invested Funds -- Last Day of the Month

MONTH	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23
JULY	17,332,153	20,958,651	26,306,572	28,541,631	74,033,803	33,187,829	34,119,395	39,309,559	47,220,730	62,091,716
AUGUST	17,330,985	12,658,088	26,294,151	28,405,544	73,122,925	31,258,493	34,245,197	35,205,219	47,188,874	62,035,853
SEPTEMBER	16,331,557	19,715,369	22,058,959	27,049,892	70,952,657	31,219,168	34,211,588	35,108,138	50,651,612	62,025,768
OCTOBER	13,841,158	17,221,779	22,325,114	27,023,005	70,917,973	26,989,542	30,424,551	32,530,753	47,647,956	
NOVEMBER	13,836,635	17,221,849	22,287,418	73,246,265	26,547,176	26,916,772	30,394,571	36,836,391	47,638,933	
DECEMBER	16,837,192	20,603,990	22,253,300	71,499,585	28,949,643	27,028,835	30,398,333	36,824,546	51,976,067	
JANUARY	18,846,359	26,309,319	27,399,997	71,229,735	32,878,042	35,305,506	30,183,446	43,433,939	56,735,289	
FEBRUARY	18,845,663	26,260,788	30,108,605	71,084,575	33,013,420	34,571,287	35,784,459	43,636,405	44,768,920	
MARCH	13,145,894	26,315,158	28,939,924	72,604,964	32,833,141	32,568,840	35,894,036	43,608,698	53,763,388	
APRIL	13,153,853	26,326,876	28,276,276	75,018,330	33,064,100	32,242,202	36,081,161	42,158,002	53,442,475	
MAY	23,452,878	26,310,240	28,429,928	76,053,277	32,879,674	36,925,478	34,133,626	42,180,215	53,637,240	
JUNE	22,452,628	29,289,712	26,594,581	75,918,587	33,102,349	38,922,757	34,218,755	42,164,581	53,485,809	



City Council Agenda Report

ITEM NO. 14

DATE: November 16, 2022

FROM: Arminé Chaparyan, City Manager *AC*

PREPARED BY: Brian Solinsky, Chief of Police
Thomas Jacobs, Police Lieutenant

SUBJECT: **Second Reading and Adoption of the Ordinance Amending Chapter 5.5 “Certain Fowl Prohibited” of Chapter 5 “Animals and Fowl” of the South Pasadena Municipal Code (SPMC) to Address the Prohibition of Feeding Peafowl and Section 5.5b as 1.7A “Same – Infractions” to the South Pasadena Municipal Code**

Recommendation

It is recommended that the City Council read by title only for the second reading, waving further reading and adopt an ordinance amending South Pasadena Municipal Code Chapter 5.5, prohibiting the feeding of peafowl and amending section 5.5b, to allow the prosecution under 1.7A, an infraction.

Discussion/Analysis

On November 2, 2022, the City Council introduced two ordinances:

1. The prohibition of feeding peafowl, in Section 5.5a:

“(a) It is hereby declared to be a nuisance and it shall be unlawful for any person to feed, provide food, keep, pasture, house or maintain in the city any rooster, gander, peafowl or guinea hen.”

2. The City Council’s motion to have the penalty for the unlawful feeding of noisy fowl as an infraction and amended the following language as SPMC Section 5.5(b) in the proposed ordinance to allow for injunctive relief to be sought and allow the prosecution under 1.7A:

“(b) Violations of this section shall be punished by imposition of a fine in an amount not to exceed \$100.00 for a first conviction, and, \$150.00 for a second conviction within one year, and \$250.00 for each additional conviction within one year. The decision of the whether to abate or prosecute a nuisance under this section shall be made on a case-by-case basis by the chief of police or their designee.”

Next Steps

If adopted, the Ordinance shall take effect 30 days after its final passage.

Fiscal Impact

The fiscal impact is projected to include the cost of the fabrication and installation of the required signage estimated at approximately \$887.00 per sign. An additional appropriation of \$4,435.00 from General Fund reserves to Account No. 101-4010-4011-8020-000 Special Department Expense account for the signage was approved by the City Council at the Wednesday, November 2, 2022 Regular Meeting.

Public Notification of Agenda Item

A notice of public hearing was published ahead of the first reading of the Ordinance in the South Pasadena Review. The public was made aware that this item was to be considered this evening by virtue of its inclusion on the legally publicly noticed agenda.

Attachment:

1. (DRAFT) Ordinance Prohibiting the Feeding of Peafowl (Clean version).
2. (DRAFT) Ordinance Prohibiting the Feeding of Peafowl (Redline version).

ATTACHMENT 1
(DRAFT) Ordinance Prohibiting the Feeding of
Peafowl (Clean Version)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, AMENDING CHAPTER 5.5 “CERTAIN FOWL PROHIBITED” TO THE SOUTH PASADENA MUNICIPAL CODE AND SECTION 1.7A “SAME-INFRACTIONS”

WHEREAS, peafowls are not indigenous to California and were introduced to the San Gabriel Valley in the early 1900’s;

WHEREAS, peafowl are a nuisance in South Pasadena because of the noise they make, the garden plants they consume, and their prodigious defecation on residential property;

WHEREAS, although coyotes are known predators of peafowl, they have not decreased the peafowl population;

WHEREAS, in the City of South Pasadena it is unlawful to maintain any rooster, gander, peafowl or guinea hen within residential property;

WHEREAS, some South Pasadena residents have fed and provided habitat to peafowl, which has enabled the peafowl to increase in number;

WHEREAS, on September 1, 2021, the Los Angeles Board of County Supervisors passed an ordinance to prohibit the feeding of peafowl in unincorporated areas of Los Angeles County as a misdemeanor violation;

WHEREAS, on August 17, 2022, the City Council directed the creation of a Peafowl Management Plan and the return of an ordinance to prohibit feeding of peafowl within the City of South Pasadena; and

WHEREAS, the City of South Pasadena does hereby desire to enact an ordinance to prohibit the feeding of peafowl and establish the penalty therefor under the South Pasadena Municipal Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Section 5.5 of the South Pasadena Municipal Code is amended to read as follows:

5.5 Certain fowl prohibited

(a) It is hereby declared to be a nuisance and it shall be unlawful for any person to feed, provide food, keep, pasture, house or maintain in the city any rooster, gander, peafowl or guinea hen.

(b) Violations of this section shall be punished by imposition of a fine in an amount not to exceed \$100.00 for a first conviction, and, \$150.00 for a second conviction within one year, and \$250.00 for each additional conviction with one year. Nuisances under this section may be subject to reasonable abatement procedures, consistent with due process of law, or a restraining order or injunction issued by court of competent jurisdiction. The decision of the whether to abate or prosecute a nuisance under this section shall be made on a case-by-case basis by the chief of police or their designee.

SECTION 2. CEQA. The City Council hereby finds that the proposed Code amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines § 15061(b)(3), which states the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

SECTION 3. Effective Date. This ordinance shall take effect thirty (30) days after its final passage, the City Clerk of the City of South Pasadena shall certify to the passage and adoption of this ordinance and its approval by the Mayor and City Council and shall cause the same to be published in a newspaper in the manner required by law.

PASSED, APPROVED AND ADOPTED ON this 16th day of November, 2022.

Michael A. Cacciotti, Mayor

ATTEST:

APPROVED AS TO FORM:

Desiree Jimenez, CMC
Chief City Clerk

Andrew L. Jared, City Attorney

I HEREBY CERTIFY that Ordinance was duly approved and adopted at a Regular meeting of the City Council on this 16th day of November, 2022, by the following votes as the same appears on file and of record in the Office of the City Clerk.

AYES:

NOES:

ABSENT:

ABSTAIN:

Desiree Jimenez, CMC
Chief City Clerk

ATTACHMENT 2
(DRAFT) Ordinance Prohibiting the Feeding of
Peafowl (redline version)

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF SOUTH PASADENA, CALIFORNIA,
AMENDING CHAPTER 5.5 “CERTAIN FOWL PROHIBITED”
TO THE SOUTH PASADENA MUNICIPAL CODE AND SECTION 1.7A “SAME-
INFRACTIONS”**

WHEREAS, peafowls are not indigenous to California and were introduced to the San Gabriel Valley in the early 1900’s;

WHEREAS, peafowl are a nuisance in South Pasadena because of the noise they make, the garden plants they consume, and their prodigious defecation on residential property;

WHEREAS, although coyotes are known predators of peafowl, they have not decreased the peafowl population;

WHEREAS, in the City of South Pasadena it is unlawful to maintain any rooster, gander, peafowl or guinea hen within residential property;

WHEREAS, some South Pasadena residents have fed and provided habitat to peafowl, which has enabled the peafowl to increase in number;

WHEREAS, on September 1, 2021, the Los Angeles Board of County Supervisors passed an ordinance to prohibit the feeding of peafowl in unincorporated areas of Los Angeles County as a misdemeanor violation;

WHEREAS, on August 17, 2022, the City Council directed the creation of a Peafowl Management Plan and the return of an ordinance to prohibit feeding of peafowl within the City of South Pasadena; and

WHEREAS, the City of South Pasadena does hereby desire to enact an ordinance to prohibit the feeding of peafowl and establish the penalty therefor under the South Pasadena Municipal Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Section 5.5 of the South Pasadena Municipal Code is amended to read as follows:

5.5 Same— Certain fowl prohibited

(a) It is hereby declared to be a nuisance and it shall be unlawful for any person to feed, provide food, keep, pasture, house or maintain in the city any rooster, gander, peafowl or guinea hen.

(b) Violations of this section shall be punished by imposition of a fine in an amount not to exceed \$100.00 for a first conviction, and, \$150.00 for a second conviction within one year, and \$250.00 for each additional conviction with one year. Nuisances under this section may be subject to reasonable abatement procedures, consistent with due process of law, or a restraining order or injunction issued by court of competent jurisdiction. The decision of the whether to abate or prosecute a nuisance under this section shall be made on a case-by-case basis by the chief of police or their designee.

SECTION 2. CEQA. The City Council hereby finds that the proposed Code amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines § 15061(b)(3), which states the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

SECTION 3. Effective Date. This ordinance shall take effect thirty (30) days after its final passage, the City Clerk of the City of South Pasadena shall certify to the passage and adoption of this ordinance and its approval by the Mayor and City Council and shall cause the same to be published in a newspaper in the manner required by law.

PASSED, APPROVED AND ADOPTED ON this 16th day of November, 2022.

Michael A. Cacciotti, Mayor

ATTEST:

APPROVED AS TO FORM:

Desiree Jimenez
Chief City Clerk

Andrew L. Jared, City Attorney

I HEREBY CERTIFY that Ordinance was duly approved and adopted at a Regular meeting of the City Council on this 16th day of November, 2022, by the following votes as the same appears on file and of record in the Office of the City Clerk.

AYES:

NOES:

ABSENT:

ABSTAIN:

Desiree Jimenez, CMC
Chief City Clerk



City Council Agenda Report

ITEM NO. 15

DATE: November 16, 2022

FROM: Arminé Chaparyan, City Manager *AC*
Ken Louie, Deputy City Manager - Finance

PREPARED BY: Andrew L. Jared, City Attorney

SUBJECT: **First Reading and Introduction of an Ordinance Amending Articles XI (“Purchasing”) and XIII (“Awarding Public Works Contracts”) of the South Pasadena Municipal Code Pertaining to Purchasing Policies**

Recommendation

It is recommended that the City Council read by title only for the first reading, waiving further reading, and introduce an ordinance of the City Council of the City of South Pasadena, California, Amending Section 2.99-29 of Article XI Relating to “Purchasing Procedures”, and Sections 2.99-35 and 2.99-37 of Article XIII “Awarding Public Works Contracts” of Chapter 2 of the South Pasadena Municipal Code.

Background

The City of South Pasadena has perennially received audit findings with regards to the lack of financial policies and procedures. In Fiscal Year 2021-2022, the City, through the approval of the Finance Commission and City Council, secured the services of Management Partners to perform an independent analysis of the Finance Department’s workflow/activity and provide recommended/updated policies for the following processes: General Accounting, Payroll, Accounts Receivable, Accounts Payable, Purchasing and Water Billing. These policies either did not exist or had not been updated since 1987.

Recent History

In fiscal year 2021-2022, the City secured the services of Management Partners to create comprehensive financial policies and make recommendations to the Finance Commission and ultimately the City Council. Management Partners held meetings with staff to review workflow/activity and ascertain appropriate policies and procedures given the City’s logistics and staffing. Management Partners then finalized their recommendations and, in conjunction with staff, presented recommendations to the Finance Commission at the April 28, 2022 meeting. The City Council received a presentation by Management Partners at the City Council meeting on June 1, 2022. At that meeting, the City Council also received recommendations from the Finance Commission. The City Council voiced supported the Finance Commission’s lower threshold increases and requested that some additional wording and modifications be made to the policy. The City Council adopted the policy, with amendments, at the

regularly scheduled City Council meeting of September 7, 2022. As part of the 2022 Finance Policies and Procedures, pages 9-22 addressed policies specific to the procurement and award of contracts for good, services, professional services, and certain public works contracts.

The Purchasing Policy establishes efficient procedures for the purchase of goods and services, exercises positive control over purchases, clearly defines authority for the purchasing function, and assures the quality of purchases. The changes in this Purchasing Policy also makes revisions to the purchasing thresholds that were established in 1997, 2001, and 2016 by Ordinances No's. 2048, 2096, and 2299, respectively.

On September 7, 2022, the City Council adopted the 2022 Finance Policies and Procedures in order to, among other things, establish rules and regulations to establish efficient procedures for the purchase of supplies, services and equipment at the lowest possible cost commensurate with quality needed, to exercise positive financial control over purchases, to clearly define authority for the purchases function, and to assure the quality of purchases. Pages 9-22 of the Finance Policies and Procedures are included as Attachment C ("Purchasing Policy").

On November 2, 2022, Councilmember Diana Mahmud asked that the Purchasing Policy be brought back for slight amendments as well as the ordinance relating to "Purchasing Procedures". She asked for the consideration of giving her time to make suggested amendments that would assist the Policy and Ordinance with being in greater line with respect to the Public Contract Code.

Discussion/Analysis

Tonight, staff is proposing the 1st reading of the ordinance and the final requested changes to the Purchasing Policy. Councilmember Mahmud's recommendations are red-lined in the attached Policy and Ordinance.

The change in purchasing thresholds are summarized in Table 2 in the Policy, which is presented here:

Table 2:
 Competitive Bidding and Contract Award Thresholds Accepted by the City Council

Purchase Category	Revised Thresholds	Solicitation Method	Award Authority
Goods and/or General Services	Up to \$2,500	Quotes Optional	Dept. Director
	\$2,501 to \$10,000	3 Written Quotations	Dept. Director
	\$10,001 to \$30,000	3 Written Quotations	Purchasing Agent
	Greater than \$30,000	Formal Contract Authorized by City Council (Sealed Bidding)	City Council Approval
Professional Services	Up to \$30,000	Exempt from Bidding, Less than 3 quotes requires justification	City Manager
	Greater than \$30,000	Exempt from Bidding, Less than 3 quotes requires justification.	City Council
Public Works Projects	Up to \$50,000	CUPCCAA, Public Contr. Code 22000 et seq. ¹	City Manager
	Greater than \$50,000		City Council

¹ The California Uniform Construction Cost Accounting Act (CUPCCA, Public Contract Code sec. 22000 *et seq.*) provides for alternative bidding procedures for public works contracts up to \$200,000 in value. When public works contracts are above \$200,000 in value, formal bidding procedures pursuant to Article XIII and the Public Contract Code are required.

The changes to the Purchasing Policy necessitates changes to two Articles of the South Pasadena Municipal Code.

Those changes are summarized as follows:

- Article XI Purchasing Procedures
 - o 2.99-29(1) Purchasing System Adopted: Additions required to reflect new policy statements from Purchasing Policy.
 - o 2.99-29(2) Definitions: Changes required to reflect new terms in Purchasing Policy.
 - o 2.99-29(3) Purchasing Department Established: No change
 - o 2.99-29(4) Purchasing Agent Designated: Changes required to reflect new policy statements from Purchasing Policy.
 - o 2.99-29(5) Filling Estimated Requirements: No change
 - o 2.99-29(6) Exemptions: No change
 - o 2.99-29(7) Public Projects Exemptions: Changes required to clarify intent that certain portions of Purchasing Policy apply to public works contracts.

Purchasing Code Amendment -- First Reading

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- 2.99-29(8) Local Vendor: Change to reflect increase to local preference adjustment in Purchasing Policy.
- 2.99-29(9) Competitive Bidding: Changes required to address general conditions common to all competitive bidding procurements in Purchasing Policy and existing city code.
- 2.99-29(10) Goods and/or General Services: Changes required to address changes to procurements processes, and award authority at new contract value thresholds in Purchasing Policy.
- 2.99-29(11) Best Value Procurement and Qualifications Based Selection: New section required to address new procurement requirements in Purchasing Policy.
- 2.99-29(12) Professional Services. Changes required to address clarification made in in Purchasing Policy.
- 2.99-29(13) Encumbrance of Funds: Addressing clarification made in Purchasing Policy.
- 2.99-29(14) Inspection and Testing: No changes
- 2.99-29(15) Surplus Supplies and Equipment: No changes
- 2.99-29(16) Splitting Orders: Minor change to address clarification in Purchasing Policy.
- 2.99-29(17) Equipment Leasing Agreements: Minor change to address applicability of leasing to other leasing opportunities.
- 2.99-29(18) Maintenance Agreements: No changes.
- 2.99-29(19) Non-competitive Procurements: Change to reflect name change and clarifications in Purchasing Policy.
- 2.99-29(20) Library Books and Periodicals: No Change.
- 2.99-29(21) Best Interest of the City: No Change.
- 2.99-29(22) Purchase Utilizing Federal Funding: Added to reflect new policy statement regarding procurement and use of federal grant funding.
- Article XIII Awarding Public Works Contracts
 - 2.99-35 Public Projects: Changes to update limits on award thresholds of public projects by City Manager or City Council as stated in Purchasing Policy; Incorporate updated CUPPCA limits.
 - 2.99-37 Informal Bidding Procedure: Changes to update limits on award thresholds of public projects by City Manager or City Council as stated in Purchasing Policy; Incorporate updated CUPPCA limits.

Changes have been presented in strikethrough/underlined (e.g., redline) format with comments in Attachment B to clarify where current code has been moved or deleted, and where new Purchasing Policy statements necessitate changes in the city code.

Conclusion

The introduction of this ordinance will allow for the full implementation of the Purchasing Policies. Without adoption of the proposed ordinance, the Purchasing Policies will be in conflict with the adopted code.

Fiscal Impact

There is no direct fiscal impact associated with the adoption of the proposed ordinance.

Attachments:

- A. Draft Purchasing Policy Revisions
- B. Draft Purchasing Ordinance

ATTACHMENT A
Draft Purchasing Policy Revisions

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, AMENDING SECTION 2.99-29 OF ARTICLE XI RELATING TO “PURCHASING PROCEDURES”, AND SECTIONS 2.99-35 AND 2.99-37 OF ARTICLE XIII “AWARDING PUBLIC WORKS CONTRACTS” OF CHAPTER 2 OF THE SOUTH PASADENA MUNICIPAL CODE

WHEREAS, on September 7, 2022, the City Council adopted the 2022 Finance Policies and Procedures (the “Purchasing Policy”) in order to establish rules and regulations to establish efficient procedures for the purchase of supplies, services and equipment at the lowest possible cost commensurate with quality needed, to exercise positive financial control over purchases, to clearly define authority for the purchases function, and to assure the quality of purchases; and

WHEREAS, the City Council has previously established by ordinance the Purchasing System codified in the South Pasadena Municipal Code at certain through the South.

NOW THEREFORE, THE COUNCIL OF THE CITY OF SOUTH PASADENA DOES ORDAIN AS FOLLOWS:

Section 1. Section 2.99-29 of the South Pasadena Municipal Code is hereby amended to read as follows with additions denoted in underline and deletions noted in strikethrough:

2.99-29 Purchasing System

(1) Purchasing System Adopted—Purpose. In order to establish efficient procedures for the purchase of supplies, nonprofessional services and equipment at the lowest possible cost commensurate with quality needed, to exercise positive financial control over purchases, to clearly define authority for the purchasing function, and to assure the quality of purchases, a purchasing system is adopted.

(a) Authority to legally bind. The authority to legally bind the city is limited to the City Council, City Manager, Finance Director (Purchasing Agent) and department directors, in accordance with the purchase types and dollar thresholds in accordance with this Chapter and the adopted purchasing policy.

(b) Unauthorized Purchases. Purchases approved by anyone other than the designated award authorities are unauthorized and do not constitute a valid charge against City funds. The City is under no obligation to pay vendors for unauthorized purchases, and employees who make such purchases will be

subject to disciplinary procedures in accordance with the City's personnel policies and may be required to provide reimbursement.

(c) All employees are responsible for impartially ensuring fair competitive access to procurement opportunities by responsible suppliers and contractors. All employees shall abide by the ethical conduct standard stated in the purchasing policy.

(2) Definition of Terms. The following terms, whenever used in these procedures, shall be construed as follows:

(a) "Bidders' List" means a current file of sources of supply of articles for each category of commodities repetitively purchased for city use.

(b) "Department" means any department, commission or other unit of the city government, which derives its support wholly or in part from the city.

(c) "Lowest responsible bidder" means in addition to price, the "lowest responsible bidder" will be determined after the following factors have been considered:

1. The ability, capacity and skill of the bidder to perform the contract or provide the service required;
2. Whether the bidder has the facilities to perform the contract or provide the service promptly, or within the time specified, without delay or interference;
3. The character, integrity, reputation, judgment, experience and efficiency of the bidder;
4. The bidders record of performance of previous contracts or services;
5. The previous and existing compliance by the bidder with laws and ordinances relating to the contract or services;
6. The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the services;
7. The quality, availability and adaptability of the supplies, equipment or services to the particular use required;

8. The ability of the bidder to provide future maintenance and services for the use of the subject of the contract;

9. The number and scope of conditions attached to the bid.

(d) "Open market" means and pertains to purchases or transactions that are executed without recourse to formalized purchasing procedure.

(e) "Over the counter" means and pertains to purchases or transactions that are executed without recourse to competitive bidding and without a purchase order.

(f) "Professional services" means services of engineers, architects, accountants, attorneys, doctors, and other persons or businesses with specialized scientific, expert, technical, or other skills of a similar nature.

(g) "Purchases." Purchases of supplies, equipment and personal property shall include leases or rentals as well as transactions by which the city acquires ownership.

(h) "Purchase order" means a document which authorizes the delivery of specified merchandise or the rendering of certain service and the making of a charge for such merchandise or service.

(i) "Requisition" means a written demand or request from the using department to the purchasing agent for specified article or service.

(j) "Responsible bid" means an offer, submitted by a responsible bidder to furnish supplies, equipment or services in conformity with the specification, delivery terms and conditions and other requirements included in the invitation for bids.

(k) "Responsible bidder" means a bidder who submits a responsible bid and who is not only financially responsible, but is possessed of the resources, judgment, skill, ability, capacity and integrity requisite and necessary to perform the contract according to its terms.

(l) "Services (general)" means any and all services rendered by independent contractors not otherwise specified including but not limited to the following: custodial services, building/equipment maintenance, the repair or maintenance of equipment, machinery and other city-owned or operated property. The term does

not include services rendered by city officers or employees, or professional services which are in their nature unique and not subject to competition. This definition excludes contracts to construct public works projects addressed in Chapter 2, Article XIII commencing with section 2.99-34. Public works projects pertain to the construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement of any kind, including demolitions, the construction and installation of drainage systems, lighting and signaling systems, sewer and water systems, and park and recreational facilities. Maintenance required to preserve a public improvement is not considered a public work.

(m) "Specification" means a formulated, definite and complete statement of what is required by the city of the vendor, in the way of composition, construction, utility, durability, efficiency, texture, shape, form or dimension.

(n) "Supplies and equipment" means any and all articles or things which shall be furnished to or used by any Department, including all printing, binding, publications, stationery, forms, journals or reports.

(o) "Using department" means the department that uses the supplies, equipment or services obtained pursuant to a particular requisition.

(p) "Goods" means materials, equipment and supplies needed by any department, including those items purchased with City funds and furnished to contractors for use with public works projects.

(q) "Purchasing policy" means the South Pasadena Finance Policies and Procedures Manual, as adopted by the city council on September 7, 2022, and as may be amended from time to time by action of the city council.

(3) Purchasing Department Established. There is created a centralized purchasing department, in which is vested authority for the purchase of supplies, nonprofessional services and equipment.

(4) Purchasing Agent Designated—Powers and Duties.

(a) The director of finance is designated as purchasing agent. The director of finance may delegate the routine administrative responsibilities as specified in this

section, the purchasing policy, or in any other applicable purchasing regulations, to another staff person. The purchasing agent shall be the head of, and have general supervisory duties over, the purchasing department. The duties of the purchasing agent may be combined with those of any other office or position.

(b) The purchasing agent shall:

1. Negotiate where appropriate and purchase and contract for equipment, supplies (other than library books and periodicals), nonprofessional services or services not involving peculiar ability required by any office or department of the city in accordance with purchasing procedures prescribed by this section, and such other rules or regulations as shall be prescribed by the city council;
2. Act to procure for the city at least expense and/or best quality to the city the needed quality in equipment, supplies, nonprofessional services or services not involving peculiar ability;
3. Where competitive bidding is required, ensure that it is conducted with full and open competition and in full compliance with applicable law. Where competitive bidding is not required, ensure that the City's procurement of services is undertaken in a fair and transparent manner, based on demonstrated competence and qualifications, at a fair and reasonable price. Discourage uniform bidding, and endeavor to obtain as full and open competition as possible on all purchases;
4. Prepare and recommend to the city manager and city council rules governing the purchase of supplies, services and equipment for the city in accordance with best practices;
5. Keep informed of current developments in the field of procurement trends, purchasing prices, market conditions and new products;
6. Prescribe and maintain such forms as are reasonably necessary to effectively administer the operation of this section and other rules and regulations;

7. Oversee the disposal of surplus equipment and supplies that have become unsuitable for city use. Recommend the transfer of surplus or unused supplies and equipment between departments as needed, and the sale of all supplies and equipment which cannot be used by any department, or which have become unsuitable for city use.

(c) The responsibility of staff in other departments in support of the efficient and effective administration of the purchasing system may be identified through the purchasing policy.

(5) Filing of Estimated Requirements. Each city department shall file detailed estimates of their requirements in supplies, services and equipment in such manner, at such time, and for such future periods as the purchasing agent shall prescribe.

(6) Exemptions from Centralized Purchasing. The purchasing agent may, in writing and with the approval of the city manager, authorize any city department to purchase or contract for specified supplies, services and equipment independently of the purchasing department, but the purchasing agent shall require that such purchases or contract be made in conformity with the procedures established by this section, and shall further require periodic reports from the department on the purchases and contracts made under such written authorization.

(7) Public Works Projects Exemptions. This section, except subsections (1) through (4) hereto, is expressly made inapplicable to bids for public works projects, governed by the procedures in Public Contract Code Sections 20100 and 22000 et seq. Public works projects shall be awarded according the procedures of Chapter, Article XIII, Awarding Public Works Contracts.

(8) Local Vendor Purchasing Preference. Local preference is the practice of procurement from South Pasadena vendors because they are also local taxpayers. Purchases from South Pasadena vendors are strongly encouraged where competitive prices and quality exist. With all specifications and conditions equal except price, a preference will be given to in-city vendors equal to five percent of the quoted price when general fund monies are used for the acquisition. The rationale for local preference is that one percent of the sales tax on most acquisitions returns to the city general fund as revenue, effectively reducing the cost of acquisition.

(9) Competitive Bidding

(a) Contracts resulting from competitive bidding will be awarded by the appropriate award authority based on the lowest responsible bidder who submitted a bid that was responsive to the solicitation request. A bid is considered to be responsive if it conforms in all material respects to the solicitation requirements; minor defects may be waived by the purchasing agent. A bidder is considered to be responsible if they possess the demonstrated ability, capacity, experience and skill to provide the goods and/or services required by the solicitation.

(b) Whether soliciting price quotations or conducting sealed bidding, it is a best practice to provide notice to as many qualified bidders as possible to ensure fair and open competition. It is the policy of the city that a minimum of three quotations must be solicited whenever possible; provided, however, all quotations may be dispensed with in an emergency, or where said goods and/or services can be obtained from only one source. With regard to emergency purchases, Public Contracts Code sections 1102 and 22050 may apply and if applicable, shall be followed.

(c) If fewer than three quotes are received, the using department must provide an explanation with the purchase requisition that good faith efforts were made to obtain the required number of quotations. The requisition must also include documentation of the good faith efforts, i.e., vendor "no bid" response, email(s) sent to prospective vendors, etc. Though professional services are exempt from competitive bidding under the City's purchasing policy, proposals should be solicited from at least three sources to ensure best value and/or to comply with federal or state law as required.

(d) The city council may authorize purchase of supplies, equipment and services of a value greater than thirty thousand dollars without complying with the above procedures when in the opinion of the council, compliance with competitive bidding is not in the best interest of the city.

(e) Conditions

1. Bid Security. When deemed necessary by the purchasing agent, bidders' security shall be required. Bidders shall be entitled to return of bid security upon execution of the contract or upon the readvertisement for bids; provided, that a successful bidder shall forfeit his bid security upon refusal or

failure to execute the contract within ten days after the notice of award of contract has been mailed, unless the city is responsible for the delay. The awarding authority may, on refusal or failure of the successful bidder to execute the contract, award it to the next lowest responsible bidder. If the awarding authority awards the contract to the next lowest bidder, the bidder first awarded the contract shall forfeit only the portion of his security, which is equal to the difference between his bid and the bid of the next lowest responsible bidder. If the next lowest bidder is awarded the contract and he fails or refuses to execute the contract, he shall forfeit his entire bid security.

2. Bid Opening Procedure. Sealed bids shall be submitted to the purchasing agent, and shall be identified as bids on the envelope. Bids shall be opened in public at the time and place stated in the public notices. A tabulation of all bids received shall be open for public inspection during regular business hours for a period of not less than thirty calendar days after the bid opening.

3. Rejection of Bids. At its discretion, the awarding authority may reject any and all bids presented, and re-advertise for bids.

4. Tie Bids. If two or more bids received are for the same total amount or unit price, quality, service and delivery being equal, and if the public interest will not permit the delay of re-advertising for bids, the awarding authority may accept the one it chooses, or accept the lowest bona fide offer by negotiation with the tie bidders at the time of the bid opening.

5. Payment and Performance Bonds. The purchasing agent shall have authority to require a performance bond before entering a contract, in such amount as it shall be found reasonably necessary to protect the best interests of the city. If the purchasing agent requires a performance bond, the form and amount of the bond shall be described in the notice inviting bids.

6. Purchases of goods or services that can be obtained from only one source may be made by the purchasing agent without advertising and after approval by the awarding authority.

(10) Goods and/or General Services: Competitive Bidding and Contract Award Thresholds

(a) Purchases up to \$2,500 (Over the Counter). Purchase of goods, supplies, equipment, or services not involving a unique ability and not exceeding an estimated value of up to two thousand five hundred dollars may be made by the department director over the counter. Quotations are encouraged. Purchases may be made by the relevant department director.

(b) Purchases between \$2,501 and \$10,000 (Open Market Procedures). Purchase of goods, supplies, (other than library books and periodicals), equipment, or services not involving a unique ability with an estimated value above two thousand five hundred dollars and not exceeding ten thousand dollars may be made by the department director in the open market after obtaining written quotations. Written quotations shall be submitted to the department director, and routed to the purchasing agent for final verification. Purchases are awarded by the department director. The City Attorney shall determine whether the required written agreements for the purchase shall be in purchase order or contract form.

(c) Purchases between \$10,001 and \$30,000 (Open Market Procedures). Purchase of goods, supplies, (other than library books and periodicals), equipment, or services not involving a unique ability with an estimated value above ten thousand dollars and not exceeding thirty thousand dollars may be made by the purchasing agent in the open market after obtaining written quotations solicited by written notice inviting quotations. Written quotations shall be submitted to the department director, and routed to the purchasing agent for final verification. Purchases are awarded by the purchasing agent. The City Attorney shall determine whether the required written agreements shall be in purchase order or contract form.

(d) Purchases above \$30,000 (Formal Sealed Bidding).

Purchase of goods, supplies (other than library books and periodicals), equipment, or services not involving a unique ability and exceeding an estimated value of thirty thousand dollars shall be made by formal sealed bidding, using city's standard bidding templates, associated product specifications, and/or scope of services, except as otherwise provided herein. Notification to prospective bidders must be

provided by issuing a notice inviting bids, published and processed in accordance with the procedures identified in the purchasing policy, and sent to names on the bidders' list. Award of contract shall be made by the city council. Written contracts shall be required for purchases made under this section, and reviewed by the city attorney. The purchasing agent is authorized to execute such contracts on behalf of the city, attested to by the city clerk.

(11) Best Value Procurement and Qualifications Based Selection

Best value procurement and qualifications-based selection shall be undertaken in accordance with the purchasing policy.

(12) Professional Services.

Contracts for services of specially trained and professional persons or businesses shall be exempt from bidding. No solicitation method is required but quotations are encouraged; Contracts for architects and engineers shall be on a qualifications-based selection process. If the contract is equal to or below thirty thousand dollars, the contract shall be reviewed by the City Attorney and require the approval of, and be executed by, the city manager. All contracts exceeding thirty thousand dollars must be reviewed by the City Attorney and approved by the city council.

(13) Encumbrance of Funds.

Except in cases of emergency and as approved by the City Manager and later ratified by the City Council, the purchasing agent shall not issue any purchase order for goods, supplies, equipment, non-professional services or services not involving a unique ability for which there is an insufficient appropriation in the budgetary account against which said purchase is to be charged. Emergency transactions may be subject to Public Contract Code sections 1102 and 22050.

(14) Inspection and Testing of Materials and services

The purchasing agent may inspect supplies and equipment delivered, and determine their conformance with the specifications set forth in the order or contract. The purchasing agent shall have authority to require chemical and physical tests of samples submitted with bids, and samples of deliveries, which are necessary to determine their quality and conformance with specifications.

(15) Surplus Supplies and Equipment. All using departments shall submit to the purchasing agent, at such times and in such forms as he shall prescribe, reports showing all supplies and equipment which are no longer used or which have become obsolete or worn out. The using department, with the concurrence of the purchasing agent, shall have authority to sell all supplies and equipment which cannot be used by any department, or which have become unsuitable for city use, or to exchange the same for or trade the same in on new supplies and equipment. City Manager approval is needed for sale of supplies and/or equipment when the total estimated value exceeds ten thousand dollars. The purchasing agent shall also have the authority to make transfers between departments of any usable surplus supplies or equipment.

(16) Splitting Orders to Avoid Competitive Bidding or More Rigorous Purchasing Procedures Prohibited. Purchases of supplies, materials, equipment or services shall not be split into smaller orders or components for the purpose of avoiding competitive bidding or more rigorous purchase procedures.

(17) Equipment Leasing Agreements.

(a) As used in this section:

1. "Leasing of non-purchasable equipment" means equipment which is available through "lease only" plans;
2. "Leasing purchasable equipment" means equipment which can be acquired through "lease with option to purchase" type plans;

(b) Equipment Leasing. Leasing of purchasable or non-purchasable equipment shall be in accordance with subsections 7, 8, 9, 10 and/or 19 of this section.

(18) Maintenance Agreements.

(a) As used in this section, "maintenance agreements" means agreements with maintenance service providers for the maintenance of city equipment in good operating condition subject to terms and conditions agreeable to both the provider and the city.

(b) Maintenance agreements shall be signed or terminated before agreement expiration by the purchasing agent with prior approval of the department head responsible for the equipment.

(19) Non-competitive Procurements. Nothing contained in this section shall prohibit procurement made by sole source, single source, or cooperative procurement methods as addressed through and in accordance with the purchasing policy, where competitive bidding may otherwise be required.

(20) Library Books and Periodicals. The city librarian may purchase library books, periodicals, audiovisual, CD-ROM, and electronic format materials in accordance with the budget approved by the city council.

(21) Nothing contained in this section shall prohibit the city from purchasing supplies, services or equipment, without complying with the herein bidding procedure, from a supplier who offers the same or better price, terms and/or conditions as the supplier previously offered as the lowest responsible bidder under competitive procurement conducted by another city or public agency, provided that the competitive procurement process of the other agency meets or exceeds the standards of the city, is for like or greater quantities and that, in the opinion of the purchasing agent, it is in the best interest of the city.

(22) Purchases Utilizing Federal Funding. Uniform Guidance requirements contained in the Code of Federal Regulations at 2 CFR 200.318 through 327 shall be followed when purchasing goods and services that utilize federal grants funds.

Section 2. Section 2.99-35 of Article XIII of Chapter 2 of the South Pasadena Municipal Code is hereby amended to read as follows with additions denoted in underline and deletions noted in strikethrough:

2.99-35 Public works projects.

(a) Except as provided in subsection (e) of this section, the city manager may cause public works projects of \$50,000 or less to be performed by employees of the city by force account, by negotiated contract, or by purchase order. Public works projects in excess of such amount shall be awarded by city council.

(b) Except as provided in subsection (e) of this section, public works projects of \$200,000 or less may be let to contract by informal procedures as set forth in SPMC 2.99-37.

(c) Except as provided in subsection (e) of this section and SPMC 2.99-37(e), public works projects of more than \$200,000 shall be let to contract by the formal bidding procedure outlined in SPMC 2.99-38 and 2.99-39.

(d) The term “public works project” shall have the definition set forth for “public project” in Public Contract Code Section 22002.

(e) The dollar limits set forth in subsections (a), (b), and (c) of this section, and subsection (e) of section 2.99-37, shall adjust without city council action as necessary to comply with any adjustment mandated by the State Controller pursuant to the authority granted by Public Contract Code Section 22020.

Section 3. Section 2.99-37 of Article XIII of Chapter 2 of the South Pasadena Municipal Code is hereby amended to read as follows with additions denoted in underline and deletions noted in strikethrough:

2.99-37 Informal Bidding Procedure.

The following apply to informal bids for public works projects:

(a) Notice Inviting Informal Bids.

(1) Required Noticing. When a public contract is to be bid pursuant to the procedures in this section, a notice inviting informal bids shall be mailed to all construction trade journals specified by the Commission in accordance with Public Contract Code Section 22036.

(2) Optional Noticing. Notification may be also provided to the contractors on the list created pursuant to SPMC 2.99-36 for the category of work being bid, and to any additional contractors and/or construction trade journals.

(3) Exception. If the product or service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice inviting informal bids may be sent exclusively to such contractor or contractors.

(b) Mailing Notices. All mailing of notices to contractors and construction trade journals pursuant to subsections (a)(1) and (3) of this section shall be completed not less than 10 calendar days before bids are due.

(c) Description of Project. The notice inviting informal bids shall describe the project in general terms and how to obtain more detailed information about the project, and state the time and place for the submission of bids.

(d) Authority to Award Contracts. The city manager is authorized to award a contract if the lowest bid received is \$50,000 or less. Contracts valued at more than \$50,000 can only be awarded by the city council.

(e) Bids Exceeding \$200,000. If all bids received pursuant to the informal process are in excess of \$200,000, the city council may adopt a resolution by a four-fifths vote to award the contract at \$212,500 or less to the lowest responsible bidder, if it determines the city's cost estimate was reasonable. Otherwise, the project shall be rebid pursuant to SPMC 2.99-38 and awarded pursuant to SPMC 2.99-38 and 2.99-39.

(f) Award of Contract. The contract shall be awarded to the lowest responsible bidder.

SECTION 4. SEVERABILITY. If any portion or provision of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the validity of the remaining portions or provisions or their application and, to this end, the provisions of this Ordinance are severable.

SECTION 5. CERTIFICATION AND PUBLICATION. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause this Ordinance to be published within 15 days after its passage, in accordance with Section 36933 of the Government Code.

SECTION 6. EFFECTIVE DATE. Unless expressly stated otherwise as to a specific Section of this Ordinance, this Ordinance shall go into effect and be in full force and effect thirty (30) days after its passage.

PASSED, APPROVED AND ADOPTED ON this 16th day of November, 2022.

Michael A. Cacciotti, Mayor

ATTEST:

APPROVED AS TO FORM:

Desiree Jimenez, CMC
Chief City Clerk

Andrew L. Jared, City Attorney

I HEREBY CERTIFY that Ordinance was duly approved and adopted at a Regular meeting of the City Council on this 16th day of November, 2022, by the following votes as the same appears on file and of record in the Office of the City Clerk.

AYES:

NOES:

ABSENT:

ABSTAIN:

Desiree Jimenez, CMC
Chief City Clerk

ATTACHMENT B
Draft Purchasing Ordinance

PURCHASING

A. Introduction

The purpose of this section is to provide information for procuring goods and services consistent with adopted policies and procedures and best practices. This section is intended to provide sufficient information to enable employees to be fully aware of and comply with City purchasing policies and to effectively participate in the purchasing system. This system was adopted to:

- Establish efficient procedures for the purchase of goods and services at the lowest possible cost commensurate with the quality needed.
- Exercise positive control over purchases.
- Clearly define authority for the purchasing function.
- Ensure the quality of purchases.

The City's purchasing system is codified in [Articles XI \(Purchasing\) and XIII \(Awarding Public Works Contracts\)](#) of Chapter 2 (Administration) of the South Pasadena Municipal Code (municipal code).

The City's purchasing policy places an emphasis on competitive bidding to ensure best value in exchange for public funds, to facilitate fair and open competition, and to uphold the integrity of the purchasing system. However, there are alternatives to competitive bidding that may be used if appropriately justified, as explained in the Purchasing Related Programs, Procedures and Requirements subsection below.

B. Purchase Categories

City purchases generally consist of the following categories for which different procurement methods may apply.

- **Goods.** The purchase of goods consists of materials, equipment and supplies needed by any department, including those items purchased with City funds and furnished to contractors for use with public projects. For contracts providing a mixed procurement of goods and services, the Purchasing Agent shall make a determination which category shall apply based on the totality of the circumstances related to that procurement.
- **Services.** City staff may require contracts for services, which fall into two categories:
 - *General Services.* General services are defined as services rendered by independent contractors such as custodial, building/equipment maintenance and machinery/equipment rental, excluding contracts to construct public projects.
 - *Professional Services.* Professional services are those rendered by engineers, architects, accountants, attorneys, doctors, and other individuals or businesses with specialized scientific, expert, technical or other skills of a similar nature.
- **Public Works Projects.** Public works projects pertain to the construction, alteration, repair, painting, or improvement of any publicly owned, leased or operated facility, structure, building, road, or other public improvement of any kind, including demolitions, the construction and installation of drainage systems, lighting and signaling systems, sewer and water systems, and park and recreational facilities. (see Pub. Contract Code sec 22002(c)). Maintenance required to preserve a public improvement is not considered a public work. (see Pub. Contract Code sec 22002(d)).

Public works projects are awarded in accordance with [Article XIII commencing with section 2.99-34](#) and the requirements of the Uniform Public Construction Cost Accounting Act ([CUPCCAA, Public Contract Code sections 22000 et seq.](#))

C. Purchasing Authorities, Roles and Responsibilities

The South Pasadena Municipal Code establishes the following authorities, roles and responsibilities associated with the purchasing system.

Purchasing Agent

The Finance Director is designated as the Purchasing Agent and may delegate purchasing responsibilities to another staff person. The Purchasing Agent is responsible for:

- Contracting for quality equipment, supplies and non-professional services at the least expense and/or best quality to the City.
- Where competitive bidding is required, ensuring that it is conducted with full and open competition and in full compliance with applicable law.
- Where competitive bidding is not required, ensuring that the City's procurement of services is undertaken in a fair and transparent manner, based on demonstrated competence and qualifications, at a fair and reasonable price.
- Preparing and recommending purchasing policies and procedures in accordance with best practices.
- Prescribing and maintaining forms necessary to effectively administer the purchasing system.
- Keeping informed about procurement trends, market conditions, and new products to maximize value.
- Overseeing the disposal of surplus equipment and supplies that have become unsuitable for city use.

Other City Departments

To ensure that the purchasing system is efficiently and effectively administered, staff in City departments are responsible for:

- Preparing cost estimates of their purchase requirements.
- Clearly identifying procurement needs and funding availability.
- Submitting accurate and concise purchase order requisition forms.
- Preparing and maintaining bidder's lists, as requested or required.
- Soliciting and evaluating bids and proposals as required.
- Inspecting goods delivered and/or services performed in a timely manner to verify conformance with bid specifications and contractual obligations.
- Authorizing payment for conforming goods and/or services.
- Reporting surplus property to the purchasing agent for disposal.

Ability to Legally Bind the City

To exercise positive control over purchases using public funds, the ability to legally bind the City (award contracts, sign written agreements on behalf of the City, and approve purchase orders) is limited to the City Council, City Manager, Finance Director (Purchasing Agent) and department directors, in accordance with the purchase types and dollar thresholds in accordance with Section E

(Competitive Bidding and Contract Award Thresholds) below. Once codified by the City Council, those principles in Section E shall take full effect.

Unauthorized Purchases

Purchases not approved by the designated award authorities are unauthorized and do not constitute a valid charge against City funds. The City is under no obligation to pay vendors for unauthorized purchases, and employees who make or authorize such purchases without proper authority will be subject to disciplinary procedures in accordance with the City's personnel policies, may be subject to criminal sanction, and may be required to provide reimbursement.

Encumbrance Requirement

Except in cases of emergency, or as approved by the City Manager, and later ratified by the City Council, the Purchasing Agent cannot issue a purchase order for goods or services purchased unless there is a sufficient budget appropriation against which the purchase would be charged. Emergency transactions may be subject to Public Contract Code Sections 1102 and 22050.

D. Ethical Conduct

All employees are responsible for impartially ensuring fair competitive access to procurement opportunities by responsible suppliers and contractors. City officers and employees are prohibited from having financial interests in contracts made by them or by any board or body of which they are members. (Gov. Code sec. 1090). Additionally, all employees will conduct themselves in a manner that avoids any impropriety, or appearance of impropriety, and that fosters the highest level of public confidence in the integrity of the City's purchasing system.

- 1. Code of Conduct and Conflict of Interest.** No employee shall participate in a procurement when the employee knows:
 - a. The employee or employee's spouse, domestic partner, dependent relative (dependent child, stepchild, parent, or stepparent) will benefit financially from the procurement, and/or
 - b. The employee or employee's spouse, domestic partner, dependent relative (dependent child, stepchild, parent, or stepparent) is negotiating or has an employment arrangement contingent on or will be affected by the procurement.

Upon discovery of an actual or potential conflict of interest, an employee shall immediately withdraw from further participation in the procurement. Notwithstanding the forgoing, nothing in this policy shall abrogate the common law rule of necessity, or the statutory exceptions of remote interests and non-interests as expressed in Gov. Code sec. 1091 *et seq.*

- 2. Gifts and Gratuities.** No City employee shall solicit, demand, accept or agree to accept a gift of goods or services, payment, loan, or employment offer presented, promised in return for, or in anticipation of favorable consideration in a City procurement. Unsolicited gifts sent to City employees by prospective or existing vendors shall follow the reporting requirements for public officials established by the [California Fair Political Practices Commission \(FPPC\)](https://www.fppc.ca.gov/) (<https://www.fppc.ca.gov/>)
- 3. Conduct with Vendors.** Conduct with vendors who provide goods or services to the City shall be fair, open, and transparent. City employees must refrain from showing favoritism to vendors, safeguard confidentiality when required, and select vendors only on the basis of appropriate and fair criteria.

E. Competitive Bidding and Contract Award Thresholds

The City has established the competitive bidding and contract award thresholds shown in Table 2 below.

Table 1. Competitive Bidding and Contract Award Thresholds*

Purchase Category	Estimated Value	Method	Award Authority
Goods and/or General Services	Up to \$2,500	Written quotations are encouraged but not required	Department Director
	\$2,501 to \$10,000	Written quotations	Department Director
	\$10,001 to \$30,000	Written quotations	Purchasing Agent
	Greater than \$30,000	Sealed bidding	City Council
Professional Services (Architects and Engineers)	Any Value	Qualifications Based Selection**	City Manager (up to \$30,000) City Council (greater than \$30,000)
Professional Services (Other)	Any value	If 3 bids are not obtained, a justification of the selection must be provided	City Manager (up to \$30,000) City Council (greater than \$30,000)
Public Works Projects	In accordance with the values and methods pursuant to CUPCCAA, Public Contract Code sections 22000 et seq. and Article XIII commencing with section 2.99-34		City Manager (up to \$50,000) City Council (greater than \$50,000; up to \$200,000)
*Note: Award thresholds to be reviewed annually to account for changes in the economy and/or consistency with industry trends			
**Note: Qualifications Based Selection methods are explained in the Best Value Procurements section below.			

Prohibition on Splitting

Purchases of goods and services cannot be split or separated into smaller components to avoid the City's competitive bidding requirements or more rigorous purchasing procedures. The only exception to this requirement would be to comply with diversity and inclusion goals required by federal or state grants.

Competitive Bidding Procedures

Whether soliciting price quotations or conducting sealed bidding, it is a best practice to provide notice to as many qualified bidders as possible to ensure fair and open competition. *It is the policy of the City that a minimum of three quotations must be solicited whenever possible.*

If less than three quotes are received, the using department must provide a written explanation with the purchase requisition to the awarding authority that good faith efforts were made to obtain the required number of quotations. The requisition must also include documentation of the good faith efforts, i.e., vendor "no bid" response, email(s) sent to prospective vendors, etc.

The competitive bidding dollar thresholds shown below apply specifically to **goods** and **general services** as defined above. While **professional services** are exempt from competitive bidding under the City's purchasing policy, proposals should be solicited from at least three sources to ensure best value and/or to comply with federal or state law as required.

Purchases up to \$2,500 (Over the Counter)

For purchases up to \$2,500 for goods and/or general services, written quotations are not required but are strongly encouraged. The award authority is granted to the department director.

Purchases Between \$2,501 and \$10,000 Department Directors (Open Market Procedure)

For purchase of goods and /or general services between \$2,501 and \$10,000 written quotations are required. Written quotations must be submitted to the department director, and routed to the Purchasing Agent for final verification. The award authority is granted to the department director.

Purchases Between \$10,001 and \$30,000 Purchasing Agent (Open Market Procedure)

For the purchase of goods and/or general services between \$10,001 and up to \$30,000 written quotations are required, to be solicited by written notice inviting quotations. Written quotations will be reviewed by the Purchasing Agent for final verification. The award authority is granted to the purchasing agent.

Purchases Greater than \$30,000 (Formal Sealed Bidding)

Purchases greater than \$30,000 require sealed bidding using the City's standard bidding template(s) and associated product specifications and/or scope of services. All purchases greater than \$30,000 must be approved by the City Council, after having been reviewed and authorized to proceed by the department director, Purchasing Agent, and City Manager.

Notification to prospective bidders must be provided by issuing a notice inviting bids. This must be published at least ten days before the date of bid opening in a newspaper of general circulation in the City. The notice inviting bids must include the following:

- General description of the items to be procured,
- Information on how to obtain the bid document and associated specifications, and
- Time and place for the bid opening.

The notice inviting bids must be sent to a bidder's list, if one has been prepared and maintained for the items being procured.

Bidder's Security

When required, bidders must submit a bid security (bid bond) in an amount not to exceed 10% of the bid price, in further accordance with the instructions to bidders in the City's standard bidding template(s). A bid bond is a guarantee by a bidder that they will execute a contract if deemed to be the lowest responsive and responsible bidder. This entitles the City to compensation if the low bidder fails to execute a contract and the City must award a contract to a higher bidder. (The entitlement is the difference between the lowest responsive and responsible bidder and the bidder ultimately awarded a contract.)

Bid Opening Procedure

Unless otherwise specified, bids will be publicly opened by the City Clerk at the time and place stated in the bid notice, with each bid read aloud, and an apparent low bidder announced. If a bid bond was required as part of the solicitation requirements, the staff member opening the bids must verify that it was received for each submitted bid (a bid submitted without a bid bond, if required, cannot be accepted).

Following the bid opening, a bid tabulation sheet must be prepared and available for public inspection as soon as practical and in accordance with public records disclosure requirements.

Lowest Responsible Bidder

Contracts resulting from competitive bidding will be awarded by the appropriate award authority based on the lowest responsible bidder who submitted a bid that was responsive to the solicitation request. A bid is considered to be responsive if it conforms in all material respects to the solicitation requirements; minor defects may be waived by the Purchasing Agent.

A bidder is considered to be responsible if they possess the demonstrated ability, capacity, experience and skill to provide the goods and/or services required by the solicitation.

Best Value Procurements

Some procurements may require the use of a best value process where factors such as vendor qualifications and/or product or system functionality are evaluated in addition to low bid pricing. This means that a higher price can be paid for goods and/or services if the overall best value to the City can be justified.

When using the best value procurement method, the solicitation documents must include descriptive information that explains the evaluation process and criteria being used to award a contract. This type of solicitations is typically done using a request for proposals (RFP) process.

Note: When conducting a best value solicitation, the submitted proposals are not publicly opened and information on pricing is not read aloud (the evaluation process is confidential until a contract is awarded).

Qualifications Based Selection Process

Federal and state laws require that contracts for professional services provided by architects, engineers, land surveying and construction management firms be awarded based on demonstrated competence through a Qualifications Based Selection (QBS) process (see [Section 4525 et. seq. of the California Government Code](#) or its federal counterpart for federal aid projects, the [Brooks Act](#)). Such services shall be obtained at a fair and reasonable price. Staff will ensure that services are engaged on the basis of demonstrated competence and qualifications for the types of services to be performed.

Payment and Performance Bonds

Depending on the type of goods and/or services being procured, payment and/or performance bonds may be required. A payment bond ensures that the prime contractor pays its subcontractors. A performance bond guarantees contractor performance in accordance with the City's specifications and contract terms and conditions. Bonds are typically set at 100% of the bid price.

If bonding is required, the bond form(s) and specified amount must be described in the notice inviting bids and sample forms included in the solicitation document.

Bidder's Lists

Establishing and maintaining lists of prospective bidders can be an effective way of facilitating open competition for planned purchases of goods and services where open market procedures and/or sealed bidding is required. Using departments are encouraged to establish/maintain such lists where

it makes sense to do so. In any event, using departments should keep records of prospective bidders who contact the City to specifically request being included on a bidder's list for future business opportunities. The department should review and update the bidder's list annually.

Note: Given the City's participation in CUPCCAA, the Public Works Department is *required* to establish and maintain lists of qualified contractors, identified by category of work, and provide notice to them of bidding opportunities for construction projects.

Recordkeeping

Using departments must retain bid documents in accordance with the City's records retention schedule.

Competitive Bidding Solution (E-Procurement)

As part of the City's efforts to continually evaluate processes and procedures for efficiency improvements, Finance Department staff will partner with the City Clerk and other staff members to assess e-procurement solutions to determine whether such a system should be procured for administering competitive bidding processes. Any such system shall adhere to the purchasing requirements specified in this document.

F. Purchasing Related Programs, Procedures and Requirements

This section of the manual includes information on purchasing-related programs and procedures.

Purchase Requisition and Purchase Order Required

Unless procured by City-issued purchasing card, all purchases of goods and services greater than \$2,500 require the submittal of a properly completed purchase requisition form and approval of a purchase order by the Purchasing Agent. Purchasing agent shall develop workflow processes.

Use of Blanket Purchase Orders

Blanket purchase orders are term contracts (usually for one year) for goods and/or services that can be purchased as needed throughout the year, as opposed to purchase orders that are used for one-time purchases. Blanket purchase orders are typically used for operational supplies such as hand tools, equipment, parts for equipment, etc., but can also be evaluated for other supplies that are required by using departments.

Local Vendor Purchasing Preference

Purchases from South Pasadena vendors are strongly encouraged where competitive prices and quality are apparent. When general funds are used for a purchase, local (in-city) vendors will be given a five percent preference of the quoted price. The cost of doing business in the City of South Pasadena is acknowledged to be considerably higher compared to the cost of doing business outside of the city. As further rationale for local preference is that one percent of the sales tax on most acquisitions returns to the City General Fund as revenue, effectively reducing the procurement cost.

Cooperative Procurements ("Piggybacking")

The use of cooperative purchasing programs is encouraged as a way to obtain goods and/or services by aggregating volume, securing value pricing and reducing administrative overhead. Cooperative purchasing methods generally include the use of another public entity's (local or state) competitive bidding process to establish a contract with that agency's awardee (also known as "piggybacking").

Additionally, there are numerous regional and national purchasing cooperatives that offer cost free memberships to access databases of available goods and/or services. Examples of state contracts and purchasing cooperatives include:

- [California Multiple Award Schedules \(CMAS\)](#) of the Department of General Services (DGS),
- [OMNIA Partners, Public Sector](#) (formerly U.S. Communities),
- [Sourcewell](#) (formerly National Joint Partners Alliance),
- [NASPO ValuePoint](#) (formerly WSCA-NASPO, or the Western States Contracting Alliance-National Association of State Procurement Officials), and
- [nppgov](#) (national cooperative based in Seattle, WA)

Non-competitive Procurements

Non-competitive procurements represent purchases made without competitive bidding where it may otherwise be required. Examples of such procurements are provided below.

- Sole source. A sole source procurement represents a purchase that can only be obtained from a single source.
- Single source. A single source procurement represents a purchase that can be obtained from more than one source, but a decision is made to source the purchase based on compelling factors such as price/value, degree of specialization or technical expertise, or product standardization.
- Cooperative procurements. Cooperative purchases leverage competitive bidding conducted by another agency, as specified above.

The City Manager or designee may authorize the purchase of goods and services up to \$30,000 without competitive bidding if it is in the best interest of the City. The purchasing department must provide a written description explaining why competitive bidding is not in the City's best interest. Sourced purchases of goods and services greater than \$30,000 must be approved by the City Council.

When submitting a purchase requisition for a sourced purchase, using departments must provide a written justification that explains why the procurement cannot be competitively bid.

Procuring Goods or Services During Emergencies

Emergency events that pose threats to life or property may require immediate purchases without complying with competitive bidding or other policy requirements. Requirements for making purchases in emergency situations are contained in [Articles XI \(Purchasing\) and XIII \(Awarding Public Works Contracts\)](#) (<https://www.codepublishing.com/CA/SouthPasadena/#!/SouthPasadena02.html>). Emergency contracts may be subject to Public Contract Code Section 1102 and 22050.

Note: During declared disasters where the City may seek reimbursement from the Federal Emergency Management Agency (FEMA), many purchases must be procured using competitive bidding methods as established by the granting agency.

Environmentally Preferable Purchasing

In seeking to encourage the preservation and improvement of the environment, the City is establishing an Environmentally Preferable Purchasing Policy (EPP). The overall objective of the EPP is to help ensure that City purchases:

- Conserve natural resources,
- Minimize environmental impacts such as pollution and use of water and energy (Energy Star and Low Emission Vehicles),
- Strive to procure electric vehicles whenever reasonably feasible with regard to its intended function,
- Eliminate or reduce toxins that create hazards to workers and the community,
- Support strong recycling markets (recycled content paper),
- Reduce materials that would otherwise go to a landfill, and
- Increase the use and availability of products that protect the environment.

Additional EPP Resources

The Procurement Division of the California Department of General Services (DGS), as the lead state agency for implementing EPPs at the state level, can be used as a resource for [best practice information on "buying green."](#)

City Purchase Cards

The City has established a purchase card program whereby authorized employees may use a city-issued credit card for small dollar purchases of certain goods and services costing less than \$1,000. As part of the program, the Finance Department has a purchase card available for "checkout" with department director approval. Use of purchase cards is governed by the City's Purchase Card Use Policy.

Usage of a city-issued credit card is determined by the City Manager or Finance Director based on operational need for employees who are granted purchasing authority. Cardholders are required to sign an agreement that acknowledges the obligation to comply with the purchase card and purchasing policies with the understanding that policy violations can lead to disciplinary measures, including termination of employment. Under no circumstances can the purchase card be used for personal purchases.

Note: Purchase card transactions are reviewed each month by the Finance Director to ensure policy compliance. Additionally, the purchase card program is periodically reviewed by an independent party.

Detailed information such as allowable/prohibited uses, cardholder responsibilities, authorizations, conditions of use and penalties for incorrect use are provided in the Purchase Card Use Policy.

Amazon Business Account

The City has an online business account with Amazon, Inc. to facilitate the purchase of goods and/or services costing less than \$1,000 that are not available through other procurement means. Use of the Amazon business account is at the discretion of the Finance Director to employees who are granted purchasing authority.

Accountholders are required to sign an agreement that acknowledges the obligation to comply with all applicable City policies and procedures and will be subject to disciplinary procedures for policy violations, including termination of employment and/or criminal prosecution.

Prohibited uses include:

- Purchase of items for personal use,
- Splitting purchase transactions to circumvent policy requirements,

- Sharing the account with unauthorized users, and
- Failure to follow City purchasing policies.

Authorized account users must obtain transaction receipts and forward them, along with any required documentation, to the department head for approval.

Procurement Risk Management

Every purchase made by staff members carries an element of risk that must be mitigated through the use of contract terms and conditions that limit liability and/or through insurance requirements that vendors must meet to conduct business with the City.

Insurance Requirements

Typically, insurance is required for general services and public works construction where contractors are working on City property or in rights-of-way. Insurance is also required for professional services contracts.

Insurance is not typically required for goods purchases, unless there is a services component that requires onsite work such as installation or ongoing maintenance, or for off-site services or memberships.

The City Clerk is responsible for tracking insurance certificates and ensuring they are up to date. However, the using department responsible for procuring the services must ensure that insurance requirements are initially met when establishing a contract. This includes verifying that insurance certificates include policy endorsement pages and appropriately insure the City. Given that contract terms rarely match up with insurance coverage terms, the points of contact for service contracts must collaborate with the City Clerk to ensure coverage is maintained at all times.

Making Purchases that Utilize Federal Grant Funding

When purchasing goods and services that utilize federal grants funds, the City is required to follow the Uniform Guidance requirements contained in the Code of Federal Regulations at [2 CFR 200.318 through 327](#).

Disposal of Surplus Supplies and Equipment

Using departments are required to notify the Purchasing Agent when supplies and equipment are no longer needed or have reached the end of their useful life. With the concurrence of the Purchasing Agent, if the item is not reassigned to another department then the using department has the authority to dispose of the item consistent with the Surplus Disposal Methods found in the Fixed Assets section of this manual. City Manager approval is needed for the sale of any surplus items for which the estimated value exceeds \$10,000.

Depending on the estimated dollar value and other factors, the Purchasing Agent may require surplus supplies or equipment to be competitively bid or publicly auctioned.

Surplus items with no salvage value shall be disposed of in a manner that salvages recyclable components if practical.

No surplus supplies and equipment shall be purchased by any City officer, employee or agent, except at public auction conducted by a third party. Surplus items with no salvage value shall not be acquired by any City officer, employee or agent, except at public auction conducted by a third party.

Notwithstanding the foregoing, upon the approval of the department head and City Manager, sworn public safety personnel may acquire service firearms and other equipment used in their service with the City may at the time of retirement or time of end of useful life of such equipment acquire such equipment at the then fair market value for such item, as determined by the Purchasing Agent.



City Council Agenda Report

ITEM NO. 16

DATE: November 16, 2022

FROM: Arminé Chaparyan, City Manager *AC*

PREPARED BY: Angelica Frausto-Lupo, Community Development Director
Ayla Jefferson, Building Official

SUBJECT: **First Reading and Introduction of an Ordinance to Adopt by Reference the 2023 Los Angeles County Building, Residential, Electrical, Mechanical, Plumbing and Existing Building Codes with Certain Amendments, Additions and Deletions thereto by amending Chapter 9 Article 1 of the South Pasadena Municipal Code and Add New Section to Article 2 of Chapter 9 to Comply with AB 1236 and AB 970 to Expedite Permitting for Electrical Vehicle Charging Stations**

Recommendation

It is recommended that the City Council:

1. Introduce for first reading by title only and waive further reading of an ordinance adopting by reference and amending the 2023 Los Angeles County Building, Electrical, Plumbing, Mechanical, Residential and Existing Building Codes; and
2. Schedule a public hearing on December 7, 2022 to consider adoption and second reading of the same ordinance.

Title of the Ordinance to Read:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, AMENDING THE CITY OF SOUTH PASADENA MUNICIPAL CODE BY MODIFYING CHAPTER 9 ARTICLE I THEREOF ADOPTING BY REFERENCE THE 2023 LOS ANGELES COUNTY BUILDING CODE (TITLE 26), ELECTRICAL CODE (TITLE 27), PLUMBING CODE (TITLE 28), MECHANICAL CODE (TITLE 29), RESIDENTIAL CODE (TITLE 30), AND EXISTING BUILDING CODE (TITLE 33) AND BY MODIFYING ARTICLE II THEREOF ADDING EXPEDITED PERMITTING WITH CERTAIN AMENDMENTS, ADDITIONS AND DELETIONS THERETO

Background

Every three years, the State adopts new codes (known collectively as the California Building Standards Code or “Title 24”) to establish uniform standards for the construction and maintenance of buildings, electrical systems, plumbing systems, mechanical systems, and fire and life safety systems. Sections 17922, 17958 and 18941.5 of the California Health and Safety Code requires that the latest edition of the Title 24 be applied to local construction 180 days after publication by the state.

While State law requires local governments to enforce California Title 24, the law allows local governments to enact additional local amendments, but only where the City Council can make a finding that these amendments are based on local climatic, geological, or topographical conditions.

The City of South Pasadena (City) historically has adopted the Los Angeles County version of the codes (Title 24 plus Los Angeles County amendments) based on local conditions that include Santa Ana Winds, wildfires, and greater earthquake risk. Adoption of the Los Angeles County Codes by the City ensures that the codes used by the City set the safest standard permitted by law; are consistent with codes throughout the region; and are readily available to architects, engineers, and contractors.

At the 2016 code adoption cycle, the administrative requirements were formally codified into the City Municipal Code. Since the administration rarely changes, the City only needs to adopt the chapters from each of the County Codes (Building, Residential, Electrical, Mechanical, Plumbing, and Existing Building) that contain technical requirements. To avoid any confusion between the City Municipal Code sections and the building code sections, this year, a table is added at the beginning of Article I, showing how to read building code sections in reference to City Municipal Code.

Assembly Bill (AB) 1236 specifically adds Section 65850.7 to the Government Code, relating to local ordinances, to require cities to adopt by ordinance an expedited permitting process for electric vehicle charging stations.

AB 970 requires a city, county, or city and county to reduce the number of required parking spaces to accommodate the electric vehicle charging station, as specified. The AB 970’s provisions would become operative on January 1, 2022, but for every city, county, or city and county with a population of less than 200,000 residents, the Bill’s provisions would apply beginning on January 1, 2023.

Analysis

In accordance with the California Health and Safety Code (commencing with §18935), the State of California adopts and publishes a series of construction codes that become California Title 24.

State publishes an updated version of Title 24 every three years on July 1st. When published on July 1st, then the most current version of Title 24 is required to be enforced

by local jurisdictions starting January 1st of the following year. The State published the 2022 version of Title 24 on July 1, 2022.

The codes published by the State are intended to set a minimum statewide code compliance standard. Local jurisdictions are never permitted to enforce a requirement that is less restrictive than Title 24. Local jurisdictions may enforce a more restrictive requirement, but only if the board or council for the local jurisdiction has made a finding that the more restrictive requirement is necessary based on a local climatic, topographic, or geologic condition.

Each 3-year code cycle, the City and County of Los Angeles work together to adopt a series of more restrictive requirements based on local conditions that include Santa Ana Winds, wildfires, and greater earthquake risk. The County Board of Supervisors then makes a finding based on documentation provided by County staff that justifies the more restrictive requirements as part of the current County Codes.

Since the 1990s the City of South Pasadena has adopted the Los Angeles County version of the Construction Codes. Adoption of the County Codes is done for the following reasons:

1. Adoption by the City ensures that the codes used by the City set the safest standard permitted by law.
2. The County Codes are used throughout the majority of Los Angeles County.
3. The County Codes are readily available for purchase by architects, engineers, and contractors.

Because the City cannot adopt a code that does not legally exist, the challenge for every code adoption cycle is that the City must wait for the County to complete their code adoption cycle before the City can start its code adoption cycle.

First reading of the County Codes was on October 18, 2022, and the second reading and adoption by the Board of Supervisors occurred at the meeting on November 15, 2022. Adoption of the County Ordinances created the 2023 Los Angeles County Codes.

South Pasadena Municipal Code (SPMC) Article II of Chapter 9 now is dedicated for State Mandated Expedited Permitting, the name of the article changed to Expedited Permitting, and the name of Section No. 9.20 changed to Small Residential Rooftop Solar Energy Systems, Intent and purpose. New Section Nos. 9.30, 9.31, 9.32 and 9.33 have been added for Electrical Vehicle Charging Stations as mandated by AB1236 and AB970.

Fiscal Impact

There is no fiscal impact as a result of this ordinance. A fee resolution updating associated fees will be brought under separate action at a future City Council meeting.

Attachments:

1. Proposed City Ordinance to adopt by reference and amend the 2023 Los Angeles County Building, Residential, Electrical, Plumbing, Mechanical and Existing Building Codes and Expedited Permitting for Electric Vehicle charging stations
2. Findings and Los Angeles County Ordinance adopting and amending the 2022 California Codes and creating the 2023 Los Angeles County Codes

Due to the size of the Los Angeles County Ordinance, these documents can be viewed at the following links:

- Building Code and findings
<http://file.lacounty.gov/SDSInter/bos/supdocs/173612.pdf>
 - Residential Code and findings
<http://file.lacounty.gov/SDSInter/bos/supdocs/173615.pdf>
 - Electrical Code and findings
<http://file.lacounty.gov/SDSInter/bos/supdocs/173568.pdf>
 - Plumbing Code and findings
<http://file.lacounty.gov/SDSInter/bos/supdocs/173643.pdf>
 - Mechanical Code and findings
<http://file.lacounty.gov/SDSInter/bos/supdocs/173614.pdf>
 - Existing Building Code and findings
<http://file.lacounty.gov/SDSInter/bos/supdocs/173617.pdf>
 - California Codes can be viewed at <https://www.dgs.ca.gov/BSC/Codes>
3. Findings amending Fire code may be reviewed on the agenda posted for November 2nd Council meeting, agenda item number 12 of the agenda meeting at <https://www.southpasadenaca.gov/home/showpublisheddocument/30798/638024872551348226>

ATTACHMENT 1

Proposed City of South Pasadena Ordinance to adopt by reference and amend the 2023 Los Angeles County Building, Residential, Electrical, Plumbing, Mechanical and Existing Building Codes and Expedited Permitting for Electric Vehicle charging stations

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, AMENDING THE CITY OF SOUTH PASADENA MUNICIPAL CODE BY MODIFYING CHAPTER 9 ARTICLE I THEREOF ADOPTING BY REFERENCE THE 2023 LOS ANGELES COUNTY BUILDING CODE (TITLE 26), ELECTRICAL CODE (TITLE 27), PLUMBING CODE (TITLE 28), MECHANICAL CODE (TITLE 29), RESIDENTIAL CODE (TITLE 30), AND EXISTING BUILDING CODE (TITLE 33) AND BY MODIFYING ARTICLE II THEREOF ADDING EXPEDITED PERMITTING WITH CERTAIN AMENDMENTS, ADDITIONS AND DELETIONS THERETO

WHEREAS, the 2022 California Building, Residential, Electrical, Mechanical, Plumbing, and Existing Building Codes have been published by the California Building Standards Commission; and

WHEREAS, the City of South Pasadena (City) is permitted by state law to amend the California Building, Residential, Electrical, Mechanical, Plumbing, and Existing Building Codes (Title 24, Parts 2, 2.5, 3, 4, 5, and 10) by adoption and amendment only prior to January 1, 2023; and

WHEREAS, the County of Los Angeles has adopted by reference and amended the 2022 California Building (Ordinance Number 22-3725), Electrical (Ordinance Number 22-3727, Plumbing (Ordinance Number 22-3729), Mechanical (Ordinance Number 22-3736), Residential (Ordinance Number 22-3734), Existing Building (Ordinance Number 22-3739); and

WHEREAS, the City finds that the amendments to the California Building, Residential, Electrical, Mechanical, Plumbing, and Existing Building Codes as adopted by the County of Los Angeles are necessary and appropriate for the City because of local climatic, geologic and/or topographic conditions; and

WHEREAS, the City finds that further amendments to the 2023 Los Angeles County Building, Residential, Electrical, Mechanical, Plumbing, and Existing Building Codes are necessary because of local climatic, geologic and/or topographic conditions; and

WHEREAS, the City is located within the County of Los Angeles, and the City Council believes that the findings made by the Los Angeles County Board of Supervisors are applicable to and consistent with the desire of the City to provide the most technically proficient and safe construction codes possible; and

WHEREAS, the Los Angeles County Building, Residential, Electrical, Mechanical, Plumbing and Existing Building Codes are used throughout the County of Los Angeles and a significant portion of the incorporated cities within the County of Los Angeles; and

WHEREAS, the Los Angeles County Codes are common, readily available for purchase, and well known to contractors, engineers, and architects; and

WHEREAS, Assembly Bill 1236 imposes new requirements for cities. Assembly Bill 1236 specifically add Section 65850.7 to the Government Code, relating to local ordinances, to require cities to adopt by ordinance an expedited permitting process for electric vehicle charging stations; and

WHEREAS, creation of an expedited, streamlined permitting process for electric vehicle charging stations would facilitate convenient charging of electric vehicles and help reduce the City's reliance on environmentally damaging fossil fuels; and

WHEREAS, Assembly Bill 970 would require a city, county, or city and county to reduce the number of required parking spaces to accommodate the electric vehicle charging station, as specified; and

WHEREAS, Assembly Bill 970's provisions would become operative on January 1, 2022, but for every city, county, or city and county with a population of less than 200,000 residents, the bill's provisions would apply beginning on January 1, 2023; and

WHEREAS, in accordance with Section 15061(b)(3) of Title 14 of the California Code of Regulations, the adoption of local amendments to the California Building Standards Code which amend the South Pasadena Municipal Code are exempt from the provisions of the California Environmental Quality Act because such actions are largely administrative in nature, are designed to improve and not degrade environmental quality, and the impacts of these local amendments to the building standards code will not adversely affect the environment in any manner that could be significant.

WHEREAS, To the extent the provisions of this Ordinance are substantially the same as previous provisions of the South Pasadena Municipal Code, these provisions shall be construed as continuations of those provisions and not as new enactments.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The following table has been added to the beginning of 9.1 of Article I of Chapter 9 to read as follows:

ARTICLE I. CODE ADOPTION AND AMENDMENTS

9.1 Building code administration

All of the below sections and subsections in this section 9.1 of Article I shall read as having a prefix of 9.1- as in the below table.

Sections in this code	Prefix to be added to each section as to read	Sections in this code	Prefix to be added to each section as to read	Sections in this code	Prefix to be added to each section as to read
101	9.1 -	101	9.1 -	110.2.3.1.	9.1 -
101.1	9.1 -	101.1	9.1 -	110.2.3.2.	9.1 -
101.2	9.1 -	101.2	9.1 -	110.2.3.3.	9.1 -
101.3	9.1 -	101.3	9.1 -	110.2.3.4.	9.1 -
102	9.1 -	102	9.1 -	110.2.3.5.	9.1 -
102.1	9.1 -	102.1	9.1 -	110.2.3.6.	9.1 -
102.2	9.1 -	102.2	9.1 -	110.2.3.7.	9.1 -
102.3	9.1 -	102.3	9.1 -	110.2.3.8.	9.1 -
102.4	9.1 -	102.4	9.1 -	110.2.3.9.	9.1 -
102.4.1	9.1 -	102.4.1	9.1 -	110.2.3.10	9.1 -
102.4.2	9.1 -	102.4.2	9.1 -	111	9.1 -
102.4.3	9.1 -	102.4.3	9.1 -	112	9.1 -
102.4.4	9.1 -	102.4.4	9.1 -	113	9.1 -
102.4.5	9.1 -	102.4.5	9.1 -	113.1	9.1 -
102.4.6	9.1 -	102.4.6	9.1 -	113.2	9.1 -
102.5	9.1 -	102.5	9.1 -	113.3	9.1 -
102.5.1	9.1 -	102.5.1	9.1 -	113.4	9.1 -
102.5.2	9.1 -	102.5.2	9.1 -	113.5	9.1 -
102.5.3	9.1 -	102.5.3	9.1 -	114	9.1 -
		104.2.9	9.1 -		
		104.2.10	9.1 -		
		104.2.11	9.1 -		
		104.2.12.	9.1 -		
		104.2.13	9.1 -		
		104.2.14	9.1 -		
		104.3	9.1 -		
		105	9.1 -		
		105.1	9.1 -		
		105.2	9.1 -		
		105.3	9.1 -		
		105.4	9.1 -		
		106	9.1 -		
		106.1	9.1 -		
		106.2	9.1 -		
		106.3	9.1 -		
		106.4	9.1 -		
		106.5	9.1 -		
		106.6	9.1 -		

102.5.4	9.1 -	102.5.4	106.7	9.1 -	106.7	114.1	9.1 -	114.1
102.5.5	9.1 -	102.5.5	106.8	9.1 -	106.8	115	9.1 -	115
102.6	9.1 -	102.6	107	9.1 -	107	115.1	9.1 -	115.1
103	9.1 -	103	107.1	9.1 -	107.1	115.2	9.1 -	115.2
103.1	9.1 -	103.1	107.2	9.1 -	107.2	115.3	9.1 -	115.3
103.2	9.1 -	103.2	107.3	9.1 -	107.3	116	9.1 -	116
103.3	9.1 -	103.3	107.4	9.1 -	107.4	116.1	9.1 -	116.1
103.4	9.1 -	103.4	107.5	9.1 -	107.5	116.2	9.1 -	116.2
103.4.1	9.1 -	103.4.1	107.6	9.1 -	107.6	117	9.1 -	117
103.4.2	9.1 -	103.4.2	107.7	9.1 -	107.7	117.1	9.1 -	117.1
103.4.3	9.1 -	103.4.3	107.8	9.1 -	107.8	117.2	9.1 -	117.2
103.4.4	9.1 -	103.4.4	107.9	9.1 -	107.9	117.3	9.1 -	117.3
103.5	9.1 -	103.5	107.9.1	9.1 -	107.9.1	117.4	9.1 -	117.4
103.6	9.1 -	103.6	107.9.2	9.1 -	107.9.2	117.4.1	9.1 -	117.4.1
103.7	9.1 -	103.7	107.9.3	9.1 -	107.9.3	117.4.2	9.1 -	117.4.2
104	9.1 -	104	108	9.1 -	108	117.4.3	9.1 -	117.4.3
104.1	9.1 -	104.1	109	9.1 -	109	117.5	9.1 -	117.5
104.2.1	9.1 -	104.2.1	109.1	9.1 -	109.1	117.5.1	9.1 -	117.5.1
104.2.1.1	9.1 -	104.2.1. 1	109.2	9.1 -	109.2	117.5.2	9.1 -	117.5.2
104.2.2	9.1 -	104.2.2	109.3	9.1 -	109.3	117.5.3	9.1 -	117.5.3
104.2.3	9.1 -	104.2.3	109.4	9.1 -	109.4	117.6	9.1 -	117.6
104.2.3.1	9.1 -	104.2.3. 1	109.5	9.1 -	109.5	117.7	9.1 -	117.7
104.2.3.2	9.1 -	104.2.3. 2	109.6	9.1 -	109.6	117.8	9.1 -	117.8
104.2.3.3	9.1 -	104.2.3. 3	109.7	9.1 -	109.7	117.9	9.1 -	117.9
104.2.3.4	9.1 -	104.2.3. 4	110	9.1 -	110	117.1	9.1 -	117.1
104.2.4	9.1 -	104.2.4	110.1	9.1 -	110.1	117.11	9.1 -	117.11

104.2.5	9.1 -	104.2.5	110.2	9.1 -	110.2	117.12	9.1 -	117.12
104.2.6	9.1 -	104.2.6	110.2.1.	9.1 -	110.2.1.			
104.2.7	9.1 -	104.2.7	110.2.2.	9.1 -	110.2.2.			
104.2.8	9.1 -	104.2.8	110.2.3.	9.1 -	110.2.3.			

SECTION 2. Chapter 9 (“Buildings”), Article 1 (“Code Adoption and Amendments”), Section 9.1.1 of the South Pasadena Municipal Code (SPMC) is amended to read as follow:

“9.1.1 2023 LOS ANGELES COUNTY CODE, TITLE 26, BUILDING CODE ADOPTED – WHERE FILED.

Chapters 2 through 35, 66, 67, 96, 98, 99 and Appendices I and J of Title 26, Los Angeles County Building Code, as amended and in effect on or before January 1, 2023, is hereby adopted by reference pursuant to the provisions of Sections 50022.1 through 50022.10 of the Government Code of the State of California as though fully set forth herein, and made a part of the South Pasadena Municipal Code with the same force and effect as though set out herein in full, including all of the regulations, revisions, conditions and terms contained therein except as revised in this ordinance.

In accordance with Section 50022.6 of the California Government Code, not less than one copy of said Title 26 of the Los Angeles County Building Code together with any and all amendments thereto proposed by the City, has been and is now filed in the office of the Community Development Department, shall be remain on file with the Building Official, shall collectively be known as the *City of South Pasadena Building Code* and may be cited as Chapter 9, Article 1 Section 9.1 of the City of South Pasadena Municipal Code.”

SECTION 2. Chapter 9 (“Buildings”), Article 1 (“Code Adoption and Amendments”), Section 9.1.2 (“City Specific Modifications”) of the South Pasadena Municipal Code (SPMC) is amended to read as follows:

“9.1.2 CITY SPECIFIC MODIFICATIONS

Chapters 9, 15, 33, 96, 99 and Appendix J of Title 26 of the 2023 Los Angeles County Code (the Los Angeles County Building Code), adopted by reference as the Building Code of the City, are hereby amended, deleted or added as follows:

1. Chapter 9 of the Los Angeles County Building Code is deleted in its entirety and replaced with Chapter 9 of California Fire Code as adopted and amended by SPMC Chapter 14 Fire Prevention, Section 14.4, Fire Code Amended.

2. Section 1505.1.3 is amended in its entirety to read:

Section 1505.1.3 Roof Coverings. Except as permitted per SPMC Chapter 14 Fire Prevention, Section 14.1.2 Special provisions related to roof types, all roof covering of every structure shall be Class A.

3. A new Section 3301.3 is added to read:

3301.3 On-Site Fencing During Construction.

3301.3.1 General. A fence shall be provided any time grading, demolition, or construction work requiring a grading or building permit is performed. The fence shall totally enclose the perimeter of all property. Locking gates may be provided at any location.

Exceptions:

- 1) When approved by the Building Official, a fence need not enclose residential property when at least one dwelling is continuously occupied. Approval not to fence the property may be revoked in writing by the Building Official if the property is found to be unoccupied for any length of time. For the purposes of this exception, continuously occupied is not intended to imply that the occupants must be continuously present.
- 2) When approved by the Building Official, the fence may enclose areas other than the perimeter of the property.

3301.3.2 Fence Construction. The fence shall be 6 feet in height measured from adjacent grade on the exterior side of the fence, and constructed from chain link, lumber, masonry or other approved materials. The fence shall be self-supporting and shall not incorporate structures or fencing on adjacent property without written approval of the adjacent property owner.

3301.3.3 Duration of Fencing. The fence shall be erected prior to the start of any grading, demolition, or construction work and shall remain in place until the work for which a grading or building permit is required has been completed.

Exceptions:

- 1) All or portions of the fence may be removed daily during construction so long as the property is continuously occupied, and all portions of the removed fence are replaced prior to the property being unoccupied.
- 2) When approved by the Building Official, the fence may be removed prior to completion of the grading, demolition, or construction work, if the property is determined by the building official to no longer provide an unsafe or hazardous condition.

3301.3.4 Failure to Comply. If the property is found unfenced and the building official determines that an unsafe or hazardous condition exists, the City may take action to correct the noncomplying condition by providing the required fence. The building official may then issue a notice to stop work until all fees incurred by the City to properly fence the property have been recovered. If such fees have not been recovered by the City within 30 days, the City may take action to recover the costs in accordance with the requirements of the Code(s) having jurisdiction over any portion of the work.

4. Section 9605.1 is amended in its entirety to read:

9605.1 Time Limitations. The owner of each building within the scope of the 2023 Los Angeles County Building Code Chapter 96 shall, upon receipt of a Service Order and within the time limits set forth in this Ordinance, cause a structural analysis to be made of the building by a licensed civil engineer or architect. If the building does not comply with standards specified in this Chapter and Existing Building Code Appendix Chapter A1 of Part 10, Title 24 of the California Code of Regulations, then the owner shall cause the building to be structurally altered to conform to such standards or shall cause the building to be demolished.

No person shall make any exterior modification or demolish any structure listed on the City's Inventory of Cultural Resources without prior review by the Cultural Heritage Commission and issuance of a Certificate of Appropriateness pursuant to South Pasadena Municipal Code Section 2.64 or any successor regulation.

Where a Certificate of Appropriateness is required, no plans may be submitted to the Building Division for plan review, and no permits shall be issued for covered work without the required Certificate of Appropriateness.

1. Compliance by Alteration. Where the building owner intends to comply by structural alteration of the building found to be within the scope of this Ordinance, the owner shall complete the structural alteration work in accordance with the following time limits:
 - a. i) Within 120 calendar days of receipt of the Service Order, the building owner is required to provide documentation to the City from a California registered civil or structural engineer or licensed architect that their building is not an unreinforced masonry bearing wall building subject to the requirements of this Ordinance; or
 - a. ii) Within 120 calendar days of receipt of the Service Order, the building owner is required to select and contract with a

California registered civil or structural engineer or licensed architect to prepare structural alteration plan in compliance with Chapter 96;

- b. Within twelve (12) calendar months after service of the order, the building owner is required to submit plans to the Planning and Building Department for building plan check review of the proposed structural alteration work;
 - c. Within eighteen (18) months of receipt of the Service Order, the building owner is to obtain plan check approval of the structural alteration work that is to be performed;
 - d. Within twenty-one (21) months of receipt of the Service Order, the building owner is to obtain a permit and commence construction of the structural alteration work;
 - e. Within thirty (30) months of receipt of the Service Order, the building owner is to complete the structural alteration work, and to have the permit finalized by the Community Development Department.
2. Compliance by Demolition. Where the building owner intends to comply with the requirements of this ordinance by demolition, the owner shall comply with the following time limits:
- a. i) Within 180 calendar days of receipt of the Service Order, the building owner is required to provide documentation to the City from a California registered civil or structural engineer that their building is not an unreinforced masonry bearing wall building subject to the requirements of this Ordinance; or
 - a. ii) Within 180 days of receipt of the Service Order, notify the City of the intent to demolish the building, submit all required applications and pay all required fees associated with a request to demolish the building;
 - b. Within twelve (12) calendar months of receipt of the Service Order, obtain a demolition permit and commence demolition;
 - c. Within eighteen (18) calendar months of receipt of the Service Order, complete the demolition work.
5. Section 9605.2 is deleted in its entirety.
6. Section 9606.1 is amended in its entirety to read:

9606.1 Order-service. The Building Official shall issue an order as provided in this Section to the owner of each building within the scope of Chapter 96 of the Building Code.

7. Section 9606.2 is deleted in its entirety.
8. Section 9606.10 is amended in its entirety to read:

9606.10 (Other abatement procedures) The City shall have the unrestricted ability to enforce compliance with this ordinance by any means prescribed by the South Pasadena Municipal Code, the Building Code or other laws including, but not limited to, ordering the building vacated, termination of all utilities, and/or nuisance abatement including civil and/or criminal prosecution.

9. Table 96-B (Time Limits for Compliance) is deleted in its entirety.
10. Table 96-C (Extensions of Time and Service Priorities) is deleted in its entirety.
11. Section 9903.2 is amended to read:

9903.2 Any unfinished building or structure that has been in the course of construction for an unreasonable period of time, and where the appearance and other conditions of said unfinished building or structure are such that the unfinished structure substantially detracts from the appearance of the immediate neighborhood or reduces the value of property in the immediate neighborhood, or is otherwise a nuisance, shall be deemed and hereby is declared a substandard building.

For the purposes of this Section, an unreasonable period of time shall be defined as eighteen (18) months for residential construction or construction located in a Residential Zone, and thirty-six (36) months for all other construction. For the purpose of the Section, residential construction shall also include detached garages and similar accessory structures that serve a residential structure or are located within a Residential Zone.

12. Section J103.5 is amended in its entirety to read:

J 103.5 Grading Fees. Fees shall be assessed in accordance with the provisions of this section. The amount of the fees shall be as specified in the fee resolution.

J 103.5.1 Plan Review Fees. When a plan or other data are required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. Separate plan review fees shall apply to retaining walls or major drainage structures as required elsewhere in any code. For

excavation and fill on the same site, the fee shall be based on the total volume of earth handled of excavation and fill.

J 103.5.2 Permit Fees. A fee for each grading permit shall be paid to the Building Official at the time of issuance of the permit. Separate permits and fees shall apply to retaining walls or major drainage structures as required elsewhere in any code.

13. Section J 103.6 is amended in its entirety to read:

J 103.6 Compliance with Zoning Code. The Building Official may refuse to issue a grading permit for work on a site if either the proposed grading or the proposed land use for the site shown on the grading plan application does not comply with the provisions of "Planning and Zoning" of the SPMC.

14. Section J105.12 is amended in its entirety to read:

J105.12 Completion of work. Upon completion of the rough grading work and at the final completion of the work, the following reports and drawings and supplements thereto are required for engineered grading or when professional inspection is otherwise required by the Building Official:

1. A certification by the Field Engineer that to the best of his or her knowledge, the work within the Field Engineer's area of responsibility was done in accordance with the final approved grading plan.
2. A report prepared by the Soils Engineer retained to provide such services in accordance with Section J105.4, including locations and elevations of field density tests, summaries of field and laboratory tests, other substantiating data, and comments on any changes made during grading and their effect on the recommendations made in the approved soils engineering investigation report. The report shall include a certification by the Soils Engineer that to the best of his or her knowledge, the work within the Soils Engineer's area of responsibility is in accordance with the approved Soils Engineering report and applicable provisions of the Building Code. The report shall contain a finding regarding the safety of the completed grading and any proposed structures against hazard from landslide, settlement, or slippage.
3. A report prepared by the Engineering Geologist retained to provide such services in accordance with Section J105.5, including a final description of the geology of the site and any new information disclosed during the grading and the effect of such new information, if any, on the recommendations incorporated in the approved grading plan. The report shall contain a certification by the Engineering Geologist that, to the best of his or her knowledge, the work within the Engineering Geologist's area

of responsibility is in accordance with the approved engineering geology report and applicable provisions of the Building Code. The report shall contain a finding regarding the safety of the completed grading and any proposed structures against hazard from landslide, settlement, or slippage. The report shall contain a final as-built geologic map and cross-sections depicting all the information collected prior to and during grading.

4. The grading contractor shall certify, on a form prescribed by the building official that the grading conforms to the approved plans and specifications.”

SECTION 3. Chapter 9 (“Buildings”), Article 1 (“Code Adoption and Amendments), Section 9.2.1 (“Los Angeles County Code, Title 27, Electrical Code Adopted”) of the South Pasadena Municipal Code (SPMC) is amended to read as follows:

“9.2.1 2023 LOS ANGELES COUNTY CODE, TITLE 27, ELECTRICAL CODE ADOPTED

Los Angeles County Electrical Code Article 90, Chapter 1 through 9, and Annexes A, B, C, D, E, F, G, H, I and J, Title 27, The 2023 Los Angeles County Electrical Code, as amended and in effect on or before January 1, 2023, except as otherwise provided in said Title 27, is hereby adopted by reference pursuant to the provisions of Sections 50022.1 through 50022. 10 of the Government Code of the State of California as though fully set forth herein, and made a part of the South Pasadena Municipal Code with the same force and effect as though set out herein in full, including all the regulations, revisions, conditions and terms contained therein.

In accordance with California Government Code Section 50022.6, one copy of said Los Angeles County Electrical Code will remain on file with the building official within the planning and building department and shall be at all times maintained by the building official for use and examination by the public.”

SECTION 4. Chapter 9 (“Buildings”), Article 1 (“Code Adoption and Amendments), Section 9.3.1 (“Los Angeles County Code, Title 28, Plumbing Code Adopted”) of the South Pasadena Municipal Code (SPMC) is amended to read as follows:

“9.3.1 2023 LOS ANGELES COUNTY CODE, TITLE 28, PLUMBING CODE ADOPTED

Los Angeles County Plumbing Code Chapter 2 through Chapter 17, and Appendices A,B, D, H, I and J, Title 28, the 2023 Los Angeles County Plumbing Code, as amended and in effect on or before January 1, 2023, is hereby adopted by reference pursuant to the provisions of Sections 50022.1 through 50022.10 of the Government Code of the State of California as though fully set forth herein, and made a part of the South Pasadena Municipal Code with the same force and effect as though set out herein in full, including all of the regulations, revisions, conditions and terms contained.

In accordance with California Government Code Section 50022.6, one copy of said Los Angeles County Plumbing Code will remain on file with the Building Official within the Community Development Department and shall be at all times maintained by the Building Official for use and examination by the public.”

SECTION 5. Chapter 9 (“Buildings”), Article 1 (“Code Adoption and Amendments), Section 9.4.1 (“Los Angeles Code, Title 29, Mechanical Code Adopted”) of the South Pasadena Municipal Code (SPMC) is amended to read as follows:

“9.4.1 2023 LOS ANGELES COUNTY CODE, TITLE 29, MECHANICAL CODE ADOPTED

Los Angeles County Mechanical Code Chapter 2 through Chapter 17 and Appendices B, C and D, Title 29, the 2023 Los Angeles County Mechanical Code, as amended and in effect on or before January 1, 2023, is hereby adopted by reference pursuant to the provisions of Sections 50022.1 through 50022.10 of the Government Code of the State of California as though fully set forth herein, and made a part of the South Pasadena Municipal Code with the same force and effect as though set out herein in full, including all of the regulations, revisions, conditions and terms contained therein.

In accordance with California Government Code Section 50022.6, one copy of said Los Angeles County Mechanical Code will remain on file with Building Official within the Community Development Department and shall be at all times maintained by the Building Official for use and examination by the public.”

SECTION 6. Chapter 9 (“Buildings”), Article 1 (“Code Adoption and Amendments), Section 9.5.1 (Los Angeles County Code, Title 30, Residential Code Adopted”) of the South Pasadena Municipal Code (SPMC) is amended to read as follows:

“9.5.1 2023 LOS ANGELES COUNTY CODE, TITLE 30, RESIDENTIAL CODE ADOPTED

Section 1206 (Sound Transmission) of Chapter 12, Chapters 67, 69, 96, 98, 99, and appendix J of Title 26 of the Los Angeles County Building Code are adopted by reference as amended by City Building Code (9.1) and incorporated in to this Section 9.5.1 as if fully set forth below and shall be known as Section 1206 (Sound Transmission) of Chapter 12, Chapters 67, 69, 96, 98, 99, and appendix J of the City Residential Code.

Chapters 2 through 10, 44 and Appendix H of Title 30, Los Angeles County Residential Code, as amended and in effect on or before January 1, 2023, is hereby adopted by reference pursuant to the provisions of Sections 50022.1 through 50022.10 of the Government Code of the State of California as though fully set forth herein, and made a part of the South Pasadena Municipal Code with the same force and effect as though set out herein in full, including all of the

regulations, revisions, conditions and terms contained therein except that those certain sections thereof which are necessary to meet local conditions as hereinafter set forth in Section 9.5.2 of this Code are hereby repealed, added or amended to read as set forth therein.

In accordance with California Government Code Section 50022.6, one copy of said Los Angeles County Building Code will remain on file with the Building Official within the Community Development Department and shall be at all times maintained by the building Official for use and examination by the public”

SECTION 7. Chapter 9 (“Buildings”), Article 1 (“Code Adoption and Amendments), Section 9.5.2 (“City Specific Modifications”) of the South Pasadena Municipal Code (SPMC) is amended to read as follows:

“9.5.2 CITY SPECIFIC MODIFICATIONS

Chapter 3 of Title 30 of the Los Angeles County Code (the Los Angeles County Residential Code), adopted by reference as the Residential Code of the City, are hereby amended, deleted or added as follows:

1. Section R313 is deleted in its entirety and replaced with section 903 of the Chapter 9 Section 903 of California Fire Code as adopted and amended by SPMC Chapter 14 Fire Prevention, Section 14.4, Fire Code Amended.
2. Section R902.2 is amended in its entirety to read:

R902.2 Roof Coverings in All Areas. Except as permitted per SPMC Chapter 14 Fire Prevention, Section 14.1.2 Special provisions related to roof types, all roof covering of every structure shall be Class A.”

SECTION 8. Chapter 9 (“Buildings”), Article 1 (“Code Adoption and Amendments), Section 9.6.1 (“Los Angeles County Code, Title 33, Existing Building Code Adopted”) of the South Pasadena Municipal Code (SPMC) is amended to read as follows:

“9.6.1 LOS ANGELES COUNTY CODE, TITLE 33, EXISTING BUILDING CODE ADOPTED

Los Angeles County Existing Building Code Chapter 2 through 4, 15, 16 and Appendix A, Chapter A1, A3, A4 and A5 of the Title 33, the 2023 Los Angeles County Existing Building Code, as amended and in effect on or before January 1, 2023, is hereby adopted by reference pursuant to the provisions of Sections 50022.1 through 50022.10 of the Government Code of the State of California as though fully set forth herein, and made a part of the South Pasadena Municipal Code with the same force and effect as though set out herein in full, including all of the regulations, revisions, conditions and terms contained therein.

In accordance with California Government Code Section 50022.6, one copy of said Los Angeles County Building Code will remain on file with the Building Official within the Community Development Department and shall be at all times maintained by the Building Official for use and examination by the public.”

SECTION 9. Chapter 9 (“Buildings”), Article II (“Small Residential Rooftop Solar Energy Systems”), the name of the Article II and the name of Section 9.20 has been amended to read as follows:

ARTICLE II. EXPEDITED PERMITTING

9.20 Small Residential Rooftop Solar Energy Systems. Intent and purpose.

SECTION 10. Chapter 9 (“Buildings”), Article II is amended to add new Sections 9.30, 9.31, 9.32 and 9.33 all to read as follows:

9.30 Electrical Vehicle Charging Stations. Intent and purpose.

The purpose of this chapter is to establish an expedited, streamlined electric vehicle charging stations permitting process to achieve timely and cost-effective installations electric vehicle charging stations, and, to promote and encourage the use of electric vehicle charging stations and to limit obstacles to their use.

Electric Vehicle Charging Stations which qualify for expedited permit processing, pursuant to Government Code Section 65850.7, shall be subject to the administrative permitting procedures set forth in the City’s Electric Vehicle Charging Station Permit Expediting Ordinance.

9.31 DEFINITIONS.

For the purpose of this Article, words and terms used in this Article shall have the meanings set forth in this Section. Where terms are not defined in this Section and are defined elsewhere in this Code, or the Building Code, such terms shall have the meanings ascribed to them in such codes. The terms, phrases, and words used in this Ordinance shall be construed in compliance with the definitions set forth by California Government Code Section 65850.7.

“Electric vehicle charging station” or “charging station” means any level of electric vehicle supply equipment station that is designed and built-in compliance with Article 625 of the California Electrical Code, as it reads on the effective date of this section and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

“Specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

9.32 EXPEDITED REVIEW PROCESS

- A. Consistent with Government Code Section 65850.7, the Building Official shall implement an expedited administrative permit review process for electric vehicle charging stations and a checklist of all requirements with which electric vehicle charging stations shall comply with in order to be eligible for expedited review. The expedited administrative permit review process and checklist may refer to the recommendations in the checklist prescribed by the most current version of the “Plug-In Electric Vehicle Infrastructure Permitting Checklist” of the “Zero-Emission Vehicles in California: Community Readiness Guidebook” published by the Governor’s Office of Planning and Research. The City’s checklist shall be published on the City’s website.
- B. Consistent with Government Code Section 65850.7, the Building Official shall allow for electronic submittal of permit applications covered by this Ordinance and associated supporting documentations. In accepting such permit applications, the Building Official shall also accept electronic signatures on all forms, applications, and other documentation in lieu of a wet signature by any applicant.
- C. Consistent with Government Code Section 65850.7, the Building Official shall not condition the approval for any electric vehicle charging station permit on the approval of such a system by an association, as that term is defined by Civil Code Section 4080.
- D. A permit application that satisfies the information requirements in the City’s checklist shall be deemed complete and be promptly processed. Upon confirmation by the Building Official that the permit application and supporting documents meets the requirements of the City checklist, and is consistent with all applicable laws, the Building Official shall, consistent with Government Code Section 65850.7, approve the application and issue all necessary permits. Such approval does not authorize an applicant to energize or utilize the electric vehicle charging station until approval is granted by the City. If the Building Official determines that the permit application is incomplete, he or she shall issue a written correction notice to the applicant, detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.

9.33 TECHNICAL REVIEW

It is the intent of this Ordinance to encourage the installation of electric vehicle charging stations by removing obstacles to permitting for charging stations so long as the action does not supersede the Building Official’s authority to address higher priority life-safety situations. If the Building Official makes a finding based on substantial evidence that the electric vehicle charging station could have a specific adverse impact upon the public health or safety, as defined in Government Code 65850.7, the City may require the applicant to apply for a use permit

SECTION 11. The adoption of the City Building Code, Electrical Code, Plumbing Code, Mechanical Code, Residential Code and Existing Building Code, Expedited Permitting and the repeal, addition or amendment of ordinances by this Code shall not affect the following matters:

1. Actions and proceedings which began the effective date of this Code.
2. Prosecution for ordinance violations committed before the effective date of this Code.
3. Licenses and penalties due and unpaid at the effective date of this Code, and the collection of these licenses and penalties.
4. Bonds and cash deposits required to be posted, filed or deposited pursuant to any ordinance.
5. Matters of record which refer to or are connected with ordinances the substances of which are included in this code; these references shall be construed to apply to the corresponding provisions of the Code.

SECTION 12. The adoption of the City Building Code, Electrical Code, Plumbing Code, Mechanical Code, Residential Code and Existing Building Code, Expedited Permitting and the repeal, addition or amendment of ordinances by this Code shall not affect the following matters:

1. General penalty; continuing violations. Every act prohibited or declared unlawful and every failure to perform an act required by this Code is a misdemeanor or an infraction as set forth in the said respective pertinent sections of this Code and any person causing or permitting a violation of any such section of said Code shall be subject to the penalties ascribed to each such section as set forth herein.
2. Violations including aiding, abetting, and concealing. Every person who causes, aids, abets or conceals the fact of a violation of this Code is guilty of violating this Code.
3. Enforcement by civil action. In addition to the penalties provided herein, the said Code may be enforced by civil action. Any condition existing in violation of this Code is a public nuisance and may be summarily abated by the city.

SECTION 13. The City Council hereby declares that, should any provision, section, subsection, paragraph, sentence, clause, phrase, or word of this ordinance or any part thereof, be rendered or declared invalid or unconstitutional by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, such decision or action shall not affect the validity of the remaining section or portions of the ordinance or part thereof. The City Council hereby declares that it would have independently adopted the remaining provisions, sections, subsections, paragraphs, sentences, clauses, phrases, or words of this ordinance irrespective of the fact that any one or more provisions, sections, subsections, paragraphs, sentences, clauses, phrases, or words may be declared invalid or unconstitutional.

SECTION 14. This ordinance shall take effect on January 1st, 2023, and within fifteen (15) days after its passage the City Clerk of the City of South Pasadena shall certify to the passage and adoption of this ordinance and to its approval by the Mayor and City Council, shall cause the same to be published in a newspaper in the manner required by law, and shall cause the same to be filed with the California Building Standards Commission at 2525 Natomas Park Drive, Suite 130, Sacramento, CA 95833.

PASSED, APPROVED, AND ADOPTED this 7th day of December 2022.

Michael A Cacciotti, Mayor

ATTEST:

APPROVED AS TO FORM:

Desiree Jimenez, CMC
Chief City Clerk

Andrew L Jared, City Attorney

I HEREBY CERTIFY the foregoing ordinance was duly adopted by the City Council of the City of South Pasadena, California, at a regular meeting held on the 7th day of December 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Desiree Jimenez, CMC
Chief City Clerk

ATTACHMENT 2

Findings and Los Angeles County Ordinance adopting and amending the 2022 California Codes and creating the 2023 Los Angeles County Codes

Due to the size of the Los Angeles County Ordinance, these documents can be viewed at the following links:

- Building Code and findings
<http://file.lacounty.gov/SDSInter/bos/supdocs/173612.pdf>
- Residential Code and findings
<http://file.lacounty.gov/SDSInter/bos/supdocs/173615.pdf>
- Electrical Code and findings
<http://file.lacounty.gov/SDSInter/bos/supdocs/173568.pdf>
- Plumbing Code and findings
<http://file.lacounty.gov/SDSInter/bos/supdocs/173643.pdf>
- Mechanical Code and findings
<http://file.lacounty.gov/SDSInter/bos/supdocs/173614.pdf>
- Existing Building Code and findings
<http://file.lacounty.gov/SDSInter/bos/supdocs/173617.pdf>
- California Codes can be viewed at <https://www.dgs.ca.gov/BSC/Codes>

ATTACHMENT 3

Findings amending Fire code may be reviewed on the agenda posted for November 2nd Council meeting, agenda item number 12 of the agenda meeting at:

<https://www.southpasadenaca.gov/home/showpublisheddocument/30798/638024872551348226>



City Council Agenda Report

ITEM NO. 17

DATE: November 16, 2022

FROM: Arminé Chaparyan, City Manager *Ac*

PREPARED BY: H. Ted Gerber, Director of Public Works
Hasmik Korkis, Senior Civil Engineer

SUBJECT: **Adoption of a Resolution Approving Final Parcel Map No. 72784 for 1974 Huntington Drive**

Recommendation

It is recommended that the City Council:

- 1) Adopt a resolution approving final parcel map No. 72784 for 1974 Huntington Drive; and
- 2) Authorize its recordation with Los Angeles County.

Background

The parcel map related to this item was previously reviewed and approved by the Planning Commission in the preliminary Tentative Map stage, approving the Design Review and Tentative Parcel Maps. On January 26, 2015, the Planning Commission adopted P.C. Resolution No. 15-01 (Attachment 3) to build three residential condominium units and subterranean garage parking on a 10,559 square foot parcel located at 1974 Huntington Drive.

Analysis

Attachment 1 contains a resolution for the City Council to adopt Parcel Map No. 72784 for 1974 Huntington Drive. Parcel Map No. 72784 is included as Attachment 2. The Los Angeles County Department of Public Works Land Development Division has reviewed and approved the Final Parcel Map for mathematical accuracy, survey analysis, title information, and for compliance with the Subdivision Map Act. The Parcel Map has also been jointly reviewed by the City Community Development Department and Public Works Department for compliance with the conditions of approval and applicable City ordinances. Once City Council approves the Parcel Map, staff will facilitate the recordation by Los Angeles County.

Fiscal Impact

The City has adopted a fee, listed in the Master Fee Schedule, which pays for the staff time and resources necessary to review final parcel maps.

Resolution Approving Final Parcel Map No. 72784 for 1974 Huntington Drive
November 16, 2022
Page 2 of 2

Attachments

1. Resolution approving Final Parcel Map No. 72784 for 1974 Huntington Drive
2. Final Parcel Map No. 72784 for 1974 Huntington Drive
3. Planning Commission Resolution No. 15-01 approving Tentative Parcel Map No. 72784

ATTACHMENT 1

Resolution approving Final Parcel Map No. 72784 for
1974 Huntington Drive

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 72784 FOR 1974 HUNTINGTON DRIVE

WHEREAS, on January 26, 2015, Tentative Parcel Map No. 72784 for the subject subdivision was approved by the City of South Pasadena Planning Commission; and

WHEREAS, this approval was subject to the Conditions set forth in Planning Commission Resolution No. 15-01, Project No. 1695-TPM; and

WHEREAS, the City Council hereby finds that Conditions set forth in Planning Commission Resolution No. 15-01 have been satisfied, or will be satisfied, as a condition of issuing Certificates of Occupancy; and

WHEREAS, the City Council hereby finds that the Final Parcel Map conforms to the requirements of the Subdivision Map Act by the Los Angeles County Department of Public Works Land Development Division and the Subdivision Ordinance of South Pasadena Municipal Code Division 36.500.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The City Council hereby accepts and directs that Final Parcel Map No. 72784 be released for recordation with the Los Angeles County Registrar-Recorder/County Clerk.

SECTION 2. The City Clerk of the City of South Pasadena shall certify to the passage and adoption of this resolution and its approval by the City Council and shall cause the same to be listed in the records of the City.

PASSED, APPROVED AND ADOPTED ON this 16th day of November, 2022.

Michael A. Cacciotti, Mayor

ATTEST:

APPROVED AS TO FORM:

Desiree Jimenez, CMC
Chief City Clerk

Andrew L. Jared, City Attorney

I HEREBY CERTIFY the foregoing Resolution was duly adopted by the City Council of the City of South Pasadena, California, at a regular meeting held on the 16th day of November 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Desiree Jimenez, CMC
Chief City Clerk

ATTACHMENT 2

Final Parcel Map No. 72784 for 1974 Huntington Drive

PARCEL MAP NO. 72784

IN THE CITY OF SOUTH PASADENA, COUNTY OF LOS ANGELES
STATE OF CALIFORNIA

BEING A SUBDIVISION OF PORTION OF LOT 39 IN BLOCK M OF ONEONTA
PARK, AS PER MAP RECORDED IN BOOK 14 PAGE 122 OF MAPS, IN THE
OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

FOR CONDOMINIUM PURPOSES

SUBDIVIDER'S STATEMENT

WE HEREBY STATE THAT WE ARE THE SUBDIVIDER OF OR ARE INTERESTED IN THE
LAND INCLUDED WITHIN THE SUBDIVISION SHOWN ON THIS MAP WITHIN THE
DISTINCTIVE BORDER LINES, AND WE CONSENT TO THE PREPARATION AND FILING OF
SAID MAP AND SUBDIVISION.

MACRO DESIGN & DEVELOPMENT, INC, A CALIFORNIA LIMITED LIABILITY COMPANY, OWNER

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 WHOSE NAME IS
SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE
EXECUTED THE SAME IN HER AUTHORIZED CAPACITY, AND THAT BY HER SIGNATURE ON
THE INSTRUMENT, THE PERSON OR THE ENTITY UPON BEHALF OF WHICH THE PERSON
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 _____

PRINTED NAME: _____

MY PRINCIPAL PLACE OF BUSINESS IS IN: _____ COUNTY

MY COMMISSION EXPIRES: _____

MY COMMISSION NUMBER: _____

RECORD OWNER IS:

MACRO DESIGN & DEVELOPMENT, INC, A CALIFORNIA LIMITED LIABILITY COMPANY, OWNER

EASEMENT NOTES

THE SIGNATURE OF MARENGO WATER COMPANY, A CORPORATION, SUCCESSOR
OR ASSIGNEE, EASEMENT HOLDER FOR PIPES PURPOSES BY DEED RECORDED
JUNE 20, 1907 IN BOOK 3053, PAGE 167 OF DEEDS, RECORDS OF THE COUNTY OF
LOS ANGELES. HAS BEEN OMITTED UNDER THE PROVISIONS OF SECTION 66436 (a)
3A (i-viii) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT
CANNOT RIPEN INTO A FEE TITLE AND SAID SIGNATURE IS NOT REQUIRED BY THE
LOCAL AGENCY. SAID EASEMENT IS INDETERMINATE IN NATURE.

HUNTINGTON LAND AND IMPROVEMENT COMPANY, SUCCESSOR OR ASSIGNEE,
EASEMENT HOLDER FOR PIPES PURPOSES BY DEED RECORDED JULY 17, 1907 IN
BOOK 3060, PAGE 313 OF DEEDS, RECORDS OF THE COUNTY OF LOS ANGELES.
HAS BEEN OMITTED UNDER THE PROVISIONS OF SECTION 66436 (a) 3A (i-viii) OF
THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A
FEE TITLE AND SAID SIGNATURE IS NOT REQUIRED BY THE LOCAL AGENCY. SAID
EASEMENT IS INDETERMINATE IN NATURE.

SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, EASEMENT HOLDER
FOR CONVEYING ELECTRIC ENERGY PURPOSES BY DEED RECORDED DECEMBER
14, 1953, AS DOCUMENT NO. 2042 IN BOOK 43382, PAGE 248 OF OFFICIAL RECORDS,
RECORDS OF THE COUNTY OF LOS ANGELES HAS BEEN OMITTED UNDER THE
PROVISIONS OF SECTION 66436 (a) 3A (i-viii) OF THE SUBDIVISION MAP ACT, AS
THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE TITLE AND SAID
SIGNATURE IS NOT REQUIRED BY THE LOCAL AGENCY.

COUNTY TAX CERTIFICATES:

I HEREBY CERTIFY THAT ALL CERTIFICATES HAVE BEEN FILED AND
DEPOSITS HAVE BEEN MADE THAT ARE REQUIRED UNDER THE
PROVISIONS OF SECTIONS 66492 AND 66493 OF THE SUBDIVISION
MAP ACT.

EXECUTIVE OFFICER, BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BY _____ DATE _____
DEPUTY

I HEREBY CERTIFY THAT SECURITY IN THE AMOUNT OF
\$ _____
HAS BEEN FILED WITH THE EXECUTIVE OFFICER, BOARD OF
SUPERVISORS OF THE COUNTY OF LOS ANGELES AS SECURITY FOR
THE PAYMENT OF TAXES AND SPECIAL ASSESSMENTS COLLECTED
AS TAXES ON THE LAND SHOWN ON MAP OF PARCEL MAP NO. 72784
AS REQUIRED BY LAW.

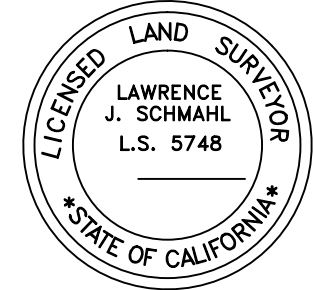
EXECUTIVE OFFICER, BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BY _____ DATE _____
DEPUTY

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A
TRUE AND COMPLETE FIELD SURVEY PERFORMED BY ME OR UNDER MY
DIRECTION IN FEBRUARY, 2016, IN CONFORMANCE WITH THE REQUIREMENTS OF
THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF VILLA LA
PRADERA 1974 LLC ON FEBRUARY 23, 2016. I HEREBY STATE THAT THIS PARCEL
MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE
MAP, IF ANY; THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY
THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS
WITHIN 12 MONTHS FROM THE FILING DATE OF THIS MAP; AND THAT THE
MONUMENTS ARE OR WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE
RETRACED.

LAWRENCE J. SCHMAHL DATE _____
L.S. NO. 5748



BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARING N 00°03'30" W OF THE
CENTER LINE OF BUSHNELL AVENUE AS SHOWN ON MAP OF TRACT NO. 29266,
RECORDED IN BOOK 833, PAGES 32 AND 33 OF MAPS, RECORDS OF SAID COUNTY.

CITY ENGINEER'S CERTIFICATE:

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP AND THAT IT CONFORMS
SUBSTANTIALLY TO THE TENTATIVE MAP AND ALL APPROVED ALTERATIONS
THEREOF; THAT ALL PROVISIONS OF THE SUBDIVISION ORDINANCES OF THE CITY
OF SOUTH PASADENA APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE
MAP HAVE BEEN COMPLIED WITH; THAT ALL PROVISIONS OF THE SUBDIVISION MAP
ACT SECTION 66450 (a)(1), (2) AND (3) HAVE BEEN COMPLIED WITH.

DATE _____
CITY ENGINEER, CITY OF SOUTH PASADENA
L.S. NO. _____
EXPIRES _____

CITY TREASURER'S CERTIFICATE:

I HEREBY CERTIFY THAT ALL SPECIAL ASSESSMENTS LEVIED UNDER THE
JURISDICTION OF THE CITY OF SOUTH PASADENA TO WHICH THE LAND INCLUDED
IN THE WITHIN SUBDIVISION OR ANY PART THEREOF IS SUBJECT AND WHICH MAY
BE PAID IN FULL, HAVE BEEN PAID IN FULL.

DATE _____
CITY TREASURER, CITY OF SOUTH PASADENA

CITY CLERK'S CERTIFICATE:

I HERBY CERTIFY THAT THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA BY
MOTION PASSED ON _____ APPROVED THE ATTACHED MAP.

DATE _____
CITY CLERK, CITY OF SOUTH PASADENA

CONDOMINIUM NOTE

THIS SUBDIVISION IS APPROVED AS A CONDOMINIUM PROJECT FOR 3 UNITS
WHEREBY THE OWNERS OF THE UNITS OF AIR SPACE WILL HOLD AN UNDIVIDED
INTEREST IN THE COMMON AREAS THAT WILL, IN TURN, PROVIDE THE NECESSARY
ACCESS AND UTILITY EASEMENTS FOR THE UNITS.

COUNTY SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP; THAT IT COMPLIES WITH ALL
PROVISIONS OF STATE LAW APPLICABLE AT THE TIME OF APPROVAL OF THE
TENTATIVE MAP; AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY
CORRECT IN ALL RESPECTS NOT CERTIFIED BY THE CITY ENGINEER.

COUNTY SURVEYOR

BY: _____ DATE: _____
DEPUTY

L.S. NO. _____

PARCEL MAP NO. 72784

IN THE CITY OF SOUTH PASADENA, COUNTY OF LOS ANGELES

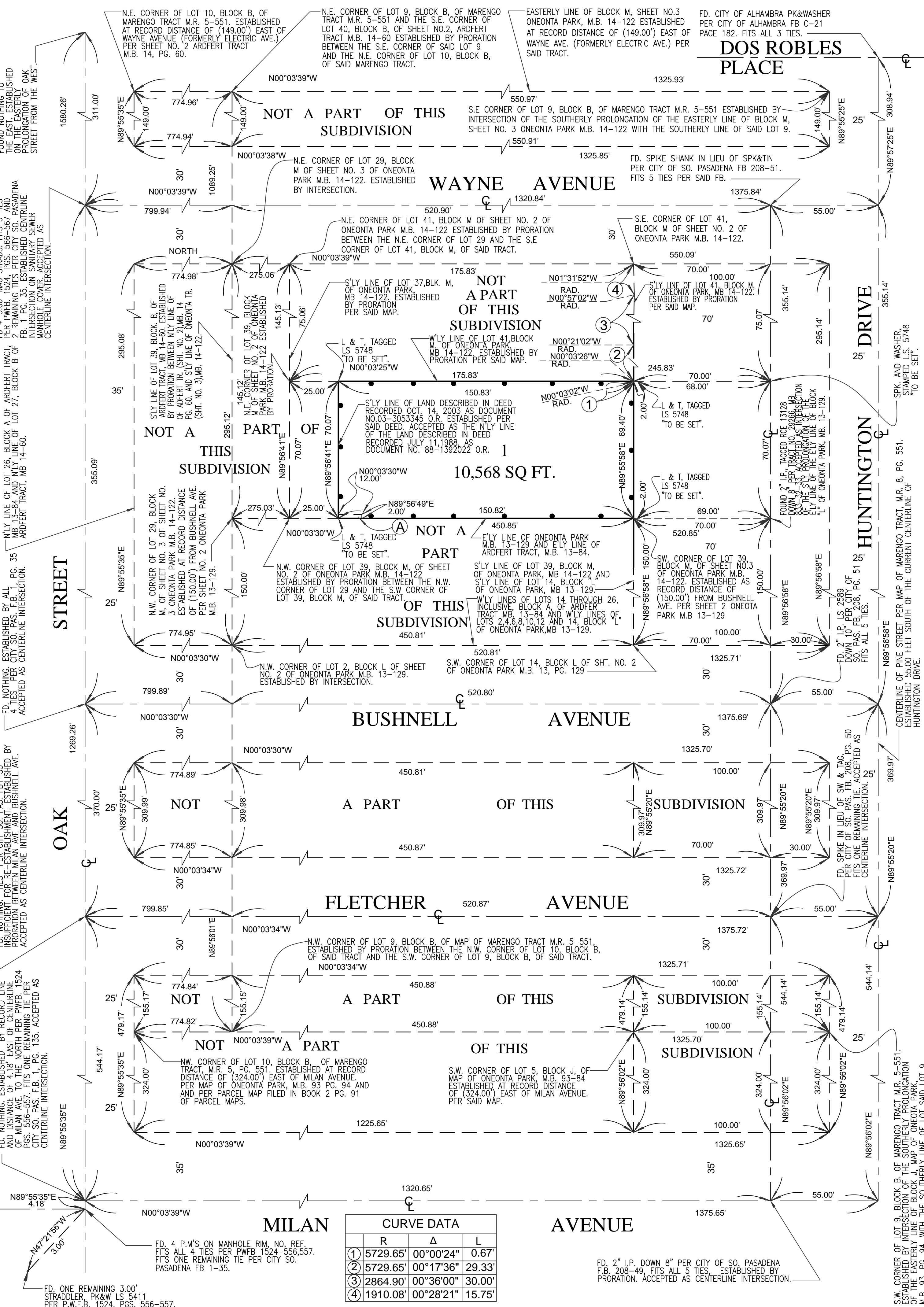
STATE OF CALIFORNIA

FOR CONDOMINIUM PURPOSES

(A) EASEMENT OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, FOR ELECTRIC LINE PURPOSES REC. DECEMBER 14, 1953, AS DOC. NO. 2042, IN BOOK 43382, PAGE 248 O.R.

LEGEND:

INDICATES THE BOUNDARY OF THE LAND BEING SUBDIVIDED BY THIS MAP



CURVE DATA			
	R	Δ	L
①	5729.65'	00°00'24"	0.67'
②	5729.65'	00°17'36"	29.33'
③	2864.90'	00°36'00"	30.00'
④	1910.08'	00°28'21"	15.75'

FD. 2" I.P. DOWN 8" PER CITY OF SO. PASADENA F.B. 208-49, FITS ALL 5 TIES, ESTABLISHED BY PRORATION. ACCEPTED AS CENTERLINE INTERSECTION.

FD. ONE REMAINING 3.00' STRADDLER PK&W LS 5411 PER P.W.F.B. 1524, PGS. 556-557.

ATTACHMENT 3

Planning Commission Resolution No. 15-01 approving
Tentative Parcel Map No. 72784

P.C. RESOLUTION NO. 15-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH PASADENA APPROVING AN APPLICATION FOR TENTATIVE PARCEL MAP NO. 72784 TO SUBDIVIDE ONE PARCEL OF LAND FOR DEVELOPMENT OF THREE RESIDENTIAL CONDOMINIUMS ON PROPERTY LOCATED AT 1974 HUNTINGTON DRIVE (PROJECT NO. 1695-TPM) IN THE MEDIUM DENSITY RESIDENTIAL (RM) ZONE.

WHEREAS, on October 28, 2013, the Planning Commission adopted P.C. Resolution No. 13-33, which is approval of a Conditional Use Permit and Design Review (Project No. 1632-CUP,) to build three residential condominium units and subterranean garage parking on a 10,559 square foot parcel located at 1974 Huntington Drive; and,

WHEREAS, as a condition of approval of Project No. 1632-CUP, the applicant is required to submit a Parcel Map for City review and approval, and County Recordation.

WHEREAS, on February 21, 2014, Alex Zaretsky (on behalf of the property owner) submitted an application for a Tentative Map (Tentative Parcel Map No. 72784) to subdivide one parcel of land at 1974 Huntington Drive (Assessor Parcel No. 5321-008-016) into 3 residential condominiums (the "subdivision"); and,

WHEREAS, pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et. seq. ("CEQA") and the State's CEQA Guidelines, staff found no evidence that the proposed subdivision would have a significant effect on the environment. On October 28, 2013 the Planning Commission determined that construction of the three units at 1974 Huntington Drive would not have a significant effect on the environment and therefore adopted a Negative Declaration; and,

WHEREAS, after notices were issued pursuant to the requirements of the South Pasadena Zoning Code, the Planning Commission held a duly noticed public hearing on January 26, 2015, at which all interested parties were given the opportunity to be heard and present evidence.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF SOUTH PASADENA DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

SECTION 1: Pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et. seq. ("CEQA"), and the State's CEQA Guidelines, a Negative Declaration was adopted by the Planning Commission on October 28, 2013, finding that the project will not have a significant effect on the environment.

SECTION 2: The submittal of Tentative Parcel Map No. 72784 will fulfill Condition No. 45 of Planning Commission Resolution No. 13-33, which requires the filing of a Tentative Parcel Map prior to occupancy.

SECTION 3: Pursuant to South Pasadena Municipal Code (SPMC) Section 36.510.070 (A), the Planning Commission finds that the subdivision is consistent with the General Plan; that the Supplemental Findings contained in SPMC Section 36.510.070 (B) are not applicable to the subdivision; and that the Findings Requiring Denial contained in SPMC Section 36.510.070 (C) cannot be made as follows:

A. Required Findings for Approval - SPMC Section 36.510.070 (A) -

The Planning Commission may approve a Tentative Map only when it shall first find that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, and any applicable Specific Plan, and that none of the findings for denial in Subsection C (below) can be made. The findings shall apply to each proposed parcel as well as the entire subdivision, including any parcel identified as a designated remainder in compliance with Map Act Section 66424.6.

As outlined in the Analysis section of the Planning Commission Staff Report, the proposed Tentative Parcel Map is consistent with the General Plan and is consistent with the zoning regulations applicable to the property. Therefore, this approval could be granted if the Supplemental findings for approval in SPMC Section 36.510.070 (B) can be made, and the Findings requiring denial in SPMC Section 36.510.070(C) cannot be made.

B. Supplemental Findings for Approval - SPMC Section 36.510.070 (B)

In addition to the findings required for approval of a Tentative Map by Subsection A. above, the Commission shall not approve a Tentative Map unless it can also make the following findings, when they are applicable to the specific subdivision proposal.

- 1. Construction of improvements. It is in the interest of the public health and safety, and it is necessary as a prerequisite to the orderly development of the surrounding area, to require the construction of road improvements within a specified time after recordation of the Parcel Map, where road improvements are required.**

Not Applicable. Construction of road improvements is not required for the proposed project. The applicant is proposing construction of three (3) condominium units pursuant to an approved Conditional Use Permit. The applicant is subject to the conditions of approval, which require the applicant to replace all broken, damaged, or out-of-grade sidewalk, curb and gutter, asphalt/concrete to the satisfaction of the City Engineer prior to obtaining a Certificate of Occupancy.

- 2. Condominiums. Any applicable findings required by Section 36.530.020 for condominium conversions.**

Not applicable. The proposed Tentative Parcel Map is not a condominium conversion. A condominium conversion is the conversion of residential real

property into a condominium project, a community apartment project, or a stock cooperative project, whereby Section 66427.1 of the Subdivision Map Act requires that tenants of such properties be notified of pending approvals to convert their units to condominiums. State Law also allows tenants of such properties to have an exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant. The units which are the subject of this Tentative Map will be newly constructed, will have no tenants and as such are not yet habitable.

3. Dedications or exactions. Findings documenting the need for dedications or exactions, if dedications or exactions are required.

Not applicable. The proposed Tentative Map does not require dedications or exactions.

4. Waiver of Parcel Map. The findings required by Section 36.520.030 (Waiver of Parcel Map), if waiver of a Parcel Map has been requested with the Tentative Map application.

Not applicable. The applicant is not requesting a waiver of the proposed Tentative Map.

C. Findings Requiring Denial - SPMC Section 36.510.070 (C)

A Tentative Map shall be denied if the Commission makes any of the following findings:

1. The proposed subdivision including design and improvements is not consistent with the General Plan or any applicable Specific Plan;

The subdivision's design is consistent with the provisions of the General Plan's Medium Density development standards since it is for the construction of three (3) residential units in a Medium Density Residential district where triplexes are specifically allowed in conformance with all applicable Development Standards. The project for which the subdivision applies also complies with the applicable Development Standards and provisions of the Zoning Code for multi-family residential development. Public improvements are not required as a condition of this Tentative Map's approval.

2. The site is not physically suitable for the type or proposed density of development;

The subject site is 10,559 square feet (0.24 acres) in size. The project site for which the subject tentative map applies is suitable for the development. The entire development fits within the required front, side, and rear yard setbacks and within the maximum floor area ratio. Each of the three units provides adequate floor area and outdoor open spaces. Each unit has at least two

covered parking spaces and there will be two guest spaces. The subject site will provide efficient vehicular and pedestrian circulation.

- 3. The design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or injure fish or wildlife or their habitat;**

The proposed subdivision is located in an urban residential zone and the lot will be developed with three residential structures. It is not adjacent to any streams or rivers or to known wildlife or their habitat. Therefore there will be no damage or injury to fish and wildlife or their habitat as a result of this project.

- 4. The design of the subdivision or type of improvements is likely to cause serious public health or safety problems;**

The design of the subdivision is limited to three condominiums with associated parking and open spaces on a lot located in a medium-density residential zone. The Planning Commission previously approved a Conditional Use Permit for the project, which included a finding that the project would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City. As such, the subdivision's design will not cause serious health or safety problems.

- 5. The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large for access through or use of, property within the proposed subdivision. This finding may not be made if the Commission finds that alternate easements for access or use will be provided, and that they will be substantially equivalent to ones previously acquired by the public. This finding shall apply only to easements of record, or to easements established by judgment of a court of competent jurisdiction, and no authority is hereby granted to the review authority to determine that the public at large has acquired easements of access through or use of property within the proposed subdivision;**

There are currently no existing or proposed public easements to provide access through or use of the property. Therefore, the design of the subdivision will not conflict with any public easements for access through or use of the property within the proposed subdivision.

- 6. The discharge of sewage from the proposed subdivision into the community sewer system would result in violation of existing requirements prescribed by the California Regional Water Quality Control Board;**

The proposed subdivision will not create any additional units other than the three residential units approved for the project site by the Planning

Commission. All City Departments reviewing the proposed project prior to Planning Commission approval of the conditional use permit for the project indicated the ability to support the project as presented. Therefore, no additional sewer service than currently provided is needed today to service the approved three residential units on the property. A sewer connection already exists on this lot. A 12 inch sewer line adequately provides sewer service to all properties on Huntington Drive.

- 7. A preliminary soils report or geological hazard report indicates adverse soil or geological conditions and the sub divider has failed to provide sufficient information to the satisfaction of the City Engineer or the Commission that the conditions can be corrected in the plan for the development; or**

Conditions of approval of the project approved by the Planning Commission require the applicant to submit a soils and/or geotechnical report for the project, prior to issuance of building permits. As part of the plan check process, the City Engineer and Plan Checker will review that report to ensure that there are no adverse soils or geological conditions on the subject site before issuing any building permits. If the City Engineer and Plan Checker determine that the soils and/or geotechnical report indicate adverse or geological conditions may exist, a hearing shall be scheduled before the Planning Commission to review the issue and determine whether such adverse soil or geological conditions exist and whether this finding needs amendment in light of the soils and/or geotechnical report submitted.

- 8. The proposed subdivision is not consistent with all applicable provisions of this Zoning Code, any other applicable provisions of the Municipal Code, and the Subdivision Map Act.**

The proposed subdivision is consistent with all applicable provisions of the Zoning Code, Municipal Code and the Subdivision Map Act.

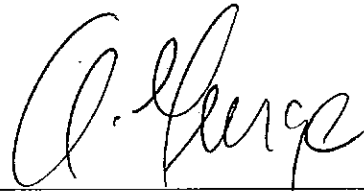
SECTION 4: For the foregoing reasons and based on the information and findings included in the Staff Report, Minutes, testimony presented at the public hearing, and other record of proceeding, the Planning Commission of the City of South Pasadena hereby approves Tentative Parcel Map No. 72784 (Project No. 1695-TPM), subject to the conditions of approval attached hereto as Exhibit "A," to subdivide one parcel of land located at 1974 Huntington Drive (Assessor Parcel No. 5321-008-016) into three (3) new condominium units.

SECTION 5: Any interested person may appeal this decision or any portion of this decision to the City Council. Pursuant to the South Pasadena Municipal Code, any such appeal must be filed with the City, in writing, and with the appropriate appeal fee, no later than fifteen (15) days, following the date of the Planning Commission's final action.

SECTION 6: The Secretary shall certify that the foregoing Resolution was adopted by the Planning Commission of the City of South Pasadena at a duly noticed regular meeting held on the 26th day of January 2015.

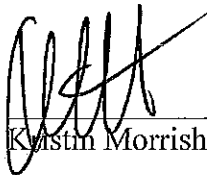
PASSED, APPROVED, AND ADOPTED this 26th day of January, 2015 by the following vote:

AYES: DAVIS, DAHL, GEORGE & MORRISH
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE



Anthony R. George, Chair

ATTEST:



Krystin Morrish, Vice Chair

EXHIBIT "A"
CONDITIONS OF APPROVAL
TENTATIVE PARCEL MAP NO. 72784
PROJECT NO. 1695-TPM
1974 Huntington Drive

1. Prior to filing a Final Map, the applicant shall submit Covenants, Conditions, and Restrictions (CC&R's) to the City Engineer for review. The CC&R's shall establish a Home Owners Association that will be responsible for maintaining all common areas on the site including drainage and storm water treatment devices required under the Standard Urban Storm water Mitigation Plan (SUSUMP).
2. Prior to Final Map approval, the applicant shall comply with all conditions of approval listed on Exhibit B of PC Resolution No. 13-33, dated October 28, 2013. All the required improvements listed in those conditions shall be constructed.
3. Prior to Final Map approval, the soils and/or geotechnical report required to be submitted by condition number 20 listed on Exhibit B of PC Resolution No. 13-33, dated October 28, 2013 shall demonstrate to the satisfaction of the City Engineer and Plan Checker that no adverse or geological conditions exist.
4. Prior to Final Map approval, the applicant shall obtain the Water Department's approval for a separate water meter at each unit.
5. Prior to Final Map approval, show the locations of all existing utilities in the public right of way, and the proposed tie-in locations.
6. Prior to Final Map approval, the applicant shall submit a complete copy of the final map to LA County Subdivision Section for review of mathematical accuracy, and provide a copy of the approval letter to the City Engineer.
7. Prior to issuing a Certificate of Occupancy, the applicant shall pay sewer connection fee to LA County Sanitation District prior to connection to the City's sewer.
8. Prior to issuing a Certificate of Occupancy, the applicant shall record the Final Parcel Map pursuant to the requirements of the California Subdivision Map Act.
9. The applicant shall be responsible for payment of the cost to the City for any outside consultant fees associated with the review of the project by the City.



City Council Agenda Report

ITEM NO. 18

DATE: November 16, 2022

FROM: Arminé Chaparyan, City Manager *Ac*

PREPARED BY: H. Ted Gerber, Director of Public Works
Hasmik Korkis, Senior Civil Engineer

SUBJECT: **Adoption of a Resolution Approving Final Parcel Map No. 80319 for 203 Cedar Crest/204 Mockingbird Lane**

Recommendation

It is recommended that the City Council:

- 1) Adopt a resolution approving the final parcel map No. 80319 for 203 Cedar Crest/204 Mockingbird Lane; and
- 2) Authorize its recordation with Los Angeles County.

Background

The parcel map related to this item was previously reviewed and approved by the Planning Commission in the preliminary tentative map stage, approving the Design Review and tentative parcel maps. On June 4, 2018, the Planning Commission adopted P.C. Resolution No. 18-09 (Attachment 3) to construct a three-story duplex with four covered parking spaces and two guest spaces on an 8044 square foot parcel located at 203 Cedar Crest/204 Mockingbird Lane.

Analysis

Attachment 1 contains a resolution for the City Council to adopt parcel map No. 80319 for 203 Cedar Crest/204 Mockingbird Lane. Parcel Map No. 80319 is included as Attachment 2. The Los Angeles County Department of Public Works Land Development Division has reviewed and approved the final parcel map for mathematical accuracy, survey analysis, title information, and for compliance with the Subdivision Map Act. The parcel map has also been jointly reviewed by the City Community Development Department and Public Works Department for compliance with the conditions of approval and applicable City ordinances. Once City Council approves the parcel map, staff will facilitate the recordation by Los Angeles County.

Fiscal Impact

The City has adopted a fee, listed in the Master Fee Schedule, which pays for the staff time and resources necessary to review final parcel maps.

Resolution Approving Final Parcel Map No. 80319 for 203 Cedar/204 Mockingbird
November 16, 2022
Page 2 of 2

Attachments

1. Resolution approving Final Parcel Map No. 80319 for 203 Cedar Crest/204 Mockingbird Lane
2. Final Parcel Map No. 80319 for 203 Cedar Crest/204 Mockingbird Lane
3. Planning Commission Resolution No. 18-09 approving Tentative Parcel Map No. 80319

ATTACHMENT 1

Resolution approving Final Parcel Map No. 80319 for
203 Cedar Crest/204 Mockingbird Lane

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 80319 FOR 203 CEDAR CREST/204 MOCKINGBIRD LANE

WHEREAS, on June 4, 2018, Tentative Parcel Map No. 80319 for the subject subdivision was approved by the City of South Pasadena Planning Commission; and

WHEREAS, this approval was subject to the Conditions set forth in Planning Commission Resolution No. 18-09, Project No. 2090-TPM; and

WHEREAS, the City Council hereby finds that Conditions set forth in Planning Commission Resolution No. 18-09 have been satisfied, or will be satisfied, as a condition of issuing Certificates of Occupancy; and

WHEREAS, the City Council hereby finds that the Final Parcel Map conforms to the requirements of the Subdivision Map Act by the Los Angeles County Department of Public Works Land Development Division and the Subdivision Ordinance of South Pasadena Municipal Code Division 36.500.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The City Council hereby accepts and directs that Final Parcel Map No. 80319 be released for recordation with the Los Angeles County Registrar-Recorder/County Clerk.

SECTION 2. The City Clerk of the City of South Pasadena shall certify to the passage and adoption of this resolution and its approval by the City Council and shall cause the same to be listed in the records of the City.

PASSED, APPROVED AND ADOPTED ON this 16th day of November, 2022.

Michael A. Cacciotti, Mayor

ATTEST:

APPROVED AS TO FORM:

Desiree Jimenez, CMC
Chief City Clerk

Andrew L. Jared, City Attorney

I HEREBY CERTIFY the foregoing Resolution was duly adopted by the City Council of the City of South Pasadena, California, at a regular meeting held on the 16th day of November 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Desiree Jimenez, CMC
Chief City Clerk

ATTACHMENT 2
Final Parcel Map No. 80319 for
203 Cedar Crest/204 Mockingbird Lane

1 PARCEL
7,915 SQ. FT.

SHEET 1 OF 2 SHEETS

PARCEL MAP NO. 80319

IN THE CITY OF SOUTH PASADENA,
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BEING A SUBDIVISION OF LOT 40 OF TRACT NO. 13152, AS PER MAP RECORDED IN BOOK 371,
PAGES 3 TO 5, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
FOR CONDOMINIUM PURPOSES

SUBDIVIDER'S STATEMENT:

I HEREBY STATE THAT I AM THE SUBDIVIDER OF THE LANDS INCLUDED WITHIN THE SUBDIVISION SHOWN ON THIS MAP WITHIN THE DISTINCTIVE BORDER LINES, AND I CONSENT TO THE PREPARATION AND FILING OF SAID MAP AND SUBDIVISION.

SIGN: _____
PRINT NAME: _____

RECORD OWNER: FAMILY HOUSING CORPORATION, A NEVADA NONPROFIT CORPORATION.

NOTARY ACKNOWLEDGMENT:
STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES }

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 WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN HIS AUTHORIZED CAPACITY, AND THAT BY HIS SIGNATURE ON THE INSTRUMENT, THE PERSON OR THE ENTITY UPON BEHALF OF WHICH THE PERSON 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: _____
PRINTED NAME: _____
MY COMMISSION EXPIRES: _____
MY COMMISSION NUMBER: _____
MY PRINCIPAL
PLACE OF BUSINESS IS IN _____ COUNTY

EASEMENT NOTE:

SOUTHERN CALIFORNIA COMPANY, A CORPORATION, EASEMENT FOR PUBLIC UTILITIES PURPOSES, RECORDED JANUARY 23, 1964, AS DOCUMENT NO. 4640, AND RECORDED DECEMBER 12, 2014, AS DOCUMENT NO. 4640, OFFICIAL RECORDS, RECORDS OF THE COUNTY OF LOS ANGELES.

CONDOMINIUM NOTE:

THIS SUBDIVISION IS APPROVED AS A CONDOMINIUM PROJECT FOR 2 UNITS, WHEREBY THE OWNERS OF THE UNITS OF AIR SPACE WILL HOLD AN UNDIVIDED INTEREST IN THE COMMON AREAS THAT WILL, IN TURN, PROVIDE THE NECESSARY ACCESS AND UTILITY EASEMENTS FOR THE UNITS.

SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A TRUE AND COMPLETE FIELD SURVEY PERFORMED BY ME OR UNDER MY DIRECTION IN APRIL, 2019, IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF FAMILY HOUSING CORPORATION ON MAY 13, 2018. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY; THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED; THAT THE MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED; AND THAT TIE NOTES FOR ALL CENTERLINE MONUMENTS OR FOR ALL CENTERLINE TIE MONUMENTS NOTED AS "SET" ARE ON FILE IN THE OFFICE OF THE CITY ENGINEER.

M. Khalili

3/11/22

MAHMOUD KHALILI SAMANI
L.S. NO. 8766

DATE



BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARING S 12 °36'00" E OF THE CENTERLINE OF MOCKING BIRD LANE AS SHOWN ON TRACT NO. 13152, FILED IN BOOK 271, PAGES 3, 4 AND 5 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY.

CITY ENGINEER'S CERTIFICATE:

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP; THAT IT CONFORMS SUBSTANTIALLY TO THE TENTATIVE MAP AND ALL APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF SUBDIVISION ORDINANCES OF THE CITY OF SOUTH PASADENA APPLICABLE AT THE TIME OF APPROVAL OF TENTATIVE MAP HAVE BEEN COMPLIED WITH; AND THAT ALL PROVISIONS OF SUBDIVISION MAP ACT SECTION 66450 (a)(1), (2) AND (3) HAVE BEEN COMPLIED WITH.

SIGN: _____
(PRINT NAME) _____ DATE _____
CITY ENGINEER, CITY OF SOUTH PASADENA
R.C.E. NO. _____ EXPIRES: _____

CITY TREASURER'S CERTIFICATE:

I HEREBY CERTIFY THAT ALL SPECIAL ASSESSMENTS LEVIED UNDER THE JURISDICTION OF THE CITY OF SOUTH PASADENA, TO WHICH THE LAND INCLUDED IN THE WITHIN SUBDIVISION OR ANY PART THEREOF IS SUBJECT AND WHICH MAY BE PAID IN FULL, HAVE BEEN PAID IN FULL.

CITY TREASURER, CITY OF SOUTH PASADENA DATE _____

CITY CLERK'S CERTIFICATE:

I HEREBY CERTIFY THAT THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA BY MOTION PASSED ON _____ APPROVED THE ATTACHED MAP.

CITY CLERK, CITY OF SOUTH PASADENA DATE _____

COUNTY SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP; THAT IT COMPLIES WITH ALL PROVISIONS OF STATE LAW APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP; AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT IN ALL RESPECTS NOT CERTIFIED BY THE CITY ENGINEER.

COUNTY ENGINEER

SIGN _____ DATE _____
L.S. NO. _____ EXP.: _____

I HEREBY CERTIFY THAT SECURITY IN THE AMOUNT OF \$ _____ HAS BEEN FILED WITH THE EXECUTIVE OFFICER, BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES AS SECURITY FOR THE PAYMENT OF TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES ON THE LAND SHOWN ON MAP OF PARCEL MAP NO. 80319 AS REQUIRED BY LAW.

EXECUTIVE OFFICER, BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

DATE _____
SIGN _____
DEPUTY

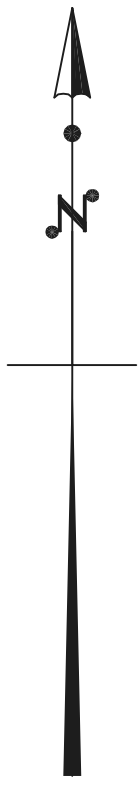
I HEREBY CERTIFY THAT ALL CERTIFICATES HAVE BEEN FILED AND DEPOSITS HAVE BEEN MADE THAT ARE REQUIRED UNDER THE PROVISIONS OF SECTIONS 66492 AND 66493 OF THE SUBDIVISION MAP ACT.

EXECUTIVE OFFICER, BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

DATE _____
SIGN _____
DEPUTY

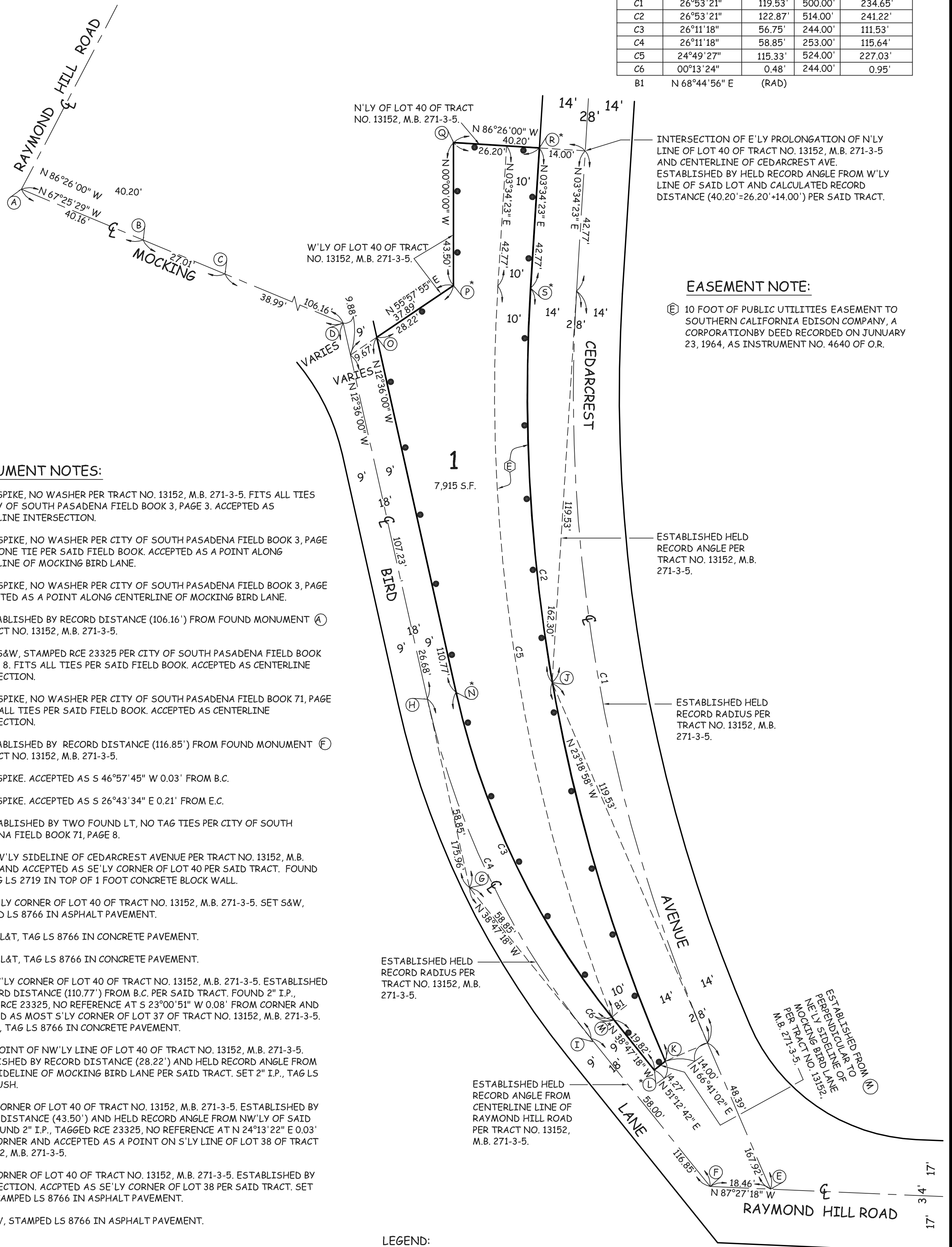
PARCEL MAP NO. 80319

IN THE CITY OF SOUTH PASADENA, COUNTY OF LOS ANGELES,
STATE OF CALIFORNIA
FOR CONDOMINIUM PURPOSES



CURVE DATA TABLE:

NUMBER	DELTA ANGLE	TANGENT	RADIUS	ARC LENGTH
C1	26°53'21"	119.53'	500.00'	234.65'
C2	26°53'21"	122.87'	514.00'	241.22'
C3	26°11'18"	56.75'	244.00'	111.53'
C4	26°11'18"	58.85'	253.00'	115.64'
C5	24°49'27"	115.33'	524.00'	227.03'
C6	00°13'24"	0.48'	244.00'	0.95'
B1	N 68°44'56" E (RAD)			



INTERSECTION OF E'LY PROLONGATION OF N'LY LINE OF LOT 40 OF TRACT NO. 13152, M.B. 271-3-5 AND CENTERLINE OF CEDARCREST AVE. ESTABLISHED BY HELD RECORD ANGLE FROM W'LY LINE OF SAID LOT AND CALCULATED RECORD DISTANCE (40.20' = 26.20' + 14.00') PER SAID TRACT.

EASEMENT NOTE:

Ⓔ 10 FOOT OF PUBLIC UTILITIES EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION BY DEED RECORDED ON JANUARY 23, 1964, AS INSTRUMENT NO. 4640 OF O.R.

MONUMENT NOTES:

- Ⓐ FOUND SPIKE, NO WASHER PER TRACT NO. 13152, M.B. 271-3-5. FITS ALL TIES PER CITY OF SOUTH PASADENA FIELD BOOK 3, PAGE 3. ACCEPTED AS CENTERLINE INTERSECTION.
- Ⓑ FOUND SPIKE, NO WASHER PER CITY OF SOUTH PASADENA FIELD BOOK 3, PAGE 3. FITS ONE TIE PER SAID FIELD BOOK. ACCEPTED AS A POINT ALONG CENTERLINE OF MOCKING BIRD LANE.
- Ⓒ FOUND SPIKE, NO WASHER PER CITY OF SOUTH PASADENA FIELD BOOK 3, PAGE 3. ACCEPTED AS A POINT ALONG CENTERLINE OF MOCKING BIRD LANE.
- Ⓓ P.I. ESTABLISHED BY RECORD DISTANCE (106.16') FROM FOUND MONUMENT Ⓐ PER TRACT NO. 13152, M.B. 271-3-5.
- Ⓔ FOUND S&W, STAMPED RCE 23325 PER CITY OF SOUTH PASADENA FIELD BOOK 71, PAGE 8. FITS ALL TIES PER SAID FIELD BOOK. ACCEPTED AS CENTERLINE INTERSECTION.
- Ⓕ FOUND SPIKE, NO WASHER PER CITY OF SOUTH PASADENA FIELD BOOK 71, PAGE 8. FITS ALL TIES PER SAID FIELD BOOK. ACCEPTED AS CENTERLINE INTERSECTION.
- Ⓖ P.I. ESTABLISHED BY RECORD DISTANCE (116.85') FROM FOUND MONUMENT Ⓕ PER TRACT NO. 13152, M.B. 271-3-5.
- Ⓗ FOUND SPIKE. ACCEPTED AS S 46°57'45" W 0.03' FROM B.C.
- Ⓖ FOUND SPIKE. ACCEPTED AS S 26°43'34" E 0.21' FROM E.C.
- Ⓙ P.I. ESTABLISHED BY TWO FOUND LT, NO TAG TIES PER CITY OF SOUTH PASADENA FIELD BOOK 71, PAGE 8.
- Ⓚ E.C. OF W'LY SIDELINE OF CEDARCREST AVENUE PER TRACT NO. 13152, M.B. 271-3-5 AND ACCEPTED AS SE'LY CORNER OF LOT 40 PER SAID TRACT. FOUND L&T, TAG LS 2719 IN TOP OF 1 FOOT CONCRETE BLOCK WALL.
- Ⓛ MOST S'LY CORNER OF LOT 40 OF TRACT NO. 13152, M.B. 271-3-5. SET S&W, STAMPED LS 8766 IN ASPHALT PAVEMENT.
- Ⓜ E.C. SET L&T, TAG LS 8766 IN CONCRETE PAVEMENT.
- Ⓝ B.C. SET L&T, TAG LS 8766 IN CONCRETE PAVEMENT.
- Ⓞ MOST W'LY CORNER OF LOT 40 OF TRACT NO. 13152, M.B. 271-3-5. ESTABLISHED BY RECORD DISTANCE (110.77') FROM B.C. PER SAID TRACT. FOUND 2" I.P., TAGGED RCE 23325, NO REFERENCE AT S 23°00'51" W 0.08' FROM CORNER AND ACCEPTED AS MOST S'LY CORNER OF LOT 37 OF TRACT NO. 13152, M.B. 271-3-5. SET L&T, TAG LS 8766 IN CONCRETE PAVEMENT.
- Ⓟ ANGLE POINT OF NW'LY LINE OF LOT 40 OF TRACT NO. 13152, M.B. 271-3-5. ESTABLISHED BY RECORD DISTANCE (28.22') AND HELD RECORD ANGLE FROM NE'LY SIDELINE OF MOCKING BIRD LANE PER SAID TRACT. SET 2" I.P., TAG LS 8766 FLUSH.
- Ⓠ NW'LY CORNER OF LOT 40 OF TRACT NO. 13152, M.B. 271-3-5. ESTABLISHED BY RECORD DISTANCE (43.50') AND HELD RECORD ANGLE FROM NW'LY OF SAID LOT. FOUND 2" I.P., TAGGED RCE 23325, NO REFERENCE AT N 24°13'22" E 0.03' FROM CORNER AND ACCEPTED AS A POINT ON S'LY LINE OF LOT 38 OF TRACT NO. 13152, M.B. 271-3-5.
- Ⓡ NE'LY CORNER OF LOT 40 OF TRACT NO. 13152, M.B. 271-3-5. ESTABLISHED BY INTERSECTION. ACCEPTED AS SE'LY CORNER OF LOT 38 PER SAID TRACT. SET S&W, STAMPED LS 8766 IN ASPHALT PAVEMENT.
- Ⓢ SET S&W, STAMPED LS 8766 IN ASPHALT PAVEMENT.

LEGEND:

— — — — — INDICATES THE BOUNDARY OF THE LAND BEING SUBDIVIDED BY THIS MAP.
* SET MONUMENT

ATTACHMENT 3

Planning Commission Resolution No. 18-09 approving
Tentative Parcel Map No. 80319

P.C. RESOLUTION NO. 18-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH PASADENA APPROVING AN APPLICATION FOR A TENTATIVE PARCEL MAP TO SUBDIVIDE ONE (1) PARCEL OF LAND INTO TWO (2) RESIDENTIAL CONDOMINIUMS ON AN 8,044 SQUARE FOOT PARCEL LOCATED AT 203 CEDAR CREST/204 MOCKINGBIRD LANE IN THE RESIDENTIAL HIGH DENSITY (RH) ZONE.

WHEREAS, on August 24, 2015, the Planning Commission adopted a Negative Declaration, and approved a Hillside Development Permit, Variance (for the required 10 ft/15 ft step back regulation for uphill walls), and Design Review for a revised project to construct a 2,475 square foot three story duplex with four covered parking spaces and two guest spaces; and

WHEREAS, on May 18, 2017, Following a previous meeting with the Cultural Heritage Commission (CHC) where they were asked to consider modifications to an historic arroyo stone wall for the driveway leading to one of the units, and provide a protection plan for the tunnel underground that was previously used to access the Raymond Hill Hotel, the CHC approved the proposal; and

WHEREAS, on June 26, 2017, the Planning Commission adopted a Supplemental Negative Declaration and approved the alterations to the arroyo stone wall per the CHC approval, with a set of additional conditions; and

WHEREAS, on December 22, 2018, John Wang of Trittech Engineering Associates, on behalf of the developer, Cheryl Yada, submitted an application for a Tentative Parcel map with the Planning and Building Department to subdivide the project site for the development of the two-unit residential condominiums located at 203 Cedar Crest Avenue/204 Mockingbird Lane; and

WHEREAS, on January 21, 2018, the application was deemed incomplete; and

WHEREAS, on May 13, 2018, the application was deemed complete; and

WHEREAS, on May 25, 2018, in adherence to a 10-day public notice period, mailings were sent to the property owners and occupants within a 300-foot radius of the subject site declaring the review for the proposed project before the Planning Commission; and

WHEREAS, after notices issued pursuant to the requirements of South Pasadena Municipal code, and the CEQA Guidelines, the Planning Commission held a duly noticed public hearing on June 4, 2018 at which time all interested parties were given the opportunity to be heard and present evidence.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF SOUTH PASADENA DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

SECTION 1: Pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et. Seq. (“CEQA”), and the State’s CEQA Guidelines, the Planning Commission finds that the project is Categorically Exempt under Section 15315, Minor Land Divisions, Class 15.

SECTION 2: The Commission finds that the proposed project is consistent with all findings to grant the Tentative Parcel Map for the project pursuant to South Pasadena Municipal Code Section 36.510.070, as follows:

- 1. Required Findings for Approval. The Planning Commission may approve a Tentative Map only when it shall first find that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, and any applicable Specific Plan, and that none of the findings for denial in Subsection C (below) can be made. The findings shall apply to each proposed parcel as well as the entire subdivision, including any parcel identified as a designated remainder in compliance with Map Act Section 66424.6.**

The proposed Tentative Parcel Map is consistent with the General Plan and is consistent with the zoning regulations applicable to the property as previously determined by the Planning Commission. The Planning Commission approved the project and made all required findings for a Hillside Development Permit, Variance and Design Review Findings in their approval. Therefore, this approval could be granted if the Supplemental findings for approval in SPMC Section 36.510.070(B) can be made and the Findings requiring denial in SPMC Section 36.510.070(C) cannot be made.

- 2. Supplemental Findings. In addition to the findings required for approval of a Tentative Map by Subsection A (above), the Commission shall not approve a Tentative Map unless it can also make the following findings, when they are applicable to the specific subdivision proposal.**

- a. Construction of improvements. It is in the interest of the public health and safety, and it is necessary as a prerequisite to the orderly development of the surrounding area, to require the construction of road improvements within a specified time after recordation of the Parcel Map, where road improvements are required.**

Not applicable. The project is subject to road improvements that are part of the development conditions of approval that were approved by the Planning Commission for the two (2) condominium units approved through Design Review.

- b. Condominiums. Any applicable findings required by Section 36.530.020 for condominium conversions.**

Not Applicable. The proposed Tentative Map is not a condominium conversion. A condominium conversion is the conversion of residential real

property into a condominium project, a community apartment project, or a stock cooperative project, whereby Section 66427.1 of the Subdivision Map Act Requires that tenants of such properties be notified of pending approvals to convert their units to condominiums. State Law also allows tenants of such properties to have an exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public on terms more favorable to the tenant. The project has not been built and complies with all development standards with the variance that was granted, thus not a condominium conversion.

c. Dedications or exactions. Findings documenting the need for dedications or exactions, if dedications or exactions are required.

Not Applicable. The proposed Tentative Map does not require dedications or exactions.

d. Waiver of Parcel Map. The findings required by Section 36.520.030 (Waiver of Parcel Map), if waiver of a Parcel Map has been requested with the Tentative Map application.

Not applicable. The applicant is not requesting a waiver of the proposed Tentative Map.

3. Findings Requiring Denial. A Tentative Map shall be denied if the Commission makes any of the following findings:

a. The proposed subdivision including design and improvements is not consistent with the General Plan or any applicable Specific Plan;

Not applicable. The subdivision's design is consistent with the provisions of the General Plan's Medium Density development standards since it is for the construction of two (2) residential units in a High Density Residential district where multi-family allowed in conformance with all applicable Development Standards. The project for which the subdivision applies to also complies with the applicable Development Standards and provisions of the Zoning Code for multi-family residential development. The approved project Improvements are not required as a condition of this Tentative Map's approval.

b. The site is not physically suitable for the type or proposed density of development;

Not applicable. The subject site is approximately 8,044 square feet in size. The project for which the tentative map will be applied to is suitable for the development. The entire development fits within the required front, side, and rear yard setbacks and within the maximum floor area ratio. Each of the two units provides adequate floor area and outdoor open spaces. Each unit has at least two covered parking spaces and there will be two guest parking spaces. The subject site will provide efficient vehicular and pedestrian circulation. The project was approved by the Planning Commission in August of 2015, who considered these items as part of their approval.

- c. **The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or injure fish or wildlife or their habitat;**

Not applicable. The proposed subdivision is located in an urban residential zone and the lot will be developed with three residential units. It is not adjacent to any streams or rivers, or to any known wildlife and their habitat. Therefore, there will be no substantial environmental damage or injury to fish or wildlife or their habitat as a result of this project. Additionally, a Negative Declaration was adopted as part of the approval of the project in 2015, along with a Supplemental Negative Declaration for the additional conditions related to the removal of a portion of an historic arroyo stone wall, and protection of a tunnel that is under the site.

- d. **The design of the subdivision or type of improvements is likely to cause serious public health or safety problems;**

Not applicable. The design of the subdivision is limited to two condominiums with associated parking and open spaces on a lot located in a high-density residential zone. The Planning Commission approved the project which including finding that the project will adequately accommodate the functions and activities proposed for the site, will not unreasonably interfere with the use and enjoyment of neighboring, existing, or future developments, and will not create adverse pedestrian or traffic hazards. As such, the subdivision's design will not cause serious health or safety problems.

- e. **The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large for access through or use of, property within the proposed subdivision. This finding may not be made if the Commission finds that alternative easements for access or use will be provided, and that they will be substantially equivalent to ones previously acquired by the public. This finding shall apply only to easements of record, or to easements established by judgement of a court of competent jurisdiction, and not authority is hereby granted to the review authority to determine that the public at large has acquired easements of access through or use of property within the proposed subdivision;**

Not applicable. There are currently no existing or proposed easements to provide access through or use of the property by the public. Therefore, the design of the subdivision will not conflict with any public easements for access through or use of the property within the proposed subdivision.

- f. **The discharge of sewage from the proposed subdivision into the community sewer system would result in violation of existing requirements prescribed by the California Regional Water Quality Control Board;**

The proposed subdivision will not create any additional units other than the two residential units previously approved by the Design Review Board. All

reviewing City Departments at that time indicated the ability to support the project as presented. Therefore, no additional sewer service other than that currently provided is needed today to service the approved three residences.

- g. A preliminary soils report or geological hazard report indicates adverse soil or geological conditions and the subdivider has failed to provide sufficient information to the satisfaction of the City Engineer or the Commission that the conditions can be corrected in the plan for the development; or**

Not applicable. As part of the plan check process, the soils report for this project has been reviewed by the Building Division to ensure that there are no adverse soils or geological conditions on the subject site before issuing any building permits.

- h. The proposed subdivision is not consistent with all applicable provisions of this Zoning Code, any other applicable provisions of the Municipal Code, and the Subdivision Map Act.**

Not applicable. The proposed subdivision is consistent with all applicable provisions of the Zoning Code, Municipal Code, and the Subdivision Map Act.

SECTION 3: For the foregoing reasons and based on the information and findings included in the Staff Report, and provided during the public hearing, the Planning Commission of the City of South Pasadena hereby approves the application for Tentative Parcel Map (Project No. 2090-TPM) related to the proposed project at 203 Cedar Crest/ 204 Mockingbird Lane, subject to the Conditions of Approval that are attached hereto as Exhibit "A."

SECTION 4: Any interested person may appeal this decision or any portion of this decision to the City Council. Pursuant to the South Pasadena Municipal Code, any such appeal must be filed with the City, in writing, and with appropriate appeal fee, no later than (15) days, following the date of the Planning Commission's final action.

SECTION 5: The Secretary shall certify that the foregoing Resolution was adopted by the Planning Commission of the City of South Pasadena at a duly noticed regular meeting held on the 4th day of June 2018.

PASSED, APPROVED, AND ADOPTED this 4th day of June, 2018 by the following vote:

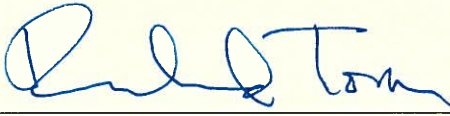
AYES: BRAUN, DAHL, KOLDUS, LESAK, TOM
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

-SIGNATURES TO FOLLOW ON NEXT PAGE-



Kelly Koldus, Chair

ATTEST:



Richard Tom, Secretary

**EXHIBIT “A”
CONDITIONS OF APPROVAL
& DEVELOPMENT REQUIREMENTS
Tentative Parcel Map No. 80319**

**PROJECT NO. 2090-TPM
203 Cedar Crest/ 204 Mockingbird Lane**

CONDITIONS OF APPROVAL

PLANNING DIVISION:

- C-P1. The approval of the Tentative Parcel Map No. 80319 is granted for the purposes of the land and land use as described in the application and any attachments thereto, and as indicated in the Tentative Map submitted to and approved by the Planning Commission on June 4, 2018.
- C-P2. In accordance with SPMC Section 36.510.140 and the provisions of the Map Act, the approval of the Tentative Map shall be valid for 24 months from the Effective Date of Approval and shall become void after such time if no action has been taken to file for an extension in accordance with SPMC Section 36.510.150; or a Parcel or Final Map, and related bonds and improvement agreements, have been filed with the City Engineer in compliance with SPMC Section 36.520.

PUBLIC WORKS DIVISION:

- C-P1. The approval of the Tentative Parcel Map No. 80319 is granted for the purposes of the land and land use as described in the application and any attachments thereto, and as indicated in the Tentative Map submitted to and approved by the Planning Commission on June 4, 2018.
- C-P2. In accordance with SPMC Section 36.510.140 and the provisions of the Map Act, the approval of the Tentative Map shall be valid for 24 months from the Effective Date of Approval and shall become void after such time if no action has been taken to file for an extension in accordance with SPMC Section 36.510.150; or a Parcel or Final Map, and related bonds and improvement agreements, have been filed with the City Engineer in compliance with SPMC Section 36.520.

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DEVELOPMENT REQUIREMENTS

Note: As a convenience to the applicant, the development requirements from applicable Departments/Agencies are listed herein. These requirements list what the applicant will be required to comply with in order to receive a Building Permit, a Certificate of Occupancy, or other Department-issued entitlement.

PLANNING DIVISION:

- P1. Approval by the Planning Commission does not constitute a building permit or authorization to begin any construction on the related development.
- P2. All other requirements of any law, ordinance, or regulation of the State of California, City of South Pasadena, and any other government entity shall be complied with.
- P3. Compliance with and execution of all conditions listed herein shall be necessary prior to obtaining any occupancy inspection clearance and/or prior to obtaining any occupancy clearance.
- P4. The applicant and each successor in interest to the property which is the subject of this project approval, shall defend, indemnify and hold harmless the City of South Pasadena and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul any approval of the City, City Council or City Planning Commission concerning this use.

BUILDING AND SAFETY DIVISION:

- B1. The Map shall be approved and recorded prior rough framing inspection of the 2 units.

DEPARTMENT OF PUBLIC WORKS:

- PW1. Applicant The applicant shall pay for all applicable city fees including PW plan review and permit fees.
- PW2. The project is subject to the SPMC 36.540 Subdivision Design and Improvement Requirements.
- PW3. The applicant shall submit a tract map package for review and approval prior to building occupancy.
- PW4. The applicant shall provide a copy of the CC&R'S for Public Works Department review and approval prior tract map approval.
- PW5. The applicant shall pay City water and sewer connection charges per Resolution 7390.



City Council Agenda Report

ITEM NO. 19

DATE: November 16, 2022

FROM: Arminé Chaparyan, City Manager *AC*

PREPARED BY: H. Ted Gerber, Director of Public Works
Hasmik Korkis, Senior Civil Engineer

SUBJECT: **Adoption of a Resolution Approving Final Parcel Map No. 82291 for 1612 Spruce Street**

Recommendation

It is recommended that the City Council:

1. Adopt a resolution approving the Final Parcel Map No. 82291 for 1612 Spruce Street; and
2. Authorize its recordation with Los Angeles County.

Background

The Parcel Map related to this item was previously reviewed and approved by the Planning Commission in the preliminary Tentative Map stage, approving the Design Review and Tentative Parcel Maps. On January 28, 2019, the Planning Commission adopted P.C. Resolution No. 19-03 (Attachment 3) to construct a four-unit detached townhome development on a 17,502 square foot corner parcel located at 1612 Spruce Street at the corner of Fair Oaks Avenue.

Analysis

Attachment 1 contains a resolution for the City Council to adopt Parcel Map No. 82291 for 1612 Spruce Street. Parcel Map No. 82291 is included as Attachment 2. The Los Angeles County Department of Public Works Land Development Division has reviewed and approved the Final Parcel Map for mathematical accuracy, survey analysis, title information, and for compliance with the Subdivision Map Act. The Parcel Map has also been jointly reviewed by the City Community Development Department and Public Works Department for compliance with the conditions of approval and applicable City ordinances. Once City Council approves the Parcel Map, staff will facilitate the recordation by Los Angeles County.

Fiscal Impact

The City has adopted a fee, listed in the Master Fee Schedule, which pays for the staff time and resources necessary to review final parcel maps.

Resolution Approving Final Parcel Map No. 82291 for 1612 Spruce Street
November 16, 2022
Page 2 of 2

Attachments

1. Resolution approving Final Parcel Map No. 82291 for 1612 Spruce Street
2. Final Parcel Map No. 82291 for 1612 Spruce Street
3. Planning Commission Resolution No. 19-03 approving Tentative Parcel Map No. 82291

ATTACHMENT 1

Resolution approving Final Parcel Map No. 82291 for
1612 Spruce Street

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 82291 FOR 1612 SPRUCE STREET

WHEREAS, on January 28, 2019, Tentative Parcel Map No. 82291 for the subject subdivision was approved by the City of South Pasadena Planning Commission; and

WHEREAS, this approval was subject to the Conditions set forth in Planning Commission Resolution No. 19-03, Project No. 2122-NID-DRX & 2153-TPM; and

WHEREAS, the City Council hereby finds that Conditions set forth in Planning Commission Resolution No. 19-03 have been satisfied, or will be satisfied, as a condition of issuing Certificates of Occupancy; and

WHEREAS, the City Council hereby finds that the Final Parcel Map conforms to the requirements of the Subdivision Map Act by the Los Angeles County Department of Public Works Land Development Division and the Subdivision Ordinance of South Pasadena Municipal Code Division 36.500.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The City Council hereby accepts and directs that Final Parcel Map No. 82291 be released for recordation with the Los Angeles County Registrar-Recorder/County Clerk.

SECTION 2. The City Clerk of the City of South Pasadena shall certify to the passage and adoption of this resolution and its approval by the City Council and shall cause the same to be listed in the records of the City.

PASSED, APPROVED AND ADOPTED ON this 16th day of November, 2022.

Michael A. Cacciotti, Mayor

ATTEST:

APPROVED AS TO FORM:

Desiree Jimenez, CMC
Chief City Clerk

Andrew L. Jared, City Attorney

I HEREBY CERTIFY the foregoing Resolution was duly adopted by the City Council of the City of South Pasadena, California, at a regular meeting held on the 16th day of November 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Desiree Jimenez, CMC
Chief City Clerk

ATTACHMENT 2

Final Parcel Map No. 82291 for 1612 Spruce Street

PARCEL MAP NO. 82291

IN THE CITY OF SOUTH PASADENA
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BEING A SUBDIVISION OF LOT 18, BLOCK E OF OF ONEONTA PARK, AS PER
MAP RECORDED IN BOOK 4, PAGES 93 AND 94 OF MAPS, IN THE OFFICE OF
THE COUNTY RECORDER OF SAID COUNTY


FOR CONDOMINIUM PURPOSES

OWNER'S STATEMENT

WE HEREBY STATE THAT WE ARE THE OWNERS OF OR ARE INTERESTED IN THE LANDS INCLUDED WITHIN THE SUBDIVISION SHOWN ON THIS MAP WITHIN THE DISTINCTIVE BORDER LINES, AND WE CONSENT TO THE PREPARATION AND FILING OF SAID MAP AND SUBDIVISION.


WE ALSO HEREBY DEDICATE TO THE CITY OF SOUTH PASADENA THE EASEMENT FOR SIDEWALK PURPOSES SO DESIGNATED ON SAID MAP AND ALL USES INCIDENTAL THERETO INCLUDING THE RIGHT TO MAKE CONNECTION THEREWITH FROM ANY ADJOINING PROPERTIES.

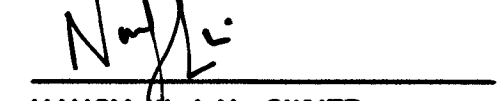
KEN LAI, YAN C. LAI, NORMAN Y. LAI, DAVID Y. LAI, AND NANCY W. LAI (OWNERS)


KEN LAI, OWNER


YAN C. LAI, OWNER


NORMAN Y. LAI, OWNER


DAVID Y. LAI, OWNER


NANCY W. LAI, OWNER

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)

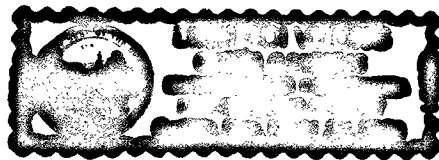
ON NOV. 13, 2020 BEFORE ME, LINH BOI VUONG, A NOTARY PUBLIC, PERSONALLY APPEARED

KEN LAI and YAN CAI LAI 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/HE(SHE) 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 Linh Vuong
NAME PRINTED LINH BOI VUONG
MY COMMISSION NUMBER: 2169616
MY COMMISSION EXPIRES: NOV. 22 2020
MY PRINCIPAL PLACE OF BUSINESS IS IN ALHAMBRA, CA. LA COUNTY.



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)

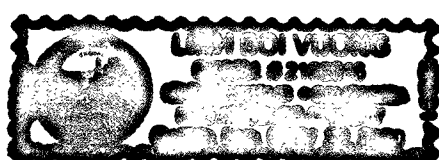
ON NOV. 13, 2020 BEFORE ME, LINH BOI VUONG, A NOTARY PUBLIC, PERSONALLY APPEARED NORMAN YUANFONG LAI and DAVID YUANSHENG LAI and NANCY W. LAI

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/HE(SHE) 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 Linh Vuong
NAME PRINTED LINH BOI VUONG
MY COMMISSION NUMBER: 2169616
MY COMMISSION EXPIRES: NOV. 22 2020
MY PRINCIPAL PLACE OF BUSINESS IS IN ALHAMBRA, CA. LA COUNTY.




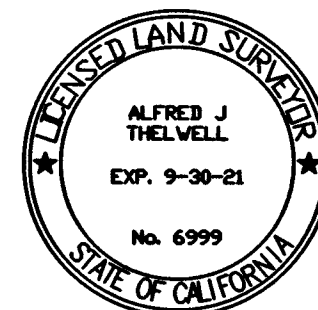
CONDOMINIUM NOTE

THIS SUBDIVISION IS APPROVED AS A CONDOMINIUM PROJECT FOR 4 UNITS, WHEREBY THE OWNERS OF THE UNITS OF AIR SPACE WILL HOLD AN UNDIVIDED INTEREST IN THE COMMON AREAS THAT WILL, IN TURN, PROVIDE THE NECESSARY ACCESS AND UTILITY EASEMENTS FOR THE UNITS.

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A TRUE AND COMPLETE FIELD SURVEY PERFORMED BY ME OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF KEN LAI, YAN C. LAI, NORMAN Y. LAI, DAVID Y. LAI, AND NANCY W. LAI ON OCTOBER 10, 2017. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY; THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED; THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.


ALFRED J. THELWELL
LS 6999
DATE 11/11/20
EXPIRES: 9/30/2021



BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARING S89°56'30"W OF THE CENTERLINE OF SPRUCE STREET AS SHOWN ON THE MAP OF ONEONTA PARK RECORDED IN BOOK 4, PAGES 93 AND 94, OF MAPS, RECORDS OF LOS ANGELES COUNTY.

CITY ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP AND THAT IT CONFORMS SUBSTANTIALLY TO THE TENTATIVE MAP AND ALL APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF THE SUBDIVISION ORDINANCES OF THE CITY OF SOUTH PASADENA APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH; AND THAT ALL PROVISIONS OF SUBDIVISION MAP ACT 66450 (A) (1), (2) AND (3) HAVE BEEN COMPLIED WITH.

Ghassan A. Shelleh DATE _____
CITY ENGINEER, CITY OF SOUTH PASADENA
R.C.E. C65978 EXP. 6/30/2022

CITY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT ALL SPECIAL ASSESSMENTS LEVIED UNDER THE JURISDICTION OF THE CITY OF SOUTH PASADENA TO WHICH THE LAND INCLUDED IN THE WITHIN SUBDIVISION OR ANY PART THEREOF IS SUBJECT AND WHICH MAY BE PAID IN FULL, HAVE BEEN PAID IN FULL.

CITY TREASURER, CITY OF SOUTH PASADENA DATE _____

CITY CLERK'S CERTIFICATE

I HEREBY CERTIFY THAT THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA BY MOTION PASSED ON _____ APPROVED THE ATTACHED MAP AND ACCEPTED THE DEDICATION OF SIDEWALK EASEMENT.

CITY CLERK, CITY OF SOUTH PASADENA DATE _____

COUNTY SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP; THAT IT COMPLIES WITH ALL PROVISIONS OF STATE LAW APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP; AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT IN ALL RESPECTS NOT CERTIFIED BY THE CITY ENGINEER.

COUNTY SURVEYOR

BY: FABRIZIO G. PACHANO, DEPUTY DATE _____
L.S. NO. 7242

I HEREBY CERTIFY THAT ALL CERTIFICATES HAVE BEEN FILED AND DEPOSITS HAVE BEEN MADE THAT ARE REQUIRED UNDER THE PROVISIONS OF SECTIONS 66492 AND 66493 OF THE SUBDIVISION MAP ACT.

EXECUTIVE OFFICER, BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BY: _____ DEPUTY _____ DATE _____

I HEREBY CERTIFY THAT SECURITY IN THE AMOUNT OF \$ _____ HAS BEEN FILED WITH THE EXECUTIVE OFFICER, BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES AS SECURITY FOR THE PAYMENT OF TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES ON THE LAND SHOWN ON MAP OF PARCEL MAP NO. 82291 AS REQUIRED BY LAW.

EXECUTIVE OFFICER, BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

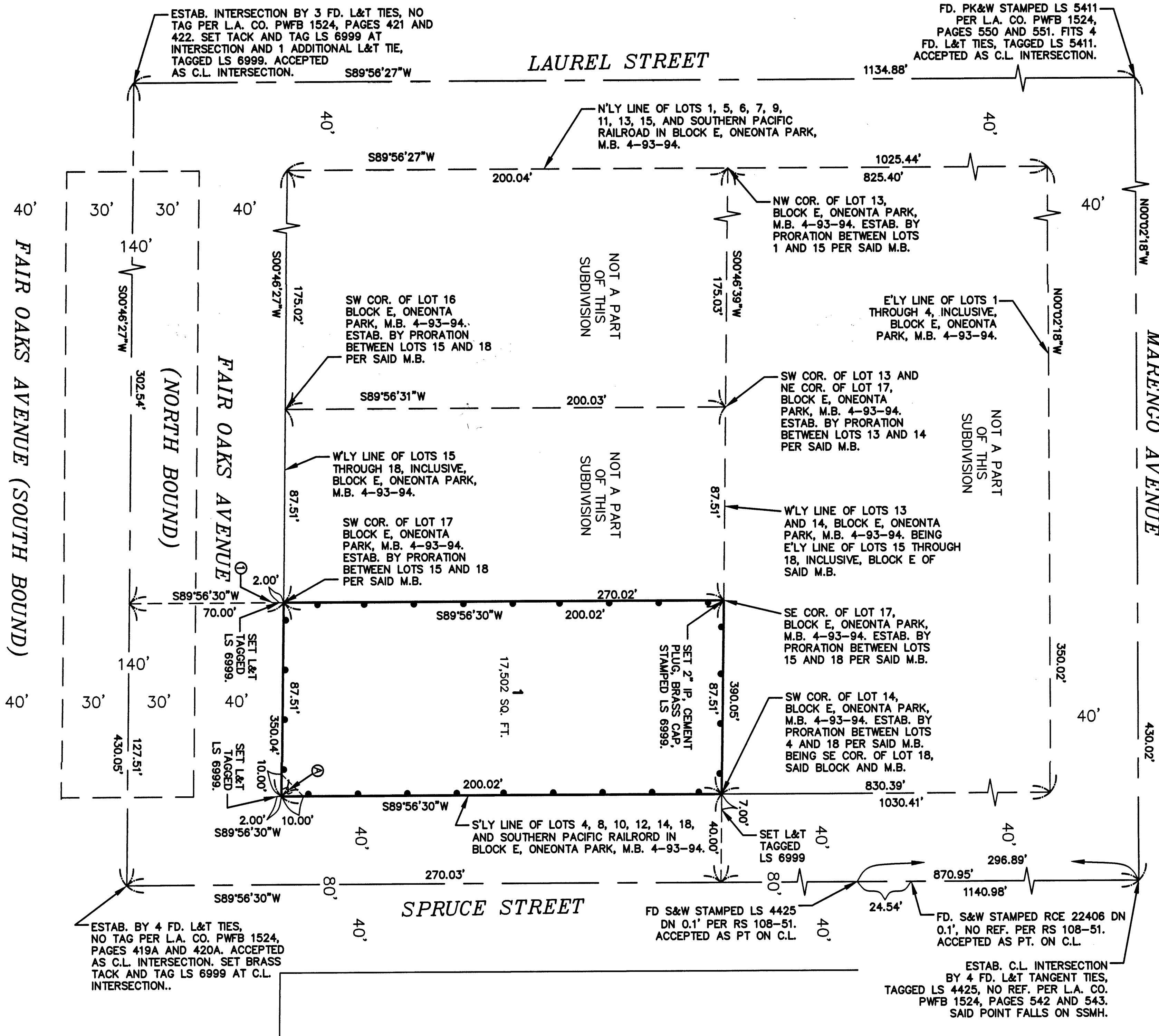
BY: _____ DEPUTY _____ DATE _____

PARCEL MAP NO. 82291

IN THE CITY OF SOUTH PASADENA
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
FOR CONDOMINIUM PURPOSES

LEGEND
INDICATES THE BOUNDARY OF THE LAND
BEING SUBDIVIDED BY THIS MAP.

- ① FD. NAIL&T TAGGED LS 2580, 5.05' W'LY FROM PROPERTY CORNER, NO REF. PER L.A. CO. PWFB 1524, PAGES 1071 AND 1072.
- ② 10'X10' EASEMENT TO THE CITY OF SOUTH PASADENA FOR SIDEWALK PURPOSES.



ATTACHMENT 3

Planning Commission Resolution No. 19-03 approving
Tentative Parcel Map No. 82291

P.C. RESOLUTION NO. 19-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH PASADENA APPROVING AN APPLICATION FOR DESIGN REVIEW AND TENTATIVE PARCEL MAP NO. 82291 FOR THE DEMOLITION OF AN EXISTING NON-HISTORIC DUPLEX STRUCTURE AND CONSTRUCTION OF A NEW TWO-STORY FOUR-UNIT DETACHED MULTI-FAMILY TOWNHOME DEVELOPMENT WITH A TOTAL SQUARE FOOTAGE OF 8,745 SQUARE FEET AND CONSTRUCTION OF A SUBTERRANEAN GARAGE DESIGNED IN A CRAFTSMAN ARCHITECTURE STYLE LOCATED AT 1612 SPRUCE STREET (APN: 5320-008-026)

WHEREAS, during winter of 2017-2018, David Lai began discussions with Staff regarding a proposed multi-family development project involving the demolition of an existing duplex structure located at 1612 Spruce Street; and

WHEREAS, on February 13, 2018, the applicant submitted an Architectural Historian's Report regarding the potential eligibility of the existing duplex structure, constructed in 1924, as an Historic Resource within the City. The report determined the property as ineligible as a Historic Resource; and

WHEREAS, on April 3, 2018, David Lai of SLSD (Space Light Structure Design), submitted a Design Review application for the demolition of an existing duplex structure, and the construction of a new four-unit detached townhome development in the RH, Residential High Density, district on a 17,502 square foot corner parcel located at 1612 Spruce Street at the corner of Fair Oaks Avenue; and

WHEREAS, on May 17, 2018, the proposed demolition of the existing duplex structure was reviewed by the Cultural Heritage Commission at their regularly scheduled June meeting. The CHC reviewed findings of the HRE provided by the applicant's retained consultant. The CHC voted unanimously to clear the existing structure of any historic significance and allow the project to proceed through the regular entitlement process; and

WHEREAS, on June 14, 2018, the applicant submitted an Arborist Report for the proposed removal of 25 trees at the subject site along with revised architectural drawings; and

WHEREAS, on August 1, 2018, the applicant submitted a Tentative Parcel Map, No. 82291, for the proposed multi-family development and purposes of individual building ownership; and

WHEREAS, on September 25, 2018, the applicant's proposed tree removals were reviewed at the Natural Resources and Environmental Commission (NREC). The NREC approved of the proposed removal of the trees with the recommendation that the mature Eucalyptus (Tree No. 11) be retained, subject to the decision of the Planning Commission; and

WHEREAS, on September 26, 2018, the Public Works Department provided corrections to the applicant for their proposed Tentative Parcel Map. The applicant's arborist also provided a memorandum regarding the NREC's comments on the preferred preservation of Tree No. 11; and

WHEREAS, October 11, 2018, the Public Works Department provided corrections to the applicant for their proposed Tentative Parcel Map. The applicant's arborist also provided a memorandum regarding the NREC's comments on the preferred preservation of Tree No. 11; and

WHEREAS, during Fall 2018, the applicant worked with Building and Safety and Planning to address the accessibility concerns raised with the Building Division; and

WHEREAS, in December 2018, the project was deemed complete and scheduled for the January 2019 Planning Commission meeting; and

WHEREAS, on January 18, 2019, in adherence to a 10-day public notice period, mailings were sent to the property owners and occupants within a 300 foot radius of the subject site declaring the review for the proposed project before the Planning Commission; and

WHEREAS, pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et. seq. ("CEQA") and the State's CEQA Guidelines, staff determined that the project was Categorical Exempt from CEQA; and

WHEREAS, after notices issued pursuant to the requirements of South Pasadena Municipal code, and the CEQA Guidelines, the Planning Commission held a duly noticed public hearing on January 28, 2019 at which time all interested parties were given the opportunity to be heard and present evidence.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF SOUTH PASADENA DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

SECTION 1: Pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et. Seq. ("CEQA"), and the State's CEQA Guidelines, the Planning Commission finds that the project is Categorical Exempt under Sections:

- 15301, Class 1(L)(2), Existing Facilities; Demolition of a duplex or similar multi-family residential structure.
- Section 15303, Class 3 (b), New Construction; A duplex or similar multi-family residential structure in urbanized areas not exceeding six dwelling units.
- 15315, Class 15, Minor Land Divisions; Division of property in urbanized areas zoned for residential; and

SECTION 2: The Commission finds that the proposed project is consistent with all four applicable findings to approve the Design Review of the project pursuant to South Pasadena Municipal Code Section 36.410.040, as follows:

- 1. Is consistent with the General Plan, any adopted design guidelines and any applicable design criteria for specialized areas (e.g., designated historic or other special districts, plan developments, or specific plans);**

The proposed project is consistent with the General Plan and the City's adopted Design Guidelines for new multi-family residences. The proposed new townhome development is designed in consideration of the subject site and the character and scale of the existing single-family developments along Spruce Street. The mass and scale of the proposed project are characteristic of the proposed house style, Craftsman with gable roofing and a reduction in scale through a variation of exterior finishes. The applicant will utilize archetypal Craftsman finishes of horizontal wood siding, wood shingle siding, stone and brick base cladding, wood trim elements at the gable ends, around windows and doors, and as a datum between the first and second floors. Other design features include articulated front porches, tapered columns and articulated column bases. The incorporation of porches, balconies, and differing materials along the facades, as well as the proposed detached nature of each unit are all design moves to reduce the scale and visual impact of the development along a predominately single-family established neighborhood. Therefore this finding can be made.

- 2. Will adequately accommodate the functions and activities proposed for the site, will not unreasonably interfere with the use and enjoyment of neighboring, existing, or future developments, and will not create adverse pedestrian or traffic hazards;**

The proposed project will accommodate the multi-family functions and activities proposed for the site. The new townhome development will provide sufficient size and space for residential living, with indoor/outdoor living incorporated into the architectural design. The required parking will be provided below ground to reduce the visual impact on the neighborhood and provide for a higher quality architectural design and site plan. There are three unit type designs for the proposed four detached townhomes. The entry to the subterranean parking garage will be located at the same location as the existing driveway entry along Spruce Street and pose minimal impact on the established neighborhood. The design of the development meets or exceeds the required side and rear setbacks, and height limits. As a multi-family development that is designed to reflect the established single-family residential neighborhood to which the project site directly abuts, the development will not interfere with the use and enjoyment of neighboring, existing, or future developments. Thus, the proposed project will not impose adverse pedestrian or traffic hazards, nor will the proposed project interfere with the use and enjoyment of neighboring, existing or future developments. Therefore this finding can be made.

- 3. Is compatible with the existing character of the surrounding neighborhood and all reasonable design efforts have been made to maintain the attractive,**

harmonious, and orderly development contemplated by this Section, and the General Plan;

The subject site sits in the RH-Residential High Density zone. The RH zoned properties flank both sides of Fair Oaks Avenue with the subject property surrounded by RH-zoned properties directly to the north, across Spruce Street to the south and across Fair Oaks to the west. Directly adjacent to the proeprerty along its eastern edge is the RE-Residential Estate zone. The RE zone consists of low density estate properties with large lots and single-family dwellings. The applicant of the project has taken strides to replicate the predominantly single-family development pattern of Spruce Street through the proposed detached townhome design. In essence, the single-family development pattern found along the block of Spruce Street containing the project site will continue with the proposed project with four individual townhomes each separated by setbacks to reflect a single-family development pattern. The design of the townhomes will be Craftsman, an architectural style that is commonly associated with the City, and is a common architectural typology of the neighborhood along Spruce Street. The project design incorporates techniques of architectural articulation including differentiation of materials at select datum lines, front porches, wood trim elements, corbel brackets, recessed windows, and landscape buffering. The project is specifically designed to reflect a single-family development as opposed to a multi-family block face, and in doing so, the project's mass and visual impact on the neighborhood is greatly reduced. Thus, the overall design of the project will maintain the attractive, harmonious, and orderly development contemplated by this Section, and the General Plan.

- 4. Provides a desirable environment for its occupants and neighbors, and is aesthetically of good composition, colors, materials, and texture, that would remain aesthetically appealing with a reasonable level of maintenance and upkeep.**

The proposed four-unit detached townhome development will provide sufficient single-family-sized space for its occupants, readily accessible private and common open space, and sufficient parking. The architectural detailing of the Craftsman style townhomes are reflective of the quality of design expected in the City. The architectural detailing includes differentiation of materials at select datum lines, including a brick or stone base, ship lap siding and shingle siding, front porches with tapered columns and stone bases, wood trim elements around the fenestrations and gable ends, corbel brackets, recessed windows, and landscape buffering. The project is specifically designed to reflect a single-family development as opposed to a multi-family block face, and in doing so, the project's mass and visual impact on the neighborhood is greatly reduced. All of the proposed materials are known for their durability and can be found on many homes throughout the City as they remain aesthetically appealing with a reasonable level of maintenance and upkeep. Therefore this finding can be made.

SECTION 3: Pursuant to South Pasadena Municipal Code (SPMC) Section 36.510.070(A), the Planning Commission finds that the subdivision is consistent with the General Plan; that the Supplemental Findings contained in SPMC Section 36.510.070(B) are not applicable to the subdivision; and that the Findings Requiring Denial contained in SPMC Section 36.510.070(C) cannot be made as follows:

- A. REQUIRED FINDINGS FOR APPROVAL.** The Planning Commission may approve a Tentative Map only when it shall first find that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, and any applicable Specific Plan, and that none of the findings for denial in Subsection C (below) can be made. The findings shall apply to each proposed parcel as well as the entire subdivision, including any parcel identified as a designated remainder in compliance with Map Act Section 66424.6.

The proposed Tentative Parcel Map is consistent with the General Plan and is consistent with the zoning regulations applicable to the property. The Planning Commission is simultaneously reviewing the Design Review of the proposed development and will make the four required Design Review Findings in their approval. Therefore, this approval could be granted if the Supplemental findings for approval in SPMC Section 36.510.070(B) can be made and the Findings requiring denial in SPMC Section 36.510.070(C) cannot be made.

- B. SUPPLEMENTAL FINDINGS.** In addition to the findings required for approval of a Tentative Map by Subsection A (above), the Commission shall not approve a Tentative Map unless it can also make the following findings, when they are applicable to the specific subdivision proposal.

- 1. Construction of improvements.** It is in the interest of the public health and safety, and it is necessary as a prerequisite to the orderly development of the surrounding area, to require the construction of road improvements within a specified time after recordation of the Parcel Map, where road improvements are required.

Applicable. Construction of road improvements will be required for the proposed Tentative Map, as specified under the conditions of approval by the Public Works Department. Conditions include repairing of damaged, or out-of-grade sidewalk, curb and gutter, repair of the parkway, construction of perimeter retaining walls, and improvements to local crosswalks and public infrastructure including the repaving of asphalt/concrete to the satisfaction of the City Engineer prior to obtaining a Certificate of Occupancy. Therefore this finding can be made.

- 2. Condominiums.** Any applicable findings required by Section 36.530.020 for condominium conversions.

Not Applicable. The proposed Tentative Map is not a condominium conversion. A condominium conversion is the conversion of residential real property into a condominium project, a community apartment project, or a stock cooperative project, whereby Section 66427.1 of the Subdivision Map

Act Requires that tenants of such properties be notified of pending approvals to convert their units to condominiums. State Law also allows tenants of such properties to have an exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public on terms more favorable to the tenant. The existing duplex proposed for demolition is currently vacant and will have no tenants at the time of demolition, and the project is not a conversion into a condominium. Therefore this finding cannot be made due to inapplicability.

3. Dedications or exactions. Findings documenting the need for dedications or exactions, if dedications or exactions are required.

Applicable. The City may require bonding payments to ensure the public improvements are completed to the satisfaction of the City Engineer. Therefore this finding can be made.

4. Waiver of Parcel Map. The findings required by Section 36.520.030 (Waiver of Parcel Map), if waiver of a Parcel Map has been requested with the Tentative Map application.

Not applicable. The applicant is not requesting a waiver of the proposed Tentative Map. Therefore this finding cannot be made due to inapplicability.

C. FINDINGS REQUIRING DENIAL. A Tentative Map shall be denied if the Commission makes any of the following findings:

1. The proposed subdivision including design and improvements is not consistent with the General Plan or any applicable Specific Plan;

Not applicable. The subdivision's design is consistent with the provisions of the General Plan's High Density development standards since it is for the construction of four residential units in a High Density Residential district where multi-family developments are specifically allowed in conformance with all applicable Development Standards. The project for which the subdivision applies to also complies with the applicable Development Standards and provisions of the Zoning Code for multi-family residential development. Therefore this finding cannot be made.

2. The site is not physically suitable for the type or proposed density of development;

Not applicable. The subject site is approximately 17,511 square feet in size. The project for which the tentative map will be applied to is suitable for the development. The entire development fits within the required front, side, and rear yard setbacks and within the maximum floor area ratio. Each of the three units provides adequate floor area and outdoor open spaces. Each unit has at least two covered parking spaces and there will be two guest parking spaces. The subject site will provide efficient vehicular and pedestrian circulation. Therefore this finding cannot be made.

- 3. The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or injure fish or wildlife or their habitat;**

Not applicable. The proposed subdivision is located in an urban residential zone and the lot will be developed with four residential units. It is not adjacent to any streams or rivers, or to any known wildlife and their habitat. Therefore there will be no substantial environmental damage or injury to fish or wildlife or their habitat as a result of this project. Therefore this finding cannot be made.

- 4. The design of the subdivision or type of improvements is likely to cause serious public health or safety problems;**

Not applicable. The design of the subdivision is limited to four detached townhomes with associated parking and open spaces on a lot located in a high-density residential zone. Part of the Design Review approval is to ensure that the project will adequately accommodate the functions and activities proposed for the site, will not unreasonably interfere with the use and enjoyment of neighboring, existing, or future developments, and will not create adverse pedestrian or traffic hazards. As such, the subdivision's design will not cause serious health or safety problems. Therefore, this finding cannot be made.

- 5. The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large for access through or use of, property within the proposed subdivision. This finding may not be made if the Commission finds that alternative easements for access or use will be provided, and that they will be substantially equivalent to ones previously acquired by the public. This finding shall apply only to easements of record, or to easements established by judgement of a court of competent jurisdiction, and not authority is hereby granted to the review authority to determine that the public at large has acquired easements of access through or use of property within the proposed subdivision;**

There are currently no existing or proposed easements to provide access through or use of the property. Therefore, the design of the subdivision will not conflict with any public easements for access through or use of the property within the proposed subdivision. Therefore, this finding cannot be made.

- 6. The discharge of sewage from the proposed subdivision into the community sewer system would result in violation of existing requirements prescribed by the California Regional Water Quality Control Board;**

The proposed subdivision will create four units, two more than currently exist. However, the City has determined that the development of this parcel into a multi-family development will be consistent with required public

utility capacities and the General Plan's projected growth for the City. Additionally, the City may require public utility improvements as part of the bonding process for the Tentative Parcel Map. Therefore this finding cannot be made.

7. **A preliminary soils report or geological hazard report indicates adverse soil or geological conditions and the subdivider has failed to provide sufficient information to the satisfaction of the City Engineer or the Commission that the conditions can be corrected in the plan for the development; or**

Not applicable. As part of the plan check process, the City Engineer and Plan Checker will review the report to ensure that there are no adverse soils or geological conditions on the subject site before issuing any building permits. Therefore this finding cannot be made.

8. **The proposed subdivision is not consistent with all applicable provisions of this Zoning Code, any other applicable provisions of the Municipal Code, and the Subdivision Map Act.**

Not applicable. The proposed subdivision is consistent with all applicable provisions of the Zoning Code, Municipal Code, and the Subdivision Map Act. Therefore this finding cannot be made.

SECTION 4: For the foregoing reasons and based on the information and findings included in the Staff Report, and testimony provided during the public hearing, the Planning Commission of the City of South Pasadena hereby approves Demolition, Design Review and Tentative Parcel Map No. 82291 (Project No. 2122-NID-DRX & 2153-TPM), to construct a four-unit detached townhome condominium development and subdivide one parcel of land into four new condominium units located at 1612 Spruce Street (APN: 5320-008-026), subject to the Conditions of Approval that are attached hereto as Exhibit "A."

SECTION 5: Any interested person may appeal this decision or any portion of this decision to the City Council. Pursuant to the South Pasadena` Municipal Code, any such appeal must be filed with the City, in writing, and with appropriate appeal fee, no later than (15) days, following the date of the Planning Commission's final action.

SECTION 6: The Secretary shall certify that the foregoing Resolution was adopted by the Planning Commission of the City of South Pasadena at a duly noticed regular meeting held on the 28th day of January 2019.

- SIGNATURES TO FOLLOW ON NEXT PAGE-

PASSED, APPROVED, AND ADOPTED this 28th day of January, 2019 by the following vote:

AYES: BRAUN, DAHL, KOLDUS, LESAK & TOM

NOES: NONE

ABSENT: NONE

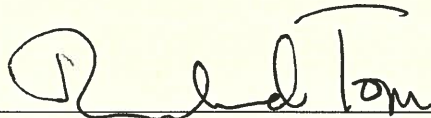
ABSTAIN: NONE

ABSTAIN: NONE



Kelly Koldus, Chair

ATTEST:



Richard Tom, Secretary to the Planning Commission

**EXHIBIT “A”
CONDITIONS OF APPROVAL
& DEVELOPMENT REQUIREMENTS
Hillside Development Permit & Variance**

**PROJECT NO. 2122-NID-DRX & 2153-TPM
1612 Spruce Street (APN: 5320-008-026)
Tentative Parcel Map No. 82291**

CONDITIONS OF APPROVAL

PLANNING DIVISION:

- C-P1. The Design Review and Tentative Parcel Map No. 82291 is granted for the land and land use as described in the application and any attachments thereto, as shown on the development plans submitted to and approved by the Planning Commission on January 28, 2019.
- C-P2. This Design Review and all rights hereunder shall terminate within twelve (12) months of the effective date of the Design Review unless otherwise conditioned and/or unless action is taken to secure Building Permits and maintain active Building Permits with the Building Division beginning with the submittal of the plans for Plan Check review.
- C-P3. In accordance with SPMC Section 36.510.140 and the provisions of the Map Act, the approval of the Tentative Map shall be valid for 24 months from the Effective Date of Approval and shall become void after such time if no action has been taken to file for an extension in accordance with SPMC Section 36.510.150; or a Parcel or Final Map, and related bonds and improvement agreements, have been filed with the City Engineer in compliance with SPMC Section 36.520.
- C-P4. The following Condition was added as a Condition of Approval at the January 28, 2019 Planning Commission Meeting:
- The Planning Commission approves the removal of the Eucalyptus tree identified as Tree No. 11 for the purposes of the construction of the proposed development. The tree removal shall be subject to the permitting procedures of the Public Works Department.
 - The selection of materials shall be subject to Chair Review regarding the following:
 - The design of the site wall and its exterior finish.
 - The design of the handrail and ADA ramp design.
 - Vinyl windows and doors as proposed are not approved, and an alternative material compatible with Craftsman style architecture shall be selected.
 - The pre-manufactured stone and brick cladding along the base of the structures is not approved, and an alternative material product shall be selected.
 - The outdoor space of the podium deck shall incorporate additional green space and a reduction in hardscape area.

DEVELOPMENT REQUIREMENTS

Note: As a convenience to the applicant, the development requirements from applicable Departments/Agencies are listed herein. These requirements list what the applicant will be required to comply with in order to receive a Building Permit, a Certificate of Occupancy, or other Department-issued entitlement.

PLANNING DIVISION:

- P1. Approval by the Planning Commission does not constitute a building permit or authorization to begin any construction. An appropriate permit issued by the South Pasadena Building Division must be obtained prior to construction, enlargement, relocation, conversion or demolition of any building or structure on any of the properties involved with the Design Review and Tentative Parcel Map.
- P2. All other requirements of any law, ordinance, or regulation of the State of California, City of South Pasadena, and any other government entity shall be complied with.
- P3. Compliance with and execution of all conditions listed herein shall be necessary prior to obtaining any occupancy inspection clearance and/or prior to obtaining any occupancy clearance.
- P4. The applicant and each successor in interest to the property which is the subject of this project approval, shall defend, indemnify and hold harmless the City of South Pasadena and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul any approval of the City, City Council or City Planning Commission concerning this use.
- P5. The construction site and the surrounding area shall be kept free of all loose materials resembling trash and debris in excess of that material used for immediate construction purposes. Such excess may include, but is not limited to: the accumulation of debris, garbage, lumber, scrap metal, concrete, asphalt, piles of earth, salvage materials, abandoned or discarded furniture, appliances or other household fixtures.
- P6. The hours of construction shall be limited to the following: 8:00 am and 7:00pm Monday through Friday, 9:00am and 7:00pm Saturday, and construction on Sundays limited to 10:00am to 6:00pm.
- P7. During construction, the clearing, grading, earth moving, or excavation operations that cause excessive fugitive dust emissions shall be controlled by regular water or other dust preventive measures using the following procedures:
 - a. All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering shall occur at least twice daily with complete coverage, preferable in the late morning and after work is done for the day;
 - b. All material transported on-site or off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust;
 - c. The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized so as to prevent excessive amounts of dust; and
 - d. Visible dust beyond the property line emanating from the project shall be prevented to the maximum extent feasible.

BUILDING AND SAFETY DIVISION:

- B1. The second sheet of building and grading plans is to list all conditions of approval and to include a copy of the Planning Commission Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.
- B2. School Developmental Fees shall be paid to the School District prior to the issuance of the building permit.
- B3. Fees shall be paid to the County of Los Angeles Sanitation District prior to issuance of the building permit.
- B4. Park Impact Fee to be paid at the time of permit issuance.
- B5. Per Chapter 16A of the City of South Pasadena Municipal Code (SPMC), Growth fee to be paid at the time of permit issuance.
- B6. An application to assign address and unit numbers shall be filed with Public Works Department prior to plan check submittal.
- B7. In accordance with paragraph 5538(b) of the California Business and Professions Code, plans are to be prepared and stamped by a licensed architect.
- B8. Structural calculations prepared under the direction of an architect, civil engineer or structural engineer shall be provided.
- B9. A redevelopment project of existing single-family dwelling and accessory structures which create, add, or replace ten thousand square feet of impervious surface area shall comply with Low Impact Development requirements per Section 23.14 of SPMC.
- B10. A grading and drainage plan shall be approved prior to issuance of the building permit. The grading and drainage plan shall indicate how all storm drainage including contributory drainage from adjacent lots is carried to the public way or drainage structure approved to receive storm water.
- B11. Grading security shall be posted with the City Building Division prior to issuance of the grading permit whenever the cut or fill yardage exceeds 1,000 cubic yards.
- B12. A geotechnical and soils investigation report is required, the duties of the soils engineer of record, as indicated on the first sheet of the approved plans, shall include the following:
 - a) Observation of cleared areas and benches prepared to receive fill;
 - b) Observation of the removal of all unsuitable soils and other materials;
 - c) The approval of soils to be used as fill material;
 - d) Inspection of compaction and placement of fill;
 - e) The testing of compacted fills; and
 - f) The inspection of review of drainage devices.
- B13. The owner shall retain the soils engineer preparing the Preliminary Soils and/or Geotechnical Investigation accepted by the City for observation of all grading, site preparation, and compaction testing. Observation and testing shall not be performed by another soils and/or geotechnical engineer unless the subsequent soils and/or geotechnical engineer submits and has accepted by Building Division, a new Preliminary Soils and/or Geotechnical Investigation.
- B14. At the time of plan submittal, the pdf copy of the soils report shall be provided by the applicant
- B15. The building permit will not be issued until the property has been surveyed and the boundaries marked by a land surveyor licensed by the State of California.

- B16. Foundation inspection will not be made until the excavation has been surveyed and the depth of the footings has been determined to be in accordance with the approved plans by a land surveyor licensed by the State of California. THIS NOTE IS TO BE PLACED ON THE FOUNDATION PLAN IN A PROMINENT LOCATION.
- B17. Foundation inspection will not be made until setback on the all sides of each proposed building have been surveyed and the location of the footings has been determined to be in accordance with the approved plans by a land surveyor licensed by the State of California. THIS NOTE IS TO BE PLACED ON THE FOUNDATION PLAN IN A PROMINENT LOCATION.
- B18. Electrical plan check is required.
- B19. Mechanical plan check is required.
- B20. Plumbing plan check is required.
- B21. Project shall comply with the CalGreen Residential mandatory requirements.
- B22. Demolition permit is required for any existing buildings which are to be demolished.
- B23. Separate plan review and permit is required for each detached retaining wall.
- B24. Separate plan review and permit is required for each detached structure, including but not limited to common space open trellis.
- B25. Private garage and carports classified as U Group Occupancy shall not exceed 1,000 square feet per Section 406.1.1 of the Building Code, unless condition(s) of Section 406.1.2 is satisfied.
- B26. Parking garage, either open or enclosed, used exclusively for storage of motor vehicle shall be classified as Group S-2 Occupancy.
- B27. Parking garage not meeting the criteria of natural ventilation per Section 406.3.3.1 shall be designed as enclosed parking garage. Mechanical ventilation in accordance with Los Angeles County Building Code Section 406.4.2 is required for the enclosed parking garage.
- B28. Condominiums with four or more dwelling units shall meet the requirements of the California Building Code Chapter 11A.
- B29. Dwelling units which are connected by the podium deck that is structurally tied to the main body of the building and serves as access walkways to each unit are considered a single building for determination of covered multi-family dwellings per Chapter 11A.
- B30. Multistory dwelling Unit 2 with an elevator shall comply with Section 1102A.3.2 and Section 1106A.
- B31. Private garages accessory to covered multifamily dwelling units, shall be accessible as required in Section 1109A. Private garages include individual garages and multiple individual garages grouped together.
- B32. When parking is provided for covered multifamily dwellings and is not assigned to a resident or a group of residents at least 5 percent of the parking spaces shall be accessible and provide access to grade-level entrances of covered multifamily dwellings and facilities (e.g., swimming pools, club houses, recreation areas, and laundry rooms) that serve covered multifamily dwellings per Section 1109A.5.
- B33. All fire sprinkler hangers must be designed, and their location approved by an engineer or an architect. Calculations must be provided indicating that the hangers are designed to carry the tributary weight of the water filled pipe plus a 250 pound point load. A plan indication this information must be stamped by the engineer or the architect and submitted for approval prior to issuance of the building permit.
- B34. Separate permit is required for Fire Sprinklers

- B35. Building permits shall not be issued until the final map has been prepared to the satisfaction of the Building Official.

DEPARTMENT OF PUBLIC WORKS:

- PW1. The applicant shall pay for all applicable city and LA County fees including PW plan review and permit fees prior to the issuance of the Building Permits.
- PW2. The applicant shall pay applicable City sewer and/or water connection charges per Resolution 7390.
- PW3. The applicant shall provide copies of Title reports obtained within 6 months of the approval of the Final Map.
- PW4. Provide Los Angeles County Sanitation District letter of approval/fee receipt for sewer connection fee.
- PW5. The applicant shall submit sewer video of City mainline showing existing sewer lateral will be used. Otherwise, each proposed unit shall have own separate sewer lateral.
- PW6. Replace all broken, damaged, or out-of-grade sidewalk, driveways, curb and gutter, painted curb markings, signs, asphalt/concrete fronting the property to current city standard per SPMC Section 31.54.
- PW7. The applicant shall replace nonconforming street curb ramp located northeast corner of Fair Oaks Avenue and Spruce Street. Provide minimum 10' easement to the City of South Pasadena for the construction of the curb ramp landing area at the southeast corner of the Lot.
- PW8. The applicant shall remove existing retaining wall on Spruce Street and relocate on to the private property.
- PW9. The applicant shall upgrade two existing street light heads to LED lighting on Fair Oaks Avenue and Spruce Street per City standard.
- PW10. The applicant shall provide street plans show all existing condition within public right-of-ways, curb/gutter, driveway, existing features, trees, dimensions, and proposed improvements. Also, applicant shall develop striping plan shown crosswalk, double yellow centerline, pavement markings, and paint red curbs.
- PW11. Show all existing and proposed trees, including size and species, and indicate their disposition. If any trees are to be removed, per City Ordinance No. 2126 amending Section 34.4 of the City Municipal Code, file for a tree removal permit application. See Municipal Code Section 34.5 for the required information and process for the trees that are proposed to be removed and/or impacted during construction.
- PW12. Building structure shall not be constructed within critical root zone area. For native and protected species the use of the tree's DBH (X5) is the minimum critical root mass. For non-native and protected species use of the tree's DBH (X3) is the minimum critical root mass.
- PW13. The applicant shall provide methods of protecting existing trees during construction. Please contact Parks Supervisor at (626) 403-7372 for additional information.
- PW14. The applicant shall comply with all requirements of California Drainage Law and/or the City of South Pasadena Low Impact Development Ordinance No. 2283. Provide copy of approved plan from Building & Safety Department.
- PW15. The applicant shall provide the necessary BMP Measures and the SUSUMP package for construction and post construction phases Per City Municipal Code, Section 23.14. Provide copy of approved plan from Building & Safety Department.

- PW16. The applicant shall provide a storm water pollution prevention plan (SWPPP) per City Municipal Code, Section 36.540.060(A)(2). Provide copy of approved plan from Building & Safety Department.
- PW17. The applicant shall provide a detailed drainage plan prepared by a licensed civil engineer and signed and stamped by the civil engineer. Cross lot drainage is not permitted. Provide copy of approved plan from Building & Safety Department.
- PW18. The applicant shall grind and overlay minimum 1-1/2" of existing asphalt to the centerline of Spruce Street from property line to property line.
- PW19. The applicant shall provide slurry seal surface treatment from median of Fair Oaks Avenue to fronting the property from property line to property line.
- PW20. The applicant shall construct retaining wall along the frontage of westerly and southerly property line for the slope protection to prevent sloughing of dirt onto the sidewalk.
- PW21. The applicant shall bring the existing parkway on Fair Oaks Avenue and Spruce Street up to current standards per SPMC Section 31.48. The applicant shall submit landscape documentation package of the Model Water Efficient Landscape Ordinance (MWELo). Please contact Kyle Benalcaza on Monday or Wednesday at (626) 403-7311 for additional information.
- PW22. The applicant shall apply for a change of address permit for the new home prior to final occupancy is approved.
- PW23. The applicant shall provide a traffic control plans for the duration of the construction.
- PW24. The applicant shall provide construction schedule for each stage of major activities and the timing of special access necessary as it relates to site staging and traffic and access. Any changes to the construction schedule, the applicant shall submit revised schedule to the Public Works Department.
- PW25. The applicant shall provide a haul route map, staging plan, and indicate street parking location for review and approval to the Public Works Department prior to issuance of permits. The applicant must designate a construction staging area on the site. Any construction activity that may require closing the roadway shall be discussed and mitigated in the staging plan.
- PW26. The applicant shall be responsible for posting a project sign. The project sign shall be posted at the entrance to the site. The project sign shall be 24" x 36" and made of weather-resistant durable material. The applicant shall provide designated person and 24-hours emergency contact number who will be responsible maintaining the public right-of-way during the all stages of construction until the project is completed.
- PW27. Street closures are only allowed between 9:00 am and 3:00 pm. Whenever there will be a street closure exceeding thirty minutes in duration, the applicant shall provide written notification about the street closure to all impacted resident at least 48 hours prior to the street closure. All street closure required to obtain encroachment permit from the Public Works Department.
- PW28. The applicant shall post "Temporary No Parking " signs along the entire length of the property prior to start of any construction. The temporary no parking signs will be covered at the end of every working day, and uncovered at the start of the following working day prior to any construction activity. If two-way traffic cannot be accommodated, traffic will be mitigated through use of flagmen and/or detouring. The applicant shall obtain encroachment permit from the Public Works Department.
- PW29. Temporary bins (low boy) will be "roll off" style provided by Athens. Dumpsters placed on the roadway shall require a protective barrier underneath (such as plywood) to protect the pavement. The applicant shall obtain dumpster permit from the Public Works Department.

- PW30. The applicant shall obtain oversize/overload permits during the stages of development, but is not limited to involving actives such as grubbing, grading, drilling for piles and/or caissons, trenching for footings, excavating for retaining wall, core soil sampling, etc. If require, the applicant shall prepare traffic control plans and shall notify resident impacted by no parking signage.
- PW31. The applicant shall provide traffic study and traffic signal warrant study at the intersection of Fair Oaks Avenue and Spruce Street prepared by the traffic engineer.
- PW32. The applicant shall install new light standard and underground electrical power per City standard for lighting of Spruce Street and north-south crosswalk.
- PW33. Prior to Final Map approval, the applicant shall provide Covenants, Conditions, and Restrictions (CC&R's) to the City Engineer for review. The CC&R's shall establish a Home Owners Association (HOA) that will be responsible for maintaining all common areas on the site including drainage and storm water treatment devices required under the Standard Urban Storm water Mitigation Plan (SUSUMP).
- PW34. Prior to Final Map approval, the applicant shall provide HOA documentation.
- PW35. Prior to Final Map approval, the applicant shall obtain the Water Department's approval for a separate water meter at each unit. The applicant shall contact the City Water Division to coordinate size, location, and associated fee for a new water meter connection as applicable. Please contact Water Operation Manager, Anteneh Tesfaye at (626) 403-7372 for additional information.
- PW36. Prior to Final Map approval, show the locations of all existing utilities on Fair Oaks Avenue and Spruce Street, as well as utility point of connection (POC) and size of all existing or proposed services serving the property.
- PW37. Prior to Final Map approval, the applicant shall submit a complete copy of the final map to LA County Subdivision Section for review of mathematical accuracy, and provide a copy of the approval letter to the City Engineer.
- PW38. Prior to issuing a Certificate of Occupancy, the applicant shall record the Final Parcel Map pursuant to the requirements of the California Subdivision Map Act. Applicant shall pay for all applicable city fees including PW plan review and permit fees.

FIRE DEPARTMENT:

- FD1. All construction must comply with all appropriate fire protection installation standards as adopted by the South Pasadena Fire Department.
- FD2. Shall comply with all current 2016 adopted California Building, Fire Codes, NFPA and SPFD standard requirements based on occupancy classification. Any corrections in the future must show on plans.
- FD3. This review is for construction plans only. All required differed plans shall be submitted and reviewed under a separate paermit.
- FD4. Buildings under construction shall meet the conditions for Fire Safety during construction, alterations, or demolition of a building.
- FD5. Smoke alarm/carbon monoxide detectors shall be provided in accordance with California Fire Code (CFC).
- FD6. Fire sprinklers required.
- FD7. Provide water flow test from South Pasadena Water Department along with fire sprinklers

submittal.

- FD8. Notwithstanding anything else in this code, or any other code incorporated, herein, by reference any new roof shall be of Class "A" roof material.
- FD9. A set of plans must remain on the job site at all times. Appointments for inspections should be at least two days in advance of required inspection by calling the Fire Department at (626) 403-7304
- FD10. Any approvals made are based upon submitted plans. Final approval is subject to required field inspection(s) and acceptance test(s), with acceptable results, as required. Additional requirements may be issued at time of field inspection.
- FD11. The City of South Pasadena Fire Department reserves the right to change or otherwise modify requirements based upon receiving additional project information or other unforeseen circumstances.



City Council Agenda Report

ITEM NO. 20

DATE: November 16, 2022

FROM: Arminé Chaparyan, City Manager *AC*

PREPARED BY: Sheila Pautsch, Community Services Director

SUBJECT: **Approval of a Discretionary Funds Request from Councilmember Jack Donovan in the amount of \$300 for the South Pasadena Tournament of Roses Float**

Recommendation

It is recommended that the City Council:

1. Find that the requested allocation of Discretionary Funds to support the South Pasadena Tournament of Roses (SPTOR) float is consistent with the findings required pursuant to the Guidelines for the Application of City Council Discretionary Budget Accounts adopted by Resolution No.7174; and
2. Approve the requested allocation in the amount of \$300 by Councilmember Donovan to support the SPTOR float.

Background

In September 2004, the City Council approved the creation of discretionary spending budgets that allow each Councilmember the opportunity to fund projects or purchases that might not otherwise be funded in the approved budget. Discretionary funds must be used for a public purpose benefiting the City. On August 17, 2011, the City Council approved Resolution No. 7174, establishing guidelines for the application of City Council discretionary budget accounts. It requires that use of such funds may be used if findings can be made by the City Council. Resolution No. 7174 states that all funds not expended during the fiscal year shall be carried over to subsequent fiscal years, up to a maximum carryover amount of \$10,000 per Councilmember account. The allocated funds need not be encumbered by a purchase order to be carried over to the following fiscal year. In Fiscal Year (FY) 2019-20, the Budget included \$20,000 of Discretionary Funds, which amounts to \$4,000 per Councilmember which was a decrease from \$25,000 in prior years. Each Fiscal Year since, the budget has remained at \$20,000 for Discretionary Funds.

Analysis

The City Council receives an annual discretionary fund and shall make the following specific findings before recommending the use of any funds in a discretionary account for City-related projects or purchases: a) The expenditure has a public purpose benefiting the City; b) The expenditure is free of any conflicts of interest that may arise

Discretionary Funds Request from Councilmember Donovan

November 16, 2022

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from the use of City funds; and c) The expenditure is not a gift to any individual, corporation, or municipality, but is only used to benefit the general public of the City. The following table displays the current discretionary fund balances:

City Councilmembers Discretionary Funds						
Fiscal Year 2022-23						
		District 1	District 2	District 3	District 4	District 5
		<u>Zneimer</u>	<u>Donovan</u>	<u>Primuth</u>	<u>Cacciotti</u>	<u>Mahmud</u>
<i>Current Year Allowance Beginning Balance</i>		\$4,000	\$4,000	\$4,000	\$4,000	\$4,000
Date						
<u>Pledged</u>	<u>Description</u>					
10/11/2022	Three new raised garden beds for South Pasadena Community Garden					\$1,750
11/2/2022	South Pasadena Tournament of Roses Float		\$300			
<i>YTD Appropriations</i>		\$0	\$0	\$0	\$0	\$1,750
Carry Over Funds FY 21/22		\$0	\$0	\$2,912	\$0	\$0
Available 11/02/2022		\$4,000	\$4,000	\$6,912	\$4,000	\$2,250

On November 2, 2022, Councilmember Donovan requested approval and received a second from Councilmember Mahmud to use Discretionary Funds in the amount of \$300 to assist with the SPTOR float. This request supports a public purpose benefitting the City in the promotion of the City before an international audience; There are no known or anticipated conflicts of interest that may arise from the use of City funds, and this request is not a gift but is to benefit the general public of the City.

Fiscal Impact

Sufficient funds are available in the FY 2022-23 City Council Discretionary Budget Account No. 101-1010-1011-8021.



City Council Agenda Report

ITEM NO. 21

DATE: November 16, 2022

FROM: Arminé Chaparyan, City Manager *AC*

PREPARED BY: Paul Riddle, Fire Chief

SUBJECT: **Second Reading and Adoption of an Ordinance Adopting by Reference the 2022 California Fire Code with Certain Amendments, Additions, and Deletions thereto Amending Chapter 14 of the South Pasadena Municipal Code**

Recommendation

It is recommended that the City Council:

1. Hold a Public Hearing to hear any objections of an ordinance adopting by reference and amending the 2022 California Fire Code (CFC);
2. Read by title only and waive further reading of an ordinance adopting by reference, make those certain express findings in Exhibit A to the proposed ordinance (Attachment 1), supporting amendments to the CFC as a local ordinance; and
3. Adopt an ordinance repealing the current South Pasadena Fire Code and South Pasadena Municipal Code (SPMC) Chapter 14, and replace it with a new Fire Code that adopts the CFC by reference with amendments that serve the specific needs of the City of South Pasadena (City).

Background

On November 2, 2022, the City Council conducted a first reading and introduction of the ordinance to adopt by reference and amend the 2022 California Fire Code (CFC) (Attachment 1). An analysis of the ordinance can be found in a staff report dated November 2, 2022 (Attachment 2). If adopted, the ordinance will become effective on January 1, 2023.

Analysis

The 2022 CFC is Part 9 of Title 24 of the California Code of Regulations (CCR). Title 24 is known as the California Building Standards Code (CBSC). The CBSC is the official triennial compilation and publication of the adoptions, amendments and repeal of administrative regulations to Title 24. The CFC incorporates, by adoption, the 2021 edition of the International Fire Code (IFC) of the International Code Council (ICC) with the California Amendments. Due to the size of the 2022 California Fire Code, a copy has been filed with the Office of the City Clerk for review located at 1414 Mission Street,

First Floor, South Pasadena, CA 91030. The document may also be viewed at the following link: <https://www.dgs.ca.gov/BSC/Codes>

As of January 1, 2023, the CFC 2022 edition, will be the standard adopted by the State of California and applicable throughout the State. This Code meets the needs of the City, except in the areas where the International Wildland-Urban Interface Code and the SPMC are required to make the laws more stringent and better serve our community based on the City's climate, geographical, and topographical needs. A city and/or county may establish more restrictive building standards reasonably necessary because of local climatic, geological, or topographical conditions. Findings of the local condition(s) and the adopted local buildings standard(s) must be filed with the California Building Standards Commission to become effective, and may not be effective sooner than the effective date of this edition of CBSC. Local building standards that were adopted and applicable to previous editions of the CBSC do not apply to this edition without appropriate adoption and required filing. Findings supporting the amendments to the CBSC due to the climatic/geographic/topographic conditions in South Pasadena are included as Exhibit A to Attachment 1.

The CBSC is published in its entirety every three years by order of the California Legislature, with supplements published in intervening years. The California Legislature delegated authority to various state agencies, boards, commissions and departments to create buildings regulations to implement the state's statutes. These building regulations or standards, have the same force of law, and take effect 180 days after their publication unless otherwise stipulated. The CBSC applies to occupancies in the State of California as annotated.

Fiscal Impact

Fiscal impacts associated with the adoption of the CFC, 2022 edition are limited to the allocation of South Pasadena Fire Department assigned staff to the adoption process and the purchase of the CFC, 2022 edition.

Public Noticing

A Public Hearing Notice was Published November 3 and November 10, 2022 in the Pasadena Star-News.

Attachments:

1. Ordinance to Adopt by Reference and Amend the 2022 California Fire Code
2. Staff Report Dated November 2, 2022

ATTACHMENT 1

Ordinance to adopt by reference and amend the
2022 California Fire Code

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, MAKING CERTAIN FINDINGS; AMENDING THE CITY OF SOUTH PASADENA MUNICIPAL CODE BY MODIFYING CHAPTER 14 (FIRE PREVENTION) THEREOF ADOPTING BY REFERENCE THE 2022 CALIFORNIA FIRE CODE WITH CERTAIN AMENDMENTS, ADDITIONS AND DELETIONS THERETO

WHEREAS, the 2022 California Fire Code, has been published by the International Code Council (2021 International Fire Code), and the California Building Standards Commission; and

WHEREAS, the City may amend the provisions of the California Code of Regulations Title 24 provided express findings for each amendment, addition or Deletion is made based upon climatic, topographical, or geological conditions; and

WHEREAS, the City shall file the amendments, additions, or deletions with California Building Standards Commission; and

WHEREAS, the City is located in the County of Los Angeles, and is subject to long periods of dry, hot, and windy climates, which increase the chance of a fire occurring and predispose the City to large destructive fires. These dry climatic conditions and winds contribute to the rapid spread of even small fires originating in moderate density housing or vegetation. These fires spread very quickly and create a need for increased levels for fire prevention and protection; and

WHEREAS, the City's close proximity to major fault lines; there is a significant possibility for multiple fires spreading out of control due to ruptured gas lines and multiple structural collapses. Because of the major earthquake hazard, and due to some older nonconforming buildings, it is necessary during new construction or building renovation to use the City ordinance to control and minimize conditions hazardous to life and property, which may result from fire, hazardous materials or an explosion; and

WHEREAS, the water supply (domestic and fire flow) system within the City is directly affected by the topographical layout of City. The distribution system consists of high-low pressure and gravity systems zones, which carry the water from various reservoirs and storage tanks to different zones via water pipes. These street mains consist of high-pressure lines and low-pressure lines where the pressure and flows are adequate in most of the areas of the City. This variation of pressure causes major problems to development, as well as fire suppression operations. The southwest quadrant of South Pasadena has been designated as a High Fire Hazard Area as provided by state law; and

WHEREAS, the geographic layout and contours of the City create barriers for accessibility for fire suppression forces; and

WHEREAS, the findings supporting the necessity for the amendments to building standards herein are contained in Exhibit A to this ordinance in accordance with California Health and Safety Code Section 18941.5, and are incorporated by reference herein; and

WHEREAS, in accordance with Section 15061(b)(3) of Title 14 of the California Code of Regulations, the adoption of local amendments to the California Building Standards Code, and amending the South Pasadena Municipal Code, are exempt from the provisions of the California Environmental Quality Act.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby adopts the findings contained in Exhibit A to this ordinance supporting the necessity for the amendments to building standards herein in accordance with California Health and Safety Code Section 18941.5;

SECTION 2. City of South Pasadena Municipal Code is hereby amended by repealing Chapter 14 (Fire Prevention) and substituting new Chapter 14 (Fire Prevention) in lieu thereof as set forth in this ordinance as follows:

**CHAPTER 14
FIRE PREVENTION**

- 14.1 HIGH FIRE RISK AREA AND SPECIAL PROVISIONS RELATED TO ROOF TYPES**
- 14.2 FIREWORKS-PROHIBITED**
- 14.3 FIRECODE ADOPTED – WHERE FILED**
- 14.4 FIRE CODE – MODIFIED**
- 14.5 EFFECT OF ADOPTION**
- 14.6 PENALTY, VIOLATIONS**

14.1 HIGH RISK FIRE AREA AND SPECIAL PROVISIONS RELATED TO ROOF TYPES.

14.1.1 High Risk Fire Area: “High Risk Fire Area” is defined as those properties located South of Monterey Road, extending to the city boarder, and West of Meridian Avenue, extending to the city boarder.

14.1.2 Special provisions related to roof types. Except as permitted below, roof covering assemblies shall be Class A.
The following exceptions shall only apply to structures not located within the High Risk Fire Area as defined in subsection (1) of this section:

Exceptions:

- a. Replacements within any 12-month period of time that are not more than twenty-five percent (25%) of the total roof area of any individual structure shall be not less than Class C;
- b. Replacements within any 12-month period of time that are not more than fifty percent (50%) of the total roof area of any individual structure shall be not less than Class B;
- c. Entirely noncombustible roof assemblies of masonry or concrete construction;
- d. Clay or concrete roof tile installed on an entirely noncombustible substructure;
- e. Roof assemblies of ferrous or copper shingles or sheets installed on an entirely noncombustible substructure;
- f. Where the Fire Chief makes a written finding that a less fire resistive roof covering is permissible based on existing conditions.

In no case shall any roof covering be less fire resistive than required by Chapter 15 of the current South Pasadena Building Code or Chapter 9 of the current South Pasadena Residential Code.

14.2 FIREWORKS- PROHIBITED

The manufacturing, possession, storage, sale, use and handling of all fireworks, including without limitation, "Safe and Sane" fireworks, is prohibited.

Exception: Fire Official is authorized to permit special events pyrotechnics with Fire Department supervision when the event is permitted by the city.

14.3 FIRE CODE ADOPTED – WHERE FILED

Chapters 1 through 80 and Section 503 of the Chapter 5 and Appendices Chapter 4, B, BB, C, CC,D, H, I, K, N of 2022 California Fire Code, Title 24 Part 9 of California Code of Regulations, as published by the California Building Standards Commission are hereby adopted by reference pursuant to the provisions of Sections 50022.1 through 50022.10 of the Government Code of the State of California as though fully set forth herein, and made a part of the South Pasadena Municipal Code with the same force and effect as though set out herein in full, including all of the regulations, revisions, conditions and terms contained therein except that those certain sections thereof which are necessary to meet

local conditions as hereinafter set forth in Section 14.4 of this Code are hereby repealed, added or amended to read as set forth therein.

In accordance with Section 50022.6 of the California Government Code, not less than one copy of said Title 24 Part 9 of the California Code of Regulations together with any and all amendments thereto proposed by the City of South Pasadena, has been and is now filed in the office of the Fire Chief and shall be remain on file with the Fire Chief, shall collectively be known as the *City of South Pasadena Fire Code* and may be cited as Chapter 14 of the South Pasadena Municipal Code.

14.4 FIRE CODE – MODIFIED

Chapters 1, 6 and 9 of Title 24, Part 9 of the California Code of Regulations (2022 California Fire Code) adopted by reference as the Fire Code of the City of South Pasadena are hereby amended, deleted or added as follow:

- 1. **Section 101.1** is amended in its entirety to read:

101.1 Title. These regulations adopted by reference and amended as in Section 14.3 and 14.4 shall be known as the Fire Code of City of South Pasadena, hereinafter referred to as “this code.”

- 2. **Section 104.6** is deleted in its entirety.
- 3. **Section 105.2.3** is amended in its entirety to read:

105.2.3 Time limitation of application. An application for a permit for any proposed work or operation shall be deemed to have been abandoned one year after the date of filing, unless such application has been diligently prosecuted or a permit shall have been issued.

- 4. **Section 105.2.4** is amended in its entirety to read:

105.2.4 Action on application. When requested in writing by the applicant prior to or not more than 90 days after the expiration of application, the fire official may extend the time for action by the applicant. The time for action by the applicant shall not be extended beyond the effective date of a more current Code.

- 5. **Section 105.3.1** is amended in its entirety to read:

105.3.1 Expiration. An operational permit shall remain in effect until reissued, renewed or revoked, or for such a period of time as specified in the permit. Construction permits issued by the fire official under the provisions of this Code shall expire automatically by limitation and become null and void one year after the date of the last required inspection approval by the fire official, or if work authorized by such permit is not commenced within one year from the issuance date of such permit. Before such work can be commenced or recommenced, a new permit shall be first obtained.

Supplementary permit(s) shall not expire so long as the associated building permit remains active.

6. **Section 105.3.2** is deleted in its entirety.
7. **Section 105.4.6** is deleted in its entirety.
8. **Section 105.6.14** is deleted in its entirety.
9. **Section 105.7.21** is deleted in its entirety.
10. **Section 106.1** is amended in its entirety to read:

106.1 Fees. Plan review fees and permit fees shall be as adopted by separate resolution and/or ordinance. Plan review fees shall be paid at the time of plan review submittal. In addition to the aforementioned fees, the fire code official may require additional charges for review required by changes, additions or revisions of approved plans or reports, and for services beyond the first and second check due to changes, omissions or errors on the part of the applicant. Permit fees shall be paid at the time of permit issuance.

11. **A new section 109.4** is added to read:

109.4 Board of Appeals Fees. A filing fee established by separate fee resolution or ordinance shall be paid to the fire official whenever a person requests a hearing or a rehearing before the appeals boards provided for in this section. All requests to appeal determinations, orders or actions of the fire official or to seek modifications of previous orders of the appeals boards shall be presented in writing.

12. **A new section 109.5** added to read:

109.5 Any aggrieved party may appeal any of the following decisions of the fire code official no later than 60 calendar days from the date of action being appealed:

1. Disapproval of any application.
2. Refusal to grant any permit applied for when it is claimed that the provisions of this code do not apply.
3. Interpretation of this code.
4. Determination of suitability of alternate materials or types of construction or methods.

13. Section 110.4 is amended in its entirety to read:

110.4. Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than five hundred (\$500.00) dollars or by imprisonment not exceeding six (6) months, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

14. Section 112.4 is amended in its entirety to read:

112.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, be liable to a fine of not less than five hundred (\$500.00) dollars or more than one thousand (\$1,000.00) dollars.

15. A new section 114 added to read:

114 Definitions. In additions to the definitions specified in Chapter 2 of this Code, the following certain terms, phrases, words and their derivatives shall be construed as specified in this section. Terms, phrases and words used in the masculine gender include the feminine and the feminine the masculine. In the event of conflicts between these definitions and definitions that appear elsewhere in this Code, these definitions shall govern and be applicable.

BUILDING CODE shall mean the City of South Pasadena Building Code.

ELECTRICAL CODE shall mean the City of South Pasadena Electrical Code.

FIRE CHIEF shall mean the Chief Officer of the City of South Pasadena Fire Department.

FIRE CODE shall mean the California Code of Regulations Title 24, Part 9, as adopted and amended by the City of South Pasadena, depending on the context.

FIRE CODE OFFICIAL shall mean the Fire Chief or other member of the fire service appointed by the Fire Chief, charged with the administration and enforcement of this Code.

MECHANICAL CODE shall mean the City of South Pasadena Mechanical Code.

PLUMBING CODE shall mean the City of South Pasadena Plumbing Code.

RESIDENTIAL CODE shall mean the City of South Pasadena Residential Code.

16. **Section 605.8.2** is amended in its entirety to read:

605.8.2 Spark Arrestor. Each chimney and incinerator in conjunction with any fireplace or heating appliance in which solid or liquid fuel is used shall be maintained with an approved spark arrestor having openings not larger than one-half inch and constructed of iron, heavy wire mesh or other noncombustible material.

17. **Section 903.2.1.1 Group A-1**, Item number 1 is amended in its entirety to read:

The fire area exceeds 6,000 square feet.

18. **Section 903.2.1.2 Group A-2**, Item number 1 is amended in its entirety to read:

The fire area exceeds 2,250 square feet.

19. **Section 903.2.1.3 Group A-3**, Item number 1 is amended in its entirety to read:

The fire area exceeds 6,000 square feet.

20. **Section 903.2.1.4 Group A-4**, Item number 1 is amended in its entirety to read:

The fire area exceeds 6,000 square feet.

- 21. Section 903.2.3 Group E**, Item number 1 is amended in its entirety to read:

Throughout all Group E fire areas greater than 6,000 square feet in fire area or with a calculated occupant load of 100 persons.

- 22. Section 903.2.4 Group F-1**, Item number 1 is amended in its entirety to read:

A Group F-1 fire area exceeds 6,000 square feet.

- 23. Section 903.2.4 Group F-1**, Item number 3 is amended in its entirety to read:

The combined area of all Group F-1 fire areas on all floors including any mezzanines, exceeds 12,000 square feet.

- 24. Section 903.2.7 Group M**, Item number 1 is amended in its entirety to read:

Group M fire area exceeds 6,000 square feet.

- 25. Section 903.2.7 Group M**, Item number 3 is amended in its entirety to read:

The combined area of all Group M fire areas on all floors including any mezzanines, exceeds 12,000 square feet.

- 26. Section 903.2.8 Group R**, Exception, Numbers 1 through 4 are deleted.

- 27. Section 903.2.9 Group S-1**, Item number 1 is amended in its entirety to read:

A Group S-1 fire area exceeds 6,000 square feet.

- 28. Section 903.2.9 Group S-1**, Item number 3 is amended in its entirety to read:

The combined area of all Group S-1 fire areas on all floors including any mezzanines exceeds 12,000 square feet.

- 29. Section 903.2.9.1 Repair Garages**, Item number 1 is amended in its entirety to read:

Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 5,000 square feet.

30. Section 903.2.9.1 Repair Garages, Item number 2 is amended in its entirety to read:

Buildings no more than one story above grade plane, with a fire area containing a repair garage exceeding 6,000 square feet.

31. A new section 903.2.11.7 added to read:

Buildings three or more stories in height, regardless of occupancy type: an automatic sprinkler system shall be installed throughout all buildings or structures three or more stories in height above grade plane.

Exception:
Open parking structures.

32. A new section 903.2.11.8 added to read:

Structures exceeding 6,000 square feet in fire area: Regardless of occupancy type, an automatic sprinkler system shall be installed throughout all buildings or structures, exceeding 6,000 square feet in total fire area.

Exception: Open parking structures.

33. A new section 903.2.11.9 added to read:

Additions and alterations. All existing buildings and structures, regardless of the type of construction, type of occupancy or area, shall be provided with an automatic sprinkler system conforming to Section 903.3 and this code upon the occurrence of any of the following conditions:

1. An addition of over 750 square feet to any building or structure which creates a fire area large enough that if the existing building or structure plus proposed work were being built new today, an automatic sprinkler system would be required under this code;
2. Any addition to an existing building which has fire sprinklers installed.
3. Within any twelve (12) calendar month period of time, any alteration, including repairs, to any existing building or structure, where the valuation of the proposed work exceeds fifty percent (50%) of the valuation of the entire

building or structure, as determined by the Building Official, and where such alteration, including repairs, creates or alters a fire area large enough that if the existing building or structure were being built new today, an automatic sprinkler system would be required by this code.

4. Within any twelve (12) calendar month period of time, combination of any addition and alteration to any existing building or structure where the valuation of the proposed work exceeds fifty percent (50%) of the valuation of the entire building or structure, as determined by the Building Official, and where such addition and alteration creates or alters a fire area large enough that if the existing building or structure were being built new today, an automatic sprinkler system would be required by this code.

5. An automatic sprinkler system shall be installed throughout any existing Group R Occupancy building when the floor area of the Alteration or Combination of an Addition and Alteration, within any twelve (12) calendar month, is 50% or more of area and or valuation of the existing structure and where the scope of the work exposes building framing and facilitates sprinkler installation and is such that the Fire Code Official determines that the complexity of installing a sprinkler system would be similar as in a new building.

34. Section 907.2 is amended in its entirety to read:

907.2 Where required—new buildings and structures. An approved fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23 and provide occupant notification in accordance with Section 907.5, unless other requirements are provided by another section of this code.

Regardless of the Occupancy Group an approved manual, automatic or manual and automatic fire alarm system complying with Sections 907.2.1 through 907.2.29 shall be provided in all new buildings with a fire area exceeding 3,000 square feet and where other sections of this code allow elimination of fire alarm system, such exceptions shall not apply.

A minimum of one manual fire alarm box shall be provided in an approved location to initiate a fire alarm signal for fire alarm systems employing automatic fire detectors or water-flow detection devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers or automatic fire alarm systems, a single fire alarm box shall be installed at a location approved by the enforcing agency.

Exceptions:

1. The manual fire alarm box is not required for fire alarm control units dedicated to elevator recall control, supervisory service and fire sprinkler monitoring.
2. The manual fire alarm box is not required for Group R-2 occupancies unless required by the fire code official to provide a means for fire watch personnel to initiate an alarm during a sprinkler system impairment event. Where provided, the manual fire alarm box shall not be located in an area that is accessible to the public.
3. The manual fire alarm box is not required to be installed when approved by the fire code official.

14.5 EFFECT OF ADOPTION

The adoption of the City Fire Code and the repeal, addition or amendment of ordinances by this code shall not affect the following matters:

1. Actions and proceedings which began the effective date of this code.
2. Prosecution for ordinance violations committed before the effective date of this code.
3. Licenses and penalties due and unpaid at the effective date of this code, and the collection of these licenses and penalties.
4. Bonds and cash deposits required to be posted, filed or deposited pursuant to any ordinance.
5. Matters of record which refer to or are connected with ordinances the substances of which are included in this code; these references shall be construed to apply to the corresponding provisions of the code.

14.6 PENALTY; VIOLATIONS

1. General penalty; continuing violations. Every act prohibited or declared unlawful and every failure to perform an act required by this code is a misdemeanor or an infraction as set forth in the said respective pertinent sections of this code and any person causing or permitting a violation of any such section of said code shall be subject to the penalties ascribed to each section as set forth herein.

2. Violations including aiding, abetting, and concealing. Every person who causes, aids, abets or conceals the fact of a violation of this code is guilty of violating this code.

3. Enforcement by civil action. In addition to the penalties provided herein, the said code may be enforced by civil action. Any condition existing in violation of this code is a public nuisance and may be summarily abated by the city.

SECTION 3. The City Council hereby declares that, should any provision, section, subsection, paragraph, sentence, clause, phrase, or word of this ordinance or any part thereof, be rendered or declared invalid or unconstitutional by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, such decision or action shall not affect the validity of the remaining section or portions of the ordinance or part thereof. The City Council hereby declares that it would have independently adopted the remaining provisions, sections, subsections, paragraphs, sentences, clauses, phrases, or words of this ordinance irrespective of the fact that any one or more provisions, sections, subsections, paragraphs, sentences, clauses, phrases, or words may be declared invalid or unconstitutional.

SECTION 4. This ordinance shall take effect on January 1, 2023, and within fifteen (15) days after its passage, the City Clerk of the City of South Pasadena shall certify to the passage and adoption of this ordinance and to its approval by the Mayor and City Council and shall cause the same to be published in a newspaper in the manner required by law.

SECTION 5. This Ordinance shall be filed with the California Building Standards Commission at 2525 Natomas Park Drive, Suite 130, Sacramento, CA 95833.

PASSED, APPROVED AND ADOPTED ON this 16th day of November, 2022.

Michael A. Cacciotti, Mayor

ATTEST:

APPROVED AS TO FORM:

Desiree Jimenez, CMC
Chief City Clerk

Andrew L. Jared, City Attorney

I HEREBY CERTIFY that Ordinance was duly approved and adopted at a Regular meeting of the City Council on this 16th day of November, 2022, by the following votes as the same appears on file and of record in the Office of the City Clerk.

AYES:

NOES:

ABSENT:

ABSTAIN:

Desiree Jimenez, CMC
Chief City Clerk

EXHIBIT "A" EXPRESS FINDINGS AS REQUIRED

CODE SECTION	CONDITION	EXPRESS FINDINGS
Chapter I Division II	ADMINISTRATIVE	N/A
605.8.2 Spark Arrestor	CLIMATIC	The City of South Pasadena is a densely populated municipality located in the County of Los Angeles and is subject to long periods of dry, hot climate and exposed to Santa Ana winds which increase the possibility of a fire occurring. South Pasadena's topography includes significant hillside with narrow and winding access which makes timely response by fire suppression vehicles difficult. Spark arrestors in place decrease the chances of fires occurring which can lead to loss of life and property damage.
Section 903.2.1.1 Group A-1 Item No.1	CLIMATIC/GEOGRAPHIC TOPOGRAPHICAL	The City of South Pasadena is a densely populated municipality, located in the County of Los Angeles with some hillside developments and is subject to long period of dry, hot climate, which increase the chance of a fire occurring. Fire sprinklers will control a small fire before it reached the flashover temperature, which causes loss of life and property damage.
Section 903.2.1.2 Group A-2 Item No. 1	CLIMATIC/GEOGRAPHIC TOPOGRAPHICAL	The City of South Pasadena is a densely populated municipality, located in the County of Los Angeles with some hillside developments and is subject to long period of dry, hot climate, which increase the chance of a fire occurring. Fire sprinklers will control a small fire before it reached the flashover temperature, which causes loss of life and property damage.
Section 903.2.1.3 Group A-3 Item No.1	CLIMATIC/GEOGRAPHIC TOPOGRAPHICAL	The City of South Pasadena is a densely populated municipality, located in the County of Los Angeles with some hillside developments and is subject to long period of dry, hot climate, which increase the chance of

		a fire occurring. Fire sprinklers will control a small fire before it reached the flashover temperature, which causes loss of life and property damage.
Section 903.2.3 Group E Item number 1	CLIMATIC/GEOGRAPHIC TOPOGRAPHICAL	The City of South Pasadena is a densely populated municipality, located in the County of Los Angeles with some hillside developments and is subject to long period of dry, hot climate, which increase the chance of a fire occurring. Fire sprinklers will control a small fire before it reached the flashover temperature, which causes loss of life and property damage.
Section 903.2.4 Group F-1 Item number 1	CLIMATIC/GEOGRAPHIC TOPOGRAPHICAL	The City of South Pasadena is a densely populated municipality, located in the County of Los Angeles with some hillside developments and is subject to long period of dry, hot climate, which increase the chance of a fire occurring. Fire sprinklers will control a small fire before it reached the flashover temperature, which causes loss of life and property damage.
Section 903.2.4 Group F-1 Item number 3	CLIMATIC/GEOGRAPHIC TOPOGRAPHICAL	The City of South Pasadena is a densely populated municipality, located in the County of Los Angeles with some hillside developments and is subject to long period of dry, hot climate, which increase the chance of a fire occurring. Fire sprinklers will control a small fire before it reached the flashover temperature, which causes loss of life and property damage.
Section 903.2.7 Group M Item number 1	CLIMATIC/GEOGRAPHIC TOPOGRAPHICAL	The City of South Pasadena is a densely populated municipality, located in the County of Los Angeles with some hillside developments and is subject to long period of dry, hot climate, which increase the chance of a fire occurring. Fire sprinklers will control a small fire before it reached the flashover temperature, which

		causes loss of life and property damage.
Section 903.2.7 Group M Item number 3	CLIMATIC/GEOGRAPHIC TOPOGRAPHICAL	The City of South Pasadena is a densely populated municipality, located in the County of Los Angeles with some hillside developments and is subject to long period of dry, hot climate, which increase the chance of a fire occurring. Fire sprinklers will control a small fire before it reached the flashover temperature, which causes loss of life and property damage.
Section 903.2.8 Group R. Exception Numbers 1 through 4	CLIMATIC/GEOGRAPHIC TOPOGRAPHICAL	The City of South Pasadena is a densely populated municipality, located in the County of Los Angeles with some hillside developments and is subject to long period of dry, hot climate, which increase the chance of a fire occurring. Fire sprinklers will control a small fire before it reached the flashover temperature, which causes loss of life and property damage.
Section 903.2.9 Group S-1 Item number 1	CLIMATIC/GEOGRAPHIC TOPOGRAPHICAL	The City of South Pasadena is a densely populated municipality, located in the County of Los Angeles with some hillside developments and is subject to long period of dry, hot climate, which increase the chance of a fire occurring. Fire sprinklers will control a small fire before it reached the flashover temperature, which causes loss of life and property damage.
Section 903.2.9 Group S-1 Item number 3	CLIMATIC/GEOGRAPHIC TOPOGRAPHICAL	The City of South Pasadena is a densely populated municipality, located in the County of Los Angeles with some hillside developments and is subject to long period of dry, hot climate, which increase the chance of a fire occurring. Fire sprinklers will control a small fire before it reached the flashover temperature, which causes loss of life and property damage.
Section 903.2.9.1	CLIMATIC/GEOGRAPHIC TOPOGRAPHICAL	The City of South Pasadena is a densely populated municipality,

<p>Repair Garages Item number 1</p>		<p>located in the County of Los Angeles with some hillside developments and is subject to long period of dry, hot climate, which increase the chance of a fire occurring. Fire sprinklers will control a small fire before it reached the flashover temperature, which causes loss of life and property damage.</p>
<p>Section 903.2.9.1 Repair Garages Item number 2</p>	<p>CLIMATIC/GEOGRAPHIC TOPOGRAPHICAL</p>	<p>The City of South Pasadena is a densely populated municipality, located in the County of Los Angeles with some hillside developments and is subject to long period of dry, hot climate, which increase the chance of a fire occurring. Fire sprinklers will control a small fire before it reached the flashover temperature, which causes loss of life and property damage.</p>
<p>A new section 903.2.11.7</p>	<p>CLIMATIC/GEOGRAPHIC TOPOGRAPHICAL</p>	<p>The City of South Pasadena is a densely populated municipality, located in the County of Los Angeles with some hillside developments and is subject to long period of dry, hot climate, which increase the chance of a fire occurring. Fire sprinklers will control a small fire before it reached the flashover temperature, which causes loss of life and property damage.</p>
<p>A new section 903.2.11.8</p>	<p>CLIMATIC/GEOGRAPHIC TOPOGRAPHICAL</p>	<p>The City of South Pasadena is a densely populated municipality, located in the County of Los Angeles with some hillside developments and is subject to long period of dry, hot climate, which increase the chance of a fire occurring. Fire sprinklers will control a small fire before it reached the flashover temperature, which causes loss of life and property damage.</p>
<p>A new section 903.2.11.9</p>	<p>CLIMATIC/GEOGRAPHIC TOPOGRAPHICAL</p>	<p>The City of South Pasadena is a densely populated municipality, located in the County of Los Angeles with some hillside developments and is subject to long period of dry, hot climate, which increase the chance of</p>

		a fire occurring. Fire sprinklers will control a small fire before it reached the flashover temperature, which causes loss of life and property damage.
Section 907.2	CLIMATIC/GEOGRAPHIC TOPOGRAPHICAL	The City of South Pasadena is a densely populated municipality, located in the County of Los Angeles with some hillside developments and is subject to long period of dry, hot climate, which increase the chance of a fire occurring. South Pasadena topography includes significant hillside with narrow and winding access which makes timely response by fire suppression vehicles difficult. Alarm systems in place decrease the time of fire resource notification which enables resources to arrive on scene and potentially control fires before they reach flashover temperature which causes loss of life and property damage.

ATTACHMENT 2
Staff Report Dated November 2, 2022



City Council Agenda Report

ITEM NO. _____

DATE: November 2, 2022

FROM: Arminé Chaparyan, City Manager

PREPARED BY: Paul Riddle, Fire Chief

SUBJECT: **First Reading and Introduction of an Ordinance Adopting by Reference the 2022 California Fire Code with Certain Amendments, Additions, and Deletions thereto Amending Chapter 14 of the South Pasadena Municipal Code**

Recommendation

It is recommended that the City Council:

1. Introduce for first reading by title only and waive further reading of an ordinance adopting by reference and amending the 2022 California Fire Code;
2. Repeal the current South Pasadena Fire Code and South Pasadena Municipal Code (SPMC) Chapter 14 and replace it with a new Fire Code that adopts the California Fire Code (CFC) 2022 edition, by reference with amendments that serve the specific needs of the City of South Pasadena (City); and
3. Schedule a Public Hearing on November 16, 2022 to consider adoption and second reading of the same ordinance.

Background

Every three years, the State adopts new codes (known collectively as the California Building Standards Code or "Title 24") to establish uniform standards for the construction and maintenance of buildings, electrical systems, plumbing systems, mechanical systems, and fire and life safety systems. While State law requires local governments to enforce California Title 24, the law allows local governments to enact additional local amendments, but only where the City Council can make a finding that these amendments are based on local climatic, geological, or topographical conditions. These findings are identified in the attached ordinance and include such conditions as the City's close proximity to major fault lines, the fact that the City is subject to long periods of dry, hot, and windy conditions and the fact that the City's water system is directly affected by the topographical layout of the City.

In order to support these findings, the layout of the South Pasadena Municipal Code (SPMC) Chapter 14 has been changed to provide a clearer and better structured look for applicants when searching for information. Article 14.1 defines the high fire risk area within the City and special provisions related to roof types. Historically, the area defined

as high risk area within the City was already considered and treated as high risk area but was not codified in the SPMC. The high fire risk area is defined as those properties located south of Monterey Road and West of Meridian Avenue. Additional amendments include, but are not limited to, more restrictive requirements for sprinkler systems, fire alarm systems, and chimney spark arrestors.

The City is a densely populated municipality located in the County of Los Angeles. It is subject to long periods of hot, dry, and windy conditions. These conditions increase the chance of a fire occurring and predispose the City to large destructive fires. These climatic conditions and winds can also contribute to the rapid spread of even small fires originating in moderate density housing or vegetation. These fires spread very quickly and create a need for increased levels of fire prevention and protection.

The City is also in close proximity to major fault lines and there is a significant possibility for multiple fires spreading out of control due to ruptured gas lines and multiple structural collapses. Because of the major earthquake hazard, and due to some older nonconforming buildings, it is necessary during new construction or building renovation to use the City ordinance to control and minimize conditions hazardous to life and property, which may result from fire, hazardous materials or an explosion.

In addition, the geographic layout and contours of the City create barriers for accessibility for fire suppression forces. These unique topographical layout also directly affect the City's water distribution system. The distribution system consists of high-low pressure and gravity systems zones, which carry the water from various reservoirs and storage tanks to different zones via water pipes. These street mains consist of high-pressure lines and low-pressure lines where the pressure and flows are adequate in most of the areas of the City. This variation of pressure can cause major problems to development, as well as fire suppression operations.

Analysis

The 2022 CFC is Part 9 of the official triennial compilation and publication of the adoptions, amendments and repeal of administrative regulations to California Code of Regulations (CCR), Title 24, also referred to as California Building Standards Code (CBSC). This Part is known as the CFC and incorporates, by adoption, the 2021 edition of the International Fire Code (IFC) of the International Code Council (ICC) with the California Amendments. As of January 1, 2023, the CFC, 2022 edition, will be the standard adopted by the State of California. This code book meets the needs of the City except in the areas where the International Wildland-Urban Interface Code Book, and the SPMC are required to make the laws more stringent and better serve our community based on the City's climate, geographical, and topographical needs.

A City, and/or County may establish more restrictive building standards reasonably necessary because of local climatic, geological, or topographical conditions. Findings of the local condition(s) and the adopted local buildings standard(s) must be filed with the California Building Standards Commission to become effective and may not be effective

sooner than the effective date of this edition of CBSC. Local building standards that were adopted and applicable to previous editions of the CBSC do not apply to this edition without appropriate adoption and required filing.

The CBSC is published in its entirety every three years by order of the California Legislature, with supplements published in intervening years. The California Legislature delegated authority to various state agencies, boards, commissions and departments to create buildings regulations to implement the state's statutes. These building regulations or standards, have the same force of law, and take effect 180 days after their publication unless otherwise stipulated. The CBSC applies to occupancies in the State of California as annotated.

Fiscal Impact

Fiscal impacts associated with the adoption of the CFC, 2022 edition are limited to the allocation of SPFD assigned staff to the adoption process and the purchase of the CFC, 2022 edition.

Attachments:

1. Ordinance to adopt by reference and amend the 2022 California Fire Code
2. Chapter 14 (Fire Prevention) of the SPMC
3. Exhibit A: Express Findings as Required
4. 2022 California Fire Code

Due to the size of the 2022 California Fire Code, one copy has been filed with the Office of the City Clerk for review located at 1414 Mission Street, First Floor, South Pasadena, CA 91030. The document can also be viewed at the following link: California Codes can be viewed at: <https://www.dgs.ca.gov/BSC/Codes>



City Council Agenda Report

ITEM NO. 22

DATE: November 16, 2022

FROM: Arminé Chaparyan, City Manager *AC*

PREPARED BY: Brian Solinsky, Chief of Police
Alison Wehrle, Management Analyst

SUBJECT: **Award of a Two-Year Contract with Flock Group, Inc. for Flock Camera Automated License Plate Reader Technology Services in an Amount not to Exceed \$69,550**

Recommendation

It is recommended that the City Council:

1. Award a two-year contract with Flock Group, Inc. (Flock) for Automated License Plate Reader (ALPR) technology services in an amount not to exceed \$69,550;
2. Authorize the City Manager to execute the agreement and future amendments to the contract, including exercise of the contract extension options; and
3. Approve an appropriation of \$9,550 from Fiscal Year 2022-23 General Fund reserves to Contract Services Account Number 101-4010-4011-8180 for the two-year contract.

Background

Automated License Plate Reader (ALPR) cameras, which may be mobile or stationary, are positioned to capture objective data available through still images of the front and/or rear of vehicles and their license plates as they pass within close proximity of the cameras. The images are converted into alphanumeric characters and then compared against databases that contain identifying vehicle information associated with criminal investigations.

Flock Safety was founded in 2017, and specializes in ALPR technology for law enforcement agencies and neighborhood associations. The Flock camera system (Flock System) does not capture data or images of the vehicle's occupants, nor does it capture streaming video or audio clips. Given the parameters of the image collection, some communities have sought these types of systems to reduce the potential for negative interactions between motorists and law enforcement as the information and the means obtained is not considered intrusive or biased. The use of this technology is consistent with President Obama's Task Force on 21st Century Policing, Pillar Three – Technology and Social Media: The use of technology can improve policing practices and build community trust and legitimacy, but its implementation must be built on a defined policy framework with purposes and goals clearly delineated.

The South Pasadena Police Department (Police Department) has been deploying mobile ALPR technology since 2013. The item was originally brought before City Council at the February 20, 2013 City Council Regular Meeting and approved for purchase and implementation.

As required by California Civil Code section 1798.90.51, public agencies using ALPR technology must adopt a usage and privacy policy to ensure that the collection, use, maintenance, sharing, and dissemination of ALPR information is consistent with respect for individuals' privacy, security, and civil liberties. Civil Code Section 1798.90.55 also requires that the public agency provide an opportunity for the public to review and comment on this policy at a City Council meeting. The existing policy governing the use of ALPRs is pursuant to Police Department Duty Manual Section 430, which establishes the usage, storage, dissemination, and retention of ALPR data. The Police Department trains its personnel in the proper usage of the ALPR system and secure storage of all data associated with the system.

In 2021, the City Council directed the Public Safety Commission (PSC) to investigate the potential use of unarmed traffic enforcement. In the report provided at the PSC September 13, 2021 Regular Meeting, the PSC opined unarmed traffic enforcement was not possible given current laws. However, the PSC highlighted the benefits of technology use as an option to reduce potentially negative law enforcement contacts.

Analysis

The Flock System entails deploying purposefully placed cameras throughout the City to provide increased coverage and detailed information to law enforcement as both a crime deterrent and investigative tool.

ALPR cameras can assist law enforcement by capturing and comparing license plate data to criminal justice databases in order to detect stolen vehicles, identify wanted persons, collect evidence for criminal prosecution, and monitor Amber or Silver Alerts. When a wanted vehicle is identified, an alert is sent to the communication center and patrol officers in the field for an immediate response. Flock's integrated technology will also allow for searchable descriptors to be queried, such as the vehicle type, make, color, license plate (partial, missing, or covered plates), temporary plates, and license plate state.

To provide such service effectively, staff recommends that the service contract include deploying thirteen (13) stationary cameras to be positioned within the City at ingress and egress locations. Police Department staff have identified these locations as major thoroughfares and intersections while providing optimum effectiveness in capturing ALPR data from the public right of way. Locations were also determined from public discussions and consideration of neighboring cities and the placement of their Flock systems, in order to reduce redundancies. Flock cameras can capture up to two lanes of traffic heading in a single direction. The proposed locations are as listed as follows:

Award of a Contract regarding Flock Camera Automated License Plate Readers

November 16, 2022

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1. Fair Oaks Avenue and Columbia Street (SB)
2. Fair Oaks Avenue at the 110 Freeway (exit)
3. Fremont Avenue at Columbia Street (SB)
4. Fremont Avenue at Alhambra Road (NB)
5. Orange Grove Boulevard at Columbia Street (NB)
6. Orange Grove Boulevard at the 110 Freeway (exit)
7. Pasadena Avenue at Arroyo Verde Road (EB)
8. Huntington Drive at Garfield Avenue (EB)
9. Huntington Drive at Alhambra Road (NB)
10. Fair Oaks Avenue at Monterey Road (SB)
11. Hill Drive at Collis Avenue (EB)
12. Alpha Street at Valley View Road (SB)
13. Meridian Avenue at Kendall Drive (NB)

Flock ALPR cameras have been implemented across the nation and within local regions in more than 270 cities, including San Marino, Alhambra, Glendale, San Gabriel, Arcadia, and throughout Los Angeles County. These entities have reported significant crime reductions and performance satisfaction using Flock ALPRs. The San Marino Police Department reported a 70% reduction in larceny crimes within the first year of use. In 2021, the Huntington Beach Police Department reported 291 hits that resulted in 51 arrests. Other cities have reported an 80% reduction in burglaries or other crimes.

Several local cities have agreements to share information via the Flock System. Information sharing enhances service, reduces costs, and creates a force multiplier by utilizing hundreds of cameras instead of only the thirteen staff recommends.

At Flock's default setting, all data is permanently deleted after 30 days. It is recommended for all public agencies and staff concurs that data should be stored for up to one year. One year of storage comes at an additional price of \$300 per camera annually. All data obtained is owned by the City of South Pasadena (City). Flock would not have access to view or monitor footage without the explicit permission of the City. However, Flock does have the ability to measure camera performance and image-capture quality. This is used preemptively to diagnose issues and schedule maintenance service calls.

Flock ALPR footage, data, and metadata are encrypted throughout its entire lifecycle and are therefore secure from the initial image capture point to its transfer to the cloud. The encryption, AES256-bit encryption, is the same encryption algorithm used by the National Security Agency for top-secret information and is Criminal Justice Information Services (CJIS) compliant.

The agreement with Flock is a subscription-based model which includes footage hosting, camera leasing, cellular service, maintenance, and software updates. The cost for the service is calculated per camera at \$2,500 for equipment use and \$300 for extended data storage of one year. A one-time \$350 installation cost per camera is also

required. The Police Department can terminate the agreement prior to the completion of the initial term but is subject to a \$500 per camera removal fee.

Staff evaluated other options and found the closest alternative was Vigilant Systems (Vigilant), which is owned by Motorola Solutions, Inc. While some cities in Southern California are also using Vigilant, none of them are adjacent to South Pasadena. Vigilant also requires a significant up-front cost to purchase and install the hardware, in addition to a power supply source. The Flock subscription-based service model better suits the Police Department's needs at this time and was selected for recommendation on that basis.

Fiscal Impact

The Fiscal Year 2022-23 Adopted Budget includes an appropriation of \$30,000 for implementing a stationary ALPR system from the Police Department's Contract Services Account No. 101-4010-4011-8180. With the approval of a two-year contract with Flock Group, Inc., staff would anticipate another \$30,000 budget allocation for the Fiscal Year 2023-24 adopted budget. If approved, this project will require the appropriation of an additional \$9,550 from the Fiscal Year 2022-23 General Fund Reserves to the Contract Services Account Number 101-4010-4011-8180.

The Flock System is the only Law Enforcement-grade ALPR system which allows direct integration with AxonEvidence.com, a system the Police Department is currently using. Additionally, the Flock System is the only option on the market that would allow the Police Department to share ALPR data and information with neighboring agencies, including Alhambra Police Department, San Marino Police Department, Arcadia Police Department, and Glendale Police Department. The ability to share this data with neighboring agencies is invaluable, as many crimes are shared among the region. Flock is also the only ALPR vendor to offer a large variety of features, including: cloud storage, web-based footage retrieval, solar-powered cameras which eliminate infrastructure requirements, multi-lane capture abilities, active performance monitoring to determine image quality, and more.

Commission Review and Recommendation

On October 17, 2022, the Public Safety Commission reviewed this item. With four Commissioners present, and Vice Chair Watson and Commissioner Gee absent, the Commission voted 4-0 in favor of recommending the approval of the Flock Camera System to the City Council.

Attachments:

1. Flock Group, Inc. Government Agency Agreement
2. South Pasadena Police Department Duty Manual Section 430 – Automated License Plate Reader (ALPR)

ATTACHMENT 1
Flock Group, Inc. Service Agreement Order Form

**FLOCK GROUP INC.
SERVICES AGREEMENT
ORDER FORM**

This Order Form together with the Terms (as defined herein) describe the relationship between Flock Group Inc. (“**Flock**”) and the customer identified below (“**Agency**”) (each of Flock and Customer, a “**Party**”). This order form (“**Order Form**”) hereby incorporates and includes the “GOVERNMENT AGENCY AGREEMENT” attached (the “**Terms**”) which describe and set forth the general legal terms governing the relationship (collectively, the "**Agreement**"). The Terms contain, among other things, warranty disclaimers, liability limitations and use limitations.

The Agreement will become effective when this Order Form is executed by both Parties (the “**Effective Date**”).

Agency: CA - South Pasadena PD Legal Entity Name:	Contact Name: Shannon Robledo
Address: 1422 Mission St South Pasadena, California 91030	Phone: (626) 403-7269 E-Mail: srobledo@southpasadenaca.gov
Expected Payment Method:	Billing Contact: (if different than above)

Initial Term: 24 months Renewal Term: 24 months	Billing Term: Annual payment due Net 30 per terms and conditions
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Name	Price	QTY	Subtotal
Falcon	\$2,500.00	13.00	\$32,500.00
Professional Services - Standard Implementation Fee	\$350.00	13.00	\$4,550.00

(Includes one-time fees)

Year 1 Total \$37,050.00

Recurring Total: \$32,500.00

I have reviewed and agree to the Customer Implementation Guide on Schedule B at the end of this agreement.

By executing this Order Form, Agency represents and warrants that it has read and agrees all of the terms and conditions contained in the Terms attached. The Parties have executed this Agreement as of the dates set forth below.

FLOCK GROUP, INC.

Agency: CA - South Pasadena PD

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

flock safety

GOVERNMENT AGENCY AGREEMENT

This Government Agency Agreement (this “**Agreement**”) is entered into by and between Flock Group, Inc. with a place of business at 1170 Howell Mill Rd NW Suite 210, Atlanta, GA 30318 (“**Flock**”) and the police department or government agency identified in the signature block of the Order Form (“**Agency**”) (each a “**Party**,” and together, the “**Parties**”).

RECITALS

WHEREAS, Flock offers a software and hardware situational awareness solution for automatic license plates, video and audio detection through Flock’s technology platform (the “**Flock Service**”), and upon detection, the Flock Services are capable of capturing audio, video, image, and recording data and can provide notifications to Agency upon the instructions of Non-Agency End User (as defined below) (“**Notifications**”);

WHEREAS, Agency desires access to the Flock Service on existing cameras, provided by Agency, or Flock provided Flock Hardware (as defined below) in order to create, view, search and archive Footage and receive Notifications, including those from Non-Agency End Users of the Flock Service (where there is an investigative or bona fide lawful purpose) such as schools, neighborhood homeowners associations, businesses, and individual users;

WHEREAS, Flock deletes all Footage on a rolling thirty (30) day basis, excluding Wing Replay which is deleted after seven (7) days. Agency is responsible for extracting, downloading and archiving Footage from the Flock System on its own storage devices for auditing for prosecutorial/administrative purposes; and

WHEREAS, Flock desires to provide Agency the Flock Service and any access thereto, subject to the terms and conditions of this Agreement, solely for the awareness, prevention, and prosecution of crime, bona fide investigations by police departments, and archiving for evidence gathering (“**Permitted Purpose**”).

AGREEMENT

NOW, THEREFORE, Flock and Agency agree that this Agreement, and any addenda attached hereto or referenced herein, constitute the complete and exclusive statement of the Agreement of the Parties with respect to the subject matter of this Agreement, and replace and supersede all prior agreements, term sheets, purchase orders, correspondence, oral or written communications and negotiations by and between the Parties.

1. DEFINITIONS

Certain capitalized terms, not otherwise defined herein, have the meanings set forth or cross-referenced in this Section 1.

1.1 “**Advanced Search**” means the provision of Services, via the web interface using Flock’s software applications, which utilize advanced evidence delivery capabilities including convoy analysis, multi-geo search, visual search, cradlepoint integration for automatic vehicle location, and common plate analysis.

1.2 “**Agency Data**” means the data, media and content provided by Agency through the Services. For the avoidance of doubt, the Agency Data will include the Footage.

1.3 “**Agency Generated Data**” means the messages, text, illustrations, files, images, graphics, photos, comments, sounds, music, videos, information, content, ratings, reviews, data, questions, suggestions, other information or materials posted, uploaded, displayed, published, distributed, transmitted, broadcasted, or otherwise made available on or submitted through the Wing Suite.

1.4. “**Agency Hardware**” means the third-party camera owned or provided by Agency and any other physical elements that interact with the Embedded Software and the Web Interface to provide the Services.

1.5. “**Aggregated Data**” means information that relates to a group or category of individuals, from which any potential individuals’ personal identifying information has been permanently “anonymized” by commercially available standards to irreversibly alter data in such a way that a data subject (i.e., individual person or impersonal entity) can no longer be identified directly or indirectly.

1.6 “**Authorized End User(s)**” means any individual employees, agents, or contractors of Agency accessing or using the Services through the Web Interface, under the rights granted to Agency pursuant to this Agreement.

1.7 “**Deployment Plan**” means the strategic geographic mapping of the location(s) and implementation of Flock Hardware, and/or other relevant Services required under this Agreement.

1.8 “**Documentation**” means text and/or graphical documentation, whether in electronic or printed format, that describe the features, functions and operation of the Services which are provided by Flock to Agency in accordance with the terms of this Agreement.

1.9 “**Embedded Software**” means the software and/or firmware embedded or preinstalled on the Flock Hardware or Agency Hardware.

1.10 “**Falcon Flex**” means an infrastructure-free, location-flexible license plate reader camera that enables the Agency to self-install.

1.11 “**Flock Hardware**” means the Flock cameras or device, pole, clamps, solar panel, installation components, and any other physical elements that interact with the Embedded Software and the Web Interface to provide the Flock Services.

1.12 “**Flock IP**” means the Services, the Documentation, the Embedded Software, the Installation Services, and any and all intellectual property therein or otherwise provided to Agency and/or its Authorized End Users in connection with the foregoing.

1.13 “**Flock Safety Falcon™**” means an infrastructure-free license plate reader camera that utilizes Vehicle Fingerprint™ technology to capture vehicular attributes.

1.14 “**Flock Safety Raven™**” means an audio detection device that provides real-time alerting to law enforcement based on programmed audio events such as gunshots, breaking glass, and street racing.

1.15 “**Flock Safety Sparrow™**” means an infrastructure-free license plate reader camera for residential roadways that utilizes Vehicle Fingerprint™ technology to capture vehicular attributes.

1.17 “**Footage**” means still images, video, audio and other data captured by the Flock Hardware or Agency Hardware in the course of and provided via the Services.

1.18 “**Hotlist(s)**” means a digital file containing alphanumeric license plate related information pertaining to vehicles of interest, which may include stolen vehicles, stolen vehicle license plates, vehicles owned or associated with wanted or missing person(s), vehicles suspected of being involved with criminal or terrorist activities, and other legitimate law enforcement purposes. Hotlist also includes, but is not limited to, national data (i.e. NCIC) for similar categories, license plates associated with AMBER Alerts or Missing Persons/Vulnerable Adult Alerts, and includes manually entered license plate information associated with crimes that have occurred in any local jurisdiction.

1.19 “**Implementation Fee(s)**” means the monetary fees associated with the Installation Services, as defined below.

1.20 “**Installation Services**” means the services provided by Flock for installation of Agency Hardware and/or Flock Hardware, including any applicable installation of Embedded Software on Agency Hardware.

1.21 “**Non-Agency End User(s)**” means any individual, entity, or derivative therefrom, authorized to use the Services through the Web Interface, under the rights granted to pursuant to the terms (or to those materially similar) of this Agreement.

1.22 “**Services**” or “**Flock Services**” means the provision, via the Web Interface, of Flock’s software applications for automatic license plate detection, alerts, audio detection, searching image records, video and sharing Footage.

1.23 “**Support Services**” means Monitoring Services, as defined in Section 2.10 below.

1.24 “**Usage Fee**” means the subscription fees to be paid by the Agency for ongoing access to Services.

1.25 “**Web Interface**” means the website(s) or application(s) through which Agency and its Authorized End Users can access the Services, in accordance with the terms of this Agreement.

1.26 “**Wing Suite**” means the Flock interface which provides real-time access to the Flock Services, location of Flock Hardware, Agency Hardware, third-party cameras, live-stream video, Wing Livestream, Wing LPR, Wing Replay, alerts and other integrations.

1.27 “**Wing Livestream**” means real-time video integration with third-party cameras via the Flock interface.

1.28 “**Wing LPR**” means software integration with third-party cameras utilizing Flock’s Vehicle Fingerprint Technology™ for license plate capture.

1.29 “**Wing Replay**” means enhanced situational awareness encompassing Footage retention, replay ability, and downloadable content from Hot Lists integrated from third-party cameras.

1.30 “**Vehicle Fingerprint™**” means the unique vehicular attributes captured through Services such as: type, make, color, state registration, missing/covered plates, bumper stickers, decals, roof racks, and bike racks.

2. SERVICES AND SUPPORT

2.1 **Provision of Access.** Subject to the terms of this Agreement, Flock hereby grants to Agency a non-exclusive, non-transferable right to access the features and functions of the Services via the Web Interface during the Term, solely for the Authorized End Users. The Footage will be available for Agency's designated administrator, listed on the Order Form, and any Authorized End Users to access and download via the Web Interface for thirty (30) days. Authorized End Users will be required to sign up for an account and select a password and username ("*User ID*"). Flock will also provide Agency with the Documentation to be used in accessing and using the Services. Agency shall be responsible for all acts and omissions of Authorized End Users, and any act or omission by an Authorized End User which, if undertaken by Agency, would constitute a breach of this Agreement, shall be deemed a breach of this Agreement by Agency. Agency shall undertake reasonable efforts to make all Authorized End Users aware of the provisions of this Agreement as applicable to such Authorized End User's use of the Services and shall cause Authorized End Users to comply with such provisions. Flock may use the services of one or more third parties to deliver any part of the Services, (such as using a third party to host the Web Interface for cloud storage or a cell phone provider for wireless cellular coverage) which makes the Services available to Agency and Authorized End Users. Warranties provided by said third party service providers are the agency's sole and exclusive remedy and Flock's sole and exclusive liability with regard to such third-party services, including without limitation hosting the Web Interface. Agency agrees to comply with any acceptable use policies and other terms of any third-party service provider that are provided or otherwise made available to Agency from time to time.

2.2 **Embedded Software License.** Subject to all terms of this Agreement, Flock grants Agency a limited, non-exclusive, non-transferable, non-sublicensable (except to the Authorized End Users), revocable right to use the Embedded Software as installed on the Flock Hardware or Agency Hardware; in each case, solely as necessary for Agency to use the Services.

2.3 **Documentation License.** Subject to the terms of this Agreement, Flock hereby grants to Agency a non-exclusive, non-transferable right and license to use the Documentation during the Term in connection with its use of the Services as contemplated herein, and under Section 2.5 below.

2.4 **Wing Suite License.** Subject to all terms of this Agreement, Flock grants Agency a limited, non-exclusive, non-transferable, non-sublicensable (except to the Authorized End Users), revocable right to use the Wing Suite software and interface.

2.5 Usage Restrictions.

2.5.1 **Flock IP.** The permitted purpose for usage of the Flock Hardware, Agency Hardware, Documentation, Services, support, and Flock IP are solely to facilitate gathering evidence that could be used in a lawful criminal investigation by the appropriate government agency ("*Permitted Purpose*"). Agency will not, and will not permit any Authorized End Users to, (i) copy or duplicate any of the Flock IP; (ii) decompile, disassemble, reverse engineer, or otherwise attempt to obtain or perceive the source code from which any software component of

any of the Flock IP is compiled or interpreted, or apply any other process or procedure to derive the source code of any software included in the Flock IP; (iii) attempt to modify, alter, tamper with or repair any of the Flock IP, or attempt to create any derivative product from any of the foregoing; (iv) interfere or attempt to interfere in any manner with the functionality or proper working of any of the Flock IP; (v) remove, obscure, or alter any notice of any intellectual property or proprietary right appearing on or contained within any of the Services or Flock IP; (vi) use the Services, support, Flock Hardware, Documentation, or the Flock IP for anything other than the Permitted Purpose; or (vii) assign, sublicense, sell, resell, lease, rent, or otherwise transfer, convey, pledge as security, or otherwise encumber, Agency's rights under Sections 2.1, 2.2, 2.3, or 2.4.

2.5.2. **Flock Hardware.** Agency understands that all Flock Hardware is owned exclusively by Flock, and that title to any Flock Hardware does not pass to Agency upon execution of this Agreement. Except for Falcon Flex products, which are designed for self-installation, Agency is not permitted to remove, reposition, re-install, tamper with, alter, adjust or otherwise take possession or control of Flock Hardware. Notwithstanding the notice and cure period set for in Section 6.3, Agency agrees and understands that in the event Agency is found to engage in any of the restricted actions of this Section 2.5.2, all warranties herein shall be null and void, and this Agreement shall be subject to immediate termination (without opportunity to cure) for material breach by Agency.

2.6 **Retained Rights; Ownership.** As between the Parties, subject to the rights granted in this Agreement, Flock and its licensors retain all right, title and interest in and to the Flock IP and its components, and Agency acknowledges that it neither owns nor acquires any additional rights in and to the foregoing not expressly granted by this Agreement. Agency further acknowledges that Flock retains the right to use the foregoing for any purpose in Flock's sole discretion. There are no implied rights.

2.7 Suspension.

2.7.1 **Service Suspension.** Notwithstanding anything to the contrary in this Agreement, Flock may temporarily suspend Agency's and any Authorized End User's access to any portion or all of the Flock IP or Flock Service if Flock reasonably determines that (a) there is a threat or attack on any of the Flock IP by Agency; (b) Agency's or any Authorized End User's use of the Flock IP disrupts or poses a security risk to the Flock IP or any other customer or vendor of Flock; (c) Agency or any Authorized End User is/are using the Flock IP for fraudulent or illegal activities; (d) Agency has violated any term of this provision, including, but not limited to, utilizing the Services for anything other than the Permitted Purpose; or (e) any unauthorized access to Flock Services through Agency's account ("**Service Suspension**"). Agency shall not be entitled to any remedy for the Service Suspension period, including any reimbursement, tolling, or credit.

2.7.2 **Service Interruption.** Services may be interrupted in the event that: (a) Flock's provision of the Services to Agency or any Authorized End User is prohibited by applicable law; (b) any third-party services required for Services are interrupted; (c) if Flock reasonably believes Services are being used for malicious, unlawful, or otherwise unauthorized use; (d) there is a threat or attack on any of the Flock IP by a third party; or (e) scheduled or

emergency maintenance (“**Service Interruption**”). Flock will make commercially reasonable efforts to provide written notice of any Service Interruption to Agency and to provide updates regarding resumption of access to Flock Services. Flock will use commercially reasonable efforts to resume providing access to the Services as soon as reasonably possible after the event giving rise to the Service Interruption is cured. Flock will have no liability for any damage, liabilities, losses (including any loss of data or profits), or any other consequences that Agency or any Authorized End User may incur as a result of a Service Interruption. To the extent that the Service Interruption is not caused by Agency’s direct actions or by the actions of parties associated with the Agency, the expiration of the Term will be tolled by the duration of the Service Interruption (for any continuous suspension lasting at least one full day) prorated for the proportion of cameras on the Agency’s account that have been impacted. For example, in the event of a Service Interruption lasting five (5) continuous days, Agency will receive a credit for five (5) free days at the end of the Term.

2.8 Installation Services.

2.8.1 Designated Locations. For installation of Flock Hardware, excluding Falcon Flex products, prior to performing the physical installation of the Flock Hardware, Flock shall advise Agency on the location and positioning of the Flock Hardware for optimal license plate image capture, as conditions and location allow. Flock may consider input from Agency regarding location, position and angle of the Flock Hardware (“**Designated Location**”) and collaborate with Agency to design the Deployment Plan confirming the Designated Locations. Flock shall have final discretion on location of Flock Hardware. Flock shall have no liability to Agency resulting from any poor performance, functionality or Footage resulting from or otherwise relating to the Designated Locations or delay in installation due to Agency’s delay in confirming Designated Locations, in ordering and/or having the Designated Location ready for installation including having all electrical work preinstalled and permits ready, if necessary. After installation, any subsequent changes to the Deployment Plan (“**Reinstalls**”) will incur a charge for Flock’s then-current list price for Reinstalls, as listed in the then-current Reinstall policy (available at <https://www.flocksafety.com/reinstall-fee-schedule>) and any equipment fees. For clarity, Agency will receive prior notice and provide approval for any such fees. These changes include but are not limited to re-positioning, adjusting of the mounting, re-angling, removing foliage, replacement, changes to heights of poles, regardless of whether the need for Reinstalls related to vandalism, weather, theft, lack of criminal activity in view, and the like. Flock shall have full discretion on decision to reinstall Flock Hardware.

2.8.2 Agency Installation Obligations. Agency agrees to allow Flock and its agents reasonable access in and near the Designated Locations at all reasonable times upon reasonable notice for the purpose of performing the installation work. Although Flock Hardware is designed to utilize solar power, certain Designated Locations may require a reliable source of 120V or 240V AC power. In the event adequate solar power is not available, Agency is solely responsible for costs associated with providing a reliable source of 120V or 240V AC power to Flock Hardware. Flock will provide solar options to supply power at each Designated Location. If Agency refuses recommended solar options, Agency waives any reimbursement, tolling, or credit for any suspension period of Flock Services due to low solar power. Additionally, Agency is solely responsible for (i) any permits or associated costs, and managing the permitting process of installation of cameras or AC power; (ii) any federal, state, or local taxes including property, license, privilege, sales, use, excise, gross receipts, or other similar taxes which may now or

hereafter become applicable to, measured by or imposed upon or with respect to the installation of the Flock Hardware, its use (excluding tax exempt entities), or (iii) any other supplementary cost for services performed in connection with installation of the Flock Hardware, including but not limited to contractor licensing, engineered drawings, rental of specialized equipment, or vehicles, third-party personnel (i.e. Traffic Control Officers, Electricians, State DOT-approved poles, etc., if necessary), such costs to be approved by the Agency (“**Agency Installation Obligations**”). In the event that a Designated Location for Flock Hardware requires permits, Flock may provide the Agency with a temporary alternate location for installation pending the permitting process. Once the required permits are obtained, Flock will relocate the Flock Hardware from the temporary alternate location to the permitted location at no additional cost. Without being obligated or taking any responsibility for the foregoing, Flock may pay and invoice related costs to Agency if Agency did not address them prior to the execution of this Agreement or a third party requires Flock to pay. Agency represents and warrants that it has, or shall lawfully obtain, all necessary right title and authority and hereby authorizes Flock to install the Flock Hardware at the Designated Locations and to make any necessary inspections or tests in connection with such installation.

2.8.3 Flock’s Obligations. Installation of Flock Hardware shall be installed in a workmanlike manner in accordance with Flock’s standard installation procedures, and the installation will be completed within a reasonable time from the time that the Designated Locations are confirmed. Upon removal of Flock Hardware, Flock shall restore the location to its original condition, ordinary wear and tear excepted. Following the initial installation of the Flock Hardware and any subsequent Reinstalls or maintenance operations, Flock’s obligation to perform installation work shall cease; however, for the sole purpose of validating installation, Flock will continue to monitor the performance of Flock Hardware for the length of the Term and will receive access to the Footage for a period of seven (7) business days after the initial installation for quality control and provide any necessary maintenance. Labor may be provided by Flock or a third-party. Flock is not obligated to install, reinstall, or provide physical maintenance to Agency Hardware. Notwithstanding anything to the contrary, Agency understands that Flock will not provide installation services for Falcon Flex products.

2.8.4 Ownership of Hardware. Flock Hardware shall remain the personal property of Flock and will be removed upon the natural expiration of this Agreement at no additional cost to Agency. Agency shall not perform any acts which would interfere with the retention of title of the Flock Hardware by Flock. Should Agency default on any payment of the Flock Services, Flock may remove Flock Hardware at Flock’s discretion. Such removal, if made by Flock, shall not be deemed a waiver of Flock’s rights to any damages Flock may sustain as a result of Agency’s default and Flock shall have the right to enforce any other legal remedy or right.

2.9 Hazardous Conditions. Unless otherwise stated in the Agreement, Flock’s price for its services under this Agreement does not contemplate work in any areas that contain hazardous materials, or other hazardous conditions, including, without limit, asbestos, lead, toxic or flammable substances. In the event any such hazardous materials are discovered in the designated locations in which Flock is to perform services under this Agreement, Flock shall have the right to cease work immediately in the area affected until such materials are removed or rendered harmless.

2.10 Support Services. Subject to the payment of fees, Flock shall monitor the performance and functionality of Flock Services and may, from time to time, advise Agency on changes to the Flock Services, Installation Services, or

the Designated Locations which may improve the performance or functionality of the Services or may improve the quality of the Footage. The work, its timing, and the fees payable relating to such work shall be agreed by the Parties prior to any alterations to or changes of the Services or the Designated Locations (“**Monitoring Services**”). Flock will use commercially reasonable efforts to respond to requests for support. Flock will provide Agency with reasonable technical and on-site support and maintenance services (“**On-Site Services**”) in-person or by email at support@flocksafety.com, at no additional cost. Notwithstanding anything to the contrary, Agency is solely responsible for installation of Falcon Flex products. Agency further understands and agrees that Flock will not provide monitoring services or on-site services for Falcon Flex.

2.11 Special Terms. From time to time, Flock may offer certain special terms related to guarantees, service and support which are indicated in the proposal and on the Order Form and will become part of this Agreement, upon Agency’s prior written consent (“**Special Terms**”). To the extent that any terms of this Agreement are inconsistent or conflict with the Special Terms, the Special Terms shall control.

2.12 Upgrades to Platform. Flock may, in its sole discretion, make any upgrades to system or platform that it deems necessary or useful to (i) maintain or enhance (a) the quality or delivery of Flock’s products or services to its agencies, (b) the competitive strength of, or market for, Flock’s products or services, (c) such platform or system’s cost efficiency or performance, or (ii) to comply with applicable law. Parties understand that such upgrades are necessary from time to time and will not materially change any terms or conditions within this Agreement.

3. RESTRICTIONS AND RESPONSIBILITIES

3.1 Agency Obligations. Flock will assist Agency Authorized End Users in the creation of a User ID. Agency agrees to provide Flock with accurate, complete, and updated registration information. Agency may not select as its User ID a name that Agency does not have the right to use, or another person’s name with the intent to impersonate that person. Agency may not transfer its account to anyone else without prior written permission of Flock. Agency will not share its account or password with anyone and must protect the security of its account and password. Unless otherwise stated and defined in this Agreement, Agency may not designate Authorized End Users for persons who are not officers, employees, or agents of Agency. Authorized End Users shall only use Agency-issued email addresses for the creation of their User ID. Agency is responsible for any activity associated with its account. Agency shall be responsible for obtaining and maintaining any equipment and ancillary services needed to connect to, access or otherwise use the Services. Agency will, at its own expense, provide assistance to Flock, including, but not limited to, by means of access to, and use of, Agency facilities, as well as by means of assistance from Agency personnel to the limited extent any of the foregoing may be reasonably necessary to enable Flock to perform its obligations hereunder, including, without limitation, any obligations with respect to Support Services or any Installation Services.

3.2 Agency Representations and Warranties. Agency represents, covenants, and warrants that Agency will use the Services only in compliance with this Agreement and all applicable laws and regulations, including but not limited to any laws relating to the recording or sharing of video, photo, or audio content. Although Flock has no obligation

to monitor Agency 's use of the Services, Flock may do so and may prohibit any use of the Services it believes may be (or alleged to be) in violation of the foregoing.

4. CONFIDENTIALITY; AGENCY DATA

4.1 **Confidentiality.** To the extent allowable by applicable FOIA and state-specific Public Records Acts, each Party (the “*Receiving Party*”) understands that the other Party (the “*Disclosing Party*”) has disclosed or may disclose business, technical or financial information relating to the Disclosing Party’s business (hereinafter referred to as “*Proprietary Information*” of the Disclosing Party). Proprietary Information of Flock includes non-public information regarding features, functionality and performance of the Services. Proprietary Information of Agency includes non-public data provided by Agency to Flock or collected by Flock via the Flock Hardware or Agency Hardware, to enable the provision of the Services, which includes but is not limited to geolocation information and environmental data collected by sensors . The Receiving Party agrees: (i) to take the same security precautions to protect against disclosure or unauthorized use of such Proprietary Information that the Party takes with its own proprietary information, but in no event will a Party apply less than reasonable precautions to protect such Proprietary Information, and (ii) not to use (except in performance of the Services or as otherwise permitted herein) or divulge to any third person any such Proprietary Information. Flock’s use of the Proprietary Information may include processing the Proprietary Information to send Agency alerts, or to analyze the data collected to identify motion or other events. The Disclosing Party agrees that the foregoing shall not apply with respect to any information that the Receiving Party can document (a) is or becomes generally available to the public, or (b) was in its possession or known by it prior to receipt from the Disclosing Party, or (c) was rightfully disclosed to it without restriction by a third party, or (d) was independently developed without use of any Proprietary Information of the Disclosing Party. Nothing in this Agreement will prevent the Receiving Party from disclosing the Proprietary Information pursuant to any judicial or governmental order, provided that the Receiving Party gives the Disclosing Party reasonable prior notice of such disclosure to contest such order. For clarity, Flock may access, use, preserve and/or disclose the Footage to law enforcement authorities, government officials, and/or third parties, if legally required to do so or if Flock has a good faith belief that such access, use, preservation or disclosure is reasonably necessary to: (a) comply with a legal process or request; (b) enforce this Agreement, including investigation of any potential violation thereof; (c) detect, prevent or otherwise address security, fraud or technical issues; or (d) protect the rights, property or safety of Flock, its users, a third party, or the public as required or permitted by law, including respond to an emergency situation. Flock may store deleted Footage in order to comply with certain legal obligations, but such retained Footage will not be retrievable without a valid court order.

4.2 **Agency Data.** As between Flock and Agency, all right, title and interest in the Agency Data, belong to and are retained solely by Agency. Agency hereby grants to Flock a limited, non-exclusive, royalty-free, worldwide license to (i) use the Agency Data and perform all acts with respect to the Agency Data as may be necessary for Flock to provide the Flock Services to Agency, including without limitation the Support Services set forth in Section 2.10 above, and a non-exclusive, perpetual, irrevocable, worldwide, royalty-free, fully paid license to use, reproduce, modify, display, and distribute the Agency Data as a part of the Aggregated Data, (ii) disclose the Agency Data (both inclusive of any Footage) to enable law enforcement monitoring for elected law enforcement Hotlists as well

as provide Footage search access to law enforcement for investigative purposes only, and (iii) and obtain Aggregated Data as set forth below in Section 4.5. As between Agency and Non-Agency End Users that have prescribed access of Footage to Agency, each of Agency and Non-Agency End Users will share all right, title and interest in the Non-Agency End User Data. This Agreement does not by itself make any Non-Agency End User Data the sole property or the Proprietary Information of Agency. Flock will automatically delete Footage older than thirty (30) days. Agency has a thirty (30) day window to view, save and/or transmit Footage to the relevant government agency prior to its deletion. Notwithstanding the foregoing, Flock automatically deletes Wing Replay after seven (7) days, during which time Agency may view, save and/or transmit such data to the relevant government agency prior to deletion. Flock does not own and shall not sell Agency Data.

4.3 Agency Generated Data in Wing Suite. Parties understand that Flock does not own any right, title, or interest to third-party video integrated into the Wing Suite. Flock may provide Agency with the opportunity to post, upload, display, publish, distribute, transmit, broadcast, or otherwise make available on or submit through the Wing Suite, messages, text, illustrations, files, images, graphics, photos, comments, sounds, music, videos, information, content, ratings, reviews, data, questions, suggestions, or other information or materials produced by Agency. Agency shall retain whatever legally cognizable right, title, and interest that Agency has in Agency Generated Data. Agency understands and acknowledges that Flock has no obligation to monitor or enforce Agency's intellectual property rights to Agency Generated Data. To the extent legally permissible, Agency grants Flock a non-exclusive, perpetual, irrevocable, worldwide, royalty-free, fully paid license to use, reproduce, modify, display, and distribute the Agency Generated Data for the sole purpose of providing Flock Services. Flock does not own and shall not sell Agency Generated Data.

4.4 Feedback. If Agency provides any suggestions, ideas, enhancement requests, feedback, recommendations or other information relating to the subject matter hereunder, Agency hereby assigns (and will cause its agents and representatives to assign) to Flock all right, title and interest (including intellectual property rights) with respect to or resulting from any of the foregoing.

4.5 Aggregated Data. Flock shall have the right to collect, analyze, and anonymize Agency Data and Agency Generated Data to create Aggregated Data to use and perform the Services and related systems and technologies, including the training of machine learning algorithms. Agency hereby grants Flock a non-exclusive, worldwide, perpetual, royalty-free right (during and after the Term hereof) to use and distribute such Aggregated Data to improve and enhance the Services and for other development, diagnostic and corrective purposes, other Flock offerings, and crime prevention efforts. Parties understand that the aforementioned license is required for continuity of Services. No rights or licenses are granted except as expressly set forth herein. Flock does not sell Aggregated Data.

5. PAYMENT OF FEES

5.1.1 Software Product Fees. For Order Forms listing Wing Suite, Advanced Search and other software-only products, Agency will pay Flock the fees for the Initial Term (as described on the Order Form attached hereto) on or

before the 30th day from the date of invoice. For any Renewal Terms, Agency shall pay invoice on or before the 30th day from the date of renewal invoice.

5.1.2 Hardware Product Fees. For Order Forms listing Falcon, Sparrow, Raven and Falcon Flex products, Agency will pay Flock fifty percent (50%) of the fees for the Initial Term as set forth on the Order Form on or before the 30th day from date of invoice. Upon commencement of installation, Flock will issue an invoice for twenty-five percent (25%) of total fees, and Agency shall pay on or before 30th day following date of invoice. Upon completion of installation, Flock will issue an invoice for the remaining balance and Agency shall pay on or before 30th day following date of final invoice. Flock is not obligated to commence the Installation Services unless and until the first payment has been made and shall have no liability resulting from any delay related thereto. For any Renewal Terms, Agency shall pay the total invoice on or before the 30th day from the date of renewal invoice.

5.2 Notice of Changes to Fees. Flock reserves the right to change the fees or applicable charges and to institute new charges and fees on subsequent terms by providing sixty (60) days' notice prior to the end of such Initial Term or Renewal Term (as applicable) to Agency (which may be sent by email).

5.3 Invoicing, Late Fees; Taxes. Flock may choose to bill through an invoice, in which case, full payment for invoices must be received by Flock thirty (30) days after the receipt of invoice. If Agency is a non-tax-exempt entity, Agency shall be responsible for all taxes associated with Services other than U.S. taxes based on Flock's net income. If Agency believes that Flock has billed Agency incorrectly, Agency must contact Flock no later than sixty (60) days after the closing date on the first billing statement in which the error or problem appeared, in order to receive an adjustment or credit. Agency acknowledges and agrees that a failure to contact Flock within this sixty (60) day period will serve as a waiver of any claim Agency may have had as a result of such billing error.

6. TERM AND TERMINATION

6.1 Term. The initial term of this Agreement shall be for the period of time set forth on the Order Form and shall commence at the time outlined in this section below (the "**Term**"). Following the Term, unless otherwise indicated on the Order Form, this Agreement will automatically renew for successive renewal terms of the greater of one year or the length set forth on the Order Form (each, a "**Renewal Term**") unless either Party gives the other Party notice of non-renewal at least thirty (30) days prior to the end of the then-current term.

- a. For Wing Suite products: the Term shall commence upon execution of this Agreement and continue for one (1) year, after which, the Term may be extended by mutual consent of the Parties, unless terminated by either Party.
- b. For Falcon and Sparrow products: the Term shall commence upon first installation and validation of Flock Hardware.
- c. For Raven products: the Term shall commence upon first installation and validation of Flock Hardware.
- d. For Falcon Flex products: the Term shall commence upon execution of this Agreement.
- e. For Advanced Search products: the Term shall commence upon execution of this Agreement.

6.2 Termination for Convenience. At any time during the agreed upon Term, either Party may terminate this Agreement for convenience. Termination for convenience of the Agreement by the Agency will be effective immediately. Termination for convenience by Agency will result in a one-time removal fee of \$500 per Flock Hardware. Termination for convenience by Flock will not result in any removal fees. Upon termination for convenience, a refund will be provided for Flock Hardware, prorated for any fees for the remaining Term length set forth previously. Wing Suite products and Advanced Search are not subject to refund for early termination. Flock will provide advanced written notice and remove all Flock Hardware at Flock's own convenience, within a commercially reasonable period of time upon termination. Agency's termination of this Agreement for Flock's material breach of this Agreement shall not be considered a termination for convenience for the purposes of this Section 6.2.

6.3 Termination. Notwithstanding the termination provisions in Section 2.5.2, in the event of any material breach of this Agreement, the non-breaching Party may terminate this Agreement prior to the end of the Term by giving thirty (30) days prior written notice to the breaching Party; provided, however, that this Agreement will not terminate if the breaching Party has cured the breach prior to the expiration of such thirty (30) day period. Either Party may terminate this Agreement, without notice, (i) upon the institution by or against the other Party of insolvency, receivership or bankruptcy proceedings, (ii) upon the other Party's making an assignment for the benefit of creditors, or (iii) upon the other Party's dissolution or ceasing to do business. Upon termination for Flock's material breach, Flock will refund to Agency a pro-rata portion of the pre-paid fees for Services not received due to such termination.

6.4 No-Fee Term. Flock will provide Agency with complimentary access to Hotlist alerts, as further described in Section 4.2 ("**No-Fee Term**"). In the event a Non-Agency End User grants Agency access to Footage and/or notifications from a Non-Agency End User, Agency will have access to Non-Agency End User Footage and/or notifications until deletion, subject to a thirty (30) day retention policy for all products except Wing Replay, which is subject to a seven (7) day retention policy. Flock may, in their sole discretion, provide access or immediately terminate the No-Fee Term. The No-Fee Term will survive the Term of this Agreement. Flock, in its sole discretion, can determine to impose a price per No-Fee Term upon thirty (30) days' notice to Agency. Agency may terminate any No-Fee Term or access to future No-Fee Terms upon thirty (30) days' notice.

6.5 Survival. The following Sections will survive termination: 2.5, 2.6, 3, 4, 5, 6.4, 7.3, 7.4, 8.1, 8.2, 8.3, 8.4, 9.1 and 9.6.

7. REMEDY; WARRANTY AND DISCLAIMER

7.1 Remedy. Upon a malfunction or failure of Flock Hardware or Embedded Software (a "**Defect**"), Agency must notify Flock's technical support as described in Section 2.10 above. If Flock is unable to correct the Defect, Flock shall, or shall instruct one of its contractors to repair or replace the Flock Hardware or Embedded Software suffering from the Defect. Flock reserves the right in their sole discretion to refuse or delay replacement or its choice of remedy for a Defect until after it has inspected and tested the affected Flock Hardware provided that such inspection

and test shall occur within a commercially reasonable time, but no longer than seven (7) business days after Agency notifies the Flock of a known Defect. In the event of a Defect, Flock will repair or replace the defective Flock Hardware at no additional cost to Agency. Absent a Defect, in the event that Flock Hardware is lost, stolen, or damaged, Agency may request that Flock replace the Flock Hardware at a fee according to the then-current Reinstall policy (<https://www.flocksafety.com/reinstall-fee-schedule>). Agency shall not be required to replace subsequently lost, damaged or stolen Flock Hardware, however, Agency understands and agrees that functionality, including Footage, will be materially affected due to such subsequently lost, damaged or stolen Flock Hardware and that Flock will have no liability to Agency regarding such affected functionality nor shall the Usage Fee or Implementation Fees owed be impacted. Flock is under no obligation to replace or repair Flock Hardware or Agency Hardware.

7.2 Exclusions. Flock will not provide the remedy described in Section 7.1 if Agency has misused the Flock Hardware, Agency Hardware, or Service in any manner.

7.3 Warranty. Flock shall use reasonable efforts consistent with prevailing industry standards to maintain the Services in a manner which minimizes errors and interruptions in the Services and shall perform the Installation Services in a professional and workmanlike manner. Services may be temporarily unavailable for scheduled maintenance or for unscheduled emergency maintenance, either by Flock or by third-party providers, or because of other causes beyond Flock's reasonable control, but Flock shall use reasonable efforts to provide advance notice in writing or by e-mail of any scheduled service disruption.

7.4 Disclaimer. THE REMEDY DESCRIBED IN SECTION 7.1 ABOVE IS AGENCY'S SOLE REMEDY, AND FLOCK'S SOLE LIABILITY, WITH RESPECT TO DEFECTIVE EMBEDDED SOFTWARE. FLOCK DOES NOT WARRANT THAT THE SERVICES WILL BE UNINTERRUPTED OR ERROR FREE; NOR DOES IT MAKE ANY WARRANTY AS TO THE RESULTS THAT MAY BE OBTAINED FROM USE OF THE SERVICES. EXCEPT AS EXPRESSLY SET FORTH IN THIS SECTION, THE SERVICES ARE PROVIDED "AS IS" AND FLOCK DISCLAIMS ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE AND NON-INFRINGEMENT. THIS DISCLAIMER OF SECTION 7.4 ONLY APPLIES TO THE EXTENT ALLOWED BY THE GOVERNING LAW OF THE STATE MENTIONED IN SECTION 9.6.

7.5 Insurance. Flock will maintain commercial general liability policies with policy limits reasonably commensurate with the magnitude of Flock's business risk. Certificates of Insurance can be provided upon request.

7.6 Force Majeure. Parties are not responsible or liable for any delays or failures in performance from any cause beyond their control, including, but not limited to acts of God, changes to law or regulations, embargoes, war, terrorist acts, acts or omissions of third-Party technology providers, riots, fires, earthquakes, floods, power blackouts, strikes, supply chain shortages of equipment or supplies, weather conditions or acts of hackers, internet service providers or any other third Party acts or omissions. Force Majeure includes the novel coronavirus Covid-19 pandemic, and the potential spread of variants, which is ongoing as of the date of the execution of this Agreement.

8.1 Limitation of Liability. NOTWITHSTANDING ANYTHING TO THE CONTRARY, FLOCK AND ITS SUPPLIERS (INCLUDING BUT NOT LIMITED TO ALL HARDWARE AND TECHNOLOGY SUPPLIERS), OFFICERS, AFFILIATES, REPRESENTATIVES, CONTRACTORS AND EMPLOYEES SHALL NOT BE RESPONSIBLE OR LIABLE WITH RESPECT TO ANY SUBJECT MATTER OF THIS AGREEMENT OR TERMS AND CONDITIONS RELATED THERETO UNDER ANY CONTRACT, NEGLIGENCE, STRICT LIABILITY, PRODUCT LIABILITY, OR OTHER THEORY: (A) FOR ERROR OR INTERRUPTION OF USE OR FOR LOSS OR INACCURACY, INCOMPLETENESS OR CORRUPTION OF DATA OR FOOTAGE OR COST OF PROCUREMENT OF SUBSTITUTE GOODS, SERVICES OR TECHNOLOGY OR LOSS OF BUSINESS; (B) FOR ANY INDIRECT, EXEMPLARY, INCIDENTAL, SPECIAL OR CONSEQUENTIAL DAMAGES; (C) FOR ANY MATTER BEYOND FLOCK'S ACTUAL KNOWLEDGE OR REASONABLE CONTROL INCLUDING REPEAT CRIMINAL ACTIVITY OR INABILITY TO CAPTURE FOOTAGE OR IDENTIFY AND/OR CORRELATE A LICENSE PLATE WITH THE FBI DATABASE; (D) FOR ANY PUBLIC DISCLOSURE OF PROPRIETARY INFORMATION MADE IN GOOD FAITH; (E) FOR CRIME PREVENTION; OR (F) FOR ANY AMOUNTS THAT, TOGETHER WITH AMOUNTS ASSOCIATED WITH ALL OTHER CLAIMS, EXCEED THE FEES PAID AND/OR PAYABLE BY AGENCY TO FLOCK FOR THE SERVICES UNDER THIS AGREEMENT IN THE TWELVE (12) MONTHS PRIOR TO THE ACT OR OMISSION THAT GAVE RISE TO THE LIABILITY, IN EACH CASE, WHETHER OR NOT FLOCK HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. THIS LIMITATION OF LIABILITY OF SECTION 8 ONLY APPLIES TO THE EXTENT ALLOWED BY THE GOVERNING LAW OF THE STATE MENTIONED IN SECTION 9.6.

8.2 Additional No-Fee Term Requirements. IN NO EVENT SHALL FLOCK'S AGGREGATE LIABILITY, IF ANY, ARISING OUT OF OR IN ANY WAY RELATED TO THE COMPLIMENTARY NO-FEE TERM AS DESCRIBED IN SECTION 6.4 EXCEED \$100, WITHOUT REGARD TO WHETHER SUCH CLAIM IS BASED IN CONTRACT, TORT (INCLUDING NEGLIGENCE), PRODUCT LIABILITY OR OTHERWISE. Parties acknowledge and agree that the essential purpose of this Section 8.2 is to allocate the risks under the No-Fee Term described in Section 6.4 and limit potential liability given the aforementioned complimentary service, which would have been substantially higher if Flock were to assume any further liability other than as set forth herein. Flock has relied on these limitations in determining whether to provide the complementary No-Fee Term. The limitations set forth in this Section 8.2 shall not apply to claims or damages resulting from Flock's other obligations under this Agreement.

8.3 Responsibility. Each Party to this Agreement shall assume the responsibility and liability for the acts and omissions of its own employees, deputies, officers, or agents, in connection with the performance of their official duties under this Agreement. Each Party to this Agreement shall be liable (if at all) only for the torts of its own officers, agents, or employees.

Agency hereby agrees to indemnify and hold harmless Flock against any damages, losses, liabilities, settlements and expenses in connection with any claim or action that arises from an alleged violation of Section 3.1, a breach of this Agreement, Agency's Installation Obligations, Agency's sharing of any data in connection with the Flock system, Flock employees or agent or Non-Agency End Users, or otherwise from Agency's use of the Services, Flock Hardware, Agency Hardware and any Embedded Software, including any claim that such actions violate any applicable law or third Party right. Although Flock has no obligation to monitor Agency's use of the Services, Flock may do so and may prohibit any use of the Services it believes may be (or alleged to be) in violation of Section 3.1 or this Agreement.

10. MISCELLANEOUS

10.1. **Compliance With Laws.** The Agency agrees to comply with all applicable local, state and federal laws, regulations, policies and ordinances and their associated record retention schedules, including responding to any subpoena request(s). In the event Flock is legally compelled to comply with a judicial order, subpoena, or government mandate, to disclose Agency Data or Agency Generated Data, Flock will provide Agency with notice.

10.2. **Severability.** If any provision of this Agreement is found to be unenforceable or invalid, that provision will be limited or eliminated to the minimum extent necessary so that this Agreement will otherwise remain in full force and effect.

10.3. **Assignment.** This Agreement is not assignable, transferable or sublicensable by either Party, without prior consent. Notwithstanding the foregoing, either Party may assign this Agreement, without the other Party's consent, (i) to any parent, subsidiary, or affiliate entity, or (ii) to any purchaser of all or substantially all of such Party's assets or to any successor by way of merger, consolidation or similar transaction.

10.4. **Entire Agreement.** This Agreement, together with the Order Form(s), the then-current Reinstall policy (<https://www.flocksafety.com/reinstall-fee-schedule>), Deployment Plan(s), and any attached addenda are the complete and exclusive statement of the mutual understanding of the Parties and supersedes and cancels all previous written and oral agreements, communications and other understandings relating to the subject matter of this Agreement, and that all waivers and modifications must be in a writing signed by both Parties, except as otherwise provided herein. None of Agency's purchase orders, authorizations or similar documents will alter the terms of this Agreement, and any such conflicting terms are expressly rejected. In the event of any conflict of terms found in this Agreement or any other terms and conditions, the terms of this Agreement shall prevail.

10.5. **Relationship.** No agency, partnership, joint venture, or employment is created as a result of this Agreement and Agency does not have any authority of any kind to bind Flock in any respect whatsoever. Flock shall at all times be and act as an independent contractor.

10.6. **Governing Law; Venue.** This Agreement shall be governed by the laws of the State in which the Agency is located. The Parties hereto agree that venue would be proper in the chosen courts of the State of which the Agency is

located. The Parties agree that the United Nations Convention for the International Sale of Goods is excluded in its entirety from this Agreement.

10.7. **Publicity.** Upon prior consent from Agency, Flock has the right to reference and use Agency's name and trademarks and disclose the nature of the Services provided hereunder in each case in business and development and marketing efforts, including without limitation on Flock's website.

10.8. **Export.** Agency may not remove or export from the United States or allow the export or re-export of the Flock IP or anything related thereto, or any direct product thereof in violation of any restrictions, laws or regulations of the United States Department of Commerce, the United States Department of Treasury Office of Foreign Assets Control, or any other United States or foreign agency or authority. As defined in Federal Acquisition Regulation ("FAR"), section 2.101, the Services, the Flock Hardware and Documentation are "commercial items" and according to the Department of Defense Federal Acquisition Regulation ("DFAR") section 252.2277014(a)(1) and are deemed to be "commercial computer software" and "commercial computer software documentation." Flock is compliant with FAR Section 889 and does not contract or do business with, use any equipment, system, or service that uses the enumerated banned Chinese telecommunication companies, equipment or services as a substantial or essential component of any system, or as critical technology as part of any Flock system. Consistent with DFAR section 227.7202 and FAR section 12.212, any use, modification, reproduction, release, performance, display, or disclosure of such commercial software or commercial software documentation by the U.S. Government will be governed solely by the terms of this Agreement and will be prohibited except to the extent expressly permitted by the terms of this Agreement.

10.9. **Headings.** The headings are merely for organization and should not be construed as adding meaning to the Agreement or interpreting the associated sections.

10.10. **Authority.** Each of the below signers of this Agreement represent that they understand this Agreement and have the authority to sign on behalf of and bind the Parties they are representing.

10.11. **Notices.** All notices under this Agreement will be in writing and will be deemed to have been duly given when received, if personally delivered; when receipt is electronically confirmed, if transmitted by email; the day after it is sent, if sent for next day delivery by recognized overnight delivery service; and upon receipt, if sent by certified or registered mail, return receipt requested.

FLOCK NOTICES ADDRESS:

1170 HOWELL MILL ROAD, NW SUITE 210
ATLANTA, GA 30318
ATTN: LEGAL DEPARTMENT
EMAIL: legal@flocksafety.com

AGENCY NOTICES ADDRESS:

ADDRESS:
ATTN:
EMAIL:

ATTACHMENT 2

South Pasadena Police Department Duty Manual Section
430 – Automated License Plate Reader (ALPR)

Automated License Plate Readers (ALPRs)

430.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the capture, storage and use of digital data obtained through the use of Automated License Plate Reader (ALPR) technology.

430.2 ADMINISTRATION

The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates. It is used by the South Pasadena Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons. It may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Support Services Division Commander. The Support Services Division Commander will assign members under his/her command to administer the day-to-day operation of the ALPR equipment and data.

430.2.1 ALPR ADMINISTRATOR

The Support Services Division Commander shall be responsible for developing guidelines and procedures to comply with the requirements of Civil Code § 1798.90.5 et seq. This includes, but is not limited to (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

- (a) A description of the job title or other designation of the members and independent contractors who are authorized to use or access the ALPR system or to collect ALPR information.
- (b) Training requirements for authorized users.
- (c) A description of how the ALPR system will be monitored to ensure the security of the information and compliance with applicable privacy laws.
- (d) Procedures for system operators to maintain records of access in compliance with Civil Code § 1798.90.52.
- (e) The title and name of the current designee in overseeing the ALPR operation.
- (f) Working with the Custodian of Records on the retention and destruction of ALPR data.
- (g) Ensuring this policy and related procedures are conspicuously posted on the department's website.

430.3 OPERATIONS

Use of an ALPR is restricted to the purposes outlined below. Department members shall not use, or allow others to use the equipment or database records for any unauthorized purpose (Civil Code § 1798.90.51; Civil Code § 1798.90.53).

- (a) An ALPR shall only be used for official law enforcement business.

South Pasadena Police Department

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Automated License Plate Readers (ALPRs)

- (b) An ALPR may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not required before using an ALPR.
- (c) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped cars to canvass areas around homicides, shootings and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.
- (d) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
- (e) No ALPR operator may access department, state or federal data unless otherwise authorized to do so.
- (f) If practicable, the officer should verify an ALPR response through the California Law Enforcement Telecommunications System (CLETS) before taking enforcement action that is based solely on an ALPR alert.

430.4 DATA COLLECTION AND RETENTION

The Support Services Division Commander is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data. Data will be transferred from vehicles to the designated storage in accordance with department procedures.

All ALPR data downloaded to the server should be stored for a minimum of one year (Government Code § 34090.6) and in accordance with the established records retention schedule. Thereafter, ALPR data should be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action or is subject to a discovery request or other lawful action to produce records. In those circumstances the applicable data should be downloaded from the server onto portable media and booked into evidence.

430.5 ACCOUNTABILITY

All data will be closely safeguarded and protected by both procedural and technological means. The South Pasadena Police Department will observe the following safeguards regarding access to and use of stored data (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

- (a) All ALPR data downloaded to the mobile workstation and in storage shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time (Civil Code § 1798.90.52).
- (b) Members approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.

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Automated License Plate Readers (ALPRs)

- (c) ALPR system audits should be conducted on a regular basis.

For security or data breaches, see the Records Release and Maintenance Policy.

430.6 TRAINING

The Support Services Commander should ensure that members receive department-approved training for those authorized to use or access the ALPR system (Civil Code § 1798.90.51; Civil Code § 1798.90.53).

430.7 POLICY

The policy of the South Pasadena Police Department is to utilize ALPR technology to capture and store digital license plate data and images while recognizing the established privacy rights of the public.

All data and images gathered by the ALPR are for the official use of this department. Because such data may contain confidential information, it is not open to public review.

430.8 RELEASING ALPR DATA

The ALPR data may be shared only with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law, using the following procedures:

- (a) The agency makes a written request for the ALPR data that includes:
 1. The name of the agency.
 2. The name of the person requesting.
 3. The intended purpose of obtaining the information.
- (b) The request is reviewed by the Support Services Division Commander or the authorized designee and approved before the request is fulfilled.
- (c) The approved request is retained on file.

Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will be processed as provided in the Records Maintenance and Release Policy (Civil Code § 1798.90.55).



City Council Agenda Report

ITEM NO. 23

DATE: November 16, 2022

FROM: Arminé Chaparyan, City Manager *AC*

PREPARED BY: H. Ted Gerber, Director of Public Works

SUBJECT: **Adoption of a Resolution Approving a 2022 Sewer System Management Plan**

Recommendation

It is recommended that the City Council adopt a Resolution approving the 2022 Sewer System Management Plan (SSMP).

Background

The City of South Pasadena operates existing utility sewer collection services. The sewer collection system consists of approximately 58 miles of sewer pipelines and two sewer lift stations. The SSMP provides a plan and schedule to properly manage, operate, and maintain all parts of the City's sanitary sewer system – preventing potential sanitary sewer overflows (SSOs), or mitigating the impact of SSOs that occur.

Analysis

The SSMP is a California State Water Resources Control Board required document, which the City must update every five (5) years. The City has not submitted a SSMP to the State since 2009. This project is overseen by the Director of Public Works. The current Director has made this project a priority since taking the position earlier this year. The SSMP serves as an operational document that defines how the City achieves SSO compliance through the organization of staff, an operations and maintenance program, design and performance provisions, overflow emergency response, capacity assurance, monitoring and audit provisions, as well as fats, oils, and grease (FOG) control. A draft resolution adopting the SSMP is included as Attachment 1. The draft SSMP is included as Attachment 2.

Next Steps

In addition to the general requirement to implement a SSMP, the City has specific requirements related to sewer maintenance and operations that must be completed under a 2011 Consent Judgement (Attachment 3). These requirements include:

- Sewer repair work at specific locations
- Submittal of quarterly reports
- Implementation of an asset management software program

Adoption of the Sewer System Management Plan

November 16, 2022

Page 2 of 3

- A flow and capacity study
- Video analysis of the sewer system and related quarterly reports
- FOG Control Program
- Frequent inspection of locations with historic performance issues (hot spots)
- Staff Training

The City undertook a comprehensive sewer infrastructure improvement program to implement the requirements of the Consent Judgement. The Los Angeles Regional Water Quality Control Board (RWQCB) Enforcement Unit has made inquiries to the City on the status of the work related to the Consent Judgment. Specifically, the RWQCB is requesting additional information to:

- Resolve discrepancies between the completed sewer rehabilitation work and the requirements of the Consent Judgment.
- Resolve discrepancies between the completed video inspection work and the requirements of the Consent Judgment.
- Resolve discrepancies between staff inspections and staff training per the requirements of the Consent Judgment.
- Resolve the lack of submission of quarterly required reports since 2017.
- Submission of a Final Report that supplements the Project Completion Report that was submitted to the RWQCB in 2019, where the 2019 report did not provide a list or description of all the projects listed in the Consent Judgment that have been completed.

Compliance with the Consent Judgement is overseen by the Director of Public Works. The current Director has made this project a priority since taking the position earlier this year. However, staffing levels has not allowed for this to be accomplished with the current personnel. Staff is seeking assistance from a professional consultant to develop a final report that details the City's actions related to the Consent Judgement requirements, and will return to the City Council to request budget appropriation and contract approval for this task.

Fiscal Impact

There is no additional fiscal impact resulting from the implementation of the SSMP beyond what is requested the annual operating budget.

Commission Review and Recommendation

City Council's adoption of the SSMP was recommended by the Public Works Commission on February 24, 2022.

Environmental Analysis

This is an adoption of a State mandated management plan for the City's existing sanitary sewer system. Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15308, Class 8, "Actions by Regulatory Agencies for Protection of

the Environment,” this action is exempt from further review under CEQA. The development and implement of the plan is a requirement of the California State Water Resources Control Board, and is exempt from the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) because it is an action pursuant to a regulatory requirement to assure the protection of the environment, and involves procedures for protection of the environment. Furthermore, the plan applies to the City’s existing sanitary sewer collection system, where there is no expansion of use, and is therefore exempt from the CEQA analysis based on State CEQA Guidelines Section requirements under Section 21084 of the Public Resources Code, in accordance with Article 19, Section 15301, Class (1) "existing facilities."

Attachment

1. DRAFT Resolution Approving Sewer System Management Plan
2. DRAFT Sewer System Management Plan
3. 2011 Consent Judgement and Exhibits

ATTACHMENT 1
Draft Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, APPROVING A 2022 SEWER SYSTEM MANAGEMENT PLAN

WHEREAS, on May 2, 2006, the California State Water Resources Control Board adopted Order No. 2006-0003, which intended to reduce sewer system overflows (SSOs), and required all collection systems with more than one mile of sewer pipe to implement a Sewer System Management Plan (SSMP); and

WHEREAS, a SSMP provides a plan and schedule to properly manage, operate, and maintain all parts of the City's sanitary sewer system, preventing potential sanitary sewer overflows (SSOs) that can be caused by inadequate maintenance of sewer collection systems and by pipe obstructions or pipe failures, or mitigating the impact of SSOs that occur; and

WHEREAS, a SSMP must contain a spill response plan that establishes standard procedures for immediate response to an SSO in a manner designed to minimize water quality impacts and potential nuisance conditions; and

WHEREAS, a SSMP must be updated every five (5) years; and

WHEREAS, the City Council is required to approve the SSMP at a public meeting, and provide the SSMP to the California State Water Resources Control Board and the Los Angeles Regional Water Quality Control Board.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The SSMP to be approved meets the requirements of Order No. 2006-0003.

SECTION 2. The Sewer System Management Plan will be submitted to the State Water Resources Control Board and the Los Angeles Regional Water Quality Control Board, and implemented into the City of South Pasadena's operations.

SECTION 3. The City Clerk of the City of South Pasadena shall certify to the passage and adoption of this resolution and its approval by the City Council and shall cause the same to be listed in the records of the City.

PASSED, APPROVED AND ADOPTED ON this 16th day of November, 2022.

Michael A. Cacciotti, Mayor

ATTEST:

APPROVED AS TO FORM:

Desiree Jimenez, CMC
Chief City Clerk

Andrew L. Jared, City Attorney

I HEREBY CERTIFY the foregoing Resolution was duly adopted by the City Council of the City of South Pasadena, California, at a regular meeting held on the 16th day of November 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Desiree Jimenez, CMC
Chief City Clerk

ATTACHMENT 2
Draft Sewer System Management Plan (SSMP)



City of South Pasadena
Integrated Water and Wastewater Master Plan

**SEWER SYSTEM
MANAGEMENT PLAN**

DRAFT | October 2022



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City of South Pasadena
Integrated Water and Wastewater Master Plan

SEWER SYSTEM MANAGEMENT PLAN

DRAFT | October 2022



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Abbreviations

ADWF	average dry weather flow
afy	acre-feet per year
BMPs	best management practices
Carollo	Carollo Engineers, Inc.
CCTV	closed circuit television
CIP	Capital Improvement Program
City	City of South Pasadena
CIWQS	California Integrated Water Quality System
CMOM	Capacity, Management, Operation, and Maintenance
CSDLA	County Sanitation Districts of Los Angeles
d/D	depth of flow to pipe diameter ratio
EPA	Environmental Protection Agency
FOG	Fats, Oils, and Grease
fps	feet per second
FSE	Food Service Establishment
GIS	Geographic Information System
gpcd	gallons per capita per day
HTP	Hyperion Water Treatment Plant
I/I	infiltration and inflow
InfoSWMM	Stormwater Management Model
mgd	million gallons per day
MRP	monitoring reporting program
NASSCO	National Association of Sewer Service Companies
NPDES	National Pollutant Discharge Elimination Program
OES	State Office of Emergency Services
O&M	Operation and Maintenance
Order No. 2006-0003	State Water Resources Control Board Order No. 2006-0003
Order No. WQ 2013-0058-EXEC	State Water Resources Control Board Order No. WQ 2013-0058- EXEC
PACP	Pipeline Assessment Certification Program
PM	preventative maintenance
PVC	polyvinyl chloride
PWWF	peak wet weather flow
RWQCBs	Regional Water Quality Control Boards
SSMP	Sewer System Management Plan
SSRP	Sewage Spill Response Procedures

SSOs	sanitary sewer overflows
SWRCB	State Water Resources Control Board
TV	television
WDRs	waste discharge requirements

Chapter 1

INTRODUCTION

This chapter presents an overview of the need for this Sewer System Management Plan (SSMP). The City of South Pasadena's (City) previous SSMP was adopted in June 2008. This SSMP is an update to the City's existing SSMP.

1.1 Purpose

This SSMP has been prepared by Carollo Engineers, Inc. (Carollo) as part of the City's One Water 2050 Plan in order to comply with the State Water Resources Control Board (SWRCB) Order No. 2006-0003 (Order No. 2006-0003), as well as SWRCB Order No. WQ 2013-0058-EXEC (Order No. WQ 2013-0058-EXEC). Copies of Order No. 2006 0003 and Order No. WQ 2013-0058-EXEC are included in Appendix B and Appendix C, respectively.

The purpose of this SSMP is to provide a plan and schedule to properly manage, operate, and maintain all parts of the City's sanitary sewer system. This will help reduce and prevent sanitary sewer overflows (SSOs) to the extent possible, as well as mitigate any SSOs that do occur.

1.2 Service Area

The City encompasses a 3.44 square mile area in Los Angeles County, located approximately 6 miles northeast of downtown Los Angeles and approximately 2.5 miles south of the center of the City of Pasadena. As shown on Figure 1.1 the City is bordered on the north by the City of Pasadena, on the east by the City of San Marino, on the southeast by the City of Alhambra, on the west and southwest by the City of Los Angeles.

This report serves as a comprehensive SSMP and covers the City's entire collection system.

1.3 Background

Nationally, SSOs have been in the regulatory spotlight since 1995. The Environmental Protection Agency (EPA) Report to Congress (August 2004) identified the number and frequency of SSOs as a public health and water quality issue.

On May 2, 2006, the California SWRCB adopted Order No. 2006-0003, which focused on the reduction of SSOs. Order No. 2006-0003 requires that all collection systems with more than one mile of sewer pipe apply for coverage under the order by November 2, 2006.

The Los Angeles Regional Water Quality Control Board (RWQCB) has existing requirements for collection systems and SSOs. Order No. 2006-0003 supplements the existing RWQCB requirements with the intent to gradually make requirements consistent statewide.

The requirements for SSMPs are closely related to the Environmental Protection Agency's Capacity, Management, Operation, and Maintenance (CMOM) rule (published in the Federal Register in January 2001) and they constitute a best management practices (BMPs) approach to the regulation of collection systems. The SSMP elements are:

- Goals.
- Organization Structure.
- Overflow Emergency Response Plan.
- Fats, Oils, and Grease (FOG) Control Program.
- Legal Authority.
- Operation and Maintenance (O&M) Program.
- Design and Performance Provisions.
- System Evaluation and Capacity Assurance Plan.
- Monitoring, Measurement, and Program Modifications.
- SSMP Audits.
- Communication Plan.

1.4 Acknowledgements

Carollo wishes to acknowledge and thank the following staff from the City for their cooperation and courtesy in obtaining a variety of necessary information required to produce this SSMP:

- Ted Gerber (Director of Public Works).
- Anteneh Tesfaye (Deputy Director of Public Works).
- Julian Lee (former Deputy Director of Public Works).
- Garrett Crawford (former Public Works Operations Manager).
- Eddie Munoz (Street and Sewer Supervisor).

Carollo would also like to thank their staff who contributed to this SSMP:

- Inge Wiersema (Project Manager).
- Matt Huang (Project Engineer).
- Ryan Hejka (Engineer).

1.5 Reference Format

References are cited periodically throughout this report, as appropriate. Reference sources are identified by the author of the referenced document followed by the year it was published in parentheses. The reference format is provided below:

- (EPA, 2004).

A complete list of references containing detailed information concerning each reference source is provided in Appendix A.

1.6 Report Organization

This SSMP contains 12 chapters. Appendices are provided to support the information provided in the text. A brief description of the chapters is provided as follows:

- **Chapter 1 – Introduction.** This chapter provides a brief description of the need for the SSMP and a description of the report organization.
- **Chapter 2 – Goals.** This chapter discusses the goals of the City’s SSMP. These goals pertain to the operation and management of the City’s wastewater collection system with respect to SSOs.
- **Chapter 3 – Organization Structure.** This chapter identifies the City’s responsible representative for the implementation of this SSMP. It also includes an organizational chart and a chain of communication for reporting SSOs.
- **Chapter 4 – Legal Authority.** This chapter serves to confirm that the City has the authority, through ordinances, services agreements, or other legally binding procedures, to conform to the requirements of Order No. 2006-0003.
- **Chapter 5 – Operation and Maintenance Program.** This chapter contains a description of the City’s O&M program, including mapping, routine and preventative maintenance, rehabilitation, and training.
- **Chapter 6 – Design and Performance Provisions.** This chapter presents a summary of the City’s design and construction standards, as well as its standards for the inspection and testing of new sewers, pumps, and other appurtenances and for rehabilitation projects.
- **Chapter 7 – Overflow Emergency Response Plan.** This chapter contains a description of the City’s overflow emergency response plan that serves to provide measures to protect the public health and the environment in the event of an overflow.
- **Chapter 8 – FOG Control Program.** This chapter discusses the need for a FOG control program. The purpose of such a program is to limit the amount of FOG that enter the collection system to the extent feasible.
- **Chapter 9 – System Evaluation and Capacity Assurance Plan.** This chapter provides an evaluation of the City’s sanitary sewer system facilities, identifies and proposes improvements for deficiencies, identifies design criteria, and provides a Capital Improvement Program (CIP) and schedule for improvements.
- **Chapter 10 – Monitoring, Measurement, and Program Modifications.** This chapter presents a summary of the steps to be taken by the City to evaluate the effectiveness of this SSMP and update it should improvements be necessary or desirable.
- **Chapter 11 – SSMP Program Audits.** This chapter presents a summary of the procedures to be used by the City to perform internal audits.
- **Chapter 12 – Communication Program and Final Certification.** This chapter presents a summary of the steps to be taken by the City to communicate with the public on the development, implementation, and performance of the SSMP. This chapter also contains the final certification of this SSMP.

1.7 Abbreviations

To improve readability, this report includes several abbreviations. The abbreviations are spelled out in the text the first time the phrase or title is used in the report and subsequently identified by abbreviation only. A summary of the abbreviations used in this report is located in the List of Abbreviations found immediately after the Table of Contents.

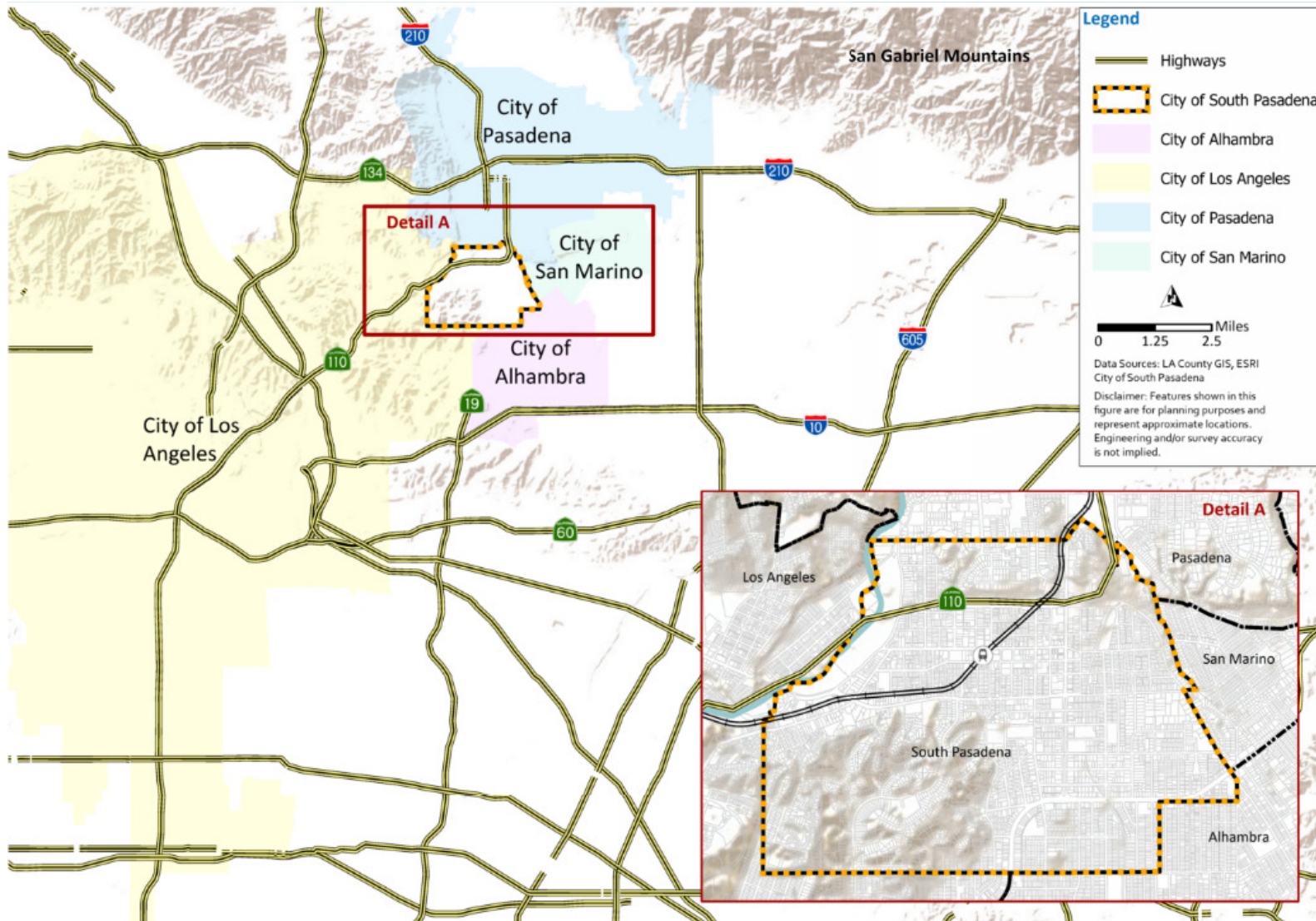


Figure 1.1 Study Area

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Chapter 2

GOALS

This chapter discusses the goals of the City's SSMP. The SSMP goals pertain to the operation and management of the City's wastewater collection system with respect to SSOs.

2.1 Regulatory Requirements

Order No. 2006-0003 establishes the goal of the SSMP as follows:

“The purpose of this SSMP is to provide a plan and schedule to properly manage, operate, and maintain all parts of the sanitary sewer system. This will help reduce and prevent SSOs, as well as mitigate any SSOs that do occur.”

2.2 SSMP Goals

This SSMP has been prepared in order to achieve the following goals:

- Properly manage, operate, and maintain all aspects and components of the City's wastewater collection system.
- Provide the wastewater collection system with adequate capacity to convey peak wastewater flows.
- Minimize the occurrence of SSOs to the extent possible.
- Mitigate the impacts that are associated with any SSO that may occur.
- Meet all regulatory requirements related to the SSMP and SSO reporting system.

2.3 Definitions

An SSO is defined as any overflow, release, discharge, or diversion of untreated or partially treated wastewater from a sanitary sewer system. There are three categories of SSOs as established by Order No. 2006-0003:

- **Category 1:** This category includes all discharges of sewage resulting from a failure in the City's sanitary sewer system that:
 - Equal or exceed 1,000 gallons, or
 - Result in a discharge to a drainage channel and/or surface water; or
 - Discharge to a storm drainpipe that was not fully captured and returned to the sanitary sewer system.
- **Category 2:** This category includes all other discharges of sewage resulting from a failure in the City's sanitary sewer system.
- **Private Lateral Sewage Discharges:** Sewage discharges that are caused by blockages or other problems within a privately owned lateral.

As part of Order No. 2006-0003, all agencies that own or operate sanitary systems greater than one mile in length that collect and/or convey untreated or partially treated wastewater to a publicly owned treatment facility are required to report Category 1 and Category 2 SSOs. The reporting of Private Lateral Sewage Discharges is optional.

SSOs include:

- Overflows or releases of untreated or partially treated wastewater that reach the waters of the United States.
- Overflows or releases of untreated or partially treated wastewater that do not reach the water of the United States.
- Wastewater backups into buildings and on private property that are caused by blockages or flow conditions within the publicly owned portion of a sanitary sewer system.

2.4 Prohibition

Order No. 2006-0003 prohibits any SSO that results in a discharge of untreated or partially treated wastewater to waters of the United States or that causes a “nuisance,” as defined in California Water Code Section 13050(m). There is no “affirmative defense” for unforeseen or unavoidable SSOs. Instead, Section D.6 of Order No. 2006-0003 includes the concept of “enforcement discretion,” and identifies seven specific factors that must be considered in an enforcement action, such as the extent to which the discharger has complied with the provisions of the WDRs. In the event of an SSO, all feasible steps should be taken to limit the released volume and prevent untreated water from entering storm drains, creeks, etc. All SSOs must be reported through a statewide online reporting system, the California Integrated Water Quality System (CIWQS) <https://www.waterboards.ca.gov/ciwqs/>.

Chapter 3

ORGANIZATION STRUCTURE

This chapter identifies the responsible representative from the City for the implementation of this SSMP. It also includes an organizational chart and a chain of communication for reporting SSOs.

3.1 Regulatory Requirement

Order No. 2006-0003 specifies that the SSMP must identify the following:

- The name of the responsible or authorized representative for the implementation of the SSMP.
- The names and telephone numbers for management, administrative, and maintenance positions responsible for implementing specific measures of the SSMP program. The SSMP must identify lines of authority through an organizational chart or similar document with a narrative explanation.
- The chain of communication for reporting SSOs, from receipt of a complaint and other information, including the person responsible for reporting SSOs to the State and Regional Water Board and other agencies if applicable (such as County Health Officer, County Environmental Health Agency, Regional Water Board, and/or State Office of Emergency Services (OES)).

3.2 Authorized Representative

The City has authorized four staff members to serve as authorized representatives. These individuals are the Director of Public Works (Ted Gerber), the Deputy Director of Public Works (Anteneh Tesfaye), the Public Works Operations Manager (Catrina Peguero), and the Street and Sewer Supervisor (Eddie Munoz).

These employees are responsible for entering spill data on CIWQS at <https://www.waterboards.ca.gov/ciwqs/>.

3.3 Organizational Hierarchy

The organizational hierarchy and contact information for the implementation of the measures specified in this SSMP are shown on Figure 3.1. A general description of those positions, as supplied by City staff, is provided in this section.

- **Director of Public Works (Ted Gerber, 626-403-7240).** The Director of Public Works, plans, manages, oversees, and directs the general organization, supervision, financial management, and efficient operation of the Public Works Department, which includes Streets, Parks, Facilities, Engineering, Water, Stormwater, Sewer, and Sustainability programs; coordinates activities with other City officials, departments, outside agencies, contractors, organizations and the public; provides responsible and complex staff support to the City Manager and City Council.

PUBLIC WORKS DEPARTMENT

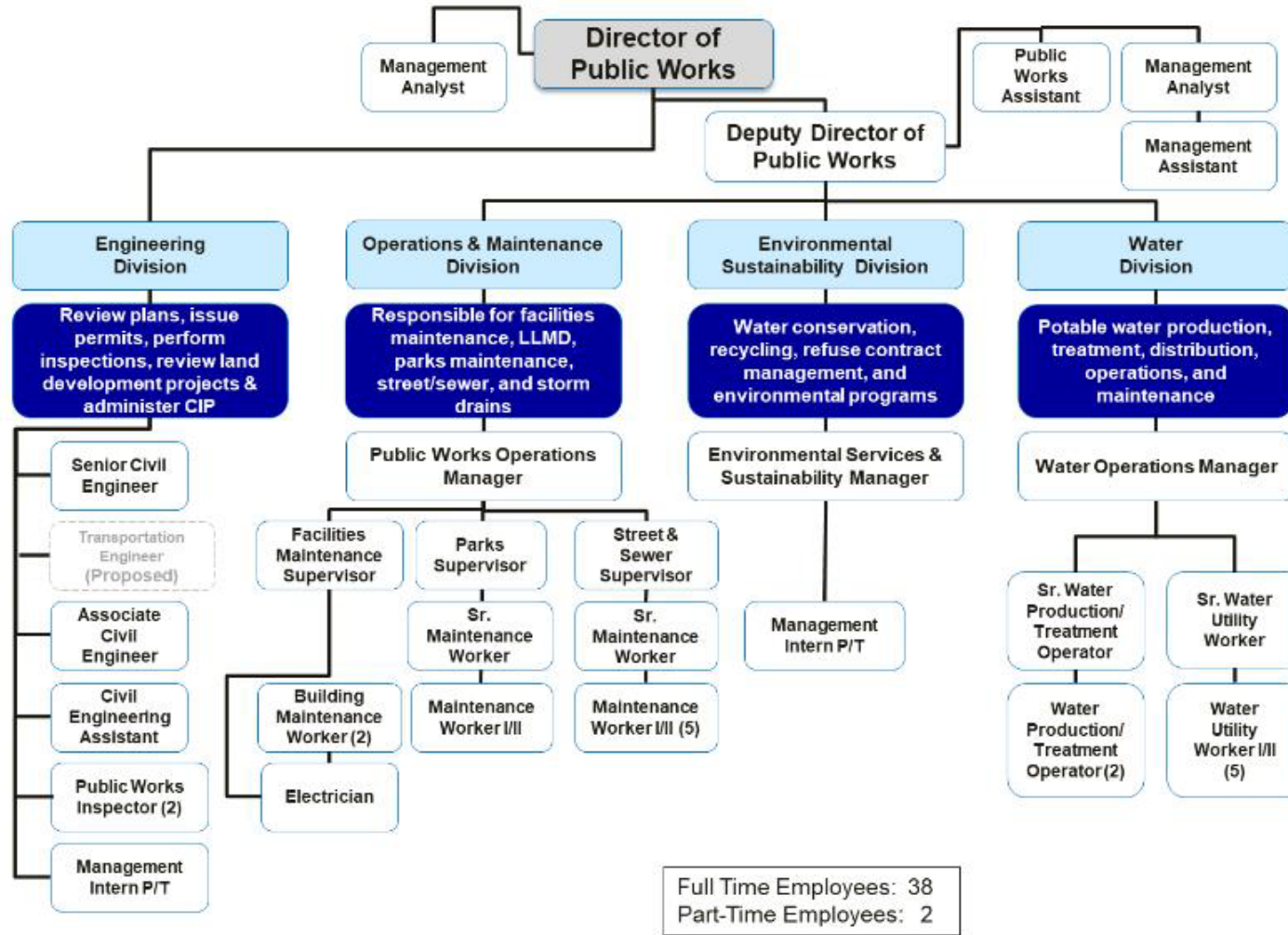


Figure 3.1 Organizational Chart

- **Public Works Assistant (Leonna DeWitt, 626-403-7243).** The Public Works Assistant provides administrative support to the Public Works Director.
- **Deputy Director of Public Works (Anteneh Tesfaye, 626-403-6393).** The Deputy Director of Public Works plans, directs, manages, and oversees the functions, programs, and operations of the Water, Sustainability, and Operations Divisions. This includes the City's, the City's wastewater collection and source control program, the City's fleet maintenance and repair operations, City facilities and grounds maintenance and repair, and the City's Safety and Health Program.
- **Public Works Operations Manager (Catrina Peguero, 626-403-7376).** The Public Works Operations Manager, under the direction of the Deputy Public Works Director, manages the Operations Division of the Public Works Department including Streets, Parks, Facilities; serves as Contract Administrator and Facilities/Property Manager overseeing all contracts and repairs for City facilities and properties; provides highly responsible administrative support to the Deputy Public Works Director.
- **Associate Civil Engineer (Tatevik Barakazyan, 626-403-7245).** The Associate Civil Engineer performs responsible professional engineering work both in the office and in the field in connection with design, development, investigation, and completion of public works projects; serves as project engineer.
- **Civil Engineering Assistant (Ariane Quizon, 626-403-7240).** The Civil Engineering Assistant, under supervision, performs technical engineering duties both in the office and in the field in the design, development, and construction of public works projects.
- **Public Works Inspectors (Dan Garcia, 626-403-7240 and Steve Ursua, 626-403-7240).** The Public Works Inspectors inspect construction projects for compliance with approved engineering standards; performs semi-skilled and technical construction inspection work for water, sewer, street and other public works construction projects; perform a variety of duties involved in inspecting the workmanship and materials used in a variety of public works construction and capital improvement projects of City infrastructure, such as encroachment, grading, landscaping, traffic control, and public safety; performs permit inspections for compliance of plans, specifications, and other standards; ensures conformance with applicable Federal, State, and local laws, codes, ordinances, plans, specifications, and departmental regulations.
- **Facilities Maintenance Supervisor (Vacant).** The Facilities Maintenance Supervisor participates in the maintenance of City buildings and the City's street lighting, signal lights, water pumping facility and other duties as required. Monitors and reviews contractors' work in janitorial services, street signals, and any other contractors engaged in repairs to City-owned facilities. The Facilities Maintenance Supervisor is also responsible for the first line supervision of employees engaged in the maintenance and repair of City buildings, equipment, furniture, plumbing and all electrical systems within the City; assigns work and reviews work of electrician and building maintenance workers.
- **Street and Sewer Supervisor (Eddie Munoz, 626-403-7375).** The Streets Supervisor plans, directs, supervises, and participates in the maintenance of the City streets and sewer collection system; and performs other related duties as required.
- **Management Assistant (Vacant).** The Management Assistant provides primary support for a department or division, performing a wide range of secretarial and clerical work; and performs other related duties as required.

- **Electrician (Vacant).** The Electrician performs skilled work in the maintenance, repair, and installation of electrical building/street lighting and control systems in the water pumping facilities; and performs other related duties as required.
- **Street and Sewer Senior Maintenance Worker (Richard Arriola).** The Streets and Sewer Senior Maintenance Worker, under general supervision, performs skilled work in one of the Public Works divisions of Streets/Sewers, Water or Parks; leads the work of a small crew or works independently; and performs other related duties as required.
- **Maintenance Worker II (Ryan Garcia, Tim Rodriguez, Nick Herrera, and Luis Ibarra).** The Maintenance Worker II performs a variety of unskilled and semi-skilled maintenance, repair, and general construction work in one of the Public Works divisions of Streets/Sewers; and performs other related duties as required.
- **Maintenance Worker I (Maizon Van Zandt).** The Maintenance Worker I performs a variety of unskilled and semi-skilled maintenance, repair, and general construction work in one of the Public Works divisions of Streets/Sewers; and performs other related duties as required.

3.4 Chain of Communication for Reporting SSOs

The City has developed procedures for responding to SSOs as discussed in Chapter 7 of the SSMP. The City's Sewage Spill Response Procedures (SSRP), shown in Appendix D, contains the procedures utilized by the City to notify the primary SSO response crews.

3.4.1 SWRCB Category 1 SSO Reporting Procedure

Order No. 2006-0003 specifies certain requirements for the reporting of SSOs. The City intends to comply with these requirements. Upon notification that a SSO has occurred, an initial report will be prepared and submitted through CIWQS. This initial report will be submitted as soon as is practicable, but no later than three business days after the City has been made aware of the SSO.

The initial report is then expanded and updated if new information on the overflow is made available. Upon review of the updated report by the City's authorized representative, it is finalized and certified on CIWQS. This final certification will be completed as soon as possible, but no later than 15 calendar days of the conclusion of SSO response and remediation.

The above reporting requirements do not preclude other emergency notification requirements and timeframes mandated by other regulatory agencies (local County Health Officers, local Director of Environmental Health, Regional Water Boards, or OES or State Law).

3.4.2 SWRCB Category 2 SSO Reporting Procedure

The requirements for the reporting of Category 2 spills by the SWRCB are far less stringent than the Category 1 requirements. Upon notification that a Category 2 spill has occurred, all information relating to that spill is gathered. Once all the data on the spill is available, a spill report is completed through CIWQS. The report is then reviewed by the City's authorized representative and submitted on CIWQS. This report will be submitted as soon as possible, but no later than 30 days after the end of the calendar month in which the SSO occurs.

3.4.3 Private Lateral SSO Reporting Procedure

If there is a private lateral SSO it may be reported at the discretion of the Public Works Director. If the private lateral SSO is reported in the SSO Database, the City must identify sewage

discharge as occurring and caused by a private lateral and a responsible party (not the City) should be identified.

3.4.4 Monthly SSO Reporting Procedure

If there are no SSOs during the calendar month, the City will provide, within 30 days after the end of each calendar month, a statement through the Online SSO Database certifying that there were no SSOs for the month. If the SSO Online Database is not available, the City must fax all required information to the appropriate Regional Water Board office. Once the Online SSO Database is back online, the City must enter all required information as soon as practical.

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Chapter 4

LEGAL AUTHORITY

This chapter serves to confirm that the City has the authority, through ordinances, services agreements, or other legally binding procedures, to conform to the requirements of Order No. 2006-0003.

4.1 Regulatory Requirement

Order No. 2006-0003 specifies the following with respect to Legal Authority:

Each Enrollee must demonstrate, through sanitary sewer system use ordinances, service agreements, or other legally binding procedures, that it possesses the necessary legal authority to:

1. Prevent illicit discharges into its sanitary sewer system (examples may include infiltration and inflow (I/I), stormwater, chemical pumping, unauthorized debris and cut roots, etc.).
2. Require that sewers and connections be properly designed and constructed.
3. Ensure access for maintenance, inspection, or repairs for portions of the laterals owned or maintained by the Public Agency.
4. Limit the discharge of FOG and other debris that may cause blockages.
5. Enforce any violation of its sewer ordinances.

4.2 Waste Discharge and Sewer Use Ordinances

In May 2009, the City updated its sewer ordinance to better reflect the SSMP requirements. The City adopted Ordinance 2186 which identifies City regulations for waste discharge and sewer use. Ordinance 2816 updated the Chapter 30 (Sewers) of the City's Municipal Code. The following subsections summarize the City's Municipal Code as it pertains to the requirements established in Order No. 2006-0003. Chapter 30 (Sewers) of the City's Municipal Code is provided in Appendix E. The full text is also available online at <https://www.codepublishing.com/CA/SouthPasadena/#!/SouthPasadena30.html>.

Based on a review of the City's Municipal Code, it is not anticipated that any additions or modifications are necessary to comply with the requirements (1 through 5) outlined in Section 4.1 of this chapter.

4.2.1 Authority to Enforce Waste Discharge and Sewer Use Regulations

Chapter 30 of the City's Municipal Code describes the City's authority to establish regulations on waste discharge and sewer use. This article states that the City is governed by various United States Government and State of California agencies. Through various Federal and State laws,

the City has been granted authority to regulate and/or prohibit direct or indirect discharges into the City's wastewater facilities. These laws include, but are not limited to, the following:

- The Clean Water Act (33 U.S.C. Section 1251 et seq).
- California Porter Cologne Water Quality Act (California Water Code Section 13000 et seq).
- California Health and Safety Codes Sections 25100 to 25250.
- Resource and Recovery Act of 1976 (42 U.S.C. Section 6901 et seq).
- California Government Code, Sections 54739 - 54740.

4.2.2 Illicit Discharges

Chapters 30.2, 30.6, and 30.7 of the City's Municipal Code provide prohibitions on certain types of wastewater discharges into the City's wastewater collection system. The following subsections summarize Article 1 Section 30, while Appendix E contains the full text of Section 30 of the City's Municipal Code.

4.2.2.1 General Waste Discharge Prohibitions

Section 30.2 provides generalized discharge prohibitions for the City's wastewater collection system. This section states:

"30.2 General prohibitions.

(a) No person shall act, or cause or permit any agent, employee, independent contractor or third party to act to construct, maintain, operate or utilize any wastewater system connection without a permit ("illicit connection"). The prohibition against illicit connection shall apply irrespective of whether the illicit connection may have been established prior to the date of enactment of the ordinance codified in this chapter, so long as the connection was illicit when established.

(b) No person shall act, or cause or permit any agent, employee, independent contractor or third party to act to cause, allow or facilitate any prohibited discharge. Nor may any person act to impair the useful functioning of such drain, channel, or natural watercourse or act to cause a public nuisance, public hazard or detrimental pollution of natural surface or subsurface water. Any excessive sewer or sewerage maintenance expenses or any other expenses attributable thereto shall be paid by the responsible entity or person.

(c) It is unlawful for any person to discharge to the wastewater system any wastewater, waste, rainwater or other unpolluted water that is prohibited by County Sanitation Districts of Los Angeles (CSDLA's) wastewater ordinance or causes a violation of stormwater regulations or any requirements of the RWQCB, Los Angeles Region. These prohibitions include, but are not limited to, prohibited rainwater, groundwater and other water discharges; prohibited industrial wastewater discharges; discharges which cause excessive sewer maintenance; prohibited and restricted waste discharges; medical and infectious wastes; and radioactive wastes.

(d) It is unlawful for any person to discharge or cause to be discharged any industrial wastewaters directly or indirectly to wastewater system owned by the city without first obtaining a permit for industrial wastewater discharge from the CSDLA. When required

by the CSDLA, this permit shall be obtained prior to commencement of any construction of new or modified facilities which will discharge industrial wastewater to the sewer.

A violation of these prohibitions shall occur irrespective of the intent of the violator to construct, maintain, operate, or utilize an illicit connection or to cause, allow or facilitate any prohibited discharge. (Ord. No. 2186, § 2, 2009.)"

4.2.2.2 Stormwater drain discharge Prohibitions

Section 30.6 provides stormwater discharge prohibitions for the City's wastewater collection system. This section states:

"30.6 Stormwater drains not to be connected with sewers.

It is unlawful for any person to connect any roof drain, cellar drain or any other drain carrying stormwater with any public sewer. (Ord. No. 2186, § 2, 2009.)"

4.2.2.3 Unauthorized Tampering

Section 30.7 provides unauthorized tampering of the City's wastewater collection system. This section states:

"30.7 Unauthorized removal of covering to manhole or flush tank.

It is unlawful for any person, except a properly authorized official or employee of the city, to remove any covering to any manhole or flush tank connected with any sewer in the city. (Ord. No. 2186, § 2, 2009.)"

4.2.3 Design and Construction Requirements

Sections 30.4 and 30.5 of the City's Municipal Code identifies the requirements for building sewers and the inspection of newly constructed building sewer connections as well as new pipe connection requirements.

4.2.3.1 General Sewer Connections

Section 30.4 describes the requirements of permitting and connecting to the City's wastewater collection system. This section states:

"30.4 Connection permits generally.

It is unlawful for any person to connect any drain or pipe with any city sewer, or discharge any drainage therein, without a permit to do so being first obtained from the city engineer, who shall charge and collect for each such permit the sum as set and adjusted by resolution of the city council. Each permit shall indicate the place at which the connection is to be made and the property to be connected, and it shall be unlawful to make any such connection with any public sewer at any other place than that designated in the permit.

Every connection made with any public sewer of the city shall be made in accordance with the engineering and public works department's standard plans and specifications.

No sewer connection shall be covered or concealed in any way until it has been inspected and approved by the director or authorized representative.

The applicant shall have the required sewer installation performed by a contractor licensed by the state to perform this type of work. Complete engineering shall be by a

registered civil engineer licensed in the state, and shall include the submission of a full set of detailed improvement plans of a scale acceptable to the director, along with appropriate plan check and inspection fees. The director reserves the right to require the contractor to televise the mains at the applicant's expense to determine acceptability. Any changes in installation shall have prior approval of the director, and the applicant shall furnish the director a complete set of as-built plans at the completion and acceptance of the installation.

The property owner shall be responsible for the construction, maintenance and repairs of all private property sewer connections to the public sewer. (Ord. No. 2186, § 2, 2009.)"

4.2.3.2 Pipe Connections

Section 30.5 describes the requirements of a pipe connection to the City's wastewater collection system. This section states:

"30.5 Pipe with which connections are made.

Pipe with which a sewer connection is made must be at least four feet below the established grade of the street at the property line. In all cases, the line of the pipe must be straight from the property line to the wye connection at the sewer main unless otherwise approved by the city engineer. Where a wye connection cannot be found, saddling may be permitted upon approval of the city engineer. (Ord. No. 2186, § 2, 2009.)"

4.2.4 Maintenance, Inspection, and Repair Access

Chapter 5 of this SSMP details the City's O&M Program. Section 30.3 of the City's Municipal Code identifies the requirements for inspection and repair access of connections the City's wastewater collection system. Section 30.3 states:

"30.3 Jurisdiction of building inspector and city engineer.

All pipes, drains and fixtures whatsoever within any building and to a point two feet outside thereof, as well as all septic tanks and cesspools and their connections to the house drains, shall be under the jurisdiction of the building inspector. The jurisdiction of the building inspector over sewer connections shall extend from a point two feet outside of the exterior wall served by such connection to the public right-of-way or easement. The city engineer shall have jurisdiction within the public right-of-way or easement. (Ord. No. 2186, § 2, 2009.)"

4.2.5 Limitations on FOG and Other Debris

The City's existing FOG control provisions are presented in Section 30 Article II of the City's Municipal Code. Chapter 8 of this report details the City's FOG Control Program.

4.2.6 Policies for Enforcing Violations

Article III which includes Sections 30.50 through 30.54 of the City's Municipal Code establishes the enforcement of the City's wastewater collection system codes. Sections 30.50 through 30.54 state:

"ARTICLE III. ENFORCEMENT

30.50 Notice of noncompliance.

The director may deliver to the owner or occupant of any private property, any permittee or any responsible party a notice of noncompliance listing the steps necessary to correct the conditions on the property causing noncompliance with the provisions of this chapter.

The director shall prepare each notice of noncompliance listing the applicable chapter provision(s), permit requirements violated, the selected compliance deadline, not to exceed ninety days, and stating that continued noncompliance may result in additional enforcement actions against the owner or occupant. The director may extend the compliance deadline an additional ninety days where good cause exists for the extension. (Ord. No. 2186, § 2, 2009.)

30.51 Administrative compliance orders.

(a) The director may issue an administrative compliance order to:

- (1) The owner or occupant of any private property requiring abatement of conditions on the property that cause or may cause discharges in violation of this chapter;
- (2) The permittee subject to the requirements of any permit issued pursuant to this chapter to ensure compliance with the terms, conditions and requirements of the permit.

(b) The administrative compliance order may include the installation of approved grease control devices. (Ord. No. 2186, § 2, 2009.)

30.52 Recovery of cost.

The director may issue to the owner or occupant of any private property, any permittee or any responsible party, who becomes subject to a notice of noncompliance or administrative order, an invoice for costs, which shall be immediately due and payable to the city for the actual costs incurred by the city in issuing and enforcing any notice or order.

If any owner or occupant, permittee or responsible party, fails to pay the invoice for costs within thirty days of the authorized inspector's deposit of the invoice for costs in the regular mail, postage prepaid, the enforcing attorney may institute collection proceedings or elect to place a lien on the property in the amount of the invoice of costs. (Ord. No. 2186, § 2, 2009.)

30.53 Compliance schedule.

Upon determination that a discharger is in noncompliance with any provisions of this chapter, the director may require the discharger to submit for review and approval a compliance schedule. If, following the compliance schedule expiration date, the

discharger fails to comply with the terms, conditions, or limitations specified in the compliance schedule, the discharger's permit, or with any provisions of this chapter, then the discharger may be subject to noncompliance fees, a probation order, a cease and desist order, and/or legal actions. (Ord. No. 2186, § 2, 2009.)

30.54 Cease and desist order.

(a) The director may order the owner or occupant of any private property, permittee or any responsible party to: (1) immediately discontinue any process water, wastewater or pollutant discharge to the wastewater system or the stormwater drainage system; (2) immediately block or divert any flow of water from the property, where the flow is occurring in violation of any provision of this chapter; and (3) immediately discontinue any other violation of this chapter. The cease and desist order may contain terms and conditions including, but not limited to, limits on rate and time of discharge, or other provisions to ensure compliance with this chapter.

(b) Notice/Hearing. When the director has reason to believe that grounds exist to issue a cease and desist order, he or she shall give written notice thereof either by personal delivery or by certified mail to the discharger setting forth the grounds for such an order, together with the time and place where the charges shall be heard.

(c) After the conclusion of the hearing, the director shall make a determination and issue a decision and order within thirty calendar days of the hearing. The written decision and order of the director shall be sent by personal delivery or by certified mail to the discharger. The order of the director shall be final in all aspects fourteen days after it is mailed to the discharger unless a request for hearing is filed with the city council.

Failure of the discharger to comply with the conditions of the cease and desist order may result in permit suspension, permit revocation, termination of service and/or legal actions. (Ord. No. 2186, § 2, 2009.)"

Chapter 5

OPERATION AND MAINTENANCE PROGRAM

This chapter contains a description of the City's O&M program, including mapping, routine and preventative maintenance, rehabilitation, and training.

5.1 Regulatory Requirement

Order No. 2006-0003 specifies that a City's SSMP must include the following elements as appropriate to the system:

- Maintain an up-to-date map of the sanitary sewer system, showing all gravity line segments and manholes, pumping facilities, pressure pipes and valves, and applicable stormwater conveyance facilities.
- Describe routine preventative operation and maintenance activities by staff and contractors, including a system for scheduling regular maintenance and cleaning of the sanitary sewer system with more frequent cleaning and maintenance targeted at known problem areas. The preventative maintenance (PM) program should have a system to document scheduled and conducted activities, such as work orders.
- Develop a rehabilitation and replacement plan to identify and prioritize system deficiencies and implement short-term and long-term rehabilitation actions to address each deficiency. The program should include regular visual and television (TV) inspections of manholes and sewer pipes, and a system for ranking the condition of sewer pipes and scheduling rehabilitation. Rehabilitation and replacement should focus on sewer pipes that are at a risk of collapse or prone to more frequent blockages due to pipe defects. Finally, the rehabilitation and replacement plan should have a capital improvement plan that addresses proper management and protection of the infrastructure assets. The plan shall include a time schedule for implementing the short- and long-term plans plus a schedule for developing the funds needed for the capital improvement plan.
- Provide training on a regular basis for staff in sanitary sewer system operations and maintenance, and require contractors to be appropriately trained.
- Provide equipment and replacement part inventories, including identification of critical parts.

5.2 Collection System Map

The City maintains a comprehensive map of its wastewater collection facilities in a Geographic Information System (GIS) format (Figure 5.1). An extensive amount of information is stored in the City's collection system GIS data. This data includes the following:

Gravity Mains and Force Mains

- Diameter.
- Status (Active or Inactive).
- Installation Date.
- Pipe Material.
- Pipe Length.
- Upstream and Downstream Invert Elevations.
- Pipe Slope.
- Lift Station that the Pipeline is Tributary to.

Manholes

- Status (Active or Inactive).
- Installation Date.
- Manhole Diameter.
- Manhole Depth.
- Influent and Effluent Pipeline Invert Elevations.
- Manhole Rim Elevation.
- Lift Station that the Manhole is Tributary to.

Lift Station

- Status (Active or Inactive).
- Installation Date.
- Lift Station Name.
- Number of Pumps.
- Lift Station Capacity.
- Address.
- Location of Lift Station (Latitude and Longitude).
- Water reclamation facility that the Lift Station is Tributary to.

The City's GIS data was created as part of the One Water 2050 Plan and will be updated periodically whenever changes to the collection system are made.

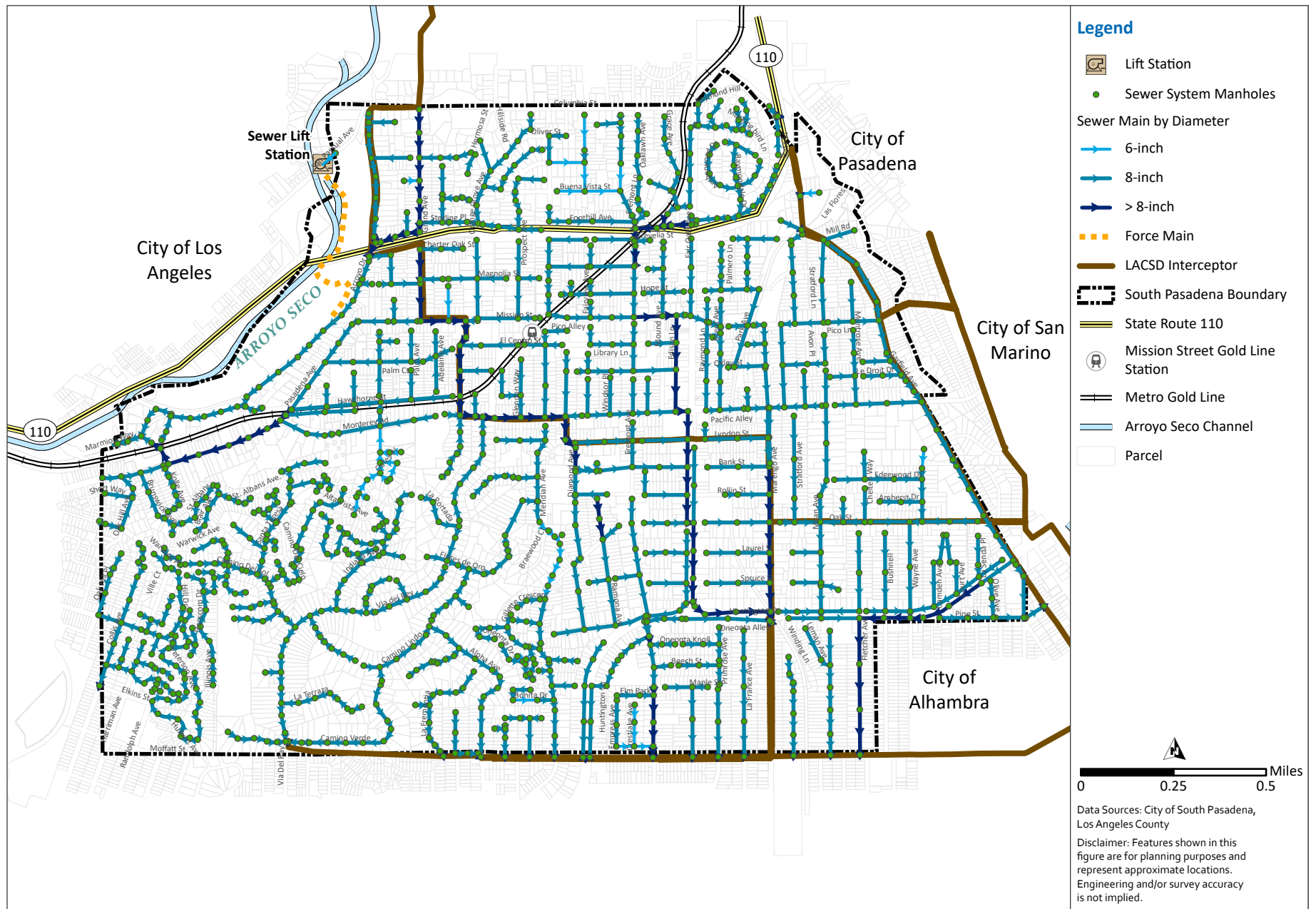


Figure 5.1 Existing Sewer System Map

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5.3 Wastewater Collection System Overview

This section provides a brief overview of the City's wastewater collection system facilities shown on Figure 5.1. A detailed description of these facilities can be found in the One Water 2050 Plan.

- **Water Treatment Plants**
 - Most of the wastewater flows from the City's wastewater collection system are routed to LACSD's Whittier Narrows WRP but can be bypassed by Whittier Narrows and sent to the Joint Water Pollution Control Plant or sent to the Los Coyotes Water Reclamation Plant. These flows are conveyed to Hyperion Water Treatment Plant (HTP) via a 42-inch interceptor which runs through the center and east border of South Pasadena. Some flows on the southwest end of the City are routed to HTP in the City of Los Angeles. The City doesn't own or operate a water treatment plant.
- **Gravity Mains**
 - The existing wastewater collection system consists of approximately 56 miles of sanitary sewer pipelines ranging in diameter from 6 inches to 18 inches which discharge into the LACSD's owned sewer interceptors.
- **Lift Station and Force Mains**
 - The City has one lift station located in Arroyo Park with one force main to pump the wastewater back to the gravity main along Arroyo Drive.

5.4 City Preventative Maintenance Program

The following subsections summarize the City's existing maintenance activities with respect to the requirements of Order No. 2006-0003.

5.4.1 Sanitary Sewer Main Line Cleaning

The City has developed a preventative maintenance program in order to manage and operate its wastewater collection facilities more efficiently. This program consists of an annual cleaning of the City's wastewater collection system using hydro jetting. Each month the City's Streets Supervisor develops a sewer cleaning map to track and plan the cleaning of the City's wastewater collection system. An example of the annual cleaning map for 2021 is presented in Appendix F.

5.4.2 CCTV Program

The City contracts closed circuit television (CCTV) inspections approximately generally every 5 to 10 years to analyze the sewer collection system which helps determine locations in need of maintenance.

5.4.3 Lift Station Maintenance Program

The City inspects its only sanitary sewer lift station on a monthly basis. Any issues uncovered during these inspections are addressed as soon as possible to ensure that the City's lift station is operating correctly.

5.5 Rehabilitation and Replacement Plan

Replacement and rehabilitation of deteriorated and capacity limited facilities is coordinated through the City's CIP.

In 2020 and 2021, the City had CCTV performed for their entire sanitary sewer system. The CCTV program had structural rating score assigned to each pipe based on the National Association of

Sewer Service Companies (NASSCO) Pipeline Assessment Certification Program (PACP). In the NASSCO PACP system, there are 5 levels of deficiencies, with Level 5 being the worst condition. The structural sewer pipe ratings were broken into 5 categories:

- **Very Poor:** Very poor pipes had two level 5 deficiencies or 20 level 4 deficiencies.
- **Poor:** Poor pipes had six level 4 deficiencies.
- **Mediocre:** Mediocre pipes had a rating of two level 4 deficiencies or 20 level 3 deficiencies.
- **Average:** Average pipes had two level 3 deficiencies or 20 level 2 deficiencies.
- **Good:** Good pipes had a one level 3 deficiency or less than 20 level 2 deficiencies.

The CCTV structural score ratings are summarized in Table 8.5 of the One Water 2050 Plan. The structural ratings for each pipe segment are presented on Figure 8.7 of the One Water 2050 Plan.

The Poor, Very Poor, and Mediocre pipes were reviewed, and the following existing and future system improvements were recommended:

Existing System:

- There were 18 projects recommended for sewer pipes with Poor and Very Poor pipeline PACP structural scores.
- 8,900 feet of pipeline with Mediocre PACP scores are estimated to need replacement or rehabilitation.

Future System:

- Consider existing costs of rehabilitation and replacement carry into the future to budget for remediation of aging pipelines.

As part of the One Water 2050 Plan, a CIP and schedule were developed with a planning horizon of 2050. Table 9.2 lists the CIP and schedule for improvements that were included in the One Water 2050 Plan. As shown in Table 9.2, the total wastewater collection systems CIP is estimated to be approximately 14.6 million dollars. More details on the wastewater collection systems CIP can be found in the One Water 2050 Plan. A summary of the City's wastewater CIP is presented on Figure 5.2 and a list of CIP projects is presented in Table 5.1.

Table 5.1 One Water 2050 Plan Rehabilitation and Repair Summary

CIP ID	Replacement Type	Diameter (in)	Length ⁽¹⁾ (ft)	Location Description
SR-1	Replace	8	440	Edgewood Drive between manhole 17E and manhole 16C
SR-2	Replace	8	200	Brent Ave between manhole 52C and manhole 55B
SR-3	Replace	8	220	Fremont Ave between manhole 95E and manhole 39B
SR-4	Replace	8	200	Garfield Ave manhole 117K and manhole 117L
SR-5	Replace	8	340	Fair Oaks Ave between manhole 48B and manhole 48C
SR-6	Replace	8	380	Marengo Ave between manhole 33E and manhole 33B
SR-7	Replace	8	200	Saint Albans Ave between manhole 119A and manhole 119K
SR-8	Replace	8	140	In easement east of Camino Del Sol between manhole 178E and manhole 178F
SR-9	Replace	8	190	In easement between Collis Ave and Harriman Ave. Between manhole 142E and manhole 189E
SL-1	Line	8	500	Laurel street between manhole 49A and manhole 49B
SL-2	Line	8	330	Stratford Ave between manhole 6D and manhole 6E
SL-3	Line	8	240	Brent Ave between manhole 52A and manhole 52B
SL-4	Line	8	410	Fair Oaks Ave between manhole 48D and manhole 48C
SL-5	Line	8	280	Donald Court between manhole 134F and manhole 13C
SL-6	Line	10	430	Marengo Ave between manhole 32A and manhole 32B
SL-7	Line	8	110	Monterey Road between manhole 105E and manhole 105D
SPR-1	Point Repair	8	100	Repair 100 feet of pipe on Chelten Way between manhole 19E and manhole 16D
SPR-2	Point Repair	8	100	Repair 100 feet of pipe in easement south of Peterson Ave between manhole 194C and manhole 194B

Notes:

(1) Length of replacement. The point repairs were assumed to be 100 feet, not the entire pipe segment length.

The City will repair immediate problems in their wastewater collection system; however, they do not directly install, rehabilitate, or replace their wastewater system. Instead, the City bids out sewer projects to outside party(s) who are managed by City staff.

5.6 Staff Training

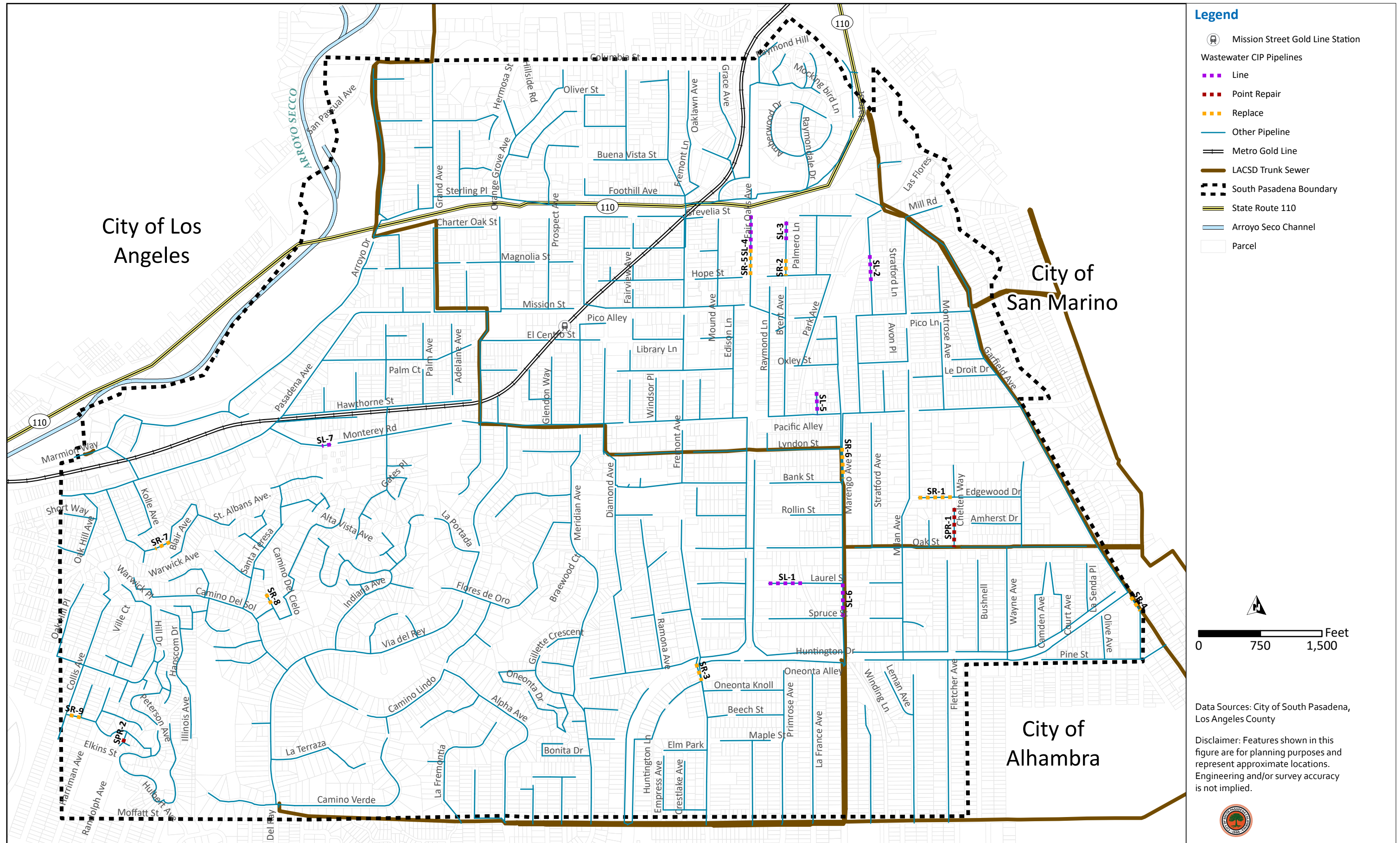
The City trains its maintenance workers through a combination of formal and informal training through workshops. Maintenance workers receive a minimum of two workshops per year. These workshops are taught through vendors and professional organizations.

Additionally, the higher-level maintenance workers are responsible for training the lower level maintenance workers on work practices and procedures. Lower level maintenance workers thereby gain valuable experience by working under and learning from the more experienced workers.

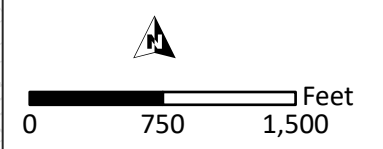
All new staff are trained on City standard operating procedures for equipment use and tasks upon hire. Specialty training on specific safety programs is provided annually.

5.7 Equipment and Replacement Part Inventories

As the City doesn't directly install, rehabilitate, or replace their wastewater system, the City does not keep spare parts in their inventories.



- Legend**
- Mission Street Gold Line Station
 - Wastewater CIP Pipelines**
 - Line
 - Point Repair
 - Replace
 - Other Pipeline
 - Metro Gold Line
 - LACSD Trunk Sewer
 - South Pasadena Boundary
 - State Route 110
 - Arroyo Seco Channel
 - Parcel



Data Sources: City of South Pasadena, Los Angeles County

Disclaimer: Features shown in this figure are for planning purposes and represent approximate locations. Engineering and/or survey accuracy is not implied.



Figure 5.2 Existing Sewer System Capital Improvement Plan

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Chapter 6

DESIGN AND PERFORMANCE PROVISIONS

This chapter presents a summary of the City's design and construction standards, as well as its standards for the inspection and testing of new sewers, pumps, and other appurtenances and for rehabilitation projects.

6.1 Regulatory Requirement

Order No. 2006-0003 specifies that a SSMP must include the following:

- Design and construction standards and specifications for the installation of new sanitary sewer systems, pump stations, and other appurtenances; and for the rehabilitation and repair of existing sanitary sewer systems.
- Procedures and standards for inspecting and testing the installation of new sewers, pumps, and other appurtenances and for rehabilitation and repair projects.

6.2 Design Standards and Specifications

The City currently doesn't have a set of Standard Specifications and Drawings; however, the City is in the process of creating these drawings. The drawings will contain the City's requirements for the design and construction of sanitary sewer facilities. Design criteria for wastewater facilities is included as part of the One Water 2050 Plan.

6.2.1 Design Requirements

This section summarizes the City's sewer design requirements as presented in the One Water 2050 Plan. For a more detailed account of the City's design requirements, refer to Chapter 4 of the City's One Water 2050 Plan.

6.2.1.1 Mainline Size

The minimum pipe diameter for public collection sewers in the City is 8 inches, unless a smaller pipeline size is authorized by the City. When sizing new sewer pipelines, it is common practice to adopt variable flow depth criteria for various pipe sizes. Design depth of flow to pipe diameter ratio (d/D) ratios typically range from 0.5 to 0.92, with the lower values typically used for smaller pipes, which may experience flow peaks greater than design flow or blockages from debris, paper, or rags. For pipelines 8-inches in diameter and smaller, the maximum d/D value is 0.67 or 67 percent of the pipeline depth. For pipelines 12-inches and larger, the maximum d/D is 0.75.

6.2.1.2 Manning's Coefficient

The Manning coefficient 'n' is a friction coefficient and varies with respect to pipe material, size of pipe, depth of flow, smoothness of joints, root intrusion, and other factors. The assumptions in the One Water 2050 Plan specify that a Manning's roughness coefficient (n) of 0.013 be used for the design of sewer facilities in the City.

6.2.1.3 Design Velocities and Minimum Slope

To minimize the settlement of sewage solids, it is standard practice in the design of gravity sewers to specify that a minimum velocity of 2 feet per second (fps) be maintained when the pipeline is half-full. At this velocity, the sewer flow will typically provide self-cleaning for the pipe. Due to hydraulics of a circular conduit, velocity of half-full flow in pipes approaches the velocity of nearly full flow in pipes. Table 6.1 lists the recommended minimum slopes and their corresponding maximum flows for maintaining self-cleaning velocities (equal to or greater than 2 fps) when the pipe is flowing at its maximum depth (d/D ratio).

6.2.1.4 Minimum Cover

The minimum cover for sewer pipes is seven feet. City approval must be obtained if a shallower depth is needed. Additionally, the City may require greater cover depths, if necessary, to extend the sewer to other areas.

Table 6.1 Minimum Slopes for New Circular Pipes

Sewer Size (inches)	Minimum Pipe Slope (foot/foot)
8	0.004
10	0.003
12	0.0024
15	0.0017
18	0.0014
21	0.0011
24	0.0010

6.2.1.5 Manhole Requirements

The following summarizes the City’s requirements for the installation of sanitary sewer manholes:

- Manholes must be installed at all changes in pipe slope, diameter, alignment, and all intersections of main sewers.
- The maximum manhole spacing is 400 feet. For curved sewers, the maximum spacing is 300 feet.
- The minimum drop across a manhole for pipes with less than a 7.5 percent slope is 0.10 feet. For pipe slopes greater than 7.5 percent, the following equation is used:

$$\text{Manhole Drop} = (S1 + S2)(D1 + D2)$$

Where:

- S1 = Invert slope entering manhole, feet/feet
- S2 = Invert slope leaving manhole, feet/feet
- D1 = Diameter of inlet pipe
- D2 = Diameter of outlet pipe

- When a smaller sewer joins a larger one, the crown elevations should be matched.
- The City must approve drop manholes for pipe sizes over 15 inches.
- The minimum inside diameter of a manhole is 48 inches (4 feet).

- Five-foot diameter manholes are required when sewer depths are greater than 12 feet, when more than two sewer mains or laterals are connected to the manhole, and for pipe sizes greater than 18 inches.
- Manholes connected to steeply sloped pipes shall be polyvinyl chloride (PVC)-lined and provided with a sealed lid.
- Manholes in non-paved areas must have a 10-foot by 10-foot paved area surrounding them.

6.2.1.6 Other Miscellaneous Considerations

The City's design standards identify other requirements for the design of sanitary sewer facilities. These include requirements for the horizontal alignment of sewers, the requirements for curved sewers, service laterals, inverted siphons, easements, and CCTV inspection. Final inspection of all sewer lines is performed using CCTV. The contractor shall repair, at its own expense, any defects, should they be observed, to the satisfaction of the City.

6.2.2 Inspection Requirements

The City requires new sewer connections to obtain a permit from Public Works and undergo an inspection by City sewer staff prior to completion of the installation.

6.2.3 Standard Drawings

The City currently doesn't have a set of Standard Specifications and Drawings; however, the City is in the process of creating these drawings. The City's sewer standard drawings will be included in the next update to this SSMP.

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Chapter 7

OVERFLOW EMERGENCY RESPONSE PLAN

This chapter contains a description of the City's overflow emergency response plan that serves to provide measures to protect the public health and the environment in the event of an overflow.

7.1 Regulatory Requirements

Order No. 2006-0003 specifies that a SSMP must include an Overflow Emergency Response Program that includes, at a minimum, the following:

- Proper notification procedures so that the primary responders and regulatory agencies are informed of all SSOs in a timely manner.
- A program to ensure an appropriate response to all overflows.
- Procedures to ensure prompt notification to appropriate regulatory agencies and other potentially affected entities (e.g., health agencies, Regional Water Boards, water suppliers, etc.) of all SSOs that potentially affect public health or reach the waters of the State in accordance with the monitoring reporting program (MRP), the California Water Code, other State Law, and other applicable Regional Water Board waste discharge requirements (WDRs) or National Pollutant Discharge Elimination Program (NPDES) permit requirements. The SSMP should identify the officials who will receive immediate notification.
- Procedures to ensure that appropriate staff and contractor personnel are aware of and follow the Emergency Response Plan and are appropriately trained.
- Procedures to address emergency operations, such as traffic and crowd control and other necessary response activities.
- A program to ensure that all reasonable steps are taken to contain and prevent discharge of untreated or partially treated wastewater to waters of the United States and to minimize or correct any adverse impact of the environment resulting from the SSOs, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the discharge.

7.2 Sewer Spill Response Plan

The City has prepared a SSRP, which provides information on procedures to be followed by City staff in the event of a SSO (Appendix D).

7.3 Primary Notification Procedures

Section 3 of the City's SSRP contains the procedures that the City follows in the event of a SSO. This includes the procedures utilized during normal working hours, as well as weekends, holidays, and after hours. These procedures are included in Appendix D and are summarized in Section 3.4 of this SSMP.

7.4 SSO Response Plan

The City's SSRP contains procedures that are used to promote an appropriate response to SSOs that occur within the City's service boundary. Figure 7.1 is a flow chart that response crews follow while responding to a SSO. This flow chart is provided in the SSRP and provides a general response procedure for SSO response teams. In general, the field responder's duties are grouped into the following categories:

- First Responder Responsibilities.
- Identify and Relieve the Cause of the Spill.
- Spill Containment and Recovery.
- Cleanup and Disinfection.
- Spill Documentation.

A detailed description of individual tasks to be performed by the response crew is included in Appendix D.

7.5 Notification of Regulatory Agencies

If a SSO has occurred, the Maintenance Superintendent starts to notify the appropriate regulatory agencies and other impacted agencies in accordance with the City's SSRP (Appendix D).

Notification of the SWRCB is performed through the CIWQS. On CIWQS, the SSO reporting procedure is dependent upon the type and volume of spill that has occurred. The City is required to use this reporting system to submit SSO spill reports, should they occur, or no spill certification reports. A description of the Category 1 and Category 2 SSO reporting procedure is provided in Appendix D and is summarized in the flow chart on Figures 7.2a and 7.2b.

7.6 Emergency Response Plan Awareness and Training

Section 7 of the City's SSRP stipulates that appropriate City personnel, including management, collection systems, wastewater treatment, engineering, and public information personnel, receive a copy of the SSRP and be informed and trained on its provisions.

Appendix D of the City's SSRP identifies steps to be taken by the City's SSO response crew. The first responder to a SSO should take steps to establish an appropriate perimeter around the spill site. This will prevent disruption of the response crew by vehicle traffic, pedestrians, and other factors that may interrupt the crew's ability to effectively respond to a SSO.

7.7 SSO Surface Water Impact Mitigation Program

Should a SSO result in a discharge to the waters of the United States, the City should take all feasible steps to avoid the degradation of this body of water. These steps will vary on a case-by-case basis.

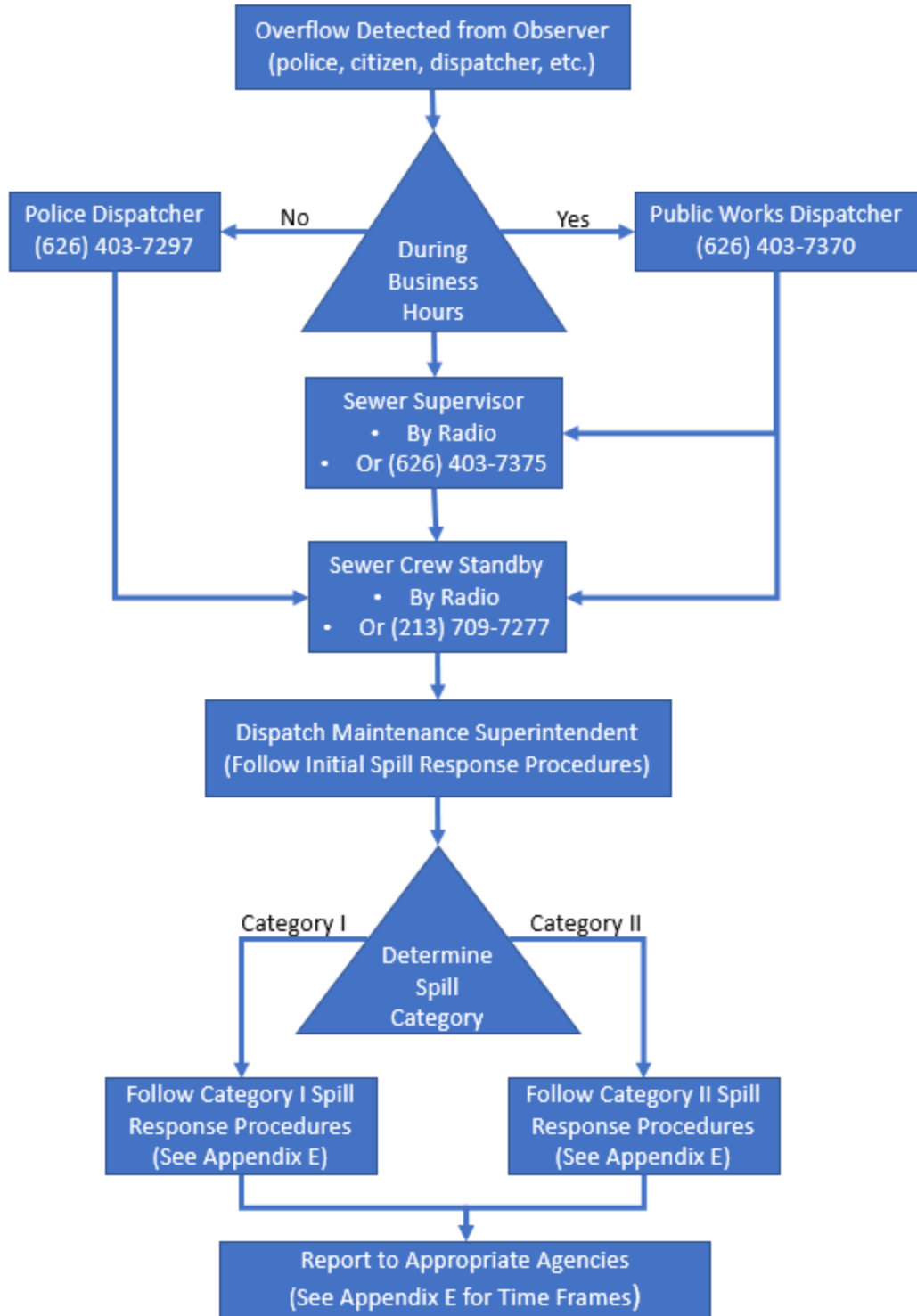
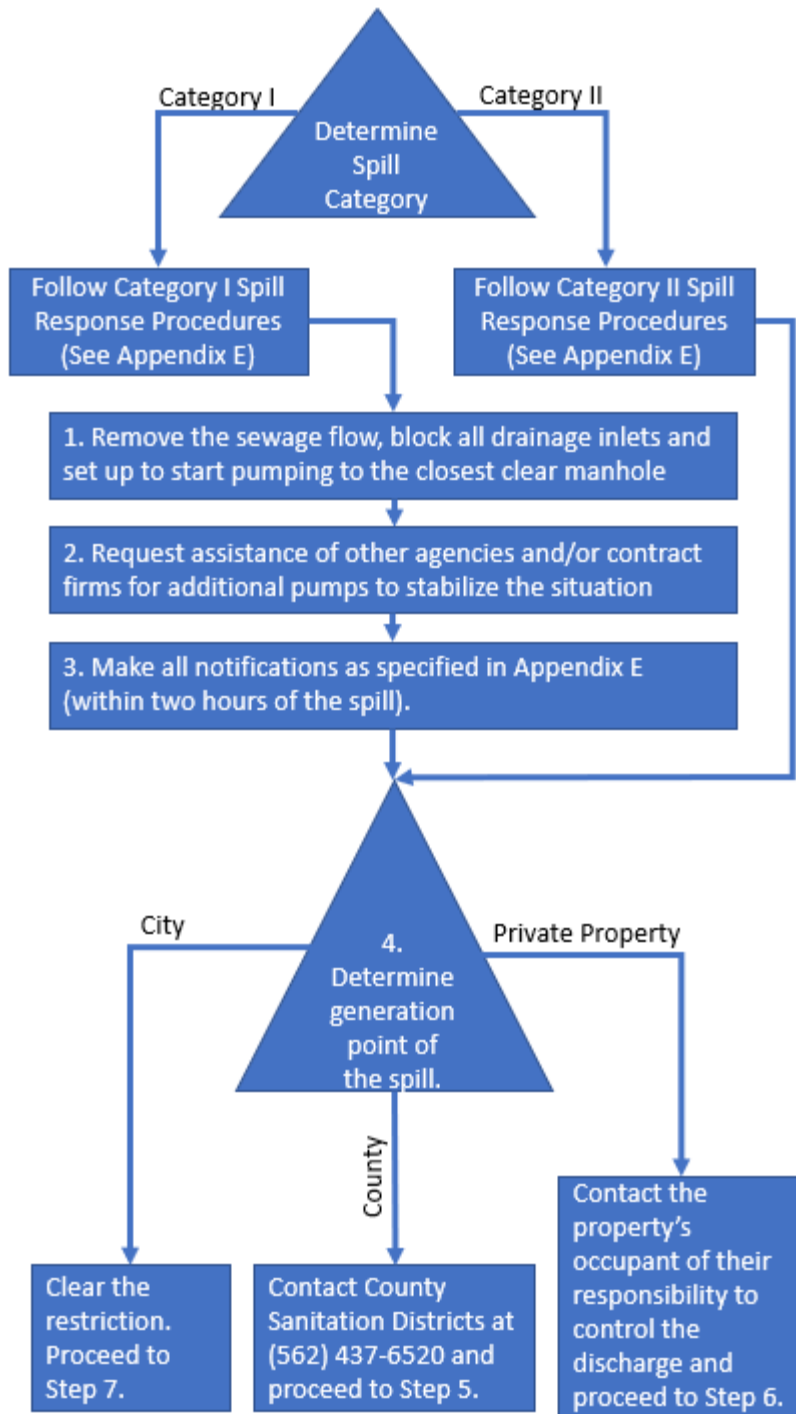


Figure 7.1 Sewage Spill Response Procedures (SSRP) Flow Chart



Flow Chart Continues on the Following Page

Figure 7.2a Sewage Spill Response Procedures (SSRP) Flow Chart

Flow Chart Continues from the Previous Page

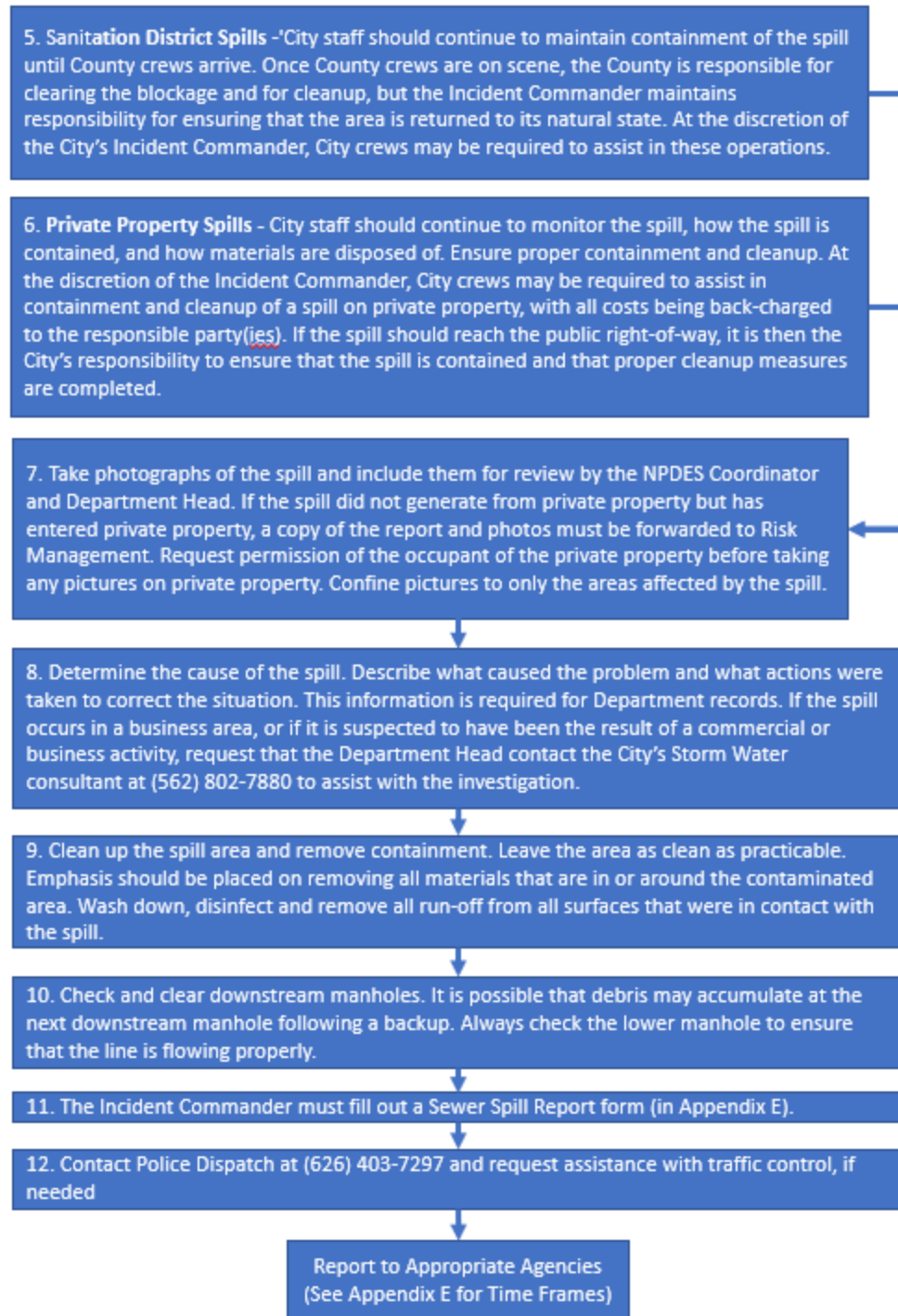


Figure 7.2b Sewage Spill Response Procedures (SSRP) Flow Chart

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Chapter 8

FOG CONTROL PROGRAM

This chapter discusses the need for a FOG control program. The purpose of such a program is to limit the amount of fats, oils, and greases that enter the collection system to the extent feasible.

8.1 Regulatory Requirements

Order No 2006-0003 specifies that each SSMP must include an evaluation of the service area of the City to determine whether a FOG control program is needed. If no FOG program is needed, justification for why it is not needed must be provided. If FOG is considered to be a problem, a FOG source control program must be prepared and implemented, including the following as appropriate:

- An implementation plan and schedule for a public education outreach program that promotes the proper disposal of FOG.
- A plan and schedule for the disposal of FOG generated within the sanitary sewer system service area. This may include a list of acceptable disposal facilities and/or additional facilities needed to adequately dispose of FOG generated within a sanitary sewer system service area.
- The legal authority to prohibit discharges into the system and identify measures to prevent SSOs and blockages caused by FOG.
- Requirements to install grease removal devices (such as traps or interceptors), design standards for the removal devices, maintenance requirements, BMP requirements, record keeping and reporting requirements.
- Authority to inspect grease producing facilities, enforcement authorities, and whether the Enrollee has sufficient staff to inspect and enforce the FOG ordinance.
- An identification of sanitary sewer system sections subject to FOG blockages and establishment of a cleaning maintenance schedule for each section.
- Development and implementation of source control measures for all sources of FOG discharged into the sanitary sewer system.

8.2 FOG Control Plan

Based on discussions with City staff familiar with the operation and management of the City's wastewater collection systems, it has been determined that FOG is not a major maintenance issue for the City. The City has not identified any specific areas in the system that are routinely affected by FOG, and in areas where FOG is encountered, it is usually due to another problem, such as root intrusion. For this reason, it is concluded that a formal FOG Control Plan is not necessary. The City, however, has already implemented several FOG control measures, which are discussed in the following section.

Should the City identify FOG as a major maintenance issue in the future, steps would be taken to study the effects of FOG in the City more thoroughly and prepare and develop a formal FOG Control Plan. Such a program would likely consist of source control measures, inspection of FOG producing facilities, requiring grease interceptor maintenance records be submitted to the City, FOG outreach programs, and BMP requirements.

8.3 Existing FOG Control Measures

The City's existing FOG control provisions are presented in Section 30 Article II of the City's Municipal Code (Appendix E). This article establishes a FOG Control Program for the City. Section 30 Article II includes Sections 30.20 through 30.37 which state:

"ARTICLE II. FOG CONTROL PROGRAM

30.20 FOG discharge requirement.

No Food Service Establishment (FSE) shall discharge or cause to be discharged into the sewer system FOG that exceeds a concentration level adopted by a regulatory agency or that may accumulate and/or cause or contribute to blockages in the sewer system or at the sewer system lateral which connects the FSE to the sewer system. (Ord. No. 2186, § 2, 2009.)

30.21 FOG prohibitions.

The following prohibitions shall apply to all FSEs:

- (a) No person shall discharge, or cause to be discharged any wastewater from FSEs directly or indirectly into the sewer system without first obtaining a FOG wastewater discharge permit pursuant to this chapter.
- (b) Discharge of any waste, including FOG and solid materials removed from the grease control device to the sewer system, is prohibited.
- (c) The installation and use of food grinders shall be prohibited in all new food service establishments that are located in new or existing buildings, in all existing food service establishments undergoing remodeling, and in all existing food preparation and service establishments undergoing remodeling or a change in operations such that they would become a commercial kitchen.
- (d) Introduction of any additives into a food service establishment's wastewater system for the purpose of emulsifying or biologically/chemically treating FOG for grease remediation or as a supplement to interceptor maintenance, unless a specific written authorization from the director is obtained.
- (e) Disposal of waste cooking oil into drainage pipes.
- (f) The discharge of wastewater from dishwashers to any grease traps or grease interceptor.
- (g) Discharge of wastewater with temperature in excess of one hundred forty degrees Fahrenheit to any grease control device, including grease traps and grease interceptors.

(h) Discharge of wastes from toilets, urinals, wash basins, and other fixtures containing fecal material to sewer lines intended for grease interceptor service, is prohibited.

(i) A grease removal device should not be considered properly maintained if for any reason it is not in good working condition, or if sand, oil, sludge, and grease accumulations total more than twenty-five percent of the operative fluid capacity.

(j) The discharge of any waste or FOG to the sewer system in a manner which either violates the California SWRCB's Sewer WDRs or causes or contributes to condition which fails to comply with any of the provisions of the sewer WDRs is prohibited. (Ord. No. 2186, § 2, 2009.)

30.22 FOG wastewater discharge permit required.

(a) FSEs proposing to discharge or currently discharging wastewater containing FOG into the city's sewer system shall obtain a FOG wastewater discharge permit from the city within either (1) one hundred eighty days from the effective date of the ordinance codified in this chapter. or (2) at the time any FSE applies for or renews its annual business license from the city. Compliance with this chapter must be demonstrated at the time any business license is issued, provided that the director may extend the compliance date for no more than ninety days after the date of the issuance of the license.

(b) FOG wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other regulations, charges for use, and fees established by the city. The conditions of FOG wastewater discharge permits shall be enforced by the city in accordance with this chapter and applicable state and federal regulations.

(c) The city shall not issue a certificate of occupancy for any new construction, or occupancy unless a FSE has fully complied with the provisions of this chapter. (Ord. No. 2186, § 2, 2009.)

30.23 FOG wastewater discharge permit application.

Any person required to obtain a FOG wastewater discharge permit shall complete and file with the city prior to commencing discharges, an application in a form prescribed by the director and shall provide the city such information and documents as the director determines is necessary and appropriate to properly evaluate the application. The applicable fees shall accompany this application. After evaluation of the data furnished, the director may issue a FOG wastewater discharge permit, subject to terms and conditions set forth in this chapter and as otherwise determined by the director to be appropriate to protect the city's sewer system. (Ord. No. 2186, § 2, 2009.)

30.24 FOG wastewater discharge permit conditions.

The issuance of a FOG wastewater discharge permit may contain any of the following conditions or limits as determined by the director:

- (a) Limits on discharge of FOG and other priority pollutants.
- (b) Requirements for proper O&M of grease interceptors and other grease control devices.
- (c) Grease interceptor maintenance frequency and schedule.
- (d) Requirements for implementation of best management practices and installation of adequate grease interceptor and/or grease control device.
- (e) Requirements for maintaining and reporting status of best management practices.
- (f) Requirements for maintaining and submitting logs and records, including waste hauling records and waste manifests.
- (g) Requirements to self-monitor.
- (h) Requirements for the FSE to construct, operate and maintain, at its own expense, FOG control device and sampling facilities.
- (i) Consent by the operator of the FSE for the city and other regulatory agencies to inspect the FSE to confirm compliance with this chapter, the NPDES permit and other applicable laws, rules and regulations, including any NPDES permit applicable to the city.
- (j) Additional requirements as otherwise determined to be reasonably appropriate by the director to protect the city's system or as specified by other regulatory agencies.
- (k) Other terms and conditions, which may be reasonably applicable to ensure compliance with this chapter as determined by the director. (Ord. No. 2186, § 2, 2009.)

30.25 FOG wastewater discharge permit fee.

The FOG wastewater discharge permit fee shall be paid by the applicant in an amount adopted by resolution of the city council. Payment of permit fees must be received by the city prior to issuance of either a new permit or a renewed permit. A permittee shall also pay any delinquent invoices in full prior to permit renewal. (Ord. No. 2186, § 2, 2009.)

30.26 FOG wastewater discharge permit modifications of terms and conditions.

- (a) The terms and conditions of an issued permit may be subject to modification and change by the sole determination of the director during the life of the permit based on:
 - (1) The discharger's current or anticipated operating data.
 - (2) The city's current or anticipated operating data.

- (3) Changes in the requirements of regulatory agencies which affect the city, or
 - (4) A determination by the director that such modification is appropriate to further the objectives of this chapter.
- (b) The permittee may request a modification to the terms and conditions of an issued permit. The request shall be in writing stating the requested change, and the reasons for the change. The director shall review the request, make a determination on the request, and respond in writing.
 - (c) The permittee shall be informed of any change in the permit limits, conditions, or requirements at least forty-five days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance. (Ord. No. 2186, § 2, 2009.)

30.27 FOG wastewater discharge permit duration and renewal.

FOG wastewater discharge permits shall be issued for a period not to exceed five years. Upon expiration of the permit, the discharger shall apply for renewal of the permit in accordance with the provisions of this chapter. (Ord. No. 2186, § 2, 2009.)

30.28 Exemption from FOG wastewater discharge permit.

A limited food preparation establishment is not considered a FSE for the purposes of this chapter and is exempt from obtaining a FOG wastewater discharge permit. Exempted establishment shall be engaged only in reheating, hot holding or assembly of ready to eat food products and as a result, there is no wastewater discharge containing significant amount of FOG. A limited food preparation establishment does not include any operation that changes the form, flavor, or consistency of food. (Ord. No. 2186, § 2, 2009.)

30.29 Nontransferability of permits.

- (a) FOG wastewater discharge permits issued under this chapter are for a specific FSE, for a specific operation and create no vested rights.
- (b) No permit holder shall assign, transfer or sell any FOG wastewater discharge permit issued under this chapter nor use any such permit for or on any premises or for facilities or operations or discharges not expressly encompassed within the underlying permit.
- (c) Any permit, which is transferred to a new owner or operator or to a new facility, is void. (Ord. No. 2186, § 2, 2009.)

30.30 Best management practices required.

All FSEs shall implement best management practices in its operation to minimize the discharge of FOG to the sewer system.

- (a) Installation of Drain Screens. Drain screens shall be installed on all draining pipes in food preparation areas. Clean drain screens frequently by placing the collected material in the garbage.
- (b) Disposal of Food Waste. All food waste shall be disposed of directly into the trash or garbage and not in sinks.
- (c) Segregation and Collection of Waste Cooking Oil. Licensed waste haulers or an approved recycling facility must be used to dispose of waste cooking oil.
- (d) Maintenance of Kitchen Exhaust Filters. Filters shall be cleaned as frequently as necessary to be maintained in good operating condition. The wastewater generated from cleaning the exhaust filters shall be disposed properly.
- (e) Kitchen Signage. Best management and waste minimization practices shall be posted conspicuously in the food preparation and dishwashing areas at all times.
- (f) Employee Training. Employees of the food service establishment shall be trained by ownership within one hundred eighty days of notification, and twice each calendar year thereafter, on the following subjects:
 - (1) How to “dry wipe” pots, pans, dishware, and work area before washing to remove grease.
 - (2) How to properly dispose of food waste and solids in enclosed plastic bags prior to disposal in trash bins or containers to prevent leaking and odors.
 - (3) The location and use of absorption products to clean under fryer baskets and other locations where grease may be spilled or dripped.
 - (4) How to properly dispose of grease or oils from cooking equipment into a grease receptacle such as a barrel or drum without spilling.

Training shall be documented, and employee signatures retained indicating each employee’s attendance and understanding of the practices reviewed. Training records shall be available for review at any reasonable time by or other authorized inspector. (Ord. No. 2186, § 2, 2009.)

30.31 FSEs FOG pretreatment required.

FSEs shall install an approved grease control device and regularly maintain it so as to prevent excessive discharges of grease and oil into the public sewer. Exceptions to the installation of a grease and oil interceptor shall be determined on a case-by-case basis by the director. (Ord. No. 2186, § 2, 2009.)

30.32 FOG pretreatment required for new construction of food service establishments.

All new construction of food service establishments and those undergoing a significant remodel shall install a grease interceptor prior to commencing discharge of wastewater to sewer system. (Ord. No. 2186, § 2, 2009.)

30.33 Variance and waiver of grease interceptor requirement.

(a) Variance from Grease Interceptor Requirements. A variance or a conditional waiver from the grease interceptor requirements on such terms and conditions as may be established by the director, consistent with the requirements of the sewer WDRs, the city's FOG control program, and best construction, engineering, environmental and health and safety practices, to: (1) allow alternative pretreatment technology that is, at least, equally effective in controlling the FOG discharge in lieu of a grease interceptor, may be granted by the director to FSEs demonstrating to the director's satisfaction that it is impossible to install, operate or maintain a grease interceptor. or (2) where the FSE demonstrates to the director's satisfaction that any FOG discharge from the FSE is negligible and will have an insignificant impact to the sewer system.

(b) Waiver from Grease Interceptor Installation with a Grease Disposal Mitigation Fee. For FSEs where the installation of grease interceptor is not feasible and no equivalent alternative pretreatment can be installed, a waiver from the grease interceptor requirement may be granted with the imposition of a grease disposal mitigation fee as described in section 30.34. The director's determination to grant the waiver with a grease disposal mitigation fee will be based upon such considerations that the director determines to be appropriate and consistent with the sewer WDRs, the city's FOG control program, and best construction, engineering, environmental and health and safety practices. Provided, however, that a grease interceptor will be installed when the FSE undergoes a significant remodel. No discretionary permit, including but not limited to a conditional use permit, shall be issued to a FSE unless the applicant can demonstrate that a grease interceptor has been or will be installed at the FSE.

(c) Application for Waiver or Variance of Requirement for Grease Interceptor. A FSE may submit an application for waiver or variance from the grease interceptor requirement to the director. Terms and conditions for issuance of a variance to a FSE shall be set forth in the permit. A waiver or variance may be revoked at any time when any of the terms and conditions for its issuance is not satisfied or if the conditions upon which the waiver was based change so that the justification for the waiver no longer exists. (Ord. No. 2186, § 2, 2009.)

30.34 Grease disposal mitigation fee.

(a) FSEs that operate without a grease control interceptor may be required to pay an annual grease disposal mitigation fee to equitably cover the costs of increased maintenance and administration of the sewer system as a result of the FSEs' inability to adequately remove FOG from its wastewater discharge. This section shall not be interpreted to allow a new FSE, or existing FSEs undergoing remodeling or change in operations, to operate without an approved grease interceptor unless the director has

determined that it is impossible to install or operate a grease control interceptor for the FSE under the provisions of this chapter.

(b) The grease disposal mitigation fee shall be established by resolution of the city council, and shall be based on the estimated annual increased cost of maintaining the sewer system for inspection and removal of FOG and other viscous or solidifying agents attributable to the FSE resulting from the lack of a grease interceptor or grease control device and such other costs that the city council considers appropriate.

(c) The grease disposal mitigation fee may not be waived or reduced when the FSE does not comply with the minimum requirements of this chapter. (Ord. No. 2186, § 2, 2009.)

30.35 Grease interceptor maintenance requirements.

(a) Grease interceptors shall be maintained in efficient operating condition by periodic removal of the full content of the interceptor which includes wastewater, accumulated FOG, floating materials, sludge and solids.

(b) Wastewater, accumulated FOG, floating material, sludge/solids, and other materials removed from the grease interceptor shall be disposed off site properly by waste haulers in accordance with federal, state and/or local laws.

(c) Grease interceptors shall be fully pumped out and cleaned on a quarterly basis. The agency may change the maintenance frequency at any time to reflect changes in actual operating conditions in accordance with the FOG control program. Based on the actual generation of FOG from the food service establishment, the maintenance frequency may increase or decrease.

(d) The permittee shall be required to keep all documents identified by the director relating to its compliance with this chapter, including manifests, receipts and invoices of all cleaning, maintenance, grease removal of/from the grease control device, disposal carrier and disposal site location for no less than two years. The permittee shall, upon request, make the manifests, receipts and invoices available to any city representative, or inspector.

(e) If the grease interceptor, at any time, contains excess FOG and solids accumulation the FSE shall be required to have the grease interceptor serviced immediately such that all fats, oils, grease, sludge, and other materials are completely removed from the grease interceptor. If deemed necessary, the director may also increase the maintenance frequency of the grease interceptor from the current frequency. (Ord. No. 2186, § 2, 2009.)

30.36 FOG inspections.

The director, or representative, shall be authorized at any reasonable time to enter the premises of any discharger to determine compliance with the provisions of this chapter. Such inspection may include but not be limited to: inspection, sampling, monitoring, review, photograph, videotape and copy of any records, reports, test results or other data, wastes, chemicals, storage areas, storage containers, waste generating processes, treatment facilities and discharge locations. (Ord. No. 2186, § 2, 2009.)

30.37 FOG inspections fees.

The amount of FOG inspections fee shall be established by resolution of the city council as amended from time to time in accordance with provisions of this chapter.

(Ord. No. 2186, § 2, 2009.)"

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Chapter 9

SYSTEM EVALUATION AND CAPACITY ASSURANCE PLAN

This chapter provides an evaluation of the City's sanitary sewer system facilities, identifies and proposes improvements for deficiencies, identifies design criteria, and provides a CIP and schedule for improvements.

9.1 Regulatory Requirement

Order No. 2006-0003 requires that the City prepare and implement a CIP that will provide hydraulic capacity for peak dry weather flows as well as the appropriate design storm or wet weather event. According to Order No. 2006-0003, the SSMP must address, at a minimum, the following:

- **Evaluation.** Actions needed to evaluate those portions of sanitary sewer system that are experiencing or contributing to a SSO discharge caused by hydraulic deficiency. The evaluation must provide estimates of peak flows (including flows from SSOs that escape from the system) associated with conditions similar to those causing overflow events, estimates of the capacity of key system components, hydraulic deficiencies (including components of the system with limiting capacity) and the major sources that contribute to the peak flows associated with overflow events.
- **Design Criteria.** Where design criteria do not exist or are deficient, undertake the evaluation identified above to establish appropriate design criteria.
- **Capacity Enhancement Measures.** The steps needed to establish a short- and long-term CIP to address identified hydraulic deficiencies, including prioritization, alternatives analysis, and schedules. The CIP may include increases in pipe size, I/I reduction programs, increases and redundancy in pumping capacity, and storage facilities. The CIP shall include an implementation schedule and shall identify sources of funding.
- **Schedule.** The Enrollee shall develop a schedule of completion dates for all portions of the CIP developed above. The schedule shall be reviewed and updated consistent with the SSMP review and update requirements as described in Section D.14 (of Order 2006-0003).

9.2 System Evaluation and Capacity Assurance Plan

The City contracted Carollo to complete a One Water 2050 Plan, which included update of this SSMP. The City's One Water 2050 Plan contains the following elements pertinent to the City's wastewater collection system:

- Chapter 1 - Introduction.
- Chapter 2 - Study Area Land Use, and Population.
- Chapter 3 – Water Demands and Wastewater Flow Forecasts.
- Chapter 4 – System Evaluation Criteria.
- Chapter 8 – Wastewater Collection System Analysis.
- Chapter 10 – Capital Improvement Plan.

The elements of the One Water 2050 Plan that are required through Order No. 2006-0003 have been summarized in the following subsections.

9.2.1 Analysis Method

The City's wastewater collection systems were analyzed as part of the One Water 2050 Plan with the aid of computer hydraulic modeling software. There is an abundance of sewer analysis software in the marketplace today, with a variety of features and capabilities. The selection of a particular model generally depends on user preferences, software costs, and the complexity of the sewer system. It was agreed that InfoSWMM, would be used to assemble the City's hydraulic model. InfoSWMM is a fully dynamic, wastewater and stormwater modeling software application. This program includes seamless integration with the City's GIS data.

9.2.2 Planning and Design Criteria

The One Water 2050 Plan established several criteria to model and evaluate the City's wastewater collection systems. This section summarizes the most important planning criteria that were used in the One Water 2050 Plan.

9.2.2.1 Flow Assumptions

Chapter 3 of the One Water 2050 Plan provides the following wastewater flow summary:

- Current indoor residential water use is approximately 60 gallons per capita per day (gpcd) and all of this indoor water use is eventually converted into wastewater flows.
- 80 percent of commercial water use is carried through to the wastewater collection system.
- Park irrigation accounts for approximately 67 percent of government water use.

Applying the 60 gpcd indoor water use factor to the existing population of 26,297 results in a total residential wastewater flow of 1.58 million gallons per day (mgd). Applying the 80 percent indoor water use factor to the current commercial water demand of 377 acre-feet per year (afy) yields a total commercial wastewater flow of 0.27 mgd. Currently government demand is 73 afy. Assuming 67 percent of this water is used for parks, applying the 80 percent indoor water use factor to the remaining demand yields a total government wastewater flow of 0.02 mgd. The combined estimated average dry weather flow (ADWF) is 1.86 mgd.

The peak wet weather flow (PWWF) is the highest hourly flow that occurs during the wet weather season. The PWWF is typically used for designing the capacity of the sewer system. Without the ability to calculate PWWF from flow data, a wet weather peaking factor of 2.5 is recommended based on other wastewater systems in Southern California. Thus, the combined estimated PWWF is 4.66 mgd.

9.2.2.2 Gravity Sewers

The City's gravity sewers were analyzed in accordance with the criteria established in the following subsections.

9.2.2.1.1 Pipe Capacities

Pipe capacities for gravity sewers were determined through the use of the Continuity Equation and Manning's Equation for steady-state flow. The Continuity and Manning's Equation are presented as follows:

Continuity Equation:

$$Q = VA$$

Where:

Q = peak flow, cfs

V = velocity, fps

A = cross sectional area of pipe, sq. ft.

Manning's Equation:

$$V = \frac{1.486R^{2/3}S^{1/2}}{n}$$

Where:

V = velocity, fps

n = Manning's coefficient of friction

R = hydraulic radius (area divided by wetted perimeter), ft

S = slope of pipe, feet per foot

9.2.2.1.2 Manning Coefficient (n)

The Manning coefficient 'n' is a friction coefficient and varies with respect to pipe material, size of pipe, depth of flow, smoothness of joints, root intrusion, and other factors. A value of 0.013 was used for gravity sewers in the master planning effort.

9.2.2.1.3 Flow Depth Criteria (d/D)

When designing sewer pipelines, it is common practice to adopt variable flow depth criteria for various pipe sizes. This criterion is expressed as a maximum depth of flow to pipe diameter ratio (d/D). Design d/D ratios typically range from 0.5 to 0.92, with the lower values typically used for smaller pipes, which may experience peak flows greater than the design flow or blockages from debris, paper, or rags. Table 9.1 summarizes the d/D ratios used for planning future trunk sizes.

According to Table 9.1, all new sewer trunks greater than 12 inches in diameter should be sized to carry the design flow at a maximum d/D ratio of 2/3. However, utilizing a d/D ratio of 2/3 for analyzing the existing wastewater collection system may lead to premature or unnecessary

replacement of existing pipelines. Therefore, a d/D ratio of 0.92 (pipe flowing full) was utilized to evaluate the City’s existing sewer system.

Table 9.1 Master Plan Maximum d/D Ratio

Pipe Diameter (inches)	Maximum d/D Ratio (during peak flows)
12 and smaller (New Sewers)	1/2
Larger than 12 (New Sewers)	2/3
All Diameters (Existing Pipes)	0.92

9.2.2.1.4 Changes in Pipe Size

For the master planning effort, and in the absence of field data, sewer crowns were matched at the manholes when a smaller sewer joined a larger sewer.

9.2.2.1.5 Design Velocities and Minimum Slopes

According to the City’s design requirements in the One Water 2050 Plan, sewers must be designed and constructed such that the mean velocity during design peak flow conditions is greater than 2 fps. The maximum allowable velocity for gravity sewers is 10 fps.

Table 9.2 lists the minimum slopes that were used for planning future improvements. These values are based on the City’s One Water 2050 Plan.

Table 9.2 Minimum Slopes for New Circular Pipes

Sewer Size (inches)	Minimum Pipe Slope (foot/feet)
8	0.004
10	0.003
12	0.0024
15	0.0017
18	0.0014
21	0.0011
24	0.0010

9.2.2.3 Lift Stations and Force Mains

As part of the master planning effort, the City’s lift stations were evaluated and sized for peak flow with the largest pump serving as standby. For the sizing of force mains, the minimum and maximum recommended velocities are 2.0 and 6.5 fps, respectively. The Hazen-Williams formula is commonly used for the sizing of force mains. The Velocity Equation is:

$$V = 1.32 C R^{0.63} S^{0.54}$$

Where:

- V = mean velocity, fps
- C = roughness coefficient
- R = hydraulic radius, ft
- S = slope of the energy grade line, ft/ft

The value of the Hazen-Williams 'C' varies with the type of pipe material. This value is influenced by the type of construction and age of the pipe. A 'C' value of 130 was used as part of the master planning effort.

9.2.3 Capacity Evaluation

To identify existing and future system deficiencies, the City's hydraulic model was developed using InfoSWMM. In order to accomplish this, the City's GIS data was imported into InfoSWMM.

Wastewater flow projections were then developed based on the water demand data available from the One Water 2050 Plan in five-year increments through the year 2050. Wastewater loads were then applied to the appropriate City manholes.

The existing wastewater collection systems were evaluated according to the planning and design criteria summarized in this chapter. No deficient facilities were identified, and therefore, there are no recommendations associated with capacity deficiencies.

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Chapter 10

MONITORING, MEASUREMENT, AND PROGRAM MODIFICATIONS

This chapter presents a summary of the steps to be taken by the City to evaluate the effectiveness of this SSMP and update it should improvements be necessary or desirable.

10.1 Regulatory Requirement

Order No. 2006-0003 specifies that the City shall:

- Maintain relevant information that can be used to establish and prioritize appropriate SSMP activities.
- Monitor the implementation and, where appropriate, measure the effectiveness of each element of the SSMP.
- Assess the success of the preventative maintenance program.
- Update program elements, as appropriate, based on monitoring or performance evaluations.
- Identify and illustrate SSO trends, including frequency, location, and volume.

10.2 SSMP Information Maintenance Program

The City should maintain information that is appropriate to the SSMP in a way that is convenient and easily accessible to those individuals involved with the SSMP. This information should be recorded or stored in the appropriate format so that conclusions and trends related to SSOs and the performance of the SSMP can be easily tracked.

It is recommended that the City develop a database to store and analyze information related to the SSMP, which can be accomplished through simple Microsoft® Excel based spreadsheets, GIS techniques, or other means.

The recommended SSMP database would track a few key performance indicators that could be used to measure the progress of the SSMP implementation and the performance of the City's sanitary sewer collection system. Some key performance indicators that should be considered for tracking by the City are:

- Number of service calls, blockages, and SSOs over a one-year period.
- SSO events by cause.
- SSO events by category (i.e., Category 1, Category 2, or Private Lateral Sewage Discharge).
- Volume of SSOs and volume contained.
- Volume of sewage that reached surface waters.
- SSO events by location within the City.

10.3 SSMP Implementation Monitoring

To accurately gauge the progress of the SSMP and its successes or failures in preventing SSOs, this plan recommends that the City monitor the implementation and effectiveness of the SSMP elements. The City should maintain all records related to SSMP programs in a common location that is known to all City staff members that are involved in these programs. This should include all records related to the maintenance of the system, SSO field reports, CIWQS reports, and other relevant information.

This plan recommends that the City assign a key staff member, or a group of staff members, to perform interim evaluations of the effectiveness of the SSMP based on the key performance indicators established in Section 10.2 of this report. This evaluation should occur at some predetermined interval, such as bi-annually or annually, and more often as necessary. The purpose of these interim evaluations is to establish the overall trend of the key performance indicators. The conclusions of these evaluations should be kept on record and used for program updates and audits.

10.4 Preventative Maintenance Program Evaluation

This plan recommends that the City assess the success of the PM program periodically similar to the procedure outlined in Section 10.3 of this report. Appropriate staff members should be designated to perform an evaluation of the City's PM program at some predetermined interval. The City's designees should evaluate where the City's PM program can be improved in order to maximize the efficiency of the system. The conclusions of these evaluations should be kept on record and used for program updates and audits.

10.5 SSMP Program Update

Updates to the City's SSMP programs should be performed based on the results of the interim evaluations on these programs, as well as the two-year program audits discussed in Chapter 11 of this report. All program updates and modifications should be approved by the City's Authorized Representatives and incorporated into the SSMP report, when necessary. If there are major changes to the SSMP, it needs to be re-certified by City's Authorized Representative on CIWQS. At a minimum, the City shall update and re-certify the SSMP once every five years.

10.6 SSO Trends

To optimize the performance of the City's wastewater collection systems, it is necessary to identify any SSO trends that may exist. Through the identification of such trends, the City may find capacity deficiencies, areas of the system in need of increased maintenance, or SSO or FOG "Hot Spots." The City currently has mapped historical SSOs. This map should be expanded upon whenever a new spill occurs and used to identify SSO trends.

In addition, this plan recommends that the City keep copies of the CIWQS SSO reports on file for use by the City in the identification of SSO trends, as these reports contain very detailed information on specific spills that is not practical to maintain on other databases.

Chapter 11

SSMP PROGRAM AUDITS

This chapter presents a summary of the procedures to be used by the City to perform internal audits of the City's SSMP.

11.1 Regulatory Requirements

Order No. 2006-0003 specifies the following in relation to audits of the SSMP:

As part of the SSMP, the Enrollee shall conduct periodic internal audits, appropriate to the size of the system and the number of SSOs. At a minimum, these audits must occur every two years and a report must be kept on file. This audit shall focus on the effectiveness of the SSMP and the Enrollee's compliance with the SSMP requirements identified in this subsection, including identification of any deficiencies in the SSMP and steps to correct them.

11.2 City's SSMP Program Audits

In accordance with the requirements of Order No. 2006-0003, the City plans to perform periodic performance audits on its SSMP. The following subsections outline the major components of the City's future performance audits. The costs associated with these audits should be budgeted for by the City.

11.2.1 Responsible Party for Program Audit

The City's Authorized Representatives will oversee the performance of the SSMP program audit. They will designate certain key City staff that are knowledgeable in the City's wastewater collection facilities to perform the audits based on the findings of the interim SSMP program evaluations. The City may also choose to contract with a consultant to perform such audits.

11.2.2 Scope of SSMP Program Audits

The City's program audits will consist of a comprehensive analysis of all elements of the SSMP, including the following:

- Goals.
- Organization.
- Legal Authority (the City's sewer use ordinances).
- Design and Performance Provisions (the City's design and construction standards).
- Overflow Emergency Response Plan.
- FOG Control Plan.
- System Evaluation and Capacity Assurance Plan (the City's Wastewater Master Plan).
- Monitoring, Measurement, and Program Modifications.
- SSMP Program Audits.
- Communication Program.

11.2.3 SSMP Program Audit Report

An SSMP Program Audit report will be prepared and kept on file, which highlights the results of the SSMP Program Audit. This report should include supporting material, such as tables, figures and maps that support the conclusions of the report. It should also include the following elements, as well as other information that may be useful in the evaluation of the SSMP:

- An evaluation of each element of the SSMP report, including the City's sewer ordinances, design standards, O&M program, overflow emergency response plan, FOG control plan, system evaluation and capacity assurance plan, and communication program.
- Progress made on the development of SSMP elements. Justification should be provided if progress has not been made on the development of certain elements of this SSMP.
- A description of the new SSMP program elements since the last program audit.
- The effectiveness of implementing SSMP elements.
- A description of the additions and improvements to the sanitary sewer collection system facilities since the previous program audit.
- A description of the additions and improvements to the sanitary sewer collection system facilities planned for the next two years.

11.2.4 Schedule for Program Audits

At a minimum, the City's program audits must occur every two years. Therefore, The City's next program audit should take place within two years of the adoption of this updated SSMP report, and every two years subsequently. Should City staff determine, based on the results of the interim program evaluations described in Chapter 10, that more frequent audits are desirable, a shorter time interval, such as annually, may be chosen.

Chapter 12

COMMUNICATION PROGRAM AND FINAL CERTIFICATION

This chapter presents a summary of the steps to be taken by the City to communicate with the public on the development, implementation, and performance of the SSMP. In addition, steps taken for the final certification of the SSMP are summarized in this chapter.

12.1 Regulatory Requirements

Order No. 2006-0003 specifies the following for the City's communication program:

The Enrollee shall communicate on a regular basis with the public on the development, implementation, and performance of the SSMP. The communication system shall provide the public the opportunity to provide input to the Enrollee as the program is developed and implemented.

The Enrollee shall also create a plan of communication with systems that are tributary and/or satellite to the Enrollee's sanitary sewer system.

In order to certify the SSMP, Order No. 2006-0003 specifies that the City must complete the following:

Both the SSMP and the Enrollee's program to implement the SSMP must be certified by the Enrollee to be in compliance with the requirements set forth (in the previous sections) and must be presented to the Enrollee's governing board for approval at a public meeting. The Enrollee shall certify that the SSMP, and subparts thereof, are in compliance with the general WDRs within the time frames identified in the time schedule provided (in Chapter 1).

In order to complete the certification, the Enrollee's authorized representative must complete the certification portion in the Online SSO Database Questionnaire by checking the appropriate milestone box, printing and signing the automated form, and sending the form to:

State Water Resources Control Board
Division of Water Quality
Attn: SSO Program Manager
P.O. Box 100
Sacramento, CA 95812

The SSMP must be updated every five years and must include any significant program changes. Recertification by the governing board of the Enrollee is required (as specified above) when significant updates to the SSMP are made. To complete this recertification process, the Enrollee shall enter the data in the online SSO Database and mail the form to the State Water Board, as described above.

12.2 Communication Program and SSMP Adoption

In accordance with Order No. 2006-0003, the City's Board of Directors held a public meeting and adopted the updated SSMP on _____. A copy of the adopting resolution is included in Appendix G.

In order to provide the City's residents with the chance to review and comment on the SSMP, it is recommended that a copy of this document be posted on the City's website. In addition, it is recommended that the City keeps its residents up to date on the implementation and performance of the SSMP. This could be accomplished through bill inserts, public workshops, brochures, or other means.

12.3 Final Certification

The City has certified that all sections of this report are in compliance with the applicable general WDRs and the requirements set forth in Order No. 2006-0003. The City's authorized representatives have completed the certification portion in the Online SSO Database Questionnaire and sent the appropriate signed form to the SWRCB. A copy of the SWRCB certification form, sent out on _____, is included in Appendix H of this report.

The City plans to update and recertify the SSMP when significant changes are made. At a minimum, the City plans to update and recertify this report every five years.

Appendix A

REFERENCES

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Appendix A

REFERENCES

Carollo Engineers, Inc. *Integrated Water Wastewater Resources Master Plan*. Draft report. City of South Pasadena.

United States Environmental Protection Agency, Office of Water. 2004. *Report to Congress: Impacts and Control of CSOs and SSOs*. Washington, D.C.: United States Environmental Protection Agency. https://www.epa.gov/sites/production/files/2015-10/documents/cso_ssortc2004_full.pdf.

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Appendix B

SWRCB ORDER WQ 2006-003-DWQ

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**STATE WATER RESOURCES CONTROL BOARD
ORDER NO. 2006-0003-DWQ**

**STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR SANITARY
SEWER SYSTEMS**

The State Water Resources Control Board, hereinafter referred to as “State Water Board”, finds that:

1. All federal and state agencies, municipalities, counties, districts, and other public entities that own or operate sanitary sewer systems greater than one mile in length that collect and/or convey untreated or partially treated wastewater to a publicly owned treatment facility in the State of California are required to comply with the terms of this Order. Such entities are hereinafter referred to as “Enrollees”.
2. Sanitary sewer overflows (SSOs) are overflows from sanitary sewer systems of domestic wastewater, as well as industrial and commercial wastewater, depending on the pattern of land uses in the area served by the sanitary sewer system. SSOs often contain high levels of suspended solids, pathogenic organisms, toxic pollutants, nutrients, oxygen-demanding organic compounds, oil and grease and other pollutants. SSOs may cause a public nuisance, particularly when raw untreated wastewater is discharged to areas with high public exposure, such as streets or surface waters used for drinking, fishing, or body contact recreation. SSOs may pollute surface or ground waters, threaten public health, adversely affect aquatic life, and impair the recreational use and aesthetic enjoyment of surface waters.
3. Sanitary sewer systems experience periodic failures resulting in discharges that may affect waters of the state. There are many factors (including factors related to geology, design, construction methods and materials, age of the system, population growth, and system operation and maintenance), which affect the likelihood of an SSO. A proactive approach that requires Enrollees to ensure a system-wide operation, maintenance, and management plan is in place will reduce the number and frequency of SSOs within the state. This approach will in turn decrease the risk to human health and the environment caused by SSOs.
4. Major causes of SSOs include: grease blockages, root blockages, sewer line flood damage, manhole structure failures, vandalism, pump station mechanical failures, power outages, excessive storm or ground water inflow/infiltration, debris blockages, sanitary sewer system age and construction material failures, lack of proper operation and maintenance, insufficient capacity and contractor- caused damages. Many SSOs are preventable with adequate and appropriate facilities, source control measures and operation and maintenance of the sanitary sewer system.

SEWER SYSTEM MANAGEMENT PLANS

5. To facilitate proper funding and management of sanitary sewer systems, each Enrollee must develop and implement a system-specific Sewer System Management Plan (SSMP). To be effective, SSMPs must include provisions to provide proper and efficient management, operation, and maintenance of sanitary sewer systems, while taking into consideration risk management and cost benefit analysis. Additionally, an SSMP must contain a spill response plan that establishes standard procedures for immediate response to an SSO in a manner designed to minimize water quality impacts and potential nuisance conditions.
6. Many local public agencies in California have already developed SSMPs and implemented measures to reduce SSOs. These entities can build upon their existing efforts to establish a comprehensive SSMP consistent with this Order. Others, however, still require technical assistance and, in some cases, funding to improve sanitary sewer system operation and maintenance in order to reduce SSOs.
7. SSMP certification by technically qualified and experienced persons can provide a useful and cost-effective means for ensuring that SSMPs are developed and implemented appropriately.
8. It is the State Water Board's intent to gather additional information on the causes and sources of SSOs to augment existing information and to determine the full extent of SSOs and consequent public health and/or environmental impacts occurring in the State.
9. Both uniform SSO reporting and a centralized statewide electronic database are needed to collect information to allow the State Water Board and Regional Water Quality Control Boards (Regional Water Boards) to effectively analyze the extent of SSOs statewide and their potential impacts on beneficial uses and public health. The monitoring and reporting program required by this Order and the attached Monitoring and Reporting Program No. 2006-0003-DWQ, are necessary to assure compliance with these waste discharge requirements (WDRs).
10. Information regarding SSOs must be provided to Regional Water Boards and other regulatory agencies in a timely manner and be made available to the public in a complete, concise, and timely fashion.
11. Some Regional Water Boards have issued WDRs or WDRs that serve as National Pollution Discharge Elimination System (NPDES) permits to sanitary sewer system owners/operators within their jurisdictions. This Order establishes minimum requirements to prevent SSOs. Although it is the State Water Board's intent that this Order be the primary regulatory mechanism for sanitary sewer systems statewide, Regional Water Boards may issue more stringent or more prescriptive WDRs for sanitary sewer systems. Upon issuance or reissuance of a Regional Water Board's WDRs for a system subject to this Order, the Regional

Water Board shall coordinate its requirements with stated requirements within this Order, to identify requirements that are more stringent, to remove requirements that are less stringent than this Order, and to provide consistency in reporting.

REGULATORY CONSIDERATIONS

12. California Water Code section 13263 provides that the State Water Board may prescribe general WDRs for a category of discharges if the State Water Board finds or determines that:

- The discharges are produced by the same or similar operations;
- The discharges involve the same or similar types of waste;
- The discharges require the same or similar treatment standards; and
- The discharges are more appropriately regulated under general discharge requirements than individual discharge requirements.

This Order establishes requirements for a class of operations, facilities, and discharges that are similar throughout the state.

13. The issuance of general WDRs to the Enrollees will:

- a) Reduce the administrative burden of issuing individual WDRs to each Enrollee;
- b) Provide for a unified statewide approach for the reporting and database tracking of SSOs;
- c) Establish consistent and uniform requirements for SSMP development and implementation;
- d) Provide statewide consistency in reporting; and
- e) Facilitate consistent enforcement for violations.

14. The beneficial uses of surface waters that can be impaired by SSOs include, but are not limited to, aquatic life, drinking water supply, body contact and non-contact recreation, and aesthetics. The beneficial uses of ground water that can be impaired include, but are not limited to, drinking water and agricultural supply. Surface and ground waters throughout the state support these uses to varying degrees.

15. The implementation of requirements set forth in this Order will ensure the reasonable protection of past, present, and probable future beneficial uses of water and the prevention of nuisance. The requirements implement the water quality control plans (Basin Plans) for each region and take into account the environmental characteristics of hydrographic units within the state. Additionally, the State Water Board has considered water quality conditions that could reasonably be achieved through the coordinated control of all factors that affect

water quality in the area, costs associated with compliance with these

requirements, the need for developing housing within California, and the need to develop and use recycled water.

16. The Federal Clean Water Act largely prohibits any discharge of pollutants from a point source to waters of the United States except as authorized under an NPDES permit. In general, any point source discharge of sewage effluent to waters of the United States must comply with technology-based, secondary treatment standards, at a minimum, and any more stringent requirements necessary to meet applicable water quality standards and other requirements. Hence, the unpermitted discharge of wastewater from a sanitary sewer system to waters of the United States is illegal under the Clean Water Act. In addition, many Basin Plans adopted by the Regional Water Boards contain discharge prohibitions that apply to the discharge of untreated or partially treated wastewater. Finally, the California Water Code generally prohibits the discharge of waste to land prior to the filing of any required report of waste discharge and the subsequent issuance of either WDRs or a waiver of WDRs.
17. California Water Code section 13263 requires a water board to, after any necessary hearing, prescribe requirements as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge. The requirements shall, among other things, take into consideration the need to prevent nuisance.
18. California Water Code section 13050, subdivision (m), defines nuisance as anything which meets all of the following requirements:
 - a. Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.
 - b. Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.
 - c. Occurs during, or as a result of, the treatment or disposal of wastes.
19. This Order is consistent with State Water Board Resolution No. 68-16 (Statement of Policy with Respect to Maintaining High Quality of Waters in California) in that the Order imposes conditions to prevent impacts to water quality, does not allow the degradation of water quality, will not unreasonably affect beneficial uses of water, and will not result in water quality less than prescribed in State Water Board or Regional Water Board plans and policies.
20. The action to adopt this General Order is exempt from the California Environmental Quality Act (Public Resources Code §21000 et seq.) because it is an action taken by a regulatory agency to assure the protection of the environment and the regulatory process involves procedures for protection of the environment. (Cal. Code Regs., tit. 14, §15308). In addition, the action to adopt this Order is

exempt from CEQA pursuant to Cal.Code Regs., title 14, §15301 to the extent that it applies to existing sanitary sewer collection systems that constitute “existing facilities” as that term is used in Section 15301, and §15302, to the extent that it results in the repair or replacement of existing systems involving negligible or no expansion of capacity.

21. The Fact Sheet, which is incorporated by reference in the Order, contains supplemental information that was also considered in establishing these requirements.
22. The State Water Board has notified all affected public agencies and all known interested persons of the intent to prescribe general WDRs that require Enrollees to develop SSMPs and to report all SSOs.
23. The State Water Board conducted a public hearing on February 8, 2006, to receive oral and written comments on the draft order. The State Water Board received and considered, at its May 2, 2006, meeting, additional public comments on substantial changes made to the proposed general WDRs following the February 8, 2006, public hearing. The State Water Board has considered all comments pertaining to the proposed general WDRs.

IT IS HEREBY ORDERED, that pursuant to California Water Code section 13263, the Enrollees, their agents, successors, and assigns, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted hereunder, shall comply with the following:

A. DEFINITIONS

1. **Sanitary sewer overflow (SSO)** - Any overflow, spill, release, discharge or diversion of untreated or partially treated wastewater from a sanitary sewer system. SSOs include:
 - (i) Overflows or releases of untreated or partially treated wastewater that reach waters of the United States;
 - (ii) Overflows or releases of untreated or partially treated wastewater that do not reach waters of the United States; and
 - (iii) Wastewater backups into buildings and on private property that are caused by blockages or flow conditions within the publicly owned portion of a sanitary sewer system.
2. **Sanitary sewer system** – Any system of pipes, pump stations, sewer lines, or other conveyances, upstream of a wastewater treatment plant headworks used to collect and convey wastewater to the publicly owned treatment facility. Temporary storage and conveyance facilities (such as vaults, temporary piping, construction trenches, wet wells, impoundments, tanks, etc.) are considered to be part of the sanitary sewer system, and discharges into these temporary storage facilities are not considered to be SSOs.

For purposes of this Order, sanitary sewer systems include only those systems owned by public agencies that are comprised of more than one mile of pipes or sewer lines.

3. **Enrollee** - A federal or state agency, municipality, county, district, and other public entity that owns or operates a sanitary sewer system, as defined in the general WDRs, and that has submitted a complete and approved application for coverage under this Order.
4. **SSO Reporting System** – Online spill reporting system that is hosted, controlled, and maintained by the State Water Board. The web address for this site is <http://ciwqs.waterboards.ca.gov>. This online database is maintained on a secure site and is controlled by unique usernames and passwords.
5. **Untreated or partially treated wastewater** – Any volume of waste discharged from the sanitary sewer system upstream of a wastewater treatment plant headworks.
6. **Satellite collection system** – The portion, if any, of a sanitary sewer system owned or operated by a different public agency than the agency that owns and operates the wastewater treatment facility to which the sanitary sewer system is tributary.
7. **Nuisance** - California Water Code section 13050, subdivision (m), defines nuisance as anything which meets all of the following requirements:
 - a. Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.
 - b. Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.
 - c. Occurs during, or as a result of, the treatment or disposal of wastes.

B. APPLICATION REQUIREMENTS

1. **Deadlines for Application** – All public agencies that currently own or operate sanitary sewer systems within the State of California must apply for coverage under the general WDRs within six (6) months of the date of adoption of the general WDRs. Additionally, public agencies that acquire or assume responsibility for operating sanitary sewer systems after the date of adoption of this Order must apply for coverage under the general WDRs at least three (3) months prior to operation of those facilities.
2. **Applications under the general WDRs** – In order to apply for coverage pursuant to the general WDRs, a legally authorized representative for each agency must submit a complete application package. Within sixty (60) days of adoption of the

general WDRs, State Water Board staff will send specific instructions on how to apply for coverage under the general WDRs to all known public agencies that own sanitary sewer systems. Agencies that do not receive notice may obtain applications and instructions online on the Water Board's website.

3. Coverage under the general WDRs – Permit coverage will be in effect once a complete application package has been submitted and approved by the State Water Board's Division of Water Quality.

C. PROHIBITIONS

1. Any SSO that results in a discharge of untreated or partially treated wastewater to waters of the United States is prohibited.
2. Any SSO that results in a discharge of untreated or partially treated wastewater that creates a nuisance as defined in California Water Code Section 13050(m) is prohibited.

D. PROVISIONS

1. The Enrollee must comply with all conditions of this Order. Any noncompliance with this Order constitutes a violation of the California Water Code and is grounds for enforcement action.
2. It is the intent of the State Water Board that sanitary sewer systems be regulated in a manner consistent with the general WDRs. Nothing in the general WDRs shall be:
 - (i) Interpreted or applied in a manner inconsistent with the Federal Clean Water Act, or supersede a more specific or more stringent state or federal requirement in an existing permit, regulation, or administrative/judicial order or Consent Decree;
 - (ii) Interpreted or applied to authorize an SSO that is illegal under either the Clean Water Act, an applicable Basin Plan prohibition or water quality standard, or the California Water Code;
 - (iii) Interpreted or applied to prohibit a Regional Water Board from issuing an individual NPDES permit or WDR, superseding this general WDR, for a sanitary sewer system, authorized under the Clean Water Act or California Water Code; or
 - (iv) Interpreted or applied to supersede any more specific or more stringent WDRs or enforcement order issued by a Regional Water Board.
3. The Enrollee shall take all feasible steps to eliminate SSOs. In the event that an SSO does occur, the Enrollee shall take all feasible steps to contain and mitigate the impacts of an SSO.

4. In the event of an SSO, the Enrollee shall take all feasible steps to prevent untreated or partially treated wastewater from discharging from storm drains into flood control channels or waters of the United States by blocking the storm drainage system and by removing the wastewater from the storm drains.
5. All SSOs must be reported in accordance with Section G of the general WDRs.
6. In any enforcement action, the State and/or Regional Water Boards will consider the appropriate factors under the duly adopted State Water Board Enforcement Policy. And, consistent with the Enforcement Policy, the State and/or Regional Water Boards must consider the Enrollee's efforts to contain, control, and mitigate SSOs when considering the California Water Code Section 13327 factors. In assessing these factors, the State and/or Regional Water Boards will also consider whether:
 - (i) The Enrollee has complied with the requirements of this Order, including requirements for reporting and developing and implementing a SSMP;
 - (ii) The Enrollee can identify the cause or likely cause of the discharge event;
 - (iii) There were no feasible alternatives to the discharge, such as temporary storage or retention of untreated wastewater, reduction of inflow and infiltration, use of adequate backup equipment, collecting and hauling of untreated wastewater to a treatment facility, or an increase in the capacity of the system as necessary to contain the design storm event identified in the SSMP. It is inappropriate to consider the lack of feasible alternatives, if the Enrollee does not implement a periodic or continuing process to identify and correct problems.
 - (iv) The discharge was exceptional, unintentional, temporary, and caused by factors beyond the reasonable control of the Enrollee;
 - (v) The discharge could have been prevented by the exercise of reasonable control described in a certified SSMP for:
 - Proper management, operation and maintenance;
 - Adequate treatment facilities, sanitary sewer system facilities, and/or components with an appropriate design capacity, to reasonably prevent SSOs (e.g., adequately enlarging treatment or collection facilities to accommodate growth, infiltration and inflow (I/I), etc.);
 - Preventive maintenance (including cleaning and fats, oils, and grease (FOG) control);
 - Installation of adequate backup equipment; and
 - Inflow and infiltration prevention and control to the extent practicable.
 - (vi) The sanitary sewer system design capacity is appropriate to reasonably prevent SSOs.

(vii) The Enrollee took all reasonable steps to stop and mitigate the impact of the discharge as soon as possible.

7. When a sanitary sewer overflow occurs, the Enrollee shall take all feasible steps and necessary remedial actions to 1) control or limit the volume of untreated or partially treated wastewater discharged, 2) terminate the discharge, and 3) recover as much of the wastewater discharged as possible for proper disposal, including any wash down water.

The Enrollee shall implement all remedial actions to the extent they may be applicable to the discharge and not inconsistent with an emergency response plan, including the following:

- (i) Interception and rerouting of untreated or partially treated wastewater flows around the wastewater line failure;
 - (ii) Vacuum truck recovery of sanitary sewer overflows and wash down water;
 - (iii) Cleanup of debris at the overflow site;
 - (iv) System modifications to prevent another SSO at the same location;
 - (v) Adequate sampling to determine the nature and impact of the release; and
 - (vi) Adequate public notification to protect the public from exposure to the SSO.
8. The Enrollee shall properly, manage, operate, and maintain all parts of the sanitary sewer system owned or operated by the Enrollee, and shall ensure that the system operators (including employees, contractors, or other agents) are adequately trained and possess adequate knowledge, skills, and abilities.
 9. The Enrollee shall allocate adequate resources for the operation, maintenance, and repair of its sanitary sewer system, by establishing a proper rate structure, accounting mechanisms, and auditing procedures to ensure an adequate measure of revenues and expenditures. These procedures must be in compliance with applicable laws and regulations and comply with generally acceptable accounting practices.
 10. The Enrollee shall provide adequate capacity to convey base flows and peak flows, including flows related to wet weather events. Capacity shall meet or exceed the design criteria as defined in the Enrollee's System Evaluation and Capacity Assurance Plan for all parts of the sanitary sewer system owned or operated by the Enrollee.
 11. The Enrollee shall develop and implement a written Sewer System Management Plan (SSMP) and make it available to the State and/or Regional Water Board upon request. A copy of this document must be publicly available at the Enrollee's office and/or available on the Internet. This SSMP must be approved by the Enrollee's governing board at a public meeting.

12. In accordance with the California Business and Professions Code sections 6735, 7835, and 7835.1, all engineering and geologic evaluations and judgments shall be performed by or under the direction of registered professionals competent and proficient in the fields pertinent to the required activities. Specific elements of the SSMP that require professional evaluation and judgments shall be prepared by or under the direction of appropriately qualified professionals, and shall bear the professional(s)' signature and stamp.
13. The mandatory elements of the SSMP are specified below. However, if the Enrollee believes that any element of this section is not appropriate or applicable to the Enrollee's sanitary sewer system, the SSMP program does not need to address that element. The Enrollee must justify why that element is not applicable. The SSMP must be approved by the deadlines listed in the SSMP Time Schedule below.

Sewer System Management Plan (SSMP)

- (i)**Goal:** The goal of the SSMP is to provide a plan and schedule to properly manage, operate, and maintain all parts of the sanitary sewer system. This will help reduce and prevent SSOs, as well as mitigate any SSOs that do occur.
- (ii)**Organization:** The SSMP must identify:
 - (a) The name of the responsible or authorized representative as described in Section J of this Order.
 - (b) The names and telephone numbers for management, administrative, and maintenance positions responsible for implementing specific measures in the SSMP program. The SSMP must identify lines of authority through an organization chart or similar document with a narrative explanation; and
 - (c) The chain of communication for reporting SSOs, from receipt of a complaint or other information, including the person responsible for reporting SSOs to the State and Regional Water Board and other agencies if applicable (such as County Health Officer, County Environmental Health Agency, Regional Water Board, and/or State Office of Emergency Services (OES)).
- (iii)**Legal Authority:** Each Enrollee must demonstrate, through sanitary sewer system use ordinances, service agreements, or other legally binding procedures, that it possesses the necessary legal authority to:
 - (a) Prevent illicit discharges into its sanitary sewer system (examples may include I/I, stormwater, chemical dumping, unauthorized debris and cut roots, etc.);
 - (b) Require that sewers and connections be properly designed and

constructed;

- (c) Ensure access for maintenance, inspection, or repairs for portions of the lateral owned or maintained by the Public Agency;
- (d) Limit the discharge of fats, oils, and grease and other debris that may cause blockages, and
- (e) Enforce any violation of its sewer ordinances.

(iv) **Operation and Maintenance Program.** The SSMP must include those elements listed below that are appropriate and applicable to the Enrollee's system:

- (a) Maintain an up-to-date map of the sanitary sewer system, showing all gravity line segments and manholes, pumping facilities, pressure pipes and valves, and applicable stormwater conveyance facilities;
- (b) Describe routine preventive operation and maintenance activities by staff and contractors, including a system for scheduling regular maintenance and cleaning of the sanitary sewer system with more frequent cleaning and maintenance targeted at known problem areas. The Preventative Maintenance (PM) program should have a system to document scheduled and conducted activities, such as work orders;
- (c) Develop a rehabilitation and replacement plan to identify and prioritize system deficiencies and implement short-term and long-term rehabilitation actions to address each deficiency. The program should include regular visual and TV inspections of manholes and sewer pipes, and a system for ranking the condition of sewer pipes and scheduling rehabilitation. Rehabilitation and replacement should focus on sewer pipes that are at risk of collapse or prone to more frequent blockages due to pipe defects. Finally, the rehabilitation and replacement plan should include a capital improvement plan that addresses proper management and protection of the infrastructure assets. The plan shall include a time schedule for implementing the short- and long-term plans plus a schedule for developing the funds needed for the capital improvement plan;
- (d) Provide training on a regular basis for staff in sanitary sewer system operations and maintenance, and require contractors to be appropriately trained; and
- (e) Provide equipment and replacement part inventories, including identification of critical replacement parts.

(v) Design and Performance Provisions:

- (a) Design and construction standards and specifications for the installation of new sanitary sewer systems, pump stations and other appurtenances; and for the rehabilitation and repair of existing sanitary sewer systems; and
- (b) Procedures and standards for inspecting and testing the installation of new sewers, pumps, and other appurtenances and for rehabilitation and repair projects.

(vi) Overflow Emergency Response Plan - Each Enrollee shall develop and implement an overflow emergency response plan that identifies measures to protect public health and the environment. At a minimum, this plan must include the following:

- (a) Proper notification procedures so that the primary responders and regulatory agencies are informed of all SSOs in a timely manner;
- (b) A program to ensure an appropriate response to all overflows;
- (c) Procedures to ensure prompt notification to appropriate regulatory agencies and other potentially affected entities (e.g. health agencies, Regional Water Boards, water suppliers, etc.) of all SSOs that potentially affect public health or reach the waters of the State in accordance with the MRP. All SSOs shall be reported in accordance with this MRP, the California Water Code, other State Law, and other applicable Regional Water Board WDRs or NPDES permit requirements. The SSMP should identify the officials who will receive immediate notification;
- (d) Procedures to ensure that appropriate staff and contractor personnel are aware of and follow the Emergency Response Plan and are appropriately trained;
- (e) Procedures to address emergency operations, such as traffic and crowd control and other necessary response activities; and
- (f) A program to ensure that all reasonable steps are taken to contain and prevent the discharge of untreated and partially treated wastewater to waters of the United States and to minimize or correct any adverse impact on the environment resulting from the SSOs, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the discharge.

- (vii) **FOG Control Program:** Each Enrollee shall evaluate its service area to determine whether a FOG control program is needed. If an Enrollee determines that a FOG program is not needed, the Enrollee must provide justification for why it is not needed. If FOG is found to be a problem, the Enrollee must prepare and implement a FOG source control program to reduce the amount of these substances discharged to the sanitary sewer system. This plan shall include the following as appropriate:
- (a) An implementation plan and schedule for a public education outreach program that promotes proper disposal of FOG;
 - (b) A plan and schedule for the disposal of FOG generated within the sanitary sewer system service area. This may include a list of acceptable disposal facilities and/or additional facilities needed to adequately dispose of FOG generated within a sanitary sewer system service area;
 - (c) The legal authority to prohibit discharges to the system and identify measures to prevent SSOs and blockages caused by FOG;
 - (d) Requirements to install grease removal devices (such as traps or interceptors), design standards for the removal devices, maintenance requirements, BMP requirements, record keeping and reporting requirements;
 - (e) Authority to inspect grease producing facilities, enforcement authorities, and whether the Enrollee has sufficient staff to inspect and enforce the FOG ordinance;
 - (f) An identification of sanitary sewer system sections subject to FOG blockages and establishment of a cleaning maintenance schedule for each section; and
 - (g) Development and implementation of source control measures for all sources of FOG discharged to the sanitary sewer system for each section identified in (f) above.
- (viii) **System Evaluation and Capacity Assurance Plan:** The Enrollee shall prepare and implement a capital improvement plan (CIP) that will provide hydraulic capacity of key sanitary sewer system elements for dry weather peak flow conditions, as well as the appropriate design storm or wet weather event. At a minimum, the plan must include:
- (a) **Evaluation:** Actions needed to evaluate those portions of the sanitary sewer system that are experiencing or contributing to an SSO discharge caused by hydraulic deficiency. The evaluation must provide estimates of peak flows (including flows from SSOs that escape from the system) associated with conditions similar to those causing overflow events, estimates of the capacity of key system components, hydraulic deficiencies (including components of the system with limiting capacity) and the major sources that contribute to the peak flows associated with overflow events;

- (b) **Design Criteria:** Where design criteria do not exist or are deficient, undertake the evaluation identified in (a) above to establish appropriate design criteria; and
 - (c) **Capacity Enhancement Measures:** The steps needed to establish a short- and long-term CIP to address identified hydraulic deficiencies, including prioritization, alternatives analysis, and schedules. The CIP may include increases in pipe size, I/I reduction programs, increases and redundancy in pumping capacity, and storage facilities. The CIP shall include an implementation schedule and shall identify sources of funding.
 - (d) **Schedule:** The Enrollee shall develop a schedule of completion dates for all portions of the capital improvement program developed in (a)-(c) above. This schedule shall be reviewed and updated consistent with the SSMP review and update requirements as described in Section D. 14.
- (ix) **Monitoring, Measurement, and Program Modifications:** The Enrollee shall:
- (a) Maintain relevant information that can be used to establish and prioritize appropriate SSMP activities;
 - (b) Monitor the implementation and, where appropriate, measure the effectiveness of each element of the SSMP;
 - (c) Assess the success of the preventative maintenance program;
 - (d) Update program elements, as appropriate, based on monitoring or performance evaluations; and
 - (e) Identify and illustrate SSO trends, including: frequency, location, and volume.
- (x) **SSMP Program Audits** - As part of the SSMP, the Enrollee shall conduct periodic internal audits, appropriate to the size of the system and the number of SSOs. At a minimum, these audits must occur every two years and a report must be prepared and kept on file. This audit shall focus on evaluating the effectiveness of the SSMP and the Enrollee's compliance with the SSMP requirements identified in this subsection (D.13), including identification of any deficiencies in the SSMP and steps to correct them.

(xi) **Communication Program** – The Enrollee shall communicate on a regular basis with the public on the development, implementation, and performance of its SSMP. The communication system shall provide the public the opportunity to provide input to the Enrollee as the program is developed and implemented.

The Enrollee shall also create a plan of communication with systems that are tributary and/or satellite to the Enrollee's sanitary sewer system.

14. Both the SSMP and the Enrollee's program to implement the SSMP must be certified by the Enrollee to be in compliance with the requirements set forth above and must be presented to the Enrollee's governing board for approval at a public meeting. The Enrollee shall certify that the SSMP, and subparts thereof, are in compliance with the general WDRs within the time frames identified in the time schedule provided in subsection D.15, below.

In order to complete this certification, the Enrollee's authorized representative must complete the certification portion in the Online SSO Database Questionnaire by checking the appropriate milestone box, printing and signing the automated form, and sending the form to:

State Water Resources Control Board
Division of Water Quality
Attn: SSO Program Manager
P.O. Box 100 Sacramento, CA 95812

The SSMP must be updated every five (5) years, and must include any significant program changes. Re-certification by the governing board of the Enrollee is required in accordance with D.14 when significant updates to the SSMP are made. To complete the re-certification process, the Enrollee shall enter the data in the Online SSO Database and mail the form to the State Water Board, as described above.

15. The Enrollee shall comply with these requirements according to the following schedule. This time schedule does not supersede existing requirements or time schedules associated with other permits or regulatory requirements.

Sewer System Management Plan Time Schedule

Task and Associated Section	Completion Date			
	Population > 100,000	Population between 100,000 and 10,000	Population between 10,000 and 2,500	Population < 2,500
Application for Permit Coverage Section C	6 months after WDRs Adoption	6 months after WDRs Adoption	6 months after WDRs Adoption	6 months after WDRs Adoption
Reporting Program Section G	6 months after WDRs Adoption ¹	6 months after WDRs Adoption ¹	6 months after WDRs Adoption ¹	6 months after WDRs Adoption ¹
SSMP Development Plan and Schedule No specific Section	9 months after WDRs Adoption ²	12 months after WDRs Adoption ²	15 months after WDRs Adoption ²	18 months after WDRs Adoption ²
Goals and Organization Structure Section D 13 (i) & (ii)	12 months after WDRs Adoption ²	12 months after WDRs Adoption ²	18 months after WDRs Adoption ²	18 months after WDRs Adoption ²
Overflow Emergency Response Program Section D 13 (vi)	24 months after WDRs Adoption ²	30 months after WDRs Adoption ²	36 months after WDRs Adoption ²	39 months after WDRs Adoption ²
Legal Authority Section D 13 (iii)	24 months after WDRs Adoption ²	30 months after WDRs Adoption ²	36 months after WDRs Adoption ²	39 months after WDRs Adoption ²
Operation and Maintenance Program Section D 13 (iv)	24 months after WDRs Adoption ²	30 months after WDRs Adoption ²	36 months after WDRs Adoption ²	39 months after WDRs Adoption ²
Grease Control Program Section D 13 (vii)	24 months after WDRs Adoption ²	30 months after WDRs Adoption ²	36 months after WDRs Adoption ²	39 months after WDRs Adoption ²
Design and Performance Section D 13 (v)	36 months after WDRs Adoption	39 months after WDRs Adoption	48 months after WDRs Adoption	51 months after WDRs Adoption
System Evaluation and Capacity Assurance Plan Section D 13 (viii)	36 months after WDRs Adoption	39 months after WDRs Adoption	48 months after WDRs Adoption	51 months after WDRs Adoption
Final SSMP, incorporating all of the SSMP requirements Section D 13	36 months after WDRs Adoption	39 months after WDRs Adoption	48 months after WDRs Adoption	51 months after WDRs Adoption

1. In the event that by July 1, 2006 the Executive Director is able to execute a memorandum of agreement (MOA) with the California Water Environment Association (CWEA) or discharger representatives outlining a strategy and time schedule for CWEA or another entity to provide statewide training on the adopted monitoring program, SSO database electronic reporting, and SSMP development, consistent with this Order, then the schedule of Reporting Program Section G shall be replaced with the following schedule:

Reporting Program Section G	
Regional Boards 4, 8, and 9	8 months after WDRs Adoption
Regional Boards 1, 2, and 3	12 months after WDRs Adoption
Regional Boards 5, 6, and 7	16 months after WDRs Adoption

If this MOU is not executed by July 1, 2006, the reporting program time schedule will remain six (6) months for all regions and agency size categories.

2. In the event that the Executive Director executes the MOA identified in note 1 by July 1, 2006, then the deadline for this task shall be extended by six (6) months. The time schedule identified in the MOA must be consistent with the extended time schedule provided by this note. If the MOA is not executed by July 1, 2006, the six (6) month time extension will not be granted.

E. WDRs and SSMP AVAILABILITY

1. A copy of the general WDRs and the certified SSMP shall be maintained at appropriate locations (such as the Enrollee’s offices, facilities, and/or Internet homepage) and shall be available to sanitary sewer system operating and maintenance personnel at all times.

F. ENTRY AND INSPECTION

1. The Enrollee shall allow the State or Regional Water Boards or their authorized representative, upon presentation of credentials and other documents as may be required by law, to:
 - a. Enter upon the Enrollee’s premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order;
 - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;

- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
- d. Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order or as otherwise authorized by the California Water Code, any substances or parameters at any location.

G. GENERAL MONITORING AND REPORTING REQUIREMENTS

1. The Enrollee shall furnish to the State or Regional Water Board, within a reasonable time, any information that the State or Regional Water Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order. The Enrollee shall also furnish to the Executive Director of the State Water Board or Executive Officer of the applicable Regional Water Board, upon request, copies of records required to be kept by this Order.
2. The Enrollee shall comply with the attached Monitoring and Reporting Program No. 2006-0003 and future revisions thereto, as specified by the Executive Director. Monitoring results shall be reported at the intervals specified in Monitoring and Reporting Program No. 2006-0003. Unless superseded by a specific enforcement Order for a specific Enrollee, these reporting requirements are intended to replace other mandatory routine written reports associated with SSOs.
3. All Enrollees must obtain SSO Database accounts and receive a "Username" and "Password" by registering through the California Integrated Water Quality System (CIWQS). These accounts will allow controlled and secure entry into the SSO Database. Additionally, within 30 days of receiving an account and prior to recording spills into the SSO Database, all Enrollees must complete the "Collection System Questionnaire", which collects pertinent information regarding a Enrollee's collection system. The "Collection System Questionnaire" must be updated at least every 12 months.
4. Pursuant to Health and Safety Code section 5411.5, any person who, without regard to intent or negligence, causes or permits any untreated wastewater or other waste to be discharged in or on any waters of the State, or discharged in or deposited where it is, or probably will be, discharged in or on any surface waters of the State, as soon as that person has knowledge of the discharge, shall immediately notify the local health officer of the discharge. Discharges of untreated or partially treated wastewater to storm drains and drainage channels, whether man-made or natural or concrete-lined, shall be reported as required above.

Any SSO greater than 1,000 gallons discharged in or on any waters of the State, or discharged in or deposited where it is, or probably will be, discharged in or on any surface waters of the State shall also be reported to the Office of Emergency Services pursuant to California Water Code section 13271.

H. CHANGE IN OWNERSHIP

- 1 This Order is not transferable to any person or party, except after notice to the Executive Director. The Enrollee shall submit this notice in writing at least 30 days in advance of any proposed transfer. The notice must include a written agreement between the existing and new Enrollee containing a specific date for the transfer of this Order's responsibility and coverage between the existing Enrollee and the new Enrollee. This agreement shall include an acknowledgement that the existing Enrollee is liable for violations up to the transfer date and that the new Enrollee is liable from the transfer date forward.

I. INCOMPLETE REPORTS

1. If an Enrollee becomes aware that it failed to submit any relevant facts in any report required under this Order, the Enrollee shall promptly submit such facts or information by formally amending the report in the Online SSO Database.

J. REPORT DECLARATION

1. All applications, reports, or information shall be signed and certified as follows:
 - (i) All reports required by this Order and other information required by the State or Regional Water Board shall be signed and certified by a person designated, for a municipality, state, federal or other public agency, as either a principal executive officer or ranking elected official, or by a duly authorized representative of that person, as described in paragraph (ii) of this provision. (For purposes of electronic reporting, an electronic signature and accompanying certification, which is in compliance with the Online SSO database procedures, meet this certification requirement.)
 - (ii) An individual is a duly authorized representative only if:
 - (a) The authorization is made in writing by a person described in paragraph (i) of this provision; and
 - (b) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity.

K. CIVIL MONETARY REMEDIES FOR DISCHARGE VIOLATIONS

1. The California Water Code provides various enforcement options, including civil monetary remedies, for violations of this Order.
2. The California Water Code also provides that any person failing or refusing to furnish technical or monitoring program reports, as required under this Order, or

falsifying any information provided in the technical or monitoring reports is subject to civil monetary penalties.

L. SEVERABILITY

1. The provisions of this Order are severable, and if any provision of this Order, or the application of any provision of this Order to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Order, shall not be affected thereby.
2. This order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the Enrollee from liability under federal, state or local laws, nor create a vested right for the Enrollee to continue the waste discharge.

CERTIFICATION

The undersigned Clerk to the State Water Board does hereby certify that the foregoing is a full, true, and correct copy of general WDRs duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 2, 2006.

AYE: Tam M. Doduc Gerald D. Secundy

NO: Arthur G. Baggett

ABSENT: None

ABSTAIN: None



Song Her
Clerk to the Board

Appendix C
SWRCB ORDER WQ 2013-0058-EXEC

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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
ORDER NO. WQ 2013-0058-EXEC

AMENDING MONITORING AND REPORTING PROGRAM
FOR
STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR
SANITARY SEWER SYSTEMS

The State of California, Water Resources Control Board (hereafter State Water Board) finds:

1. The State Water Board is authorized to prescribe statewide general Waste Discharge Requirements (WDRs) for categories of discharges that involve the same or similar operations and the same or similar types of waste pursuant to Water Code section 13263(i).
2. Water Code section 13193 *et seq.* requires the Regional Water Quality Control Boards (Regional Water Boards) and the State Water Board (collectively, the Water Boards) to gather Sanitary Sewer Overflow (SSO) information and make this information available to the public, including but not limited to, SSO cause, estimated volume, location, date, time, duration, whether or not the SSO reached or may have reached waters of the state, response and corrective action taken, and an enrollee's contact information for each SSO event. An enrollee is defined as the public entity having legal authority over the operation and maintenance of, or capital improvements to, a sanitary sewer system greater than one mile in length.
3. Water Code section 13271, *et seq.* requires notification to the California Office of Emergency Services (Cal OES), formerly the California Emergency Management Agency, for certain unauthorized discharges, including SSOs.
4. On May 2, 2006, the State Water Board adopted Order 2006-0003-DWQ, "Statewide Waste Discharge Requirements for Sanitary Sewer Systems"¹ (hereafter SSS WDRs) to comply with Water Code section 13193 and to establish the framework for the statewide SSO Reduction Program.
5. Subsection G.2 of the SSS WDRs and the Monitoring and Reporting Program (MRP) provide that the Executive Director may modify the terms of the MRP at any time.
6. On February 20, 2008, the State Water Board Executive Director adopted a revised MRP for the SSS WDRs to rectify early notification deficiencies and ensure that first responders are notified in a timely manner of SSOs discharged into waters of the state.
7. When notified of an SSO that reaches a drainage channel or surface water of the state, Cal OES, pursuant to Water Code section 13271(a)(3), forwards the SSO notification information² to local government agencies and first responders including local public health officials and the applicable Regional Water Board. Receipt of notifications for a single SSO event from both the SSO reporter and Cal OES is duplicative. To address this, the SSO notification requirements added by the February 20, 2008 MRP revision are being removed in this MRP revision.

¹ Available for download at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2006/wgo/wgo20060003.pdf

² Cal OES Hazardous Materials Spill Reports available Online at:

[http://w3.calema.ca.gov/operational/mal haz.nsf/\\$defaultview](http://w3.calema.ca.gov/operational/mal haz.nsf/$defaultview) and

<http://w3.calema.ca.gov/operational/mal haz.nsf> 23 - 108

8. In the February 28, 2008 Memorandum of Agreement between the State Water Board and the California Water and Environment Association (CWEA), the State Water Board committed to re- designing the CIWQS³ Online SSO Database to allow "event" based SSO reporting versus the original "location" based reporting. Revisions to this MRP and accompanying changes to the CIWQS Online SSO Database will implement this change by allowing for multiple SSO appearance points to be associated with each SSO event caused by a single asset failure.
9. Based on stakeholder input and Water Board staff experience implementing the SSO Reduction Program, SSO categories have been revised in this MRP. In the prior version of the MRP, SSOs have been categorized as Category 1 or Category 2. This MRP implements changes to SSO categories by adding a Category 3 SSO type. This change will improve data management to further assist Water Board staff with evaluation of high threat and low threat SSOs by placing them in unique categories (i.e., Category 1 and Category 3, respectively). This change will also assist enrollees in identifying SSOs that require Cal OES notification.
10. Based on over six years of implementation of the SSS WDRs, the State Water Board concludes that the February 20, 2008 MRP must be updated to better advance the SSO Reduction Program⁴ objectives, assess compliance, and enforce the requirements of the SSS WDRs.

IT IS HEREBY ORDERED THAT:

Pursuant to the authority delegated by Water Code section 13267(f), Resolution 2002-0104, and Order 2006-0003-DWQ, the MRP for the SSS WDRs (Order 2006-0003-DWQ) is hereby amended as shown in Attachment A and shall be effective on September 9, 2013.

8/6/13

Date


Thomas Howard
Executive Director

³ California Integrated Water Quality System (CIWQS) publicly available at <http://www.waterboards.ca.gov/ciwqs/publicreports.shtml>

⁴ Statewide Sanitary Sewer Overflow Reduction Program information is available at: http://www.waterboards.ca.gov/water_issues/programs/ssor/

ATTACHMENT A

STATE WATER RESOURCES CONTROL BOARD ORDER NO. WQ 2013-0058-EXEC

AMENDING MONITORING AND REPORTING PROGRAM FOR STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR SANITARY SEWER SYSTEMS

This Monitoring and Reporting Program (MRP) establishes monitoring, record keeping, reporting and public notification requirements for Order 2006-0003-DWQ, "Statewide General Waste Discharge Requirements for Sanitary Sewer Systems" (SSS WDRs). This MRP shall be effective from September 9, 2013 until it is rescinded. The Executive Director may make revisions to this MRP at any time. These revisions may include a reduction or increase in the monitoring and reporting requirements. All site specific records and data developed pursuant to the SSS WDRs and this MRP shall be complete, accurate, and justified by evidence maintained by the enrollee. Failure to comply with this MRP may subject an enrollee to civil liabilities of up to \$5,000 a day per violation pursuant to Water Code section 13350; up to \$1,000 a day per violation pursuant to Water Code section 13268; or referral to the Attorney General for judicial civil enforcement. The State Water Resources Control Board (State Water Board) reserves the right to take any further enforcement action authorized by law.

A. SUMMARY OF MRP REQUIREMENTS

Table 1 – Spill Categories and Definitions

CATEGORIES	DEFINITIONS [see Section A on page 5 of Order 2006-0003-DWQ, for Sewer Overflow (SSO) definition]
CATEGORY 1	Discharges of untreated or partially treated wastewater of <u>any volume</u> resulting from an enrollee's sanitary sewer system failure or flow condition that: <ul style="list-style-type: none"> • Reach surface water and/or reach a drainage channel tributary to a surface water; or • Reach a Municipal Separate Storm Sewer System (MS4) and are not fully captured and returned to the sanitary sewer system or not otherwise captured and disposed of properly. Any volume of wastewater not recovered from the MS4 is considered to have reached surface water unless the storm drain system discharges to a dedicated storm water or groundwater infiltration basin (e.g., infiltration pit, percolation pond).
CATEGORY 2	Discharges of untreated or partially treated wastewater of <u>1,000 gallons or greater</u> resulting from an enrollee's sanitary sewer system failure or flow condition that <u>do not</u> reach surface water, a drainage channel, or a MS4 unless the entire SSO discharged to the storm drain system is fully recovered and disposed of properly.
CATEGORY 3	All other discharges of untreated or partially treated wastewater resulting from an enrollee's sanitary sewer system failure or flow condition.

CATEGORIES	DEFINITIONS [see Section A on page 5 of Order 2006-0003-DWQ, for Sewer Overflow (SSO) definition]
PRIVATE LATERAL SEWAGE DISCHARGE (PLSD)	Discharges of untreated or partially treated wastewater resulting from blockages or other problems <u>within a privately owned sewer lateral</u> connected to the enrollee's sanitary sewer system or from other private sewer assets. PLSDs that the enrollee becomes aware of may be <u>voluntarily</u> reported to the California Integrated Water Quality System (CIWQS) Online SSO Database.

Table 2 – Notification, Reporting, Monitoring, and Record Keeping Requirements

ELEMENT	REQUIREMENT	METHOD
NOTIFICATION (see section B of MRP)	<ul style="list-style-type: none"> • Within two hours of becoming aware of any Category 1 SSO <u>greater than or equal to 1,000 gallons discharged to surface water or spilled in a location where it probably will be discharged to surface water</u>, notify the California Office of Emergency Services (Cal OES) and obtain a notification control number. 	Call Cal OES at: (800) 852-7550
REPORTING (see section C of MRP)	<ul style="list-style-type: none"> • Category 1 SSO: Submit draft report within three business days of becoming aware of the SSO and certify within 15 calendar days of SSO end date. • Category 2 SSO: Submit draft report within 3 business days of becoming aware of the SSO and certify within 15 calendar days of the SSO end date. • Category 3 SSO: Submit certified report within 30 calendar days of the end of month in which SSO the occurred. • SSO Technical Report: Submit within 45 calendar days after the end date of any Category 1 SSO in which 50,000 gallons or greater are spilled to surface waters. • “No Spill” Certification: Certify that no SSOs occurred within 30 calendar days of the end of the month or, if reporting quarterly, the quarter in which no SSOs occurred. • Collection System Questionnaire: Update and certify every 12 months. 	Enter data into the CIWQS Online SSO Database (http://ciwqs.waterboards.ca.gov/), certified by enrollee's Legally Responsible Official(s).
WATER QUALITY MONITORING (see section D of MRP)	<ul style="list-style-type: none"> • Conduct water quality sampling <u>within 48 hours</u> after initial SSO notification for Category 1 SSOs in which 50,000 gallons or greater are spilled to surface waters. 	Water quality results are required to be uploaded into CIWQS for Category 1 SSOs in which 50,000 gallons or greater are spilled to surface waters.

<p>RECORD KEEPING (see section E of MRP)</p>	<ul style="list-style-type: none"> • SSO event records. • Records documenting Sanitary Sewer Management Plan (SSMP) implementation and changes/updates to the SSMP. • Records to document Water Quality Monitoring for SSOs of 50,000 gallons or greater spilled to surface waters. • Collection system telemetry records if relied upon to document and/or estimate SSO Volume. 	<p>Self-maintained records shall be available during inspections or upon request.</p>
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B. NOTIFICATION REQUIREMENTS

Although Regional Water Quality Control Boards (Regional Water Boards) and the State Water Board (collectively, the Water Boards) staff do not have duties as first responders, this MRP is an appropriate mechanism to ensure that the agencies that have first responder duties are notified in a timely manner in order to protect public health and beneficial uses.

1. For any Category 1 SSO greater than or equal to 1,000 gallons that results in a discharge to a surface water or spilled in a location where it probably will be discharged to surface water, either directly or by way of a drainage channel or MS4, the enrollee shall, as soon as possible, but not later than two (2) hours after (A) the enrollee has knowledge of the discharge, (B) notification is possible, and (C) notification can be provided without substantially impeding cleanup or other emergency measures, notify the Cal OES and obtain a notification control number.
2. To satisfy notification requirements for each applicable SSO, the enrollee shall provide the information requested by Cal OES before receiving a control number. Spill information requested by Cal OES may include:
 - i. Name of person notifying Cal OES and direct return phone number.
 - ii. Estimated SSO volume discharged (gallons).
 - iii. If ongoing, estimated SSO discharge rate (gallons per minute).
 - iv. SSO Incident Description:
 - a. Brief narrative.
 - b. On-scene point of contact for additional information (name and cell phone number).
 - c. Date and time enrollee became aware of the SSO.
 - d. Name of sanitary sewer system agency causing the SSO.
 - e. SSO cause (if known).
 - v. Indication of whether the SSO has been contained.
 - vi. Indication of whether surface water is impacted.
 - vii. Name of surface water impacted by the SSO, if applicable.
 - viii. Indication of whether a drinking water supply is or may be impacted by the SSO.
 - ix. Any other known SSO impacts.
 - x. SSO incident location (address, city, state, and zip code).
3. Following the initial notification to Cal OES and until such time that an enrollee certifies the SSO report in the CIWQS Online SSO Database, the enrollee shall provide updates to Cal OES regarding substantial changes to the estimated volume of untreated or partially treated sewage discharged and any substantial change(s) to known impact(s).

4. PLSDs: The enrollee is strongly encouraged to notify Cal OES of discharges greater than or equal to 1,000 gallons of untreated or partially treated wastewater that result or may result in a discharge to surface water resulting from failures or flow conditions within a privately owned sewer lateral or from other private sewer asset(s) if the enrollee becomes aware of the PLSD.

C. REPORTING REQUIREMENTS

1. **CIWQS Online SSO Database Account:** All enrollees shall obtain a CIWQS Online SSO Database account and receive a “Username” and “Password” by registering through CIWQS. These accounts allow controlled and secure entry into the CIWQS Online SSO Database.
2. **SSO Mandatory Reporting Information:** For reporting purposes, if one SSO event results in multiple appearance points in a sewer system asset, the enrollee shall complete one SSO report in the CIWQS Online SSO Database which includes the GPS coordinates for the location of the SSO appearance point closest to the failure point, blockage or location of the flow condition that caused the SSO, and provide descriptions of the locations of all other discharge points associated with the SSO event.
3. **SSO Categories**
 - i. **Category 1** – Discharges of untreated or partially treated wastewater of any volume resulting from an enrollee’s sanitary sewer system failure or flow condition that:
 - a. Reach surface water and/or reach a drainage channel tributary to a surface water; or
 - b. Reach a MS4 and are not fully captured and returned to the sanitary sewer system or not otherwise captured and disposed of properly. Any volume of wastewater not recovered from the MS4 is considered to have reached surface water unless the storm drain system discharges to a dedicated storm water or groundwater infiltration basin (e.g., infiltration pit, percolation pond).
 - ii. **Category 2** – Discharges of untreated or partially treated wastewater greater than or equal to 1,000 gallons resulting from an enrollee’s sanitary sewer system failure or flow condition that does not reach a surface water, a drainage channel, or the MS4 unless the entire SSO volume discharged to the storm drain system is fully recovered and disposed of properly.
 - iii. **Category 3** – All other discharges of untreated or partially treated wastewater resulting from an enrollee’s sanitary sewer system failure or flow condition.

4. Sanitary Sewer Overflow Reporting to CIWQS - Timeframes

- i. **Category 1 and Category 2 SSOs** – All SSOs that meet the above criteria for Category 1 or Category 2 SSOs shall be reported to the CIWQS Online SSO Database:
 - a. Draft reports for Category 1 and Category 2 SSOs shall be submitted to the CIWQS Online SSO Database within three (3) business days of the enrollee becoming aware of the SSO. Minimum information that shall be reported in a draft Category 1 SSO report shall include all information identified in section 8.i.a. below. Minimum information that shall be reported in a Category 2 SSO draft report shall include all information identified in section 8.i.c below.

- b. A final Category 1 or Category 2 SSO report shall be certified through the CIWQS Online SSO Database within 15 calendar days of the end date of the SSO. Minimum information that shall be certified in the final Category 1 SSO report shall include all information identified in section 8.i.b below. Minimum information that shall be certified in a final Category 2 SSO report shall include all information identified in section 8.i.d below.
- ii. **Category 3 SSOs** – All SSOs that meet the above criteria for Category 3 SSOs shall be reported to the CIWQS Online SSO Database and certified within 30 calendar days after the end of the calendar month in which the SSO occurs (e.g., all Category 3 SSOs occurring in the month of February shall be entered into the database and certified by March 30). Minimum information that shall be certified in a final Category 3 SSO report shall include all information identified in section 8.i.e below.
- iii. **“No Spill” Certification** – If there are no SSOs during the calendar month, the enrollee shall either 1) certify, within 30 calendar days after the end of each calendar month, a “No Spill” certification statement in the CIWQS Online SSO Database certifying that there were no SSOs for the designated month, or 2) certify, quarterly within 30 calendar days after the end of each quarter, “No Spill” certification statements in the CIWQS Online SSO Database certifying that there were no SSOs for each month in the quarter being reported on. For quarterly reporting, the quarters are Q1 - January/ February/ March, Q2 - April/May/June, Q3 - July/August/September, and Q4 - October/November/December.

If there are no SSOs during a calendar month but the enrollee reported a PLSD, the enrollee shall still certify a “No Spill” certification statement for that month.

- iv. **Amended SSO Reports** – The enrollee may update or add additional information to a certified SSO report within 120 calendar days after the SSO end date by amending the report or by adding an attachment to the SSO report in the CIWQS Online SSO Database. SSO reports certified in the CIWQS Online SSO Database prior to the adoption date of this MRP may only be amended up to 120 days after the effective date of this MRP. After 120 days, the enrollee may contact the SSO Program Manager to request to amend an SSO report if the enrollee also submits justification for why the additional information was not available prior to the end of the 120 days.

5. **SSO Technical Report**

The enrollee shall submit an SSO Technical Report in the CIWQS Online SSO Database within 45 calendar days of the SSO end date for any SSO in which 50,000 gallons or greater are spilled to surface waters. This report, which does not preclude the Water Boards from requiring more detailed analyses if requested, shall include at a minimum, the following:

- i. **Causes and Circumstances of the SSO:**
 - a. Complete and detailed explanation of how and when the SSO was discovered.
 - b. Diagram showing the SSO failure point, appearance point(s), and final destination(s).
 - c. Detailed description of the methodology employed and available data used to calculate the volume of the SSO and, if applicable, the SSO volume recovered.
 - d. Detailed description of the cause(s) of the SSO.

- e. Copies of original field crew records used to document the SSO.
- f. Historical maintenance records for the failure location.

ii. **Enrollee's Response to SSO:**

- a. Chronological narrative description of all actions taken by enrollee to terminate the spill.
- b. Explanation of how the SSMP Overflow Emergency Response plan was implemented to respond to and mitigate the SSO.
- c. Final corrective action(s) completed and/or planned to be completed, including a schedule for actions not yet completed.

iii. **Water Quality Monitoring:**

- a. Description of all water quality sampling activities conducted including analytical results and evaluation of the results.
- b. Detailed location map illustrating all water quality sampling points.

6. **PLSDs**

Discharges of untreated or partially treated wastewater resulting from blockages or other problems within a privately owned sewer lateral connected to the enrollee's sanitary sewer system or from other private sanitary sewer system assets may be voluntarily reported to the CIWQS Online SSO Database.

- i. The enrollee is also encouraged to provide notification to Cal OES per section B above when a PLSD greater than or equal to 1,000 gallons has or may result in a discharge to surface water. For any PLSD greater than or equal to 1,000 gallons regardless of the spill destination, the enrollee is also encouraged to file a spill report as required by Health and Safety Code section 5410 et. seq. and Water Code section 13271, or notify the responsible party that notification and reporting should be completed as specified above and required by State law.
- ii. If a PLSD is recorded in the CIWQS Online SSO Database, the enrollee must identify the sewage discharge as occurring and caused by a private sanitary sewer system asset and should identify a responsible party (other than the enrollee), if known. Certification of PLSD reports by enrollees is not required.

7. **CIWQS Online SSO Database Unavailability**

In the event that the CIWQS Online SSO Database is not available, the enrollee must fax or e-mail all required information to the appropriate Regional Water Board office in accordance with the time schedules identified herein. In such event, the enrollee must also enter all required information into the CIWQS Online SSO Database when the database becomes available.

8. **Mandatory Information to be Included in CIWQS Online SSO Reporting**

All enrollees shall obtain a CIWQS Online SSO Database account and receive a "Username" and "Password" by registering through CIWQS which can be reached at CIWQS@waterboards.ca.gov or by calling (866) 792-4977, M-F, 8 A.M. to 5 P.M. These accounts will allow controlled and secure entry into the CIWQS Online SSO Database. Additionally, within thirty (30) days of initial enrollment and prior to recording SSOs into the CIWQS Online SSO Database, all enrollees must complete a Collection System Questionnaire (Questionnaire). The Questionnaire shall be updated at least once every 12 months.

i. **SSO Reports**

At a minimum, the following mandatory information shall be reported prior to finalizing and certifying an SSO report for each category of SSO:

- a. **Draft Category 1 SSOs**: At a minimum, the following mandatory information shall be reported for a draft Category 1 SSO report:
 1. SSO Contact Information: Name and telephone number of enrollee contact person who can answer specific questions about the SSO being reported.
 2. SSO Location Name.
 3. Location of the overflow event (SSO) by entering GPS coordinates. If a single overflow event results in multiple appearance points, provide GPS coordinates for the appearance point closest to the failure point and describe each additional appearance point in the SSO appearance point explanation field.
 4. Whether or not the SSO reached surface water, a drainage channel, or entered and was discharged from a drainage structure.
 5. Whether or not the SSO reached a municipal separate storm drain system.
 6. Whether or not the total SSO volume that reached a municipal separate storm drain system was fully recovered.
 7. Estimate of the SSO volume, inclusive of all discharge point(s).
 8. Estimate of the SSO volume that reached surface water, a drainage channel, or was not recovered from a storm drain.
 9. Estimate of the SSO volume recovered (if applicable).
 10. Number of SSO appearance point(s).
 11. Description and location of SSO appearance point(s). If a single sanitary sewer system failure results in multiple SSO appearance points, each appearance point must be described.
 12. SSO start date and time.
 13. Date and time the enrollee was notified of, or self-discovered, the SSO.
 14. Estimated operator arrival time.
 15. For spills greater than or equal to 1,000 gallons, the date and time Cal OES was called.

16. For spills greater than or equal to 1,000 gallons, the Cal OES control number.
- b. **Certified Category 1 SSOs:** At a minimum, the following mandatory information shall be reported for a certified Category 1 SSO report, in addition to all fields in section 8.i.a:
1. Description of SSO destination(s).
 2. SSO end date and time.
 3. SSO causes (mainline blockage, roots, etc.).
 4. SSO failure point (main, lateral, etc.).
 5. Whether or not the spill was associated with a storm event.
 6. Description of spill corrective action, including steps planned or taken to reduce, eliminate, and prevent reoccurrence of the overflow; and a schedule of major milestones for those steps.
 7. Description of spill response activities.
 8. Spill response completion date.
 9. Whether or not there is an ongoing investigation, the reasons for the investigation and the expected date of completion.
 10. Whether or not a beach closure occurred or may have occurred as a result of the SSO.
 11. Whether or not health warnings were posted as a result of the SSO.
 12. Name of beach(es) closed and/or impacted. If no beach was impacted, NA shall be selected.
 13. Name of surface water(s) impacted.
 14. If water quality samples were collected, identify parameters the water quality samples were analyzed for. If no samples were taken, NA shall be selected.
 15. If water quality samples were taken, identify which regulatory agencies received sample results (if applicable). If no samples were taken, NA shall be selected.
 16. Description of methodology(ies) and type of data relied upon for estimations of the SSO volume discharged and recovered.
 17. SSO Certification: Upon SSO Certification, the CIWQS Online SSO Database will issue a final SSO identification (ID) number.
- c. **Draft Category 2 SSOs:** At a minimum, the following mandatory information shall be reported for a draft Category 2 SSO report:
1. Items 1-14 in section 8.i.a above for Draft Category 1 SSO.

- d. **Certified Category 2 SSOs:** At a minimum, the following mandatory information shall be reported for a certified Category 2 SSO report:
 - 1. Items 1-14 in section 8.i.a above for Draft Category 1 SSO and Items 1-9, and 17 in section 8.i.b above for Certified Category 1 SSO.
- e. **Certified Category 3 SSOs:** At a minimum, the following mandatory information shall be reported for a certified Category 3 SSO report:
 - 1. Items 1-14 in section 8.i.a above for Draft Category 1 SSO and Items 1-5, and 17 in section 8.i.b above for Certified Category 1 SSO.

ii. **Reporting SSOs to Other Regulatory Agencies**

These reporting requirements do not preclude an enrollee from reporting SSOs to other regulatory agencies pursuant to state law. In addition, these reporting requirements do not replace other Regional Water Board notification and reporting requirements for SSOs.

iii. **Collection System Questionnaire**

The required Questionnaire (see subsection G of the SSS WDRs) provides the Water Boards with site-specific information related to the enrollee's sanitary sewer system. The enrollee shall complete and certify the Questionnaire at least every 12 months to facilitate program implementation, compliance assessment, and enforcement response.

iv. **SSMP Availability**

The enrollee shall provide the publicly available internet web site address to the CIWQS Online SSO Database where a downloadable copy of the enrollee's approved SSMP, critical supporting documents referenced in the SSMP, and proof of local governing board approval of the SSMP is posted. If all of the SSMP documentation listed in this subsection is not publicly available on the Internet, the enrollee shall comply with the following procedure:

- a. Submit an **electronic** copy of the enrollee's approved SSMP, critical supporting documents referenced in the SSMP, and proof of local governing board approval of the SSMP to the State Water Board, within 30 days of that approval and within 30 days of any subsequent SSMP re-certifications, to the following mailing address:

State Water Resources Control Board
Division of Water Quality
Attn: SSO Program Manager
1001 I Street, 15th Floor, Sacramento, CA 95814

D. WATER QUALITY MONITORING REQUIREMENTS:

To comply with subsection D.7(v) of the SSS WDRs, the enrollee shall develop and implement an SSO Water Quality Monitoring Program to assess impacts from SSOs to surface waters in which 50,000 gallons or greater are spilled to surface waters. The SSO Water Quality Monitoring Program, shall, at a minimum:

1. Contain protocols for water quality monitoring.
2. Account for spill travel time in the surface water and scenarios where monitoring may not be possible (e.g. safety, access restrictions, etc.).
3. Require water quality analyses for ammonia and bacterial indicators to be performed by an accredited or certified laboratory.
4. Require monitoring instruments and devices used to implement the SSO Water Quality Monitoring Program to be properly maintained and calibrated, including any records to document maintenance and calibration, as necessary, to ensure their continued accuracy.
5. Within 48 hours of the enrollee becoming aware of the SSO, require water quality sampling for, at a minimum, the following constituents:
 - i. Ammonia
 - ii. Appropriate Bacterial indicator(s) per the applicable Basin Plan water quality objective or Regional Board direction which may include total and fecal coliform, enterococcus, and e-coli.

E. RECORD KEEPING REQUIREMENTS:

The following records shall be maintained by the enrollee for a minimum of five (5) years and shall be made available for review by the Water Boards during an onsite inspection or through an information request:

1. General Records: The enrollee shall maintain records to document compliance with all provisions of the SSS WDRs and this MRP for each sanitary sewer system owned including any required records generated by an enrollee's sanitary sewer system contractor(s).
2. SSO Records: The enrollee shall maintain records for each SSO event, including but not limited to:
 - i. Complaint records documenting how the enrollee responded to all notifications of possible or actual SSOs, both during and after business hours, including complaints that do not result in SSOs. Each complaint record shall, at a minimum, include the following information:
 - a. Date, time, and method of notification.
 - b. Date and time the complainant or informant first noticed the SSO.
 - c. Narrative description of the complaint, including any information the caller can provide regarding whether or not the complainant or informant reporting the potential SSO knows if the SSO has reached surface waters, drainage channels or storm drains.
 - d. Follow-up return contact information for complainant or informant for each complaint received, if not reported anonymously.
 - e. Final resolution of the complaint.

- ii. Records documenting steps and/or remedial actions undertaken by enrollee, using all available information, to comply with section D.7 of the SSS WDRs.
 - iii. Records documenting how all estimate(s) of volume(s) discharged and, if applicable, volume(s) recovered were calculated.
3. Records documenting all changes made to the SSMP since its last certification indicating when a subsection(s) of the SSMP was changed and/or updated and who authorized the change or update. These records shall be attached to the SSMP.
 4. Electronic monitoring records relied upon for documenting SSO events and/or estimating the SSO volume discharged, including, but not limited to records from:
 - i. Supervisory Control and Data Acquisition (SCADA) systems
 - ii. Alarm system(s)
 - iii. Flow monitoring device(s) or other instrument(s) used to estimate wastewater levels, flow rates and/or volumes.

F. CERTIFICATION

1. All information required to be reported into the CIWQS Online SSO Database shall be certified by a person designated as described in subsection J of the SSS WDRs. This designated person is also known as a Legally Responsible Official (LRO). An enrollee may have more than one LRO.
2. Any designated person (i.e. an LRO) shall be registered with the State Water Board to certify reports in accordance with the CIWQS protocols for reporting.
3. Data Submitter (DS): Any enrollee employee or contractor may enter draft data into the CIWQS Online SSO Database on behalf of the enrollee if authorized by the LRO and registered with the State Water Board. However, only LROs may certify reports in CIWQS.
4. The enrollee shall maintain continuous coverage by an LRO. Any change of a registered LRO or DS (e.g., retired staff), including deactivation or a change to the LRO's or DS's contact information, shall be submitted by the enrollee to the State Water Board within 30 days of the change by calling (866) 792-4977 or e-mailing help@ciwqs.waterboards.ca.gov.
5. A registered designated person (i.e., an LRO) shall certify all required reports under penalty of perjury laws of the state as stated in the CIWQS Online SSO Database at the time of certification.

CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of an order amended by the Executive Director of the State Water Resources Control Board.

7/30/13
Date


Jeanine Townsend
Clerk to the Board

Appendix D
SSO PROCEDURES

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Appendix D

SEWAGE SPILL RESPONSE PROCEDURES

D.1 General Response Procedures

The four fundamental phases of all responses to a sanitary sewer spill are: CONTAIN, REPORT, CONTROL, and CLEANUP.

The first personnel on scene are to contain the spill to keep it from entering the storm drainage system or other receiving waters. This may be done in any number of ways including the use of sand or soil dikes, sandbags, or by plugging the outlet pipe of a catch basin.

After the spill is contained or if the spill enters the storm drainage system or receiving waters, appropriate regulatory agencies must be notified as soon as possible but not delay the containment.

Once the spill is contained and the appropriate agencies have been notified, it needs to be brought under control. That is, the impacted line must be relieved (the blockage removed) or bypassed (pumped to the next flowing manhole) if the line has failed.

The fourth and final step of the response is the cleanup. All surfaces touched by the spill must be washed down, disinfected, and the runoff contained and removed for proper disposal.

Spill Response forms and procedure flow charts are located at the end of this appendix.

D.2 Dispatch Procedures

1. **During business hours:** All calls from the public or from internal departments shall be routed to the Public Works Dispatcher at (626) 403-7370. The Public Works Dispatcher shall then call the Sewer Supervisor by radio or at (626) 372-3374 and/or the Sewer Crew by radio at (626) 419-6701 to immediately respond to the incident.
2. **After business hours:** All calls from the public or from internal departments are routed to Police Dispatch at (626) 403-7297. The Police Dispatcher shall then call the Sewer Crew at (626) 419-6701 to immediately respond to the incident.

D.3 Initial Spill Response Procedures

1. The Maintenance Superintendent or designee thereof shall be immediately dispatched to the site to take control of the scene as the Incident Commander. Desired response time is 45 minutes or less. Field crews will be immediately prepared to respond with all available equipment including diking materials, vacuum truck, and traffic control equipment.
2. The Incident Commander (the most high-ranking, appropriate, City employee or designee) shall assess the magnitude of the spill by estimating the gallons per minute of the flow or by the accumulation of spillage AND whether the spill has been contained or not.

For any sewage spill that results in a discharge into a drainage channel or a surface water, the discharger shall, as soon as possible but not later than two hours after becoming aware of the discharge, notify the State Office of Emergency Services (OES), the local health officer or directors of environmental health with jurisdiction over affected water bodies, and the appropriate Regional Water Quality Control Board (RWQCB).

3. Based on his/her assessment of the situation, the Incident Commander shall declare the spill either a Category I or Category II spill in accordance with the following parameters:
 - a. Category I - Blockage or restriction causing an overflow of 1,000 gallons or more, OR entering an environmentally sensitive area, OR entering the storm drain system and not captured.
 - i. Notification Requirements:
 - 1) OES - (800) 852-7550 (Call Immediately).
 - 2) Los Angeles County Health Department - (213) 974-1234 (24 hours) (Call within 15 minutes of spill).
 - 3) Los Angeles County Public Works - (888) 253-2652.
 - 4) RWQCB - (213) 576-6657 or (213) 305-2253 (Call within 2 hours of spill).
 - 5) State Water Resources Control Board (SWRCB) (<https://ciwqs.waterboards.ca.gov/>).
 - b. Category II - Blockage or restrictions causing a flow which is contained prior to entering the storm drain system AND has a cumulative overflow of less than 1,000 gallons.
 - i. Notification Requirements:
 - 1) Los Angeles County Health Departmental - (213) 974-1234.

There is a potential Private Lateral Sewage Discharge scenario, which would be the result of an overflow on private property NOT caused by a blockage in the public sewer system. In this event, it is the property owner/operator's responsibility to mitigate the spill; however, City crews may wish to consider assisting the property owner/operator within the bounds of resource availability and public service limitations. In this event, the Health Department should be notified, and the SWRCB may be notified at the option of the City.

D.4 Category I Spill Response Procedures

1. Berm the sewage flow, block all drainage inlets, and set up to start pumping to the closest clear manhole as soon as possible.
2. Request assistance of other agencies and/or contract firms for additional pumps to stabilize the situation.
3. Make all notifications as specified (within two hours of the spill).
 - a. OES.
 - b. Los Angeles County Health Department.
 - c. Los Angeles County Public Works (Flood Control).
 - d. RWQCB.
4. Determine the generation point of the spill (City line, County Sanitation Trunk line, or private property). If City generated, clear the restriction and proceed to Step 7. If County generated, contact County Sanitation Districts at (562) 437-6520 and proceed to Step 5. If generated from private property, contact the property's occupant of their responsibility to control the discharge and proceed to Step 6. If the occupant refuses to

comply, contact Code Enforcement at (626) 403-7360 and the County Health Department at (213) 974-1234.

5. Sanitation District Spills - City staff should continue to maintain containment of the spill until County crews arrive. Once County crews are on scene, the County is responsible for clearing the blockage and for cleanup, but the Incident Commander maintains responsibility for ensuring that the area is returned to its natural state. At the discretion of the City's Incident Commander, City crews may be required to assist in these operations. Proceed to Step 7.
6. Private Property Spills - City staff should continue to monitor the spill, how the spill is contained, and how materials are disposed of. Ensure proper containment and cleanup. At the discretion of the Incident Commander, City crews may be required to assist in containment and cleanup of a spill on private property, with all costs being back-charged to the responsible party(ies). If the spill should reach the public right-of-way, it is then the City's responsibility to ensure that the spill is contained, and that proper cleanup measures are completed. Proceed to Step 7.
7. Take photographs of the spill and include them for review by the National Pollutant Discharge Elimination Program (NPDES) Coordinator and Department Head. If the spill did not generate from private property but has entered private property, a copy of the report and photos must be forwarded to Risk Management. Request permission of the occupant of the private property before taking any pictures on private property. Confine pictures to only the areas affected by the spill.
8. Determine the cause of the spill. Describe what caused the problem and what actions were taken to correct the situation. This information is required for Department records. If the spill occurs in a business area, or if it is suspected to have been the result of a commercial or business activity, request that the Department Head contact the City's Storm Water consultant at (562) 802-7880 to assist with the investigation.
9. Clean up the spill area and remove containment. Leave the area as clean as practicable. Emphasis should be placed on removing all materials that are in or around the contaminated area. Wash down, disinfect, and remove all runoff from all surfaces that were in contact with the spill.
Under no circumstance is disinfectant-contaminated water allowed to enter a catch basin. All such water must be removed from the site (i.e., vacuumed up) and properly disposed of. It is acceptable procedure to rinse a spill as long as a vacuum truck is downstream to collect all wastewater. Be extremely cautious with the use of chlorine, as any residual chlorine on surfaces could be washed by landscape or other water sources into receiving waters long after the cleanup effort has concluded.
10. Check and clear downstream manholes. It is possible that debris may accumulate at the next downstream manhole following a backup. Always check the lower manhole to ensure that the line is flowing properly.
11. The Incident Commander must fill out a Sewer Spill Report form (located at end of this appendix).
12. Contact Police Dispatch at (626) 403-7297 and request assistance with traffic control, if needed.

D.5 Category II Spill Response

- Contain the spillage immediately. If appropriate, sandbag catch basin inlets. If necessary, set up the bypass pump.
- Notify Health Department at (213) 974-1234 and SWRCB (<https://ciwqs.waterboards.ca.gov/>).
- Complete Steps 4 through 12 of Category I Response.

D.5.1 Spill Response Follow-Up

1. File completed Spill Report Form (located at the end of this appendix) and photographs with the NPDES Coordinator.
2. Prepare the attached spill response form which includes, but not limited to, the following information:
 - a. Estimated volume of spill and amount that was discharged to surface waters, i.e., into storm drains and/or channels.
 - b. A discussion of the circumstances that caused the spill.
 - c. A discussion on the impacts to public health or environment resulting from the spill and corrective actions taken to mitigate the effects.
3. Determine cause of blockage and ascertain whether line(s) need to be placed on a higher maintenance schedule or if capital repairs are needed.

Category I and Category II Spill Response Flow Chart is provided on Figure 2a.

D.6 Timeframes for SSO Online Reporting

D.6.1 Category I

- The initial online sanitary sewer overflows (SSO) report should be reported as soon as possible but no later than three business days.
- Final certified report within 15 calendar days of SSO conclusion of response and remediation.

DI.6.2 Category II

- Final certified report due before end of the following month.

DII.6.3 Private Laterals

- Report, at enrollee's judgment, should follow same reporting procedure as Category II plus liable party contact information.

DIII.6.4 No Spills During Month

- Report due before end of the following month.

DIV.7 Outside Resources Contact List

- **Environmental Consultant:**
 - John L. Hunter & Associates
6131 Orangethorpe Avenue, Suite 350
Buena Park, CA 90620
Phone: (562) 802-7880
FAX: (562) 802-2297

- **Sewage Spill Response Companies:**

- Quality Jet Rooter
Whittier, CA
Contact: Tom Perez
Mobile: (323) 707-0002
Office: (800) 661-1287
- Easy Flow Pipe Cleaning LLC
Rancho Cucamonga, CA
Contact: Adam Wilson
Mobile: (909) 563-8212
Office: (909) 385-1017
- Plumber Depot
Gardena, CA
Contact: Mike Martin
Mobile: (310) 259-5542
Office: (310) 851-5715

D.8 Outside Agency Notification Numbers

- **L.A. County Notification:**

- When sewage enters storm drain system:
 - L.A. County Department of Public Works
Flood Maintenance Division
Contact: Hansen Yard West
Phone: (818) 896-0694 or 1 (800) 675-4357 (24 hours)
- If spill is originating from a Sanitation District Trunk Line:
 - Sanitation Districts of Los Angeles County
Phone: (562) 437-6520
After hours: (562) 437-6520
 - Los Angeles County Health Department:
Phone: (213) 974-1234
 - Long Beach Department of Health
Phone: (562) 570-4000

- **Adjacent City Notifications and Mutual Assistance:**

- City of Los Angeles
Phone: (323) 342-6006
After hours: (213) 485-5391
- City of Alhambra
Phone: (626) 570-5061
After hours: (626) 570-5168
- City of San Marino
Phone: (626) 300-0793
After hours: (626) 300-0720
- City of Pasadena
Phone: (626) 744-4158
After hours: (626) 744-4000

- Los Angeles County Department of Public Works
Flood Maintenance Division
Contact: East Yard
Phone: (626) 446-5227
After hours: (800) 675-4357
- **OES:**
 - Hazardous Spills Notification
Phone: (800) 852-7550
- **RWQCB:**
 - Phone: (213) 576-6657 (only available 8 a.m. to 5 p.m. weekdays)

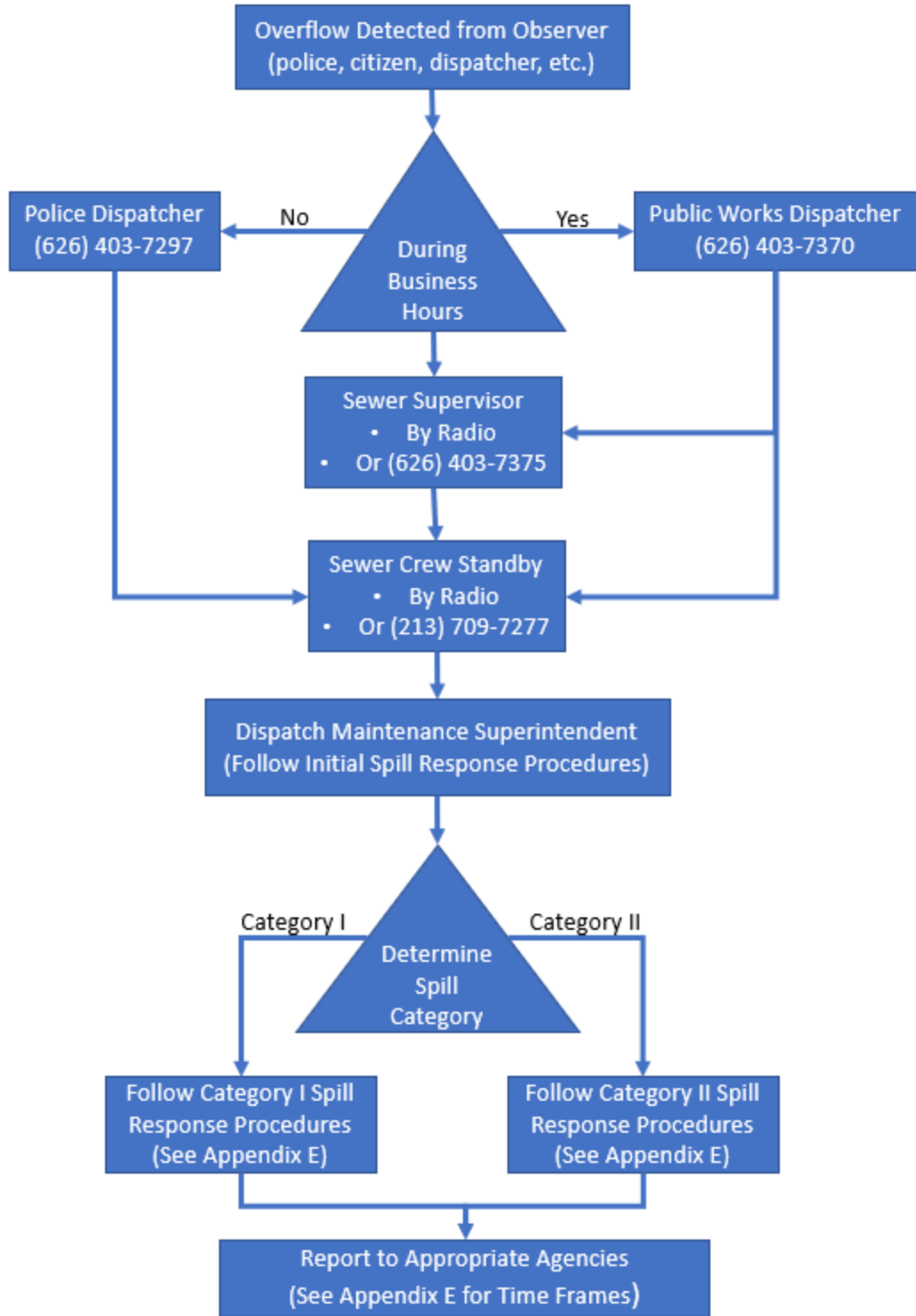
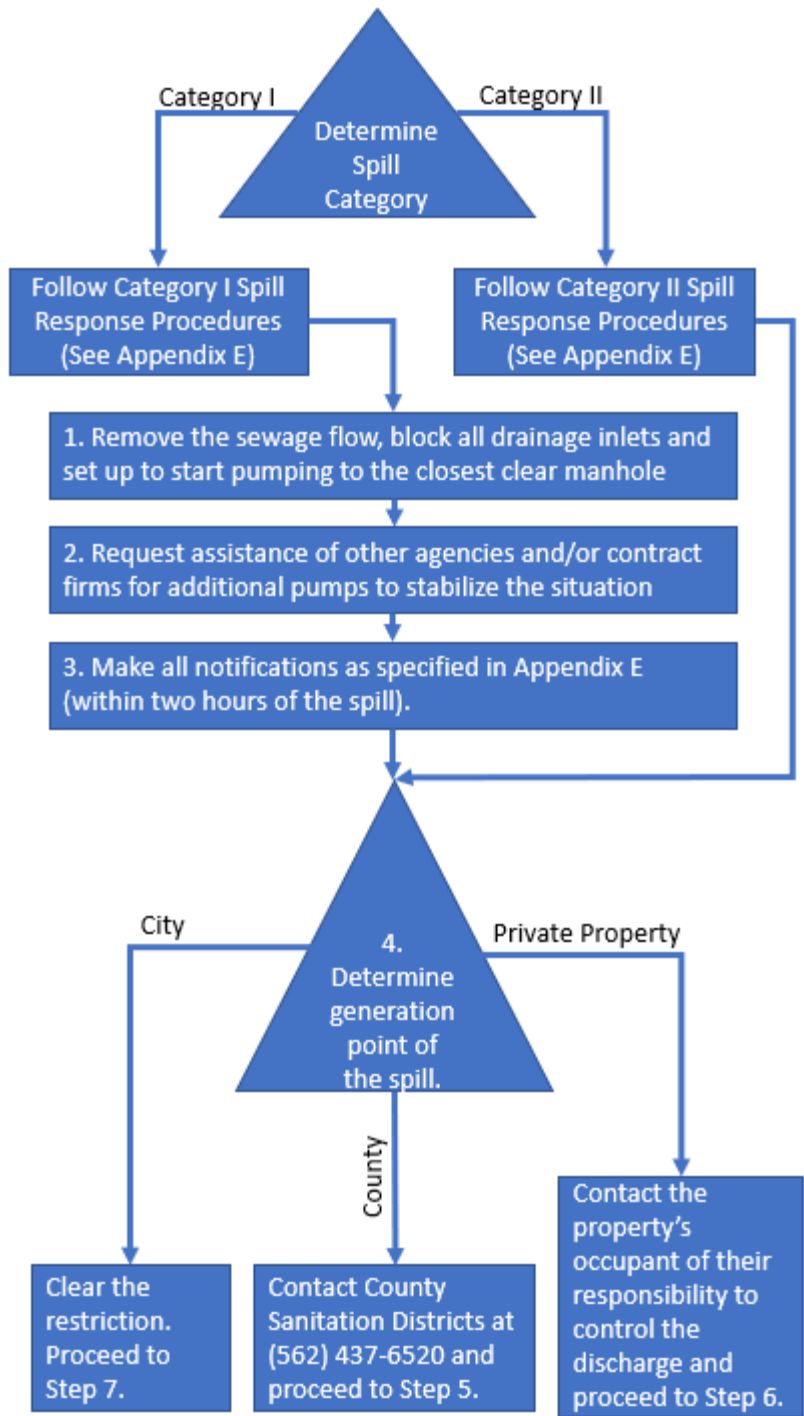


Figure 1 Sewage Spill Response Procedures (SSRP) Flow Chart



Flow Chart Continues on the Following Page

Figure 2a Sewage Spill Response Procedures (SSRP) Flow Chart

Flow Chart Continues from the Previous Page

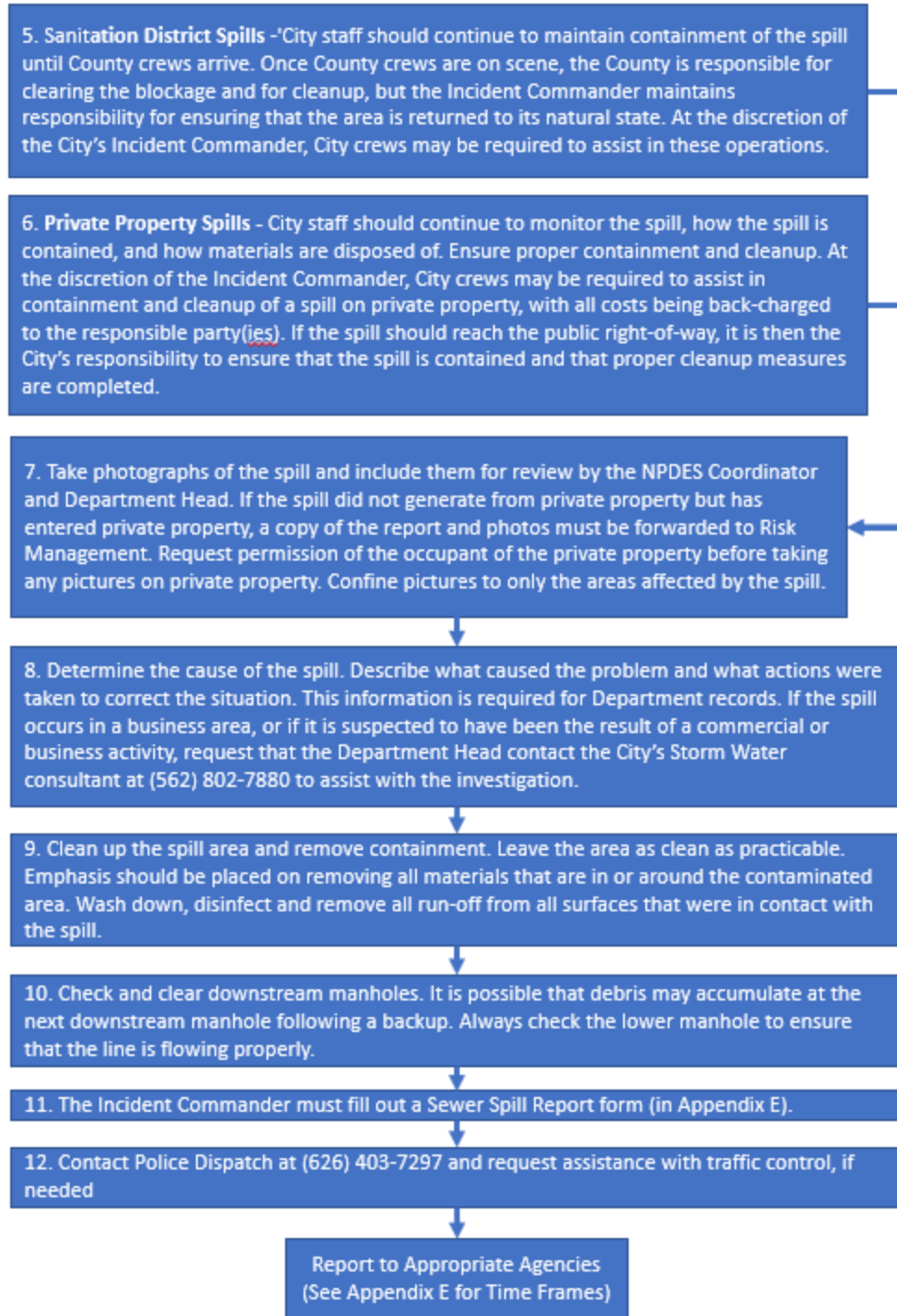


Figure 2b Sewage Spill Response Procedures (SSRP) Flow Chart

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Appendix E
CITY OF SOUTH PASADENA
MUNICIPAL CODE SECTION 30

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CHAPTER 30
SEWERS*

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* For state law as to authority of cities to construct, etc., sewers and drains, see Gov. C.A., § 38900. As to "Sewer Right-of-Way Law of 1921," see Gov. C.A., § 3900 to 39374. As to sanitation and sewerage systems, see H. & S.C.A., §§ 5470 to 5473.11.

As to connection of auto trailers in camps with sewer, see § 6.25 of this code.

ARTICLE I. DEFINITIONS, PROHIBITIONS AND GENERAL PROVISIONS

30.1 Definitions.

As used in this chapter, the following terms are defined in this section:

(a) "Best management practices" mean schedules of activities, prohibitions of practices, maintenance procedures and other management practice to prevent or

reduce the introduction of FOG to the sewer facilities.

(b) "Director" means the director of the department of public works.

(c) "Discharger" means any person who discharges or causes a discharge of wastewater directly or indirectly to a public sewer.

(d) "Fats, oils, and grease ("FOG")" mean any substance, such as a vegetable or animal product that is used in, or is a byproduct of, the cooking or food preparation process, and that turns or may turn viscous or solidifies with a change in temperature or other conditions.

(e) "FOG wastewater discharge permit" or "discharge permit" means a permit issued by the city subject to the requirements and conditions established by the city authorizing the permittee or discharger to discharge wastewater into the city's facilities or into sewer facilities which ultimately discharge into a facility.

(f) "Food grinder" means any device installed in the plumbing or sewage system for the purpose of grinding food waste or food preparation byproducts for the purpose of disposing it in the sewer system.

(g) "Food service establishment ("FSE")" means facilities defined in California Uniform Retail Food Facility Law (CURFFL) Health and Safety Code section 113785, and any commercial or public entity within the boundaries of the city, operating in a permanently constructed structure such as a room, building, or place, or portion thereof, maintained, used, or operated for the purpose of storing, preparing, serving, or manufacturing, packaging, or otherwise handling food for sale to other entities, or for consumption by the public, its members or employees, and which has any process or device that uses or produces FOG, or grease vapors, steam, fumes, smoke or odors that are required to be removed by a Type I or Type II hood, as defined in CURFFL. A limited food preparation establishment is not considered a FSE when engaged only in reheating, hot holding or assembly of ready to eat food products and as a result, there is no wastewater discharge containing a significant amount of FOG. A limited food preparation establishment does not include any operation that changes the form, flavor, or consistency of food.

(h) "Grease control device" means any grease interceptor, grease trap or other mechanism, device, or process, which attaches to, or is applied to, wastewater plumbing fixtures and lines, the purpose of which is to trap or collect or treat FOG prior to it being discharged into the sewer system. A grease control device may also include any other proven method to reduce FOG subject to the approval of

the director.

(i) "Grease disposal mitigation fee" means a fee charged to an owner/operator of a FSE, as provided in this chapter, when there are physical limitations to the property that make the installation of the usual and customary grease interceptor or grease control device for the FSE under consideration impossible.

(j) "Grease interceptor" means a multi-compartment device that is constructed in different sizes and is generally required to be located, according to the California Plumbing Code, underground between a FSE and the connection to the sewer system. These devices primarily use gravity to separate FOG from the wastewater as it moves from one compartment to the next.

(k) "Grease trap" means a grease control device that is used to serve individual fixtures and have limited effect and should only be used in those cases where the use of a grease interceptor or other grease control device is determined to be impossible.

(l) "Inspector" means a person authorized by the city to inspect any existing or proposed wastewater generation, conveyance, processing, and disposal facilities.

(m) "Local sewerage agency" means any public agency or private entity responsible for the collection and disposal of wastewater to the city's sewer facilities duly authorized under the laws of the state of California to construct and/or maintain public sewers.

(n) "Permittee" means a person who has received a permit to discharge wastewater into the city's sewer facilities subject to the requirements and conditions established by the city.

(o) "Public agency" means the state of California and/or any city, county, special district, other local governmental authority or public body of or within this state.

(p) "Public sewer" means a sewer owned and operated by the city, or other local public agency, which is tributary to the city's sewer facilities.

(q) "Regulatory agency" means those agencies having regulatory jurisdiction over the operations of the city, including, but not limited to:

- (1) United States Environmental Protection Agency, Region IX, San Francisco and Washington, DC (EPA);
- (2) California State Water Resources Control Board (SWRCB);

(3) California Regional Water Quality Control Board, Los Angeles Region (Los Angeles RWQCB);

(4) South Coast Air Quality Management District (SCAQMD);

(5) California Department of Health Services (DOHS).

(r) "Sewage" means wastewater.

(s) "Sewer facilities" or "system" means any and all facilities used for collecting, conveying, pumping, treating, and disposing of wastewater and sludge operated by the city.

(t) "Sewer lateral" means a building sewer as defined in the latest edition of the California Plumbing Code. It is the wastewater connection between the building's wastewater facilities and a public sewer system.

(u) "Significant remodel" means an FSE that conducts any remodeling to a FSE which involves construction valued at ten thousand dollars or more requiring a construction permit.

(v) "Sludge" means any solid, semi-solid or liquid decant, subnate or supernate from a manufacturing process, utility service, or pretreatment facility.

(w) "Waste" means sewage and any and all other waste substances, liquid, solid, gaseous or radioactive, associated with human habitation or of human or animal nature, including such wastes placed within containers of whatever nature prior to and for the purpose of disposal.

(x) "Wastewater" means the liquid and water-carried wastes of the community and all constituents thereof, whether treated or untreated, discharged into or permitted to enter a public sewer. (Ord. No. 2186, § 2, 2009.)

30.2 General prohibitions.

(a) No person shall act, or cause or permit any agent, employee, independent contractor or third party to act to construct, maintain, operate or utilize any wastewater system connection without a permit ("illicit connection"). The prohibition against illicit connection shall apply irrespective of whether the illicit connection may have been established prior to the date of enactment of the ordinance codified in this chapter, so long as the connection was illicit when established.

(b) No person shall act, or cause or permit any agent, employee, independent contractor or third party to act to cause, allow or facilitate any prohibited

discharge. Nor may any person act to impair the useful functioning of such drain, channel, or natural watercourse or act to cause a public nuisance, public hazard or detrimental pollution of natural surface or subsurface water. Any excessive sewer or sewerage maintenance expenses or any other expenses attributable thereto shall be paid by the responsible entity or person.

(c) It is unlawful for any person to discharge to the wastewater system any wastewater, waste, rainwater or other unpolluted water that is prohibited by CSDLA's wastewater ordinance or causes a violation of stormwater regulations or any requirements of the Regional Water Quality Control Board, Los Angeles Region. These prohibitions include, but are not limited to, prohibited rainwater, groundwater and other water discharges; prohibited industrial wastewater discharges; discharges which cause excessive sewer maintenance; prohibited and restricted waste discharges; medical and infectious wastes; and radioactive wastes.

(d) It is unlawful for any person to discharge or cause to be discharged any industrial wastewaters directly or indirectly to wastewater system owned by the city without first obtaining a permit for industrial wastewater discharge from the county sanitation districts of Los Angeles (CSDLA). When required by the CSDLA, this permit shall be obtained prior to commencement of any construction of new or modified facilities which will discharge industrial wastewater to the sewer.

A violation of these prohibitions shall occur irrespective of the intent of the violator to construct, maintain, operate or utilize an illicit connection or to cause, allow or facilitate any prohibited discharge. (Ord. No. 2186, § 2, 2009.)

30.3 Jurisdiction of building inspector and city engineer.

All pipes, drains and fixtures whatsoever within any building and to a point two feet outside thereof, as well as all septic tanks and cesspools and their connections to the house drains, shall be under the jurisdiction of the building inspector. The jurisdiction of the building inspector over sewer connections shall extend from a point two feet outside of the exterior wall served by such connection to the public right-of-way or easement. The city engineer shall have jurisdiction within the public right-of-way or easement. (Ord. No. 2186, § 2, 2009.)

30.4 Connection permits generally.

It is unlawful for any person to connect any drain or pipe with any city sewer, or discharge any drainage therein, without a permit to do so being first obtained from the city engineer, who shall charge and collect for each such permit the sum as set and adjusted by resolution of the city council. Each permit shall indicate the place at which the connection is to be made and the property to be

connected, and it shall be unlawful to make any such connection with any public sewer at any other place than that designated in the permit.

Every connection made with any public sewer of the city shall be made in accordance with the engineering and public works department's standard plans and specifications.

No sewer connection shall be covered or concealed in any way until it has been inspected and approved by the director or authorized representative.

The applicant shall have the required sewer installation performed by a contractor licensed by the state to perform this type of work. Complete engineering shall be by a registered civil engineer licensed in the state, and shall include the submission of a full set of detailed improvement plans of a scale acceptable to the director, along with appropriate plan check and inspection fees. The director reserves the right to require the contractor to televise the mains at the applicant's expense to determine acceptability. Any changes in installation shall have prior approval of the director, and the applicant shall furnish the director a complete set of as-built plans at the completion and acceptance of the installation.

The property owner shall be responsible for the construction, maintenance and repairs of all private property sewer connections to the public sewer. (Ord. No. 2186, § 2, 2009.)

30.5 Pipe with which connections are made.

Pipe with which a sewer connection is made must be at least four feet below the established grade of the street at the property line. In all cases, the line of the pipe must be straight from the property line to the wye connection at the sewer main unless otherwise approved by the city engineer. Where a wye connection cannot be found, saddling may be permitted upon approval of the city engineer. (Ord. No. 2186, § 2, 2009.)

30.6 Stormwater drains not to be connected with sewers.

It is unlawful for any person to connect any roof drain, cellar drain or any other drain carrying stormwater with any public sewer. (Ord. No. 2186, § 2, 2009.)

30.7 Unauthorized removal of covering to manhole or flush tank.

It is unlawful for any person, except a properly authorized official or employee of the city, to remove any covering to any manhole or flush tank connected with any sewer in the city. (Ord. No. 2186, § 2, 2009.)

30.8 Sewer connection fees.

Whenever the city engineer finds that a sewer connection permit has been requested by, or on behalf of, the owner of any real property within the city, which property has not borne its just share of the original cost of the installation and construction of the public sewer to which the sewer hook-up is desired, either by means of an assessment district proceeding contract, voluntary contribution, or otherwise, a fee shall be charged for such permit. Such fee shall be established by resolution. (Ord. No. 2186, § 2, 2009.)

30.9 Appeal.

Any person aggrieved by the decision of the city engineer relative to the amount of connection fee assessed to a particular property may appeal such determination to the city council by filing a written notice of appeal with the city clerk. At the time set for the hearing, the city council shall determine whether the proposed fee is just and reasonable under all of the circumstances applicable to the case. The decision of the city council shall be final and conclusive. (Ord. No. 2186, § 2, 2009.)

30.10 Sewer fund.

The moneys obtained from sewer connection fees shall be placed in a special fund known as the "sewer fund." Money from the sewer fund shall be appropriated only for the planning, acquisition, construction, reconstruction, maintenance and operation of sewerage facilities, to repay principal and interest on general obligation bonds issued for the construction or reconstruction of such sewerage facilities, and to pay federal or state loans or advances made for the construction or reconstruction of sewerage facilities; provided, however, that such revenue shall not be used for the acquisition or construction of new local street sewers or laterals, as distinguished from main trunk, interceptor and outfall sewers. (Ord. No. 2186, § 2, 2009.)

30.11 Sewer service charges.

- (a) Charges collected, as established by the ordinance codified in this section, will be used to reimburse the city for costs of regulating the construction of sewers, the interception of sewage and wastes, and to control wastewater to provide the maximum public benefit of the sewage disposal facilities of the city.
- (b) Service charges and fees shall be fixed from time to time by resolution of the city council.
- (c) Bills for sewer services are due and payable upon presentation with the water bill and shall become delinquent in the same manner and at the same time.

In the event any bill shall become delinquent, enforcement of payment shall be

made in the same manner as with water service delinquencies. Payment shall be made at the water department in person or by mail.

(d) There is established a sewerage fund to be administered by the director of finance. All taxes received pursuant to this part shall be used only for the acquisition, construction, reconstruction, maintenance and operation of city sewerage facilities. (Ord. No. 2186, § 2, 2009.)

ARTICLE II. FOG CONTROL PROGRAM

30.20 FOG discharge requirement.

No FSE shall discharge or cause to be discharged into the sewer system FOG that exceeds a concentration level adopted by a regulatory agency or that may accumulate and/or cause or contribute to blockages in the sewer system or at the sewer system lateral which connects the FSE to the sewer system. (Ord. No. 2186, § 2, 2009.)

30.21 FOG prohibitions.

The following prohibitions shall apply to all FSEs:

(a) No person shall discharge, or cause to be discharged any wastewater from FSEs directly or indirectly into the sewer system without first obtaining a FOG wastewater discharge permit pursuant to this chapter.

(b) Discharge of any waste, including FOG and solid materials removed from the grease control device to the sewer system, is prohibited.

(c) The installation and use of food grinders shall be prohibited in all new food service establishments that are located in new or existing buildings, in all existing food service establishments undergoing remodeling, and in all existing food preparation and service establishments undergoing remodeling or a change in operations such that they would become a commercial kitchen.

(d) Introduction of any additives into a food service establishment's wastewater system for the purpose of emulsifying or biologically/chemically treating FOG for grease remediation or as a supplement to interceptor maintenance, unless a specific written authorization from the director is obtained.

(e) Disposal of waste cooking oil into drainage pipes.

(f) The discharge of wastewater from dishwashers to any grease traps or grease interceptor.

(g) Discharge of wastewater with temperature in excess of one hundred forty

degrees Fahrenheit to any grease control device, including grease traps and grease interceptors.

(h) Discharge of wastes from toilets, urinals, wash basins, and other fixtures containing fecal material to sewer lines intended for grease interceptor service, is prohibited.

(i) A grease removal device should not be considered properly maintained if for any reason it is not in good working condition, or if sand, oil, sludge, and grease accumulations total more than twenty-five percent of the operative fluid capacity.

(j) The discharge of any waste or FOG to the sewer system in a manner which either violates the California State Water Resources Control Board's Sewer WDRs or causes or contributes to condition which fails to comply with any of the provisions of the sewer WDRs is prohibited. (Ord. No. 2186, § 2, 2009.)

30.22 FOG wastewater discharge permit required.

(a) FSEs proposing to discharge or currently discharging wastewater containing FOG into the city's sewer system shall obtain a FOG wastewater discharge permit from the city within either (1) one hundred eighty days from the effective date of the ordinance codified in this chapter; or (2) at the time any FSE applies for or renews its annual business license from the city. Compliance with this chapter must be demonstrated at the time any business license is issued, provided that the director may extend the compliance date for no more than ninety days after the date of the issuance of the license.

(b) FOG wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other regulations, charges for use, and fees established by the city. The conditions of FOG wastewater discharge permits shall be enforced by the city in accordance with this chapter and applicable state and federal regulations.

(c) The city shall not issue a certificate of occupancy for any new construction, or occupancy unless a FSE has fully complied with the provisions of this chapter. (Ord. No. 2186, § 2, 2009.)

30.23 FOG wastewater discharge permit application.

Any person required to obtain a FOG wastewater discharge permit shall complete and file with the city prior to commencing discharges, an application in a form prescribed by the director and shall provide the city such information and documents as the director determines is necessary and appropriate to properly

evaluate the application. The applicable fees shall accompany this application. After evaluation of the data furnished, the director may issue a FOG wastewater discharge permit, subject to terms and conditions set forth in this chapter and as otherwise determined by the director to be appropriate to protect the city's sewer system. (Ord. No. 2186, § 2, 2009.)

30.24 FOG wastewater discharge permit conditions.

The issuance of a FOG wastewater discharge permit may contain any of the following conditions or limits as determined by the director:

- (a) Limits on discharge of FOG and other priority pollutants;
- (b) Requirements for proper operation and maintenance of grease interceptors and other grease control devices;
- (c) Grease interceptor maintenance frequency and schedule;
- (d) Requirements for implementation of best management practices and installation of adequate grease interceptor and/or grease control device;
- (e) Requirements for maintaining and reporting status of best management practices;
- (f) Requirements for maintaining and submitting logs and records, including waste hauling records and waste manifests;
- (g) Requirements to self-monitor;
- (h) Requirements for the FSE to construct, operate and maintain, at its own expense, FOG control device and sampling facilities;
- (i) Consent by the operator of the FSE for the city and other regulatory agencies to inspect the FSE to confirm compliance with this chapter, the NPDES permit and other applicable laws, rules and regulations, including any NPDES permit applicable to the city;
- (j) Additional requirements as otherwise determined to be reasonably appropriate by the director to protect the city's system or as specified by other regulatory agencies;
- (k) Other terms and conditions, which may be reasonably applicable to ensure compliance with this chapter as determined by the director. (Ord. No. 2186, § 2, 2009.)

30.25 FOG wastewater discharge permit fee.

The FOG wastewater discharge permit fee shall be paid by the applicant in an amount adopted by resolution of the city council. Payment of permit fees must be received by the city prior to issuance of either a new permit or a renewed permit. A permittee shall also pay any delinquent invoices in full prior to permit renewal. (Ord. No. 2186, § 2, 2009.)

30.26 FOG wastewater discharge permit modifications of terms and conditions.

(a) The terms and conditions of an issued permit may be subject to modification and change by the sole determination of the director during the life of the permit based on:

- (1) The discharger's current or anticipated operating data;
- (2) The city's current or anticipated operating data;
- (3) Changes in the requirements of regulatory agencies which affect the city; or
- (4) A determination by the director that such modification is appropriate to further the objectives of this chapter.

(b) The permittee may request a modification to the terms and conditions of an issued permit. The request shall be in writing stating the requested change, and the reasons for the change. The director shall review the request, make a determination on the request, and respond in writing.

(c) The permittee shall be informed of any change in the permit limits, conditions, or requirements at least forty-five days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance. (Ord. No. 2186, § 2, 2009.)

30.27 FOG wastewater discharge permit duration and renewal.

FOG wastewater discharge permits shall be issued for a period not to exceed five years. Upon expiration of the permit, the discharger shall apply for renewal of the permit in accordance with the provisions of this chapter. (Ord. No. 2186, § 2, 2009.)

30.28 Exemption from FOG wastewater discharge permit.

A limited food preparation establishment is not considered a FSE for the purposes of this chapter and is exempt from obtaining a FOG wastewater discharge permit. Exempted establishment shall be engaged only in reheating, hot holding or assembly of ready to eat food products and as a result, there is no wastewater discharge containing significant amount of FOG. A limited food

preparation establishment does not include any operation that changes the form, flavor, or consistency of food. (Ord. No. 2186, § 2, 2009.)

30.29 Nontransferability of permits.

- (a) FOG wastewater discharge permits issued under this chapter are for a specific FSE, for a specific operation and create no vested rights.
- (b) No permit holder shall assign, transfer or sell any FOG wastewater discharge permit issued under this chapter nor use any such permit for or on any premises or for facilities or operations or discharges not expressly encompassed within the underlying permit.
- (c) Any permit, which is transferred to a new owner or operator or to a new facility, is void. (Ord. No. 2186, § 2, 2009.)

30.30 Best management practices required.

All FSEs shall implement best management practices in its operation to minimize the discharge of FOG to the sewer system.

- (a) Installation of Drain Screens. Drain screens shall be installed on all draining pipes in food preparation areas. Clean drain screens frequently by placing the collected material in the garbage.
- (b) Disposal of Food Waste. All food waste shall be disposed of directly into the trash or garbage and not in sinks.
- (c) Segregation and Collection of Waste Cooking Oil. Licensed waste haulers or an approved recycling facility must be used to dispose of waste cooking oil.
- (d) Maintenance of Kitchen Exhaust Filters. Filters shall be cleaned as frequently as necessary to be maintained in good operating condition. The wastewater generated from cleaning the exhaust filters shall be disposed properly.
- (e) Kitchen Signage. Best management and waste minimization practices shall be posted conspicuously in the food preparation and dishwashing areas at all times.
- (f) Employee Training. Employees of the food service establishment shall be trained by ownership within one hundred eighty days of notification, and twice each calendar year thereafter, on the following subjects:
 - (1) How to “dry wipe” pots, pans, dishware, and work area before washing to remove grease;

- (2) How to properly dispose of food waste and solids in enclosed plastic bags prior to disposal in trash bins or containers to prevent leaking and odors;
- (3) The location and use of absorption products to clean under fryer baskets and other locations where grease may be spilled or dripped;
- (4) How to properly dispose of grease or oils from cooking equipment into a grease receptacle such as a barrel or drum without spilling.

Training shall be documented and employee signatures retained indicating each employee's attendance and understanding of the practices reviewed. Training records shall be available for review at any reasonable time by or other authorized inspector. (Ord. No. 2186, § 2, 2009.)

30.31 FSEs FOG pretreatment required.

FSEs shall install an approved grease control device and regularly maintain it so as to prevent excessive discharges of grease and oil into the public sewer. Exceptions to the installation of a grease and oil interceptor shall be determined on a case-by-case basis by the director. (Ord. No. 2186, § 2, 2009.)

30.32 FOG pretreatment required for new construction of food service establishments.

All new construction of food service establishments and those undergoing a significant remodel shall install a grease interceptor prior to commencing discharge of wastewater to sewer system. (Ord. No. 2186, § 2, 2009.)

30.33 Variance and waiver of grease interceptor requirement.

(a) Variance from Grease Interceptor Requirements. A variance or a conditional waiver from the grease interceptor requirements on such terms and conditions as may be established by the director, consistent with the requirements of the sewer WDRs, the city's FOG control program, and best construction, engineering, environmental and health and safety practices, to: (1) allow alternative pretreatment technology that is, at least, equally effective in controlling the FOG discharge in lieu of a grease interceptor, may be granted by the director to FSEs demonstrating to the director's satisfaction that it is impossible to install, operate or maintain a grease interceptor; or (2) where the FSE demonstrates to the director's satisfaction that any FOG discharge from the FSE is negligible and will have an insignificant impact to the sewer system.

(b) Waiver from Grease Interceptor Installation with a Grease Disposal Mitigation Fee. For FSEs where the installation of grease interceptor is not

feasible and no equivalent alternative pretreatment can be installed, a waiver from the grease interceptor requirement may be granted with the imposition of a grease disposal mitigation fee as described in section 30.34. The director's determination to grant the waiver with a grease disposal mitigation fee will be based upon such considerations that the director determines to be appropriate and consistent with the sewer WDRs, the city's FOG control program, and best construction, engineering, environmental and health and safety practices. Provided, however, that a grease interceptor will be installed when the FSE undergoes a significant remodel. No discretionary permit, including but not limited to a conditional use permit, shall be issued to a FSE unless the applicant can demonstrate that a grease interceptor has been or will be installed at the FSE.

(c) Application for Waiver or Variance of Requirement for Grease Interceptor. A FSE may submit an application for waiver or variance from the grease interceptor requirement to the director. Terms and conditions for issuance of a variance to a FSE shall be set forth in the permit. A waiver or variance may be revoked at any time when any of the terms and conditions for its issuance is not satisfied or if the conditions upon which the waiver was based change so that the justification for the waiver no longer exists. (Ord. No. 2186, § 2, 2009.)

30.34 Grease disposal mitigation fee.

(a) FSEs that operate without a grease control interceptor may be required to pay an annual grease disposal mitigation fee to equitably cover the costs of increased maintenance and administration of the sewer system as a result of the FSEs' inability to adequately remove FOG from its wastewater discharge. This section shall not be interpreted to allow a new FSE, or existing FSEs undergoing remodeling or change in operations, to operate without an approved grease interceptor unless the director has determined that it is impossible to install or operate a grease control interceptor for the FSE under the provisions of this chapter.

(b) The grease disposal mitigation fee shall be established by resolution of the city council, and shall be based on the estimated annual increased cost of maintaining the sewer system for inspection and removal of FOG and other viscous or solidifying agents attributable to the FSE resulting from the lack of a grease interceptor or grease control device and such other costs that the city council considers appropriate.

(c) The grease disposal mitigation fee may not be waived or reduced when the FSE does not comply with the minimum requirements of this chapter. (Ord. No.

2186, § 2, 2009.)

30.35 Grease interceptor maintenance requirements.

(a) Grease interceptors shall be maintained in efficient operating condition by periodic removal of the full content of the interceptor which includes wastewater, accumulated FOG, floating materials, sludge and solids.

(b) Wastewater, accumulated FOG, floating material, sludge/solids, and other materials removed from the grease interceptor shall be disposed off site properly by waste haulers in accordance with federal, state and/or local laws.

(c) Grease interceptors shall be fully pumped out and cleaned on a quarterly basis. The agency may change the maintenance frequency at any time to reflect changes in actual operating conditions in accordance with the FOG control program. Based on the actual generation of FOG from the food service establishment, the maintenance frequency may increase or decrease.

(d) The permittee shall be required to keep all documents identified by the director relating to its compliance with this chapter, including manifests, receipts and invoices of all cleaning, maintenance, grease removal of/from the grease control device, disposal carrier and disposal site location for no less than two years. The permittee shall, upon request, make the manifests, receipts and invoices available to any city representative, or inspector.

(e) If the grease interceptor, at any time, contains excess FOG and solids accumulation the FSE shall be required to have the grease interceptor serviced immediately such that all fats, oils, grease, sludge, and other materials are completely removed from the grease interceptor. If deemed necessary, the director may also increase the maintenance frequency of the grease interceptor from the current frequency. (Ord. No. 2186, § 2, 2009.)

30.36 FOG inspections.

The director, or representative, shall be authorized at any reasonable time to enter the premises of any discharger to determine compliance with the provisions of this chapter; such inspection may include but not be limited to: inspection, sampling, monitoring, review, photograph, videotape and copy of any records, reports, test results or other data, wastes, chemicals, storage areas, storage containers, waste generating processes, treatment facilities and discharge locations. (Ord. No. 2186, § 2, 2009.)

30.37 FOG inspections fees.

The amount of FOG inspections fee shall be established by resolution of the city

council as amended from time to time in accordance with provisions of this chapter. (Ord. No. 2186, § 2, 2009.)

ARTICLE III. ENFORCEMENT

30.50 Notice of noncompliance.

The director may deliver to the owner or occupant of any private property, any permittee or any responsible party a notice of noncompliance listing the steps necessary to correct the conditions on the property causing noncompliance with the provisions of this chapter.

The director shall prepare each notice of noncompliance listing the applicable chapter provision(s), permit requirements violated, the selected compliance deadline, not to exceed ninety days, and stating that continued noncompliance may result in additional enforcement actions against the owner or occupant. The director may extend the compliance deadline an additional ninety days where good cause exists for the extension. (Ord. No. 2186, § 2, 2009.)

30.51 Administrative compliance orders.

(a) The director may issue an administrative compliance order to:

- (1) The owner or occupant of any private property requiring abatement of conditions on the property that cause or may cause discharges in violation of this chapter;
- (2) The permittee subject to the requirements of any permit issued pursuant to this chapter to ensure compliance with the terms, conditions and requirements of the permit.

(b) The administrative compliance order may include the installation of approved grease control devices. (Ord. No. 2186, § 2, 2009.)

30.52 Recovery of cost.

The director may issue to the owner or occupant of any private property, any permittee or any responsible party, who becomes subject to a notice of noncompliance or administrative order, an invoice for costs, which shall be immediately due and payable to the city for the actual costs incurred by the city in issuing and enforcing any notice or order.

If any owner or occupant, permittee or responsible party, fails to pay the invoice for costs within thirty days of the authorized inspector's deposit of the invoice for costs in the regular mail, postage prepaid, the enforcing attorney may institute collection proceedings or elect to place a lien on the property in the amount of

the invoice of costs. (Ord. No. 2186, § 2, 2009.)

30.53 Compliance schedule.

Upon determination that a discharger is in noncompliance with any provisions of this chapter, the director may require the discharger to submit for review and approval a compliance schedule. If, following the compliance schedule expiration date, the discharger fails to comply with the terms, conditions, or limitations specified in the compliance schedule, the discharger's permit, or with any provisions of this chapter, then the discharger may be subject to noncompliance fees, a probation order, a cease and desist order, and/or legal actions. (Ord. No. 2186, § 2, 2009.)

30.54 Cease and desist order.

(a) The director may order the owner or occupant of any private property, permittee or any responsible party to: (1) immediately discontinue any process water, wastewater or pollutant discharge to the wastewater system or the stormwater drainage system; (2) immediately block or divert any flow of water from the property, where the flow is occurring in violation of any provision of this chapter; and (3) immediately discontinue any other violation of this chapter. The cease and desist order may contain terms and conditions including, but not limited to, limits on rate and time of discharge, or other provisions to ensure compliance with this chapter.

(b) Notice/Hearing. When the director has reason to believe that grounds exist to issue a cease and desist order, he or she shall give written notice thereof either by personal delivery or by certified mail to the discharger setting forth the grounds for such an order, together with the time and place where the charges shall be heard.

(c) After the conclusion of the hearing, the director shall make a determination and issue a decision and order within thirty calendar days of the hearing. The written decision and order of the director shall be sent by personal delivery or by certified mail to the discharger. The order of the director shall be final in all aspects fourteen days after it is mailed to the discharger unless a request for hearing is filed with the city council.

Failure of the discharger to comply with the conditions of the cease and desist order may result in permit suspension, permit revocation, termination of service and/or legal actions. (Ord. No. 2186, § 2, 2009.)

30.1 Definitions.

As used in this chapter, the following terms are defined in this section:

- (a) “Best management practices” mean schedules of activities, prohibitions of practices, maintenance procedures and other management practice to prevent or reduce the introduction of FOG to the sewer facilities.
- (b) “Director” means the director of the department of public works.
- (c) “Discharger” means any person who discharges or causes a discharge of wastewater directly or indirectly to a public sewer.
- (d) “Fats, oils, and grease (“FOG”)” mean any substance, such as a vegetable or animal product that is used in, or is a byproduct of, the cooking or food preparation process, and that turns or may turn viscous or solidifies with a change in temperature or other conditions.
- (e) “FOG wastewater discharge permit” or “discharge permit” means a permit issued by the city subject to the requirements and conditions established by the city authorizing the permittee or discharger to discharge wastewater into the city’s facilities or into sewer facilities which ultimately discharge into a facility.
- (f) “Food grinder” means any device installed in the plumbing or sewage system for the purpose of grinding food waste or food preparation byproducts for the purpose of disposing it in the sewer system.
- (g) “Food service establishment (“FSE”)” means facilities defined in California Uniform Retail Food Facility Law (CURFFL) Health and Safety Code section 113785, and any commercial or public entity within the boundaries of the city, operating in a permanently constructed structure such as a room, building, or place, or portion thereof, maintained, used, or operated for the purpose of storing, preparing, serving, or manufacturing, packaging, or otherwise handling food for sale to other entities, or for consumption by the public, its members or employees, and which has any process or device that uses or produces FOG, or grease vapors, steam, fumes, smoke or odors that are required to be removed by a Type I or Type II hood, as defined in CURFFL. A limited food preparation establishment is not considered a FSE when engaged only in reheating, hot holding or assembly of ready to eat food products and as a result, there is no wastewater discharge containing a significant amount of FOG. A limited food preparation establishment does not include any operation that changes the form, flavor, or consistency of food.
- (h) “Grease control device” means any grease interceptor, grease trap or other mechanism, device, or process, which attaches to, or is applied to, wastewater plumbing fixtures and lines, the purpose of which is to trap or collect or treat FOG

prior to it being discharged into the sewer system. A grease control device may also include any other proven method to reduce FOG subject to the approval of the director.

(i) "Grease disposal mitigation fee" means a fee charged to an owner/operator of a FSE, as provided in this chapter, when there are physical limitations to the property that make the installation of the usual and customary grease interceptor or grease control device for the FSE under consideration impossible.

(j) "Grease interceptor" means a multi-compartment device that is constructed in different sizes and is generally required to be located, according to the California Plumbing Code, underground between a FSE and the connection to the sewer system. These devices primarily use gravity to separate FOG from the wastewater as it moves from one compartment to the next.

(k) "Grease trap" means a grease control device that is used to serve individual fixtures and have limited effect and should only be used in those cases where the use of a grease interceptor or other grease control device is determined to be impossible.

(l) "Inspector" means a person authorized by the city to inspect any existing or proposed wastewater generation, conveyance, processing, and disposal facilities.

(m) "Local sewerage agency" means any public agency or private entity responsible for the collection and disposal of wastewater to the city's sewer facilities duly authorized under the laws of the state of California to construct and/or maintain public sewers.

(n) "Permittee" means a person who has received a permit to discharge wastewater into the city's sewer facilities subject to the requirements and conditions established by the city.

(o) "Public agency" means the state of California and/or any city, county, special district, other local governmental authority or public body of or within this state.

(p) "Public sewer" means a sewer owned and operated by the city, or other local public agency, which is tributary to the city's sewer facilities.

(q) "Regulatory agency" means those agencies having regulatory jurisdiction over the operations of the city, including, but not limited to:

- (1) United States Environmental Protection Agency, Region IX, San Francisco and Washington, DC (EPA);

- (2) California State Water Resources Control Board (SWRCB);
 - (3) California Regional Water Quality Control Board, Los Angeles Region (Los Angeles RWQCB);
 - (4) South Coast Air Quality Management District (SCAQMD);
 - (5) California Department of Health Services (DOHS).
- (r) "Sewage" means wastewater.
- (s) "Sewer facilities" or "system" means any and all facilities used for collecting, conveying, pumping, treating, and disposing of wastewater and sludge operated by the city.
- (t) "Sewer lateral" means a building sewer as defined in the latest edition of the California Plumbing Code. It is the wastewater connection between the building's wastewater facilities and a public sewer system.
- (u) "Significant remodel" means an FSE that conducts any remodeling to a FSE which involves construction valued at ten thousand dollars or more requiring a construction permit.
- (v) "Sludge" means any solid, semi-solid or liquid decant, subnate or supernate from a manufacturing process, utility service, or pretreatment facility.
- (w) "Waste" means sewage and any and all other waste substances, liquid, solid, gaseous or radioactive, associated with human habitation or of human or animal nature, including such wastes placed within containers of whatever nature prior to and for the purpose of disposal.
- (x) "Wastewater" means the liquid and water-carried wastes of the community and all constituents thereof, whether treated or untreated, discharged into or permitted to enter a public sewer. (Ord. No. 2186, § 2, 2009.)

30.2 General prohibitions.

- (a) No person shall act, or cause or permit any agent, employee, independent contractor or third party to act to construct, maintain, operate or utilize any wastewater system connection without a permit ("illicit connection"). The prohibition against illicit connection shall apply irrespective of whether the illicit connection may have been established prior to the date of enactment of the ordinance codified in this chapter, so long as the connection was illicit when established.

(b) No person shall act, or cause or permit any agent, employee, independent contractor or third party to act to cause, allow or facilitate any prohibited discharge. Nor may any person act to impair the useful functioning of such drain, channel, or natural watercourse or act to cause a public nuisance, public hazard or detrimental pollution of natural surface or subsurface water. Any excessive sewer or sewerage maintenance expenses or any other expenses attributable thereto shall be paid by the responsible entity or person.

(c) It is unlawful for any person to discharge to the wastewater system any wastewater, waste, rainwater or other unpolluted water that is prohibited by CSDLA's wastewater ordinance or causes a violation of stormwater regulations or any requirements of the Regional Water Quality Control Board, Los Angeles Region. These prohibitions include, but are not limited to, prohibited rainwater, groundwater and other water discharges; prohibited industrial wastewater discharges; discharges which cause excessive sewer maintenance; prohibited and restricted waste discharges; medical and infectious wastes; and radioactive wastes.

(d) It is unlawful for any person to discharge or cause to be discharged any industrial wastewaters directly or indirectly to wastewater system owned by the city without first obtaining a permit for industrial wastewater discharge from the county sanitation districts of Los Angeles (CSDLA). When required by the CSDLA, this permit shall be obtained prior to commencement of any construction of new or modified facilities which will discharge industrial wastewater to the sewer.

A violation of these prohibitions shall occur irrespective of the intent of the violator to construct, maintain, operate or utilize an illicit connection or to cause, allow or facilitate any prohibited discharge. (Ord. No. 2186, § 2, 2009.)

30.3 Jurisdiction of building inspector and city engineer.

All pipes, drains and fixtures whatsoever within any building and to a point two feet outside thereof, as well as all septic tanks and cesspools and their connections to the house drains, shall be under the jurisdiction of the building inspector. The jurisdiction of the building inspector over sewer connections shall extend from a point two feet outside of the exterior wall served by such connection to the public right-of-way or easement. The city engineer shall have jurisdiction within the public right-of-way or easement. (Ord. No. 2186, § 2, 2009.)

30.4 Connection permits generally.

It is unlawful for any person to connect any drain or pipe with any city sewer, or discharge any drainage therein, without a permit to do so being first obtained from the city engineer, who shall charge and collect for each such permit the sum

as set and adjusted by resolution of the city council. Each permit shall indicate the place at which the connection is to be made and the property to be connected, and it shall be unlawful to make any such connection with any public sewer at any other place than that designated in the permit.

Every connection made with any public sewer of the city shall be made in accordance with the engineering and public works department's standard plans and specifications.

No sewer connection shall be covered or concealed in any way until it has been inspected and approved by the director or authorized representative.

The applicant shall have the required sewer installation performed by a contractor licensed by the state to perform this type of work. Complete engineering shall be by a registered civil engineer licensed in the state, and shall include the submission of a full set of detailed improvement plans of a scale acceptable to the director, along with appropriate plan check and inspection fees. The director reserves the right to require the contractor to televise the mains at the applicant's expense to determine acceptability. Any changes in installation shall have prior approval of the director, and the applicant shall furnish the director a complete set of as-built plans at the completion and acceptance of the installation.

The property owner shall be responsible for the construction, maintenance and repairs of all private property sewer connections to the public sewer. (Ord. No. 2186, § 2, 2009.)

30.5 Pipe with which connections are made.

Pipe with which a sewer connection is made must be at least four feet below the established grade of the street at the property line. In all cases, the line of the pipe must be straight from the property line to the wye connection at the sewer main unless otherwise approved by the city engineer. Where a wye connection cannot be found, saddling may be permitted upon approval of the city engineer. (Ord. No. 2186, § 2, 2009.)

30.6 Stormwater drains not to be connected with sewers.

It is unlawful for any person to connect any roof drain, cellar drain or any other drain carrying stormwater with any public sewer. (Ord. No. 2186, § 2, 2009.)

30.7 Unauthorized removal of covering to manhole or flush tank.

It is unlawful for any person, except a properly authorized official or employee of the city, to remove any covering to any manhole or flush tank connected with any

sewer in the city. (Ord. No. 2186, § 2, 2009.)

30.8 Sewer connection fees.

Whenever the city engineer finds that a sewer connection permit has been requested by, or on behalf of, the owner of any real property within the city, which property has not borne its just share of the original cost of the installation and construction of the public sewer to which the sewer hook-up is desired, either by means of an assessment district proceeding contract, voluntary contribution, or otherwise, a fee shall be charged for such permit. Such fee shall be established by resolution. (Ord. No. 2186, § 2, 2009.)

30.9 Appeal.

Any person aggrieved by the decision of the city engineer relative to the amount of connection fee assessed to a particular property may appeal such determination to the city council by filing a written notice of appeal with the city clerk. At the time set for the hearing, the city council shall determine whether the proposed fee is just and reasonable under all of the circumstances applicable to the case. The decision of the city council shall be final and conclusive. (Ord. No. 2186, § 2, 2009.)

30.10 Sewer fund.

The moneys obtained from sewer connection fees shall be placed in a special fund known as the "sewer fund." Money from the sewer fund shall be appropriated only for the planning, acquisition, construction, reconstruction, maintenance and operation of sewerage facilities, to repay principal and interest on general obligation bonds issued for the construction or reconstruction of such sewerage facilities, and to pay federal or state loans or advances made for the construction or reconstruction of sewerage facilities; provided, however, that such revenue shall not be used for the acquisition or construction of new local street sewers or laterals, as distinguished from main trunk, interceptor and outfall sewers. (Ord. No. 2186, § 2, 2009.)

30.11 Sewer service charges.

- (a) Charges collected, as established by the ordinance codified in this section, will be used to reimburse the city for costs of regulating the construction of sewers, the interception of sewage and wastes, and to control wastewater to provide the maximum public benefit of the sewage disposal facilities of the city.
- (b) Service charges and fees shall be fixed from time to time by resolution of the city council.
- (c) Bills for sewer services are due and payable upon presentation with the

water bill and shall become delinquent in the same manner and at the same time.

In the event any bill shall become delinquent, enforcement of payment shall be made in the same manner as with water service delinquencies. Payment shall be made at the water department in person or by mail.

(d) There is established a sewerage fund to be administered by the director of finance. All taxes received pursuant to this part shall be used only for the acquisition, construction, reconstruction, maintenance and operation of city sewerage facilities. (Ord. No. 2186, § 2, 2009.)

ARTICLE II. FOG CONTROL PROGRAM

30.20 FOG discharge requirement.

No FSE shall discharge or cause to be discharged into the sewer system FOG that exceeds a concentration level adopted by a regulatory agency or that may accumulate and/or cause or contribute to blockages in the sewer system or at the sewer system lateral which connects the FSE to the sewer system. (Ord. No. 2186, § 2, 2009.)

30.21 FOG prohibitions.

The following prohibitions shall apply to all FSEs:

- (a) No person shall discharge, or cause to be discharged any wastewater from FSEs directly or indirectly into the sewer system without first obtaining a FOG wastewater discharge permit pursuant to this chapter.
- (b) Discharge of any waste, including FOG and solid materials removed from the grease control device to the sewer system, is prohibited.
- (c) The installation and use of food grinders shall be prohibited in all new food service establishments that are located in new or existing buildings, in all existing food service establishments undergoing remodeling, and in all existing food preparation and service establishments undergoing remodeling or a change in operations such that they would become a commercial kitchen.
- (d) Introduction of any additives into a food service establishment's wastewater system for the purpose of emulsifying or biologically/chemically treating FOG for grease remediation or as a supplement to interceptor maintenance, unless a specific written authorization from the director is obtained.
- (e) Disposal of waste cooking oil into drainage pipes.
- (f) The discharge of wastewater from dishwashers to any grease traps or grease

interceptor.

(g) Discharge of wastewater with temperature in excess of one hundred forty degrees Fahrenheit to any grease control device, including grease traps and grease interceptors.

(h) Discharge of wastes from toilets, urinals, wash basins, and other fixtures containing fecal material to sewer lines intended for grease interceptor service, is prohibited.

(i) A grease removal device should not be considered properly maintained if for any reason it is not in good working condition, or if sand, oil, sludge, and grease accumulations total more than twenty-five percent of the operative fluid capacity.

(j) The discharge of any waste or FOG to the sewer system in a manner which either violates the California State Water Resources Control Board's Sewer WDRs or causes or contributes to condition which fails to comply with any of the provisions of the sewer WDRs is prohibited. (Ord. No. 2186, § 2, 2009.)

30.22 FOG wastewater discharge permit required.

(a) FSEs proposing to discharge or currently discharging wastewater containing FOG into the city's sewer system shall obtain a FOG wastewater discharge permit from the city within either (1) one hundred eighty days from the effective date of the ordinance codified in this chapter; or (2) at the time any FSE applies for or renews its annual business license from the city. Compliance with this chapter must be demonstrated at the time any business license is issued, provided that the director may extend the compliance date for no more than ninety days after the date of the issuance of the license.

(b) FOG wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other regulations, charges for use, and fees established by the city. The conditions of FOG wastewater discharge permits shall be enforced by the city in accordance with this chapter and applicable state and federal regulations.

(c) The city shall not issue a certificate of occupancy for any new construction, or occupancy unless a FSE has fully complied with the provisions of this chapter. (Ord. No. 2186, § 2, 2009.)

30.23 FOG wastewater discharge permit application.

Any person required to obtain a FOG wastewater discharge permit shall complete and file with the city prior to commencing discharges, an application in a form

prescribed by the director and shall provide the city such information and documents as the director determines is necessary and appropriate to properly evaluate the application. The applicable fees shall accompany this application. After evaluation of the data furnished, the director may issue a FOG wastewater discharge permit, subject to terms and conditions set forth in this chapter and as otherwise determined by the director to be appropriate to protect the city's sewer system. (Ord. No. 2186, § 2, 2009.)

30.24 FOG wastewater discharge permit conditions.

The issuance of a FOG wastewater discharge permit may contain any of the following conditions or limits as determined by the director:

- (a) Limits on discharge of FOG and other priority pollutants;
- (b) Requirements for proper operation and maintenance of grease interceptors and other grease control devices;
- (c) Grease interceptor maintenance frequency and schedule;
- (d) Requirements for implementation of best management practices and installation of adequate grease interceptor and/or grease control device;
- (e) Requirements for maintaining and reporting status of best management practices;
- (f) Requirements for maintaining and submitting logs and records, including waste hauling records and waste manifests;
- (g) Requirements to self-monitor;
- (h) Requirements for the FSE to construct, operate and maintain, at its own expense, FOG control device and sampling facilities;
- (i) Consent by the operator of the FSE for the city and other regulatory agencies to inspect the FSE to confirm compliance with this chapter, the NPDES permit and other applicable laws, rules and regulations, including any NPDES permit applicable to the city;
- (j) Additional requirements as otherwise determined to be reasonably appropriate by the director to protect the city's system or as specified by other regulatory agencies;
- (k) Other terms and conditions, which may be reasonably applicable to ensure compliance with this chapter as determined by the director. (Ord. No. 2186, § 2,

2009.)

30.25 FOG wastewater discharge permit fee.

The FOG wastewater discharge permit fee shall be paid by the applicant in an amount adopted by resolution of the city council. Payment of permit fees must be received by the city prior to issuance of either a new permit or a renewed permit. A permittee shall also pay any delinquent invoices in full prior to permit renewal. (Ord. No. 2186, § 2, 2009.)

30.26 FOG wastewater discharge permit modifications of terms and conditions.

(a) The terms and conditions of an issued permit may be subject to modification and change by the sole determination of the director during the life of the permit based on:

- (1) The discharger's current or anticipated operating data;
- (2) The city's current or anticipated operating data;
- (3) Changes in the requirements of regulatory agencies which affect the city; or
- (4) A determination by the director that such modification is appropriate to further the objectives of this chapter.

(b) The permittee may request a modification to the terms and conditions of an issued permit. The request shall be in writing stating the requested change, and the reasons for the change. The director shall review the request, make a determination on the request, and respond in writing.

(c) The permittee shall be informed of any change in the permit limits, conditions, or requirements at least forty-five days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance. (Ord. No. 2186, § 2, 2009.)

30.27 FOG wastewater discharge permit duration and renewal.

FOG wastewater discharge permits shall be issued for a period not to exceed five years. Upon expiration of the permit, the discharger shall apply for renewal of the permit in accordance with the provisions of this chapter. (Ord. No. 2186, § 2, 2009.)

30.28 Exemption from FOG wastewater discharge permit.

A limited food preparation establishment is not considered a FSE for the purposes of this chapter and is exempt from obtaining a FOG wastewater

discharge permit. Exempted establishment shall be engaged only in reheating, hot holding or assembly of ready to eat food products and as a result, there is no wastewater discharge containing significant amount of FOG. A limited food preparation establishment does not include any operation that changes the form, flavor, or consistency of food. (Ord. No. 2186, § 2, 2009.)

30.29 Nontransferability of permits.

- (a) FOG wastewater discharge permits issued under this chapter are for a specific FSE, for a specific operation and create no vested rights.
- (b) No permit holder shall assign, transfer or sell any FOG wastewater discharge permit issued under this chapter nor use any such permit for or on any premises or for facilities or operations or discharges not expressly encompassed within the underlying permit.
- (c) Any permit, which is transferred to a new owner or operator or to a new facility, is void. (Ord. No. 2186, § 2, 2009.)

30.30 Best management practices required.

All FSEs shall implement best management practices in its operation to minimize the discharge of FOG to the sewer system.

- (a) Installation of Drain Screens. Drain screens shall be installed on all draining pipes in food preparation areas. Clean drain screens frequently by placing the collected material in the garbage.
- (b) Disposal of Food Waste. All food waste shall be disposed of directly into the trash or garbage and not in sinks.
- (c) Segregation and Collection of Waste Cooking Oil. Licensed waste haulers or an approved recycling facility must be used to dispose of waste cooking oil.
- (d) Maintenance of Kitchen Exhaust Filters. Filters shall be cleaned as frequently as necessary to be maintained in good operating condition. The wastewater generated from cleaning the exhaust filters shall be disposed properly.
- (e) Kitchen Signage. Best management and waste minimization practices shall be posted conspicuously in the food preparation and dishwashing areas at all times.
- (f) Employee Training. Employees of the food service establishment shall be trained by ownership within one hundred eighty days of notification, and twice

each calendar year thereafter, on the following subjects:

- (1) How to “dry wipe” pots, pans, dishware, and work area before washing to remove grease;
- (2) How to properly dispose of food waste and solids in enclosed plastic bags prior to disposal in trash bins or containers to prevent leaking and odors;
- (3) The location and use of absorption products to clean under fryer baskets and other locations where grease may be spilled or dripped;
- (4) How to properly dispose of grease or oils from cooking equipment into a grease receptacle such as a barrel or drum without spilling.

Training shall be documented and employee signatures retained indicating each employee’s attendance and understanding of the practices reviewed. Training records shall be available for review at any reasonable time by or other authorized inspector. (Ord. No. 2186, § 2, 2009.)

30.31 FSEs FOG pretreatment required.

FSEs shall install an approved grease control device and regularly maintain it so as to prevent excessive discharges of grease and oil into the public sewer. Exceptions to the installation of a grease and oil interceptor shall be determined on a case-by-case basis by the director. (Ord. No. 2186, § 2, 2009.)

30.32 FOG pretreatment required for new construction of food service establishments.

All new construction of food service establishments and those undergoing a significant remodel shall install a grease interceptor prior to commencing discharge of wastewater to sewer system. (Ord. No. 2186, § 2, 2009.)

30.33 Variance and waiver of grease interceptor requirement.

(a) Variance from Grease Interceptor Requirements. A variance or a conditional waiver from the grease interceptor requirements on such terms and conditions as may be established by the director, consistent with the requirements of the sewer WDRs, the city’s FOG control program, and best construction, engineering, environmental and health and safety practices, to: (1) allow alternative pretreatment technology that is, at least, equally effective in controlling the FOG discharge in lieu of a grease interceptor, may be granted by the director to FSEs demonstrating to the director’s satisfaction that it is impossible to install, operate or maintain a grease interceptor; or (2) where the FSE demonstrates to the director’s satisfaction that any FOG discharge from the FSE is negligible and

will have an insignificant impact to the sewer system.

(b) Waiver from Grease Interceptor Installation with a Grease Disposal Mitigation Fee. For FSEs where the installation of grease interceptor is not feasible and no equivalent alternative pretreatment can be installed, a waiver from the grease interceptor requirement may be granted with the imposition of a grease disposal mitigation fee as described in section 30.34. The director's determination to grant the waiver with a grease disposal mitigation fee will be based upon such considerations that the director determines to be appropriate and consistent with the sewer WDRs, the city's FOG control program, and best construction, engineering, environmental and health and safety practices. Provided, however, that a grease interceptor will be installed when the FSE undergoes a significant remodel. No discretionary permit, including but not limited to a conditional use permit, shall be issued to a FSE unless the applicant can demonstrate that a grease interceptor has been or will be installed at the FSE.

(c) Application for Waiver or Variance of Requirement for Grease Interceptor. A FSE may submit an application for waiver or variance from the grease interceptor requirement to the director. Terms and conditions for issuance of a variance to a FSE shall be set forth in the permit. A waiver or variance may be revoked at any time when any of the terms and conditions for its issuance is not satisfied or if the conditions upon which the waiver was based change so that the justification for the waiver no longer exists. (Ord. No. 2186, § 2, 2009.)

30.34 Grease disposal mitigation fee.

(a) FSEs that operate without a grease control interceptor may be required to pay an annual grease disposal mitigation fee to equitably cover the costs of increased maintenance and administration of the sewer system as a result of the FSEs' inability to adequately remove FOG from its wastewater discharge. This section shall not be interpreted to allow a new FSE, or existing FSEs undergoing remodeling or change in operations, to operate without an approved grease interceptor unless the director has determined that it is impossible to install or operate a grease control interceptor for the FSE under the provisions of this chapter.

(b) The grease disposal mitigation fee shall be established by resolution of the city council, and shall be based on the estimated annual increased cost of maintaining the sewer system for inspection and removal of FOG and other viscous or solidifying agents attributable to the FSE resulting from the lack of a grease interceptor or grease control device and such other costs that the city

council considers appropriate.

(c) The grease disposal mitigation fee may not be waived or reduced when the FSE does not comply with the minimum requirements of this chapter. (Ord. No. 2186, § 2, 2009.)

30.35 Grease interceptor maintenance requirements.

(a) Grease interceptors shall be maintained in efficient operating condition by periodic removal of the full content of the interceptor which includes wastewater, accumulated FOG, floating materials, sludge and solids.

(b) Wastewater, accumulated FOG, floating material, sludge/solids, and other materials removed from the grease interceptor shall be disposed off site properly by waste haulers in accordance with federal, state and/or local laws.

(c) Grease interceptors shall be fully pumped out and cleaned on a quarterly basis. The agency may change the maintenance frequency at any time to reflect changes in actual operating conditions in accordance with the FOG control program. Based on the actual generation of FOG from the food service establishment, the maintenance frequency may increase or decrease.

(d) The permittee shall be required to keep all documents identified by the director relating to its compliance with this chapter, including manifests, receipts and invoices of all cleaning, maintenance, grease removal of/from the grease control device, disposal carrier and disposal site location for no less than two years. The permittee shall, upon request, make the manifests, receipts and invoices available to any city representative, or inspector.

(e) If the grease interceptor, at any time, contains excess FOG and solids accumulation the FSE shall be required to have the grease interceptor serviced immediately such that all fats, oils, grease, sludge, and other materials are completely removed from the grease interceptor. If deemed necessary, the director may also increase the maintenance frequency of the grease interceptor from the current frequency. (Ord. No. 2186, § 2, 2009.)

30.36 FOG inspections.

The director, or representative, shall be authorized at any reasonable time to enter the premises of any discharger to determine compliance with the provisions of this chapter; such inspection may include but not be limited to: inspection, sampling, monitoring, review, photograph, videotape and copy of any records, reports, test results or other data, wastes, chemicals, storage areas, storage containers, waste generating processes, treatment facilities and

discharge locations. (Ord. No. 2186, § 2, 2009.)

30.37 FOG inspections fees.

The amount of FOG inspections fee shall be established by resolution of the city council as amended from time to time in accordance with provisions of this chapter. (Ord. No. 2186, § 2, 2009.)

ARTICLE III. ENFORCEMENT

30.50 Notice of noncompliance.

The director may deliver to the owner or occupant of any private property, any permittee or any responsible party a notice of noncompliance listing the steps necessary to correct the conditions on the property causing noncompliance with the provisions of this chapter.

The director shall prepare each notice of noncompliance listing the applicable chapter provision(s), permit requirements violated, the selected compliance deadline, not to exceed ninety days, and stating that continued noncompliance may result in additional enforcement actions against the owner or occupant. The director may extend the compliance deadline an additional ninety days where good cause exists for the extension. (Ord. No. 2186, § 2, 2009.)

30.51 Administrative compliance orders.

(a) The director may issue an administrative compliance order to:

- (1) The owner or occupant of any private property requiring abatement of conditions on the property that cause or may cause discharges in violation of this chapter;
- (2) The permittee subject to the requirements of any permit issued pursuant to this chapter to ensure compliance with the terms, conditions and requirements of the permit.

(b) The administrative compliance order may include the installation of approved grease control devices. (Ord. No. 2186, § 2, 2009.)

30.52 Recovery of cost.

The director may issue to the owner or occupant of any private property, any permittee or any responsible party, who becomes subject to a notice of noncompliance or administrative order, an invoice for costs, which shall be immediately due and payable to the city for the actual costs incurred by the city in issuing and enforcing any notice or order.

If any owner or occupant, permittee or responsible party, fails to pay the invoice for costs within thirty days of the authorized inspector's deposit of the invoice for costs in the regular mail, postage prepaid, the enforcing attorney may institute collection proceedings or elect to place a lien on the property in the amount of the invoice of costs. (Ord. No. 2186, § 2, 2009.)

30.53 Compliance schedule.

Upon determination that a discharger is in noncompliance with any provisions of this chapter, the director may require the discharger to submit for review and approval a compliance schedule. If, following the compliance schedule expiration date, the discharger fails to comply with the terms, conditions, or limitations specified in the compliance schedule, the discharger's permit, or with any provisions of this chapter, then the discharger may be subject to noncompliance fees, a probation order, a cease and desist order, and/or legal actions. (Ord. No. 2186, § 2, 2009.)

30.54 Cease and desist order.

(a) The director may order the owner or occupant of any private property, permittee or any responsible party to: (1) immediately discontinue any process water, wastewater or pollutant discharge to the wastewater system or the stormwater drainage system; (2) immediately block or divert any flow of water from the property, where the flow is occurring in violation of any provision of this chapter; and (3) immediately discontinue any other violation of this chapter. The cease and desist order may contain terms and conditions including, but not limited to, limits on rate and time of discharge, or other provisions to ensure compliance with this chapter.

(b) Notice/Hearing. When the director has reason to believe that grounds exist to issue a cease and desist order, he or she shall give written notice thereof either by personal delivery or by certified mail to the discharger setting forth the grounds for such an order, together with the time and place where the charges shall be heard.

(c) After the conclusion of the hearing, the director shall make a determination and issue a decision and order within thirty calendar days of the hearing. The written decision and order of the director shall be sent by personal delivery or by certified mail to the discharger. The order of the director shall be final in all aspects fourteen days after it is mailed to the discharger unless a request for hearing is filed with the city council.

Failure of the discharger to comply with the conditions of the cease and desist order may result in permit suspension, permit revocation, termination of service

and/or legal actions. (Ord. No. 2186, § 2, 2009.)

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Appendix F
ANNUAL SEWER CLEANING SCHEDULE

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Appendix G

SSMP ADOPTION RESOLUTION

To be included in future submittal

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Appendix H
NOTICE OF PUBLIC MEETING REGARDING
SSMP ADOPTION

To be included in future submittal

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Appendix I

SWRCB CERTIFICATION FORM

To be included in future submittal

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ATTACHMENT 3
2011 Consent Judgement and Exhibits

1 Requirements for Sanitary Sewer Systems (WDR). As set forth in the Complaint filed
2 concurrently hereto, the Regional Board alleges that the City failed to comply with the WDR by
3 discharging pollutants, including but not limited to raw sewage, into waters of the United States
4 and/or waters of the state, in violation of Water Code sections 13263 and/or 13376, for which the
5 Regional Board or a superior court can assess civil liability pursuant to Water Code sections
6 13350 and/or 13385.

7 The Parties engaged in extended settlement negotiations prior to the initiation of litigation.
8 In these negotiations, the Regional Board was represented by the Attorney General of the State of
9 California. The City was represented by Richard Adams II of Jones and Mayer, City Attorney
10 and James L. Markman of Richards, Watson & Gershon, Special Counsel.

11 The Parties have agreed to settle this matter without litigation pursuant to the terms of this
12 Consent Judgment. The Regional Board has filed a Complaint simultaneously with the lodging
13 of this Consent Judgment. The Parties enter into this Consent Judgment pursuant to a
14 compromise and settlement of the allegations in the Complaint. The Parties believe that the
15 resolution embodied in this Consent Judgment is fair and reasonable and fulfills the Regional
16 Board's enforcement objectives; that its terms are appropriate in light of certain corrective efforts
17 the City has made or will make, and penalties to which the City has agreed to pay; and that entry
18 of this Consent Judgment is in the best interest of the public.

19 The Parties, after opportunity for review by counsel, hereby stipulate and consent to the
20 entry of this Consent Judgment as set forth below.

21 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:**

22 **CONSENT JUDGMENT PURSUANT TO STIPULATION**

23 **1. DEFINITIONS**

24 Except where otherwise expressly defined in this Consent Judgment, all terms shall be
25 interpreted consistent with the Porter-Cologne Water Quality Control Act, Water Code sections
26 13300 et seq., including the regulations promulgated pursuant to those sections, and the Federal
27
28

1 Water Pollution Control Act, 33 U.S.C. sections 1251 et seq., including the regulations
2 promulgated under those sections, 40 C.F.R. 100 et seq.

3 **2. COMPLAINT AND SCOPE OF AGREEMENT**

4 The Complaint in this action alleges that the City violated Water Code sections 13263
5 and/or 13376, for which the Regional Board or a superior court can assess civil liability pursuant
6 to Water Code sections 13350 and/or 13385. This Consent Judgment resolves all allegations and
7 violations made in the Complaint in this case as well as four (4) additional violations that the
8 Parties have agreed will be covered by this Consent Judgment. The total number of violations
9 covered by this Consent Judgment shall be twenty six (26) violations, all of which are listed in the
10 table attached hereto as Exhibit A.

11 **3. JURISDICTION AND VENUE**

12 The Parties agree that the Superior Court of California, County of Los Angeles, has subject
13 matter jurisdiction over the matters alleged in this action and personal jurisdiction over the Parties
14 to this Consent Judgment, and that the Superior Court for the County of Los Angeles is the proper
15 venue of this action.

16 **4. PAYMENT OF CIVIL PENALTIES AND INVESTIGATION AND**
17 **ENFORCEMENT COSTS**

18 **4.1 Total Penalties**

19 On entry of this Consent Judgment, the City shall be liable for a total of nine hundred
20 thousand dollars (\$900,000) in civil penalties.

21 **4.2 Civil Penalty Payment**

22 Within thirty (30) days of entry of this Consent Judgment, the City shall pay a civil penalty
23 of an amount equal to the remainder of two hundred twenty-five thousand dollars (\$225,000) less
24 the cost to the City of an asset management software system acceptable to the Regional Board,
25 such cost not to exceed fifty thousand dollars (\$50,000) with a check payable to the State Water
26 Pollution Cleanup and Abatement Account. If the City fails to make payment of this amount
27 within thirty (30) days, the City shall pay a stipulated penalty of one thousand dollars (\$1,000) for
28 each day payment is overdue.

1 The City shall deliver these payments to the Regional Board addressed to:
2 Regional Water Quality Control Board, Los Angeles Region
3 320 West Fourth Street, Suite 200
4 Los Angeles, California 90013
5 Attention: Paula Rasmussen

6 **4.3 Suspended Penalties**

7 The remaining civil penalties in the amount of six hundred and seventy-five thousand
8 dollars (\$675,000) shall be suspended. These suspended penalties (Suspended Civil Liability)
9 shall be deemed satisfied once the City completes all obligations pursuant to section 5 below.

10 **4.3a Reductions in Suspended Civil Liability**

11 Notwithstanding section 4.3 above, the City shall receive a reduction in the amount of the
12 Suspended Civil Liability as follows. When the City completes fifty percent (50%) of the
13 obligations pursuant to section 5 below, the City shall receive a credit of one hundred seventy
14 thousand dollars (\$170,000). When the City completes seventy five percent (75%) of the
15 obligations pursuant to section 5 below, the City shall receive an additional credit of one hundred
16 seventy thousand dollars (\$170,000), for a total credit of three hundred and forty thousand dollars
17 (\$340,000). The remaining portion of the Suspended Civil Liability shall be satisfied when the
18 entire obligation pursuant to section 5 below is complete.

19 **4.4 Attorney Fees, Staff Investigation Costs, and SEP Oversight Costs**

20 Within thirty (30) days of entry of this Consent Judgment, the City shall pay fifty thousand
21 dollars (\$50,000) for attorneys' fees and staff investigation costs and all oversight costs, delivered
22 as set forth in Section 4.2 above and with a check payable to the State Water Pollution Cleanup
23 and Abatement Account. If the City fails to make payment of this amount within thirty (30) days
24 of entry of this Consent Judgment, the City shall pay a stipulated penalty of one thousand dollars
25 (\$1,000) for each day payment is overdue with a check payable to the State Water Pollution
26 Cleanup and Abatement Account delivered to the Regional Board as set forth in Section 4.2
27 above.

28 **4.5 Disputes Pertaining to Payment of Penalties**

Should any disagreement arise pertaining to the City's failure to pay civil penalties,

1 attorneys' fees, or staff investigation costs, the Regional Board may enforce these provisions by
2 using the procedures set forth in section 14 below. If the Regional Board believes that the City
3 has failed to complete any portion of the obligations pursuant to section 5 of this Consent
4 Judgment, the Regional Board may seek to lift the suspension of any Suspended Civil Liability
5 amount as defined in section 4.3 of this Consent Judgment by using the procedures set forth in
6 section 14 below, taking into account any credits that are due to the City pursuant to section 4.3a
7 above.

8 **5. SEWER REPAIR WORK**

9 The City, through DMR Team Inc. (DMR), has completed video analysis of at least 50%
10 of the City's sewer system, and has grouped the condition of the sewer mains into four categories,
11 groups A, B, C, and D. DMR has also grouped all spot repairs needed in those mains into four
12 categories, groups I, II, III, and IV. The City shall complete the video analysis of the remaining
13 50% of the City's sewer system, as specified in section 8 of this Consent Judgment. The City
14 shall then complete repairs on all mains that the City has defined as in a Group "C" or "D" repair
15 condition in its "Sewer Video Analysis and Condition Assessment" (Condition Assessment
16 Report)¹ as specified in sections 5.1 and 5.2 below. Additionally, the City shall complete all local
17 spot repairs found to be in a Group "I" or "II" repair condition in the City's Condition
18 Assessment Report as specified in sections 5.1 and 5.2 below. Together, Groups "C" and "D"
19 and "I" and "II" shall be referred to as the Capital Improvement Program. If the City fails to
20 complete any part of the Capital Improvement Program repairs within the time periods specified
21 below, the City shall pay the appropriate Suspended Civil Liability amount as specified in
22 sections 4.3 and 4.5 above.

23 **5.1 Group "D" and Group "I" Repair Condition**

24 The City shall complete the repairs of the sewer mains in Group "D" and local spot repairs
25 in Group "I" repair condition within 4 years of entry of this Consent Judgment.
26

27 _____
28 ¹ The Condition Assessment Report is attached hereto as Exhibit B.

1 **5.2 Group “C” and Group “II” Repair Condition**

2 The City shall complete the repairs of the sewer mains in Group “C” and local spot repairs
3 in Group “II” repair condition within 10 years of entry of this Consent Judgment.

4 **5.3 Additional Incentive Payments**

5 If the City fails to complete the Capital Improvement Program above within 9 years from
6 the date of entry of this Consent Judgment, the City shall pay \$10,000 a month for each month the
7 City has not completed its Capital Improvement Program (Additional Incentive Monies). There
8 shall be no noticed motion required to collect this Additional Incentive Monies and it shall be
9 paid to the State Water Pollution Cleanup and Abatement Account and delivered pursuant to
10 section 4.2 above. The Regional Board shall meet and confer with the City prior to demanding
11 any Additional Incentive Monies. If the parties are unable to resolve their differences through the
12 meet and confer process, the Regional Board shall demand in writing the appropriate Additional
13 Incentive Money and the payment shall be due and payable within 30 days of the date of the
14 demand. This obligation does not require a Court finding. If the City disagrees with the Regional
15 Board’s demand, the City shall have the right to move the Court to set aside the Regional Board’s
16 demand.

17 **5.4 Submittal of Quarterly Reports**

18 The City shall submit quarterly reports to the Regional Board with the most up-to-date
19 information on the progress the City is making on the Capital Improvement Program. These
20 quarterly reports shall be due on January 30, April 30, July 30, and October 30 of each year. In
21 addition, when the City has completed its work on the Capital Improvement Program, it shall
22 submit a final report to the Regional Board that shall state that the Capital Improvement Program
23 has been completed and provide a complete list of all work completed pursuant to the Capital
24 Improvement Program (Final Report). The Regional Board shall have 90 days to review the Final
25 Report. If the Regional Board finds that the work pursuant to the Capital Improvement Program
26 is incomplete, then the Regional Board shall inform the City within those 90 days and shall meet
27 and confer regarding what work is outstanding. The City shall not be required to pay any
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1 Suspended Civil Liability amount or any Additional Incentive Monies during the 90 days that the
2 Regional Board is reviewing the Final Report. If a dispute regarding whether or not the City has
3 completed its Capital Improvement Program remains following the meet and confer, then the
4 Regional Board shall seek any Suspended Civil Liability pursuant to the procedures set forth in
5 section 14 of this Consent Judgment.

6 **6. ASSET MANAGEMENT SOFTWARE PROGRAM**

7 As an enhanced compliance project, the City shall acquire a subscription to, and enter into
8 an agreement for, an asset management software program for its sewer system within 60 days of
9 entry of this Consent Judgment (Enhanced Compliance Project). If the City fails to complete its
10 Enhanced Compliance Project within 60 days of entry of this Consent Judgment, the City shall
11 pay a stipulated penalty of \$1,000 per day that the Enhanced Compliance Project is incomplete.

12 **7. FLOW AND CAPACITY STUDY**

13 A proposed plan to study flow and capacity shall be prepared by the City and submitted to
14 the Regional Board within 60 days of entry of this Consent Judgment. The City shall then
15 complete the approved System Flow Monitoring and Capacity Analysis, which shall consist of a
16 flow and capacity study of the City's sanitary sewer system within 3 years of entry of this
17 Consent Judgment. If the City does not complete this study within 3 years, then the City shall
18 pay a stipulated penalty of \$1,000 per day that the study is incomplete.

19 **8. VIDEO ANALYSIS OF THE SEWER SYSTEM**

20 The City shall complete Phase III of its four phase video analysis of its sanitary sewer
21 system on or before December 31, 2011. The City shall complete Phase IV of its four phase
22 video analysis of its sanitary sewer system on or before December 31, 2012. The City shall then
23 complete a video analysis of its sanitary sewer system every 2 years starting January 1, 2013
24 (Subsequent Video Analysis). If the City fails to complete these video analyses in the time stated,
25 then the City shall pay \$1,000 per day until the analysis is complete.

26 **8.1. Routine Maintenance**

27 The City shall complete flushing and hydrojetting to clear blockages and roots and remove
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1 grease buildup (hereinafter "Routine Maintenance") discovered by the Subsequent Video
2 Analysis of its sanitary sewer system within 60 days from the determination that such Routine
3 Maintenance is necessary. If the City fails to complete the Routine Maintenance discovered by
4 the Subsequent Video Analysis of its sanitary sewer system within 60 days from the
5 determination that such repairs are necessary, then the City shall pay a stipulated penalty of
6 \$1,000 for every day that the repairs remain incomplete.

7 **8.2. Groups "D" and "I" Repair Condition After Subsequent Video Analysis**

8 Any Group "D" mains or Group "I" spot repairs as defined in Section 5 above that are
9 detected on any Subsequent Video Analysis of the sanitary sewer system, that were not
10 previously identified, shall be completed within 4 years from entry of this Consent Judgment, or
11 within 1 year of detection, whichever is later.

12 **8.3. Groups "C" and "II" Repair Condition After Subsequent Video Analysis**

13 Any Group "C" mains or Group "II" spot repairs as defined in Section 5 above that are
14 detected on any Subsequent Video Analysis of the sanitary sewer system, that were not
15 previously identified, shall be completed within 10 years from entry of this Consent Judgment, or
16 2 years from detection, whichever is later. The City shall not be required to pay any Additional
17 Incentive Monies for any Group "D" or Group "C" mains or Group "I" or Group "II" spot repairs
18 detected on any Subsequent Video Analysis of the sanitary sewer system that were not previously
19 identified in the first video analysis completed prior to December 31, 2012.

20 **8.4. Modification of Subsequent Video Analysis Repairs**

21 If the City determines that it cannot meet the schedule for the repairs discovered in any
22 Subsequent Video Analysis, then it may meet and confer with the Regional Board and attempt to
23 modify the schedule. If the parties are then unable to resolve any disputes, the City may bring a
24 noticed motion seeking judicial relief or modification of the schedule. Any change in the timing
25 of these repairs will not affect the City's obligations under Section 5 of this agreement. If the
26 City fails to comply with this term of the agreement, the Regional Board may seek the suspended
27 civil penalty by noticed motion as described in section 14 of this Consent Judgment, including
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1 any necessary meet and confer.

2 **9. SUBMITTAL OF SUBSEQUENT VIDEO ANALYSIS QUARTERLY**
3 **REPORTS**

4 The City shall submit quarterly reports to the Regional Board with the most up-to-date
5 information on the Subsequent Video Analysis of its sewer system. These quarterly reports shall
6 be due to the Regional Board on January 30, April 30, July 30, and October 30 of each year. In
7 addition, the quarterly reports shall provide the most up-to-date information on: 1) any new SSO
8 data (including the cause of the SSO and the measures taken to prevent recurrence); 2) the
9 continued implementation of the Routine Maintenance; 3) the City's fats, oils and grease (FOG)
10 control program (FOG control program); and 4) the City's Hot Spot program. If the City fails to
11 submit these quarterly reports to the Regional Board, then the City shall pay a stipulated penalty
12 of \$1,000 per day that any quarterly reports are overdue.

13 **10. FATS OILS AND GREASE CONTROL PROGRAM**

14 The City shall implement its FOG control program, attached hereto as Exhibit C, and make
15 its best efforts to have all food service establishments as defined in its FOG ordinance inspected
16 within 15 days of the City becoming aware of the existence of the establishment. If the City fails
17 to implement its FOG control program within 45 days of entry of this Consent Judgment, then the
18 City shall pay a stipulated penalty of \$1,000 for every day that it remains unimplemented.

19 **11. HOT SPOTS**

20 The City shall inspect locations in its sanitary sewer system known to the City to require
21 more frequent attention due to historic performance issues (Hot Spots) every 45 days and
22 complete all required Routine Maintenance within 45 days of determining that any Routine
23 Maintenance is necessary. If the City fails to inspect its known Hot Spots every 45 days or fails
24 to complete all required Routine Maintenance at its Hot Spots within 45 days of determining that
25 any Routine Maintenance is necessary, then the City shall pay a stipulated penalty of \$1,000 for
26 every day that the Hot Spots are not inspected and \$1,000 for every day that the required Routine
27 Maintenance is not complete.
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12. STAFF TRAINING

The City shall make its best efforts to train and certify its staff through the California Water Environment Association in collection system maintenance. All new hires in the sewer maintenance crew shall be required to receive such certification and training, provided it does not interfere with their Union contracts.

13. FORCE MAJEURE

13.1. Any event (which may include an act or an omission) that is beyond the City's control and that prevents the City from timely performing any obligation under this Consent Judgment, despite the City's reasonable best efforts, is a "Force Majeure" event. Force Majeure does not include the City's financial inability to fund or complete the obligation or circumstances that the City could have avoided if it had complied with preventative requirements imposed by law, regulation or ordinance.

13.2. If any Force Majeure event occurs that may prevent or delay the City's performance of any obligation under this Consent Judgment, within ten (10) business days of when the City first receives reasonable notice of the event, it shall provide to the Regional Board a written explanation and description of the event; the anticipated duration of any delay; all actions the City has taken or will take to prevent or minimize the delay or other noncompliance and a schedule of such actions; and the rationale for categorizing the event as a Force Majeure. In addition, the City shall provide all available non-privileged, material, factual documentation supporting a Force Majeure claim.

13.3. Within fourteen (14) days of receiving the notice set forth in Section 13.2, the Regional Board shall notify the City in writing whether it agrees with its assertion of Force Majeure. If the Regional Board agrees that the prevention of performance or anticipated prevention of performance or delay or anticipated delay is attributable to Force Majeure, the City's performance will be excused to such degree as the Regional Board and the City agree, or the time for performance of its obligations under this Consent Judgment that are affected by Force

1 Majeure will be excused to such degree, or extended for such time, as the Regional Board and the
2 City agree is necessary to complete those obligations.

3 **13.4.** If the City and the Regional Board disagree about the existence or effect of Force
4 Majeure, either the City or the Regional Board may petition the Court to resolve the dispute. If
5 either the City or the Regional Board petitions the Court to resolve the Force Majeure dispute, it
6 will neither preclude nor prejudice the Regional Board from bringing a motion to enforce the
7 Consent Judgment as provided in this Consent Judgment, nor will it preclude nor prejudice the
8 City's ability to oppose such a motion. Alternatively, the City may raise Force Majeure as a
9 defense to a motion to enforce. In all instances, the City shall have the burden of proof to
10 demonstrate Force Majeure.

11 **14. ENFORCEMENT AND PENALTIES**

12 **14.1. Procedure**

13 The Regional Board may move this Court to enforce any provision of this Consent
14 Judgment and to award other appropriate relief, including penalties for violations of sections 4
15 through 11 above, by serving and filing a regularly noticed motion in accordance with Code of
16 Civil Procedure section 1005 (Enforcement Motion). The City may file an opposition, and the
17 Regional Board may file a reply, both also in accordance with Code of Civil Procedure section
18 1005. At least ten (10) business days before filing an Enforcement Motion under this Consent
19 Judgment, the Regional Board must meet and confer with the City to attempt to resolve the matter
20 without judicial intervention. To ensure that the "meet and confer" is as productive as possible,
21 the Regional Board will identify, as specifically as the available information allows, the specific
22 instances and dates of non-compliance and the actions that the Regional Board believes the City
23 must take to remedy that non-compliance.

24 **15. PUBLIC COMMENT**

25 The Parties agree and acknowledge that the Regional Board's final approval of this Consent
26 Judgment is subject to the requirements of notice and comment pursuant to federal and state
27 requirements. Section 123.27(d)(2) of Title 40, Code of Federal Regulations, provides that notice
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1 of the proposed settlement be given to the public and that the public shall have at least thirty (30)
2 days after the notice to submit comments on the proposal. The Regional Board will publish notice
3 on the Regional Board website after the Consent Judgment is lodged with the Court. The
4 Regional Board reserves the right to withdraw or withhold its consent, prior to entry of the
5 Consent Judgment, if the comments received disclose information or considerations that indicate
6 that the Consent Judgment is inappropriate, improper, or inadequate. The City agrees not to
7 withdraw from, oppose entry of, or to challenge any provision of this Consent Judgment, unless
8 the Regional Board notifies the City in writing that it no longer supports entry of this Consent
9 Judgment.

10 **16. NOTICE**

11 All submissions and notices required by this Consent Judgment shall be sent to:

12 For the Regional Board:

13 Paula Rasmussen
14 Los Angeles Regional Water Quality Control Board
15 320 West Fourth Street, Suite 200
16 Los Angeles, California 90013

17 Noah Golden-Krasner
18 Deputy Attorney General
19 Office of the Attorney General
20 300 South Spring Street, Ste 1702
21 Los Angeles, California 90013

22 For the City:

23 Sergio Gonzalez, Interim City Manager
24 City of South Pasadena
25 1414 Mission Street
26 South Pasadena, California 91030

27 Richard Adams II, City Attorney
28 City of South Pasadena
3777 N. Harbor Boulevard
Fullerton, California 92835

1 Any Party may change its notice name and address by informing the other Party in writing,
2 but no change is effective until it is received. All notices and other communications required or
3 permitted under this Consent Judgment that are properly addressed as provided in this Section are
4 effective upon delivery if delivered personally or by overnight mail, or are effective five (5) days
5 following deposit in the United States mail, postage prepaid, if delivered by mail.

6 **17. CONSENT TO INSPECTION OF FACILITIES AND DOCUMENTS**

7 **17.1. Documents**

8 On reasonable notice, the City shall permit any duly authorized representative of the
9 Regional Board to inspect and copy any documents in the City's possession that relate to this
10 Consent Judgment, to determine whether the City is in compliance with the terms of this Consent
11 Judgment. Nothing in this section is intended to require access to or production of any documents
12 that are protected by the attorney-client privilege, attorney work product doctrine or any other
13 applicable privilege afforded to the City under law.

14 **17.2. Facilities**

15 On reasonable notice, the City shall permit any duly authorized representative of the
16 Regional Board to inspect its sewer system facilities including, but not limited to, sewer mains,
17 manholes, Hot Spots, Routine Maintenance areas, and any other City facility involved in this
18 Consent Judgment

19 **18. NECESSITY FOR WRITTEN APPROVALS**

20 All approvals and decisions of the Regional Board under the terms of this Consent
21 Judgment shall be communicated to the City in writing. No oral advice, guidance, suggestions or
22 comments by employees or officials of the Regional Board regarding submissions or notices shall
23 be construed to relieve the City of its obligation to obtain any final written approval required by
24 this Consent Judgment.

25 **19. EFFECT OF JUDGMENT**

26 Except as expressly provided in this Consent Judgment, nothing in this Consent Judgment
27 is intended nor shall it be construed to preclude the Regional Board, or any state, county, or local
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1 agency, department, board or entity, or any Certified Unified Program Agency, from exercising
2 its authority under any law, statute or regulation.

3 **20. LIABILITY OF REGIONAL BOARD**

4 The Regional Board shall not be liable for any injury or damage to persons or property
5 resulting from acts or omissions by the City, its directors, officers, employees, agents,
6 representatives or contractors in carrying out activities pursuant to this Consent Judgment, nor
7 shall the Regional Board be held as a party to or guarantor of any contract entered into by the
8 City, its directors, officers, employees, agents, representatives or contractors, in carrying out the
9 requirements of this Consent Judgment.

10 **21. NO WAIVER OF RIGHT TO ENFORCE**

11 The failure of the Regional Board to enforce any provision of this Consent Judgment shall
12 neither be deemed a waiver of such provision nor in any way affect the validity of this Consent
13 Judgment. The failure of the Regional Board to enforce any such provision shall not preclude it
14 from later enforcing the same or any other provision of this Consent Judgment. No oral advice,
15 guidance, suggestions or comments by employees or officials of any Party regarding matters
16 covered in this Consent Judgment shall be construed to relieve any Party of its obligations under
17 this Consent Judgment.

18 **22. FUTURE REGULATORY CHANGES**

19 Nothing in this Consent Judgment shall excuse the City from meeting any more stringent
20 requirements that may be imposed by changes in the applicable law.

21 **23. APPLICATION OF CONSENT JUDGMENT**

22 Upon entry, this Consent Judgment shall apply to and be binding upon the Regional Board
23 and the City, and their employees, agents, successors, and assigns.

24 **24. AUTHORITY TO ENTER CONSENT JUDGMENT**

25 Each signatory to this Consent Judgment certifies that he or she is fully authorized by the
26 Party he or she represents to enter into this Consent Judgment, to execute it on behalf of the Party
27 represented and legally to bind that Party.
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31. TERMINATION OF CONSENT JUDGMENT

This Consent Judgment will expire and be of no further effect after the City has completed all work contemplated by Sections 5 and 8, the Regional Board has agreed that such work is complete, and the City has paid all penalties as required by this Consent Judgment.

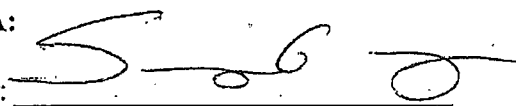
32. FINAL JUDGMENT

Upon approval and entry of this Consent Judgment by the Court, this Consent Judgment shall constitute a Final Judgment by the Court as to the Parties.

SO STIPULATED.

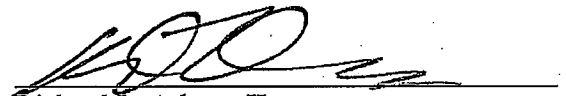
FOR DEFENDANT CITY OF SOUTH PASADENA:

Dated: November 28, 2011

By: 
Sergio Gonzalez
Interim City Manager
City of South Pasadena


APPROVED AS TO FORM:

Dated: November 29, 2011


Richard L. Adams II
Jones & Mayer
Attorneys for Defendant
City of South Pasadena

FOR PLAINTIFF PEOPLE OF THE STATE OF CALIFORNIA EX REL. THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, LOS ANGELES REGION:

Dated: November 30, 2011

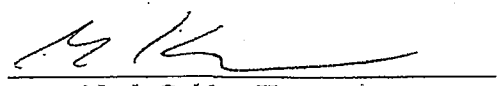
By: 
Samuel L. Unger
Executive Officer
California Regional Water Quality Control Board, Los Angeles Region

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APPROVED AS TO FORM:

Dated: November 30, 2011.



Noah Golden-Krasner
Deputy Attorney General
Attorney for Plaintiff
Regional Water Quality Control Board,
Los Angeles Region

IT IS HEREBY ORDERED:

Entered this _____ day of _____, 2011.

Judge of the Superior Court of Los Angeles County

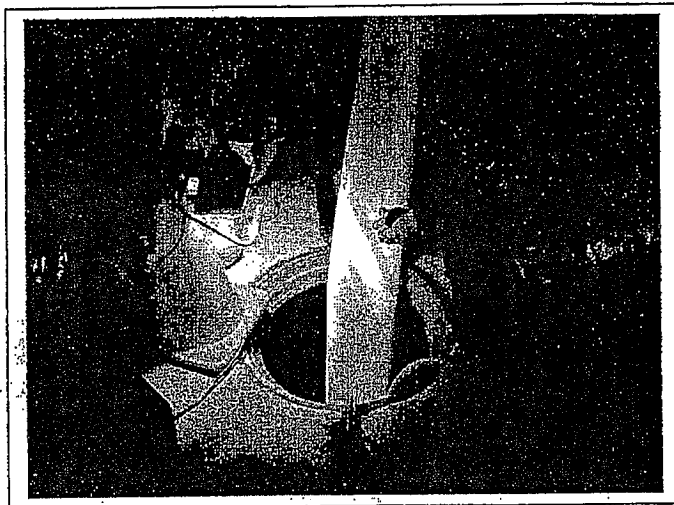
Exhibit A
City of South Pasadena
Sanitary Sewer Overflows entered into CIWQS

EVENT ID	Start Date	SSO Address	SSO City	SSO Vol	SSO Failure Point
647430	1/29/07 12:00 AM	E Huntington Dr and Fair Oaks	South Pasadena	600	Main
650881	5/21/07 8:10 AM	354 Camino del Sol	South Pasadena	5,400	Main
652469	6/19/07 1:58 AM	1800 Fremont Ave	South Pasadena	240	Main
705141	10/12/07 7:00 AM	Fair Oaks Ave. and State Street	South Pasadena	3,360	Main
724279	8/4/08 12:00 AM	1948 Fletcher Avenue	South Pasadena	600	Main
725177	8/24/08 9:15 PM	1035 Arroyo Verde	South Pasadena	2,250	Main
731039	12/22/08 5:45 PM	1129 Garfield Avenue	South Pasadena	7,500	Main
732173	1/18/09 12:00 PM	Arroyo Verde at Marmion Way	South Pasadena	1,500	Main
762438	1/25/09 9:20 AM	Fairview Avenue	South Pasadena	300	Main
735004	3/14/09 7:00 AM	Fair Oaks Ave. and State Street	South Pasadena	18,000	Main
735196	3/18/09 8:30 PM	1709 Meridia Meridian Avenue	South Pasadena	1,500	Main
736533	4/17/09 8:00 PM	324 Camino Del Sol	South Pasadena	200	Main
737165	5/5/09 10:00 PM	1020 Arroyo Verde	South Pasadena	6,000	Main
745368	10/4/09 10:10 AM	1020 Arroyo Verde	South Pasadena	13,500	Main
745593	10/10/09 10:40 AM	1020 Arroyo Verde	South Pasadena	14,000	Main
747704	12/4/09 5:00 PM	809 Bonita Drive	South Pasadena	300	Main

Exhibit A
City of South Pasadena
Sanitary Sewer Overflows entered into CIWQS

EVENT ID	Start Date	SSO Address	SSO City	SSO Vol	SSO Failure Point
747715	12/18/09 10:15 AM	422 Magnolia Street	South Pasadena	2,750	Main
748170	12/31/09 5:30 PM	Fair Oaks Avenue	South Pasadena	10,000	Main
748478	1/18/10 3:30 PM	342 Camino Del Sol	South Pasadena	7,500	Main
752040	4/27/10 2:00 PM	Fair Oaks Avenue	South Pasadena	300	Main
752257	5/9/10 8:15 AM	345 Pasadena Avenue	South Pasadena	1,875	Main
754246	6/30/10 8:30 PM	1600 Meridian Avenue	South Pasadena	4,250	Main
757719	10/13/10 6:30 PM	1701 Meridian Avenue	South Pasadena	300	Main
759022	11/29/10 12:00 PM	602 Indiana Place	South Pasadena	60	Main
759801	12/22/10 9:15 AM	1425 Fair Oaks Avenue	South Pasadena	18,750	Main
760776	1/7/11 12:00 PM	Indiana Place	South Pasadena	5	Main
			Total =	121,040	
			(in gallons)		

**PHASE I
SEWER VIDEO ANALYSIS AND
CONDITION ASSESSMENT**



**PREPARED FOR
CITY OF SOUTH PASADENA**

SUBMITTED BY:

DMR Team, Inc.

**May 4, 2010
Revised August 5, 2010**

INTRODUCTION

As part of the City's effort to identify Citywide sewer system structural deficiencies, Phase I sewer video inspection of a 4 year inspection assessment and repair program has been completed. This report summarizes the results of the review and analysis of the video inspection, as well as the estimated cost of improvements for sewer lines that require attention. Based on the results of the Phases 1 assessment, an estimate of the repair cost is projected for the city's entire system.

RANKING CONSIDERATIONS

The sewer lines that were video inspected have been categorized into four groups of "A", "B", "C", & "D" depending on the condition of the lines within each reach.

Group "A" represents a no deficiency condition and Group "D" represents a high priority repair condition. Factors that were considered in rating a reach included root intrusion, joint separation, cracks and sags, along with the frequency of occurrence and their severity.

Local problems that require spot repair have been evaluated under a separate grouping.

CONDITION ASSESSMENT

The rating of the condition of the sewer mains are tabulated in Table 1. The reaches are identified as referenced in the sewer video inspection from manhole to manhole and in the same sequence.

In cases where there is a local condition that is significantly different than the condition of the main, the reach has been rated without taking the local problem into account. Local problems have been evaluated as a separate category, and prioritized according to the urgency of the required repair (see Table 2).

SEWER MAIN RANKING CLASSIFICATIONS

Group "A" represents sewer mains in optimal pipe condition that did not reflect an issue needing action.

Group "B" represents sewer mains that do not have a structural deficiency. The mains in this group do not require immediate attention, nor is it anticipated that they would need to be repaired within the next 15 years.

Group "C" represents sewer mains that display minor structural deficiencies such as minor cracks, and require attention within the next 10 years.

Group "D" represents sewer mains that exhibit more serious structural deficiencies such as multiple cracks and fractures, and in general need to be repaired within the first 5 years of the program.

SPOT REPAIR RANKING CLASSIFICATIONS

Spot repairs have been categorized as Group I, II, III & IV depending on the severity of the required repair. Group I represents the most severe conditions, and Group IV the least. Spot repair conditions have been classified as follows:

<u>GROUP</u>	<u>DEFICIENCY</u>
I	Fractures, holes, missing pipe
II	Joint displacement, multiple cracks, sags
III	Hair line cracks
IV	Root intrusion at lateral

RECOMMENDED REPAIR AND RECONNAISSANCE PROGRAM

The program is recommended to have 2 distinct components of repair and reconnaissance. A 20 year period is envisioned to complete the first cycle of the program, with major repairs completed in the first 10 years, minor repairs between 11th and 15th year, and re-inspection of mains that are not currently subject to any repair work due to their good condition in the last 5 years.

Considering that Group "D" of the sewer mains and Group "I" of the sewer spot repairs represent the worst conditions in the system, they have been classified as priority 1 in the program,

Sewer mains with Group "C" classification that exhibited minor structural deficiencies, and Group II of the spot repair have been classified as priority 2 in the program.

Group III of the Sewer priority spot repair that deals with less serious and non structural deficiencies has been classified as priority 3.

Video inspection and analysis of sewer mains with conditions "A" & "B", along with the Group IV of the spot repairs have been classified as priority 4.

INFORMATION TABLES

Table "A" shows the condition of the mains sorted alphabetically. Table "B" shows the condition of the spot repairs sorted alphabetically. Table "C" ranks the condition of the mains from worst to best, and Table "D" ranks the condition of the spot repairs from worst to best.

Table "E" identifies the DVD number, location, manhole #s, lengths of repair, number of laterals, condition assessment and implementation phasing order, as well as estimated repair costs.

ESTIMATED PHASE 1 REPAIR COST

The following table reflects the summary of the review of Phases 1 & 2 Sewer Video Inspection, with repair description and respective priority and estimated cost. The repair cost has been estimated based on unit prices of \$180/LF for removal and replacement of mains, and \$4,000 per each lateral repair.

Priority	Completion Years	Repair Description	Required Cost
1	1-5	Group "D" mains, and Group I of spot repairs	\$ 630,000
2	6-10	Group "C" mains, and Group II spot repairs	\$1,104,000
3	11-15	Group III spot repairs	\$ 346,000
4	16-20	Group "A" & "B" mains and Group IV spot repairs	\$ 309,000
TOTAL			\$ 2,389,000

ESTIMATED REPAIR COSTS FOR THE ENTIRE SEWER SYSTEM

Phase 1 encompasses roughly 25% of the entire City's sewer system.

Assuming that Phase 1 deficiencies and costs are representative of the entire system, a 20 year repair program would require the repair cost as shown below

Priority	Completion Years	Repair Description	Cost
1	1-5	Group "D" mains, and Group I of spot repairs	\$2,520,000
2	6-10	Group "C" mains, and Group II spot repairs	\$4,416,000
3	11-15	Group III spot repairs	\$1,384,000
4	16-20	Group "A" and "B" mains and Group IV spot repairs	\$1,236,000
TOTAL			\$9,556,000

The estimated repair cost shown above will be re-assessed as the results of the remaining phases' video analyses becomes available.

20 YEAR PROGRAM BUDGET

Based on the estimated improvements costs for the entire City's sewer deficiency upgrade and addition of soft costs and video inspection, a total preliminary annual budget of \$760,000 would be required:

<u>REQUIRED WORK DESCRIPTION</u>	<u>COST</u>
Estimated Construction Cost	\$ 9,560,000
Soft Cost (design, inspection, CM)	\$ 2,500,000
Video Inspection	\$ 400,000
Sub Total	\$ 12,460,000
10% Contingency	\$ 1,240,000
Total Cost	\$13,706,000 over a 20 year period
	\$685,000 annually

TABLE A
PHASE I
SEWER MAIN CONDITION (ALPHABETICAL ORDER OF STREET NAME)

Location	Limits	Condition	DVD No.
Avon Place	Mission - Oakley	B*	2
Bank Street	Fremont - Fair Oaks	B*	8
Bank Street	Marengo - Fair Oaks	B*	4
Bank Street Easement	Fremont - Diamond	B*	8
Beech Street	Fremont - Mid Pt.	B*	7
Brent Avenue	Grevelia - Monterey Road	A*	1
Brent Avenue	Grevelia - Viola	B	8
Brent Avenue	Hope - Monterey	B*	3
Brent Avenue	Monterey - Oxley	A*	5
Crestlake	Entire Roadway	A	7
Diamond Avenue	Bank - Oak	B*	3
Diamond Avenue	Monterey - Bank	B*	8
Diamond Avenue	Oak - Pine	B*	5
Donaldo Circle	Entire Roadway	B*	8
Easement	Fremont - Empress	A	7
Edison Lane	Mission - Oxley	B*	5
Edison Lane	Oxley - Monterey	B*	6
Edison Lane	Oxley - Monterey		7
El Centro	Fairview - Fremont	A*	4
El Centro Street	Fair Oaks - Fremont	A	6
Elm Park	Entire Roadway	C	4
Empress Avenue	Entire Roadway	C	4
Fair Oaks Avenue	E. Side, Lyndon - Bank	B*	6
Fair Oaks Avenue	Freeway - Mission	A	5
Fair Oaks Avenue	Lyndon - Rollin	A*	8
Fair Oaks Avenue	Oak Street - Alhambra Road	B*	7
Fair Oaks Avenue	Oak Street - Huntington	A	6
Fair Oaks Avenue	Rollin - Oak Street	B*	8
Fairview Avenue	El Centro - Monterey	B*	3
Fairview Avenue	Freeway - Mission	B	2
Fairview Avenue	Mission - El Centro	A	4
Fremont Alley	Fremont - midway	B*	6
Fremont Alley	Mid Pt - Maple Street	A	7
Fremont Avenue	Beach - Alhambra	B*	8
Fremont Avenue	Beach - Maple	A	7
Fremont Avenue	Huntington - Maple Street	A*	6
Fremont Avenue	Magnolia - Mission	B*	2
Fremont Avenue	Mission - Oxley	B*	6
Fremont Avenue	Monterey - Bank Street	A	8
Fremont Avenue	Oxley - Monterey	B*	7
Fremont Avenue	Rollin - Spruce	C*	4
Garfield Avenue	Freeway - Stratford	A	8
Grevelia Street	Fairview - Mound	A	8

* Denotes spot repair required

TABLE A
PHASE I
SEWER MAIN CONDITION (ALPHABETICAL ORDER OF STREET NAME)

Location	Limits	Condition	DVD No.
Hermosa Place	Cul de Sac - Grand	B *	C.O. 2
Highland Street	Meriden - Fairview	B	C.O. 2
Hope Circle	Entire Roadway	A	8
Hope Street	Fair Oaks - Park Avenue	A *	1
Hope Street	Meridian - Fair Oaks	A *	2
Huntington Drive	E. Side, Maple - Alhambra Road	B *	7
Huntington Drive	N Side - Fair Oaks - Marengo	B *	8
Huntington Drive	N. Side - Fremont - Fair Oaks	C	6
Huntington Drive	Ramona - Fremont	B *	5
Huntington Drive	S. Side Fremont - Fair Oaks	B *	7
Huntington Drive	S. Side Fremont - Marengo	B *	7
Huntington Drive	Westside - Pine Street - Alhambra Road	B *	7
Laurel Street	Marengo Avenue to Fair Oaks	B*	6
Lyndon Alley	Diamond - Fremont	A	5
Lyndon Alley	Lyndon Street - Monterey	A	3
Lyndon Street	Fremont - Fair Oaks	B *	8
Lyndon Street	Fair Oaks - Marengo	B *	6
Magnolia Street	Fairview - Freemont	A *	1
Magnolia Street	Mound - Meridian	A *	2
Marengo Avenue	Bank - Huntington	D	5
Marengo Avenue	Mission - Monterey	D	3
Marengo Avenue	Spruce -Huntington	B *	8
Meridian Avenue	Freeway - Mission	C	1
Meridian Avenue	Oak - Maple	C	C.O. 2
Milan Avenue	Garfield - Mission	B	1
Milan Avenue	Mission - Oxley	B	3
Mill Road	Garfield - End	B	1
Mission Alley	Hope - Mission	B	8
Mission Street	Brent - Mound	A	3
Mission Street	Brent - Park	B	8
Mission Street	Fair Oaks - Alley W. of Fair Oaks	B	8
Mission Street	Fair Oaks - Ramona	A	4
Mission Street	Meridian - Fair Oaks	B *	2
Mission Street	Milan -Stratford	A	2
Monterey Road	Fair Oaks - Marengo	B *	5
Monterey Road	Fairview - Fair Oaks	B *	3
Monterey Road	Milan - Marengo	B *	2
Monterey Road	Milan Avenue - Easement	B *	8
Monterey Road	W. Alley - Fair Oaks	B *	7
Monterey West	Meridian - Indian	B *	C.O. 2
Monterey West	Orange Grove - Pasadena	B *	C.O. 2

* Denotes spot repair required

TABLE A
PHASE I

SEWER MAIN CONDITION (ALPHABETICAL ORDER OF STREET NAME)

Location	Limits	Condition	DVD No.
Mound Alley	Oxley - Monterey	B	7
Mound Avenue	Freeway - Mission	A*	2
Mound Avenue	Hope - Mission	B*	8
Oak Street	Across Fair Oaks	B*	8
Oak Street	Diamond Avenue N and S	B*	5
Oak Street	Fremont - Fair Oaks	B*	6
Oak Street	Marengo - Fair Oaks	B*	4
Oneonta Knoll	Entire Roadway	D	4
Oxley Street	Brent - Marengo	B	1
Oxley Street	Diamond Ave - Mound Ave	B*	3
Oxley Street	Stratford - Milan	B*	3
Park Avenue	Garfield - Hope	D	1
Park Avenue	Hope - Oxley	C*	1
Pasadena Avenue	Hawthorne - Sycamore	B	C.O. 2
Pine Street	Meriden - Ramona	B*	5
Pinecrest Drive	Entire Roadway	B*	C.O. 2
Ramona Avenue	Rollin - Huntington	C	4
Raymond Lane	Monterey - Mission	C*	4
Rollin Street	Fremont - Fair Oaks	C*	6
Rollin Street	Marengo - Fair Oaks	B*	3
Spruce Street	Fremont to Fair Oaks	B*	6
Spruce Street	Ramona - Fremont	B	5
Spruce Street	Rollin - West	C	4
State Street	Easterly Part - Across Fair Oaks	A	C.O.1
State Street Easement	Fair Oaks - Fremont	D	C.O.1
Stratford Avenue	Grevelia - Mission	A*	1
Stratford Avenue	Mission - Monterey	C	2
Virginia Place	Mission - Monterey	A	3
Windsor Place	Oxley - Monterey	B*	7

* Denotes spot repair required

TABLE B
SPOT REPAIR CONDITION (ALPHABETICAL ORDER OF STREET NAME)

LOCATION	MANHOLE NOS.	PRIORITY	DVD NO.
Bank Street	12G-89C	II	8
Bank Street	12G-89C	IV	8
Bank Street	51C-53C	II	4
Bank Street	51D-51C	I	4
Bank Street	89C-47C	I	8
Bank Street Easement	84F-89A	I	8
Bank Street Easement	89B-12G	II	8
Beech Street	39D-141G	III	7
Beech Street	39D-141G	IV	7
Brent Avenue	13A-52H	III	5
Brent Avenue	52E-52F	II	3
Brent Avenue	52F-52D	III	3
Brent Avenue	52F-52G	II	3
Brent Avenue	52G-52H	III	3
Diamond Avenue	84D-84E	II	8
Diamond Avenue	84E-84F	II	8
Diamond Avenue	85B-85A	II	3
Diamond Avenue	85D-85C	II	3
Diamond Avenue	85D-85C	IV	3
Diamond Avenue	85D-85E	III	3
Diamond Avenue	85D-85E	IV	3
Diamond Avenue	85E-85F	III	5
Diamond Avenue	85E-85F	IV	5
Diamond Avenue	85F-95B	II	5
Diamond Avenue	85F-95B	IV	5
Donaldo Circle	13C-134F	IV	8
Edison Lane	76F-78A	III	5
Edison Lane	78B-86E	I	5
El Centro Street	85D-85C	II	4
Fair Oaks Avenue	29A-29B	I	5
Fair Oaks Avenue	45B-45A	II	5
Fair Oaks Avenue	45B-45C	II	5
Fair Oaks Avenue	45D-45E	III	7
Fair Oaks Avenue	46C-29A	I	5
Fair Oaks Avenue	47A-47B	II	7
Fair Oaks Avenue	47B-47C	III	8
Fair Oaks Avenue	47C-47D	II	8
Fair Oaks Avenue	47D-92C	IV	8
Fair Oaks Avenue	48C-48D	I	7
Fair Oaks Avenue	48C-48D	II	5
Fair Oaks Avenue	48C-48D	IV	7
Fairview Avenue	69C-64B	III	2
Fairview Avenue	83D-65B	II	3
Fairview Avenue	83D-65B	IV	3
Fairview Avenue	86A-65C	II	3
Freemont Avenue Alley	39C-39D	II	6
Fremont Avenue	39C-39D	III	6
Fremont Avenue	39F-39G	IV	8
Fremont Avenue	39G-39H	II	8
Fremont Avenue	59F-59G	IV	2
Fremont Avenue	62B-62A	II	4

TABLE B
SPOT REPAIR CONDITION (ALPHABETICAL ORDER OF STREET NAME)

LOCATION	MANHOLE NOS.	PRIORITY	DVD NO.
Fremont Avenue	62C-62B	II	4
Fremont Avenue	62C-62D	II	4
Fremont Avenue	62D-62E	I	7
Fremont Avenue	62D-62E	IV	7
Fremont Avenue	63D-60B	IV	5
Fremont Avenue	69C-76D	I	2
Fremont Avenue	86C-60C	I	7
Grevelia Street	144B-144C	III	1
Grevelia Street	59H-67B	IV	8
Grevelia Street	71D-67A	III	1
Hardison Place	133B-133A	II	8
Hermosa Place	115A-115B	III	C.O.2
Hermosa Place	115C-115C	II	C.O.2
Hermosa Place	149B-115A	III	C.O.2
Hermosa Place	149B-149A	II	C.O.2
Hope Street	55C-55D		1
Hope Street	69B-69A	II	2
Hope Street	69C-59G	II	2
Huntington Drive	29B-62E	I	6
Huntington Drive	29D-29C	II	7
Huntington Drive	29D-29C	IV	7
Huntington Drive	29D-39A	II	7
Huntington Drive	29F-29E	II	7
Huntington Drive	29F-31A	I	7
Huntington Drive	29H-29J	II	8
Huntington Drive	29H-29J	IV	8
Huntington Drive	29J-32C	II	8
Huntington Drive	30B-30A	II	7
Huntington Drive	30B-30A	IV	7
Huntington Drive	30C-30B	I	7
Huntington Drive	30C-30D	III	7
Huntington Drive	30D-30E	II	7
Huntington Drive	30J-30H	I	7
Huntington Drive	30J-30K	I	7
Huntington Drive	30J-30K	IV	7
Huntington Drive	30K-30L	I	7
Huntington Drive	95C-95D	II	5
Huntington Drive	95C-95D	IV	5
Laurel Street	46E-46D	II	5
Laurel Street	46E-46D	IV	5
Laurel Street	49A-49B	IV	6
Laurel Street	49B-32A	II	6
Lyndon Street	47B-88C	II	8
Lyndon Street	47B-88C	IV	8
Lyndon Street	51A-51B	IV	5
Magnolia Street	57G-70A	I	2
Magnolia Street	68B-59F	II	1
Marengo Avenue	32C-32B	IV	8
Marengo Avenue	33A-13E	IV	5
Marengo Avenue	33B-33A	III	5
Marengo Avenue	33B-33A	IV	5

TABLE B
SPOT REPAIR CONDITION (ALPHABETICAL ORDER OF STREET NAME)

LOCATION	MANHOLE NOS.	PRIORITY	DVD NO.
Marengo Avenue	33C-33D	II	5
Marengo Avenue	33C-33D	IV	5
Marengo Avenue	33E-33C	I	5
Marengo Avenue	34B-34C	II	3
Marengo Avenue	34C-13D	I	3
Marengo Avenue	35D-50C	I	5
Marengo Avenue	35D-50C	IV	5
Marengo Avenue	50C-32A	II	5
Marengo Avenue	50C-32A	IV	5
Milan Avenue	11D-9B	IV	3
Milan Avenue	1C-7C	III	2
Mission Street	52E-54C	I	3
Mission Street	54E-54D	IV	8
Mission Street	76B-76A	I	2
Mission Street	76D-76E	III	2
Monterey Road	136-13F	II	2
Monterey Road	136-14E	IV	2
Monterey Road	13A-13B	IV	5
Monterey Road	13C-13D	I	5
Monterey Road	13C-13D	IV	5
Monterey Road	13G-13H	IV	8
Monterey Road	86A-86B	II	3
Monterey Road	86B-86C	II	3
Monterey Road	86C-86D	II	3
Monterey Road	86D-86E	II	3
Monterey Road	86E-47A	III	7
Monterey Road East	12B-12C	III	C.O.2
Monterey Road East	12C-12D	I	C.O.2
Monterey Road West	105B-131A	I	C.O.2
Monterey Road West	105C-105D	I	C.O.2
Monterey Road West	105E-105F	II	C.O.2
Monterey Road West	87B-166G	I	C.O.2
Monterey Road West	87E-84C	I	C.O.2
Monterey Road West	97E-87A	II	C.O.2
Mound Alley	86D-79B	IV	7
Mound Avenue	57G-57F	III	2
Mound Avenue	57G-57H	I	2
Mound Avenue	57H-76E	I	8
Oak Street	50B-50A	II	4
Oak Street	50B-50A	IV	4
Oak Street	50B-50C	III	4
Oak Street	85E-92E	IV	5
Oak Street	92B-92A	IV	6
Oak Street	92B-92C	II	6
Oak Street	92C-45C	II	8
Oxley Street	11E-10A	III	3
Oxley Street	83B-83C	IV	3
Oxley Street	83C-83D	II	3
Oxley Street	83D-78B	II	3
Park Avenue	55C-11G	II	1
Park Avenue	55D-55E	II	1

TABLE B
SPOT REPAIR CONDITION (ALPHABETICAL ORDER OF STREET NAME)

LOCATION	MANHOLE NOS.	PRIORITY	DVD NO.
Pasadena Avenue	132D-132E	II	C.O.2
Pasadena Avenue	132E-132F	I	C.O.2
Pasadena Avenue	132F-118K	I	C.O.2
Pasadena Avenue	132F-132G	I	C.O.2
Pasadena Avenue	132G-132D	I	C.O.2
Pinecrest Drive	120A-121A	1	C.O.2
Pinecrest Drive	120A-121D	I	C.O.2
Rollin Street	50E-35D	II	3
Rollin Street	50E-35D	IV	3
Rollin Street	85B-90C	II	3
Rollin Street	85B-90C	II	3
Rollin Street	90B-47D	II	6
Rollin Street	90B-47D	IV	6
Rollin Street	90B-90A	I	6
Spruce Street	32B-49D	II	6
Stratford Avenue	10A-13F	II	2
Stratford Avenue	6C-6D	II	1
Stratford Avenue	6D-6E	III	1
Stratford Avenue	6E-7B	I	1
Stratford Avenue	7A-10A	II	2
Windsor Place	86B-79A	II	7

**TABLE C
PHASE I
SEWER MAIN CONDITION (WORST TO BEST)**

Location	Limits	Condition
Marengo Avenue	Bank - Huntington	D
Marengo Avenue	Mission - Monterey	D
Oneonta Knoll	Entire Roadway	D
Park Avenue	Garfield - Hope	D
State Street Easement	Fair Oaks - Fremont	D
Fremont Avenue	Rollin - Spruce	C *
Elm Park Avenue	Entire Roadway	C
Empress Avenue	Entire Roadway	C
Huntington Drive	N. Side - Fremont - Fair Oaks	C
Meridian Avenue	Freeway - Mission	C
Meridian Avenue	Oak - Maple	C
Park Avenue	Hope - Oxley	C *
Ramona Avenue	Rollin - Huntington	C
Raymond Lane	Monterey - Mission	C *
Rollin Street	Fremont - Fair Oaks	C *
Spruce Street	Rollin - West	C
Stratford Avenue	Mission - Monterey	C
Avon Place	Mission - Oakley	B *
Bank Street	Fremont - Fair Oaks	B *
Bank Street	Marengo - Fair Oaks	B *
Bank Street Easement	Fremont - Diamond	B *
Beech Street	Fremont - Mid Pt.	B *
Brent Avenue	Hope - Monterey	B *
Brent Avenue	Grevelia - Viola	B
Diamond Avenue	Bank - Oak	B *
Diamond Avenue	Monterey - Bank	B *
Diamond Avenue	Oak - Pine	B *
Donaldo Circle	Entire Roadway	B *
Edison Lane	Oxley - Monterey	B *
Edison Lane	Mission - Oxley	B *
Edison Lane	Oxley - Monterey	B *
Fair Oaks Avenue	E. Side, Lyndon - Bank	B *
Fair Oaks Avenue	Oak Street - Alhambra Road	B *
Fair Oaks Avenue	Rollin - Oak Street	B *
Fairview Avenue	El Centro - Monterey	B *
Fairview Avenue	Freeway - Mission	B
Fremont Alley	Fremont - midway	B *
Fremont Avenue	Beach - Alhambra	B *
Fremont Avenue	Magnolia - Mission	B *
Fremont Avenue	Mission - Oxley	B *
Fremont Avenue	Oxley - Monterey	B *
Hermosa Place	Cul de Sac - Grand	B *
Highland Avenue	Meridian - Fairview	B

* Denotes spot repair required

**TABLE C
PHASE I
SEWER MAIN CONDITION (WORST TO BEST)**

Location	Limits	Condition
Huntington Drive	E. Side, Maple - Alhambra Road	B *
Huntington Drive	N Side - Fair Oaks - Marengo	B *
Huntington Drive	Ramona - Fremont	B *
Huntington Drive	S. Side Fremont - Fair Oaks	B *
Huntington Drive	S. Side Fremont - Marengo	B *
Huntington Drive	Westside - Pine Street - Alhambra Road	B *
Laurel Street	Marengo Avenue - Fair Oaks	B*
Lyndon Street	Fremont - Fair Oaks	B *
Lyndon Street	Fair Oaks - Marengo	B *
Marengo Avenue	Spruce -Huntington	B *
Milan Avenue	Garfield - Mission	B
Milan Avenue	Mission - Oxley	B
Mill Road	Garfield - End	B
Mission Alley	Hope - Mission	B
Mission Street	Meridian - Fair Oaks	B *
Mission Street	Brent - Park	B
Mission Street	Fair Oaks - Alley W. of Fair Oaks	B
Monterey Road	Fair Oaks - Marengo	B *
Monterey Road	Fairview - Fair Oaks	B *
Monterey Road	Milan - Marengo	B *
Monterey Road	Milan Avenue - Easement	B *
Monterey Road	W. Alley - Fair Oaks	B *
Monterey Road West	Meridian - Indian	B *
Monterey Road West	Orange Grove - Pasadena	B *
Mound Alley	Oxley - Monterey	B
Mound Avenue	Hope - Mission	B *
Oak Street	Across Fair Oaks	B *
Oak Street	Diamond	B *
Oak Street	Fremont - Fair Oaks	B *
Oak Street	Marengo - Fair Oaks	B *
Oxley Street	Diamond Ave - Mound Ave	B *
Oxley Street	Stratford - Milan	B *
Oxley Street *	Brent - Marengo	B
Pasadena Avenue	Hawthorne - Sycamore	B
Pine Street	Meridian - Ramona	B *
Pinecrest Drive	Entire Roadway	B *
Rollin Street	Marengo - Fair Oaks	B *
Spruce Street	Fremont - Fair Oaks	B*
Spruce Street	Ramona - Fremont	B
Windsor Place	Oxley - Monterey	B *
Brent Avenue	Grevelia - Monterey Road	A *

* Denotes spot repair required

**TABLE C
PHASE I
SEWER MAIN CONDITION (WORST TO BEST)**

Location	Limits	Condition
Brent Avenue	Monterey - Northerly Terminus	A *
Crestlake Avenue	Entire Roadway	A
Easement	Fremont - Empress	A
El Centro Street	Fairview - Fremont	A *
El Centro Street	Fair Oaks - Fremont	A
Fair Oaks Avenue	Lyndon - Rollin	A *
Fair Oaks Avenue	Freeway - Mission	A
Fair Oaks Avenue	Oak Street - Huntington	A
Fairview Avenue	Mission - El Centro	A
Fremont Alley	Mid Pt - Maple Street	A
Fremont Avenue	Huntington - Maple Street	A *
Fremont Avenue	Beach - Maple	A
Fremont Avenue	Monterey - Bank Street	A
Garfield Street	Freeway - Stratford	A
Grevelia Street	Fairview - Mound	A
Hope Circle	Entire Roadway	A
Hope Street	Fair Oaks - Park Avenue	A *
Hope Street	Meridian - Fair Oaks	A *
Lyndon Alley	Diamond - Fremont	A
Lyndon Alley	Lyndon - Monterey	A
Magnolia Street	Fairview - Fremont	A *
Magnolia Street	Mound - Meridian	A *
Mission Street	Brent - Mound	A
Mission Street	Fair Oaks - Ramona	A
Mission Street	Milan - Stratford	A
Mound Avenue	Freeway - Mission	A *
State Street	Easterly Part - Across Fair Oaks	A
Stratford Avenue	Grevelia - Mission	A *
Virginia Place	Mission - Monterey	A

* Denotes spot repair required

TABLE D
PHASE I
SPOT REPAIR CONDITION (WORST TO BEST)

LOCATION	MANHOLE NOS.	PRIORITY
Bank Street	51D-51C	I
Bank Street	89C-47C	I
Bank Street Easement	84F-89A	I
Edison Lane	78B-86E	I
Fair Oaks Avenue	29A-29B	I
Fair Oaks Avenue	46C-29A	I
Fair Oaks Avenue	48C-48D	I
Fremont Avenue	62D-62E	I
Fremont Avenue	69C-76D	I
Fremont Avenue	86C-60C	I
Huntington Drive	29B-62E	I
Huntington Drive	29F-31A	I
Huntington Drive	30C-30B	I
Huntington Drive	30J-30H	I
Huntington Drive	30J-30K	I
Huntington Drive	30K-30L	I
Magnolia Street	57G-70A	I
Marengo Avenue	33E-33C	I
Marengo Avenue	34C-13D	I
Marengo Avenue	35D-50C	I
Mission Street	52E-54C	I
Mission Street	76B-76A	I
Monterey Road	13C-13D	I
Monterey Road East	12C-12D	I
Monterey Road West	105B-131A	I
Monterey Road West	105C-105D	I
Monterey Road West	87B-166G	I
Monterey Road West	87E-84C	I
Mound Avenue	57G-57H	I
Mound Avenue	57H-76E	I
Pasadena Avenue	132E-132F	I
Pasadena Avenue	132F-118K	I
Pasadena Avenue	132F-132G	I
Pasadena Avenue	132G-132D	I
Pinecrest Drive	120A-121A	I
Pinecrest Drive	120A-121D	I
Rollin Street	90B-90A	I
Stratford Avenue	6E-7B	I
Bank Street	12G-89C	II
Bank Street	51C-53C	II
Bank Street Easement	89B-12G	II
Brent Avenue	52E-52F	II
Brent Avenue	52F-52G	II
Diamond Avenue	84D-84E	II
Diamond Avenue	84E-84F	II
Diamond Avenue	85B-85A	II
Diamond Avenue	85D-85C	II
Diamond Avenue	85F-95B	II
El Centro Street		II
Fair Oaks Avenue	45B-45A	II

TABLE D
PHASE I
SPOT REPAIR CONDITION (WORST TO BEST)

LOCATION	MANHOLE NOS.	PRIORITY
Fair Oaks Avenue	45B-45C	II
Fair Oaks Avenue	47A-47B	II
Fair Oaks Avenue	47C-47D	II
Fair Oaks Avenue	48C-48D	II
Fairview Avenue	83D-65B	II
Fairview Avenue	86A-65C	II
Fremont Alley		II
Fremont Avenue	39G-39H	II
Fremont Avenue	62B-62A	II
Fremont Avenue	62C-62B	II
Fremont Avenue	62C-62D	II
Hardison Place	133B-133A	II
Hermosa Place	115C-115C	II
Hermosa Place	149B-149A	II
Hope Street	69B-69A	II
Hope Street	69C-59G	II
Huntington Drive	29D29C	II
Huntington Drive	29D-39A	II
Huntington Drive	29F-29E	II
Huntington Drive	29H-29J	II
Huntington Drive	29J-32C	II
Huntington Drive	30B-30A	II
Huntington Drive	30D-30E	II
Huntington Drive	95C-95D	II
Laurel Street	46E-46D	II
Laurel Street	49B-32A	II
Lyndon Street	47B-88C	II
Marengo Avenue	33C-33D	II
Marengo Avenue	34B-34C	II
Marengo Avenue	50C-32A	II
Monterey Road	136-13F	II
Monterey Road	86A-86B	II
Monterey Road	86B-86C	II
Monterey Road	86C-86D	II
Monterey Road	86D-86E	II
Monterey Road West	105E-105F	II
Monterey Road West	97E-87A	II
Oak Street	50B-50A	II
Oak Street	92B-92C	II
Oak Street	92C-45C	II
Oxley Street	83C-83D	II
Oxley Street	83D-78B	II
Park Avenue	55C-11G	II
Park Avenue	55D-55E	II
Pasadena Avenue	132D-132E	II
Rollin Street	50E-35D	II
Rollin Street	85B-90C	II
Rollin Street	85B-90C	II
Rollin Street	90B-47D	II
Spruce Street	32B-49D	II

TABLE D
PHASE I
SPOT REPAIR CONDITION (WORST TO BEST)

LOCATION	MANHOLE NOS.	PRIORITY
Stratford Avenue	10A-13F	II
Stratford Avenue	68B-59F	II
Stratford Avenue	6C-6D	II
Stratford Avenue	7A-10A	II
Windsor Place	86B-79A	II
Beech Street	39D-141G	III
Brent Avenue	13A-52H	III
Brent Avenue	52F-52D	III
Brent Avenue	52G-52H	III
Diamond Avenue	85D-85E	III
Diamond Avenue	85E-85F	III
Edison Lane	76F-78A	III
Fair Oaks Avenue	45D-45E	III
Fair Oaks Avenue	47B-47C	III
Fairview Avenue	69C-64B	III
Fremont Avenue	39C-39D	III
Grevelia Street	144B-144C	III
Grevelia Street	71D-67A	III
Hermosa Place	115A-115B	III
Hermosa Place	149B-115A	III
Huntington Drive	30C-30D	III
Marengo Avenue	33B-33A	III
Milan Avenue	1C-7C	III
Mission Street	76D-76E	III
Monterey Road	86E-47A	III
Monterey Road East	12B-12C	III
Mound Avenue	57G-57F	III
Oak Street	50B-50C	III
Oxley Street	11E-10A	III
Stratford Avenue	6D-6E	III
Bank Street	12G-89C	IV
Beech Street	39D-141G	IV
Diamond Avenue	85D-85E	IV
Diamond Avenue	85D-85C	IV
Diamond Avenue	85E-85F	IV
Diamond Avenue	85F-95B	IV
Donaldo Circle	13C-134F	IV
Fair Oaks Avenue	47D-92C	IV
Fair Oaks Avenue	48C-48D	IV
Fairview Avenue	83D-65B	IV
Fremont Avenue	39F-39G	IV
Fremont Avenue	59F-59G	IV
Fremont Avenue	62D-62E	IV
Fremont Avenue	63D-60B	IV
Grevelia Street	59H-67B	IV
Hope Street	55C-55D	IV
Huntington Drive	29D-29C	IV
Huntington Drive	29H-29J	IV
Huntington Drive	30B-30A	IV
Huntington Drive	30J-30K	IV

TABLE D
PHASE I
SPOT REPAIR CONDITION (WORST TO BEST)

LOCATION	MANHOLE NOS.	PRIORITY
Huntington Drive	95C-95D	IV
Laurel Street	46E-46D	IV
Laurel Street	49A-49B	IV
Lyndon Street	47B-88C	IV
Lyndon Street	51A-51B	IV
Marengo Avenue	32C-32B	IV
Marengo Avenue	33A-13E	IV
Marengo Avenue	33B-33A	IV
Marengo Avenue	33C-33D	IV
Marengo Avenue	35D-50C	IV
Marengo Avenue	50C-32A	IV
Milan Avenue	11D-9B	IV
Mission Street	54E-54D	IV
Monterey Road	136-14E	IV
Monterey Road	13A-13B	IV
Monterey Road	13C-13D	IV
Monterey Road	13G-13H	IV
Mound Alley	86D-79B	IV
Oak Street	50B-50A	IV
Oak Street	85E-92E	IV
Oak Street	92B-92A	IV
Oxley Street	83B-83C	IV
Rollin Street	50E-35D	IV
Rollin Street	90B-47D	IV

**TABLE E
PHASE I
ESTIMATED COST OF SEWER REPAIRS**

DVD NO.	LOCATION	MANHOLE NOS.	R&R PIPE (FT.)	REPAIR LATERAL (EA)	REPAIR COST IN THOUSANDS			
					PRIORITY 1	PRIORITY 2	PRIORITY 3	PRIORITY 4
1	Grevelia	144B-144C	75				17	
		71D-67A						
	Park Avenue	55D-55E	75			17		
		55C-11G				6		
	Stratford Avenue	6C-6D	25					6
		6D-6E	25					
		6E-7B	75		17			
	Magnolia Street	68B-59F	25			6		
	Meridian Avenue	71D-71C	125					34
71C-71B								
71B-71A								
2	Milan Avenue	1C-7C	75				17	
	Stratford Avenue	7A-10A	125			26		
		10A-13F	150			34		
	Mission Street	76B-76A	25		6			
		76D-76E	25				6	
	Mound Avenue	57G-57F		1				4
		57G-57H	75		17			
	Magnolia Street	57G-70A	50		12			
	Hope Street	69B-69A	50			12		
		69C-59G						
	Fairview	69C-64B	25				6	
	Fremont	69C-76D	100		23			
59F-59G			1				4	
Monterey Road	136-13F	75				17		
	136-14E		1				4	
3	Oxley Street	11E-10A	25				6	
		83B-83C		1				4
	Milan Avenue	11D-9B		4				16
	Brent Avenue	52E-52F	25			6		
		52F-52G	25			6		
		52G-52H	50				12	
52F-52D		50				12		

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**TABLE E
PHASE I
ESTIMATED COST OF SEWER REPAIRS**

DVD NO.	LOCATION	MANHOLE NOS.	R&R PIPE (FT.)	REPAIR LATERAL (EA)	REPAIR COST IN THOUSANDS				
					PRIORITY 1	PRIORITY 2	PRIORITY 3	PRIORITY 4	
3	Meridian Avenue	71B-71A	25				6		
			3					12	
	Marengo	34B-34C	25				6		
			34C-13D	25		6			
	Mission Street	52E-54C	25			6			
	Rollin Street	50E-35D	75				17		
				1				4	
	Oxley Street	83C-83D	50				11		
			83D-78B	25			6		
	Fairview Avenue	83D-65B	25			6			
				2				8	
	Monterey Road	86A-86B	50				12		
			86B-86C	25			6		
			86C-86D	75				17	
			86D-86E	100				23	
	Fairview Avenue	86A-65C	25				6		
Diamond Avenue	85B-85A	25				6			
		85D-85E	50				12		
			4				16		
Rollin Street	85B-90C	25				6			
				1			4		
Diamond Avenue	85D-85C			4			16		
4	El Centro Street		50			12			
	Bank Street	51D-51C	75		17				
			51C-53C	100			23		
	Oak Street	50B-50A	25			6			
				2				8	
		50B-50C	75				17		
	Fremont Avenue	62C-62B	50				12		
			62B-62A	50			12		
			62C-62D	100			23		
	Raymond Lane	53A-53B	850				85*		
53B-53C									

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TABLE E
PHASE I
ESTIMATED COST OF SEWER REPAIRS

DVD NO.	LOCATION	MANHOLE NOS.	R&R PIPE (FT.)	REPAIR LATERAL (EA)	REPAIR COST IN THOUSANDS			
					PRIORITY 1	PRIORITY 2	PRIORITY 3	PRIORITY 4
4	Ramona Avenue	93C-93D	580			58*		
	Spruce Street	93D-94A	280			28*		
	Elm Park	148A-148B	530			53*		
		148B-39F						
	Empress Avenue	148C-148D	650			65*		
		148D-148E						
Oneonta Knoll	141D-39C	170		38				
5	Diamond Avenue	85E-85F	25				6	
				1				4
	Oak Street	85F-95B	25				6	
				5				20
	Marengo	85E-92E			1			4
		33C-33D	50				12	
				3				12
		35D-50C	50			12		
				1				4
		50C-32A	50				12	
				1				4
		33E-33C	50			12		
	33B-33A	25					6	
			2					8
			1					4
	33A-13E							
Edison Lane	76F-78A	25				6		
Monterey Road	13A-13B			2			8	
	13C-13D	75			17			
				1			4	
Brent Avenue	13A-52H	25				6		
Huntington Drive	95C-95D	75				17		
				1			4	
Fair Oaks Avenue	48C-48D	100				23		
Laurel Street	46E-46D	25				6		
				1			4	
Lyndon Street	51A-51B			4			16	

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**TABLE E
PHASE I
ESTIMATED COST OF SEWER REPAIRS**

DVD NO.	LOCATION	MANHOLE NOS.	R&R PIPE (FT.)	REPAIR LATERAL (EA)	REPAIR COST IN THOUSANDS			
					PRIORITY 1	PRIORITY 2	PRIORITY 3	PRIORITY 4
5	Fremont Avenue	63D-60B		1				4
	Edison Lane	78B-86E	75		17			
	Fair Oaks Avenue	46C-29A	125		28			
	Fair Oaks Avenue	29A-29B	50		11			
		45B-45C	50			12		
	45B-45A	25			6			
6	Huntington Drive	29B-62E	150		34			
	Laurel Street	49B-32A	25			6		
		49A-49B			4			16
	Huntington Drive	29B-62E	500			50*		
	Rollin Street	90B-90A	75		17			
7	Beech Street	39D-141G	50				12	
				6				24
8	Fair Oaks Avenue	47B-47C	25				6	
		47C-47D	50			12		
	Fremont Avenue	39F-39G	25				6	
		39G-39H	100		1			4
CO2	Mound Avenue	57H-76E	100		23			
	Mission Street	54E-54D		1			4	
	Bank Street	12G-89C	50			12		
		89C-47C	125		1			4
	Huntington Drive	29J-32C	75			17		
	Marengo Avenue	32C-32B		3			17	
	Huntington Drive	29H-29J	75			17		8
	Fair Oaks Avenue	47D-92C		1				4
	Oak Street	92C-45C	25			6		
	Bank Street Easen	84F-89A	75			17		
		89B-12G	50				12	
	Diamond Avenue	84D-84E	25				6	
84E-84F		100				23		

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TABLE E
PHASE I
ESTIMATED COST OF SEWER REPAIRS

DVD NO.	LOCATION	MANHOLE NOS.	R&R PIPE (FT.)	REPAIR LATERAL (EA)	REPAIR COST IN THOUSANDS				
					PRIORITY 1	PRIORITY 2	PRIORITY 3	PRIORITY 4	
CO2	Grevelia Street	59H-67B		1				4	
	Lyndon Street	47B-88C	25			6		4	
	Donaldo Circle	13C-134F		2				8	
	Monterey Road	13G-13H		2				8	
	Hardison Place	133B-133A	125			28			
	Meridian Avenue	127M-75B		820			82*		
		75B-75C							
		75C-75D							
		74E-127M							
	Hermosa Place	149 B-149A		25			6		
				270				61	
		149B-115A		90				20	
		115A-115B		240				54	
		115B-115C		230			52		
	Pinecrest	120A-121D		50		12			
		120A-121A		480					
	Monterey West	105B-131A		75		17			
		105C-105D		25		6			
		105E-105F		50			17		
	Monterey East	12B-12C		25				6	
		12C-12D		75		17			
	Monterey West	87E-84C		100		73			
		87B-166G		50		12			
97E-87A			50			12			
Pasadena Avenue	132G-132DE		50		12				
	132D-132E		50			12			
	132E-132F		50		12				
	132F-132G		170		36				
	132F-118K		280		63				
TOTALS			11,643	73	630	1,104	346	309	

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**PHASE II
SEWER VIDEO ANALYSIS AND
CONDITION ASSESSMENT**



**PREPARED FOR
CITY OF SOUTH PASADENA**

SUBMITTED BY:

DMR Team, Inc.

**July 9, 2010
Revised August 4, 2010**

INTRODUCTION

As part of the City's effort to identify Citywide sewer system structural deficiencies, Phase 2 sewer video inspection of a 4 year inspection assessment and repair program has been completed. This report summarizes the results of the review and analysis of the video inspection, as well as the estimated cost of improvements for sewer lines that require attention. Moreover, based on the results of the Phases 1 & 2 assessments, an updated estimate of the repair cost is projected for the city's entire system.

RANKING CONSIDERATIONS

The sewer lines that were video inspected have been categorized into four groups of "A", "B", "C", & "D" depending on the condition of the lines within each reach.

Group "A" represents a no deficiency condition and Group "D" represents a high priority repair condition. Factors that were considered in rating a reach included root intrusion, joint separation, cracks and sags, along with the frequency of occurrence and their severity.

Local problems that require spot repair have been evaluated under a separate grouping.

CONDITION ASSESSMENT

The rating of the condition of the sewer mains are tabulated in Table 1. The reaches are identified as referenced in the sewer video inspection from manhole to manhole and in the same sequence.

In cases where there is a local condition that is significantly different than the condition of the main, the reach has been rated without taking the local problem into account. Local problems have been evaluated as a separate category, and prioritized according to the urgency of the required repair (see Table 2).

SEWER MAIN RANKING CLASSIFICATIONS

Group "A" represents sewer mains in optimal pipe condition that did not reflect an issue needing action.

Group "B" represents sewer mains that do not have a structural deficiency. The mains in this group do not require immediate attention, nor is it anticipated that they would need to be repaired within the next 15 years.

Group "C" represents sewer mains that display minor structural deficiencies such as minor cracks, and require attention within the next 10 years.

Group "D" represents sewer mains that exhibit more serious structural deficiencies such as multiple cracks and fractures, and in general need to be repaired within the first 5 years of the program.

SPOT REPAIR RANKING CLASSIFICATIONS

Spot repairs have been categorized as Group I, II, III & IV depending on the severity of the required repair. Group I represents the most severe conditions, and Group IV the least. Spot repair conditions have been classified as follows:

<u>GROUP</u>	<u>DEFICIENCY</u>
I	Fractures, holes, missing pipe
II	Joint displacement, multiple cracks, sags
III	Hair line cracks
IV	Root intrusion at lateral

RECOMMENDED REPAIR AND RECONNAISSANCE PROGRAM

The program is recommended to have 2 distinct components of repair and reconnaissance. A 20 year period is envisioned to complete the first cycle of the program, with major repairs completed in the first 10 years, minor repairs between 11th and 15th year, and re-inspection of mains that are not currently subject to any repair work due to their good condition in the last 5 years.

Considering that Group "D" of the sewer mains and Group "I" of the sewer spot repairs represent the worst conditions in the system, they have been classified as priority 1 in the program,

Sewer mains with Group "C" classification that exhibited minor structural deficiencies, and Group II of the spot repair have been classified as priority 2 in the program.

Group III of the Sewer priority spot repair that deals with less serious and non structural deficiencies has been classified as priority 3.

Video inspection and analysis of sewer mains with conditions "A" & "B", along with the Group IV of the spot repairs have been classified as priority 4.

INFORMATION TABLES

Table "A" shows the condition of the mains sorted alphabetically. Table "B" shows the condition of the spot repairs sorted alphabetically. Table "C" ranks the condition of the mains from worst to best, and Table "D" ranks the condition of the spot repairs from worst to best.

Table "E" identifies the DVD number, location, manhole #s, lengths of repair, number of laterals, condition assessment and implementation phasing order, as well as estimated repair costs.

ESTIMATED PHASE 2 REPAIR COST

The following table reflects the summary of the review of Phases 1 & 2 Sewer Video Inspection, with repair description and respective priority and estimated cost. The repair cost has been estimated based on unit prices of \$180/LF for removal and replacement of mains, and \$4,000 per each lateral repair.

Priority	Completion Years	Repair Description	Required Cost
1	1-5	Group "D" mains, and Group I of spot repairs	\$ 989,000
2	6-10	Group "C" mains, and Group II spot repairs	\$1,390,000
3	11-15	Group III spot repairs	\$ 140,000
4	16-20	Group "A" & "B" mains and Group IV spot repairs	\$ 580,000
TOTAL			\$ 3,099,000

SUMMARY OF ESTIMATED REPAIR COSTS FOR PHASES 1 & 2

The following table reflects the overall cost summary of the review of Phases 1 & 2, Sewer Video Inspection, with repair description and respective priority and estimated cost. The repair cost has been estimated based on unit prices of \$180/LF for removal and replacement of mains, and \$4,000 per each lateral repair.

Priority	Completion Years	Phase 1		Phase 2		Total of Phases 1 & 2
		Repair Description	Required Costs	Repair Description	Required Cost	
1	One to Five	Group "D" mains and Group I spot repairs	\$ 630,000.00	Group "D" mains and Group I spot repairs	\$ 989,000.00	\$ 1,619,000.00
2	Six to Ten	Group "C" mains and Group II spot repairs	\$ 1,104,000.00	Group "C" mains and Group II spot repairs	\$ 1,390,000.00	\$ 2,494,000.00
3	Eleven to Fifteen	Group III spot repairs	\$ 346,000.00	Group III spot repairs	\$ 140,000.00	\$ 486,000.00
4	Sixteen to Twenty	Group IV spot repairs and Group "A" & "B" mains	\$ 309,000.00	Group IV spot repairs and Group "A" & "B" mains	\$ 580,000.00	\$ 889,000.00
TOTAL			\$ 2,389,000.00		\$ 3,099,000.00	\$ 5,488,000.00

ESTIMATED REPAIR COSTS FOR THE ENTIRE SEWER SYSTEM

Phases 1 & 2 video inspection includes approximately half of the entire City's sewer system.

Assuming that phases 1 & 2 deficiencies and costs are representative of the entire system, a 20 year repair program would require the repair cost as shown below

Priority	Completion Years	Repair Description	Cost
1	1-5	Group "D" mains, and Group I of spot repairs	\$3,238,000
2	6-10	Group "C" mains, and Group II spot repairs	\$4,988,000
3	11-15	Group III spot repairs	\$972,000
4	16-20	Group "A" and "B" mains and Group IV spot repairs	\$1,778,000
TOTAL			\$10,976,000

The estimated repair cost shown above will be re-assessed as the results of the phases 3 and 4 video analysis becomes available.

20 YEAR PROGRAM BUDGET

Based on the estimated improvements costs for the entire City's sewer deficiency upgrade and addition of soft costs and video inspection, a total preliminary annual budget of \$760,000 would be required:

<u>REQUIRED WORK DESCRIPTION</u>	<u>COST</u>
Estimated Construction Cost	\$ 10,976,000
Soft Cost (design, inspection, CM)	\$ 2,500,000
Video Inspection	\$ 400,000
Sub Total	<u>\$ 13,888,000</u>
10% Contingency	\$ 1,389,000
Total Cost	\$15,277,000 over a 20 year period
	\$764,000 annually

TABLE A
PHASE II
SEWER MAIN CONDITION (ALPHABETICAL ORDER OF STREET NAME)

Location	Limits	Condition	DVD No.
Amherst Drive	Wayne Avenue to Mid Pt.	B*	1
Atlantic Boulevard	Garfield Avenue to Pine Street	B*	10
Beech Street	Primrose Avenue to 2/3 Way	B*	2
Bushnell Avenue	Oak Street to Huntington Drive	B*	5
Camden Avenue	Oak lane to 1/2 Point	D	3
Camden Avenue	Huntington Drive to 1/2 Point	C	3
Chelton Way	Edgewood Drive to Oak Street	B*	1
Chelton Way	Oaks Street to Edgewood Drive	B*	4
Court Avenue	Huntington Drive to Northerly Terminus	C	3
Court Avenue	Oak Street to 1/2 Point	B*	3
Edgewood Drive	Milan Avenue to Wayne Avenue	B*	1
Fair Oaks Avenue	Maple Street to Alhambra Road	B*	4
Fair Oaks Avenue	Alhambra Road to Midway to Maple	B*	11
Fletcher Avenue	Oak to 1/2 Point S	B*	1
Fletcher Avenue	Huntington Drive to Alhambra Road	B*	10
Garfield Avenue	Huntington Drive to Atlantic Boulevard	B*	11
Garfield Avenue	Mill Road to Huntington Drive	B*	6, 7 & 8
Huntington Drive	South Side to Court Avenue to Wayne Avenue	D	8
Huntington Drive	N Side, Court Avenue to Garfield Avenue	B*	2
Huntington Drive	Fletcher Avenue to Marengo Avenue	B*	6
Huntington Drive	South Side to La Senda Avenue to Bushnell Avenue	B*	8
Huntington Drive	South Side, La Senda Place to Garfield Avenue	B*	8
Huntington Drive N	Fletcher Avenue to Court Avenue	B*	10
Huntington Drive S	Morengo Avenue to Bushnell Avenue	B	10
Indiana Avenue	Monterey Road to El Centro Street	B*	11
La France Avenue	Huntington Dr. to Alhambra Road	B*	2
La France Avenue	Maple Street to Mid Block	B*	11
La Senda Place	Huntington Drive to Garfield Avenue	B*	5
Laurel Street	Milan Avenue to Marengo Avenue	B*	3
Le Droit Drive	Milan Avenue to Montrose Avenue	B*	1
Le Droit Drive	Montrose Avenue to Garfield Avenue	B*	9
Leman Street	Milan Avenue to Huntington Drive	B*	2
Maple Street	Fremont Avenue to Primrose Avenue	B*	4
Milan Avenue	Monterey Road to Huntington Drive	C* & B*	2,3,4
Milan Avenue	Monterey Road to Edgewood Drive	B*	1

* Denotes Spot Repair Required. See Table "B" for Details

**TABLE A
PHASE II
SEWER MAIN CONDITION (ALPHABETICAL ORDER OF STREET NAME)**

Location	Limits	Condition	DVD No.
Milan Avenue	Huntington Drive to Spruce Street	B*	6
Milan Avenue	Oxley Street to Monterey Road	B*	9
Mission Street	Montrose Avenue to Garfield Avenue	B*	6
Mission Street	Milan Avenue to Montrose Avenue	A	2
Monterey Road	Milan Avenue to Montrose Avenue	B*	9
Monterey Road	Montrose Avenue to Garfield Avenue	B*	8
Montrose Avenue	Mission Street to Oxley Street	D	1
Montrose Avenue	Oxley Street to Le Droit Drive	B*	1
Montrose Avenue	Mission Street to Garfield Avenue	B*	2
Montrose Avenue	Monterey Road to Le Droit	A	9
Oak Meadow Lane	Oak Street to Cul de Sac	B*	9
Oak Street	Milan Avenue to Mid Point to Chelton Way	D	4
Oak Street	Chelton Way to Garfield Avenue	B*	3
Oak Street	Chelton Way to Mid Point to Milan Avenue	B*	4
Oak Street	Stratford Avenue to Milan Avenue	B*	5
Olive Street	Pine Street to Huntington Drive	B*	6
Oneonta Knoll	Primrose Avenue to 1/2 Point	B*	2
Oxley Street	Montrose Avenue to Garfield Avenue	B*	7
Pine Street	Huntington Drive to Garfield Avenue	B*	6
Primrose Avenue	Hunting Drive to Maple Street	B*	2
Primrose Avenue	Maple Street to Alhambra Road	B*	4
Primrose Avenue	Alhambra Road to Maple Road	B*	9
Spruce Street	Milan Avenue to Marengo Avenue	B*	3
Spruce Street	Milan to Southerly Terminus	A	6
Stratford Avenue	Along the Park	D	1
Stratford Avenue	Monterey Road to North of Park	B*	1
Stratford Avenue	Alhambra Road to Cul de Sac	B*	2
Stratford Avenue	Oak Street to Rollin Street	B*	5
Stratford Avenue	Oak street to Banks	B*	9
Stratford Avenue	Along Marengo Park	B*	11
Wayne Avenue	Amherst Drive to S. of Ashbourne Drive	B*	1
Wayne Avenue	Huntington Drive to Amherst Drive	B*	3
Wayne Avenue	Huntington Avenue to Oak Street	B*	5 & 6
Wayne Avenue	Huntington Drive and Oak Street	B*	8

* Denotes Spot Repair Required. See Table "B" for Details

TABLE B
PHASE II
SPOT REPAIR CONDITION (ALPHABETICAL ORDER OF STREET NAME)

Location	Manhole No.	Group	DVD No.
Amherst Drive	17D-127B	I	1
Atlantic Boulevard	117E-117L	II	10
Atlantic Boulevard	23B-28C	II	10
Beech Street	141F-141E	I	2
Beech Street	141F-36D	I	2
Bushnell Avenue	22B-22A	II	5
Bushnell Avenue	22B-22E	II	5
Camden Avenue	20B-20A	I	3
Camden Avenue	20B-20C	I	3
Camden Avenue	20C-27A	IV	3
Chelton Way	19E-16D	I	4
Chelton Way	16C-16B	II	1
Court Avenue	20D-20E	II	3
Court Avenue	20G-20F	II	3
Edgewood Drive	16C-17E	II	1
Edgewood Drive	16C-17F	II	1
Edgewood Drive	17F-17C	II	1
Fair Oaks Avenue	37A-37B	I	4
Fair Oaks Avenue	38B-37A	II	4
Fletcher Avenue	23B-23A	II	1
Fletcher Avenue	28H-24A	II	10
Fletcher Avenue	24A-24B	II	10
Fletcher Avenue	24B-24C	II	10
Garfield Avenue	117L-117K	III	11
Garfield Avenue	12D-3D	I	8
Garfield Avenue	12D-3D	I	7
Garfield Avenue	2B-2A	IV	7
Garfield Avenue	2C-2B Drop	IV	7
Garfield Avenue	2C-2D	IV	7
Garfield Avenue	2D-2E	III	6
Garfield Avenue	2E-3A	IV	7
Garfield Avenue	3A-3B	IV	7
Garfield Avenue	3C-12D	III	7
Garfield Avenue	4A-27H	II	8
Garfield Avenue	4A-27H	II	8
Garfield Avenue	4B-4A	II	8
Garfield Avenue	4B-4A	II	8
Huntington Drive	27F-27G	I	8
Huntington Drive	27H-27G	I	8
Huntington Drive	27C-27D	II	2
Huntington Drive	27C-27B	II	2
Huntington Drive	25D-28C	II	6
Huntington Drive	25D-28B	II	6
Huntington Drive	28B-28A	II	6
Huntington Drive	27E-28K	II	8
Huntington Drive	28K-28J	II	8
Huntington Drive	28K-28F	II	8
Huntington Drive	27H-27G	II	8
Huntington Drive N	27A-21B	I	10

TABLE B
PHASE II
SPOT REPAIR CONDITION (ALPHABETICAL ORDER OF STREET NAME)

Location	Manhole No.	Group	DVD No.
Huntington Drive N	28E-21B	I	10
Huntington Drive S	28G-28H	I	10
Huntington Drive S	28J-28H	II	10
Huntington Drive S	28G-28F	III	10
Indiana Avenue	131A-103D	I	11
Indiana Avenue	103D-104C	I	11
Indiana Avenue	103C-82E	I	11
La France Avenue	35B-35C	I	2
La France Avenue	35C-35D	I	2
La France Avenue	36B-36A	II	2
La France Avenue	35D-35C	II	11
La Senda Place	27C-126B	II	5
La Senda Place	126B-126A	II	5
Laurel Street	25B-19F	II	3
Le Droit Drive	11C-3B	I	9
Le Droit Drive	8D-8E	II	1
Le Droit Drive	11C-11B	III	9
Leman Street	26B-37D	II	2
Leman Street	37D-37C	II	2
Maple Street	38B-38A	I	4
Maple Street	38B-38C	III	4
Milan Avenue	25B-25C	I	3
Milan Avenue	15A-9C	I	9
Milan Avenue	15B-15A	II	1
Milan Avenue	15B-15C	II	1
Milan Avenue	15C-15D	II	1
Milan Avenue	25B-19C	II	3
Milan Avenue	26B-26C	II	4
Milan Avenue	26E-26F	II	4
Milan Avenue	25D-220B	II	6
Milan Avenue	15D-19C	II	4
Milan Avenue	26C-26D	III	4
Milan Avenue	26D-26E	III	4
Mission Street	7E-2D	III	6
Monterey Road	12B-12A	III	9
Monterey Road	12D-12C	I	8
Monterey Road	12C-12B	I	8
Montrose Avenue	7E-6A	I	2
Montrose Avenue	8D-8C	III	1
Oak Meadow Lane	19D-232A	II	9
Oak Street	18B-18C	I	3
Oak Street	18B-18A	I	3
Oak Street	18D-18E	II	3
Oak Street	18B-18C	II	3
Oak Street	19D-19C	II	4
Oak Street	19E-19D	III	4
Oak Street	19B-19C	III	5
Olive Street	117C-128E	II	6
Olive Street	128E-128D	II	6

**TABLE B
PHASE II
SPOT REPAIR CONDITION (ALPHABETICAL ORDER OF STREET NAME)**

Location	Manhole No.	Group	DVD No.
Oneonta Knoll	36B-141B	I	2
Oneonta Knoll	141B-141A	II	2
Oxley Street	3A-11A	II	7
Pine Street	117C-117B	I	6
Pine Street	117C-117D	I	6
Pine Street	117D-117E	II	6
Pine Street	117E-117F	II	6
Pine Street	117F-117G	II	6
Pine Street	117B-117A	III	6
Primrose Avenue	36G-36H	I	4
Primrose Avenue	36H-36G	I	9
Primrose Avenue	36D-36E	II	2
Primrose Avenue	36F-36G	II	4
Primrose Avenue	36B-36A	III	2
Primrose Avenue	36B-36C	III	2
Primrose Avenue	36C-36D	III	2
Primrose Avenue	36E-36F	III	2
Spruce Street	25C-25A	III	3
Stratford Avenue	129A-129B	I	2
Stratford Avenue	129D-129C	II	9
Stratford Avenue	134B-134A	II	2
Stratford Avenue	134C-134B	I	2
Stratford Avenue	14C-14A	II	1
Stratford Avenue	14D-14C	III	11
Stratford Avenue	19B-14D	II	5
Wayne Avenue	17C-17D	II	1
Wayne Avenue	17C-17B	II	1
Wayne Avenue	17D-18C	II	3
Wayne Avenue	18B-21A	II	5
Wayne Avenue	21A-2B	II	6
Wayne Avenue	21B-21A	III	8

TABLE C
PHASE II
SEWER MAIN CONDITION (WORST TO BEST)

Condition	Location	Limits	DVD No.
D	Camden Avenue	Oak lane to 1/2 Point	3
D	Huntington Drive	South Side to Court Avenue to Wayne Avenue	8
D	Montrose Avenue	Mission Street to Oxley Street	1
D	Oak Street	Milan Avenue to Mid Point to Chelton Way	4
D	Stratford Avenue	Along the Park	1
C* & B*	Milan Avenue	Monterey Road to Huntington Drive	2,3,4
C	Camden Avenue	Huntington Drive to 1/2 Point	3
C	Court Avenue	Huntington Drive to Northerly Terminus	3
B*	Amherst Drive	Wayne Avenue to Mid Pt.	1
B*	Atlantic Boulevard	Garfield Avenue to Pine Street	10
B*	Beech Street	Primrose Avenue to 2/3 Way	2
B*	Bushnell Avenue	Oak Street to Huntington Drive	5
B*	Chelton Way	Edgewood Drive to Oak Street	1
B*	Chelton Way	Oaks Street to Edgewood Drive	4
B*	Court Avenue	Oak Street to 1/2 Point	3
B*	Edgewood Drive	Milan Avenue to Wayne Avenue	1
B*	Fair Oaks Avenue	Alhambra Road to Midway to Maple	11
B*	Fair Oaks Avenue	Maple Street to Alhambra Road	4
B*	Fletcher Avenue	Huntington Drive to Alhambra Road	10
B*	Fletcher Avenue	Oak to 1/2 Point S	1
B*	Garfield Avenue	Huntington Drive to Atlantic Boulevard	11
B*	Garfield Avenue	Mill Road to Huntington Drive	6, 7 & 8
B*	Huntington Drive	Fletcher Avenue to Marengo Avenue	6
B*	Huntington Drive	N Side, Court Avenue to Garfield Avenue	2
B*	Huntington Drive	South Side to La Senda Avenue to Bushnell Avenue	8
B*	Huntington Drive	South Side, La Senda Place to Garfield Avenue	8
B*	Huntington Drive N	Fletcher Avenue to Court Avenue	10
B	Huntington Drive S	Morengo Avenue to Bushnell Avenue	10
B*	Indiana Avenue	Monterey Road to El Centro Street	11
B*	La France Avenue	Huntington Dr. to Alhambra Road	2
B*	La France Avenue	Maple Street to Mid Block	11
B*	La Senda Place	Huntington Drive to Garfield Avenue	5
B*	Laurel Street	Milan Avenue to Marengo Avenue	3
B*	Le Droit Drive	Milan Avenue to Montrose Avenue	1
B*	Le Droit Drive	Montrose Avenue to Garfield Avenue	9
B*	Leman Street	Milan Avenue to Huntington Drive	2

* Denotes Spot Repair Required. See Table "B" for Details

**TABLE C
PHASE II
SEWER MAIN CONDITION (WORST TO BEST)**

B*	Maple Street	Fremont Avenue to Primrose Avenue	4
B*	Milan Avenue	Huntington Drive to Spruce Street	6
B*	Milan Avenue	Monterey Road to Edgewood Drive	1
B*	Milan Avenue	Oxley Street to Monterey Road	9
B*	Mission Street	Montrose Avenue to Garfield Avenue	6
B*	Monterey Avenue	Milan Avenue to Montrose Avenue	9
B*	Monterey Road	Montrose Avenue to Garfield Avenue	8
B*	Montrose Avenue	Mission Street to Garfield Avenue	2
B*	Montrose Avenue	Oxley Street to Le Droit Drive	1
B*	Oak Meadow Lane	Oak Street to Cul de Sac	9
B*	Oak Street	Chelton Way to Garfield Avenue	3
B*	Oak Street	Chelton Way to Mid Point to Milan Avenue	4
B*	Oak Street	Stratford Avenue to Milan Avenue	5
B*	Olive Street	Pine Street to Huntington Drive	6
B*	Oneonta Knoll	Primrose Avenue to 1/2 Point	2
B*	Oxley Street	Montrose Avenue to Garfield Avenue	7
B*	Pine Street	Huntington Drive to Garfield Avenue	6
B*	Primrose Avenue	Alhambra Road to Maple Road	9
B*	Primrose Avenue	Huntington Drive to Maple Street	2
B*	Primrose Avenue	Maple Street to Alhambra Road	4
B*	Spruce Street	Milan Avenue to Marengo Avenue	3
B*	Stratford Avenue	Alhambra Road to Cul de Sac	2
B*	Stratford Avenue	Along Marengo Park	11
B*	Stratford Avenue	Monterey Road to North of Park	1
B*	Stratford Avenue	Oak Street to Banks	9
B*	Stratford Avenue	Oak Street to Rollin Street	5
B*	Wayne Avenue	Amherst Drive to S. of Ashbourne Drive	1
B*	Wayne Avenue	Huntington Avenue to Oak Street	5 & 6
B*	Wayne Avenue	Huntington Drive and Oak Street	8
B*	Wayne Avenue	Huntington Drive to Amherst Drive	3
A	Mission Street	Milan Avenue to Montrose Avenue	2
A	Montrose Avenue	Monterey Road to Le Droit	9
A	Spruce Street	Milan to Southerly Terminus	6

* Denotes Spot Repair Required. See Table "B" for Details

TABLE D
PHASE II
SPOT REPAIR CONDITION (WORST TO BEST)

Group	Location	Manhole No.	DVD No.
I	Amherst Drive	17D-127B	1
I	Beech Street	141F-141E	2
I	Beech Street	141F-36D	2
I	Camden Avenue	20B-20A	3
I	Camden Avenue	20B-20C	3
I	Chelton Way	19E-16D	4
I	Fair Oaks Avenue	37A-37B	4
I	Garfield Avenue	12D-3D	8
I	Garfield Avenue	12D-3D	7
I	Huntington Drive	27F-27G	8
I	Huntington Drive	27H-27G	8
I	Huntington Drive N	27A-21B	10
I	Huntington Drive N	28E-21B	10
I	Huntington Drive S	28G-28H	10
I	Indiana Avenue	131A-103D	11
I	Indiana Avenue	103D-104C	11
I	Indiana Avenue	103C-82E	11
I	La France Avenue	35B-35C	2
I	La France Avenue	35C-35D	2
I	Le Droit Drive	11C-3B	9
I	Maple Street	38B-38A	4
I	Milan Avenue	25B-25C	3
I	Milan Avenue	15A-9C	9
I	Monterey Road	12D-12C	8
I	Monterey Road	12C-12B	8
I	Montrose Avenue	7E-6A	2
I	Oak Street	18B-18C	3
I	Oak Street	18B-18A	3
I	Oneonta Knoll	36B-141B	2
I	Pine Street	117C-117B	6
I	Pine Street	117C-117D	6
I	Primrose Avenue	36G-36H	4
I	Primrose Avenue	36H-36G	9
I	Stratford Avenue	134C-134B	2
I	Stratford Avenue	129A-129B	2
II	Atlantic Boulevard	117E-117L	10
II	Atlantic Boulevard	23B-28C	10
II	Bushnell Avenue	22B-22A	5
II	Bushnell Avenue	22B-22E	5
II	Chelton Way	16C-16B	1
II	Court Avenue	20D-20E	3
II	Court Avenue	20G-20F	3
II	Edgewood Drive	16C-17E	1
II	Edgewood Drive	16C-17F	1
II	Edgewood Drive	17F-17C	1
II	Fair Oaks Avenue	38B-37A	4
II	Fletcher Avenue	23B-23A	1
II	Fletcher Avenue	28H-24A	10
II	Fletcher Avenue	24A-24B	10

TABLE D
PHASE II
SPOT REPAIR CONDITION (WORST TO BEST)

Group	Location	Manhole No.	DVD No.
II	Fletcher Avenue	24B-24C	10
II	Garfield Avenue	4B-4A	8
II	Garfield Avenue	4A-27H	8
II	Garfield Avenue	4B-4A	8
II	Garfield Avenue	4A-27H	8
II	Huntington Drive	27C-27D	2
II	Huntington Drive	27H-27G	8
II	Huntington Drive	27C-27B	2
II	Huntington Drive	25D-28C	6
II	Huntington Drive	25D-28B	6
II	Huntington Drive	28B-28A	6
II	Huntington Drive	27E-28K	8
II	Huntington Drive	28K-28J	8
II	Huntington Drive	28K-28F	8
II	Huntington Drive S	28J-28H	10
II	La France Avenue	36B-36A	2
II	La France Avenue	35D-35C	11
II	La Senda Place	27C-126B	5
II	La Senda Place	126B-126A	5
II	Laurel Street	25B-19F	3
II	Le Droit Drive	8D-8E	1
II	Leman Street	26B-37D	2
II	Leman Street	37D-37C	2
II	Milan Avenue	15B-15A	1
II	Milan Avenue	15B-15C	1
II	Milan Avenue	15C-15D	1
II	Milan Avenue	25B-19C	3
II	Milan Avenue	26B-26C	4
II	Milan Avenue	26E-26F	4
II	Milan Avenue	25D-220B	6
II	Milan Avenue	15D-19C	4
II	Oak Meadow Lane	19D-232A	9
II	Oak Street	18D-18E	3
II	Oak Street	18B-18C	3
II	Oak Street	19D-19C	4
II	Olive Street	117C-128E	6
II	Olive Street	128E-128D	6
II	Oneonta Knoll	141B-141A	2
II	Oxley Street	3A-11A	7
II	Pine Street	117D-117E	6
II	Pine Street	117E-117F	6
II	Pine Street	117F-117G	6
II	Primrose Avenue	36D-36E	2
II	Primrose Avenue	36F-36G	4
II	Stratford Avenue	129D-129C	9
II	Stratford Avenue	134B-134A	2
II	Stratford Avenue	14C-14A	1
II	Stratford Avenue	19B-14D	5
II	Wayne Avenue	17C-17D	1

**TABLE D
PHASE II
SPOT REPAIR CONDITION (WORST TO BEST)**

Group	Location	Manhole No.	DVD No.
II	Wayne Avenue	17C-17B	1
II	Wayne Avenue	17D-18C	3
II	Wayne Avenue	18B-21A	5
II	Wayne Avenue	21A-2B	6
III	Garfield Avenue	117L-117K	11
III	Garfield Avenue	2D-2E	6
III	Garfield Avenue	3C-12D	7
III	Huntington Drive S	28G-28F	10
III	Le Droit Drive	11C-11B	9
III	Maple Street	38B-38C	4
III	Milan Avenue	26C-26D	4
III	Milan Avenue	26D-26E	4
III	Mission Street	7E-2D	6
III	Monterey Avenue	12B-12A	9
III	Montrose Avenue	8D-8C	1
III	Oak Street	19B-19C	5
III	Oak Street	19E-19D	4
III	Pine Street	117B-117A	6
III	Primrose Avenue	36B-36A	2
III	Primrose Avenue	36B-36C	2
III	Primrose Avenue	36C-36D	2
III	Primrose Avenue	36E-36F	2
III	Spruce Street	25C-25A	3
III	Stratford Avenue	14D-14C	11
III	Wayne Avenue	21B-21A	8
IV	Camden Avenue	20C-27A	3
IV	Garfield Avenue	3A-3B	7
IV	Garfield Avenue	2B-2A	7
IV	Garfield Avenue	2C-2B Drop	7
IV	Garfield Avenue	2C-2D	7
IV	Garfield Avenue	2E-3A	7

**TABLE E
PHASE II
ESTIMATED COST OF SEWER REPAIRS**

DVD No.	LOCATION	MANHOLE NOS.	R&R PIPE (FT.)	REPAIR LATERAL (EA)	REPAIR COST IN THOUSANDS			
					PRIORITY 1	PRIORITY 2	PRIORITY 3	PRIORITY 4
1	Montrose Avenue	8D-8C	25	1			4	4
		8C-8B	325		59			
	Le Droit Drive	8D-8E	100	1		18		4
		15B-15A	125			23		
	Milan Avenue	15B-15C	225	1		41		4
		15C-15D	175			32		
	Edgewood Drive	16C-17E	60			11		
		16C-17F	75		14			
		17F-17C	75	2		14		8
	Chelton Way	16C-16B	25			4		
		17C-17D	150	1		27		4
	Wayne Avenue	17C-17B	25	1		4		4
		17D-127B	150	3	27			12
Fletcher Avenue	23B-23A	50	2		9		8	
Stanford Avenue	14C-14A	50			9			
	14C-14D	400		72				
2	Primrose Avenue	36B-36A	25				4	
		36B-36C	25				4	
		36C-36D	25				4	
		36D-36E	25			4		
		36E-36F	50				9	
	Oneonta Knoll	36B-141B	100		18			
		141B-141A	150			27		
	Beech Street	141F-36D	150'		27			
		141F-141E	100		18			
	Montrose Avenue	7E-6A	150		27			
	La France Avenue	36B-36A	25	1		9		4
		35B-35C	175	8	32			32
		35C-35D	200	11	36			44
	Stratford Avenue	134C-134B	25	1	5			4
		134B-134A	50			9		
		134C-129A	125		23			
		129A-129B	175	4	32			16
129B-129D		305		55				
Milan Avenue	26B-26A		5				20	

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TABLE E
PHASE II
ESTIMATED COST OF SEWER REPAIRS

DVD No.	LOCATION	MANHOLE NOS.	R&R PIPE (FT.)	REPAIR LATERAL (EA)	REPAIR COST IN THOUSANDS			
					PRIORITY 1	PRIORITY 2	PRIORITY 3	PRIORITY 4
2	Leman Street	26B-37D	50			9		
		37D-37C	200			36		
	Huntington Drive	27C-27D	50			9		
		27C-27B	150			36		
3	Court Avenue	20F-27B	450			81		
	Camden Avenue	20C-27A	300	5		64		20
	Wayne Avenue	17D-18C	75	1		14		4
		18B-18C	25	1	5			4
	Oak Street	18D-18E	25	1		5		4
		18B-18A	100		18			
	Milan Avenue	25B-19C	100			18		
		25B-25C	200	4	36			16
	Laurel Street	25B-19F	150	1		18		4
	Spruce Street	25C-25A	75				14	
	Camden Avenue	20B-20A	400		72			
		20B-20C	100			18		
	Court Avenue	20D-20E	75			14		
		20G-20F	25			5		
4	Chelton Way	19E-16D	200		36			
	Oak Street	19E-19D	50	2			9	8
		19D-19C	330		60			
	Milan Avenue	15D-19C	375			68		
	Maple Street	38B-38C	50	2	9			8
		38B-38A	50					
	Fair Oaks Avenue	38B-37A	250			45		
	Primrose Avenue	36F-36G	250	10		45		40
		36G-36H	100	1	18			4
	Milan Avenue	26B-26C	100	4		18		16
		26C-26D	75				14	
		26D-26E	75	5			14	20
26E-26F		200	4		36		16	
Fair Oaks Avenue	37A-37B	75	1	14			4	
5	Oak Street	19B-19C	50	2			9	8
	Stratford Avenue	19B-14D	75			14		

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**TABLE E
PHASE II
ESTIMATED COST OF SEWER REPAIRS**

DVD No.	LOCATION	MANHOLE NOS.	R&R PIPE (FT.)	REPAIR LATERAL (EA)	REPAIR COST IN THOUSANDS				
					PRIORITY 1	PRIORITY 2	PRIORITY 3	PRIORITY 4	
5	La Senda Place	27C-126B	100			18			
		126B-126A	400			72			
	Bushnell Avenue	22B-22A	225	7		41		28	
		22B-22E	200	2		36		8	
	Wayne Avenue	18B-21A	200	11		36		44	
6	Wayne Avenue	21A-2B	75			14			
	Huntington Drive	25D-28C	225			41			
		25D-28B	175			32			
		28B-28A	100			18			
	Milan Avenue	25D-220B	150	1		27		4	
	Pine Street	117C-117B	25		5				
		117B-117A	75	3			14	12	
	Olive Street	117C-128E	25	1			4	4	
		128E-128D	25				4		
	Pine Street	117C-117D							
		117D-117E	150				27		
117E-117F		25		5					
		117F-117G	125			23			
7	Garfield Street	2C-2D		2				8	
		2D-2E	25				4		
		2E-3A			1				4
		2C-2B Drop			4				16
		2B-2A			6				24
	Mission Street	7E-2D	25				4		
	Oxley Street	3A-11A	25	1		4		4	
Garfield Avenue	3A-3B			1				4	
	3C-12D	25		1	5		4	4	
8	Garfield Avenue	12D-3D	50		9				
	Monterey Road	12D-12C	50		9				
		4B-4A	75				14		
	Garfield Avenue	4A-27H	75				14		
		27F-27E	410			74			
	Huntington Drive	27E-28K	75				14		
		27F-27G	50			9			
28K-28J		25				4			

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**TABLE E
PHASE II
ESTIMATED COST OF SEWER REPAIRS**

DVD No.	LOCATION	MANHOLE NOS.	R&R PIPE (FT.)	REPAIR LATERAL (EA)	REPAIR COST IN THOUSANDS			
					PRIORITY 1	PRIORITY 2	PRIORITY 3	PRIORITY 4
8	Wayne Avenue	21B-21A	25	1			4	4
	Huntington Drive	27H-27G	100		18			
9	Stratford Avenue	129D-129C	25	2		4		8
		36D-36E		2				8
	Primrose Avenue	36H-36G	100	2	18			8
	Oak Meadow Lane	19D-232A	25			4		
	Milan Avenue	15A-9C	75	1	14			4
	Monterey Avenue	12B-12A	25	1			4	4
		11C-3B	100		18			
Le Droit Drive	11C-11B	50				9		
10	Huntington Drive N	27A-21B	100	1	18			4
		27A-27B	75			14		
		28E-21B	100					
	Atlantic Boulevard	117E-117L	75			14		
		23B-28C	50	2		9		8
	Huntington Drive S	28G-28F	25				4	
		28G-28H	75		14			
		28J-28H	125				23	
	Fletcher Avenue	28H-24A	225	6			41	24
		24A-24B	200				36	
24B-24C		75				14		
11	Garfield Avenue	117L-117K	25				4	
	Stratford Avenue	14D-14C	25				4	
	La France Avenue	35D-35C	25			4		
		131A-103D	75		14			
	Indiana Avenue	103D-104C	75		14			
103C-82E		175		32				
TOTALS			13880	145	989	1390	140	580

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2. Current Sewer Rates



CITY OF SOUTH PASADENA

2010 Water, Sewer and Refuse Rate Adjustments

Dear South Pasadena Water, Sewer and Refuse customers:

This month's bill is longer than usual due to rate adjustments effective July 1, 2010. The first part of your bill represents services received in June 2010. The second part is for services in July 2010.

Effective July 1, 2010, the water and sewer rates have been adjusted per City Resolutions 7046, 7047 and 7048 adopted in May 2009. The old and new rates are presented below.

Water Bi-Monthly Charges		
Meter Charge	Old Total	New Total
3/4"	\$44.34	\$51.00
1"	62.08	71.40
1 1/2"	79.82	91.80
2"	128.60	147.90
3"	487.84	561.00
4"	620.88	714.00
6"	931.32	1,071.02
8"	1,286.10	1,479.02
Consumption Charge	Old Total	New Total
Per Hundred Cubic Feet of Consumption	\$0.92	\$1.06

Sewer Bi-Monthly Charges			
Sewer Charge		Old	New
Single Family	\$	12.67	\$ 14.57
Multi-Family		8.56	9.84
Commercial		12.67	14.57

Refuse Bi-Monthly Charges			
Refuse Charge		Old	New
Standard	\$	69.60	\$ 71.46
3 Yard Bin		268.76	277.04
Roll-Off		416.60	424.54

Refuse rates, effective July 1, 2010, reflect a rate increase of approximately 2.67%. The increase is based on the percentage change in the Consumer Price Index from April 2009 to April 2010 and "pass through" increase for increased landfill fees per the contract approved by the City Council.

For further questions, contact the Finance Department at (626) 403-7259

South Pasadena Municipal Code

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ARTICLE II. FOG CONTROL PROGRAM**30.20 FOG discharge requirement.**

No FSE shall discharge or cause to be discharged into the sewer system FOG that exceeds a concentration level adopted by a regulatory agency or that may accumulate and/or cause or contribute to blockages in the sewer system or at the sewer system lateral which connects the FSE to the sewer system. (Ord. No. 2186, § 2, 2009.)

30.21 FOG prohibitions.

The following prohibitions shall apply to all FSEs:

(a) No person shall discharge, or cause to be discharged any wastewater from FSEs directly or indirectly into the sewer system without first obtaining a FOG wastewater discharge permit pursuant to this chapter.

(b) Discharge of any waste, including FOG and solid materials removed from the grease control device to the sewer system, is prohibited.

(c) The installation and use of food grinders shall be prohibited in all new food service establishments that are located in new or existing buildings, in all existing food service establishments undergoing remodeling, and in all existing food preparation and service establishments undergoing remodeling or a change in operations such that they would become a commercial kitchen.

(d) Introduction of any additives into a food service establishment's wastewater system for the purpose of emulsifying or biologically/chemically treating FOG for grease remediation or as a supplement to interceptor maintenance, unless a specific written authorization from the director is obtained.

(e) Disposal of waste cooking oil into drainage pipes.

(f) The discharge of wastewater from dishwashers to any grease traps or grease interceptor.

(g) Discharge of wastewater with temperature in excess of one hundred forty degrees Fahrenheit to any grease control device, including grease traps and grease interceptors.

(h) Discharge of wastes from toilets, urinals, wash basins, and other fixtures containing fecal material to sewer lines intended for grease interceptor service, is prohibited.

(i) A grease removal device should not be considered properly maintained if for any reason it is not in good working condition, or if sand, oil, sludge, and grease accumulations total more than twenty-five percent of the operative fluid capacity.

(j) The discharge of any waste or FOG to the sewer system in a manner which either violates the California State Water Resources Control Board's Sewer WDRs or causes or contributes to condition which fails to comply with any of the provisions of the sewer WDRs is prohibited. (Ord. No. 2186, § 2, 2009.)

30.22 FOG wastewater discharge permit required.

(a) FSEs proposing to discharge or currently discharging wastewater containing FOG into the city's sewer system shall obtain a FOG wastewater discharge permit from the city within either (1) one hundred eighty days from the effective date of the ordinance codified in this chapter; or (2) at the time any FSE applies

for or renews its annual business license from the city. Compliance with this chapter must be demonstrated at the time any business license is issued, provided that the director may extend the compliance date for no more than ninety days after the date of the issuance of the license.

(b) FOG wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other regulations, charges for use, and fees established by the city. The conditions of FOG wastewater discharge permits shall be enforced by the city in accordance with this chapter and applicable state and federal regulations.

(c) The city shall not issue a certificate of occupancy for any new construction, or occupancy unless a FSE has fully complied with the provisions of this chapter. (Ord. No. 2186, § 2, 2009.)

30.23 FOG wastewater discharge permit application.

Any person required to obtain a FOG wastewater discharge permit shall complete and file with the city prior to commencing discharges, an application in a form prescribed by the director and shall provide the city such information and documents as the director determines is necessary and appropriate to properly evaluate the application. The applicable fees shall accompany this application. After evaluation of the data furnished, the director may issue a FOG wastewater discharge permit, subject to terms and conditions set forth in this chapter and as otherwise determined by the director to be appropriate to protect the city's sewer system. (Ord. No. 2186, § 2, 2009.)

30.24 FOG wastewater discharge permit conditions.

The issuance of a FOG wastewater discharge permit may contain any of the following conditions or limits as determined by the director:

- (a) Limits on discharge of FOG and other priority pollutants;
- (b) Requirements for proper operation and maintenance of grease interceptors and other grease control devices;
- (c) Grease interceptor maintenance frequency and schedule;
- (d) Requirements for implementation of best management practices and installation of adequate grease interceptor and/or grease control device;
- (e) Requirements for maintaining and reporting status of best management practices;
- (f) Requirements for maintaining and submitting logs and records, including waste hauling records and waste manifests;
- (g) Requirements to self-monitor;
- (h) Requirements for the FSE to construct, operate and maintain, at its own expense, FOG control device and sampling facilities;
- (i) Consent by the operator of the FSE for the city and other regulatory agencies to inspect the FSE to confirm compliance with this chapter, the NPDES permit and other applicable laws, rules and regulations, including any NPDES permit applicable to the city;
- (j) Additional requirements as otherwise determined to be reasonably appropriate by the director to protect the city's system or as specified by other regulatory agencies;
- (k) Other terms and conditions, which may be reasonably applicable to ensure compliance with this chapter as determined by the director. (Ord. No. 2186, § 2, 2009.)

30.25 FOG wastewater discharge permit fee.

The FOG wastewater discharge permit fee shall be paid by the applicant in an amount adopted by resolution of the city council. Payment of permit fees must be received by the city prior to issuance of either a new permit or a renewed permit. A permittee shall also pay any delinquent invoices in full prior to permit renewal. (Ord. No. 2186, § 2, 2009.)

30.26 FOG wastewater discharge permit modifications of terms and conditions.

(a) The terms and conditions of an issued permit may be subject to modification and change by the sole determination of the director during the life of the permit based on:

- (1) The discharger's current or anticipated operating data;
- (2) The city's current or anticipated operating data;
- (3) Changes in the requirements of regulatory agencies which affect the city; or
- (4) A determination by the director that such modification is appropriate to further the objectives of this chapter.

(b) The permittee may request a modification to the terms and conditions of an issued permit. The request shall be in writing stating the requested change, and the reasons for the change. The director shall review the request, make a determination on the request, and respond in writing.

(c) The permittee shall be informed of any change in the permit limits, conditions, or requirements at least forty-five days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance. (Ord. No. 2186, § 2, 2009.)

30.27 FOG wastewater discharge permit duration and renewal.

FOG wastewater discharge permits shall be issued for a period not to exceed five years. Upon expiration of the permit, the discharger shall apply for renewal of the permit in accordance with the provisions of this chapter. (Ord. No. 2186, § 2, 2009.)

30.28 Exemption from FOG wastewater discharge permit.

A limited food preparation establishment is not considered a FSE for the purposes of this chapter and is exempt from obtaining a FOG wastewater discharge permit. Exempted establishment shall be engaged only in reheating, hot holding or assembly of ready to eat food products and as a result, there is no wastewater discharge containing significant amount of FOG. A limited food preparation establishment does not include any operation that changes the form, flavor, or consistency of food. (Ord. No. 2186, § 2, 2009.)

30.29 Nontransferability of permits.

(a) FOG wastewater discharge permits issued under this chapter are for a specific FSE, for a specific operation and create no vested rights.

(b) No permit holder shall assign, transfer or sell any FOG wastewater discharge permit issued under this chapter nor use any such permit for or on any premises or for facilities or operations or discharges not expressly encompassed within the underlying permit.

(c) Any permit, which is transferred to a new owner or operator or to a new facility, is void. (Ord. No. 2186, § 2, 2009.)

30.30 Best management practices required.

All FSEs shall implement best management practices in its operation to minimize the discharge of FOG to the sewer system.

(a) Installation of Drain Screens. Drain screens shall be installed on all draining pipes in food preparation areas. Clean drain screens frequently by placing the collected material in the garbage.

(b) Disposal of Food Waste. All food waste shall be disposed of directly into the trash or garbage and not in sinks.

(c) Segregation and Collection of Waste Cooking Oil. Licensed waste haulers or an approved recycling facility must be used to dispose of waste cooking oil.

(d) Maintenance of Kitchen Exhaust Filters. Filters shall be cleaned as frequently as necessary to be maintained in good operating condition. The wastewater generated from cleaning the exhaust filters shall be disposed properly.

(e) Kitchen Signage. Best management and waste minimization practices shall be posted conspicuously in the food preparation and dishwashing areas at all times.

(f) Employee Training. Employees of the food service establishment shall be trained by ownership within one hundred eighty days of notification, and twice each calendar year thereafter, on the following subjects:

- (1) How to "dry wipe" pots, pans, dishware, and work area before washing to remove grease;
- (2) How to properly dispose of food waste and solids in enclosed plastic bags prior to disposal in trash bins or containers to prevent leaking and odors;
- (3) The location and use of absorption products to clean under fryer baskets and other locations where grease may be spilled or dripped;
- (4) How to properly dispose of grease or oils from cooking equipment into a grease receptacle such as a barrel or drum without spilling.

Training shall be documented and employee signatures retained indicating each employee's attendance and understanding of the practices reviewed. Training records shall be available for review at any reasonable time by or other authorized inspector. (Ord. No. 2186, § 2, 2009.)

30.31 FSEs FOG pretreatment required.

FSEs shall install an approved grease control device and regularly maintain it so as to prevent excessive discharges of grease and oil into the public sewer. Exceptions to the installation of a grease and oil interceptor shall be determined on a case-by-case basis by the director. (Ord. No. 2186, § 2, 2009.)

30.32 FOG pretreatment required for new construction of food service establishments.

All new construction of food service establishments and those undergoing a significant remodel shall install a grease interceptor prior to commencing discharge of wastewater to sewer system. (Ord. No. 2186, § 2, 2009.)

30.33 Variance and waiver of grease interceptor requirement.

(a) Variance from Grease Interceptor Requirements. A variance or a conditional waiver from the grease interceptor requirements on such terms and conditions as may be established by the director, consistent with the requirements of the sewer WDRs, the city's FOG control program, and best construction, engineering, environmental and health and safety practices, to: (1) allow alternative pretreatment technology that is, at least, equally effective in controlling the FOG discharge in lieu of a grease interceptor, may be granted by the

director to FSEs demonstrating to the director's satisfaction that it is impossible to install, operate or maintain a grease interceptor; or (2) where the FSE demonstrates to the director's satisfaction that any FOG discharge from the FSE is negligible and will have an insignificant impact to the sewer system.

(b) Waiver from Grease Interceptor Installation with a Grease Disposal Mitigation Fee. For FSEs where the installation of grease interceptor is not feasible and no equivalent alternative pretreatment can be installed, a waiver from the grease interceptor requirement may be granted with the imposition of a grease disposal mitigation fee as described in section 30.34. The director's determination to grant the waiver with a grease disposal mitigation fee will be based upon such considerations that the director determines to be appropriate and consistent with the sewer WDRs, the city's FOG control program, and best construction, engineering, environmental and health and safety practices. Provided, however, that a grease interceptor will be installed when the FSE undergoes a significant remodel. No discretionary permit, including but not limited to a conditional use permit, shall be issued to a FSE unless the applicant can demonstrate that a grease interceptor has been or will be installed at the FSE.

(c) Application for Waiver or Variance of Requirement for Grease Interceptor. A FSE may submit an application for waiver or variance from the grease interceptor requirement to the director. Terms and conditions for issuance of a variance to a FSE shall be set forth in the permit. A waiver or variance may be revoked at any time when any of the terms and conditions for its issuance is not satisfied or if the conditions upon which the waiver was based change so that the justification for the waiver no longer exists. (Ord. No. 2186, § 2, 2009.)

30.34 Grease disposal mitigation fee.

(a) FSEs that operate without a grease control interceptor may be required to pay an annual grease disposal mitigation fee to equitably cover the costs of increased maintenance and administration of the sewer system as a result of the FSEs' inability to adequately remove FOG from its wastewater discharge. This section shall not be interpreted to allow a new FSE, or existing FSEs undergoing remodeling or change in operations, to operate without an approved grease interceptor unless the director has determined that it is impossible to install or operate a grease control interceptor for the FSE under the provisions of this chapter.

(b) The grease disposal mitigation fee shall be established by resolution of the city council, and shall be based on the estimated annual increased cost of maintaining the sewer system for inspection and removal of FOG and other viscous or solidifying agents attributable to the FSE resulting from the lack of a grease interceptor or grease control device and such other costs that the city council considers appropriate.

(c) The grease disposal mitigation fee may not be waived or reduced when the FSE does not comply with the minimum requirements of this chapter. (Ord. No. 2186, § 2, 2009.)

30.35 Grease interceptor maintenance requirements.

(a) Grease interceptors shall be maintained in efficient operating condition by periodic removal of the full content of the interceptor which includes wastewater, accumulated FOG, floating materials, sludge and solids.

(b) Wastewater, accumulated FOG, floating material, sludge/solids, and other materials removed from the grease interceptor shall be disposed off site properly by waste haulers in accordance with federal, state and/or local laws.

(c) Grease interceptors shall be fully pumped out and cleaned on a quarterly basis. The agency may change the maintenance frequency at any time to reflect changes in actual operating conditions in accordance with the FOG control program. Based on the actual generation of FOG from the food service establishment, the maintenance frequency may increase or decrease.

(d) The permittee shall be required to keep all documents identified by the director relating to its compliance with this chapter, including manifests, receipts and invoices of all cleaning, maintenance, grease removal off/from the grease control device, disposal carrier and disposal site location for no less than two years. The permittee shall, upon request, make the manifests, receipts and invoices available to any city representative, or inspector.

(e) If the grease interceptor, at any time, contains excess FOG and solids accumulation the FSE shall be required to have the grease interceptor serviced immediately such that all fats, oils, grease, sludge, and other materials are completely removed from the grease interceptor. If deemed necessary, the director may also increase the maintenance frequency of the grease interceptor from the current frequency. (Ord. No. 2186, § 2, 2009.)

30.36 FOG inspections.

The director, or representative, shall be authorized at any reasonable time to enter the premises of any discharger to determine compliance with the provisions of this chapter; such inspection may include but not be limited to: inspection, sampling, monitoring, review, photograph, videotape and copy of any records, reports, test results or other data, wastes, chemicals, storage areas, storage containers, waste generating processes, treatment facilities and discharge locations. (Ord. No. 2186, § 2, 2009.)

30.37 FOG inspections fees.

The amount of FOG inspections fee shall be established by resolution of the city council as amended from time to time in accordance with provisions of this chapter. (Ord. No. 2186, § 2, 2009.)



City Council Agenda Report

ITEM NO. 24

DATE: November 16, 2022
FROM: Arminé Chaparyan, City Manager *Ac*
PREPARED BY: Mary Jerejian, Management Analyst
SUBJECT: **Presentation of a Citywide Operational Status Update**

Recommendation

It is recommended that the City Council receive a monthly Citywide operational status update.

Background

City staff has presented two previous operational status updates to the City Council and community. The first operational status was presented on September 21, 2022 and the most recent update was presented on October 19, 2022. Both reports included information and graph representations regarding the City's operations, staffing updates, department assessment updates, and updates regarding major projects throughout every City department.

The City's Finance Ad Hoc Committee, was formed in September 2020 to review the Fiscal Year 2020-2021 Budget, the Annual Comprehensive Finance Report (ACFR) for Fiscal Year 2018-2019, and the address concerns of oversight and management of the City's budget process under the purview of previous administration at City Hall. The Ad Hoc Committee submitted a report of their findings at the June 15, 2022 City Council Meeting, and further discussed at the August 17, 2022 City Council Meeting. One of the recommendations was to provide quarterly updates to the Finance Commission and City Council. The City has committed to quarterly updates and looks to implement monthly updates in early 2023.

The City Manager's Office has committed to presenting monthly reports as a part of addressing concerns of oversight and management.

All operational updates within the staff report regarding recruitments, department assessment updates, projects, and happenings are derived from the City's Strategic Plan for 2021-2026 that was adopted by City Council on December 15, 2021.

The City's Strategic Plan for 2021-2026 highlight was adopted by City Council on December 15, 2021. The overarching goals within the Strategic Plan include:

1. Develop and Implement Strong Fiscal Policies to Ensure a Resilient Financial Future;
2. Create a Strong Economic Development Strategy to Strengthen Local Business;
3. Develop a Comprehensive Emergency Preparedness Plan to Ensure Public Safety through Active Response and Recovery Efforts;
4. Enhance Community Sustainability through Investment in Infrastructure and Environmental Management Programs;
5. Plan for Affordable Housing to Comply with State Mandates and Respond to Community Needs; and
6. Enhance Customer Service through Innovation to More Effectively Respond to Community Priorities.

In conjunction with the 2021-2026 Strategic Plan, the City Council adopted the 2022-2023 Fiscal Year Budget, which focuses on improved policies and procedures, re-establishing the City's Capital Improvement Program, re-sizing the organization in regard to recruitments, and continuous improvements in providing City services to the community.

Included in the Adopted Budget are Key Performance Indicators (KPIs) for each department that will quantify the City's accomplishments as a part of the 2022-2023 Fiscal Year.

The Strategic Plan, Fiscal Year 2022-2023 Budget, and Key Performance Indicators are the guiding documents to identify and prioritize City goals, projects, and dedicate resources to them.

Analysis

The City has completed approximately 50% of the Strategic Plan, and 50% is in progress. There are currently 28 total recruitments citywide, with 24 of them being active recruitments. Of the 24 active recruitments, 3 are in the background process and 5 offers have been extended to candidates that have not started yet. In addition, 4 recruitments are on hold. A pie chart with the data on all recruitments could be found toward the end of the report.

In regard to overall updates, the City's Finance Department and City Manager's Office has created a proposed timeline for the Fiscal Year 2023 and 2024 Budget. The City will engage in Community Outreach starting early 2023 to ensure residents are informed, and have ample opportunity to provide input. Below is graph of the proposed timeline.

Fiscal Year 2023-2024 Budget Proposed Timeline

Months	Proposed Plans
January 2022	CIP planning meeting
February 2022	Mid-Year budget report to City Council, budget kickoff meetings for budget representatives, and budget request forms distributed to all departments.
March 2022	Budget request forms due to Finance.
April 2022	Finance prepares proposed operating and CIP budgets, citywide budget presentations for employees, meetings with Councilmembers and City Manager.
May 2022	Preliminary budget to go to the Finance Commission, CIP to go to the Planning Commission, public community meetings and workshops. Public hearing and adoption of budget.
June 2022	Continuation of budget hearing if necessary.

Department Assessment Updates

Department	Assessment Status	Next Steps
<p>Management Services</p> <ul style="list-style-type: none"> • City Clerk Assessment • Human Resources Assessment • Information Technology Assessment 	<ul style="list-style-type: none"> • City Clerk Assessment: Completed August 16, 2021. • Human Resources Assessment is underway and consultant recommendations have been provided to the Department. • Information Technology Assessment: In progress. 	<ul style="list-style-type: none"> • City Clerk Assessment: Recommendations in progress. • Human Resources Assessment: Consultant recommending changes to Personnel Rules and Regulations and HR Policies. • Information Technology Assessments: Recommendations will be provided when assessment is complete.
City Manager's Office (Diversity Equity, Inclusion, and Belonging Assessment)	Completed June 30, 2021.	Implementing recommendations from the assessment are ongoing.
Community Services	Assessment has launched and is in progress.	The consultant has completed interviews with three of the City Councilmembers on November 2nd. Interviews with the remaining Councilmembers are set for November 16, 2022 in the afternoon. A draft report will be sent to the Community Services Director and City Manager in the first week of December 2022.

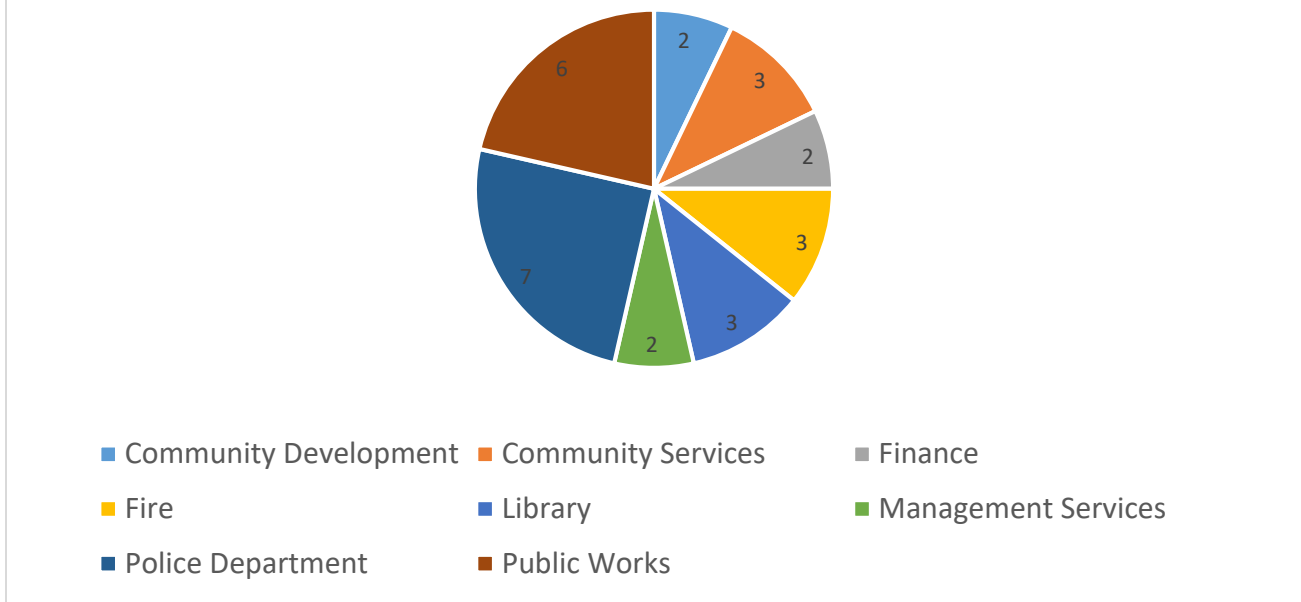
Community Development	Not initiated due to vacancies and existing workload in the department.	Staff anticipates soliciting a consultant in Fiscal Year 2023-2024.
Public Works	Completed Fall 2021.	<p>The assessment indicated the need for additional staff, and the management of department work flows associated with its number of public commissions and meetings.</p> <p>Council approved re-organization of department resulting in the creation of job classifications for Transportation Program Manager, two Management Analysts, and consolidation of one Deputy Public Works Director.</p> <p>Staff will return to City Council in the near future to request approval of the consolidation of two positions to one Facilities and Parks Supervisor position, and creation of a new Senior Maintenance Worker position in the division. The request will also finalize the job description for the Transportation Program Manager.</p>
Police Department	In Progress.	A community working group reviewed and revised the Request for Proposal (RFP), and it was re-released on September 29, 2022 to solicit more competitive bids for consideration. On October 31, 2022, the City received 5 RFPs. The City Manager will open and review the RFPs to determine qualifications, followed by a selection.
Finance Department	Initiated.	Interim Finance Director, Maida Alcantara, will be completing the Finance Department Assessment in the next four months.
Fire Department	In Progress.	Staff is in the process of drafting an RFP.

Recruitment Updates

Department	Recruitments	Status of Recruitments
Community Development	Community Improvement Officer and Planning Counter Technician.	Recruitment for the Community Improvement Officer continues. An offer has been made and accepted for the Counter Technician. The employee is scheduled to begin on November 28, 2022. The department's Senior Management Analyst in the Housing Division began on October 24, 2022. In addition, the Deputy Community Development Director began with the City on November 7, 2022.
Community Services	Recreation Leaders (part-time), Transit Driver (part-time), and Management Analyst.	Two Recreation Leaders started on November 3rd in the Recreation Division and one in the Senior Division. The first round of interviews for Management Analysts took place on November 1st, and the second interviews will be the week of November 7 th .
Finance Department	Finance Director and Deputy Finance Director/Controller.	A conditional offer for the Deputy Finance Director/Controller position was accepted on October 3, 2022, and the candidate will begin on November 21, 2022. The City selected an Interim Finance Director, Maida Alcantara, that began on October 24, 2022.
Fire Department	Firefighter/Paramedic, Firefighter/Paramedic (lateral), Fire Engineer promotional.	Two Firefighter/Paramedics are actively in the background process. There are four internal applicants with the written portion of the exam scheduled for November 28, 2022.
Library	Full-time librarian for Adult and Digital Services, Library Clerk II (part-time), Library Aide (part-time).	The full-time Librarian for Adult and Digital Services position was filled on September 26, 2022. Interviews for the promotional part-time Clerk II vacancy are tentatively scheduled for November 14, 2022 and

		interview dates for the part-time Library Aide position is pending.
Management Services	Deputy City Clerk and Management Assistant (part-time).	The first round of Deputy City Clerk interviews are scheduled for November 9, 2022. The Management Assistant position is in continuous review by the department.
Police Department	Police Clerk, Police Cadets, Parking Control, Police Officers.	<p>A new version of the Police Clerk written test is being developed.</p> <p>One Police Cadet is currently in the background process, and the second round of testing will begin in December 2022.</p> <p>The process to fill the vacant Parking Control position will begin later this month.</p> <p>Two Police Officer candidates are in the background process, and a second group will be taking oral interview this month.</p> <p>In addition, the Police Department has four police officers out with long-term injuries, and are operating with a deficit of 27% in sworn staffing levels.</p>
Public Works	Maintenance Assistant, Management Intern (part-time), Facility/Parks Supervisor, Senior Water Production and Treatment Operator, Water Utility Worker II, Senior Maintenance Worker, Electrician, and Parks Maintenance Worker.	The Management Assistant position eligibility list is being reviewed by the department. There is an active recruitment process for Electrician Maintenance Worker. The Parks Maintenance Worker position is pending City Council approval and/or review with the Employee Association prior to Human Resources beginning a recruitment.

Recruitments by Department October 2022



Fiscal Impact

There are costs associated with various elements referenced in the operational status updates within this report. Each department is responsible for paying for their respective assessments. All department assessments with their respective recommendations will be brought individually to City Council with fiscal impacts.

Attachments:

1. Citywide Updates Chart
2. Finance Department Performance Measurements
3. Key Performance Indicators from Fiscal Year 2022-2023 Adopted Budget

ATTACHMENT 1
Citywide Project Updates Chart

Citywide Project Updates
Department Major Projects - November 16, 2022

Department	Project(s)	Status	Next Steps
Community Development	Housing Element, General Plan, and Downtown Specific Plan	<p>A response letter from HCD was received on October 28, 2022. A Joint City Council and Planning Commission Special Meeting was held to review HCD responses and suggested corrections on Nov. 9.</p> <p>The General Plan and Downtown Specific Plan are in progress and being reviewed for consistency with the Housing Element.</p>	The Public Draft will be released on Dec. 5 and submitted to HCD on December 12, 2022.
Community Development	Caltrans Unoccupied Properties	Inspections of the 20 unoccupied parcels began are underway.	Staff will go to City Council with inspections report, financial analysis, and discussion regarding purchase of properties in January 2023.
Community Services	CivicPlus Software Updates	A fully executed agreement has been sent to CivicPlus.	Phase one of the time line has been completed. Phase two begins the week of November 7 with a meeting with the Finance Department to ensure credit card processing is acquired, all revenue accounts are accurate, and that money goes directly to the Springbrook system.
Community Services	Assessment of Existing Contracts with Facilities	Terms for the tennis facilities is being discussed during Closed Session tonight on November 16, 2022.	Staff was given direction regarding further analysis needed.

Community Services	Co-Sponsorship Event Application and Process	Further review by departments is underway.	Staff is preparing Google documents to allow access to all departments to make edits to the current consultant, John Jones. The consultant is also reviewing the documents to give further review and information. Staff is planning a community engagement with the current co-sponsored organization to obtain their input on the policy.
Community Services	Pocket Parks	Construction Documents are 99% completed. CEQA is under review by the City.	Public Works and the Community Development Departments are reviewing the CEQA documents for both pocket parks with a review completion by November 10, 2022.
City Manager's Office	Economic Development	The department launched the Guide to Doing Business and Quarterly Newsletter on Major Projects and Development. New programming for Economic Development include virtual business office hours that will take place every Tuesday morning and evening for thirty minutes, and the City's survey to the Downtown District businesses on special events permitting.	The Economic Development team will be expanding business support programming and is exploring ways to conduct more outreach to our business community.
City Manager's Office	Communications Analysis	The department is preparing a Communications Analysis to track all communications tools in the City to better understand our outreach efforts, and how to improve these efforts.	The department will be working closely with other departments at the City's Interdepartmental Communications and Engagement Team (ICE-T) to create a standardized communication plan for programs and events.

			A community communications survey will launch soon, to solicit input on communications strategies.
City Manager's Office	Social Services	November 9, 2022 the City held the 1st Annual Social Services and Social Justice Forum. The resource fair includes presentations and booths from the Department of Military Veteran Affairs, Department of Mental Health, LA County Department of Aging and Disability, Foothill Workforce Development Board, Peace of Violence, South Pasadena Tenants Union, LA Center for Alcohol and Drug Abuse, Housing Rights Center, and many others. The inaugural event was commemorated with certificates recognizing the City's efforts from Supervisor Barger, Assemblymember Holden, and Senator Portantino.	<p>The City Manager's Office has established a Social Services and Mental Health Task Force comprised of all service providers, faith based community and community partners that serve South Pasadena. The group meetings on a quarterly basis, and held its third meeting on September 29, 2022.</p> <p>The City Manager's Office is working on a resource guide for all providers available in the community following the November 9 Social Services Forum.</p>
City Manager's Office	Legislation	City Manager's Office working on San Gabriel Economic Partnership (SGVEP) Legislative Action Committee, and staff is in progress in assisting the SGVEP in creating a draft document.	City Manager's Office will be bringing the 2023-2024 Legislative Platform to Council in early 2023 for adoption.
Finance Department	Finance Policies and Procedures	Councilmember Mahmud with a second by Mayor Pro Tem Primuth will be requesting language be added in the Purchasing Policy and related ordinance, and will add	This item is being brought back either for a 1 st reading or 2 nd reading on the December 7, 2022 City Council meeting.

		recommendations with the proposed ordinance.	
Finance Department	Bank Reconciliations	Bank Reconciliations are complete through July. Staff is currently working on August.	The department will complete the bank reconciliation within 30 days after the month ends.
Finance Department	Time Clock Plus (TCP) In-house Payroll Process	TCP completed in-person training the week of September 19, 2022. City Manager and Police Department staff are working together to review the set-up of the public safety personnel scheduling module.	Future training will be performed by Finance staff at the request of the departments. Public safety personnel will transition to scheduling system that ties in to TCP.
Finance Department	Monthly Investment Reports	Current and on schedule.	The department will continue to provide timely submissions to the City Council.
Finance Department	Audit	The audit is set to begin on November 21, 2022. This is six months earlier than the last year.	The department will prepare all necessary year-end schedules for audit.
Finance Department	Budget Calendar	The department has drafted the 2023-24 Budget calendar as the City prepares for the next budget cycle.	In the beginning of January, Capital Improvement Plan (CIP) meeting will begin and continue throughout the adoption process. In February, the Mid-Year Budget report will come to City Council. In the month of April and May of 2023, the City is planning ahead for Public Community meetings prior to the Public Hearing and Adoption of Budget.
Fire Department	Emergency Operations Plan	The department has presented the draft Emergency Operations Plan to the Public Safety Commission and Natural Resources Environmental Commission. Several meetings have also been hosted with various City stakeholders.	The department will present the Emergency Operations Plan to the City Council for adoption. The date for this presentation is tentatively for the December 7, 2022 City Council Meeting.

Fire Department	Local Hazard Mitigation Plan	The department has awarded a contract to a consultant to assist in the process. Several stakeholder meetings have taken place and will continue through the end of the year.	The department will continue to meet with required stakeholders and bring the draft plan to the City Council in early 2023.
Library	Library Strategic Plan	<p>The Library Strategic planning process for 2023-2027 has been underway since June. The consulting team has been on-site twice and gathered input from the community and from staff through an online survey and in-person sessions with staff, public, and the Strategic Planning Advisory Committee.</p> <p>In early October, senior Library staff worked with the consulting team to review a new mission statement, strategic focus areas, and related goals and tasks. Resource readiness was considered, i.e., how equipped/ready are current facilities, technology, and staffing to support goals and tasks. The consulting team made a presentation to the Library Board of Trustees on October 13, 2022 and again on October 26, 2022.</p> <p>Staff have reviewed and analyzed all 1,061 comments that were collected from the online survey.</p>	Performance measures related to goals and tasks are being identified and the first draft of the Strategic Plan document is being prepared. A final Strategic Plan document will be delivered by the end of the calendar year and will be presented to City management, the public and the City Council.

Library	Library Special Tax	The question of extending the Library Special Tax will be put to the voters in November, 2022 as Measure LL. Library staff have prepared a Frequently Asked Questions (FAQ) document about the Special Tax. The FAQ are also available on the Library's website. Educational outreach about the Library's programs and services generally is underway.	Residents will vote on Measure LL at the November 8, 2022 General Municipal Election.
Management Services	November 8, 2022 General Municipal Election	In progress.	The City put out information to encourage the community to vote throughout last week. Voting Centers in South Pasadena include the Library Community Room located at 1115 El Centro Street and the War Memorial Building located at 435 Fair Oaks Avenue were open from November 5 – November 8. In addition, ballot drop offs were available in front of City Hall.
Management Services	Board, Commission, and Committee Vacancies	In progress.	City Clerk's Office will work to fill vacancies within the coming months to ensure that all advisory bodies have a quorum.
Management Services	Public Records Requests	In progress.	City Clerk's Office is actively working to fulfill outstanding public records requests and establish process improvements to ensure timely responses.
Police Department	Concealed Carry Weapons Permit (CCW)	In progress.	The Police Department is working to finalize its internal policies on issuing CCW permits. The policies include the

			process, procedures, fees for the permits, and associated costs to manage the program. This will be brought to Council tonight.
Public Works and Police Department	Electrification	Participation Agreements approved by City Council.	Staff are executing agreements with SCE and CPA, and are also working with the South Coast AQMD Mobile Source Air Pollution Reduction Review Committee (MSRC) on a substantial grant opportunity to partially fund vehicles and electric vehicle charging infrastructure.
Public Works	Leaf Blower Ordinance	Implementation began on October 1, 2022, but enforcement will not begin until early 2023 to increase community outreach and to align with availability of grants or subsidy programs for residents and businesses.	Staff will continue to conduct outreach and marketing on the ordinance. South Coast AQMD anticipates that program funding for the lawn and garden equipment exchange will resume in March 2023.

ATTACHMENT 2

Finance Performance Measures

South Pasadena Finance Department			
PERFORMANCE MEASUREMENTS- November 16, 2022			
Measurement	Unit of Measure	Type of Indicator	Status
Accounting Management			
Complete Bank Reconciliations by 20th Day of Month	%	Effectiveness	Completed July 2022 and August 2022 in progress.
Cash Bank Deposit 1x or 2x Per Week	%	Effectiveness	Current
Electronic Bank Deposit Every Day	%	Effectiveness	Current
Unmodified or "Clean" Audit Opinion Obtained for CAFR	Yes/No	Effectiveness	Audit scheduled for November 21, 2022
Number of Audit Findings	#	Efficiency	Reduction of findings from seven to four
Award Received for ACFR Reporting Excellence	Yes/No	Effectiveness	Application due January 31, 2023.
State Controller's Report Filed on timely basis (1/31)	Yes/No	Effectiveness	Will meet deadline
Metro, Gas Tax Audits Completed on Schedule	Yes/No	Effectiveness	Due November 4, 2022.
Payroll tax quarterly reports timely filed for State (DE9/DE9C)/Federal (941)	%	Effectiveness	Will meet deadline
Financial Reporting to Decision Makers			
Distribute Monthly GL Revenue/Expenditure Reports to depts. by 15th of month	%	Effectiveness	Monthly assignment
Present Quarterly Financial Reports to City Council in October, May and August	Yes/No	Effectiveness	Agendized for October 5, 2022, February 1, 2023 and May 3, 2023.
Present Midyear Report to City Council in February	Yes/No	Effectiveness	Successfully completed March 2022
Include 5-Year General Fund Financial Projection in Midyear Report	Yes/No	Effectiveness	Successfully completed March 2022
Treasury Management			
Present City Treasurer's Monthly Investment Report to City Council every month	%	Effectiveness	Current
Present City's Investment Policy to City Council in November 2022	Yes/No	Effectiveness	To be agendized for November 16, 2022
Average Portfolio Par Balance	\$	Workload	Included in Investment Report
Variance Between City Portfolio and LAIF Book Rates of Return <i>City Higher or (City Lower)</i>	%	Effectiveness	Included in Investment Report
Budgetary Management			
Adopt Annual Budget in June	Yes/No	Efficiency	Budget Calendar for 22-23 to come out in December.

Include 5-Year General Fund Financial Projection in Proposed and Adopted Annual Budget	Yes/No	Effectiveness	Successfully completed June 2022
Information Technology			
Complete Implementation of TCP Third-Party Electronic Timecard System by November 30, 2022	Narrative	Effectiveness	In Process
Attendance at Spring brook Annual Conference by 2 Department Employees Each Year	Yes/No	Efficiency	Planned for 22-23
Contracts and Purchase Orders Management			
Electronic Encumbrances Established for All Contracts and Purchase Order Having Value Greater than current policy limit	Yes/No	Efficiency	Already implemented
Payroll Management			
Annual Covered Payroll *	\$	Workload	Stated in budget.
Distribute W2s per IRS guidelines	Yes/No	Effectiveness	Successfully completed in 2022
Accounts Payable			
Complete Warrant Register With Inclusion of All Properly Prepared Payment Requests	%	Effectiveness	Bi-monthly task
Business Licensing			
Number of Licensing Accounts	#	Workload	To be stated in budget
Percentage of Licensing Accounts Paid Electronically	%	Efficiency	To be stated in budget
Utility Billing			
Number of Water Accounts	#	Workload	To be stated in budget
Percentage of Water Accounts Paid Electronically	%	Efficiency	To be stated in budget

* = Detailed in Annual Budget

ATTACHMENT 3

Key Performance Indicators

Key Performance Indicators

The City Manager's Team is focused on improving the quality of life for residents, businesses and employees. With the move of Economic Development to the City Manager's Office, the City Manager's team is redefining community outreach and engagement, business support and service. A commitment to Strategic Plan goals and active legislative efforts ensure furthering the community's priorities while protecting and preserving quality of life in South Pasadena.

Public Engagement/ Community Outreach

Establish and implement a targeted Community Outreach Program, including:

- 150-300 photos of the City, and Departments for marketing and documents by FY2022
- 1,000 new followers across social media by the end of FY2022
- 5,000 Neighborhood Pulse subscribers by FY2022
- Explore creation of a City app for civic engagement, service requests and programming
- Create a new City website that is user-friendly, current and well-maintained
- Strategic Plan Quarterly Updates
- Track communications outreach by assessing tools used to conduct outreach, tracking spending on such tools, and sharing impact and metric reports to City Council

Economic Development

Develop and launch and Economic Development program:

- Business Concierge Service Program, including business visits and business review sessions with interdepartmental Economic Development Team
- Create a 'Guide to Doing Business in South Pasadena'
- Branding and marketing plan
- Host two business networking events in 2022

Establish and Prioritize Healthy Workplace Culture

- Establish Citywide internship and professional shadowing programs
- Host quarterly Mid Manager's Meetings
- Plan and Host City Open House Event

Key Performance Indicators

The Management Services Department oversees the Human Resources and Risk Management Division, the City Clerk's Office, and Information Services. The department is focused on effectively centralizing management of citywide grants and contracts, establishing and implementing the Grants Manual and Policy Document, hosting monthly grant meetings with all Departments to ensure compliance and provide training, providing secure and reliable technological infrastructure for the City by completing and implementing initiatives in the Technology Master Plan, and updating administrative policies.

City Clerk's Office

Enhancing Customer Service through Innovation

- Continue to update and improve the City Clerk's webpage to provide quick access of information and accountability insuring public transparency on a quarterly basis, or as necessary changes to content arises
- Host and Record 2 trainings for Staff for Agenda Process
- Host and Record 2 onboarding trainings for appointed elected officials, including Commissioners and Staff Liaisons
- Host Commissioner Congress
- Continue to provide exemplary customer service, keeping in mind the diverse population we serve

2022 General Municipal Election

- Successfully coordinate with the County for the City General Municipal Election in November

Utilize Records Management Systems to Account for and Maintain Citywide Records

- Implement City's Records Retention schedule and host 2 trainings for staff
- Host Quarterly Records Clean Up Day, citywide, to include review of physical and electronic records
- Track and report on Public Records Act (PRA) Requests to the City Council on a monthly basis

Human Resources and Risk Management

Organizational Culture

- Update Personnel Policies, Rules & Regulations
- Building an Employer brand to attract and retain top caliber candidates
- Develop organizational culture framework
- Enhance diversity, equity and inclusion (DEI) initiatives

Employee Experience (EX)

Key Performance Indicators

At the Finance Department, we strive to work efficiently and effectively. In the past few years we have launched various projects that will be in full effect this year.

Workflows

In Fiscal Year 2021-2022, the Accounts Payable and Receivable functions became completely digital via a workflow process. This cuts down staff time significantly, as well as streamlines a previously strenuous process. It also falls in line with the City's environmental strategies by reducing the amount of paper used.

Payroll

The Finance department has taken on the magnanimous task of in-house payroll. This allows staff to have more autonomy over their payroll. We endeavor to make this process more efficient, therefore time and attendance procedures are currently being developed. In FY 2022-2033, our goal is to successfully launch the Time and Attendance portion of payroll utilizing Time Clock Plus.

Records

Finance converted document retention procedures to a digital format. In previous years, all documents were only paper copies. We have invested time into scanning and converting documents to a digital platform in order to have quicker access. This allows the department and the City to respond to inquiries quicker in the future. We continue to change all paper documents into a digital and/fillable form to continue these procedures.

Enterprise Resource Planning Upgrade

Finance currently utilizes a software called Springbrook for its accounting needs and resources. This year we plan to take this software to new heights by enrolling in the Cloud-based system. This will allow the department to generate new reports and improved reports. As well as adding a layer of security to our financial data in the event of a natural disasters.

Bank Reconciliation

Bank reconciliations shall be completed 30 days after the previous month end and no later than 45 days.

Annual Audit and ACFR

The audit shall commence in November with the completion of the audit no later than January of the following year. The Annual Comprehensive Financial Report (ACFR) shall be completed and submitted to City Council in March following the prior fiscal year.

Key Performance Indicators

The South Pasadena Police Department meets the needs of the community by providing professional services to safe guard the city in crime prevention. Community outreach is accomplished by active patrols, educational programs, and social media through the City's website. The Key Performance Indicators (KPI) for the department demonstrate the need to quantify its information in a concise and articulate manner.

Computer Aided Dispatch and Record Management System (CAD/RMS)

- On March 22, 2022, the Motorola Flex System went into effect to bring the South Pasadena Police Department into 21st century of law enforcement
- The system incorporates a new Geographical Information System (GIS) that decreases the officer response time from time of dispatch
- The CAD decreases response time to 911 calls for service
- All calls for service can be tracked in a detailed report as to the initiation of a call, time of response, and length of duration. This information can be tabulated in an annual report to the City Council
- The Records Management System capabilities unite several departments, patrol, detectives, and records division into a simultaneous report flow limiting human input errors
- The increase in information capture enhances the departments efficiency and provides an increase in details on a monthly basis

The South Pasadena Police Departments Assessment of 2022

- The Request for Proposals have been completed and the selection process has begun
- The chosen firm will evaluate the separate bureaus of patrol, detectives, dispatch, traffic, records, and administration to examine work flow of each bureau and provide input to increase efficiency to the department as a whole

Racial and Identity Profiling Advisory (RIPA) AB 953

- The South Pasadena Police Department RIPA statistics began compilation on January 1, 2022, and submitted to the Department of Justice in April, 2023
- The RIPA statistics shall include:
 - Stop Data Demographics
 - Calls for Service
 - Actions Taken During Stop by Officers
 - Result of Stop
 - Tests for Racial/Ethnic Disparities
 - Use of Force Analysis
 - Report-Specific Analyses

Enhanced Community Needs Outreach Via Mobile Crisis Outreach Unit

- Increase City's outreach efforts with a contracted partner
- Provide dedicated response to individuals experiencing mental health crises
- Track and report data regarding number of referrals for mental health and addiction treatment, along with placements aimed towards permanent housing for those experiencing homelessness

Key Performance Indicators

The Public Works Department is committed to improving public engagement and community access to project and program information in Fiscal Year 2022-2023. In addition to completing a department reorganization and recruitment of critical positions, Public Works will implement quarterly newsletters and website project updates to communicate its many endeavors to City stakeholders.

Public Works Administration & Engineering

- Fulfillment of up to 2,000 service requests annually.
- Process 500 permits for encroachment, excavation, tree replacement, etc.

Water & Sewer Infrastructure

- Produce sufficient water for South Pasadena, approximately 4,000 acre-feet annually.
- Replace 50-100 meters, 10-12 fire hydrants, and 5-8 water service lines annually.
- Remove and replace up to 1,000 linear feet (LF) of water main pipelines.
- Collect 6,200 meter readings monthly.
- Perform at least 10 area leak detection inspections to identify and repair leaks
- Monthly sewer inspection and maintenance program.

Street & Sidewalk Maintenance

- Track repair and replacement of City sidewalks, curbs, and gutters.
- Track repair of street potholes.
- Track replacement of damaged asphalt.

Street/Median Trees & Parks Maintenance

- Plant 80-100 trees annually.
- Increase outreach and education programs regarding landscape & trees maintenance to quarterly.

Facilities & Street Lights

- LED light conversion for up to 50 street, park, and field lights annually.

Environmental Programs & Sustainability

- Increase water conservation rebate programs utilization by 25%.
- Provide 3 demonstrations and 2 citywide utility bill inserts/mailings promoting electric leaf blowers.
- Explore hosting quarterly eco-events focused on water conservation and landscaping.

Key Performance Indicators

The Library's main focus early in the 2022-2023 fiscal year is to complete its 5-year strategic planning process and to engage in education and outreach in support of the Library Special Tax measure that will be on the ballot in November, including the publication of a new library information brochure.

If the budget request for a full-time support services librarian is approved, the department will engage in a reorganization of roles and responsibilities in the Support Services division, and in documenting and revising the division's policies, procedures and workflows.

Special projects for 2022-2023 include replacing the Library Patio tables and benches, launching a laptop lending kiosk, implementing a materials acquisitions module in the Integrated Library System (ILS), and launching the Library of Things lending program.

Outreach

- Add 500 people to the Library's e-newsletter recipient list
- Conduct 15 SPUSD and private school class visits at the start of the school year

Operations

- Review and revise 4 administrative policies
- Add 4,500 new items to the collection
- Rent the Community Room 20 times annually

Programs & Services

- Exceed 12,000 visitors per month on average
- Lend 20,000 items per month on average
- Present at least 8 programs for adults, such as book discussions, author talks, hands-on crafting, concerts, and films
- Exceed program attendance of 4,000 individuals annually

Key Performance Indicators

The Community Services Department is responsible for providing the community with recreational, cultural, and social programs for people of all ages in a safe and well-maintained facility. The department has three divisions comprising Senior, Recreation, and Transit Divisions. We facilitate special events, leisure classes, and senior services including lifelong learning, Dial-A-Ride and Nutrition Program, facility and gazebo reservations, after school and summer camps, and more. The Community Services Department builds a strong sense of community to improve the quality of life for all residents.

Administration

- Work with Recreation Leased Facilities Ad-Hoc Committee to review contract management of lease agreements
- Construction of Berkshire and Grevelia pocket parks

Recreation

- Improve Camp Med and Special Events outreach by establishing a quarterly newsletter between the Recreation Division and school district
- Redesign and update the indoor and outdoor facilities pamphlet as well as the park, walking paths, and trail pamphlet
- Increase afterschool and summer enrollment by 10%
- Add 2 additional staff trainings with at least one focused on behavior management in childcare settings
- Increase Park and Facility Rentals by 10%
- Increase participation in contract classes by 20%

Senior Services

- Increase social media followers by 5%
- Increase Senior Services Constant Contact subscribers by 10%
- Increase meals served on-site and to homebound seniors by 5%
- Increase Senior Center Memberships by 5%
- Re-introduce senior excursions and host 12 trips
- Host a Health & Wellness Fair by partnering with 45 vendors to increase awareness of aging matters and services

Transit Division

- Establish a referral program to increase ridership
- Reinstate group trips and plan two outings per month
- Have on-time performance of 80% or higher for the fiscal year
- Procurement of one new Plug-in Electric Vehicle to replace one CNG fleet

Key Performance Indicators

The Community Development Department strives to provide excellent customer service by efficiently managing workload and thereby reducing processing times, building plan check approvals and permit issuance.

Administration

Encourage interdepartmental collaboration to improve entitlement applications and public information regarding development projects; continue to improve department processes

- Assist City Manager's Office (CMO) with major developments quarterly newsletter
- Conduct six (to be held every other month) interdepartmental development projects coordination meetings

Planning & Building

Reduce processing time for discretionary applications and building plan check by securing an electronic permitting system.

- Process 25 discretionary applications (PC, CHC, DRB)
- Process 50 administrative (by-right) applications

Code Enforcement

Respond to resident complaints by investigating, opening cases, and closing cases. Reduce closure rates.

- Ensure complaint is investigated within four days of receiving complaint
- Follow up on open cases within one month
- Provide quarterly reports to City Council on code enforcement activity

Film & Art

Process film applications efficiently while eliminating impacts to residents and neighborhoods.

- Minimum film permits: 175
- Develop a public art policy
- Provide quarterly reports to City Council on film activity

Housing

Obtain certification from HCD on the 6th Cycle Housing Element 2021-2029 and conduct community outreach efforts related to the housing programs implementation.

- Conduct housing informational workshops or study sessions: 4

Key Performance Indicators

UNITS OF MEASURE

This is the most basic unit of measurement. Includes raw sources of data that measure productivity. Includes both inputs (number of requests, cases, applications, complaints, referrals received); and outputs (number of requests, cases, applications, complaints, referrals closed).

Total Response Time

- Fires
- EMS

Turnout Times

- Fires
- EMS

Number of Emergency Calls

- Fires
- EMS
- Service

Number of EMS Transports

Number of Mutual/Automatic Aid Responses

- Given
- Received

Number of Fire Prevention Inspections

- Company Field
- Mandated Occupancy Inspections
- Certificate of Occupancy (COO)/ New Business
- Brush Clearance

Number of Plan Checks

- Fire Sprinkler
- Fire Alarm
- Building

Training Hours

Leave Usage

- Sick
- Comp
- Worker's Comp/ IOD hours