



CITY *of* CALABASAS

**CITY COUNCIL AGENDA
REGULAR MEETING – WEDNESDAY, JANUARY 22, 2020
CITY HALL COUNCIL CHAMBERS
100 CIVIC CENTER WAY, CALABASAS
www.cityofcalabasas.com**

The starting times listed for each agenda item should be considered as a guide only. The City Council reserves the right to alter the order of the agenda to allow for an effective meeting. Attendance at the entire meeting may be necessary to ensure interested parties hear a particular item. The public may speak on a closed session item prior to Council's discussion. To do so, a speaker card must be submitted to the City Clerk at least five minutes prior to the start of closed session. The City values and invites written comments from residents on matters set for Council consideration. **In order to provide councilmembers ample time to review all correspondence, any written communication must be submitted to the City Clerk's office before 5:00 p.m. on the Monday prior to the meeting. Note: Any written materials submitted to the City Council are public record under the Public Records Act.**

CLOSED SESSION – 6:00 P.M.

1. Conference with Legal Counsel; Initiation of Litigation (Gov't Code section 54956.9(d)(4))
Number of Potential Cases: 1
2. Conference with Legal Counsel; Anticipated Litigation (Gov. Code § 54957)
A point has been reached where, in the opinion of the City Council on the advice of its legal counsel, based on the below described existing facts and circumstances, there is a significant exposure to litigation against the City. Facts and circumstances that might result in litigation but which the City believes are not yet known to potential plaintiff or plaintiffs.
(Gov. Code § 54956.9(e)(1))

OPENING MATTERS – 7:00 P.M.

Call to Order/Roll Call of Councilmembers
Pledge of Allegiance by Pack 333 Cub Scouts, Bear Den 4
Approval of Agenda

ADJOURN IN MEMORY – 7:15 P.M.

- Edward Kreins

PRESENTATIONS – 7:25 P.M.

- By the Los Angeles County Department of Animal Care and Control – Pet Adoption
- To Viewpoint School Boys' Cross Country on the team's CIF Championship
- [Update by Jennifer Ward, Head of Local Government Affairs from the Clean Power Alliance \(CPA\)](#)

ANNOUNCEMENTS/INTRODUCTIONS – 8:20 P.M.

ORAL COMMUNICATION – PUBLIC COMMENT – 8:30 P.M.

CONSENT ITEMS – 8:40 P.M.

1. [Approval of meeting minutes from January 8, 2020](#)
2. [Adoption of Ordinance No. 2020-382, amending Calabasas Municipal Code Sections 17.11.010 \(Permitted, Conditional and Ancillary Land Uses-All Zoning Districts\) of Chapter 17.11 \(Allowable Land Uses\) and 17.12.170 \(Accessory Dwelling Units\) of Chapter 17.12 \(Standards for Specific Land Uses\) related to Accessory Dwelling Units and Junior Accessory Dwelling Units](#)
3. [Authorization to approve a Professional Services Agreement for Newbury Park Tree Service, Inc. in the amount not to exceed Fifty Thousand Dollars \(\\$50,000\) for required work as part of ongoing Citywide tree maintenance in the City](#)

PUBLIC HEARING – 8:45 P.M.

4. [Review and approval of projects for the 46th Program Year \(2020-2021\) – Community Development Block Grant \(CDBG\) Funding; and Adoption of Resolution No. 2020-1659, approving the CDBG 46th Program Year \(2020-2021\)](#)
5. [Introduction of Ordinance No. 2020-381, a proposed amendment to Title 8 \(Health and Safety\) of the Calabasas Municipal Code to establish a safe distance siting standard of 500 feet from the Ventura Freeway for playgrounds and other outdoor activity areas for children](#)

6. Consideration of Resolution No. 2020-1660 to extend the time limit of the entitlements associated with File No. 150000964 for development of a 42-unit (Age Restricted) Mixed Use Project located at 23480 Park Sorrento (APN: 2068-005-012 and 2068-005-011) within the Commercial Mixed-Use (CMU) Zoning District; said Resolution will amend City Council Resolution No. 2018-1576 for the Project, and extend the time limit for an additional two years

NEW BUSINESS – 9:00 P.M.

7. Sheriff's Crime Report – November 2019
8. Council liaisons/external committee appointments
9. City Council discussion and possible action on Senate Bill 50 (SB 50) to include safety and wildfire danger opposition

INFORMATIONAL REPORTS – 9:40 P.M.

10. Check Register for the period of December 19, 2019-January 8, 2020

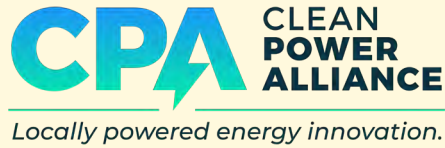
TASK FORCE REPORTS – 9:45 P.M.

CITY MANAGER'S REPORT – 9:50 P.M.

FUTURE AGENDA ITEMS – 9:55 P.M.

ADJOURN – 10:00 P.M.

The City Council will adjourn in memory of Edward Kreins to their next regular meeting scheduled on Wednesday, February 12, 2020, at 7:00 p.m.



Clean Power Alliance

Calabasas City Council Meeting
January 22, 2020

Background Refresher

Who does Clean Power Alliance serve?

Clean Power Alliance is a public entity formed through a Joint Powers Authority (JPA) made up of 32 public agencies across Southern California, **including the City of Calabasas.**

Clean Power Alliance will serve approximately 1 million customer accounts representing 3 million residents and businesses. **Calabasas has 9,094 residential customers and 1,274 commercial customers.**

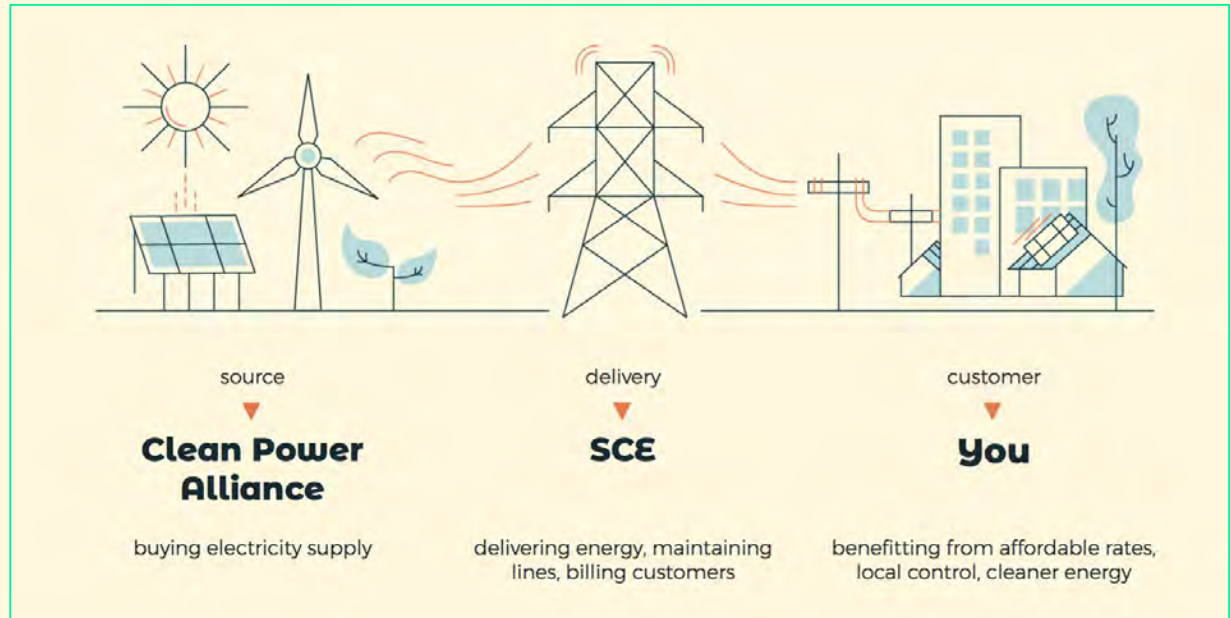


How does it work?

It's simple!

Clean Power Alliance is a new electricity supply provider, offering **clean, renewable energy at competitive rates** to our community.

Clean Power Alliance purchases clean power and Southern California Edison (SCE) delivers it.



Clean Power Alliance offers choices

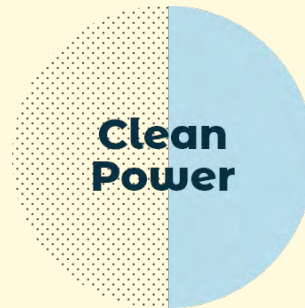
Three rate options to suit the needs of your family or business

Your community's default selection



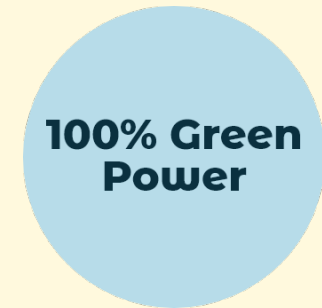
Lean Power provides 36% renewable energy content at the lowest possible cost, with the added benefit of local management and control.

1%-2% savings as compared to SCE base rates.



Clean Power provides 50% renewable energy content and the opportunity to build a cleaner future, all at cost-competitive rates.

Same cost as SCE base rates.



100% Green Power provides 100% renewable energy content allows you to support the environment—leading the way to a greener future

7-9% premium as compared to SCE base rates.

What if I Need Financial Assistance Paying My Bill?



California Alternate Rates for Energy (CARE) Program

You participate in a public assistance program or meet income requirements

The **CARE Program** reduces energy bills for eligible customers by about 30%.



Family Electric Rate Assistance (FERA) Program

You have a family of 3 or more, participate in a public assistance program or meet income requirements

The **FERA Program** reduces energy bills for eligible customers by about 12%.



Medical Baseline Program

If you or someone in your household needs electrically powered medical equipment or meets income requirements

The **Medical Baseline Program** supplies additional energy at no extra cost to your normal energy use to keep your devices going.

Customers do not need to re-enroll for these programs, administered by SCE.
New, interested applicants can call SCE at 800-447-6620 or visit www.sce.com/care.

Tools and resources available online

FAQs, Sample SCE Bill, Individual Bill Calculator, and Change your Choice

Calculate & Compare

See what your bill could look like with different Clean Power Alliance and Southern California Edison (SCE) service offerings using the calculator tool below. Click the orange question icons for guidance on where to find each input on your bill.

Rate

DOMESTIC

Service Location

Unincorporated Los Angeles Ct

Bill Ending Month

November

Winter - Baseline Usage (kWh)

Tier 1

Tier 2

High Usage Charge

Click Here to Compare Your Bill

Confirm Your Enrollment or Change Your Rate

Fill out the form below to check if you're currently enrolled in Clean Power Alliance, what rate option your community has selected, and to change your rate.

Enter Account Information

SCE Customer Account Number (Required)

Please enter your 10-digit SCE Customer Accou

[Click here to see a sample bill](#)

Your Last Name or Business Name (Required)


Enter at least the first three letters

Service Location ZIP Code (Required)

Please enter your ZIP Code as it appears on you

Next

Understanding Your Bill



**SOUTHERN CALIFORNIA
EDISON**
An EDISON INTERNATIONAL Company

For billing and service inquiries:
1-800-674-2352
www.sce.com

Your electricity bill

7 Page 1 of 6

1 Customer Account
2-01-851-0000

1234 MAIN STREET
LOS ANGELES, CA 90209-9400

Date bill prepared
06/29/18

Amount due \$175.48
Due by 07/17/18

Your account summary

Previous Balance	\$51.57
Payment Received 05/08/18	-\$51.57
Balance forward	\$0.00
Your new charges	\$175.48
Total amount you owe by 07/17/18	\$175.48

2 Summary of your billing detail

Service account	Service address	Billing period	Your rate	New charges
3-000-0000-71	1234 Main St Los Angeles, CA	05/25/18 to 06/26/18	DOMESTIC (SCE)	\$121.93
3-048-0000-82	1234 Main St Los Angeles, CA	05/25/18 to 06/26/18	DOMESTIC	\$53.55
				\$175.48

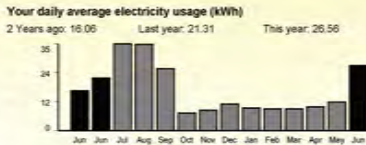
3 Your past and current electricity usage

For meters on from 05/25/18 to 06/26/18

Total electricity you used this month in kWh 850 Your next billing cycle will end on or about 07/26/18

Your daily average electricity usage (kWh)

2 Years ago: 16.06 Last year: 21.31 This year: 26.56



4 Details of your new charges

Your rate: DOMESTIC (SCE)
Billing period: 05/25/18 to 06/01/18 (7 days Winter Season)
06/01/18 to 06/26/18 (25 days Summer Season)

5 Delivery charges - Cost to deliver your electricity		
Basic charge	32 days x \$0.03100	\$0.99
Energy-Winter	40 kWh x \$0.23887	\$9.55
Tier 1 (100% of baseline)	56 kWh x \$0.15485	\$8.67
Energy-Summer	400 kWh x \$0.08380	\$33.52
Tier 2 (101% to 400%)	318 kWh x \$0.15570	\$49.51
6 CCA cost responsibility surcharge		
PCIA	850 kWh x \$0.01994	\$16.95
Power Bond Charge	850 kWh x \$0.00549	\$4.66
CTC	850 kWh x \$0.00075	\$0.64
Other charges or credits		
Generation Municipal Surcharge		\$0.66
Subtotal of your new charges		\$121.93
Your new charges		\$121.93

(Continued on next page)

Components of Your Electricity Bill

- 1 Customer Account**
Your SCE-assigned number identifies your account. Please have your account number on hand if you would like to make changes to your Clean Power Alliance service.
- 2 Service Account**
Your SCE and Clean Power Alliance service account numbers will both be listed in this section. SCE assigns an additional service account number to track Clean Power Alliance charges.
- 3 Energy Usage**
The amount of energy you used in the billing period, measured in kilowatt hours (kWh).
- 4 SCE Rate**
Your SCE rate determines how you are charged for the delivery of electricity. Your Clean Power Alliance electricity supply rate may not always match this one because Clean Power Alliance offers simplified, consolidated rate options.
- 5 SCE Delivery Charges**
SCE's charges for the delivery of electricity. They include the cost of moving energy from the grid to your home or business and maintaining the electric lines.
- 6 CCA Cost Responsibility Surcharge**
SCE's charge to recover costs of power purchased on your behalf before joining Clean Power Alliance. You may have heard the PCIA, or Power Charge Indifference Adjustment, referred to as an "exit fee" for CCA customers. The PCIA and other surcharges are always included in our cost comparisons.

7 Your Total Usage: 850 kWh

Understanding Your Bill...
Your usage for the billing period falls into Tier 2. For most customers, the price you pay increases as you use more energy. The average cost per kilowatt (kWh) in the chart to the right is based on averages. Actual prices may vary.

Tier 1	Tier 2	High Usage Charge
476 kWh	374 kWh	0 kWh
\$0.09/kWh	\$0.16/kWh	\$0.28/kWh

Your Total Usage
850 kWh

High Usage Charge - Learn more at on.sce.com/highuse

Additional information:

- Service voltage: 240 volts
- Your winter baseline allowance: 76.0 kWh
- Your summer baseline allowance: 400.0 kWh
- High Usage Charge applies to all usage above 400% of baseline allowance.
- Generation Municipal Surcharge (GMS) factor: 0.009095
- 2014 Vintage CRS

Things you should know

SUMMER/WINTER BASELINE CHARGES...
This billing cycle falls between the summer baseline season (which runs from June 1st through September 30th) and the winter baseline season (which runs from October 1st through May 31st). Therefore, you will see two sets of Baseline Charges in the Details section of your bill, reflecting your usage during both the winter and summer baseline seasons. Please note that you were not charged twice for your usage. For more information about baseline seasons, please visit www.sce.com/baseline.

7 Usage Tier
For residential customers, this section indicates the highest tier you are being charged. If your electric use is more than your Tier 1 Allowance, which is set by state law, and crosses into Tier 2, the price you pay per kWh will increase. Customers who use more than 4 times their Tier 1 Baseline Allowance will be charged a High Usage Surcharge.

8 Clean Power Alliance Rate
Your Clean Power Alliance rate determines how you are charged for electricity supply/generation. Your Clean Power Alliance electricity rate may not always match your SCE one because Clean Power Alliance offers simplified, consolidated rate options.

SOUTHERN CALIFORNIA EDISON
An EDISON INTERNATIONAL Company

Page 5 of 6

Service account: 3-048-0000-82
Service address: 123 Main St
Los Angeles, CA 90209
Rotating outage: Group N001

SUPPLY/GENERATION
CLEAN POWER ALLIANCE
supplies your electricity

Details of your new charges

8 CLEAN POWER ALLIANCE	Your rate: DOMESTIC	
	Service Account: 3-048-0000-82	
	Billing period: 05/25/18 to 06/25/18 (32 days)	
9 Generation (Supply) Charges 50%	850.04 KWH @ 0.0627	\$53.55
10 ENERGY SURCHARGE		\$0.25
	Sub-Total of CPA Generation (Supply) Charges	\$53.55
	Your New Charges	\$53.55

Things you should know

Clean Power Alliance Information
FOR MORE DETAIL ON YOUR CLEAN POWER ALLIANCE ENERGY BILL, CALL US AT 866-565-3788

9 Clean Power Alliance Generation Charges
Our charge for the generation of electricity. This section notes the Clean Power Alliance rate option currently selected for your account (i.e. Lean Power, Clean Power, or 100% Green Power). These charges replace fees that SCE would collect if they were providing your generation service. This is NOT an additional charge.

10 Energy Surcharge
This charge applies regardless of your electricity provider. It is collected from all electricity customers statewide on behalf of the California Energy Commission.



2019 Review

2019 Customer Engagement in Calabasas

2019 Customer Statistics	Opt Up to 100% Green Power	Opt Mid to Clean Power	Opt Down to Lean Power	Opt Out
Calabasas Residential	0.20%	0.14%	n/a	3.45%
Calabasas Non-Residential	0%	0%	n/a	8.24%
Total Calabasas	0.17%	0.13%	n/a	4.04%
Total Lean Power Communities	0.22%	0.12%	n/a	5.55%
Total All Jurisdictions	0.14%	0.30%	1.89%	5.50%

2019 Overall CPA Customer Profile

- 28% of our customers are on 100% Green Power, which means CPA has the most customers on a 100% renewable energy rate plan than any other electricity company in the country!
- 52% of our customers are getting 50% renewable power at no extra cost.
- 19% of our customers are on our Lean Power plan reducing their carbon footprint.
- 27% of our residential customers are enrolled in financial assistance programs such as the CARE and FERA Programs.

2019 Accomplishments

- CPA is on track to meet the State of California's mandates for renewable energy by 2020 – 10 years ahead of schedule (SB100 requires 60% renewables by 2030).
- CPA's Board of Directors approved four new long-term power purchase agreements in 2019 totaling 585 megawatts.
 - Includes two new solar projects, an existing small hydroelectric project, and a new wind project.
- Launched \$150k community college STEM scholarship program funded
- CPA participated in over 100 community outreach events
- Green Leader Program launched to recognize businesses at 100% Green Power



Upcoming Activities

2020 Highlights

- CPA Power Response – pilot program for new customer programs and incentives, including smart thermostats, solar and battery storage, EV charging
- Larger-scale effort to launch customer programs and additional partnerships with CPA member jurisdictions
 - Exploring clean energy backup options at municipal facilities
 - Community solar and green discount program
- Solar + Storage online marketplace – CPA will offer a web portal for customers to get quotes and recommendations from pre-screened solar installers
- Service expansion – CPA will launch CCA service in Westlake Village in June 2020 and anticipates that additional cities will express interest in joining



Customer Programs & Resources

Contact us

888-585-3788

customerservice@cleanpoweralliance.org

www.cleanpoweralliance.org



facebook.com/cleanpoweralliance



[@cleanpowerinfo](https://twitter.com/cleanpowerinfo)



Questions?
Thank you!

**MINUTES OF A REGULAR MEETING OF
THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA
HELD WEDNESDAY, JANUARY 8, 2020**

Mayor Weintraub called the meeting to order at 7:01 p.m. in the Council Chambers, 100 Civic Center Way, Calabasas, CA.

Present: Mayor Weintraub, Mayor pro Tem Bozajian, Councilmembers Gaines, Maurer and Shapiro

Absent: None

Staff: Ahlers, Bartlett, Bingham, Hernandez, Lysik, McConville, Russo, Summers, Tamuri, and Yalda

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mark Levinson

APPROVAL OF AGENDA

Councilmember Gaines moved, seconded by Councilmember Shapiro to approve the agenda. MOTION CARRIED 5/0 as follows:

AYES: Mayor Weintraub, Mayor pro Tem Bozajian, Councilmembers Gaines, Maurer and Shapiro

ADJOURN IN MEMORY

➤ Gary Lance Morris

Members of the Council expressed condolences to the Morris family.

PRESENTATIONS

➤ To Carolina Canales on winning the 2019 CA Girls High School State Individual Championship

Presentation was postponed to a future meeting.

ANNOUNCEMENTS/INTRODUCTIONS

Members of the Council made the following announcements:

Mayor pro Tem Bozajian:

- Welcomed everyone back from winter recess.

- Wished Mayor Weintraub best of luck in her Mayorship.

Councilmember Maurer:

- Wished everyone a Happy New Year.
- Reminded residents the Annual Environmental Calendar is available at City Hall.
- Reminded residents the Calabasas Recreation Brochure is available at all facilities.

Councilmember Shapiro:

- Wished everyone a Happy New Year.
- Extended an invitation to the Calabasas Chamber Gala on January 25.

Councilmember Gaines:

- Wished everyone a Happy New Year.
- Extended an invitation to the Calabasas Chamber Luncheon on January 9.
- Extended an invitation to Calabasas High School Girls Basketball games.
- Announced the Calabasas Library Annual report is available to view on the City's website.

Mayor Weintraub:

- Announced volunteers are needed for the annual Homeless count-taking place in Calabasas January 21.

ORAL COMMUNICATIONS – PUBLIC COMMENT

Pamela Evans, Brandon Schindelheim, and Carol Washburn spoke during public comment.

CONSENT ITEMS

1. Approval of meeting minutes from November 13, November 21 and December 11, 2019
2. Classification and compensation study informational report
3. Adoption of Resolution No. 2020-1658, rescinding Resolution No. 2018-1597 approving a salary schedule for hourly employees
4. Consider Request for Proposals for Independent Auditing Services for the City for Fiscal Years 2019-20, 2020-21, 2021-22, 2022-23 and 2023-24

5. Recommendation to approve the Funding Agreement for the amount of \$1,656,164 (One Million Six Hundred Fifty Six Thousand One Hundred Sixty Four Dollars) between the City of Calabasas and the Los Angeles County Metropolitan Transportation Authority (METRO) for funding of Citywide Green Street Project
6. Recommendation to approve Amendment No. 2 to the Funding Agreement between the City of Calabasas and the Los Angeles County Metropolitan Transportation Authority (METRO) increasing the funding amount for the Mulholland Highway Gap Closure Project to \$2,635,710 (Two Million Six Hundred Thirty Five Thousand Seven Hundred Ten Dollars)
7. Recommendation to approve purchase of new video editing systems from Apple, Inc. for an amount not to exceed \$65,000

Mayor pro Tem Bozajian and Councilmember Maurer requested Consent Item Nos. 3 and 4 be pulled, respectively.

Councilmember Gaines moved, seconded by Councilmember Shapiro to approve Consent Item Nos. 1, 2, 5-7. MOTION CARRIED 5/0 as follows:

AYES: Mayor Weintraub, Mayor pro Tem Bozajian, Councilmembers Gaines, Maurer and Shapiro

After discussion, Mayor pro Tem Bozajian moved, seconded by Councilmember Gaines to approve Consent Item No. 3. MOTION CARRIED 5/0 as follows:

AYES: Mayor Weintraub, Mayor pro Tem Bozajian, Councilmembers Gaines, Maurer and Shapiro

After discussion, Councilmember Maurer moved, seconded by Councilmember Gaines to approve Consent Item No. 4. MOTION CARRIED 5/0 as follows:

AYES: Mayor Weintraub, Mayor pro Tem Bozajian, Councilmembers Gaines, Maurer and Shapiro

PUBLIC HEARING

8. Consideration of Ordinance No. 2020-382, amending Title 17 of the Calabasas Municipal Code by updating Sections 17.11.010 and 17.12.170, which provides zoning regulations and standards pertaining to accessory dwelling units, to improve consistency with applicable state law and to improve clarity and understanding of the regulations and standards

Mayor Weintraub opened the public hearing.

Mr. Bartlett presented the report.

Mayor Weintraub closed the public hearing.

After extensive discussion, Councilmember Shapiro moved, seconded by Councilmember Maurer to approve Item No. 8 with modifications. MOTION CARRIED 4/1 as follows:

AYES: Mayor pro Tem Bozajian, Councilmembers Gaines, Maurer and Shapiro
NOES: Mayor Weintraub

The meeting recessed at 8:17 p.m.

The meeting reconvened at 8:22 p.m.

9. Adoption of Resolution No. 2020-1661, certifying the protest ballot results and approving rate increases for residential and commercial solid waste collection service rates

After discussion, Mayor pro Tem Bozajian moved, seconded by Councilmember Shapiro to approve Item No. 9. MOTION CARRIED 4/1 as follows:

AYES: Mayor Weintraub, Mayor pro Tem Bozajian, Councilmembers Gaines, and Shapiro
NOES: Maurer

NEW BUSINESS

10. City Council consideration and direction regarding request by the California Contract Cities Association (CCCA) to join a coalition of cities to raise awareness of deficiencies with the new Los Angeles County Voting Solutions for All People system

After discussion, Mayor pro Tem Bozajian moved, seconded by Mayor Weintraub to join CCCA and other cities to write a letter to Secretary of State Alex Padilla regarding issues with VSAP. MOTION CARRIED 4/1 as follows:

AYES: Mayor Weintraub, Mayor pro Tem Bozajian, Councilmembers Gaines, and Shapiro
ABSTAIN: Maurer

INFORMATIONAL REPORTS

11. Check Registers for the period of October 31-December 18, 2019.

No action was taken on this item.

TASK FORCE REPORTS

None.

CITY MANAGER'S REPORT

Dr. Lysik encouraged residents to use the mobile app, Connect with Calabasas, to report any issues in the City.

FUTURE AGENDA ITEMS

Mayor pro Tem Bozajian pointed out there are no meetings in November, and he requested that staff look into scheduling a special meeting. Councilmember Gaines concurred with Mayor pro Tem Bozajian.

ADJOURN

The meeting adjourned at 9:28 p.m. in memory of Gary Lance Morris to the next regular meeting scheduled on Wednesday, January 22, 2020, at 7:00 p.m.

Maricela Hernandez, City Clerk
Master Municipal Clerk
California Professional Municipal Clerk




Approved by City Manager:

CITY of CALABASAS

CITY COUNCIL AGENDA REPORT

DATE: JANUARY 13, 2020

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: MAUREEN TAMURI AIA, AICP, COMMUNITY DEVELOPMENT DIRECTOR
TOM BARTLETT, AICP CITY PLANNER 

SUBJECT: ADOPTION OF ORDINANCE NO. 2020-382, AMENDING CALABASAS MUNICIPAL CODE SECTIONS 17.11.010 (PERMITTED, CONDITIONAL AND ANCILLARY LAND USES-ALL ZONING DISTRICTS) OF CHAPTER 17.11 (ALLOWABLE LAND USES) AND 17.12.170 (ACCESSORY DWELLING UNITS) OF CHAPTER 17.12 (STANDARDS FOR SPECIFIC LAND USES) RELATED TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS.

MEETING

DATE: JANUARY 22, 2020

SUMMARY RECOMMENDATION:

That the City Council adopt Ordinance No. 2020-382, amending Title 17 of the Calabasas Municipal Code (CMC), specifically Sections 17.11.010 and 17.12.170, to establish revised zoning regulations and standards for accessory dwelling units and junior accessory dwelling units, commensurate with California law.

BACKGROUND:

On January 8, 2020, following a staff report, and based upon a Planning Commission recommendation of approval, the City Council conducted a public hearing and introduced Ordinance No. 2020-382 to establish revised zoning regulations and standards for accessory dwelling units and junior accessory dwelling units, commensurate with recently enacted California law.

Written correspondence submitted by the California Renters Legal Advocacy and Education Fund included several suggestions for further refinement of the proposed

ordinance, particularly: 1) that the City remove the requirement for maintenance of a minimum interior (intra-buildings) setback distance of ten (10) feet; and, 2) that the City remove the requirement for recorded deed restrictions.

The City Council members discussed Ordinance 2020-382 in light of the Staff presentation and the received correspondence, after which the Council voted to amend the ordinance by removing the deed restrictions requirement, and by adding a provision to permit exceptions to the minimum 10-foot interior (intra-buildings) setback distance on a case-by-case basis, if deemed necessary by the Director of the Community Development Department to accommodate an ADU which does not exceed 800 square feet in floor area, would not be setback less than 4 feet from any side or rear lot line, and would not exceed 16 feet in height. The Council directed the Assistant City Attorney to craft the appropriate language for the two amendments. The City Council then introduced and waived further reading of Ordinance No. 2020-382, as amended, by a 4-1 vote.

The amended Ordinance No. 2020-382, is attached hereto as Attachment A. The City Council should now adopt this ordinance. Following adoption, Ordinance No. 2020-382 would take effect on February 22, 2020.

FISCAL IMPACT/SOURCE OF FUNDING:

Staff efforts to implement this ordinance will be covered as part of standard Planning and Building and Safety services.

REQUESTED ACTION:

That the City Council adopt Ordinance No. 2020-382, amending Title 17 of the Calabasas Municipal Code (CMC), specifically Sections 17.11.010 and 17.12.170, to establish revised zoning regulations and standards for accessory dwelling units and junior accessory dwelling units, commensurate with California law.

ATTACHMENTS:

- A. Ordinance No. 2020-382

ORDINANCE NO. 2020-382

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA AMENDING SECTIONS 17.11.010 (PERMITTED, CONDITIONAL AND ANCILLARY LAND USES–ALL ZONING DISTRICTS) OF CHAPTER 17.11 (ALLOWABLE LAND USES) AND 17.12.170 (ACCESSORY DWELLING UNITS) OF CHAPTER 17.12 (STANDARDS FOR SPECIFIC LAND USES) RELATED TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

WHEREAS, the State Legislature has determined that accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) are an important source of affordable housing to combat California’s affordable housing crisis; and

WHEREAS, the State Legislature adopted Government Code section 65852.2 governing ADUs and section 65852.22 governing JADUs; and

WHEREAS, in January 2010, the City Council adopted Calabasas Municipal Code section 17.12.170, titled “Accessory dwelling unit,” to comply with Government Code section 65852.2; and

WHEREAS, Section 17.12.170 was later amended in February 2017 to conform to Assembly Bill No. 2299, which modified Government Code section 65852.2; and

WHEREAS, Section 17.12.170 was again amended in January 2019 to conform to Assembly Bill No. 494 and Senate Bill No. 229, which again modified Government Code section 65852.2; and

WHEREAS, on October 9, 2019, Governor Newsom signed into law Senate Bill No. 13, Assembly Bill No. 68, and Assembly Bill No. 881; and

WHEREAS, the most recent bills generally reduce cities’ discretion to regulate ADUs and mandate ministerial approval of JADUs; and

WHEREAS, the City Council desires to amend Calabasas Municipal Code Sections 17.11.010 and 17.12.170 to avoid the nullification of provisions inconsistent with State law; and

WHEREAS, the proposed ordinance is statutorily exempt under Section 15282, Subdivision (h), of the California Environmental Quality Act (CEQA) regulations because it adopts “an ordinance regarding second units in a single-family

or multi-family residential zone by a city or county to implement the provisions of Sections 65852.1 and 65852.2 of the Government Code as set forth in Sections 21080.17 of the Public Resources Code; and

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

SECTION 1. Based upon the foregoing the City Council finds:

1. Notice of the January 8, 2020 City Council public hearing was posted at Juan de Anza Bautista Park, the Calabasas Tennis and Swim Center, Agoura Hills/Calabasas Community Center, Gelson's Market and at Calabasas City Hall.
2. Notice of the January 8, 2020 City Council public hearing was posted in the *Acorn* ten (10) days prior to the hearings.
3. Notice of the January 8, 2020 City Council public hearing included the information set forth in Government Code Section 65009, subdivision (b)(2).
4. Following a public hearing held on December 5, 2019, the Planning Commission adopted Resolution No. 2020-382 recommending to the City Council approval of Ordinance No. 2020-382.

SECTION 2. In view of all of the evidence and based on the foregoing findings, the City Council concludes as follows:

FINDINGS

Section 17.76.040 of the Calabasas Municipal Code allows the City Council to approve the proposed text amendment below, provided the following findings are made:

1. The proposed amendment is consistent with the goals, policies, and actions of the General Plan.

The proposed amendment is consistent with General Plan Objective V.E to assist in the provision of a variety of housing types to address the needs of all economic segments of the Calabasas community. Specifically, it is consistent with Policy V-15 to encourage affordable housing units to be dispersed throughout a project, and not grouped together in a single area.

2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

The proposed development code amendment promotes affordable and multi-generational housing within the City, provides an alternative source of income for homeowners, and helps the City satisfy its Regional Housing Needs Allocation.

3. The proposed amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA).

The City Council has considered all the evidence in the record, including the staff reports, the testimony received during the public hearing on the matter held by the City Council, and hereby determines that this Ordinance is statutorily exempt under Section 15282, Subdivision (h), of the California Environmental Quality Act (CEQA) regulations because it adopts “an ordinance regarding second units in a single-family or multi-family residential zone by a city or county to implement the provisions of Sections 65852.1 and 65852.2 of the Government Code as set forth in Section s21080.17 of the Public Resources Code.

4. The proposed amendment is internally consistent with other applicable provisions of the Development Code.

The proposed code amendment is consistent with the provisions of Calabasas Municipal Code sections 17.11.010 and 17.12.175.

SECTION 3. Code Amendment. The Accessory dwelling unit row of Table 2-2 of Section 17.11.010 of the Calabasas Municipal Code, is hereby amended to read as follows. Additions are denoted by underlined text and deletions are denoted by ~~struck-through text~~.

TABLE 2-2 - LAND USE TABLE

KEY: P=Permitted Use (See Chapter 17.62 for required permit), C=Conditionally Permitted (CUP required), A=Allowed as an Accessory Use, TUP=Temporary Use (TUP required)

Land Use	RS	RM	RMH	RR	RC	PD	HM	OS	OS-DR
Accessory Dwelling Unit	P	<u>P</u>		P	P	<u>P</u>	P	P	
Land Use	PF	REC	CL	CR	CO	CMU	CB	CT	See standards in section

Accessory Dwelling Unit									<u>17.12.170</u>
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SECTION 4. Code Amendment. Section 17.12.170 of the Calabasas Municipal Code, is hereby amended to read as follows. Additions are denoted by underlined text and deletions are denoted by ~~struck-through text~~.

17.12.170 – Accessory Dwelling Units.

This section establishes standards for accessory dwelling units, also known as secondary housing units, where such housing units are allowed by Section 17.11.010.

A. Legislative Findings. In compliance with Government Code Section 65852.2, the city finds that accessory dwelling units are consistent with the allowable density and with the General Plan and zoning designations for residential single-family areas of the city.

B. Definitions.

1. “Accessory dwelling unit” means an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons, depending on square footage. It shall include permanent facilities for living, sleeping, eating, cooking, sanitation, and shall be located on the same parcel as the single-family or multi-family dwelling is situated.
2. “Converted or Conversion” means the repurposing of all or apportion of an existing structure as an accessory dwelling unit entirely within the existing structure building envelope and in accordance with all requirement residential building and construction standards set forth in the applicable California Building Codes.
3. “Efficiency kitchen” means a cooking facility with appliances and a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.
4. “Junior accessory dwelling unit” means a unit that is contained entirely within the walls of a proposed or existing single-family residence which provides living facilities for one or more persons. Junior accessory dwelling units are limited to one per residential lot zoned for single-family residences with a single-family residence built, or proposed to be built, on the lot.

BC. Development Standards. A single accessory dwelling unit, or junior accessory dwelling unit as specified in subsection (D), may be allowed on a legal lot

located in the RS, RM, RR, HM, RC, PD or OS zoning districts in addition to a primary single-family residential dwelling, subject to a zoning clearance, as follows:

1. Primary Dwelling and Sanitary Sewer Service Required. The lot shall be developed with one (1) legally established detached single-family dwelling and shall be served by sanitary sewer or septic system.
2. Primary and Accessory Dwellings Not Separable. The accessory dwelling unit shall not be sold separately from the primary dwelling and may be rented.
3. Accessory Dwelling Unit Appearance. The design of the unit shall conform in general to the design of the primary dwelling.
4. Short-term Rentals Prohibited. Consistent with Section 17.12.175, the accessory dwelling unit shall not be used for any short-term rental or transient rental or occupancy for any purpose, including but not limited to a vacation, for less than thirty (30) days if that rental or occupancy occurs in exchange for any form of compensation or consideration.
5. Site Layout and Design Standards. The location and design of an accessory dwelling unit shall comply with the development standards applicable to the property zoning and any applicable overlay zone, as well as the following requirements (Table 2-4, below). Where any listed standard in Table 2-4 conflicts with a standard for the residential zone or an applicable overlay zone, the standard in Table 2-4 prevails).

Table Accessory Dwelling Unit Requirements		2-4
Development Feature	Requirement	
<u>Maximum gross floor area for an attached accessory dwelling unit</u>	Maximum 1,200 sq. ft. of habitable floor area not including garage. The maximum size of the floor area of an accessory dwelling unit shall not exceed <u>the lesser of 1,200 sq. ft. or 50%</u> of the living area of the primary unit, inclusive of any habitable basement or attic space.	
<u>Maximum gross floor area for an accessory dwelling unit</u>	<u>Maximum 1,200 sq. ft. of habitable floor area.</u>	

<u>Maximum gross floor area for a junior accessory dwelling unit</u>	<u>Maximum 500 sq. ft. of habitable floor area.</u>
<u>Minimum gross floor area</u>	<u>Minimum 220 sq. ft. of habitable floor area pursuant to the International Building Code of the International Code Council standards.</u>
<u>Location on a lot</u>	Detached unit: Rear yard of the lot, behind the primary dwelling.
Site coverage, freestanding or primary residence addition units served by septic systems	Accessory dwelling unit additions or freestanding properties <u>structures</u> located in the overlay zones of Old Topanga and the Calabasas Highlands must comply with zoning code standards.
Site coverage, detached rear-yard units	Maximum of 30% of the rear yard area may be covered by structures, including the areas covered by the accessory dwelling unit and any other accessory structures, and projections of the primary dwelling.
<u>Front Setbacks</u>	<u>As required for the applicable zoning district.</u>
Side Setbacks	45 ft. minimum. Side setbacks for units constructed above a garage: 45 ft. No side setback requirements shall apply to units constructed entirely within an existing and legally established garage.
Rear Setback	410 ft. minimum. Rear setbacks for units constructed above a garage: 45 ft. No rear setback requirements shall apply to units constructed entirely within an existing and legally established garage.
Interior Setbacks	10 ft., minimum, from primary dwelling or other structure, if the accessory dwelling unit is detached. <u>The director may approve a smaller interior setback, if necessary to accommodate a detached accessory dwelling unit that occupies 800 square feet or less in gross floor area, the unit</u>

	<u>does not exceed 16 feet in height, and the unit would be located on a lot such that the rear and side yard setback distances are not less than 4 feet.</u>
Height limit	Detached units: One story, <u>16</u> 5 ft. maximum (see Section 17.20.140 for height measurement). If accessory dwelling unit is located above a garage; the applicable zoning district's height standards apply.
<u>Utilities</u>	<u>An accessory dwelling unit shall not require new or separate utility connections directly between the accessory dwelling unit and the utility, except for accessory dwelling units constructed at the same time as a new single-family dwelling.</u>
<u>Facilities</u>	<u>An accessory dwelling unit shall contain separate kitchen and bathroom facilities.</u>
Parking	<p>One additional space above the number of off-street parking spaces required for the primary dwelling, which may include tandem parking or the use of a mechanical automobile parking lift. <u>Parking is limited to lawfully paved areas and prohibited in the front yard landscaped areas of the parcel.</u> When a garage, carport, or other covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or is converted to an accessory dwelling unit, <u>the required off-street parking for the primary unit need not be replaced.</u> and that garage, carport, or other covered parking structure provided required off-street parking for the primary dwelling unit, then the property owner shall replace the required off-street parking spaces with new covered parking spaces of the same type and with a sufficient number of spaces to maintain conformance with Code requirements for the primary residential dwelling or use. No additional parking space is required for the accessory dwelling unit if any of the following is true:</p> <ul style="list-style-type: none"> A. The unit is located within one-half mile of a regularly scheduled public transit stop; B. The unit is located within a city council designated historic district; C. The unit is part of the existing legal primary residence or an existing legal accessory structure; D. On-street preferential permits are required by the city but

	not offered to the occupant of the unit; or E. A publicly accessible and presently operating car share vehicle parking facility is located within one block of the unit.
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- 65. Notwithstanding the requirements in Table 2-4, one (1) accessory dwelling unit may be located on any lot that is zoned to allow for single-family residential use, provided that the accessory dwelling unit is contained entirely within the building envelope of an existing legally established primary residential dwelling, or is contained entirely within the building envelope of a legally established accessory structure to the primary dwelling, or within an up to 150' sq. ft. addition to the existing legally established primary residential dwelling or residential structure if necessary for ingress or egress, and where the accessory dwelling unit has exterior access that is independent from the existing legal primary residence and the side and rear setbacks are sufficient for fire safety as determined by the community development director.
- 7. Notwithstanding the standards in Table 2-4 above pertaining to allowable gross floor area, allowable site coverage, minimum side and rear yard setback distances, and maximum height, one accessory dwelling unit shall be allowed when that unit occupies 800 square feet or less in gross floor area, the unit does not exceed 16 feet in height, and the unit would be located on a lot such that the rear and side yard setback distances are not less than 4 feet.
- 8. A permit for an accessory dwelling unit shall not issue before the issuance of a certificate of occupancy or other final approval for the primary dwelling.

DC. Junior accessory dwelling units.

- 1. All the requirements under this section 17.12.170 apply equally for accessory dwelling units and junior accessory dwelling units unless stated otherwise in this subsection for junior accessory dwelling units.
- 2. The owner must reside in the single-family residence but may choose to reside within the remaining portion of the structure or the newly created junior accessory dwelling unit
- 3. All junior accessory dwelling units shall include, at a minimum, an efficiency kitchen and living area. It may include separate sanitation facilities or may share sanitation facilities with the existing structure. The junior accessory dwelling unit must include a separate entrance from the main entrance to the proposed or existing single-family residence.
- 4. The maximum floor area for a junior accessory dwelling unit shall not exceed five hundred (500) square feet.

E. Conversion of Existing Structures into Accessory Dwelling Units

1. Prior to the approval of an accessory dwelling unit permit for the conversion of an existing structure for which there is no record of a building permit being issued, satisfactory completion of a safety inspection by the City's Building Official and Fire Department is required. An applicant must commit to upgrade the accessory dwelling unit to health and safety codes in order to be granted approval of an accessory dwelling unit permit, including without limitations the following items:
 - a. Independent entrance to accessory dwelling unit.
 - b. Direct access to exterior of building from bedroom (door or window).
 - c. Adequate light and ventilation in each habitable room.
 - d. Minimum 7-foot high ceiling in all rooms, kitchens, halls, and baths.
 - e. Property installed electrical wiring including separate access to electrical shut off.
 - f. Proof of structural integrity, including that the foundation is not cracked, damaged, or shifting and the framing is not sagging or deteriorating.
 - g. Proof of comfort heating, including heating as required per the Building Code and separate access to gas shut-off, if applicable.
 - h. Proof of working plumbing, including kitchen and bathroom facilities with hot water, water heater strapped and properly vented, and connection to approved sewage system.
 - i. Proof of fire safety, including hallways serving sleeping rooms must have smoke and carbon monoxide detectors and each sleeping room must have a smoke detector.
2. Once an inspection by the City's Building Official and Fire Department occurs, the applicant is required to correct those items that are identified as violating current health and safety codes for the structure's current use even in the event the applicant decides to withdraw the accessory dwelling unit permit application.

F. Permit process.

1. All proposed accessory dwelling units are subject to review for compliance with the terms of this chapter by the community development director, via a zoning clearance. The director shall complete the review of the application for an accessory dwelling unit permit within 60 days of receipt of a complete submission. Review of, and the denial of or granting of, an application for an accessory dwelling unit permit by the city is a ministerial action. The director shall not approve an application for an accessory dwelling unit permit or issue an accessory dwelling unit permit unless the proposed

accessory dwelling unit complies with the requirements of this chapter. The decision of the director shall be final and conclusive.

G. Permit termination. An accessory dwelling unit permit validly issued pursuant to this chapter section shall terminate when any one or more of the following occur:

1. The construction of the accessory dwelling unit allowed by the permit is not begun within one year from the date of permit issuance;
2. The construction of the accessory dwelling unit allowed by the permit has been abandoned or discontinued for one hundred eighty consecutive days;
3. the accessory dwelling unit owner files a declaration with the community development director that the permit has been abandoned or discontinued and the accessory dwelling unit has been removed from the property; and
4. The permit has expired by its own terms.

H. Fees.

1. An accessory dwelling unit application must be submitted to the city along with the appropriate fee as established by the city council by resolution in accordance with applicable law.
2. The City may impose a fee on the applicant in connection with approval of an accessory dwelling unit or junior accessory dwelling unit for the purpose of defraying all or a portion of the cost of public facilities related to its development, as provided for in Government Code sections 65852.2(f)(1) and 66000(b).
3. The City will not consider an accessory dwelling unit or junior accessory dwelling unit to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless the dwelling unit was constructed with a new single-family or multi-family dwelling.
4. The City shall not impose any development impact fees upon the development of an accessory dwelling unit less than 750 sq. ft. Any development impact fees charged for an accessory dwelling unit of 750 sq. ft. or more shall be charged proportionately in relation to the square footage of the accessory dwelling unit.
5. The City may charge a fee to inspect an accessory dwelling unit to determine compliance with applicable building standards pursuant to Section 17.48.020.

SECTION 5. Severability Clause:

Should any section, clause, or provision of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part so declared to be invalid.

SECTION 6. Effective Date:

This Ordinance shall take effect thirty days from passage and adoption under California Government Code Section 36937.

SECTION 7. Certification:

The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published or posted according to law.

SECTION 8. Recording:

The City Clerk shall submit a copy of this Ordinance to the California Department of Housing and Community Development within 60 days of its adoption pursuant to Government Code section 65852.2, subdivision (h).

PASSED, APPROVED AND ADOPTED this 22nd day of January 2020.

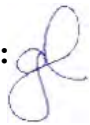
Alicia Weintraub, Mayor

ATTEST:

Maricela Hernandez, City Clerk
Master Municipal Clerk
California Professional Municipal Clerk

APPROVED AS TO FORM:

Scott H. Howard
Colantuono, Highsmith & Whatley, PC
City Attorney




CITY of CALABASAS

CITY COUNCIL AGENDA REPORT

DATE: JANUARY 13, 2020

TO: HONORABLE MAYOR AND COUNCILMEMBERS

**FROM:  ROBERT YALDA, P.E., T.E., CITY ENGINEER/PUBLIC WORKS
DIRECTOR
HEATHER MELTON, LANDSCAPE MANAGER**

SUBJECT: AUTHORIZATION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT FOR NEWBURY PARK TREE SERVICE, INC. IN THE AMOUNT NOT TO EXCEED FIFTY THOUSAND DOLLARS (\$50,000) FOR REQUIRED WORK AS PART OF ON GOING CITYWIDE TREE MAINTENANCE IN THE CITY OF CALABASAS

MEETING

DATE: JANUARY 22, 2020

SUMMARY RECOMMENDATION:

Authorization to approve a Professional Services Agreement for Newbury Park Tree Service, Inc. in the amount not to exceed Fifty Thousand Dollars (\$50,000) for required work as part of on-going Citywide Tree Maintenance in the City of Calabasas.

BACKGROUND:

At the June 27, 2018 City Council Meeting a Professional Services Agreement was awarded to Newbury Park Tree Service, Inc. for required Citywide Tree Maintenance, which includes tree planting, trimming, removal, and pest abatement.

The cost of certain work is covered in the current contract. The City's landscape manager is authorized to budget and utilize the available funding for landscape maintenance work.

Based on past fiscal year(s) expense history, in addition to the unforeseen damages due to the Woolsey Fire(\$45k) and recent winter storms, in addition to maintaining the City's public works landscape in quality condition, it is projected that a Professional Services Agreement in the amount of Fifty Thousand Dollars (\$50,000) will be required for the next few months to fund Tree Maintenance Services.

City Staff is currently in the review process of received proposals from an RFP (Request for Proposals) that was advertised and issued in January 2020 for Tree Maintenance Services, with the anticipated awardation of a Professional Services Agreement for services at a future City Council Meeting in early April of 2020.

FISCAL IMPACT/SOURCE OF FUNDING:

Budgeted funding currently exists in all General Fund and Landscape District funds for tree maintenance: tree trimming, tree planting, tree removal, tree pest abatement and general landscape maintenance.

REQUESTED ACTION:

Authorization to approve a Professional Services Agreement for Newbury Park Tree Service, Inc. in the amount not to exceed Fifty Thousand Dollars (\$50,000) for required work as part of on-going Citywide Tree Maintenance in the City of Calabasas.

ATTACHMENTS:

Attachment A: Professional Services Agreement



CITY of CALABASAS

PROFESSIONAL SERVICES AGREEMENT

CONTRACT SUMMARY

Name of Contractor:	Newbury Park Tree Service, Inc.
City Department in charge of Contract:	Public Works
Contact Person for City Department:	Heather Melton, Landscape Manager
Period of Performance for Contract:	January 22, 2020 – March 31, 2020
Not to Exceed Amount of Contract:	Fifty Thousand Dollars (\$50,000)
Scope of Work for Contract:	Public Street Tree Maintenance

Insurance Requirements for Contract:

yes no - Is General Liability insurance required in this contract?

Comprehensive General Liability Insurance with coverage limits of not less than One Million Dollars (\$1,000,000) including products and operations hazard, contractual insurance, broad form property damage, independent consultants, personal injury, underground hazard, and explosion and collapse hazard where applicable.

yes no - Is Auto insurance required in this contract?

Automobile Liability Insurance for vehicles used in connection with the performance of this Agreement with minimum limits of One Million Dollars (\$1,000,000) per claimant and One Million dollars (\$1,000,000) per incident.

yes no - Is Professional insurance required in this contract?

yes no - Is Workers Comprehensive insurance required in this contract?

Worker’s Compensation insurance as required by the laws of the State of California, including but not limited to California Labor Code § 1860 and 1861

Other: N/A

PROFESSIONAL SERVICES AGREEMENT
Providing for Payment of Prevailing Wages
(City of Calabasas/ **Newbury Park Tree Service, Inc.**)

1. IDENTIFICATION

THIS PROFESSIONAL SERVICES AGREEMENT (“Agreement”) is entered into by and between the City of Calabasas, a California municipal corporation (“City”), and **Newbury Park Tree Service, Inc., a California Corporation** (“Consultant”)

2. RECITALS

- 2.1 City has determined that it requires the following professional services from a consultant: **Public Street Tree Maintenance: Planting, trimming, removal, pest abatement and disease control**
- 2.2 Consultant represents that it is fully qualified to perform such professional services by virtue of its experience and the training, education and expertise of its principals and employees. Consultant further represents that it is willing to accept responsibility for performing such services in accordance with the terms and conditions set forth in this Agreement.

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions herein contained, City and Consultant agree as follows:

3. DEFINITIONS

- 3.1 “Scope of Services”: Such professional services as are set forth in Consultant’s **June 30, 2017** proposal to City attached hereto as Exhibit A and incorporated herein by this reference.
- 3.2 “Approved Fee Schedule”: Such compensation rates as are set forth in Consultant’s **June 30, 2017** fee schedule to City attached hereto and included within Exhibit A and incorporated herein by this reference.
- 3.3 “Commencement Date”: **January 22, 2020.**
- 3.4 “Expiration Date”: **March 31, 2020.**

4. TERM

The term of this Agreement shall commence at 12:00 a.m. on the Commencement Date and shall expire at 11:59 p.m. on the Expiration Date unless extended by written agreement of the parties or terminated earlier in accordance with Section 17 (“Termination”) below.

5. CONSULTANT'S SERVICES

- 5.1 Consultant shall perform the services identified in the Scope of Services. City shall have the right to request, in writing, changes in the Scope of Services. Any such changes mutually agreed upon by the parties, and any corresponding increase or decrease in compensation, shall be incorporated by written amendment to this Agreement. In no event shall the total compensation and costs payable to Consultant under this Agreement exceed the sum of **Fifty Thousand Dollars (\$50,000)** unless specifically approved in advance and in writing by City.
- 5.2 Consultant shall perform all work to the highest professional standards of Consultant's profession and in a manner reasonably satisfactory to City. Consultant shall comply with all applicable federal, state and local laws and regulations, including the conflict of interest provisions of Government Code Section 1090 and the Political Reform Act (Government Code Section 81000 *et seq.*).
- 5.3 During the term of this Agreement, Consultant shall not perform any work for another person or entity for whom Consultant was not working at the Commencement Date if both (i) such work would require Consultant to abstain from a decision under this Agreement pursuant to a conflict of interest statute and (ii) City has not consented in writing to Consultant's performance of such work.
- 5.4 Consultant represents that it has, or will secure at its own expense, all personnel required to perform the services identified in the Scope of Services. All such services shall be performed by Consultant or under its supervision, and all personnel engaged in the work shall be qualified to perform such services. **Dean A. Lappinga** shall be Consultant's project administrator and shall have direct responsibility for management of Consultant's performance under this Agreement. No change shall be made in Consultant's project administrator without City's prior written consent.
- 5.5 To the extent that the Scope of Services involves trenches deeper than 4', Contractor shall promptly, and before the following conditions are disturbed, notify the City, in writing, of any:
- (1) Material that the contractor believes may be material that is hazardous waste, as defined in § 25117 of the Health and Safety Code, which is required to be removed to a Class I, Class II, or Class III disposal site in accordance with provisions of existing law.
- (2) Subsurface or latent physical conditions at the site differing from those indicated by information about the site made available to bidders prior to the deadline for submitting bids.

(3) Unknown physical conditions at the site of any unusual nature, different materially from those ordinarily encountered and generally recognized as inherent in work of the character provided for in the contract.

City shall promptly investigate the conditions, and if it finds that the conditions do materially so differ, or involve hazardous waste, and cause a decrease or increase in the contractor's cost of, or the time required for, performance of any part of the work, the City shall issue a change order under the procedures described in the contract.

6. COMPENSATION

- 6.1 City agrees to compensate Consultant for the services provided under this Agreement, and Consultant agrees to accept in full satisfaction for such services, payment in accordance with the Approved Fee Schedule.
- 6.2 Consultant shall submit to City an invoice, on a monthly basis or less frequently, for the services performed pursuant to this Agreement. Each invoice shall itemize the services rendered during the billing period and the amount due. Within thirty calendar days of receipt of each invoice, City shall pay all undisputed amounts included on the invoice. City shall not withhold applicable taxes or other authorized deductions from payments made to Consultant.
- 6.3 Payments for any services requested by City and not included in the Scope of Services shall be made to Consultant by City on a time-and-materials basis using Consultant's standard fee schedule. Consultant shall be entitled to increase the fees in this fee schedule at such time as it increases its fees for its clients generally; provided, however, in no event shall Consultant be entitled to increase fees for services rendered before the thirtieth day after Consultant notifies City in writing of an increase in that fee schedule. Fees for such additional services shall be paid within sixty days of the date Consultant issues an invoice to City for such services.
- 6.4 This Agreement is further subject to the provisions of Article 1.7 (commencing at Section 20104.50) of Division 2, Part 3 of the Public Contract Code regarding prompt payment of contractors by local governments. Article 1.7 mandates certain procedures for the payment of undisputed and properly submitted payment requests within 30 days after receipt, for the review of payment requests, for notice to the contractor of improper payment requests, and provides for the payment of interest on progress payment requests which are not timely made in accordance with this Article. This Agreement hereby incorporates the provisions of Article 1.7 as though fully set forth herein.

6.5 To the extent applicable, at any time during the term of the Agreement, the Consultant may at its own expense, substitute securities equivalent to the amount withheld as retention (or the retained percentage) in accordance with Public Contract Code section 22300. At the request and expense of the consultant, securities equivalent to the amount withheld shall be deposited with the public agency, or with a state or federally chartered bank in this state as the escrow agent, who shall then pay those moneys to the Consultant. Upon satisfactory completion of the contract, the securities shall be returned to the Consultant.

7. OWNERSHIP OF WRITTEN PRODUCTS

All reports, documents or other written material (“written products” herein) developed by Consultant in the performance of this Agreement shall be and remain the property of City without restriction or limitation upon its use or dissemination by City. Consultant may take and retain copies of such written products as desired, but no such written products shall be the subject of a copyright application by Consultant.

8. RELATIONSHIP OF PARTIES

Consultant is, and shall at all times remain as to City, a wholly independent contractor. Consultant shall have no power to incur any debt, obligation, or liability on behalf of City or otherwise to act on behalf of City as an agent. Neither City nor any of its agents shall have control over the conduct of Consultant or any of Consultant’s employees, except as set forth in this Agreement. Consultant shall not represent that it is, or that any of its agents or employees are, in any manner employees of City.

9. CONFIDENTIALITY

All data, documents, discussion, or other information developed or received by Consultant or provided for performance of this Agreement are deemed confidential and shall not be disclosed by Consultant without prior written consent by City. City shall grant such consent if disclosure is legally required. Upon request, all City data shall be returned to City upon the termination or expiration of this Agreement.

10. INDEMNIFICATION

- 10.1 The parties agree that City, its officers, agents, employees and volunteers should, to the fullest extent permitted by law, be protected from any and all loss, injury, damage, claim, lawsuit, cost, expense, attorneys' fees, litigation costs, or any other cost arising out of or in any way related to the performance of this Agreement. Accordingly, the provisions of this indemnity provision are intended by the parties to be interpreted and construed to provide the City with the fullest protection possible under the law. Consultant acknowledges that City would not enter into this Agreement in the absence of Consultant's commitment to indemnify and protect City as set forth herein.
- 10.2 To the fullest extent permitted by law, Consultant shall indemnify, hold harmless and defend City, its officers, agents, employees and volunteers from and against any and all claims and losses, costs or expenses for any damage due to death or injury to any person and injury to any property resulting from any alleged intentional, reckless, negligent, or otherwise wrongful acts, errors or omissions of Consultant or any of its officers, employees, servants, agents, or subcontractors in the performance of this Agreement. Such costs and expenses shall include reasonable attorneys' fees due to counsel of City's choice.
- 10.3 City shall have the right to offset against the amount of any compensation due Consultant under this Agreement any amount due City from Consultant as a result of Consultant's failure to pay City promptly any indemnification arising under this Section 10 and related to Consultant's failure to either (i) pay taxes on amounts received pursuant to this Agreement or (ii) comply with applicable workers' compensation laws.
- 10.4 The obligations of Consultant under this Section 10 will not be limited by the provisions of any workers' compensation act or similar act. Consultant expressly waives its statutory immunity under such statutes or laws as to City, its officers, agents, employees and volunteers.
- 10.5 Consultant agrees to obtain executed indemnity agreements with provisions identical to those set forth here in this Section 10 from each and every subcontractor or any other person or entity involved by, for, with or on behalf of Consultant in the performance of this Agreement. In the event Consultant fails to obtain such indemnity obligations from others as required herein, Consultant agrees to be fully responsible and indemnify, hold harmless and defend City, its officers, agents, employees and volunteers from and against any and all claims and losses, costs or expenses for any damage due to death or injury to any person and injury to any property resulting from any alleged intentional, reckless, negligent, or otherwise wrongful acts, errors or omissions of Consultant's

subcontractors or any other person or entity involved by, for, with or on behalf of Consultant in the performance of this Agreement. Such costs and expenses shall include reasonable attorneys' fees incurred by counsel of City's choice.

- 10.6 City does not, and shall not, waive any rights that it may possess against Consultant because of the acceptance by City, or the deposit with City, of any insurance policy or certificate required pursuant to this Agreement. This hold harmless and indemnification provision shall apply regardless of whether or not any insurance policies are determined to be applicable to the claim, demand, damage, liability, loss, cost or expense.

11. INSURANCE

- 11.1 During the term of this Agreement, Consultant shall carry, maintain, and keep in full force and effect insurance against claims for death or injuries to persons or damages to property that may arise from or in connection with Consultant's performance of this Agreement. Such insurance shall be of the types and in the amounts as set forth below:

11.1.1 Comprehensive General Liability Insurance with coverage limits of not less than One Million Dollars (\$1,000,000) including products and operations hazard, contractual insurance, broad form property damage, independent consultants, personal injury, underground hazard, and explosion and collapse hazard where applicable.

11.1.2 Automobile Liability Insurance for vehicles used in connection with the performance of this Agreement with minimum limits of One Million Dollars (\$1,000,000) per claimant and One Million dollars (\$1,000,000) per incident.

11.1.3 Worker's Compensation insurance as required by the laws of the State of California, including but not limited to California Labor Code § 1860 and 1861 as follows:

Contractor shall take out and maintain, during the life of this contract, Worker's Compensation Insurance for all of Contractor's employees employed at the site of improvement; and, if any work is sublet, Contractor shall require the subcontractor similarly to provide Worker's Compensation Insurance for all of the latter's employees, unless such employees are covered by the protection afforded by Contractor. Contractor and any of Contractor's subcontractors shall be required to provide City with a written statement acknowledging its obligation to secure payment of Worker's Compensation Insurance as required by Labor Code § 1861; to wit: 'I am aware of the provisions of Section 3700

Professional Services Agreement
Providing for Payment of Prevailing Wages
City of Calabasas// Newbury Park Tree Service, Inc.

of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.' If any class of employees engaged in work under this contract at the site of the Project is not protected under any Worker's Compensation law, Contractor shall provide and shall cause each subcontractor to provide adequate insurance for the protection of employees not otherwise protected. Contractor shall indemnify and hold harmless City for any damage resulting from failure of either Contractor or any subcontractor to take out or maintain such insurance.

- 11.2 Consultant shall require each of its subcontractors to maintain insurance coverage that meets all of the requirements of this Agreement.
- 11.3 The policy or policies required by this Agreement shall be issued by an insurer admitted in the State of California and with a rating of at least A:VII in the latest edition of Best's Insurance Guide.
- 11.4 Consultant agrees that if it does not keep the aforesaid insurance in full force and effect, City may either (i) immediately terminate this Agreement; or (ii) take out the necessary insurance and pay, at Consultant's expense, the premium thereon.
- 11.5 At all times during the term of this Agreement, Consultant shall maintain on file with City's Risk Manager a certificate or certificates of insurance showing that the aforesaid policies are in effect in the required amounts and naming the City and its officers, employees, agents and volunteers as additional insureds. Consultant shall, prior to commencement of work under this Agreement, file with City's Risk Manager such certificate(s).
- 11.6 Consultant shall provide proof that policies of insurance required herein expiring during the term of this Agreement have been renewed or replaced with other policies providing at least the same coverage. Such proof will be furnished at least two weeks prior to the expiration of the coverages.
- 11.7 The General Liability Policy of insurance required by this Agreement shall contain an endorsement naming City and its officers, employees, agents and volunteers as additional insureds. The General Liability Policy required under this Agreement shall contain an endorsement providing that the policies cannot be canceled or reduced except on thirty days' prior written notice to City. Consultant agrees to require its insurer to modify the certificates of insurance to delete any exculpatory wording stating that failure of the insurer to mail written notice of cancellation imposes no obligation, and to delete the word "endeavor" with regard to any notice provisions. If this contract provides service to a Homeowners

Association, that Homeowners Association must be listed as an additional insured in addition to the City.

- 11.8 The insurance provided by Consultant shall be primary to any coverage available to City. Any insurance or self-insurance maintained by City and/or its officers, employees, agents or volunteers, shall be in excess of Consultant's insurance and shall not contribute with it.
- 11.9 All insurance coverage provided pursuant to this Agreement shall not prohibit Consultant, and Consultant's employees, agents or subcontractors, from waiving the right of subrogation prior to a loss. Consultant hereby waives all rights of subrogation against the City.
- 11.10 Any deductibles or self-insured retentions must be declared to and approved by the City. At the option of City, Consultant shall either reduce or eliminate the deductibles or self-insured retentions with respect to City, or Consultant shall procure a bond or other security acceptable to the City guaranteeing payment of losses and expenses.
- 11.11 Procurement of insurance by Consultant shall not be construed as a limitation of Consultant's liability or as full performance of Consultant's duties to indemnify, hold harmless and defend under Section 10 of this Agreement.

12. MUTUAL COOPERATION

- 12.1 City shall provide Consultant with all pertinent data, documents and other requested information as is reasonably available for the proper performance of Consultant's services under this Agreement.
- 12.2 In the event any claim or action is brought against City relating to Consultant's performance in connection with this Agreement, Consultant shall render any reasonable assistance that City may require.

13. RECORDS AND INSPECTIONS

Consultant shall maintain full and accurate records with respect to all matters covered under this Agreement for a period of three years after the expiration or termination of this Agreement. City shall have the right to access and examine such records, without charge, during normal business hours. City shall further have the right to audit such records, to make transcripts therefrom and to inspect all program data, documents, proceedings, and activities with respect to this Agreement.

14. PERMITS AND APPROVALS

Consultant shall obtain, at its sole cost and expense, all permits and regulatory approvals necessary in the performance of this Agreement. This includes, but shall not be limited to, encroachment permits and building and safety permits and inspections.

15. NOTICES

Any notices, bills, invoices, or reports required by this Agreement shall be deemed received on: (i) the day of delivery if delivered by hand, facsimile or overnight courier service during the addressee's regular business hours; or (ii) on the third business day following deposit in the United States mail if delivered by mail, postage prepaid, to the addresses listed below (or to such other addresses as the parties may, from time to time, designate in writing).

If to City:

City of Calabasas
100 Civic Center Way
Calabasas, CA 91302
Attn: Heather Melton, Landscape Manager
Telephone: (818) 224-1600
Facsimile: (818) 225-7338

If to Consultant:

Newbury Park Tree Service, Inc.
3595 Old Conejo Rd.
Newbury Park, CA 91320
Attn: Dean A. Lappinga
Telephone: (805) 498-7841
Facsimile: (805) 832-6449

With courtesy copy to:

Scott H. Howard
Colantuono, Highsmith & Whatley, PC
City Attorney
790 E. Colorado Blvd., Suite 850
Pasadena, CA 91101
Telephone: (213) 542-5700
Facsimile: (213) 542-5710

16. SURVIVING COVENANTS

The parties agree that the covenants contained in Section 9, Section 10, Paragraph 12.2 and Section 13 of this Agreement shall survive the expiration or termination of this Agreement.

17. TERMINATION

- 17.1. City shall have the right to terminate this Agreement for any reason on five calendar days' written notice to Consultant. Consultant shall have the right to terminate this Agreement for any reason on sixty calendar days' written notice to City. Consultant agrees to cease all work under this Agreement on or before the effective date of any notice of termination. All City data, documents, objects, materials or other tangible things shall be returned to City upon the termination or expiration of this Agreement.
- 17.2. If City terminates this Agreement due to no fault or failure of performance by Consultant, then Consultant shall be paid based on the work satisfactorily performed at the time of termination. In no event shall Consultant be entitled to receive more than the amount that would be paid to Consultant for the full performance of the services required by this Agreement.

18. GENERAL PROVISIONS

- 18.1. Consultant shall not delegate, transfer, subcontract or assign its duties or rights hereunder, either in whole or in part, without City's prior written consent, and any attempt to do so shall be void and of no effect. City shall not be obligated or liable under this Agreement to any party other than Consultant.
- 18.2. In the performance of this Agreement, Consultant shall not discriminate against any employee, subcontractor, or applicant for employment because of race, color, creed, religion, sex, marital status, sexual orientation, national origin, ancestry, age, physical or mental disability, medical condition or any other unlawful basis.
- 18.3. The captions appearing at the commencement of the sections hereof, and in any paragraph thereof, are descriptive only and for convenience in reference to this Agreement. Should there be any conflict between such heading, and the section or paragraph thereof at the head of which it appears, the section or paragraph thereof, as the case may be, and not such heading, shall control and govern in the construction of this Agreement. Masculine or feminine pronouns shall be substituted for the neuter form and vice versa, and the plural shall be substituted for the singular form and vice versa, in any place or places herein in which the context requires such substitution(s).
- 18.4. The waiver by City or Consultant of any breach of any term, covenant or condition herein contained shall not be deemed to be a waiver of such term, covenant or condition or of any subsequent breach of the same or any other term, covenant or condition herein contained. No term, covenant or condition of this Agreement shall be deemed to have been waived by City or Consultant unless in writing.

Professional Services Agreement
Providing for Payment of Prevailing Wages
City of Calabasas// Newbury Park Tree Service, Inc.

- 18.5 Consultant shall not be liable for any failure to perform if Consultant presents acceptable evidence, in City's sole judgment that such failure was due to causes beyond the control and without the fault or negligence of Consultant.
- 18.6 Each right, power and remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise shall be cumulative and shall be in addition to every other right, power, or remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise. The exercise, the commencement of the exercise, or the forbearance of the exercise by any party of any one or more of such rights, powers or remedies shall not preclude the simultaneous or later exercise by such party of any of all of such other rights, powers or remedies. In the event legal action shall be necessary to enforce any term, covenant or condition herein contained, the party prevailing in such action, whether reduced to judgment or not, shall be entitled to its reasonable and actual court costs, including accountants' fees, if any, and attorneys' fees expended in such action. The venue for any litigation shall be Los Angeles County, California.
- 18.7 If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, then such term or provision shall be amended to, and solely to, the extent necessary to cure such invalidity or unenforceability, and shall be enforceable in its amended form. In such event, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each term and provision of this Agreement shall be valid and be enforced to the fullest extent permitted by law.
- 18.8 This Agreement shall be governed and construed in accordance with the laws of the State of California.
- 18.9 All documents referenced as exhibits in this Agreement are hereby incorporated into this Agreement. In the event of any material discrepancy between the express provisions of this Agreement and the provisions of any document incorporated herein by reference, the provisions of this Agreement shall prevail. This instrument contains the entire Agreement between City and Consultant with respect to the transactions contemplated herein. No other prior oral or written agreements are binding upon the parties. Amendments hereto or deviations herefrom shall be effective and binding only if made in writing and executed by City and Consultant.

- 18.10 This Agreement is further subject to the provisions of Article 1.5 (commencing at Section 20104) of Division 2, Part 3 of the Public Contract Code regarding the resolution of public works claims of less than \$375,000. Article 1.5 mandates certain procedures for the filing of claims and supporting documentation by the contractor, for the response to such claims by the contracting public agency, for a mandatory meet and confer conference upon the request of the contractor, for mandatory nonbinding mediation in the event litigation is commenced, and for mandatory judicial arbitration upon the failure to resolve the dispute through mediation. This Agreement hereby incorporates the provisions of Article 1.5 as though fully set forth herein.
- 18.11 This Agreement is further subject to the provisions of California Public Contracts Code § 6109 which prohibits the Consultant from performing work on this project with a subcontractor who is ineligible to perform work on the project pursuant to §§ 1777.1 or 1777.7 of the Labor Code.

19. PREVAILING WAGES

- 19.1 To the extent that the estimated amount of this Agreement exceeds \$1,000, this Agreement is subject to prevailing wage law, including, but not limited to, the following:
- 19.1.1 The Consultant shall pay the prevailing wage rates for all work performed under the Agreement. When any craft or classification is omitted from the general prevailing wage determinations, the Consultant shall pay the wage rate of the craft or classification most closely related to the omitted classification. The Consultant shall forfeit as a penalty to City \$50.00 or any greater penalty provided in the Labor Code for each calendar day, or portion thereof, for each worker paid less than the prevailing wage rates for any work done under the Agreement employed in the execution of the work by Consultant or by any subcontractor of Consultant in violation of the provisions of the Labor Code. In addition, the difference between such prevailing wage rates and the amount paid to each worker for each calendar day, or portion thereof, for which each worker was paid less than the prevailing wage rate shall be paid to each worker by the Consultant.
- 19.1.2 Consultant shall comply with the provisions of Labor Code Section 1777.5 concerning the employment of apprentices on public works projects, and further agrees that Consultant is responsible for compliance with Section 1777.5 by all of its subcontractors.

Professional Services Agreement
Providing for Payment of Prevailing Wages
City of Calabasas// Newbury Park Tree Service, Inc.

19.1.3 Pursuant to Labor Code § 1776, Consultant and any subcontractor shall keep accurate payroll records, showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by Consultant in connection with this Agreement. Each payroll record shall contain or be verified by a written declaration that it is made under penalty of perjury, stating both of the following: (1) The information contained in the payroll record is true and correct; and (2) The employer has complied with the requirements of Labor Code §§ 1811, and 1815 for any work performed by his or her employees on the public works project. The payroll records enumerated under subdivision (a) shall be certified and shall be available for inspection at all reasonable hours as required by Labor Code § 1776.

19.2 To the extent that the estimated amount of this Agreement exceeds \$1,000, this Agreement is further subject to 8-hour work day and wage and hour penalty law, including, but not limited to, Labor Code Sections 1810 and 1813, as well as California nondiscrimination laws, as follows:

19.2.1 Consultant shall strictly adhere to the provisions of the Labor Code regarding the 8-hour day and the 40-hour week, overtime, Saturday, Sunday and holiday work and nondiscrimination on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex or sexual orientation, except as provided in Section 12940 of the Government Code. Pursuant to the provisions of the Labor Code, eight hours' labor shall constitute a legal day's work. Work performed by Consultant's employees in excess of eight hours per day, and 40 hours during any one week, must include compensation for all hours worked in excess of eight hours per day, or 40 hours during any one week, at not less than one and one-half times the basic rate of pay. Consultant shall forfeit as a penalty to City \$25.00 or any greater penalty set forth in the Labor Code for each worker employed in the execution of the work by Consultant or by any Subcontractor of Consultant, for each calendar day during which such worker is required or permitted to the work more than eight hours in one calendar day or more than 40 hours in any one calendar week in violation of the provisions of the Labor Code.

Professional Services Agreement
Providing for Payment of Prevailing Wages
City of Calabasas// **Newbury Park Tree Service, Inc.**

TO EFFECTUATE THIS AGREEMENT, the parties have caused their duly authorized representatives to execute this Agreement on the dates set forth below.

“City”
City of Calabasas

“Consultant”
Newbury Park Tree Service, Inc.

By: _____
Alicia Weintraub, Mayor

By: _____
Dean A. Lappinga, President

Date: _____

Date: _____

By: _____
Dr. Gary J. Lysik, City Manager

Date: _____

By: _____
Robert Yalda, P.E., T.E., Public Works Director/City Engineer

Date: _____

Attest:

By: _____
Maricela Hernandez, MMC, CPMC
City Clerk

Date: _____

Approved as to form:

By: _____
Scott H. Howard
Colantuono, Highsmith & Whatley, PC
City Attorney

Date: _____

EXHIBIT A
SCOPE OF WORK & FEE SCHEDULE

EXHIBIT A

**PUBLIC STREETS TREE MAINTENANCE IN THE CITY OF CALABASAS,
CALIFORNIA**

UNIT PRICE LIST

THE FOLLOWING PRICES ARE HEREBY MADE A PART OF THIS AGREEMENT

Item No.	Description (Items/products/materials not included in price @ cost plus 20%)	Unit Price	Unit
1	Partial Tree Pruning	0" - 6"	\$ 35.00 EA
2	Partial Tree Pruning	7" - 12"	\$ 45.00 EA
3	Partial Tree Pruning	13" - 18"	\$ 70.00 EA
4	Partial Tree Pruning	19" - 24"	\$ 100.00 EA
5	Partial Tree Pruning	25" - 30"	\$ 135.00 EA
6	Partial Tree Pruning	Over 30"	\$ 175.00 EA
7	Tree Root Pruning (assume 10LF) and tree stability testing, without root barrier installation		\$ 37.50 per 1 LF
8	Complete tree & stump removal, including stump grinding	per inch	\$ 25.00 EA
9	Stump Grinding Only (Removal)	per inch	\$ 9.00 EA
10	Root Barrier, LB 12-2 Deep Root Corp. or equivalent, installed (per 2' panel section)		\$ 30.00 EA
11	Root Barrier, UB 24 Deep Root Corp. or equivalent, installed (per 2' panel section)		\$ 35.00 EA
12	Bio Barrier, 19" Root Barrier, installed (per 2' panel section)		\$ 35.00 EA
13	Install 15 gal. tree in place (stakes incl)		\$ 135.00 EA
14	Install 24 gal. tree in place (stakes incl)		\$ 335.00 EA
15	Install 36" box tree in place (stakes incl)		\$ 810.00 EA
16	Install 48" box tree in place (stakes incl)		\$ 1,365.00 EA
17	Provide and install lodge pole stake Eight (10) feet long by Three (3) inches in diameter		\$ 262.00 EA
18	Provide and install lodge pole stake Eight (8) feet long by Two (2) inches in diameter		\$ 120.00 EA
19	Tree tie (Guy)		\$ 65.00 EA
20	Tree Pest Control, trunk injection, per manufacturer label and per State regulations and by a licensed applicator		\$ 40.00 EA
21	Tree Pest Control, soil injection, per manufacturer label and per State regulations and by a licensed applicator		\$ 180.00 EA
22	Tree Fertilization per I.S.A. Standards	0" - 6"	\$ 14.00 EA
23	Tree Fertilization per I.S.A. Standards	7" - 12"	\$ 21.00 EA
24	Tree Fertilization per I.S.A. Standards	13" - 18"	\$ 29.00 EA
25	Tree Fertilization per I.S.A. Standards	19" - 24"	\$ 39.00 EA
26	Tree Fertilization per I.S.A. Standards	25" - 30"	\$ 46.00 EA
27	Tree Fertilization per I.S.A. Standards	Over 30"	\$ 63.00 EA
28	Tree Watering (See section 702-25, Tree Watering Maintenance)		\$ 15.00 EA
29	Backfill Loam/Top Soil		\$ 68.00 CY
30	I.S.A. Tree Evaluation Report recommendations, color photos and digital pictures on CD (per each tree)		\$ 175.00 EA
31	I.S.A. Certified Arborist		\$ 85.00 Manhour

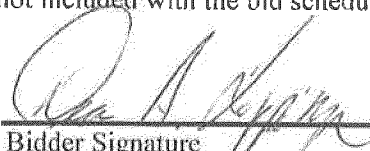
**PUBLIC STREETS TREE MAINTENANCE IN THE CITY OF CALABASAS,
CALIFORNIA**

UNIT PRICE LIST

THE FOLLOWING PRICES ARE HEREBY MADE A PART OF THIS AGREEMENT

32	I.S.A. Certified Utility Arborist		\$ 100.00	Manhour
33	I.S.A. Certified Maintenance Supervisor, Trees		\$ 65.00	Manhour
34	I.S.A. Certified Tree Trimmer		\$ 65.00	Manhour
35	I.S.A. Certified Tree Worker		\$ 65.00	Manhour
36	Standby Fee per 8-Hour Shift. I.S.A. Certified as above for: Maintenance Supervisor, Tree Trimmer, Certified Tree Worker, Pick-up, Aerial Truck, Chipper, Truck and Standard Power and Hand Equipment		\$ 225.00	Manhour
37	After-hours work (2-hour minimum), starting from Calabasas City Hall: 3- staff, aerial unit, tree truck, chipper (per hour): Monday through Friday		\$ 400.00	Manhour
38	After-hours work (2-hour minimum), starting from Calabasas City Hall: 3- staff, aerial unit, tree truck, chipper (per hour): Saturday, Sunday and Holidays		\$ 495.00	Manhour

Note: The bidder is required to complete the unit price column as part of the Bid Schedule submittals. If it is not included with the bid schedule, your bid will be considered incomplete and will not be accepted.



Bidder Signature

6/30/2017

Date

NON-COLLUSION AFFIDAVIT

State of California)
) ss.
County of Los Angeles)

_____, being first duly sworn, deposes and says that he or she is _____ of _____, the party making the foregoing bid, that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.”

Signature of Bidder

Business Address

Place of Residence

Subscribed and sworn to before me this __ day of _____, 20__.

Notary Public in and for the County
of
State of California.

My Commission Expires _____, 20__.

WORKERS' COMPENSATION INSURANCE
CERTIFICATE

The Contractor shall execute the following form as required by the California Labor Code, Sections 1860 and 1861:

I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

DATE: _____

(Contractor)

By:

(Signature)

(Title)

Attest:

By:

(Signature)

(Title)



CITY of CALABASAS

CITY COUNCIL AGENDA REPORT

DATE: JANUARY 13, 2020

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: JOHN BINGHAM, ADMINISTRATIVE SERVICES MANAGER



SUBJECT: REVIEW AND APPROVAL OF PROJECTS FOR THE 46TH PROGRAM YEAR (2020-2021) - COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING; AND ADOPTION OF RESOLUTION NO. 2020-1659, APPROVING THE CDBG 46TH PROGRAM YEAR (2020-2021)

MEETING DATE: JANUARY 22, 2020

SUMMARY RECOMMENDATION:

Conduct a public hearing on the proposed projects and budget for the 2020-2021 Community Development Block Grant (CDBG) Program Year. Upon consideration of the public testimony and discussion of relevant issues, adopt Resolution No. 2020-1659 (Attachment A) approving the allocation of 2020-2021 CDBG funds, and the proposed projects for implementation during the CDBG 2020-2021 Program Year.

BACKGROUND:

Each year, CDBG funds are allocated to cities by the Federal Housing and Urban Development Department (HUD), and administered through the Los Angeles County Development Authority (LACDA). Participating cities, whose total population is less than 50,000, participate in the Los Angeles Urban County CDBG Program, and receive funding based upon the total number of cities participating in the County's program. It is also based on a city's need to provide housing, economic and social services; and community development opportunities that principally benefit persons of low and moderate income levels, aid in the prevention of neighborhood deterioration, and meet

other urgent community development needs due to natural disasters or other emergencies. To be eligible for the CDBG program, a household of two persons cannot exceed the annual moderate income limit of \$66,800, per HUD Income Guidelines. A household of four persons cannot exceed the annual moderate income limit of \$83,500.

This is the 46th year the City of Calabasas (or, prior to 1991, unincorporated Calabasas) has participated in the Los Angeles Urban County's CDBG Program. In order to continue its participation in the upcoming 2020-2021 program year, which begins on July 1, 2020 and ends on June 30, 2021, the City of Calabasas must prepare and submit its proposed CDBG project descriptions to the CDC no later than February 13, 2020, for review and approval.

Pursuant to Federal requirements, notice of this public hearing was properly published and posted in public buildings within the City. Federal requirements also mandate that as part of the hearing, the Council and public be informed of the range of eligible housing and community development activities that may be funded under the CDBG program. Interested persons may obtain a copy of the Federal eligibility guidelines, available at the City of Calabasas Administrative Services Department, during regular business hours.

DISCUSSION/ANALYSIS:

The City of Calabasas estimated CDBG allocation for Program Year 2020-2021 is approximately \$98,208. This is a **planning estimate only**; the LACDA will not release final appropriations from HUD until Spring 2020. The City's final CDBG allocation may be **more** or **less** than the planning estimate. Generally, the final allocation is within 10% of the estimate provided. In FY 2019-2020, Calabasas' CDBG appropriation was \$87,691.

For consideration, the following project is proposed for the 2020-2021 CDBG Program Year:

Residential Rehabilitation - \$98,208

This project offers grants and loans to owner-occupied residential property owners (including mobile homes) for emergency repairs, improvements to substandard properties, corrections to code violations, seismic retrofits, and lead-based paint and asbestos hazard evaluations and remediation. A wide range of exterior and interior repairs are eligible for funding including plumbing, electrical, roofing, heating, ventilation, air conditioning upgrades, handicap accessibility ramps, and energy

efficiency upgrades such as water heaters and windows. To be eligible, owners must qualify as low or moderate income under HUD guidelines. Grants up to a maximum of \$10,000 and deferred 0% loans of up to \$15,000 will be available to eligible homeowners. It is anticipated that approximately one to two loans and six to eight grants will be completed under this program.

There continues to be high demand for the Residential Rehabilitation Program and approximately 20 prospective applicants are on the program waiting list. During FY 2019-2020, ten household projects were completed. For FY 2020-2021, it is anticipated that ten households will be served. To continue to meet the demand, it is recommended that the Residential Rehabilitation Program be offered for the upcoming CDBG Program Year 2020-2021.

FISCAL IMPACT/SOURCE OF FUNDING:

For planning purposes, the City's CDBG estimated annual allocation for the upcoming 2020-2021 Program Year will be approximately \$98,208.

REQUESTED ACTION:

Conduct a public hearing on the proposed projects and budget for the 2020-2021 Community Development Block Grant (CDBG) Program Year. Upon consideration of the public testimony and discussion of relevant issues, adopt Resolution No. 2020-1659 approving the allocation of 2020-2021 CDBG funds.

ATTACHMENT:

Resolution Number 2020-1659

**ITEM 4 ATTACHMENT
RESOLUTION NO. 2020-1659**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CALABASAS, CALIFORNIA, APPROVING PROJECTS FOR
THE 46TH PROGRAM YEAR (2020-2021) COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) FUNDING.**

WHEREAS, on August 22, 1974, the President of the United States signed into law the Housing and Community Development Act of 1974; and

WHEREAS, the primary goals of Title I of the Act are the development of viable urban communities by providing decent housing and a suitable living environment, and expanding economic opportunities, principally for persons of low and moderate income; and

WHEREAS, the City of Calabasas estimates receiving \$98,208 in federal CDBG funds to further the attainment of these goals during Fiscal Year 2020-2021; and

WHEREAS, the City conducted a public hearing on January 22, 2020, to solicit comments and suggestions from the community for the utilization of these funds.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Calabasas hereby resolves as follows:

SECTION 1: That the City of Calabasas desires to fund eligible CDBG projects with 46th Program Year Funds.

SECTION 2: That City staff is hereby directed to submit to Los Angeles County Development Authority, through this document, the City's intent to approve and fund CDBG projects.

SECTION 3: That City staff is hereby directed to prepare and submit documentation required for the approval and implementation of 46th Program Year CDBG projects.

SECTION 4: That City staff is hereby authorized to perform modifications to approved projects as required to conform to CDBG requirements, and to provide for the expedient expenditure of funds.

SECTION 5: That for planning purposes, the City's CDBG estimated annual allocation for the upcoming 2020-2021 Program Year will be approximately \$98,208 and that those funds will be utilized to rehabilitate qualified homes in Calabasas.

SECTION 6: That notice of the public hearing was posted and advertised pursuant to applicable federal, state, and local laws.

SECTION 7: The City Clerk shall certify to the adoption of this resolution and shall cause the same to be processed in the manner required by law, and said copy to be submitted to the County of Los Angeles.

PASSED, APPROVED AND ADOPTED this 22nd day of January 2020.

Alicia Weintraub, Mayor

ATTEST:

Maricela Hernandez, City Clerk
Master Municipal Clerk
California Professional Municipal Clerk

APPROVED AS TO FORM:

Scott H. Howard
Colantuono, Highsmith & Whatley, PC
City Attorney




Approved by City Manager:

CITY of CALABASAS

CITY COUNCIL AGENDA REPORT

DATE: JANUARY 9, 2020

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: MAUREEN TAMURI, AIA, AICP, COMMUNITY DEVELOPMENT DIRECTOR
TOM BARTLETT, AICP, CITY PLANNER 

SUBJECT: INTRODUCTION OF ORDINANCE NO. 2020-381, A PROPOSED AMENDMENT TO TITLE 8 (HEALTH AND SAFETY) OF THE CALABASAS MUNICIPAL CODE TO ESTABLISH A SAFE DISTANCE SITING STANDARD OF 500 FEET FROM THE VENTURA FREEWAY FOR PLAYGROUNDS AND OTHER OUTDOOR ACTIVITY AREAS FOR CHILDREN.

MEETING

DATE: JANUARY 22, 2020

SUMMARY RECOMMENDATION:

That the City Council introduce Ordinance No. 2020-381, amending Title 8 of the Calabasas Municipal Code (CMC), to extend the safe distance siting standard for playgrounds and other outdoor activity areas for children to a minimum distance of 500 feet from the Ventura Freeway. (The current minimum distance standard is 300 feet.) (Attachment A)

BACKGROUND:

At its meeting of September 11, 2019 the City Council adopted Ordinance No. 2019-376 establishing a safe siting distance standard of 300 feet from the outermost lanes of the Ventura Freeway (US Highway 101). During the meeting, however, members of the Council discussed whether or not the safe siting distance should be established at 500 feet in lieu of the 300 feet proposed. The Council directed Staff to obtain a recommendation from the Planning Commission on expanding the safe siting setback distance to 500 feet from the freeway.

Staff agenized the Council request before the Planning Commission on October 17, 2019. At the Commission meeting Staff reviewed the applicable General Plan policies, as well as a recommendation from the South Coast Air Quality Maintenance District that the City establish a greater siting distance of 500 feet for children’s outdoor play areas.

Staff also provided the Commission with an analysis on how many properties would be affected by the expanded setback distance. State law preempts the City from placing the restriction on outdoor areas in private homes used for day care, and the City’s Commercial Old Town (CT) zone does not permit either a recreation or day care use in the district. Furthermore, a substantial number of properties located within 500 feet of Highway 101 are owned and maintained by State agencies, Los Angeles County, the City or utilities. Consequently, only 20 out of the 72 properties located between 300ft and 500ft from the freeway would be affected by the expanded restriction. Staff’s analysis is provided in the attached Planning Commission report of October 17, 2019 (Attachment B).

By a voice vote, the Planning Commission recommended extending the safe siting distance to 500 feet.

FISCAL IMPACT/SOURCE OF FUNDING:

The action is covered in annual budget allocation for the City Clerk and Code Enforcement Divisions.

REQUESTED ACTION:

That the City Council introduce Ordinance No. 2020-381, amending Title 8 of the Calabasas Municipal Code (CMC), to establish a safe distance siting standard of 500 feet from the Ventura Freeway for playgrounds and other outdoor activity areas for children.

ATTACHMENTS:

- A. Ordinance No. 2020-381
- B. Planning Commission report of October 17, 2019

ORDINANCE NO. 2020-381

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, ESTABLISHING A SAFE DISTANCE SITING STANDARD OF 500 FEET FROM THE VENTURA FREEWAY FOR PLAYGROUNDS AND OTHER OUTDOOR ACTIVITY AREAS FOR CHILDREN.

WHEREAS, the City Council of the City of Calabasas has determined that it is a matter of critical concern to protect our children from undue and potentially harmful exposure to excessive noise, air pollution, and other health safety hazards; and,

WHEREAS, the Calabasas 2030 General Plan Conservation Element identifies young children among the segments of the population particularly vulnerable to periodic exposure of poor air quality, and that automobile traffic is the primary source of air pollution in Calabasas; and,

WHEREAS, the Ventura Freeway accommodates more than 180,000 vehicles per day, a traffic volume nearly eight times greater than the volume carried by the next most heavily traveled roadway in the city; and,

WHEREAS, the Ventura Freeway, inclusive of the freeway segment traversing the City of Calabasas, is a designated hazardous materials haul route, which introduces the potential for additional health hazard exposure risks to vulnerable segments of the city's population, including young children; and,

WHEREAS, the South Coast Air Quality Management District recommends locating sensitive receptor land uses, including outdoor play areas for children, at least 500 feet away from heavily traveled freeways;

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

SECTION 1. CODE AMENDMENT. Chapter 8.07 of Title 8 of the Calabasas Municipal Code is hereby amended to read as follows (added text is denoted by underlining; deleted text is denoted as ~~strike-through~~):

CHAPTER 8.07

Safe Siting of Playgrounds and Outdoor Activity Areas for Children

Section 8.07.010: Purpose. The purpose of this chapter is to protect children in the community – especially where they congregate and play outdoors, including on playgrounds and other outdoor activity spaces -- from undue and potentially

hazardous exposure to excessive levels of noise, air pollution and other health hazard exposure risks associated with a major freeway.

Section 8.07.020: Definitions.

- A. Playground or Other Outdoor Activity Space. As used in this chapter, Playground or Other Outdoor Activity Space means any outdoor play space designed and constructed for use and enjoyment by groups of children 12 years of age or under for play and recreation (organized or unorganized), and which may include playground equipment and any combination of soft and hard surfaces.
- B. Freeway. As used in this chapter, Freeway means the Ventura Freeway, which is also known as U.S. Highway 101, for the entire length traversing the City, whether entirely or partially located within the city limits.
- C. Freeway Edge. As used in this chapter, the Freeway Edge means the outside limit of the outermost lane of traffic on the freeway, as delineated by the lane line. Freeway merge lanes, shoulders, walls, slopes and landscape areas fall outside of the freeway edge.

Section 8.07.030: Standards for the Safe Siting of Playgrounds and Outdoor Activity Areas for Children.

Any proposal to develop or locate a playground or outdoor activity area for children shall not develop or locate such facility on any site or in any manner that will result in any portion of the playground or outdoor activity area being closer than five~~three~~ hundred (5~~3~~00) feet from the nearest freeway edge.

Section 8.07.040. Exceptions.

The following types of playgrounds or outdoor activity areas for children shall be excepted from the requirements set out in Section 8.07.030:

- A. A playground or outdoor activity area for children 12 years of age or under which is proposed in association with, and on the same property as, a single-family residence or mobile home, and which is accessory to that residence for customary use by household occupants and their guests;
- B. A playground or outdoor activity area for children 12 years of age or under which is a component of a land use governed by section 17.12.070 or section 17.12.090 of Title 17 in this municipal code.

SECTION 2. SEVERABILITY.

Should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Ordinance shall remain in full force and effect and, to that end, the provisions hereof are declared to be severable.

SECTION 3. CONSTRUCTION.

The City Council intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent. To the extent the provisions of the Calabasas Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as it read prior to the adoption of this Ordinance, those amended provisions shall be construed as continuations of the earlier provisions and not as new enactments.

SECTION 4. CEQA.

The City Council determines the adoption of this Ordinance regulating the location of certain playgrounds and outdoor activity areas is exempt from review under the California Environmental Quality Act ("CEQA") under section 15308 of the California Code of Regulations because the Ordinance is adopted to protect the City's outdoor, built environment from harmful air quality impacts. This Ordinance is further exempt from CEQA under section 15061, subdivision (b)(3), because "it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment."

SECTION 4. EFFECTIVE DATE.

This Ordinance shall take effect thirty days after its adoption pursuant to California Government Code section 36937.

SECTION 5. CERTIFICATION.

The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

PASSED, APPROVED AND ADOPTED this ____ day of February 2020.

Alicia Weintraub, Mayor

ATTEST:

APPROVED AS TO FORM:

Maricela Hernandez, City Clerk
Master Municipal Clerk
California Professional Municipal Clerk

Scott H. Howard
Colantuono, Highsmith & Whatley, PC
City Attorney



CITY of CALABASAS

PLANNING COMMISSION AGENDA REPORT
OCTOBER 17, 2019

TO: Members of the Planning Commission

FROM: Maureen Tamuri AIA, AICP,
 Community Development Director
 Tom Bartlett, AICP, City Planner

SUBJECT: Discussion of 300-foot versus 500-foot minimum setback distance from the freeway for children's outdoor activity areas and playgrounds, and recommendation to the City Council.

RECOMMENDATION: That the Planning Commission discuss this item and provide a recommendation to the City Council for either a 300-ft. or 500-ft. setback distance from the freeway for children's outdoor activity areas and playgrounds.

STAFF RECOMMENDATION:

That the Planning Commission discuss this item and provide a recommendation to the City Council for either a 300-ft. or 500-ft. setback distance from the freeway for children's outdoor activity areas and playgrounds.

REVIEW AUTHORITY:

This item has been agenzized before the Planning Commission at the request of the City Council, who on September 11, 2019 adopted Ordinance No. 2019-376, which established a safe distance siting standards of 300 feet from the Ventura Freeway for playgrounds and other outdoor activity areas for children (reference Exhibits A and B). The ordinance is a revision to Title 8 of the Calabasas Municipal Code, Health and Safety, and therefore did not require review by the Planning Commission prior to Council action.

BACKGROUND:

At their meeting of September 11, 2019, while considering adoption of Ordinance No. 2019-376, the City Council received testimony from Councilmember Maurer, who read a

*Discussion of Safe Siting Distance Standards
for Children's Outdoor Play Areas*

Date: October 17, 2019

recommendation from the AQMD to establish a greater siting distance of 500 feet for children's outdoor play areas. After debate amongst the Councilmembers, the Council adopted the ordinance to establish a 300-foot minimum setback distance from the freeway, but asked the Planning Commission to examine the additional parcels which would be affected if the safe siting distance was revised to 500 ft.

Staff has determined that in addition to the 110 parcels within 300 feet of the freeway, there are an additional 72 parcels which would be affected if the setback was extended to 500 ft. Our zoning review of the additional 72 parcels indicates that only 20 would be directly affected by a decision to extend the safe siting distance to 500 feet. There are no day care centers currently established on those 20 properties. Our breakdown of the data is provided in Exhibit C, which is summarized below:

Eleven parcels in the Commercial Old Town (CT) zone are located between 300 and 500 feet of the freeway; however, child day care center uses are not allowed on properties in the CT zoning district:

Old Town Calabasas - 11 Parcels; 7.60 Total Acres

23556 Calabasas Rd
23528 Calabasas Rd
23538 Calabasas Rd
23622 Calabasas Rd
23642 Calabasas Rd
23586 Calabasas Rd
23564 Calabasas Rd
23548 Calabasas Rd
23540 Calabasas Rd
23508 Calabasas Rd
(One 0.15-acre parcel with no address)

Parcels for which the Public Facility (PF) zoning, Recreation (REC) zoning, or Open Space – Development Restricted (OS-DR) zoning does not allow establishment of a child care day center include the following properties, all of which are owned by a public agency or utility:

Public Facilities – 8 Parcels; 89.56 Total Acres

Lost Hills Sherriff's Station
Pacific Bell (2 parcels)
L. A. Co. Fire
SMMC
So. Cal. Gas Company
L. A. Co. Sanitation (Roadway)
Grape Arbor Park

*Discussion of Safe Siting Distance Standards
for Children's Outdoor Play Areas*

Date: October 17, 2019

Thirty-three residentially zoned (RS) parcels are located between 300 feet and 500 feet of the freeway. These properties collectively total approximately 6.59 acres, and are within the Saratoga and Saratoga Hills communities. **Small Family Day Care Homes** (for care of up to eight children) are permitted uses on these properties, while **Large Family Day Care Homes** (for care of between nine and fourteen children) and **Child Day Care Centers** are conditionally permitted. Allowance for these types of day care facilities on residentially zoned properties is mandated by California law (ref. *Calif. Health and Safety Code*, section 1596.78, *et. Seq.*). Accordingly, notwithstanding the prohibition under Ordinance No. 2019-376, the City must allow any outdoor play or activity areas for children where such facilities are required or specified under the applicable State law(s) and/or the related State licensing standards applicable to the day care use. Similar State preemptions exist pertaining to the housing and/or care of small numbers (usually six or fewer) of developmentally disabled children, and children requiring other pediatric health and respite care.

The remaining twenty parcels, totaling approximately 75.07 acres, are commercially zoned (either Commercial Retail (CR), Commercial Business (CB), Commercial Mixed Use (CMU), or Commercial Limited (CL)). Child day care centers are a permitted use in these commercial zones; thus, increasing from 300 feet to 500 feet the minimum setback distance for children's outdoor playgrounds and activity areas would likely render child care uses infeasible for these properties.

ATTACHMENTS:

- Exhibit A: Staff Report to the City Council for Council meeting on September 11, 2019, inclusive of Ordinance No. 2019-376
- Exhibit B: Staff Report to the City Council for Council meeting on August 28, 2019
- Exhibit C: Parcel List – Properties Located Between 300 Feet and 500 Feet from the Outermost Lanes of the Ventura Freeway



CITY of CALABASAS

CITY COUNCIL AGENDA REPORT

DATE: SEPTEMBER 3, 2019

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: MAUREEN TAMURI AIA, AICP
COMMUNITY DEVELOPMENT DIRECTOR
TOM BARTLETT, AICP
CITY PLANNER

SUBJECT: ADOPTION OF ORDINANCE NO. 2019-376, AN AMENDMENT TO TITLE 8 (HEALTH AND SAFETY) OF THE CALABASAS MUNICIPAL CODE TO ESTABLISH A SAFE DISTANCE SITING STANDARD OF 300 FEET FROM THE VENTURA FREEWAY FOR PLAYGROUNDS AND OTHER OUTDOOR ACTIVITY AREAS FOR CHILDREN

MEETING

DATE: SEPTEMBER 11, 2019

SUMMARY RECOMMENDATION:

That the City Council adopt Ordinance No. 2019-376, amending Title 8 of the Calabasas Municipal Code (CMC), to establish a safe distance siting standard of 300 feet from the Ventura Freeway for playgrounds and other outdoor activity areas for children.

BACKGROUND:

Following a staff report, and based upon findings of consistency with the City of Calabasas 2030 General Plan, on August 28, 2019 the City Council introduced Ordinance No. 2019-376 to establish a minimum safe distance siting standard of 300 feet from the Ventura Freeway for playgrounds and other outdoor activity areas for children. The 300-foot siting standard will protect children from excessive exposure to freeway-related emissions and noise pollution.

FISCAL IMPACT/SOURCE OF FUNDING:

Staff efforts to implement this ordinance will be covered as part of standard Planning and Building and Safety services.

REQUESTED ACTION:

That the City Council adopt Ordinance No. 2019-376, amending Title 8 of the Calabasas Municipal Code (CMC), to establish a safe distance siting standard of 300 feet from the Ventura Freeway for playgrounds and other outdoor activity areas for children.

ATTACHMENTS:

- A. Ordinance No. 2019-376
- B. Figure 2-1 from *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning*, by the South Coast AQMD (2005).

**Guidance Document for Addressing Air Quality
Issues in General Plans and Local Planning***

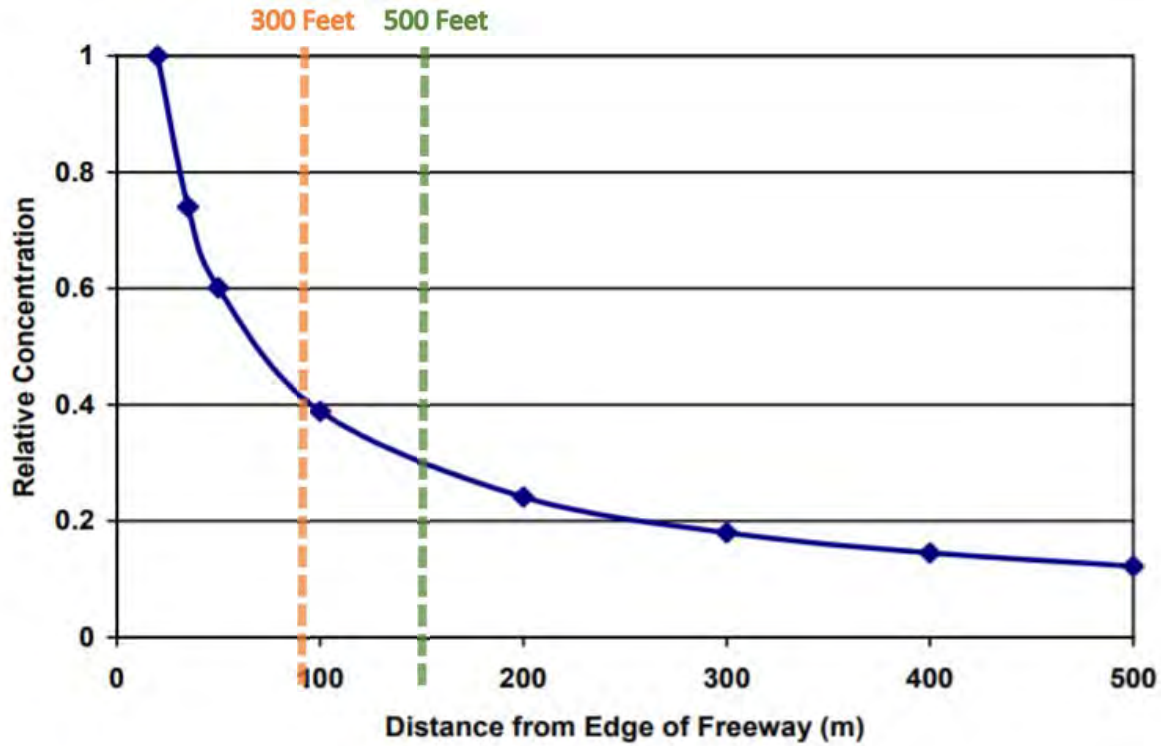


Figure 2-1

**Relative Concentration of Diesel Particulate Matter
in Relation to the Distance from The Edge of a Freeway**

- Produced by the Southern Coast Air Quality Management District, and adapted from the California Air Resources Board's Diesel Risk Reduction Plan. (2005)



CITY of CALABASAS

CITY COUNCIL AGENDA REPORT

DATE: AUGUST 13, 2019

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: MAUREEN TAMURI AIA, AICP
COMMUNITY DEVELOPMENT DIRECTOR
TOM BARTLETT, AICP
CITY PLANNER



SUBJECT: INTRODUCTION OF ORDINANCE NO. 2019-376, A PROPOSED AMENDMENT TO TITLE 8 (HEALTH AND SAFETY) OF THE CALABASAS MUNICIPAL CODE TO ESTABLISH A SAFE DISTANCE SITING STANDARD OF 300 FEET FROM THE VENTURA FREEWAY FOR PLAYGROUNDS AND OTHER OUTDOOR ACTIVITY AREAS FOR CHILDREN.

MEETING

DATE: AUGUST 28, 2019

SUMMARY RECOMMENDATION:

That the City Council introduce Ordinance No. 2019-376, amending Title 8 of the Calabasas Municipal Code (CMC), to establish a safe distance siting standard of 300 feet from the Ventura Freeway for playgrounds and other outdoor activity areas for children.

BACKGROUND:

The City's 2030 General Plan contains a Safety Element, a Noise Element, and a Conservation Element, all of which contribute meaningful information and policy guidance regarding exposure of children to the potential hazards of chemical spills, excessive noise, and air pollution. Each has a specific purpose:

- The Safety Element directs the City to identify and limit physical hazards to property, and to the health and safety of the community;

- The Noise Element seeks to limit the exposure of the community to excessive noise levels; and
- The Conservation Element includes policies to improve local air quality while also protecting sensitive receptors (including children) from unacceptable concentrations of air pollutants.

While Title 8 of the Municipal Code (HEALTH AND SAFETY) provides standards addressing a number of health and safety concerns discussed in the General Plan, concerns about undue exposure of local children to the potential health hazards posed by truck transport of hazardous chemicals, excessive freeway noise, and concentrated air pollution remain unaddressed.

The Council has a history of protecting resident health, most notably through the adoption of the Second Hand Smoke Control Ordinance in 2006. This proposed ordinance is similar in that it would protect the community's youth from fugitive emissions and noise pollution by restricting playgrounds and outdoor youth activity areas to locations 300 feet or farther from the Ventura Freeway. Effectively, the ordinance would not permit preschools or day care facilities which require outdoor activity areas to be located on properties adjacent to the freeway.

DISCUSSION/ANALYSIS:

Upon incorporation in 1991, the City adopted the Los Angeles County Health Codes Title 11 (HEALTH AND SAFETY) and Title 12 (ENVIRONMENTAL PROTECTION), and has amended them periodically since then. While the County Health code addresses and regulates a number of vital health and pollution issues (food quality, vector control, underground storage tanks, toxic materials, etc.), it does not specifically address the danger of youth exposure to freeway pollutants, namely fugitive dust, toxic substances (transported via truck on the Ventura Freeway), and excessive noise.

The Southern California Air Quality Management District (AQMD) has conducted voluminous research regarding the detrimental effects of youth exposure to freeway pollutants. Chapter Nine of the AQMD's 2012 Air Quality Management Plan (Near Roadway Exposure and Ultrafine Particles) states:

Children are among the most susceptible segment of the population affected by exposure to traffic related pollutants. Their immune, neurological, and respiratory systems are still under development, they typically spend a substantial amount of time playing outdoors, and they have higher breathing rates per body mass. Neighborhood exposure to traffic-related air pollution has been linked to increased medical visits and hospital admissions for

childhood asthma, increased wheezing and bronchitis, and the development of new asthma cases (McConnell et al., 2006; 2010; Chang et al., 2010).

In 2005 the District sent an advisory to all school districts under its jurisdiction to bring attention to findings regarding the potential for adverse health effects resulting from exposures to traffic emissions, and to encourage school districts to consider exposure to vehicle emissions when selecting and evaluating sites for new facilities such as schools, playgrounds, and residences.

Regarding noise pollution, Figure VIII-2 of the Noise Element identifies existing noise contours and documents freeway-adjacent locations as having the highest noise levels. Accordingly, Figure VIII-3 of the Noise Element (Land Use Compatibility for Community Noise Environments) deters placement of playgrounds, neighborhood parks, and schools in areas with exposure to high noise levels.

For the abovementioned reasons, staff is recommending that the City's Health and Safety Code be amended to limit youth exposure to freeway-related emissions and noise pollution in the most critical area identified in Figure VIII-2 of the Noise Element, a 300-foot zone immediately adjacent to either side of the 101 Freeway.

FISCAL IMPACT/SOURCE OF FUNDING:

Staff efforts to implement this ordinance will be covered as part of standard Planning and Building and Safety services.

REQUESTED ACTION:

That the City Council introduce Ordinance No. 2019-376, amending Title 8 of the Calabasas Municipal Code (CMC), to establish a safe distance siting standard of 300 feet from the Ventura Freeway for playgrounds and other outdoor activity areas for children.

ATTACHMENTS:

- 1) Ordinance No. 2019-376
- 2) Figure VIII-2
- 3) Figure VIII-3

**ITEM 4 ATTACHMENT 1
ORDINANCE NO. 2019-376**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CALABASAS, CALIFORNIA, ESTABLISHING A SAFE
DISTANCE SITING STANDARD OF 300 FEET FROM THE
VENTURA FREEWAY FOR PLAYGROUNDS AND OTHER
OUTDOOR ACTIVITY AREAS FOR CHILDREN**

WHEREAS, the City Council of the City of Calabasas has determined that it is a matter of critical concern to protect our children from undue and potentially harmful exposure to excessive noise, air pollution, and other health safety hazards; and,

WHEREAS, the purpose of the Calabasas 2030 General Plan Noise Element is “to limit the exposure of the community to excessive noise levels,” and that traffic along the Ventura Freeway corridor is described within the General Plan Noise Element as being “by far the greatest source of noise affecting Calabasas residents”, and further documents that noise levels within 300 feet of the Ventura Freeway reach or exceed 75 decibels (CNEL) on average (ref. General Plan Figure VIII-2); and,

WHEREAS, community noise exposure policies, as presented in Figure IIIV-3 and Policy No. VIII-1 within the Calabasas 2030 General Plan Noise Element, stipulate that it is “clearly unacceptable” to locate or develop playgrounds within areas subjected to noise levels of 75 decibels and higher and that the City shall not approve any project which falls into the “Clearly Unacceptable” noise exposure category; and,

WHEREAS, the Calabasas 2030 General Plan Noise Element states in Policy VIII-3 that the City shall locate and design noise-sensitive land uses in such a manner that noise objectives will be maintained, and per Noise Element Policy VIII-9, that the City shall proactively address noise along the Ventura Freeway; and,

WHEREAS, the Calabasas 2030 General Plan Conservation Element identifies young children among the segments of the population particularly vulnerable to periodic exposure of poor air quality, and that automobile traffic is the primary source of air pollution in Calabasas; and,

WHEREAS, the Ventura Freeway accommodates more than 180,000 vehicles per day, a traffic volume nearly eight times greater than the volume carried by the next most heavily traveled roadway in the city; and,

WHEREAS, the Ventura Freeway, inclusive of the freeway segment traversing the City of Calabasas, is a designated hazardous materials haul route, which introduces the potential for additional health hazard exposure risks to vulnerable segments of the city’s population, including young children;

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

SECTION 1. CODE AMENDMENT. The following is hereby added to Title 8 of the Calabasas Municipal Code as a new chapter:

CHAPTER 8.07

Safe Siting of Playgrounds and Outdoor Activity Areas for Children

Section 8.07.010: Purpose. The purpose of this chapter is to protect children in the community – especially where they congregate and play outdoors, including on playgrounds and other outdoor activity spaces -- from undue and potentially hazardous exposure to excessive levels of noise, air pollution and other health hazard exposure risks associated with a major freeway.

Section 8.07.020: Definitions.

- A. Playground or Other Outdoor Activity Space. As used in this chapter, Playground or Other Outdoor Activity Space means any outdoor play space designed and constructed for use and enjoyment by groups of children 12 years of age or under for play and recreation (organized or unorganized), and which may include playground equipment and any combination of soft and hard surfaces.
- B. Freeway. As used in this chapter, Freeway means the Ventura Freeway, which is also known as U.S. Highway 101, for the entire length traversing the City, whether entirely or partially located within the city limits.
- C. Freeway Edge. As used in this chapter, the Freeway Edge means the outside limit of the outermost lane of traffic on the freeway, as delineated by the lane line. Freeway merge lanes, shoulders, walls, slopes and landscape areas fall outside of the freeway edge.

Section 8.07.030: Standards for the Safe Siting of Playgrounds and Outdoor Activity Areas for Children.

Any proposal to develop or locate a playground or outdoor activity area for children shall not develop or locate such facility on any site or in any manner that will result

in any portion of the playground or outdoor activity area being closer than three hundred (300) feet from the nearest freeway edge.

Section 8.07.040. Exceptions.

The following types of playgrounds or outdoor activity areas for children shall be excepted from the requirements set out in Section 8.07.030:

- A. A playground or outdoor activity area for children 12 years of age or under which is proposed in association with, and on the same property as, a single-family residence or mobile home, and which is accessory to that residence for customary use by household occupants and their guests;
- B. A playground or outdoor activity area for children 12 years of age or under which is a component of a land use governed by section 17.12.070 or section 17.12.090 of Title 17 in this municipal code.

SECTION 2. SEVERABILITY.

Should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Ordinance shall remain in full force and effect and, to that end, the provisions hereof are declared to be severable.

SECTION 3. CONSTRUCTION.

The City Council intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent. To the extent the provisions of the Calabasas Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as it read prior to the adoption of this Ordinance, those amended provisions shall be construed as continuations of the earlier provisions and not as new enactments.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall take effect thirty days after its adoption pursuant to California Government Code section 36937.

SECTION 5. CERTIFICATION.

The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2019.

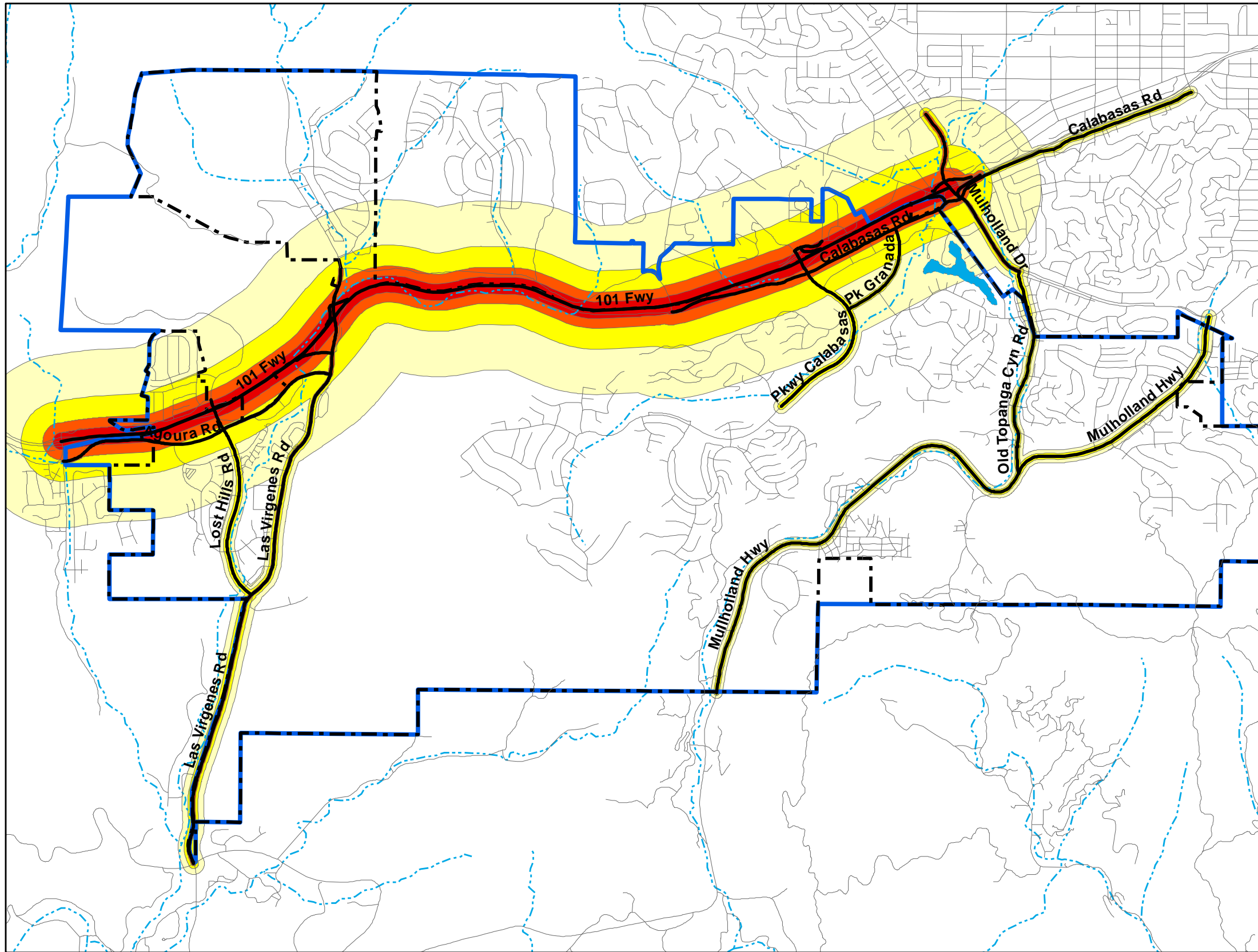
David Shapiro, Mayor

ATTEST:

Maricela Hernandez, City Clerk
Master Municipal Clerk
California Professional Municipal Clerk

APPROVED AS TO FORM:

Scott H. Howard
Colantuono, Highsmith & Whatley, PC
City Attorney



- LEGEND**
- Major Roads
 - - - Calabasas City Boundary
 - ▭ Plan Area Boundary
 - Existing 75 dBA Contour
 - Existing 70 dBA Contour
 - Existing 65 dBA Contour
 - Existing 60 dBA Contour

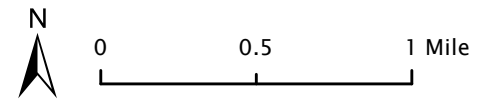


Figure VIII-2
Existing Noise Contours

Source: City of Calabasas, 2007, and Rincon Consultants, 2007. CNEL contour values (above 5000 ADT) based on traffic volumes from Associated Traffic Engineers, September, 2007. Updated March 2014.



LAND USE CATEGORY	COMMUNITY NOISE EXPOSURE							
	Ldn or CNEL, dBA							
	55	60	65	70	75	80	85	
RESIDENTIAL - LOW DENSITY SINGLE FAMILY, DUPLEX, MOBILE HOMES	[Blue bar from 55 to 60]		[Yellow bar from 60 to 70]			[Orange bar from 70 to 75]		[Red bar from 75 to 85]
RESIDENTIAL - MULTI-FAMILY	[Blue bar from 55 to 65]			[Yellow bar from 65 to 70]		[Orange bar from 70 to 75]		[Red bar from 75 to 85]
TRANSIENT LODGING - MOTELS, HOTELS	[Blue bar from 55 to 65]			[Yellow bar from 65 to 70]		[Orange bar from 70 to 80]		[Red bar from 80 to 85]
SCHOOLS, LIBRARIES, CHURCHES, HOSPITALS, NURSING HOMES	[Blue bar from 55 to 65]			[Yellow bar from 65 to 70]		[Orange bar from 70 to 80]		[Red bar from 80 to 85]
AUDITORIUMS, CONCERT HALLS, AMPHITHEATRES	[Yellow bar from 55 to 70]			[Orange bar from 70 to 85]				
SPORTS ARENA, OUTDOOR SPECTATOR SPORTS	[Yellow bar from 55 to 75]			[Orange bar from 75 to 85]				
PLAYGROUNDS, NEIGHBORHOOD PARKS	[Blue bar from 55 to 70]				[Orange bar from 70 to 75]		[Red bar from 75 to 85]	
GOLF COURSES, RIDING STABLES, WATER RECREATION, CEMETERIES	[Blue bar from 55 to 75]				[Orange bar from 75 to 80]		[Red bar from 80 to 85]	
OFFICE BUILDINGS, BUSINESS COMMERCIAL AND PROFESSIONAL	[Blue bar from 55 to 70]				[Yellow bar from 70 to 75]		[Orange bar from 75 to 85]	
INDUSTRIAL, MANUFACTURING, UTILITIES, AGRICULTURE	[Blue bar from 55 to 75]				[Yellow bar from 75 to 80]		[Orange bar from 80 to 85]	

NORMALLY ACCEPTABLE
Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.

NORMALLY UNACCEPTABLE
New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.

CONDITIONALLY ACCEPTABLE
New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.

CLEARLY UNACCEPTABLE
New construction or development should generally not be undertaken.

Source: Guidelines for the Preparation and Content of Noise Elements of the General Plan, California Office of Planning and Research, 1998.

Figure VIII-3
Land Use Compatibility for Community Noise Environments



Parcel List – Properties Located Between 300 Feet and 500 Feet from the Outermost Lanes of the Ventura Freeway										
APN	ADDRESS	BUILDING SQ. FT.	ACREAGE	YEAR BUILT	LANDUSE CATEGORY (ZONING)	OWNER NAME	Acreage Calcs			
							CT Zoned	RS Zoned	Public	Comm
2069-009-009	24860 CALABASAS RD	2480	2.44	1953	COMMERCIAL CL	NATURE VIEW LLC				
2069-009-008	24460 CALABASAS RD		10.37		COMMERCIAL CL	SLEVIN CAPITAL DEVELOPMENT INC	0.15	0.20	2.24	2.44
2052-043-020		23000	1.03		COMMERCIAL CMU	DTS INC	0.33	0.18	0.07	10.37
2064-020-007	26540 AGOURA RD	30444	1.30	1978	COMMERCIAL CMU	LA CIENEGA JEFFERSON LLC	0.70	0.17	0.22	1.03
2064-020-023	26520 AGOURA RD	14414	1.47	1986	COMMERCIAL CMU	CT CALABASAS LLC	1.50	0.18	0.53	1.30
2068-003-020	4799 COMMONS WAY	16111	1.65	1998	COMMERCIAL CMU	COMMONS AT CALABASAS LLC	2.06	0.27	0.68	1.47
2068-003-021	4719 COMMONS WAY	106712	11.55	1998	COMMERCIAL CMU	COMMONS AT CALABASAS LLC	0.93	0.19	74.37	1.65
2068-003-022	4710 COMMONS WAY	78707	9.23	1998	COMMERCIAL CMU	COMMONS AT CALABASAS LLC	0.26	0.18	3.06	11.55
2068-003-023	4776 COMMONS WAY	11779	1.07	1998	COMMERCIAL CMU	COMMONS AT CALABASAS LLC	0.21	0.17	8.39	9.23
2068-003-024	4798 COMMONS WAY	7298	1.37	1999	COMMERCIAL CMU	COMMONS AT CALABASAS LLC	0.17	0.19	89.56	1.07
2064-020-022	26570 AGOURA RD	198668	17.96	1985	COMMERCIAL CMU	CT CALABASAS LLC	1.15	0.19	8 parcels	1.37
2068-003-028			0.10		COMMERCIAL CMU	THE COMMONS AT CALABASAS LLC	0.14	0.20		17.96
2064-001-022	4919 LAS VIRGENES RD	2232	0.55	1971	COMMERCIAL CR	JOLUKAS INC	7.60	0.16		0.10
2064-002-046	4785 LAS VIRGENES RD	5008	1.12	1989	COMMERCIAL CR	MCDONALDS CORP	11 parcels	0.16		0.55
2064-002-048	4807 LAS VIRGENES RD	3150	0.56	2000	COMMERCIAL CR	G AND W VENTURES INC		0.29		1.12
2064-002-052	4831 LAS VIRGENES RD	5644	0.51	2005	COMMERCIAL CR	G AND W VENTURES INC		0.28		0.56
2064-021-017	26787 AGOURA RD		0.34		COMMERCIAL CR	DOLLINGER LOST HILLS ASSOCIATES		0.31		0.51
2069-009-012	24486 CALABASAS RD	96344	11.17	2003	COMMERCIAL CR	SMITH ROBERT A INC		0.23		0.34
2069-031-016			0.75		COMMERCIAL CR	RONDELL OASIS LLC		0.22		11.17
2069-031-018			0.52		COMMERCIAL CR	RONDELL OASIS LLC		0.22		0.75
2068-004-060			0.15		COMMERCIAL CT	CALABASAS SORRENTO SQUARE LLC		0.22		0.52
2068-004-004	23556 CALABASAS RD	3086	0.33	1986	COMMERCIAL CT	LEONIS, ADOBE ASSN		0.22		75.07
2068-004-008	23528 CALABASAS RD	7644	0.70	1919	COMMERCIAL CT	OLD TOWN CALABASAS CENTER I LLC		0.21		20 parcels
2068-004-058	23622 CALABASAS RD	84488	1.50	1985	COMMERCIAL CT	CALABASAS SORRENTO SQUARE LLC		0.18		
2068-004-059	23642 CALABASAS RD	36482	2.06	1981	COMMERCIAL CT	CALABASAS SORRENTO SQUARE LLC		0.16		
2068-004-062	23586 CALABASAS RD	35374	0.93	1985	COMMERCIAL CT	CALABASAS CENTER GROUP		0.19		
2068-004-063	23564 CALABASAS RD	9012	0.26	1986	COMMERCIAL CT	LEONIS ADOBE ASSOCIATION		0.16		
2068-004-064	23548 CALABASAS RD	8090	0.21	1986	COMMERCIAL CT	LEONIS ADOBE ASSOCIATION		0.16		
2068-004-065	23540 CALABASAS RD	2262	0.17	1919	COMMERCIAL CT	HAN, YOUNG H		0.16		

2068-004-066	23508 CALABASAS RD	9068	1.15	1980	COMMERCIAL CT	OLD TOWN CALABASAS CENTER II LLC	0.16	
2068-004-061	23538 CALABASAS RD	2372	0.14	1919	COMMERCIAL CT	SOUTHERN CALIFORNIA EDISON COMPANY	0.16	
2052-012-902			2.24		PUBLIC	L A COUNTY	0.17	
2068-003-802	23710 CALABASAS RD	750	0.07		PUBLIC	SOUTHERN CALIFORNIA GAS CO	0.21	
2064-001-800		3867	0.22		PUBLIC	BELL, PACIFIC	0.24	
2064-001-804	4849 LAS VIRGENES RD	13162	0.53	2003	PUBLIC	PACIFIC BELL SBE 279 (19-173) PAR 1	6.59	
2052-011-902	5215 LAS VIRGENES RD		0.68		PUBLIC	L A COUNTY CONSOLIDATED FIRE	33 parcels	
2069-078-902			74.37		PUBLIC	STATE OF CALIF MTNS RECREATION		
2052-012-901	5100 PARKVILLE RD		3.06		PUBLIC (PARK)	CITY OF CALABASAS		
2064-004-904	27050 AGOURA RD		8.39		PUBLIC	L. A. COUNTY SHERRIFF		
2052-028-001	26914 HELMOND DR	1953	0.20	1965	RESIDENTIAL	HELMSTETLER, DOUGLAS G		
2052-028-018	5042 LUDGATE DR	1953	0.18	1965	RESIDENTIAL	NARVAEZ, RICHARD		
2052-028-019	5034 LUDGATE DR	2375	0.17	1965	RESIDENTIAL	LEE, ANDY W		
2052-028-020	5026 LUDGATE DR	2072	0.18	1965	RESIDENTIAL	SCOTT GILBERT AND CHERYL TRS		
2052-028-024	26901 CALAMINE DR	2021	0.27	1978	RESIDENTIAL	BARTNICKI, DEBRA L		
2052-028-038	5037 AMBRIDGE DR	2618	0.19	1979	RESIDENTIAL	SCOTCH OF GRACE LLC		
2052-028-039	5027 AMBRIDGE DR	2322	0.18	1979	RESIDENTIAL	BEHSHID, AMIR		
2052-028-040	5021 AMBRIDGE DR	2600	0.17	1979	RESIDENTIAL	SROLE, WARREN RUSSELL		
2052-032-003	5019 LUDGATE DR	1334	0.19	1965	RESIDENTIAL	DEMENT, JESSICA M		
2052-032-004	5025 LUDGATE DR	2193	0.19	1965	RESIDENTIAL	LEWIS, M DAVID		
2052-032-005	5027 LUDGATE DR	2793	0.20	1965	RESIDENTIAL	HUGHES RICHARD AND MARIA TRS		
2052-032-019	5020 DANTES VIEW DR	2793	0.16	1965	RESIDENTIAL	CRAMER, CARSTEN		
2052-032-020	5014 DANTES VIEW DR	1600	0.16	1965	RESIDENTIAL	GRIMES, DANIEL		
2052-032-024	5007 DANTES VIEW DR	1953	0.29	1965	RESIDENTIAL	BOYD, CHARLES ALTON		
2052-032-025	5015 DANTES VIEW DR	2303	0.28	1965	RESIDENTIAL	KOCHAK, STEPHEN		
2052-038-012	26901 GARRET DR	2600	0.31	1979	RESIDENTIAL	WEINTRAUB, MICHAEL P		
2052-038-013	26905 GARRET DR	2322	0.23	1979	RESIDENTIAL	CRUCILLO, EFREN M		
2052-038-014	26911 GARRET DR	2021	0.22	1979	RESIDENTIAL	HOLLERO, ROSEMARY H		
2052-038-015	26915 GARRET DR	2618	0.22	1979	RESIDENTIAL	BALLEW, SCOTT E		
2052-038-016	26923 GARRET DR	2471	0.22	1979	RESIDENTIAL	EKBOTE, SANJIV		
2052-038-017	26929 GARRET DR	2322	0.22	1979	RESIDENTIAL	STRASSNER, MARC		
2052-038-018	26935 GARRET DR	2217	0.21	1979	RESIDENTIAL	DANCHICK, LISA		
2052-038-019	26945 GARRET DR	2021	0.18	1979	RESIDENTIAL	WRIGHT, LEONARD A		
2052-038-020	5038 AMBRIDGE DR	2322	0.16	1979	RESIDENTIAL	WAGMAN, SOFIA		

2052-038-021	26962 CALAMINE DR	2618	0.19	1979	RESIDENTIAL	SOPHER, BRENDA J				
2052-038-022	26956 CALAMINE DR	2255	0.16	1979	RESIDENTIAL	BODZIO, LISA				
2052-038-023	26950 CALAMINE DR	2600	0.16	1979	RESIDENTIAL	AMODEO, AMBER				
2052-038-024	26940 CALAMINE DR	2322	0.16	1979	RESIDENTIAL	GREEN, KATHERINE MARIE				
2052-038-025	26934 CALAMINE DR	2217	0.16	1979	RESIDENTIAL	TAYLOR, JUNIOUS				
2052-038-026	26926 CALAMINE DR	2471	0.16	1979	RESIDENTIAL	ORTEGA, DONA COHAN				
2052-038-027	26920 CALAMINE DR	2600	0.17	1979	RESIDENTIAL	COHEN, ZAHY ITZHAK				
2052-038-028	26912 CALAMINE DR	2255	0.21	1979	RESIDENTIAL	BROWN, GRADY				
2052-038-029	26902 CALAMINE DR	2322	0.24	1979	RESIDENTIAL	SHEPHERD, MICHAEL				

PLANNING COMMISSION DISCUSSION

300-Foot Setback Distance Versus 500-Foot Setback Distance for Playgrounds and Other Outdoor Activity Areas for Children







Lon: -118.69681











CITY of CALABASAS
CITY COUNCIL AGENDA REPORT

DATE: JANUARY 13, 2020

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: MAUREEN TAMURI, COMMUNITY DEVELOPMENT DIRECTOR, AICP
MICHAEL KLEIN, SENIOR PLANNER, AICP *MAK*



SUBJECT: CONSIDERATION OF RESOLUTION NO. 2020-1660 TO EXTEND THE TIME LIMIT OF THE ENTITLEMENTS ASSOCIATED WITH FILE NO 150000964 FOR DEVELOPMENT OF A 42-UNIT (AGE RESTRICTED) MIXED USE PROJECT LOCATED AT 23480 PARK SORRENTO (APN: 2068-005-012 AND 2068-005-011) WITHIN THE COMMERCIAL MIXED-USE (CMU) ZONING DISTRICT; SAID RESOLUTION WILL AMEND CITY COUNCIL RESOLUTION NO. 2018-1576 FOR THE PROJECT, AND EXTEND THE TIME LIMIT FOR AN ADDITIONAL TWO YEARS.

MEETING DATE: JANUARY 22, 2020

SUMMARY RECOMMENDATION:

That the City Council adopt Resolution No. 2020-1660 (Attachment A) to amend condition number seven (7) of City Council Resolution No. 2018-1576 (Attachment B) to extend the time limit of the approved entitlements for an additional two years.

BACKGROUND:

On February 14, 2018, the City Council adopted Resolution No. 2018-1576, approving File No. 150000964 to demolish an existing office complex and re-develop the site with a mixed-use project inclusive of 42 multi-family residential

units (age restricted) and 1,591 square feet of commercial space, for a property located at 23480 Park Sorrento. On February 28, 2018, the City Council adopted Ordinance No. 2018-360, approving the zone change of the subject site from Commercial Office to Mixed Use (O.95). In accordance with the conditions of approval, the entitlements were valid until March 30, 2019.

On April 3, 2019, the Community Development Director approved a one-year time extension per Section 17.64.050(B) of the CMC. As a result, the existing entitlements will expire on March 30, 2020 unless the applicant or property owner obtains a permit and begins construction. Building permits have not been issued at this time, and construction of the approved project has not commenced.

DISCUSSION/ANALYSIS:

- A. Entitlement Expiration:** In accordance with condition number seven (7) of City Council Resolution No. 2018-1576, the project entitlements (Site Plan Review Permit and Conditional Use Permit) are “valid for one year from the effective date of the zone change necessary to approve the project. The permit may be extended in accordance with Title 17 Land Use and Development Code, Article VI – Land Use and Development Permits.” As stated above, the time limit was extended by one additional year in accordance with Section 17.64.050(B) of the CMC, to March 30, 2020.

On November 2, 2019, the applicant, Ken Stockton, submitted an application to amend condition number seven (7) of City Council Resolution No. 2018-1576 to extend the entitlements for an additional two years from the current expiration of March 30, 2020. Section 17.64.050(A) of the CMC establishes that entitlements are valid for one year unless the review authority approves conditions with a different time limit. Therefore, the City Council has the authority to amend condition number 7 of Resolution No. 2018-1576 to extend the time limit for the approved entitlements.

- B. Extension Request:** The applicant is requesting a two-year time extension in order to implement the conditions of approval for File No. 150000964 and secure financing for construction on the approved project. The applicant states that the construction costs throughout Southern California have increased substantially due to the high volume of construction to replace damage caused by unforeseen wild fires. The increase in construction costs have created unexpected financial hardships and delay in development of the project. As a result, the applicant is requesting that the City Council extend the time limit for the project until March 30, 2022.

ENVIRONMENTAL REVIEW:

An Initial Study/ Mitigated Negative Declaration (IS/MND) was prepared for the project. In preparing and reviewing the IS/MND, staff exercised independent judgment over the project and the project's environmental impacts. The Final IS/MND was adopted by City Council via Resolution No. 2018-1576. The proposed amendment is limited to extension of a time deadline only and does not alter the project scope, and is therefore in substantial conformance with the project analyzed in the adopted IS/MND. No additional environmental review is necessary.

REQUESTED ACTION:

That the City Council adopt Resolution No. 2020-1660 to amend condition number seven (7) of City Council Resolution No. 2018-1576 to extend the time limit of the approved entitlements for an additional two years.

ATTACHMENTS:

Attachment A: Council Resolution No. 2020-1660

Attachment B: Council Resolution No. 2018-1576

Attachment C: Applicant's Request

RESOLUTION NO. 2020-1660

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, APPROVING AN AMENDMENT TO THE CONDITIONS OF APPROVAL FOR FILE NO. 150000964, TO EXTEND THE TIME LIMIT ESTABLISHED IN RESOLUTION NO. 2018-1576 FOR DEVELOPMENT OF A MIXED-USE PROJECT LOCATED AT 23480 PARK SORRENTO.

Section 1. The City Council of the City of Calabasas has considered all of the evidence submitted into the administrative record which includes, but is not limited to:

1. Agenda reports prepared by the Community Development Department.
2. Staff presentation at the public hearing held on January 22, 2020, before the City Council;
3. The City of Calabasas Land Use and Development Code, General Plan, and all other applicable regulations and codes.
4. Public comments, both written and oral, received and/or submitted at or prior to the public hearing, supporting and/or opposing the applicant's request;
5. Testimony and/or comments from the applicant and its representatives submitted to the City in both written and oral form at or prior to the public hearings; and
6. All related documents received and/or submitted at or prior to the City Council meeting.

Section 2. Based on the foregoing evidence, the City Council finds that:

1. On February 14, 2018, the City Council adopted Resolution No. 2018-1576, approving File No. 150000964, and which included as a condition of approval a deadline for obtaining grading and/or building permits.
2. On April 3, 2019, the Community Development Director approved a one-year time extension for File No. 150000964, in accordance with Section 17.64.050(B) of the CMC, and establishing a new deadline of March 30, 2020.

3. On November 1, 2019, the applicant submitted a request to amend the conditions of approval for File No. 150000964 to extend the time limit for an additional two years, with a new expiration date of March 30, 2022.
4. Notice of the January 22, 2020, City Council public hearing as posted at Juan de Anza Bautista Park, the Calabasas Tennis and Swim Center, Gelson's market, Agoura/Calabasas Community Center and at Calabasas City Hall.
5. Notice of the City Council public hearing included in the notice requirements set forth in Government Code Section 65009(b)(2).
6. The subject property is zoned Commercial, Mixed-Use (CMU).
7. The land use designation for the subject property under the City's adopted General Plan is Mixed Use 0.95.
8. Properties surrounding the site are zoned Commercial, Mixed Use (CMU).

Section 3. In view of all of the evidence and based on the foregoing findings, the City Council concludes as follows:

FINDINGS

Section 17.62.060 of the Calabasas Municipal Code (CMC) allows the City Council to approve an amendment to a **Conditional Use Permit** provided that the following findings are made:

1. *The proposed use is conditionally permitted within the subject zoning district and complies with all of the applicable provisions of this development code;*

Section 4 of Resolution 2018-1576 documents how the proposed development meets the findings necessary to approve a mixed-use project on the subject site. The proposed amendment only extends the time limit of the approved entitlements and does not alter the scope of the project. Therefore, the proposed modification of the conditions of approval meets this finding.

2. *The proposed use is consistent with the General Plan and any applicable specific plan or master plan;*

The General Plan designation for the subject property is Mixed Use 0.95. The proposed modifications of the conditions of approval in Resolution No. 2018-1576 will not change the land use of the property and is consistent

with the City of Calabasas General Plan. Therefore, the project meets this finding.

3. *The approval of the conditional use permit for the proposed use is in compliance with the California Environmental Quality Act (CEQA);*

An Initial Study/ Mitigated Negative Declaration (IS/MND) was prepared for the project. In preparing and reviewing the IS/MND, staff exercised independent judgment over the project and the project's environmental impacts. The Final IS/MND was adopted by City Council via Resolution No. 2018-1576. The proposed amendment is limited to extension of a time deadline only and does not alter the project scope, and is therefore in substantial conformance with the project analyzed in the adopted IS/MND. No additional environmental review is necessary. Given these circumstances, the proposed project meets this finding.

4. *The location and operating characteristics of the proposed use are compatible with the existing and anticipated future land uses in the vicinity.*

Section 4 of Resolution 2018-1576 documents how the proposed development meets the findings necessary to approve a mixed-use project on the subject site. The proposed amendment only extends the time limit of approved entitlements and does not alter the scope of the project. Therefore, the proposed modification of the conditions of approval meets this finding.

Section 17.62.020 of the Calabasas Municipal Code (CMC) allows the City Council to approve an amendment to a **Site Plan Review Permit** provided that the following findings are made:

1. *The proposed project complies with all applicable provisions of this development code;*

Section 4 of Resolution 2018-1576 documents how the proposed development meets the findings necessary to approve a mixed-use project on the subject site. The proposed amendment only extends the time limit of approved entitlements and does not alter the scope of the project. Therefore, the proposed modification of the conditions of approval meets this finding.

2. *The proposed project is consistent with the general plan, any applicable specific plan, and any special design theme adopted by the city for the site and vicinity;*

The General Plan designation for the subject property is Mixed Use 0.95. The proposed modifications of the conditions of approval in Resolution No. 2018-1576 will not change the land use of the property and is consistent with the City of Calabasas General Plan. Therefore, the project meets this finding.

3. *The approval of the site plan review is in compliance with the California Environmental Quality Act (CEQA);*

An Initial Study/ Mitigated Negative Declaration (IS/MND) was prepared for the project. In preparing and reviewing the IS/MND, staff exercised independent judgment over the project and the project's environmental impacts. The Final IS/MND was adopted by City Council via Resolution No. 2018-1576. The proposed amendment is limited to extension of a time deadline only and does not alter the project scope, and is therefore in substantial conformance with the project analyzed in the adopted IS/MND. No additional environmental review is necessary. Given these circumstances, the proposed project meets this finding.

4. *The proposed structures, signs, site development, grading and/or landscaping are compatible in design, appearance and scale, with existing uses, development, signs, structures and landscaping for the surrounding area;*

Section 4 of Resolution 2018-1576 documents how the proposed development meets the findings necessary to approve a mixed-use project on the subject site. The proposed amendment only extends the time limit of approved entitlements and does not alter the scope of the project. Therefore, the proposed modification of the conditions of approval meets this finding.

5. *The site is adequate in size and shape to accommodate the proposed structures, yards, walls, fences, parking, landscaping, and other development features; and*

Section 4 of Resolution 2018-1576 documents how the proposed development meets the findings necessary to approve a mixed-use project on the subject site. The proposed amendment only extends the time limit of approved entitlements and does not alter the scope of the project. Therefore, the proposed modification of the conditions of approval meets this finding.

6. *The proposed project is designed to respect and integrate with the existing surrounding natural environment to the maximum extent feasible.*

Section 4 of Resolution 2018-1576 documents how the proposed development meets the findings necessary to approve a mixed-use project on the subject site. The proposed amendment only extends the time limit of approved entitlements and does not alter the scope of the project. Therefore, the proposed modification of the conditions of approval meets this finding.

Section 4. In view of all of the evidence and based on the foregoing findings and conclusions, the City Council adopts Resolution No. 2020-1660 and adopts the following amendments to City Council Resolution No. 2018-1576:

- a) Condition Number seven (7) shall be replaced in its entirety with the following:

"This approval shall expire and become void unless exercised in accordance with Section 17.64.050 of the CMC by March 30, 2022."

Section 5. In view of all of the evidence and based on the foregoing findings and conclusions, the City Council approves an amendment to File No. 150000964 and adopts the associated Conditional Use Permit, subject to the following agreements and conclusions:

I. INDEMNIFICATION AGREEMENT

The City has determined that City, its employees, agents and officials should, to the fullest extent permitted by law, be fully protected from any loss, injury, damage, claim, lawsuit, expense, attorney fees, litigation expenses, court costs or any other costs arising out of or in any way related to the issuance of this amendment to File No. 150000964, or the activities conducted pursuant to this File No. 150000964. Accordingly, to the fullest extent permitted by law, Raznick Realty shall defend, indemnify and hold harmless City, its employees, agents and officials, from and against any liability, claims, suits, actions, arbitration proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual alleged or threatened, including, but not limited to, actual attorney fees, litigation expenses and court costs of any kind without restriction or limitation, incurred in relation to, as a consequence of, arising out of or in any way attributable to, actually, allegedly or activities conducted pursuant to this File No. 150000964, or the activities conducted pursuant to this File No. 150000964, Raznick Realty shall pay such obligations as they are incurred by City, its employees, agents and officials, and in the event of any claim or lawsuit, shall submit a deposit in such amount as the City reasonably determines necessary to protect the City from exposure to fees, costs or liability with respect to such claim or lawsuit.

II. CONDITIONS OF APPROVAL

Community Development Department/Planning

1. With the exception of the new language above for condition number 7, all conditions of approval contained within City Council No. 2018-1576, shall remain unaltered and in full force and effect.

Section 6. The City Clerk shall certify to the adoption of this resolution and shall cause the same to be processed in the manner required by law.

PASSED, APPROVED AND ADOPTED this 22nd day of January 2020.

Alicia Weintraub, Mayor

ATTEST:

Maricela Hernandez, City Clerk
Master Municipal Clerk
California Professional Municipal Clerk

APPROVED AS TO FORM:

Scott H. Howard
Colantuono, Highsmith & Whatley, PC
City Attorney

RESOLUTION NO. 2018-1576

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA (1) APPROVING FILE NO. 150000964 INCLUSIVE OF A REQUEST FOR A SITE PLAN REVIEW, CONDITIONAL USE PERMIT, OAK TREE PERMIT, LOT MERGER, AND GENERAL PLAN AMENDMENT (FROM B-PO TO MU-0.95), TO DEMOLISH AN EXISTING TWO-STORY OFFICE COMPLEX AND RE-DEVELOP THE SITE WITH A 48,154 SQUARE-FOOT MIXED-USE PROJECT. THE PROPOSED MIXED-USE PROJECT INCLUDES 42 RESIDENTIAL UNITS (AGE RESTRICTED FOR RESIDENTS 55 YEARS OLD OR GREATER) IN A 46,563 SQUARE-FOOT FOUR-STORY BUILDING, AND COMMERCIAL/RETAIL USES IN A 1,591 SQUARE-FOOT ONE-STORY BUILDING. APPLICANT IS REQUESTING TO CHANGE THE GENERAL PLAN LAND USE DESIGNATION FROM BUSINESS-PROFESSIONAL OFFICE (B-PO) TO MIXED USE 0.95 (MU 0.95) AND THE ZONING DESIGNATION FROM COMMERCIAL OFFICE (CO) TO COMMERCIAL MIXED USE (CMU). PROJECT INCLUDES FIVE (5) AFFORDABLE HOUSING UNITS ON-SITE, DESIGNATED FOR VERY LOW INCOME SENIORS (55+). THE APPLICANT IS REQUESTING A HEIGHT LIMIT CONCESSION AND A DENSITY BONUS FOR PROVIDING MORE THAN 10% VERY LOW INCOME UNITS. THE SUBJECT SITE IS LOCATED AT 23480 PARK SORRENTO (APN: 2068-005-012 AND 2068-005-011), WITHIN THE COMMERCIAL OFFICE ZONING DISTRICT; AND (2) ADOPTING THE ASSOCIATED MITIGATED NEGATIVE DECLARATION.

Section 1. The City Council has considered all of the evidence submitted into the administrative record which includes, but is not limited to:

1. Agenda reports prepared by the Community Development Department.
2. Staff presentation at the public hearing held on February 14, 2018, before the City Council.
3. Staff presentation at the public hearings held on January 4, 2018 and January 18, 2018, before the Planning Commission.
4. The City of Calabasas Land Use and Development Code, General Plan, and all other applicable regulations and codes.
5. Public comments, both written and oral, received and/or submitted at or prior to the public hearings before the City Council and Planning Commission, supporting and/or opposing the applicant's request.

6. Testimony and/or comments from the applicant and its representatives submitted to the City in both written and oral form at or prior to the public hearings before the City Council and Planning Commission.
7. All related documents received and/or submitted at or prior to the public hearings before the City Council and Planning Commission.
8. Planning Commission Resolution No. 2018-553 recommending approval to the City Council of File No. 150000964.

Section 2. Based on the foregoing evidence, the City Council finds that:

1. The applicant submitted an application for File No. 150000964 on August 3, 2015.
2. The application was reviewed by the City's Development Review Committee (DRC) on August 18, 2015. Comments from the DRC meeting were provided to the applicant.
3. On August 28, 2015, the application was deemed incomplete and the applicant was notified.
4. On September 26, 2016, the City's Traffic and Transportation Committee (TTC) reviewed the Traffic Study, inclusive of site access and a parking demand analysis. The TTC voted to recommend approval of the Traffic Study to the Planning Commission.
5. The application was reviewed by the City's Architectural Review Panel (ARP) on September 23, 2016, December 9, 2016, March 10, 2017 and April 13, 2017. The ARP recommended approval of the design to the Planning Commission at the Panel's April 13, 2017 meeting.
6. On April 20, 2017, the application was deemed complete and the applicant was duly notified.
7. A Draft Initial Study /Mitigated Negative Declaration was completed and made available for public review on August 25, 2017. The review period ended on September 25, 2017, with three comments having been submitted. The final IS/MND includes responses to each comment.
8. On November 1, 2017, the applicant held a Community Forum at the Founders Hall located in the Calabasas Library. The Forum was advertised in the Acorn, Calabasas Enterprise and on the City Website. Postcards advertising the Forum were mailed to more than 4,800 residents and businesses in the Calabasas Park and Classic Calabasas neighborhoods.

9. On November 21, 2017, story poles were installed in accordance with the story pole plan approved by the Planning Commission at the Commission's October 19, 2017 meeting.
10. On January 4, 2018 and January 18, 2018, the Planning Commission reviewed the project at two public hearings and voted 4-1 to adopt PC Resolution No. 2018-663 recommending to the City Council approval of File No. 150000964 and certifying the adequacy of the associated Mitigated Negative Declaration
11. Notice of the February 14, 2018, City Council public hearing was posted at least ten (10) days prior to the hearing at Juan Bautista de Anza Park, the Calabasas Tennis and Swim Center, Gelson's market, Agoura Hills / Calabasas Community Center and at Calabasas City Hall.
12. Notice of the February 14, 2018, City Council public hearing was mailed or delivered to owners of properties within 500 feet of the subject property, as shown on the latest equalized assessment roll, at least ten (10) days prior to the hearing.
13. Notice of the February 14, 2018, City Council public hearing was mailed or delivered to the project applicant at least ten (10) days prior to the hearing.
14. Notice of City Council public hearing included the notice requirements set forth in Government Code Section 65009 (b)(2).
15. 23480 Park Sorrento is currently zoned Commercial Office (CO). The applicant is requesting a zone change to Commercial Mixed Use (CMU).
16. The land use designation for the subject site under the City's adopted General Plan is Business-Professional Office (B-PO). The applicant is requesting a general plan amendment to designate the subject site as Mixed Use (MU 0.95).
17. Properties surrounding the project site are zoned CMU, CO, REC, PF, RM and OS; and have General Plan land use designations of MU 0.95, B-PO, PF-R, PF-I and R-MF.

Section 3. The City Council reviewed and considered the Mitigated Negative Declaration and in view of all of the evidence concludes as follows:

Based upon the facts and information contained in the proposed Final Mitigated Negative Declaration, together with all written and oral testimony, and the technical reports included for the environmental assessment for the project, the Planning Commission finds that with the proposed mitigation measures, there is no substantial evidence that the project will have a significant effect upon the

environment, and recommends to the City Council adoption of the Mitigated Negative Declaration based upon the findings as follows:

1. The Mitigated Negative Declaration has been prepared in compliance with the California Environmental Quality Act and the CEQA Guidelines promulgated there under; the Mitigated Negative Declaration and the Initial Study reflects the independent judgment of the Planning Commission.
2. Based upon the design of proposed project and the mitigation measures incorporated, no significant adverse environmental effects will occur.
3. Pursuant to the provisions of Section 753.5(c) of Title 14 of the California Code of Regulations, the Planning Commission finds that in considering the record as a whole, including the Initial Study and Mitigated Negative Declaration for the project, there is no evidence that the proposed project will have potential for an adverse impact upon wildlife resources or the habitat upon which wildlife depends. Furthermore, based upon substantial evidence contained in the Mitigated Negative Declaration, the staff reports and exhibits, and the information provided to the Planning Commission during the public hearing, the Planning Commission hereby rebuts the presumption of adverse effect as set forth in Section 753.5(c-1-d) of Title 14 of the California Code of Regulations.

Section 4. In view of all of the evidence and based on the foregoing, the City Council concludes as follows:

FINDINGS

Section 17.76.050(A) of the Calabasas Municipal Code (CMC) allows the review authority to approve a **General Plan Amendment** provided that the following findings are made:

1. *The proposed amendment is internally consistent with the General Plan;*

The proposed amendment of the General Plan land use map designation for the subject site from Business-Professional Office (B-PO) to Mixed Use (MU) is internally consistent with the General Plan because the proposed project meets the goals, policies and objectives of the General Plan, including but not limited to the enhancement of community character, and meeting the regional housing needs for both market rate and affordable housing (as outlined in the Housing Element). The mixed use project is located just south of Calabasas Old Town and is intended to provide dynamic commercial and residential opportunities, designed to create a pedestrian friendly and oriented environment. The Land Use Element recognizes that Calabasas' land use pattern is well established,

and that future growth will primarily consist of infill development. Policies II-8 through II-10 reflect the City's desire to maintain its residential character and require new development to be compatible with the existing community while meeting the needs of present and future residents. Furthermore, the Land Use Element identifies mixed-use as an ideal type of infill development in order to provide an impetus for creating a pedestrian oriented community. The proposed general plan amendment will allow the subject site to be re-developed from a 100% commercial site to a mixed-use site with residential as the predominant use consistent with the above mentioned policies. As a result, the subject site will serve as a good transition from the retail and office commercial properties located west of the subject property, and the multi-family corridor located east of the project site.

The Conservation Element of the General Plan discusses how future growth can be managed in order to reduce its impact on the environment. Objectives in both the Air Quality and Energy Resources Sections include the reduction in the reliance on single-occupant vehicles, thus reducing the overall vehicle trips through the City. The net benefit of reduced vehicle trips includes better air quality, less traffic and reduced consumption of natural resources. As a result, Policies IV-15 and IV-34 promote community designs that minimize energy use, such as redevelopment of existing urbanized areas for mixed uses that allow residents to live near where they work and shop. The proposed amendment is consistent with these policies because the subject site is located within the "city center" in close proximity to shopping, offices and public and private transportation, including mass transit stops and the City's park and ride lot.

State housing element statutes (Government Code Sections 65580-65589.8) mandate that local governments adequately plan to meet the existing and projected housing needs for all economic segments of the community. California law requires that each City's Housing Element zone adequate future housing sites and develop local housing programs to meet its "fair share" of regional existing and future housing needs. The Southern California Association of Governments (SCAG) is responsible for developing and assigning these regional housing needs, or "RHNA", to Southern California jurisdictions. Pursuant to the fifth and most recent RHNA planning period, the Calabasas Housing Element is an eight-year plan extending from 2014 to 2021. The City began the fifth RHNA cycle with a housing allocation of 330 total units. The Housing Element thoroughly analyzed vacant residential sites, second unit potential and underutilized residential and mixed-use sites in order to fulfill the RHNA allocation. Although the analysis determined that the current land use pattern has the capacity to provide 747 additional housing units by 2021, according to the City's latest annual housing report only 55 new residential units have been constructed since 2014. In other words, less

than 20% of the 330 units allocated to the City have been constructed more than half way through the current housing cycle. Additionally, the Housing Element establishes a goal for the production of affordable housing units, with approximately 43% of the total housing production to be units affordable to households of lower income homes. Not only will the proposed project result in the construction of 42 new residential units, five of those will be reserved via a deed restriction for 55 years for very low income residents. Therefore, the proposed general plan amendment to change the land use designation of the subject site from B-PO to MU 0.95 is consistent with the City's Housing Element to meet the current RHNA allocation.

In addition to meeting the City's overall RHNA allocation, the Housing Element emphasizes the need to provide a variety of housing options to meet the present and future housing needs of Calabasas residents. According to the 2016 US Census estimates, approximately 29% of the City's population is 55 years old or older. Because the majority of the City's housing stock was built prior to 1991, before current ADA accessibility standards took effect, the majority of housing (both single-family and multi-family) is not universally accessible. As a result, one of the objectives of the City's Housing Element is to "Continue to actively pursue opportunities to provide a range of housing options to address the diverse needs of Calabasas' growing number of senior citizens". More specifically, the Housing Element encourages the integration of mixed-use housing in the "Downtown" area within walking distance of services that also provide housing suitable for seniors. Because the subject site is located in close proximity to shopping, government services, health and senior facilities, medical offices and transportation, the request to change the general plan land use designation B-PO to MU is consistent with the goals and policies of the City's General Plan. Given these circumstances, the proposed project meets this finding.

2. *The proposed amendment would not be detrimental to the public interest, health, safety, convenience or welfare of the city;*

Once the general plan amendment and zone change go into effect, the development will conform to General Plan and Development Code standards and procedures and will not be detrimental to public interest, health, safety, convenience, or welfare because the project has been reviewed by various agencies, such as the Los Angeles County Fire Department, the Calabasas Department of Public Works, and Las Virgenes Municipal Water District, and has received preliminary approval from these agencies on the basis of compliance with applicable safety and design standards. Final building permit approval will be based upon meeting the required standards of all the necessary agencies, including the safety, accessibility, and universal design standards of the building code. Furthermore, potential traffic impacts have

been reduced to a level below significant via project design and mitigation measures. Given these circumstances, the proposed project meets the above finding.

3. *The site is physically suitable (including access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested/anticipated land use development(s); and*

The project site is already developed with an existing office complex, asphalt parking lot, walkways and manicured lawn; therefore, the availability of utilities and adequate site access are present. The site is surrounded by office buildings, another mixed use project and the Calabasas Tennis and Swim Center, and is therefore physically suitable for the requested land use development. The proposed project is also compatible with the adjacent creek and is designed and conditioned to avoid significant impacts on the creek and its watershed by prohibiting development within the creek bed and requiring restoration of the creek bed under the supervision of the City Engineer. Additionally, the project has been reviewed by various agencies, such as the Los Angeles County Fire Department and Las Virgenes Municipal Water District and has received preliminary approval. Final building permit approval will be based upon meeting the required standards of all the necessary agencies, including the safety, accessibility, and universal design standards of the building code. Therefore, the proposed project meets this finding.

4. *The proposed amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA).*

An Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for this project. In preparing the IS/MND, staff independently reviewed, evaluated, and exercised judgment over the project and the project's environmental impacts. The Final IS/MND identifies the areas where the project may have a potential effect on the environment. All areas listed as potentially significant have been mitigated to levels that are no longer significant.

Section 17.62.020 of the Calabasas Municipal Code (CMC) allows the review authority to approve a **Site Plan Review Permit** provided that the following findings are made:

1. *The proposed project complies with all applicable provisions of this Development Code;*

Contingent upon approval of the general plan amendment and zone change, the proposed mixed-use project will meet this finding because the subject site will be zoned Commercial Mixed Use (CMU) and will be located within an existing

commercial district. With the exception of maximum allowable building height, the proposed project meets the requirements of the development code (see the staff report and technical appendix). The proposed site development meets the required standards for building setbacks, floor area ratio, site coverage and landscape requirements of the CMU zone. Furthermore, the proposed project meets the specific standards for mixed use development as require by Section 17.12.130 of the CMC and applicable development standards in Article 3 of Title 17 of the CMC. The proposed 45-foot tall building exceeds the 35-foot tall height limit in the CMU zone, but is subject to approval at the taller 45 foot height as a development standard concession (as required by California Law, Government Code section 65915) for providing more than 10% affordable housing in compliance with the CMC and state law. As a result, the proposed development meets the requirements of the development code.

2. *The proposed project is consistent with the General Plan, any applicable specific plan, and any special design theme adopted by the city for the site and vicinity;*

Upon approval of the general plan amendment, the subject site will meet this finding because the Calabasas General Plan Land Use Designation for this property will be Mixed Use (MU 0.95) and residential and commercial uses are consistent with the general plan land use designation. The project is consistent with the following General Plan Policies: II-8, II-9, II-10, II-11, II-14, III-14, III-17, IV-2, IV-3, IV-4, IV-5, IV-6, IV-7, IV-11, IV-14, IV-15, IV-17, IV-21, IV-22, IV-23, IV-25, IV-27, IV-28, IV-29, IV-30, IV-31, IV-34, IV-35, IV-36, IV-38, V-8, V-9, V-17, V-21, VI-2, VI-7, VI-13, VI-18, VI-19, VI-21, VI-22, VII-1, VII-8, VIII-2, IX-1, IX-3, IX-5, IX-8, IX-9, IX-11, IX-13, IX-14, IX-25, IX-28, X-1, X-4, XI-7, XII-29, XII-30, XI-31 and XII-32. Furthermore, the General Plan Amendment will not eliminate any anticipated future housing in contradiction to the Housing Element; and traffic conditions and requirements will not conflict with the policies and provisions of the Circulation Element. In fact, the proposed general plan amendment would allow for the development of additional housing units including five very-low income affordable housing units, not originally anticipated in the Housing Element. The design of the proposed development conforms to the City's policies and objectives for control of storm water runoff, control and management of light pollution. Therefore, provided the General Plan Amendment recommended below is approved, the proposed project meets this finding. If the General Plan Amendment recommended below is not approved, the proposed project does not meet this finding.

3. *The approval of the site plan review is in compliance with the California Environmental Quality Act (CEQA);*

An Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for this project. In preparing the IS/MND, staff independently reviewed, evaluated, and

exercised judgment over the project and the project's environmental impacts. The Final IS/MND identifies the areas where the project may have a potential significant effect on the environment. All areas listed as potentially significant have been mitigated to levels that are no longer significant, due to modifications in the project design or through the inclusion of mitigation measures, with which the applicant must comply under the proposed conditions of approval.

4. *The proposed structures, signs, site development, grading and/or landscaping are compatible in design, appearance and scale, with existing uses, development, signs, structures and landscaping for the surrounding area;*

The surrounding area is fully developed with office uses to the north, recreational uses to the east and south, mixed retail and multi-family residential to the west, and multi-family residential uses to the northeast. There is a four-story mixed-use development adjacent to the site (west), a one-story recreational facility (Calabasas Tennis and Swim Center) adjacent to the east, and one-story office buildings across Park Sorrento to the north. As a result, this portion of Park Sorrento is a commercial corridor and transitions to residential uses further east. The proposed mixed-use development is consistent with surrounding uses and provides a good transition to the multi-family uses further east down Park Sorrento. The proposed project is also compatible with the adjacent creek and is designed and conditioned to avoid significant impacts on the creek and its watershed by prohibiting development within the creek bed and requiring restoration of the creek bed under the supervision of the City Engineer. The proposed Italian Style architecture has been determined by the Architectural Review Panel (ARP) to be compatible with the predominant architectural styles of the surrounding community. The one-story commercial/retail building will be located along the front property line at Park Sorrento, while the taller four-story residential building will be set farther back (30' to 85') to reduce the sense of bulk and massing. Furthermore, the ARP recommends that the project be approved from a design standpoint. Given these circumstances, the proposed project meets this finding.

5. *The site is adequate in size and shape to accommodate the proposed structures, yards, walls, fences, parking, landscaping, and other development features; and*

The City's Municipal Code contains development standards for setbacks, floor area ratio and lot coverage for the CMU zone to ensure that development is adequately proportional to the size of the property. Compliance with these standards is required for project approval. Because the proposed buildings will cover less than 35 percent of the lot, the subject property contains ample area to accommodate the building footprint of the proposed development. The proposed project was designed with a compact building footprint, utilizing four stories in order to concentrate the project on the existing developed portion of

the site and to retain the adjacent creek corridor (representing more than 45% of the gross lot size) in its natural state. Furthermore, the four-story design allows for the majority of the parking to be located on the first floor of the proposed residential building, thus reducing the need for more surface level parking and associated non-pervious asphalt. As a result, the proposed project meets this finding.

6. *The proposed project is designed to respect and integrate with the existing surrounding natural environment to the maximum extent feasible.*

The subject site is located in a suburban portion of Calabasas characterized by commercial, recreational and residential uses surrounding the site. As a result, the surrounding area is mostly built out with one- to four-story buildings and parking lots. The site is already developed with a two-story office complex, asphalt parking lot and manicured landscaping. The proposed project would be built primarily over the existing developed area of the site. Meanwhile, McCoy Creek trends through the southern and eastern portions of the site providing a natural setting within a developed area. Southern coast live oak riparian forest occupies approximately 0.87 acres (45 percent) of the project site and is located along McCoy Creek. The project has been designed to protect as much of this natural habitat as possible. Development of the project may result in minor pruning of oak tree canopy for building clearance, but no long term impacts, as confirmed by the City's arborist. Nevertheless, the applicant is proposing to enhance the McCoy Creek streambed and embankments by removing nonnative vegetation and replacing it with native plant material. Furthermore, of the 66 onsite oak trees, 65 (98%) trees will be retained and only one would have to be removed for this project. With the mitigation measures in the Final IS/MND, there will be no significant biological impacts. Given these circumstances, the proposed project meets this finding.

Section 17.62.060 of the Calabasas Municipal Code (CMC) allows the review authority to approve a **Conditional Use Permit** provided that the following findings are made:

1. *The proposed use is conditionally permitted within the subject zoning district and complies with all of the applicable provisions of this development code;*

Contingent upon approval of the general plan amendment and zone change, the proposed mixed use project will meet this finding because the subject site will be zoned Commercial Mixed Use (CMU) and will be located within an existing commercial district. With the exception of height, the proposed project meets the requirements of the development code (see the staff report and technical appendix). The proposed site development meets the setbacks, floor area ratio, site coverage and landscape requirements of the CMU zone.

Furthermore, the proposed project meets the specific standards for mixed use development as require by Section 17.12.130 of the CMC and applicable development standards in Article 3 of Title 17 of the CMC. The proposed 45-foot tall building exceeds the 35-foot tall height limit in the CMU zone, but is subject to approval at the taller 45 foot height as a concession for providing more than 10% of the units as affordable housing in compliance with the CMC and state law. As a result, the proposed development meets the requirements of the development code.

2. *The proposed use is consistent with the General Plan and any applicable specific plan or master plan;*

Upon the adoption of the general plan amendment, the subject site will meet this finding because the Calabasas General Plan Land Use Designation for this property will be Mixed Use (MU 0.95) and residential and commercial uses are consistent with the general plan land use designation. The project is consistent with the following General Plan Policies: II-8, II-9, II-10, II-11, II-14, III-14, III-17, IV-2, IV-3, IV-4, IV-5, IV-6, IV-7, IV-11, IV-14, IV-15, IV-17, IV-21, IV-22, IV-23, IV-25, IV-27, IV-28, IV-29, IV-30, IV-31, IV-34, IV-35, IV-36, IV-38, V-8, V-9, V-17, V-21, VI-2, VI-7, VI-13, VI-18, VI-19, VI-21, VI-22, VII-1, VII-8, VIII-2, IX-1, IX-3, IX-5, IX-8, IX-9, IX-11, IX-13, IX-14, IX-25, IX-28, X-1, X-4, XI-7, XII-29, XII-30, XI-31 and XII-32. Furthermore, the General Plan Amendment will not eliminate any anticipated future housing in contradiction to the Housing Element; and traffic conditions and requirements will not conflict with the policies and provisions of the Circulation Element. In fact, the proposed general plan amendment would allow for the development of additional housing units not originally anticipated in the Housing Element, including five additional deed-restricted very low income affordable housing units. The design of the proposed development will conform to the City's stated policies and objectives for control of storm water runoff, control and management of light pollution. Therefore, assuming the General Plan Amendment recommended below is approved, the proposed project meets this finding. If the General Plan Amendment recommended below is not approved, the proposed project does not meet this finding.

3. *The approval of the conditional use permit for the proposed use is in compliance with the California Environmental Quality Act (CEQA); and*

An Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for this project. In preparing the IS/MND, staff independently reviewed, evaluated, and exercised judgment over the project and the project's environmental impacts. The Final IS/MND identifies the areas where the project may have a potential effect on the environment. All areas listed as potentially significant have been mitigated to levels that are no longer significant, through the

inclusion of mitigation measures, which the applicant must comply with under the proposed conditions of approval.

4. *The location and operating characteristics of the proposed use are compatible with the existing and anticipated future land uses in the vicinity.*

The subject site is located within an existing commercial district consisting of one to four-story retail, office and multi-family residential buildings. The Commons and Calabasas Old Town are within walking distance of the subject site. The proposed mixed use project is intended to provide a pedestrian friendly environment for the existing commercial district. Because there are commercial and multi-family developments within a short distance of the project site, the proposed mix of residential and commercial uses is compatible with the surrounding area. Additionally, the subject site is an ideal location for senior housing due to the proximity of services necessary for senior citizens, such as access to shopping, medical office and public and private transportation. As a result, the proposed project meets this finding.

Section 17.22.030 of the Calabasas Municipal Code (CMC) allows the review authority to approve a **Density Bonus** and related incentives or concessions provided that the following findings are made:

As documented in the Final IS/MND, the proposed project will not be a hazard or public nuisance because all potential environmental impacts have been mitigated to levels of less than significant and the project's buildings will meet all applicable safety requirements of the building code and all applicable safety requirements imposed by the Los Angeles County Fire Department. Furthermore, the proposed project will result in less traffic and parking demand on the surrounding community than the existing office use. With the adoption of the proposed General Plan Amendment, the proposed project is consistent with the goals and policies of the General Plan because it will provide senior housing, including five deed-restricted very-low income affordable senior housing units on an infill lot in close proximity to services and public and private mass transportation. As a result, the mixed use zoning and proposed mixed use commercial and residential development will advance the City's goals of creating a walkable and sustainable environment in this area of the City.

The proposed density bonus and height concession will result in the provision of affordable housing consistent with the CMC and State law, because it includes five units (of 42 total units) deed restricted for very low income qualified tenants. Therefore, the proposed project is eligible for a 35% density bonus and up to two incentives or concessions. As discussed in the staff report, the applicant is requesting one concession for height and a density

bonus of 16.6%. Approval of the 16.6% density bonus and height concession allows for the construction of additional market rate units in order to accommodate the provision of the five affordable units. As discussed in the staff report and Final IS/MND, the subject site is adequate in size and shape to support the proposed development; therefore, approval of the density bonus and height concession will not have an adverse impact upon public health, safety or the physical environment. Additionally, the affordable units will remain restricted for very low income qualified tenants for 55 years, guaranteed by the execution and recordation of an affordable housing covenant and deed restriction. As a result, the proposed project includes sufficient provisions to ensure the units will remain affordable in the future.

Section 17.44.145 of the Calabasas Municipal Code (CMC) allows the review authority to approve a **Lot Merger** provided that the following findings are made:

1. *The lot merger is consistent with the Subdivision Map Act provisions;*

The proposed lots to be merged are contiguous parcels (lots 1 and 2 of Tract No. 29344) held by the same owner, as required by Section 66451.11 of the Subdivision Map Act. Furthermore, as required by the Subdivision Map Act, lot number 2 is not developed and is identified as a flood hazard area. Both existing lots comply with the minimum lot size for the CO and CMU zones; however, with a varying lot width of 30 to 75 feet, lot 2 does not meet the minimum lot width of 50 feet for the CO and CMU zones. As a result, the current conditions exist as a legal non-conforming status. The proposed lot merger will create a single lot of 83,998 square feet and having a lot width varying from 120 feet to 350 feet, and a lot depth varying from 290 feet to 370 feet. Consequently, the new merged lot will be in full compliance with CMC and ensure that all development meets required setbacks, lot coverage, floor area ratio and landscape requirements. Given these circumstances, the proposed lot merger meets this finding.

2. *The lots to be merged at the time of merger are under common ownership;*

The proposed lot merger meets this finding because both lots are owned by First American Plaza, L.P., as confirmed by the most current Title Report. Furthermore, the conditions of approval require the applicant to submit a current Title Report to confirm ownership at the time of recordation of the final map.

3. *The lots as merged will not be deprived of legal access as a result of the merger and access to the adjoining lots will not be restricted by the merger;*

The proposed lot merger meets this finding because the proposed merged lot will have more than 300 feet of frontage along Park Sorrento. Furthermore, adjoining lots will not be restricted by the merger because all adjoining lots have frontage along Park Sorrento as well.

4. *Lot mergers may only be approved provided that dedications or offers of dedication to be vacated or abandoned by the merger are unnecessary for present or future public use; and*

The proposed lot merger meets this finding because the site does not contain any dedications or offers of dedication that would be impacted by the proposed lot merger. Furthermore, the existing flood hazard area will remain on the final map.

5. *Lot mergers may only be approved provided that dedications or offers of dedication which are necessary for present or future public use are reserved in the merger.*

The proposed lot merger meets this finding because the site does not contain any dedications or offers of dedication that would be impacted by the proposed lot merger. Furthermore, the existing flood hazard area will remain on the final map.

Section 17.32.010(E) of the Calabasas Municipal Code (CMC) allows the review authority to approve an **Oak Tree Permit** provided that the following findings are made:

1. *The request to remove an oak tree or scrub oak habitat is warranted to enable reasonable and conforming use of the subject property, which would otherwise be prevented by the presence of the oak tree or scrub oak habitat. Reasonable use of the property shall be determined in accordance with the guidelines;*

The mixed use project has been located and designed to minimize impacts to as many oak trees on the site as feasible. According to the oak tree report, there are 66 oak trees with a trunk diameter at breast height (dbh) of one inch or greater within 200 feet of the project site. Only one non-heritage oak tree would be removed. The removal of this tree is necessary because it is located in the middle of the proposed commercial/retail building. The proposed four-story design allows the first level of the residential building to serve as a parking garage to satisfy off street parking requirements, thereby the project footprint is minimized resulting in fewer tree removals. Therefore, the City finds that the construction of the mixed-use project (resulting in the retention of 65 oak trees (98%) and removal of one non-heritage oak tree) is most

practical to allow for reasonable and conforming use of the property. The applicant will be required to mitigate for the removal of the oak tree on an inch-for-inch basis. As a result, the proposed project meets this finding.

2. *The request to alter or encroach within the protected zone of an oak tree or scrub oak habitat is warranted to enable reasonable and conforming use of the property, which would otherwise be prevented by the presence of the oak tree or scrub oak habitat. In addition, such alterations and encroachments can be performed without significant long-term adverse impacts to the oak tree or scrub oak habitat. Reasonable use of the property shall be determined in accordance with the guidelines.*

The oak tree report states that there are 66 oak trees within 200 feet of the project site. Of these 66 oak trees, 58 (88%) of the trees would remain unaffected by the project, and seven trees would have their protected zones permanently encroached upon by structures and/or site grading activities. One tree would require removal. The Oak Tree Report indicates that encroachment activities would not result in significant long-term adverse impacts to the oak trees. This conclusion has been confirmed by the City's Arborist. To further ensure that adverse impacts to the trees are minimized, the Oak Tree Report recommends a series of mitigation measures, which have been included as project conditions of approval in the resolution and within the mitigation monitoring program.

Section 5. In view of all of the evidence and based on the foregoing findings and conclusions, the City Council approves of File No. 150000964 subject to the following agreements and conditions:

I. EFFECTIVE DATE

This resolution is not effective unless and until Ordinance No. 2018-360, approving this project's related zoning map amendment, takes effect.

II. INDEMNIFICATION AGREEMENT

The City has determined that City, its employees, agents and officials should, to the fullest extent permitted by law, be fully protected from any loss, injury, damage, claim, lawsuit, expense, attorney fees, litigation expenses, court costs or any other costs arising out of or in any way related to this File No. 150000964 including the City's adoption of the requested General Plan amendments, zoning map amendments, approval of the initial study/mitigation negative declaration, the issuance of any permit or entitlement in connection therewith, or any activities conducted pursuant to this File No. 150000964 and the issuance of any permit or entitlement in connection therewith. Accordingly, to the fullest extent permitted by

law, Ken Stockton Architects, Inc. (applicant) and Raznick Realty Group (owner) and their successors shall defend, indemnify and hold harmless City, its employees, agents and officials, from and against any liability, claims, suits, actions, arbitration proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including, but not limited to, actual attorney fees, litigation expenses and court costs of any kind without restriction or limitation, incurred in relation to, as a consequence of, arising out of or in any way attributable to, actually, allegedly or impliedly, in whole or in part, related to this File No. 150000964 and the issuance of any permit or entitlement in connection therewith, or the activities conducted pursuant to this File No. 150000964 and the issuance of any permit or entitlement in connection therewith Ken Stockton Architects, Inc. (applicant) and Raznick Realty Group (owner) and their successors shall pay such obligations as they are incurred by City, its employees, agents and officials, and in the event of any claim or lawsuit, shall submit a deposit in such amount as the City reasonably determines necessary to protect the City from exposure to fees, costs or liability with respect to such claim or lawsuit.

III. CONDITIONS OF APPROVAL

Community Development Department/Planning

1. The proposed project shall be built in compliance with the approved plans on file with the Planning Division.
2. All project conditions shall be imprinted on the title sheet of the construction drawings. The approved set of plans shall be retained on-site for the review of Building Inspectors. Prior to any use of the project site, all conditions of approval shall be completed to the satisfaction of the Director of Community Development.
3. The project approved herein is depicted on those sets of drawings, elevations, etc., stamped "Approved" by staff on the approval date. Any modifications to these plans must be approved by the Department of Community Development staff prior to the changes on the working drawings or in the field. Changes considered substantial by the Planning staff must be reviewed by the Planning Commission. The determination of whether or not a change is substantial shall be made by the Director of Community Development.
4. Prior to issuance of grading or building permits, plans shall be reviewed and approved by the Department of Community Development to ensure compliance with the plans approved by the City Council. The plans shall comply with the conditions contained herein, the Calabasas Municipal Code, and all City Resolutions and Ordinances.

5. The subject property shall be developed, maintained, and operated in full compliance with the conditions of this grant and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the applicant or its successors to cease any development or activity not in full compliance shall be a violation of these conditions. Any violation of the conditions of approval may result in the revocation of this approval.
6. This grant shall not be effective for any purposes until after the applicant, or its successors, and the owner of the property involved (if other than the applicant) have recorded this resolution with the Los Angeles County Recorder's Office, and a certified copy of the recorded document is filed with the Community Development Department.
7. This approval shall be valid for one year from the effective date of the zone change necessary to approve the project. The permit may be extended in accordance with Title 17 Land Use and Development Code, Article VI - Land Use and Development Permits.
8. This project meets the threshold for state-mandated water-efficient landscaping. Accordingly, the final landscape plans (inclusive of planting and hardscape plans, the planting pallet, drainage plan, and irrigation system plan(s) and specifications), shall be reviewed by Community Development Department staff for conformance with the standards and requirements specified within the 2015 California Model Water Efficient Landscape Ordinance (MWELO) prior to the issuance of a building permit. No certificate of occupancy shall be issued until such plans have been deemed compliant with the MWELO and the landscaping has been installed per such MWELO compliant plans and to the satisfaction of the Director of Community Development or his/her designee.
9. All landscaping is to be installed within 90 days of issuance of a Temporary Certificate of Occupancy by the applicant to the satisfaction of the Director of Community Development or his/her designee.
10. The applicant shall remove nonnative plant material along the McCoy Creek streambed and replace it with native plant material.
11. All ground and roof-mounted equipment is required to be fully screened from view except as prohibited by applicable law. Upon final inspection, Planning Division staff may require additional screening if warranted, through either landscaping, walls or a combination thereof.
12. All exterior lights are subject to the provisions set forth in the Lighting Ordinance Chapter 17.27 of the Land Use and Development Code. A final photometric plan shall be submitted to and approved by Planning staff prior to issuance of building

permits. The applicant shall use methods to minimize the amount of light and glare that spills over into neighboring properties and the adjacent riparian habitat, such as limiting directional lighting intensity, limiting fixture height, use of cut-off type fixtures/glare shields and using ground level lighting wherever possible

13. All exterior colors and materials used for the construction of the project shall be in substantial conformance with the approved materials and colors palette.
14. Per Section 8.34.050(A) and (C) of the Municipal Code, upon no later than seventy-two (72) hours of notice from the City Community Development Department, the property owner shall remove or otherwise abate from the site any graffiti.
15. Prior to commencement of construction, all necessary grading and building permits must be obtained from the department of Public Works and the Building and Safety Division, respectively.
16. The project must comply with the building standards in effect at the time of submittal to Building & Safety Division for plan review.
17. The project is located within a designated Very High Fire Hazard Severity Zone. The requirements of Chapter 64 of the Los Angeles County Building Code, Vol. 1, must be incorporated into all plans.
18. The applicant must complete and submit the "Development Construction Storm Water Requirements Review Checklist" and associated Storm Water Pollution Prevention plan (SWPPP)/Wet Weather Erosion Control Plan (WWCEP) documents for approval prior to issuance of grading or building permits.
19. The applicant shall provide the construction contractor(s) and each subcontractor related to the project a copy of the final project Conditions of Approval. The applicant and the City agree that these conditions shall be enforceable through all legal and equitable remedies, including the imposition of fines against each and every person who conducts any activity on behalf of the applicant on or near the project site. The applicant, property owner, and general construction contractor are ultimately responsible for all actions or omissions of a subcontractor.
20. The applicant shall implement all required mitigation measures identified in the approved Final IS/MND for this project, which is incorporated by reference.
21. The applicant shall retain a qualified environmental consultant to monitor construction activities for compliance with the mitigation measures in the Final IS/MND. Within 90 days of completion of the project, the applicant shall submit

documentation prepared by the environmental consultant that verifies compliance with the mitigation measures in the IS/MND.

22. Prior to the issuance of grading permits, the applicant shall submit copies of all approved permits from all other Federal, State and Local agencies with approval authority over the project. These agencies include, but are not limited to; the US Army Corps of Engineers, Regional Water Quality Control Board, FEMA, the California Department of Fish and Wildlife, and Los Angeles County Public Works. If no permit is required from any of these agencies, the applicant shall submit copies of correspondence from those agencies stating that fact.
23. Violation of any of the conditions of this permit shall be cause for revocation and termination of all rights thereunder.
24. Prior to any use of the project site, all conditions of approval and mitigation measures shall be completed to the satisfaction of the Director of Community Development.
25. Construction staging and vehicle parking, including but not limited to vehicle parking by all contractors, sub-contractors and construction workers, shall be prohibited in the public right-of-way.
26. Construction staging and vehicle parking, including but not limited to vehicle parking by all contractors, sub-contractors and construction workers, shall be prohibited in the Calabasas Tennis and Swim Center Parking lot.
27. Construction Activities - Hours of construction activity shall be limited to:
 - i. 7:00 a.m. to 5:00 p.m., Monday through Friday
 - ii. 8:00 a.m. to 5:00 p.m., Saturday

Stacking of construction worker vehicles, prior to 7:00 a.m. in the morning will be restricted to areas that do not adversely affect adjacent property owners. No vehicles involved in construction of this project shall block the roadway at any time. The applicant or its successors shall notify the director of Public Works of the construction employee parking locations, prior to commencement of construction.

28. Loading and unloading for the commercial and residential uses shall occur on-site and shall be prohibited on Park Sorrento.
29. Applicant and/or property owner shall provide permanent art work to fulfill the Art in Public Places requirement, or pay an in lieu fee of 1% of the commercial building

valuation or the maximum fee of \$150,000 as dictated in CMC Section 17.24.020(B). The artwork shall be installed, or the fee paid, prior to the issuance of a Certificate of Occupancy.

30. Signage shall be subject to a sign program, which shall be submitted under a separate application and brought to the Planning Commission for review and consideration at a later date. All signage shall comply with the requirements of Section 17.30 of the CMC. In addition to commercial signage for the project, the sign program shall include all signs that are required as a condition of approval in this resolution.
31. Bicycle and support facilities shall be provided in accordance with Section 17.28.090 of the CMC. A final bicycle layout plan shall be submitted and approved by the Planning Division prior to the issuance of building permits.
32. Prior to the issuance of a Final Certificate of Occupancy, the applicant shall demonstrate compliance with Chapter 17.34 of the Calabasas Municipal Code to the satisfaction of the Community Development Director. Compliance shall consist of achieving the equivalent of a "certified" rating (at a minimum) using the LEED (Leadership in Energy and Environmental Design) rating system version 2.0 developed by the United States Green Building Council for non-residential use components.
33. To demonstrate compliance with Chapter 17.34 of the Calabasas Municipal Code, the applicant shall submit two documentation packages to the Community Development Department for review in the following manner:
 - a. Prior to the issuance of a building or grading permit, the applicant shall submit a documentation package to the Department of Building and Safety that documents compliance with all design-related credits that are being sought. Review and approval of the documentation package is required prior to issuance of a building and grading permit. On a case-by-case basis, the Director may defer this submittal requirement until a later date for the following reasons: 1) If the applicant can demonstrate through the submittal of a contract that the project team includes a LEED Accredited Professional, 2) if the project team can demonstrate experience with completed development of at least one LEED rated project in California, and/or 3) the project is seeking a LEED "gold" rating or higher.
 - b. Prior to the issuance of a Certificate of Occupancy, the applicant shall submit a final documentation package to the Department of Building and Safety that documents compliance with all remaining undocumented LEED credits. Review and approval of the final

documentation package is required prior to the issuance of a Certificate of Occupancy

34. The final grading plan shall include parking lot layout, aisle width and stall dimensions designed in compliance with Section 17.28 of the CMC.
35. The applicant and/or owner shall provide 5 permanently dedicated parking spaces for public use. The spaces shall be appropriately signed to indicate that the parking spaces are for general public use and these spaces may be restricted to a maximum of 2 hours.
36. Prior to the issuance of a grading permit, the applicant shall submit evidence to the Community Development Director that the applicant has secured the services of a qualified expert concerning paleontological, archeological and Native American resources, and said consulting expert shall monitor the project construction in accordance with a monitoring plan following the requirements set forth in Final IS/MND Mitigation Measures CUL-1 through CUL-6.
37. All private residential balconies, other private outdoor use areas, and common use areas visible to the public shall be kept in a neat and clean condition at all times. For private residential balconies or other private outdoor use areas, only items commonly used for the enjoyment of those areas such as barbeques, landscaping, patio furniture and associated items shall be allowed.
38. In compliance with CMC Section 17.22.030(F), and prior to the issuance of a building permit for the residential building, the applicant shall submit for review and approval by the Community Development Director and City Attorney, documentation which identifies the affordable housing units offered (a minimum of five units), and identifies the procedures proposed to maintain the continued affordability of the units for eligible very low income occupants. The applicant shall enter into a written covenant with the City and shall record a deed restriction on the property to guarantee continued affordability of said units for a minimum period of 55 years. The Covenant and deed restriction documents shall be submitted to the City for review and approval of the Community Development Director and City Attorney prior to recordation.
39. All residential units shall be age-restricted as defined by Sections 51.3 and 51.12 of the CA Civil Code.

OAK TREES

40. In order to mitigate for the removal of oak tree #134, the applicant shall re-plant 16 inches of trunk diameter of new oak trees on-site. All mitigation Oak trees shall be planted on-site if feasible. If it is not feasible to plant all mitigation Oak tree on-

site, then the applicant shall plant the mitigation trees in a viable off-site location approved by the Community Development Director in consultation with the City Arborist or pay a fee in-lieu of mitigation into the City's Oak Tree Mitigation fund to be used for future mitigation efforts. The applicant shall be responsible for the monitoring and maintenance of the replacement trees for a minimum of five (5) years. If any replacement tree(s) dies during the five-year period, the applicant shall plant new replacement trees and the five-year monitoring period shall begin again from the date of planting for the replacement Oak.

41. Prior to the start of grading, the applicant shall submit a detailed construction drawing that shall include a precise count of oak tree removals and an accounting of the number of inches of trunk diameter lost. The applicant shall re-plant new oak trees on-site at a dbh in-for-inch ratio. The removal of a heritage oak tree shall require the issuance of a new oak tree permit, subject to the decision of the City Council.
42. Prior to the issuance of a grading or building permit, the applicant shall submit an Oak tree mitigation plan for review and approval by the Community Development Director and City's Arborist. The mitigation plan shall include a plan for planting and establishment of mitigation trees, including the size, species and location, and a monitoring and maintenance schedule. The mitigation plan shall be prepared by the project's Oak tree preservation consultant in accordance with the requirements outlined in the City's Oak Tree Prevention and Protection Guidelines.
43. Prior to the issuance of a grading or building permit, the applicant shall submit a monitoring plan consistent with the applicant's oak tree consultant's recommendations and the City's Oak Tree Preservation and Protection Guidelines for all encroached upon trees. The plan should propose quarterly monitoring of encroached upon trees for an initial period of three years, followed by two additional years of bi-annual monitoring. Any tree that fails as a result of the project shall be replaced.
44. Prior to the issuance of a grading or building permit, the applicant shall submit a refundable security deposit (or other surety), in an amount equal to the PRC value of the impacted oak trees (i.e. all oak trees that will have their protected zone encroached upon through construction activities and site improvements) plus the cost of planting and possible replacement, to be deposited in trust with the City of Calabasas. The deposit shall be refunded upon satisfactory completion of the mitigation requirements at the conclusion of the 5-year monitoring period.
45. All mitigation work shall be completed prior to the issuance of a certificate of occupancy.
46. The applicant is permitted to encroach within the protected zone of seven oak trees

as shown on the approved plans on file with the Planning Division.

47. All work performed within the Oak Trees' aerial/root protected zones shall be regularly observed by the applicant's oak tree consultant.
48. Prior to the issuance of a grading permit, the applicant shall submit a copy of the Oak Tree Fencing Plan to the Community Development Director for review and approval. The applicant shall notify the City a minimum of 48 hours prior to the start of any work so that the City may inspect the placement of the Oak tree protective fencing.
49. The oak tree protective zone fencing (approved fencing materials are in the Oak Tree Guidelines - 5 ft. minimum height) should be installed at the limit of approved work to protect the Oak Trees and surrounding trees from any damage and remain in place until completion of construction. Should any work be required within the limit of work and the temporary fence must be opened, the applicant's oak tree consultant must direct all work at any time the fence is open.
50. The area within the plastic construction/snow type fence should not be used at any time for material or equipment storage and parking.
51. Oak tree no. 5 shall not be pruned more than 10% for the construction of or clearance from the residential building. The final building plan design shall be coordinated with the oak tree consultant to ensure adequate clearance, the fourth floor shall be adjusted if necessary.
52. Any approved pruning shall be done by a qualified tree trimmer, and observed by the Oak Tree Preservation Consultant. Pruning shall be performed in compliance with the latest ANSI pruning standards.
53. Copies of the following shall be maintained on the site during any work to or around the oaks: Oak tree report; Oak tree permit, including conditions of approval; City Oak Tree Preservation Guidelines; Oak Tree Ordinance No. 2001-166; and approved oak tree plan, landscape plan and site plan.
54. Minor deadwood may be removed from the trees per the direction of the Oak Tree Preservation Consultant.
55. The applicant and property owner shall adhere to the specific recommendations contained within the Oak Tree Report dated April 14, 2015, and all provisions of the Oak Tree Ordinance and policies of the City of Calabasas.
56. Within ten (10) days of the completion of work, the applicant's oak tree consultant shall submit written certification to the Planning Division. The certification shall

describe all work performed and shall certify that such work was performed in accordance with the above permit conditions. If any work was performed in a manner not in conformance with these conditions of approval then the applicant's oak tree consultant shall identify the instance or instances of a deviation to any of these conditions.

Public Works Department/Engineering

STREET IMPROVEMENTS

57. The applicant shall provide plans and details of the project frontage including, but not limited to, curb and gutter, parkway, sidewalk and driveway to the satisfaction of the City Engineer. Details shall be coordinated with the Planning Division of the Community Development Department, County of Los Angeles Fire Department, as well as the City Landscape Maintenance District (LMD).
58. The applicant shall provide designs and details of existing and proposed sidewalk and driveway transitions compliant with the Americans with Disabilities Act (ADA) as well as disabled access provisions as contained in the latest edition of the California Building Code (CBC), as amended by the County of Los Angeles and the City of Calabasas. Any existing frontage improvements (sidewalk, driveway(s), clearances around above-ground utility poles, utility boxes, etc.) shall be reviewed and upgraded as necessary to comply with disabled accessibility standards.
59. The applicant shall provide the appropriate line of sight and striping plans for the proposed improvements in accordance with the requirements of Public Works Department.
60. The applicant shall provide a horizontal and vertical alignment for the project's access driveways to the satisfaction of the County of Los Angeles Fire Department and the City Engineer.
61. All pavement structural sections shall be designed by the project Geotechnical Engineer/Consultant and Engineering Geologist and submitted in conjunction with the final soils report for review and approval by the Public Works Department. The assumed "R-value" of 40 for pavement design should be verified during grading on actual compacted fill placed within the paving areas.
62. Prior to any work being performed within the City right-of-way, the applicant shall obtain an encroachment permit from the Public Works Department.
63. Prior to issuance of a certificate of occupancy, all damaged curb, gutter, sidewalk, and pavement on Park Sorrento shall be removed and replaced at the expense of the applicant.

64. Prior to issuance of a certificate of occupancy, the applicant shall restripe all striping, pavement markings and pavement legends adjacent to and within the vicinity of the project site, impacted by construction traffic, to the satisfaction of the City Engineer.

GRADING AND GEOTECHNICAL

65. The applicant shall submit a precise grading plan prepared by a Registered Civil Engineer for approval by the Public Works Department. The plans shall be prepared on Public Works standard sheets and shall address the specific grading, drainage, and geotechnical design parameters for design of the proposed residential construction. The plans should include, but not be limited to: specific elevation grades, keyways, subdrains, limits of removals, retaining walls callouts every 25 to 50 feet, and other information necessary to establish in detail the horizontal and vertical geometric design. The plans shall reference the approved geotechnical report, and reflect cut, fill, compaction and over-excavation requirements contained therein. The plans shall reflect all proposed drainage facilities, including storm drains, area drains, catch basins/inlets, swales, and other drainage devices necessary for the interception, conveyance and disposal of on-site and offsite drainage consistent with the project drainage report. The plan shall include designs for wet utility services including sanitary sewers and water lines. The geotechnical consultant must review the plans and sign and stamp in verification of their recommendations.
66. The applicant shall submit a detailed geotechnical report prepared by a Geotechnical Engineer/Engineering Geologist. The geotechnical report must specifically address the proposed improvements including engineering calculations for all graded slopes, foundations, retaining walls, temporary excavations and other aspects as required by the proposed development. The report shall present detailed geotechnical recommendations for design and construction of the proposed project and improvements. The reports should be in accordance with the County of Los Angeles standards and to the satisfaction of the City of Calabasas Public Works Department standards and requirements.
67. All slopes shall be 2:1 (horizontal to vertical) or less, and in accordance with the approved geotechnical studies.
68. The applicant agrees to address and mitigate any and all geotechnical design engineering and construction issues not contained within these conditions, but associated with the proposed development that may arise during final design and/or construction.

69. The applicant shall eliminate all geologic hazards associated with this proposed development as identified in the Final Geotechnical Report, approved by the City's geotechnical consultant and to the satisfaction of the City Engineer.
70. The proposed exterior slab-on-grade and interior slab-on-grade should be supported on compacted fill. The existing fill should be removed down to alluvium and replaced as compacted fill.
71. All retaining and privacy walls shall be in conformance with the City's wall requirements pursuant to CMC Section 17.20.100. Any variations require Planning Division approval. The wall details and callouts including top of footings shall be included with the Grading Plans. Any walls to be built during rough grading shall be so noted on the plans and must have the approval of the City Engineer.
72. Prior to Issuance of a Grading Permit, the applicant shall submit a surety grading and drainage improvement bond with the valuation to be determined by the City staff upon submittal of the engineering cost estimate of grading and installation of the drainage devices.
73. Prior to Issuance of a Grading Permit, the applicant shall submit official stamped and signed copies of the acknowledgement concerning the employment of a registered civil engineer and technical consultants (Public Works Form K).
74. Prior to commencement of work under a grading permit, the contractor shall conduct a preconstruction meeting with the City. The contractor shall be responsible for setting the meeting time, date and location and notifying City staff at least one week in advance of the meeting.
75. All excavation, grading, site utility installation (private water, sewer and storm drain), pavement construction and related site work shall be observed and approved by the Public Works Department, pursuant to construction permits issued for approved grading and improvement plans. Changed conditions that affect the Grading and Drainage Plans shall be submitted to the Public Works department in the form of a Change Order (Public Works Forms U and U-1), which shall be approved by the City Engineer prior to commencement of any grading activities that do not conform to the approved Grading and Drainage Plans. If the field conditions deviate from the approved plans without obtaining prior approval of a change order, the City Engineer may issue a Stop Work Notice.
76. Any variations from the approved grading plan must be submitted to the Public Works Department in the form of a Change Order. The engineer of record must submit a complete change order package to Public Works, including a completed Change Order Checklist (Public Works Form U) and Change Order Request (Public Works Form U-1). The change order will be reviewed and approved by the

Community Development Department (Planning Division) and the Public Works Department (Land Development Division). The City Planner shall make the determination if the changes require a review by the Planning Commission.

77. Grading operations involving the hauling of dirt shall be controlled and reasonable efforts to avoid the spillage of dirt onto Public Streets shall be enforced. The grading contractor shall maintain on site at all times a means of preventing blowing dust within the project site and onto adjacent sites. Prior to start of hauling operations, the applicant shall obtain a Haul Route permit from the Public Works Department.
78. All grading and excavation shall be observed and documented by the project Geotechnical Engineer, who shall verify that the excavation, grading, subdrainage, backfill, compaction, and related operations are executed by the site construction personnel in conformance with the provisions of the approved Geotechnical Report and Grading and Drainage Plans. Any deficiencies noted shall be brought to the attention of the grading contractor and the City Engineer. Such observations, verifications, related tests, and other pertinent documentation shall be submitted to the City Engineer.
79. Rough Grade Report. At the completion of rough grading, the project Geotechnical Engineer shall submit a comprehensive rough grade report summarizing the required observations, verifications, related tests, and other pertinent documentation to the City Engineer for review and approval.
80. Rough Grade and Building Pad Certifications. Upon completion of rough grading, the applicant shall submit Rough Grade (Public Works Form O) and Building Pad (Public Works Form Q) Certifications on the City's forms. The certifications shall be signed by the project Geotechnical Engineer and project Civil Engineer, as well as the Grading Contractor. The certification shall be accompanied by as-built survey where deemed necessary by the City Engineer to verify compliance with the limits and elevations required by the approved grading and drainage plans. The Rough Grade and Building Pad Certifications shall be reviewed in conjunction with the Rough Grade Report by the City Engineer.
81. Approval of Rough Grading. The project Rough Grade Report and Rough Grade and Building Pad Certifications shall be reviewed and approved by the City Engineer. Evidence of such approval shall be provided to the Community Development Department and the Building and Safety Division, prior to the issuance of a Building Permit. **No Building Permit shall be issued for the project without these approvals.**
82. Prior to Issuance of a Certificate of Occupancy, the project Civil Engineer of record shall provide As-Built or Record Drawings, prepared on mylar, reflecting the as-built field conditions, including any changes to the approved plan, to the satisfaction of

the City Engineer. As-built plans shall be furnished prior to initiation of final inspection by the Public Works Department.

83. Final Grade Certification. Prior to the issuance of a Certificate of Occupancy (C of O), the applicant shall submit a Final Grade Certification (Public Works Form P). The Final Grade Certification shall be reviewed and approved by the City Engineer prior to the issuance of a C of O for the project.

MAPPING AND RELATED DOCUMENTS

84. The Parcel Merger shall be prepared by a Registered Land Surveyor, licensed to practice in the State of California, or a Registered Civil Engineer, whose status allows him to practice land surveying, licensed in the State of California.
85. The applicant shall provide a current copy of the preliminary title report, prepared within the last 6 months, for the subject property.
86. The approved Parcel Merger shall be recorded with the County of Los Angeles prior to the issuance of a Grading Permit by the Public Works Department.

HYDROLOGY AND DRAINAGE

87. The applicant shall have a final drainage study prepared by a Registered Civil Engineer licensed to practice in the State of California. The drainage study shall be prepared in City standard report format and include sections addressing on-site and off-site drainage areas, existing and developed conditions hydrology, the design hydraulics for the on-site drainage system, including sizing of inlets, conduits, v-ditches, down drains and other structures, and associated calculations and conclusions. The drainage study shall demonstrate project compliance with the current Los Angeles County Public Work Department's Hydrology Manual and Hydraulic Design Manual; however the minimum design flow for sizing onsite drainage devices shall be 25 year recurrence (Q_{25}). The drainage study shall also document that all building finish floor elevations will remain at least one foot above the Capital Flood 50-year bulked and burned storm recurrence interval (Q_{50BB}) water surface elevation, identifying overflow pathways. The drainage study shall be submitted to the Public Works Department and approved by the City Engineer prior to the issuance of a grading permit.
88. The lowest habitable finished floors of the proposed buildings shall be designed such that their elevation is a minimum of 1-foot above the highest Base Flood Elevation (BFE) of the adjacent McCoy Creek.
89. All drainage devices, pipes, and structures in the approved grading plan shall be the sole responsibility of the applicant to construct and applicant shall maintain those

devices, pipes and structures located on their property. Adequate access shall be established and easements will be provided to the City. A maintenance covenant shall be recorded against the property to ensure that all drainage devices, pipes and structures not located in public right-of-way are properly maintained. Provisions will be provided and approved by the City of Calabasas Public Works Department that ensure that proper maintenance is provided, and provisions to reimburse the City for any remedial work that will, at the City's sole discretion, require the City to maintain the before-mentioned devices and structures should they not be properly maintained.

90. The applicant shall provide for the proper interception, conveyance and disposal of off site drainage contributions from adjoining properties and return drainage to its natural conditions or secure off-site drainage acceptance letters from affected property owners.
91. All drainage shall be sloped 2% away from all parts of the structure along impervious surface and 5% away along pervious surface, in conformance with California Building Code; or as per geotechnical engineer's recommendations; and conveyed through an on-site storm drain system to an approved point of disposal. PCC flow line shall be 0.5% minimum; flow line on pervious surface shall be 1% minimum. Sheet flow on AC or PCC shall be 1% minimum; sheet flow on pervious surface shall be 2% minimum outside of building areas.

UTILITIES

92. Public utilities including electricity, gas, water, sewer, telecommunications services, and storm drain shall be installed as part of the improvements within all subdivisions as provided by Section 17.46.090 of the Municipal Code.
93. The minimum width of easements for public or private utilities, sanitary sewers, or water distribution systems, shall be as determined by the review authority based on the recommendations of the City Engineer for city facilities, and the recommendations of the applicable utility company, for public or private utilities.
94. All new utilities serving the proposed project shall be placed underground.
95. All existing overhead utilities (electric, telephone, cable, etc.) along the project frontage and along the project boundaries shall be converted underground.
96. The project shall connect to an existing sewer. The applicant shall submit a design for the connection of the building sewer to the existing sewer contained within the public right of way of the adjacent street. The design size of the building sewer shall be consistent with the building drain as determined by the applicant's plumbing/mechanical engineer of record, or 6" minimum diameter, whichever is

greater. The geometric, hydraulic and material design of the building sewer beyond the building envelope shall be consistent with the City of Calabasas Public Works Standards and the County of Los Angeles PC Procedures Manual.

97. The applicant shall prepare a sewer area study to verify the capacity of the existing sewer to convey the project's calculated effluent. The study shall be prepared according to the County of Los Angeles PC Procedures Manual, and shall quantitatively evaluate the capacity of the existing sewer and impacts of the project on the existing sewer. The study shall identify the limits and degree of any areas of projected deficiency, and specify remedial measures necessary to mitigate the impact of the project's effluent, or in the case of an existing deficiency, the proportionate/fair share improvement as deemed acceptable by the City Engineer
98. The applicant shall be responsible for the design and construction of any necessary offsite sewer improvements based on the results of the sewer area study. Alternatively, the applicant may submit funds sufficient to provide for the future improvement of affected portions of the offsite sewer main, based on the fair share proportion of the project's impact. The method and amount of such a fair share impact fee shall be approved by the City Engineer. Any fair share fees shall be submitted prior to the issuance of a Building Permit.
99. Sewer connection fees shall be paid to the Las Virgenes Municipal Water District (LVMWD). The applicant shall submit proof of payment of such fees to Public Works prior to issuance of a Building Permit.
100. The project shall connect to an existing water main. The applicant shall construct a water service lateral to connect the proposed project to the existing available water main.
101. Water service connection, associated meter fees and any other miscellaneous fees/assessments shall be paid to Las Virgenes Municipal Water District (LVMWD). The applicant shall submit proof of payment of such fees (ie: LVMWD's Financial Arrangement Letter) to Public Works prior to the issuance of a Building Permit

PUBLIC WORKS SPECIAL CONDITIONS

102. The applicant's engineer shall plot all referenced easements on the site plan and grading plans.
103. The Applicant shall be responsible for the construction and maintenance of the proposed site improvements. A maintenance covenant shall be recorded against the property to ensure that project hardscape (sidewalks, ramps, parking areas and drive aisles, striping, disabled parking areas, signage, accessible route delineators, and related improvements) and drainage system (pipes, inlets, outlets, basins,

water quality devices, and related improvements) are properly maintained. Maintenance provisions shall be submitted by the applicant and approved by the City of Calabasas Public Works Department. Said covenant shall contain provisions ensuring that proper maintenance is provided in perpetuity for the constructed improvements. Covenant shall additionally include provisions to reimburse the City for any repair or maintenance effort required of said facilities, as deemed necessary by the City due to failure of the property owner(s)/management to adhere to the provisions of said covenant. The determination of necessity shall be at the sole discretion of the City

Public Works Department/Traffic & Transportation

104. Red curb to prohibit parking to ensure that sight distances are not impeded by parked vehicles is to be installed at the following locations:
- a. To the west, between the proposed driveway and the existing red curb along the frontage of the adjacent parcel;
 - b. To the east, between the proposed driveway and a point 20 feet west of the existing red curb that is adjacent to the speed hump.

All striping costs associated with this condition is the responsibility of the developer.

105. The removal of five on-street parking spaces along Park Sorrento shall be mitigated by the applicant; the applicant shall provide five additional on-site parking spaces located near the entrance to the site and signed as designated for public parking. The applicant shall also install custom signs in the vicinity informing motorists of those spaces designated for public parking.

106. Prior to issuance of a building permit, the applicant shall pay \$56,142.50 to the Citywide Traffic Mitigation Program for signal timing adjustment at the intersection of Park Sorrento and Park Granada, re-striping along Park Sorrento in the project vicinity and new/replacement signage.

107. Construction activity and traffic control shall be staged such that vehicular and pedestrian access to adjacent properties is maintained at all times.

Public Works Department/Environmental Services Division

108. This project will disturb one acre or greater of land and therefore must obtain coverage under a statewide General Construction Activities Stormwater Permit (General Permit). Prior to issuance of a grading permit, the applicant must submit to the City:

- a. Proof of PRD filing confirmation with the State Water Resources Control Board under the new General Permit (Order No. 2009-0009-DWQ Permit);

- b. A statement of owner's certification that a State Stormwater Pollution Prevention Plan (SWPPP) has been prepared; and
- c. A copy of the SWPPP prepared for the project complying with all applicable requirements of the Order No. 2009-0009-DWQ.

109. The site shall be designed to control pollutants, pollutant loads, and runoff volume by minimizing impervious surface area and controlling runoff from impervious surfaces through infiltration, evapotranspiration, bioretention and/or rainfall harvest and use in accordance with the requirements set forth in the MS4 Permit and the Los Angeles County LID Standards Manual. The project applicant shall prepare and submit a *Storm Water Mitigation Plan*, which shall implement a set LID standards and practices for storm water pollution mitigation, for review and approval. The Storm Water Mitigation Plan shall provide documentation to demonstrate compliance with the following:

- a. Retain storm water runoff onsite for the Storm water Quality Design Volume (SWQDV) defined as the runoff from:
 - 1. The 85th percentile 24-hour runoff event as determined from the Los Angeles County 85th percentile precipitation isohyetal map; or
 - 2. The volume of runoff produced from a 0.75 inch, 24-hour rain event, whichever is greater.
- b. Minimize hydromodification impacts to natural drainage systems as defined in the NPDES Permit.

110. The construction drawings must incorporate the following five requirements into the project design prior to the issuance of the grading permit:

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

111. Storm water runoff containing sediment, construction materials or other pollutants from the construction site and any adjacent staging, storage or parking areas shall be reduced to the maximum extent practicable. The following shall apply to all construction projects within the city and shall be required from the time of land clearing, demolition or commencement of construction until receipt of a certificate of occupancy:

- a. Sediment, construction wastes, trash and other pollutants from construction activities shall be reduced to the maximum extent practicable.

- b. Structural controls such as sediment barriers, plastic sheeting, detention ponds, filters, berms, and similar controls shall be utilized to the maximum extent practicable in order to minimize the escape of sediment and other pollutants from the site.
- c. Between October 1 and April 15, all excavated soil shall be located on the site in a manner that minimizes the amount of sediment running onto the street, drainage facilities or adjacent properties. Soil piles shall be bermed or covered with plastic or similar materials until the soil is either used or removed from the site.
- d. No washing of construction or other vehicles is permitted adjacent to a construction site. No water from the washing of construction vehicle or equipment on the construction site is permitted to run off the construction site and enter the MS4.
- e. Trash receptacles shall be situated at convenient locations on construction sites and shall be maintained in such a manner that trash and litter does not accumulate on the site nor migrate off site.
- f. Erosion from slopes and channels must be controlled through the effective combination of best management practices

112. As a condition for issuing a Certificate of Occupancy, the owner shall build all BMPs that are shown on the approved *Storm Water Mitigation Plan* and to submit an owner signed certification statement stating that the site and all LID BMPs will be maintained in compliance with the Storm Water Mitigation Plan, the manufacturer's manual and other applicable regulatory requirements. The certification shall include a fully executed and recorded "Maintenance Covenant for Parcels Subject to LID BMPs Requirements" to provide for on-going maintenance of the BMPs that have been chosen.

113. Landscape areas should utilize a concave design to capture irrigation runoff and first $\frac{3}{4}$ inch of a two year storm event for the landscape area only; additional capacity should be included if runoff from the roof and all hardscape areas is directed to landscaped areas.

114. Individuals responsible for SWPPP preparation, implementation, and permit compliance shall be appropriately trained. This includes those personnel responsible for developing the SWPPP called Qualified SWPPP Developer (SQD) and those personnel responsible for installation, inspection, maintenance, and repair of BMPs called the Qualified SWPPP Practitioner (QSP). They shall provide a certificate of appropriate trainings. Training sessions are offered by government agencies or professional organizations.

115. McCoy Creek is one of the headwaters of Los Angeles River. The owner shall be responsible for meeting all EPA approved water quality measures pursuant to the

California Water Quality Act including but not limited to Total Maximum Daily Loads (TMDL) applicable to McCoy Creek.

116. Areas of creek bank that have eroded need to be fully stabilized per the Army Corp of Engineer's standards and approval of the California Department of Fish and Wildlife. Creek banks need to be cleaned up, broken trees and barriers removed from the creek bed and bank per the CDFW's standards, subject to the approval of the City Engineer.
117. The applicant and contractors shall implement all reasonable efforts to reuse and recycle 75% of construction and demolition debris, to use environmentally friendly materials, and to provide energy efficient buildings, equipment, and systems. The applicant shall provide proof of recycling quantities to obtain final clearance of occupancy.
118. Provide a separate chute for trash and recyclable waste leading to each trash enclosure. The trash chutes must end-up in different bins.
119. Per the Calabasas Municipal Code Chapter 8.16, "no person shall collect and/or dispose of municipal solid waste or recyclable materials in the city without having first been issued a solid waste collection permit. Such permit shall be in addition to any business license or permit otherwise required by the City of Calabasas." The following companies and the only trash haulers authorized to operate in the City of Calabasas: American Reclamation (888- 999-9330), America's Bin (888-500-9007), Consolidated Disposal (800-299-4898), Interior Removal Specialists (323-357-6900), Recology (800-633-9933), Universal Waste Systems (800-631-7016), Waste Management (800-675-1171). An Encroachment Permit is required prior to placing a refuse bin/container on the street.
120. Grading shall be prohibited from **October 1st** through **April 15th**, unless the City Engineer determines that soil conditions at the site are suitable, and adequate and effective erosion and sediment control measures will be in place during all grading operations
121. During the term of the City permit, the contractor, their employees, and subcontractors shall implement appropriate Best Management Practices (BMPs) to prevent pollution to local waterways. Sediments, construction debris, paint, trash, concrete truck wash water and other chemical waste from construction sites left on the ground and streets unprotected, or washed into storm drains, causes pollution in local waterways via the storm drain system is against City Ordinance and State law. The BMPs implemented shall be consistent with City of Calabasas Municipal Code Chapter 8.28. Failure to implement appropriate BMPs shall result in project delays through City issued "Stop Work Notices" and/or fines levied against the owner/developer/contractor.

Las Virgenes Municipal Water District

122. Pay applicable water meter and sewer fees prior to construction.
123. The applicant shall implement and maintain water conservation measures including but not limited to, fixture design and installation (use of ultra-low flush/flow toilets and shower heads), and hot water circulating systems.
124. The project landscaping plan shall incorporate drought tolerant plantings and efficient irrigation systems and techniques.
125. The applicant shall implement maximum use of recycled water during and after construction. The applicant shall be required to meet all of the District's conditions of service in order to be served.

Los Angeles County Fire Department

126. Obtain all applicable permits and approvals from the Los Angeles County Fire Department.
127. Label the fire apparatus access as "Private Driveway and Fire Lane" on the Site Plan Map.
128. Due to the extended access to all portions of all exterior walls of the proposed development, **fire is requesting that one of the stairs leading to the roof, have a door leading to the roof with an approved standpipe.**
129. The on-site private driveways shall provide a minimum paved unobstructed width of 28 feet at the front of the building and 26 feet adjacent to the side, provide clear to the sky clearance. Verification for compliance will be performed during the Fire Department review of the architectural plan approval prior to building permit issuance and prior to occupancy.
130. Submit a fire flow availability form, FORM 196, to our office for the existing public fire hydrant located 300 feet within the lot frontage. Compliance shall be submitted to fire prevention engineering during architectural review.
131. This property is located within the area described by the Fire Department as "Very High Fire Hazard Severity Zone". A "Fuel Modification Plan" shall be submitted and approved prior to building permit issuance. (Contact: Fuel Modification Unit, Fire Station #32, 605 North Angeleno Avenue, Azusa, CA 91702-2904, Phone (626) 969-5205 for details).

132. All proposed buildings shall be placed such that a fire lane is provided to within 150 feet of all exterior walls of the first story. This measurement shall be by an approved route around the exterior of the building or facility. Verification for compliance will be performed during the Fire Department review of the architectural plan prior to building permit issuance.
133. Maintain a minimum 5 feet wide approved firefighter access walkway leading from the Fire Department access road to all openings in the building exterior walls. Verification for compliance will be performed during the Fire Department review of the architectural plan prior to building permit issuance.
134. The fire apparatus access road shall be designed and maintained to support the imposed load of a fire apparatus weighing 37.5 tons (75,000 pounds) and shall be surfaced so as to provide all-weather driving capabilities. Fire apparatus access roads having a grade of 10 percent or greater shall provide a paved or concrete surface. Verification for compliance will be performed during the Fire Department review of the architectural plan prior to building permit issuance.
135. Fire lanes exceeding a length of 150 feet that dead end are required to provide an approved Fire Department turnaround. The required Fire Department turnaround shall be designed at 26 feet to accommodate the required fire apparatus as mentioned on the Fire Department standards due to the size of the building and shall be clearly depicted on the final design plans.
136. The fire department turnaround shall be increased in size to meet the minimum width requirements of **26 feet for multiple residential / commercial** developments.
137. Any change of direction within a private driveway shall provide a 32 feet centerline turning radius. Incorporate compliance on the site plan with a detail.
138. The proposed Permeable Pavement within the required fire lane shall provide a minimum width of 28 and 26 feet as noted on the site plan, clear to the sky, and be capable to support a live load of 75,000 pounds. Provide a construction detail on the load capacity of the permeable pavement product to be used and a note on the architectural plans; provide verification of design compliance prior to building permit issuance.
139. All proposed vehicular gates shall be designed, constructed, and maintained in accordance with ASTM F2200 and UL 325 as specified in the County of Los Angeles Fire Code. The vehicular gate shall provide an unobstructed width not less than 20 feet when fully open. Verification for compliance will be performed during the architectural plan review prior to building permit issuance.
140. The requirement for installations for both public and on-site fire hydrants will be conducted during the time of architectural building plan review for building permit clearance. Public fire hydrants shall be spaced every 300 feet and be within 200

feet of all portions of the street frontage of said property. Additional on-site fire hydrant requirements are necessary when the structures are located more than 400 feet from a properly spaced public fire hydrant, and as measured in the line of vehicular travel. All fire hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, be located to provide a minimum clearance of 3 feet around the fire hydrant, and conform to current AWWA standard C503 or approved equal.

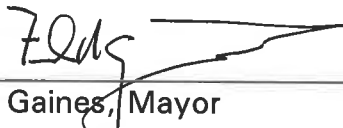
141. The required fire flow from the public fire hydrant for this development with the allowable reduction for an approved fire sprinkler system in the buildings can be up to **4000** gallons per minute at 20 psi for duration of 4 hours, over and above maximum daily domestic demand. The required fire flow will be calculated by the Fire Department during the architectural plan review process prior to building permit issuance.
142. All required fire hydrants shall be installed, tested, and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants.
143. An approved automatic fire sprinkler system meeting the requirements for a full **NFPA 13 system** is required for proposed building within this development. Submit design plans to the Fire Department Sprinkler Plan Check Unit for review and approval prior to installation.
144. Maintain a minimum vertical clearance of 13 feet 6 inches for any protected trees encroaching into the required fire apparatus access driveway. This requirement is subject to all applicable tree trimming permits from the appropriate county agency.
145. The proposed gate of **20 feet in width**, shall comply with the Fire Department's Regulation 5. Verification for compliance will be performed during final inspection of the gate prior to occupancy.
146. The proposed Permeable Pavement within the required fire lane shall provide a minimum width of **28 feet at the front of building** and **26 feet along the building side**, clear to the sky, and be capable to support a live load of 75,000 pounds. After installation, a Licensed Civil Engineer shall certify the structural integrity of the Permeable Pavement and confirm the load capacity prior to occupancy. Copy of the test shall be submitted to the Fire Department, prevention section.
147. All buildings shall provide approved address numbers. Compliance shall be provided prior to occupancy to the satisfaction of the Department of Public Works and the County of Los Angeles Fire Code.
148. Prior to issuance of any building permit, Applicant shall submit for review and approval by the Director an on-site vehicle parking management plan. The On-site

Parking Management Plan shall ensure maximum access to available off-street parking spaces within the project by all future residential tenants of the project, visitors and guests of the residential tenants, employees and customers of the commercial business(s) located within the commercial building, and the general public (in accordance with Condition No. 105).

Section 6. In view of all the evidence and based on the foregoing findings and conclusions, the City Council hereby approves the Conditional Use Permit, Site Plan Review, Oak Tree Permit, Lot Merger and General Plan Amendment associated with File No. 150000964 and adopts the associated Mitigated Negative Declaration. The approval of the Conditional Use Permit is conditioned upon the approval of the zoning map amendment associated with File No. 150000964 by the City Council.

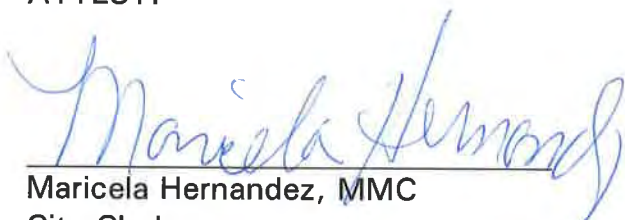
The City Clerk shall certify to the adoption of this resolution and shall cause the same to be processed in the manner required by law.

PASSED, APPROVED AND ADOPTED this 14th day of February, 2018.




Fred Gaines, Mayor

ATTEST:



Maricela Hernandez, MMC
City Clerk

APPROVED AS TO FORM:



Scott H. Howard
Colantuono, Highsmith & Whatley, PC
City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §
CITY OF CALABASAS)

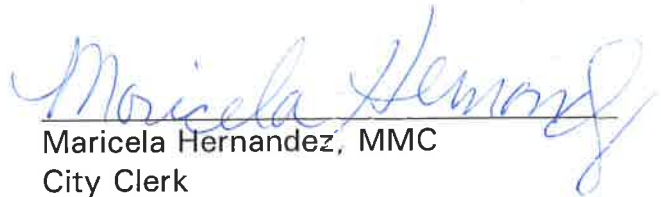
I, **MARICELA HERNANDEZ, MMC**, City Clerk of the City of Calabasas, California, **DO HEREBY CERTIFY** that the foregoing resolution, being **Resolution No. 2018-1576** was duly adopted by the City Council of the City of Calabasas, at their regular meeting held February 14, 2018, and that it was adopted by the following vote, to wit:

AYES: Mayor Gaines, Mayor pro Tem Shapiro and Councilmember Weintraub.

NOES: Councilmembers Bozajian and Maurer.

ABSTAIN: None.

ABSENT: None.



Maricela Hernandez, MMC
City Clerk
City of Calabasas, California



October 24, 2019

**City of Calabasas
100 Civic Center Way
Calabasas, CA 91302**

RE: EXTENSION OF TIME

At this time, we are requesting a 2-year extension of time, for our project located at 23480 Park Sorrento in Calabasas, CA. The time extension would be for the implementation of the site plan review, conditional use permit, Oak tree permit, lot merger and general plan amendment (File No. 150000964).

JUSTIFICATION

Due to the increased construction costs throughout the Southern California area, the project cost has substantially increased. Unfortunately, due to the unforeseen fires and high volumes of construction costs, we find that these circumstances have created unexpected financial hardships. Consequently, obtaining the additional financing has caused the delay in the development of the project.

Should you have any further need for clarification, please contact Rob Raznick @818-884-7770 or Ken Stockton @818-888-9443. Thank you in advance for your time and assistance.

Respectfully,

A handwritten signature in blue ink, appearing to read "Ken Stockton", written over a light blue circular stamp.

Ken Stockton, Architect



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ALEX VILLANUEVA, SHERIFF

(818) 878-1808



December 10, 2019

Dr. Gary J. Lysik, City Manager
City of Calabasas
100 Civic Center Way
Calabasas, CA 91302

Dear Dr. Lysik:

Listed below are the year-to-date crime statistic comparisons for the City of Calabasas for the month of November 2019.

I. CRIME STATISTICS

CRIME	CURRENT MTH	YTD 2019	YTD 2018	CHANGE
Homicide	0	1	0	1
Rape	0	1	8	-7
Robbery				
Armed	1	7	1	6
Strong-Arm	1	7	2	5
Assault	0	2	11	-9
Burglary				
Residential	5	38	52	-14
Business	0	19	12	7
Garage/Out-Building	1	14	8	6
Vehicle (locked)	7	69	55	14
Theft				
Grand (\$950 +)	3	47	35	12
Petty	8	63	83	-20
Vehicle (unlocked)	2	33	60	-27
Grand Theft Vehicle	2	24	13	11
Arson	0	2	0	2
Domestic Violence Felony	1	5	2	3
Total Part I Crimes	31	332	342	-10
Percent Change				-2.9%
Domestic Violence Misdemeanor	1	27	23	4
Swatting	0	1	0	1

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

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I. NOTEWORTHY INCIDENTS

A robbery was reported in the 4700 block of Commons Way. Three suspects, two female Blacks and one male Black, in their mid-20's, entered the location and began to fill a shopping basket with high-end beauty products. The suspects walked past the register area without paying for the items. An employee approached the suspects in attempt to stop them from leaving the store. The male suspect turned towards the employee and the employee thought that the suspect was armed with a firearm due to seeing a bulge protruding from the suspect's duffel bag that he was carrying. The employee, in fear, let the suspects exit with the stolen items. The suspects fled in a silver, newer model Nissan sedan. (19-06616)

An attempted robbery and residential burglary occurred in the 4200 block of Lost Hills Road. The suspect, victim's daughter, entered the residence through an unlocked sliding glass door. The suspect grabbed the victim's wallet and was looking through it. The victim saw the suspect and attempted to grab the wallet. The suspect assaulted the victim and fled the location. The suspect is a transient in the Van Nuys area. The case is on-going. (19-06778)

Four incidents of theft of a wallet were reported this month. Two occurred in the 22200 block of Mulholland Highway and two were reported in the 23700 block of Calabasas Road. The victims were shopping at the locations when their wallets were stolen from their purses. In one incident, the victim stated she was approached by a female Hispanic adult and asked a question. The victim said there was a male Hispanic adult next to the female. The victim believed the female and male were working in conjunction to steal her wallet from her purse. Stolen credit cards from two of the victims were used by unknown suspect(s) at Nordstrom's in Canoga Park. (19-06295, 06520, 06626, 06633)

III. TRAFFIC

See attached.

IV. AGENDIZED CAR

See attached

V. CRIME PREVENTION

See attached

VI. JUVENILE INTERVENTION TEAM

See attached.

VII. ARREST STATISTICS

The numbers of arrests listed below are the most current available.

	YEAR TO DATE 2019		CURRENT MONTH NOVEMBER	
	ADULT	JUVENILE	ADULT	JUVENILE
Criminal Homicide	0	0	0	0
Forcible Rape	1	0	0	0
Robbery	2	1	0	0
Aggravated Assault	2	0	0	0
Burglary	5	0	0	0
Larceny Theft	8	1	2	0
Grand Theft Auto	3	0	0	0
Arson	0	0	0	0
Forgery	0	0	0	0
Fraud and NSF checks	10	0	0	0
Sex Offenses, Felonies	1	0	0	0
Sex Offenses, Misdemeanors	2	0	1	0
Non-Aggravated Assaults	7	0	2	0
Domestic Violence, Felony	0	0	0	0
Domestic Violence, Misd.	18	0	1	0
Weapon Laws	3	0	0	0
Offenses Against Family	2	0	0	0
Narcotics	59	2	5	0
Liquor Laws	0	0	0	0
Drunk/Alcohol/Drugs	9	0	1	0
Disorderly Conduct	1	0	0	0
Vagrancy	0	0	0	0
Gambling	0	0	0	0
Drunk Driving Vehicle/Boat	33	0	3	0
Vehicle/Boating Laws	102	0	6	0
Vandalism	0	0	0	0
Warrants	102	0	10	0
Receiving Stolen Property	2	0	0	0
Federal Offenses W/O Money	0	0	0	0
Federal Offenses With Money	2	0	0	0
Felonies, Miscellaneous	1	0	0	0
Misdemeanors, Miscellaneous	18	0	3	0
ARREST TOTALS	393	4	34	0

Sincerely,

ALEX VILLANUEVA, SHERIFF



Matthew S. Vander Horck, Captain
Malibu/Lost Hills Station

**LOST HILLS JUVENILE INTERVENTION UNIT
ACTIVITY REPORT FOR NOVEMBER 2019
CALABASAS**

A. SCHOOL ISSUES

LVUSD, SMUSD, LAUSD closed for the Holiday week

Assisted Calabasas High School re: student truancy concerns.

Assisted Calabasas High School re: student incident

Assisted Calabasas High School with presence re: possible threat.

Assisted Lupin Hill Elementary re: student incident.

Assisted AC Stelle re: possible threats through social media incident.

Assisted Round Meadow re: student incident.

Assisted AE Wright re: possible incident.

B. INTERVENTIONS

Contacted parent from Calabasas re: incident with juvenile.

Intervention with parents re: teen runaway concerns/issues.

Conducted an intervention with parent and student from Calabasas High.

C. COMMUNITY / CRIMINAL ISSUES

1. We conducted a monthly parental resource class at Lost Hills Sheriff's Station. This program was developed by our unit and is designed to educate parents about: 1) The current trends in juvenile behavior and delinquency, 2) Alcohol/narcotic awareness and recognition, 3) School policy and campus issues, 4) Gang awareness and negative peer relations, 5) Parental rights and responsibilities and, 6) Parental responses to incorrigible and/or delinquent behavior. We also address the specific concerns relating to the minor's behavior. We educate the minor and their parents of possible criminal behavior and the legal consequences. We offer suggestions and make recommendations to improve the minor's quality of life.
2. Spoke with numerous citizens and parents who called to question various juvenile concerns and issues in the community. We also provide the parents with various juvenile resource programs within our community.
3. We met with the Sylmar Juvenile Court District Attorney regarding the investigation and filing of criminal charges against juvenile offenders.
4. Met with Acting Captain Salvador Becerra throughout the month in order to keep him up to date

regarding our unit's investigations and current juvenile issues within our city.

5. Entered juveniles into the Juvenile Automated Index system for various violations.
6. Made court appearances to testify as witnesses on the part of the People of the State of California and attended court proceedings in cases generated from the City of Calabasas. We also investigated, prepared, and filed cases with the District Attorney's office. We additionally assisted other investigators in the preparation of cases for court.
7. Met with station narcotic detectives on a regular basis to exchange information regarding juvenile and drug related issues. We have worked with the narcotic detectives on several narcotic cases directly and indirectly involving juveniles.
8. Handled the processing and follow-up of various juvenile referrals brought to the attention of this unit (i.e., Juvenile Information Forms, Field Interview Cards, Juvenile Automated Index, and citations for various juvenile contacts with uniform personnel).
9. Conducted our normal checks of juvenile problem areas in the city during weekend evenings and responded to juvenile related calls for service.
10. Updated the Gang Book and briefed the captain on criminal activity trends.
11. Registered 2 sexual predators and updated information in database.
12. Participated in the SST program.
13. Assisted station EOC re: Getty Fire, Easy Fire, Mureau Fire and red flag warning.
14. Station Orientation for new trainees.
15. Conducted Tobacco Sting Operations for LVUSD and dean of student wellness and safety.
16. eSCARS system updated
17. Month End Reports completed.
18. Assist Detective Bureau re: cases for detained/non detained to file at Sylmar Court.
19. Assisted Records Sealing Unit with sealing records check.
20. Publish and submit STAR news article.
21. Burglary Suppression.
22. Prepare EAP for LVUSD Tobacco Sting Operations.
23. Assisted patrol re: uniforms

24. Follow up with LVUSD Dean of student wellness and safety for poss tobacco presentation.
25. HOJJ re: US Marine birthday ceremony
26. FLEET re: Loaner vehicle returned.
27. Van Nuys Court re: case
28. Uniform store re: station needs.
29. Assisted DB re: team building exercise.
30. Van Nuys probation re: citation drop off.
31. Assisted District re: incident.
32. Assisted Narcotics re: search warrant.
33. Wayside re: training and drop off material.
34. Henry Mayo Hospital for suspect security re: Saugus High School active shooter incident.
35. AR-15 Certification Class PDC range
36. Assisted EOC re Topanga Fire.
37. Follow up with Aimee Haber re: three files for Teen Court cases.
38. Assisted 290 clients and lawyer re: procedure and info on orientation.
39. Chatsworth court re: case.
40. Assisted DB re: court security on 187 case.
41. Assisted FBI re: incident.
42. Assisted patrol re: hit and run.
43. Assisted Records Unit for 290's mailing new 290 info.
44. Santa Monica court re: case.
45. Entry/ Tactical training with DB
46. Presentation/Q&A for children at valley outreach synagogue of Calabasas.
47. Assisted Calabasas City Hall and Code Enforcement re: Violations for Tobacco Stings



COLLISION SUMMARY*	This Month	Month Year Prior	Total YTD	Total Prior YTD	Change +/-
Total Collisions - Excluding Private Property	15	16	177	189	-12
Fatal Collisions	0	0	0	0	0
Injury Collisions	7	5	50	61	-11
Property Collisions	8	11	126	128	-2
Private Property Collisions	2	3	36	32	+4
DUI Collisions with Injuries	0	0	2	3	-1
DUI Collisions with Property Damage	0	0	3	3	0
Total Pedestrian Collisions	0	0	1	5	-4
Pedestrians Killed	0	0	0	0	0
Pedestrians Injured	0	0	1	5	-4
Total Hit & Run Collisions	1	2	27	27	0
Hit & Run Fatalities	0	0	0	0	0
Hit & Run Injuries	0	0	4	3	+1
Hit & Run Property Only	1	2	23	24	-1
CITATION SUMMARY*	This Month	Month Year Prior	Total YTD	Total Prior YTD	Change +/-
Traffic Total	272	96	2685	2722	-37
Hazardous Violations	105	38	1120	1303	-183
Non-Hazardous Violations	50	13	511	385	+126
Parking Violations	112	45	1022	1022	0
DUI Arrests	5	0	32	12	+20

*Collision Summary and Citation Summary does not reflect all collisions and citations which were not entered into the database.

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

"A Tradition of Service"

OFFICE CORRESPONDENCE

DATE: 12-12-19

FROM: Scott Shean, Traffic Investigator TO: Matthew S. Vander Horck, Captain
Malibu/Lost Hills Station Malibu/Lost Hills Station

SUBJECT: November Motor Activity Report City of Calabasas

During the month of November the motorcycle officers wrote 83 citations.
The citations break down into the following categories:

Unsafe Speed	19
Other Hazard	25
Other Non-Hazard	21
Signs and Signals	14
Unsafe Turning	4

SWS:

**L.A. County Sheriff's Department
Lost Hills & Malibu Station
Monthly Traffic Safety Management Report**

*City of CALABASAS
Date Range Reported: 11/1/2019 to 11/30/2019*

Total No. of Collisions: 15 Injury: 7 Non-Injury: 8 Fatal: 0 Private Property: 2

Total No. of Citations: 155 Hazardous Cites: 105 Non-Hazardous Cites: 50

Collisions by Reporting Districts

<u>Reporting District</u>	<u>No.</u>	<u>Location</u>
2240	1	at Calabasas Hills Rd and Cold Springs St
2241	2	at Agoura Rd and Las Virgenes Rd
	3	at Separate Locations
2242	1	at Lost Hills Rd and Rt 101 Nboff/R
2243	2	at Las Virgenes Rd and Mureau Rd
	2	at Las Virgenes Rd and Thousand Oaks Blvd
2245	3	at Separate Locations
2248	1	at Eddingham Av and Mulholland Hwy

Collision Occurred Most Frequently On:

<u>Street Name</u>	<u>Number of Collisions</u>
Las Virgenes Rd	5
2 at Mureau Rd	
2 at Thousand Oaks Blvd	
1 at Agoura Rd	
Agoura Rd	2
2 at at Separate Locations	
Lost Hills Rd	2
2 at at Separate Locations	
Calabasas Hills Rd	1
1 at Cold Springs St	
Mulholland Hwy	1
1 at Eddingham Av	

Park Sorrento		1
	1 at Park Granada	
Parkway Calabasas		1
	1 at Park Granada	

Primary Collision Factors:

<u>Violations</u>	<u>Description</u>	<u>Number of Collisions</u>
22107	Unsafe Turning Movement	4
22350	Unsafe Speed	3
21801(a)	Left Turns Or U-Turns Yield To Other Vehicles	3
22106	Unsafe Start Or Backing	2
21703	Following Too Closely	2
22651		1

Violations Most Frequently Cited:

<u>Violations</u>	<u>Description</u>	<u>Number of Citations</u>
4000(a)(1)	Vehicle Registration Required	26
38300	Off-Highway Vehicle, Disobey Signs	21
22350	Unsafe Speed	20
22450(a)	Failure To Stop For Posted Stop Sign	20
12500(a)	Unlicensed Driver	12
16028(a)	Proof Of Financial Liability-Traffic Accident	12
14601.1(a)	Driving With Suspended License	6
21461(a)	Obey Traffic Control Sign	6
23123(a)	Using Wireless Hand Held Phone While Driving	6
5204(a)	Current Month And Year Tabs Attached	6
23152(a)	Dui; Alcohol	5
22100(a)	Right Turn At Intersection, Improper Position	4
22349(a)	Speeding, Excess Of 65 Mph	4
5200(a)	License Plates, Two On A Vehicle Front/Rear	4
22107	Unsafe Turning Movement	3
23123.5(a)	Texting While Driving	3
24252(a)	Maintain Required Lighting	3
22101(d)	Req'd Or Prohibited Turn; Fail To Obey Sign	2
26708(a)(2
11362.3(a)		1
12951(a)	Drivers License, Not In Possession	1
16020(a)	Proof Of Insurance In Vehicle At All Times	1
21457(a)	Flashing Red; Failure To Stop	1
21651(a)(1
21706	Following Emergency Vehicles	1
21755(a)	Unsafe Passing On Right	1
22349(b)	Exceeding 55 Mph Speed Limit	1

23152(b)	Dui, .08 Bac Or Greater	1
23152(e)	Dui-Drugs	1
23222(a)	Possess Open Container While Driving	1
23247(e)	Ignition Interlock Device Required To Oper. Veh.	1
26101(a)	Modified Devices- Shall Not Sell Or Offer To Sell	1
272(a)(1)	Contribute To Delinquency Of A Minor	1
273(B)		1

Collisions Involving Pedestrians: 0

Most Frequent Violations

Collisions Involving Bicyclists: 0

Most Frequent Violations

**L.A. County Sheriff's Department
Lost Hills & Malibu Station**

Monthly Traffic Collision Report

12/12/2019 City of CALABASAS

Date Range Reported: 11/1/2019 to 11/30/2019

Collisions

Total Non-Injury Collisions	8
Total Injury and Fatal Collisions	7
Total Collisions (Injury + Non-Injury)	15

DUI Collisions

Number of DUI Collisions with Fatalities	0
Number of DUI Collisions with Injuries	0
Number of DUI Collisions Involving Property Damage	0
Total Number of DUI Collision Deaths	0
Total Number of DUI Collision injuries	0
Total Number of DUI Collisions	0
Total Actual Number of DUI Arrests	5

Non-DUI Collisions

Number of Non-DUI Collisions with Fatalities	0
Number of Non-DUI Collisions with Injuries	7
Number of Non-DUI Collisions Involving Property Damage	8
Total Number of Non-DUI Collision Deaths	0
Total Number of Non-DUI Collision injuries	13

Vehicle/Pedestrian Collisions

Number of Vehicle/Pedestrian Collisions with Fatalities	0
Number of Vehicle/Pedestrian Collisions with Injuries	0
Total Number of Pedestrian Fatalities	0
Total Number of Pedestrian Injuries	0

Vehicle/Bicycle Collisions

Number of Vehicle/Bicycle Collisions with Fatalities	0
Number of Vehicle/Bicycle Collisions with Injuries	0
Total Number of Vehicle/Bicycle Collision Fatalities	0
Total Number of Vehicle/Bicycle Collision Injuries	0

Hit & Run Collisions

Total Number of Hit & Run Fatalities	0
Total Number of Hit & Run Injuries	0
Total Number of PDO Hit & Run Collisions	1

Traffic Citations

Total Number of Radar Citations Issued	12
Total Number of Bicycle Citations Issued	0
Total Number of Pedestrian Citations Issued	0
Total Number of Safety Belt Citations Issued	0
Total Number of Child Restraint Citations Issued	0
Total Number of Financial Responsibility Citations Issued	13
Total Number of Hazardous Citations Issued	105
Total Number of Non-Hazardous Citations Issued	50
Total Number of Citations Issued	155

Parking Citations

Total Number of Parking Citations Issued	0
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Miscellaneous

Child in Passenger Seat or Belts, Number of Fatalities	
Child in Passenger Seat or Belts, Number of Injuries	
Child Not in Passenger Seat or Belts, Number of Fatalities	
Child Not in Passenger Seat or Belts, Number of Injuries	
Number of Code 3 or Pursuit Collision Fatalities	
Number of Code 3 or Pursuit Collision Injuries	
Number of Patrol Vehicle Rear-End Collisions with Amber On	

Enforcement Index

Enforcement Index	15.0
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**L.A. County Sheriff's Department
Lost Hills & Malibu Station**

From 11/1/2019 to 11/30/2019

Total Collisions: 15

Injury Collisions: 7

Fatal Collisions: 0

Collision Summary Report

12/12/19

Page 1 of 3

919-06372-2243-471	11/5/2019	18:06	Tuesday	LAS VIRGENES RD - MUREAU RD			0'	Direction: Not Stated	Dark - Street Lig	Clear	Pty at Fault:2
	Broadside		Other Motor Vehicle	Auto R/W Violation			21801(a)	Hit & Run: No	Other Visible Injury	# Inj: 1	# Killed: 0
Party 1	Driver	North	Proceeding Straight	Male	Age: 58	2000 FORD	F150	Pickups & Panels		Other Visible Injury	
	Veh Type: Pickup Truck		Sobriety: HNBD	Assoc Factor: None Apparent			Lap/Shoulder Harness Used	Cell Phone Not In Use			
Party 2	Driver	South	Making Left Turn	Male	Age: 25	2015 VOLKSWAGEN	BEETLE	Passenger Car, Station Wagon, Jeep		No Injury	
	Veh Type: Passenger Car		Sobriety: HNBD	Assoc Factor: None Apparent			Lap/Shoulder Harness Used	Cell Phone Not In Use			
919-06395-2241-471	11/6/2019	17:23	Wednesday	LOST HILLS RD - CANWOOD ST			0'	Direction: Not Stated	Dark - Street Lig	Clear	Pty at Fault:1
	Rear-End		Other Motor Vehicle	Following Too Closely			21703	Hit & Run: No	Complaint of Pain	# Inj: 2	# Killed: 0
Party 1	Driver	North	Proceeding Straight	Female	Age: 44	2017 TOYOTA	PRIUS	Passenger Car, Station Wagon, Jeep		Complaint of Pain	
	Veh Type: Passenger Car		Sobriety: HNBD	Assoc Factor: Inattention			Lap/Shoulder Harness Used	Cell Phone Not In Use			
Party 2	Driver	North	Stopped In Road	Female	Age: 51	2016 CADILLAC	ESCALADE	Sport Utility Vehicle		Complaint of Pain	
	Veh Type: Passenger Car		Sobriety: HNBD	Assoc Factor: None Apparent			Lap/Shoulder Harness Used	Cell Phone Not In Use			
919-06397-2240-472	11/6/2019	17:30	Wednesday	CALABASAS HILLS RD - COLD SPRINGS ST			120'	Direction: South	Dusk - Dawn	Clear	Pty at Fault:1
	Sideswipe		Fixed Object	Improper Turning			22107	Hit & Run: No	Property Damage Only	# Inj: 0	# Killed: 0
Party 1	Driver	South	Ran Off Road	Female	Age: 68	2016 VOLKSWAGEN	UNK	Passenger Car, Station Wagon, Jeep		No Injury	
	Veh Type: Passenger Car		Sobriety: HNBD	Assoc Factor: None Apparent			Lap/Shoulder Harness Used	Cell Phone Not In Use			
919-06435-2245-472	11/8/2019	12:10	Friday	PARK SORRENTO - PARK GRANADA			300'	Direction: East	Daylight	Clear	Pty at Fault:1
	Rear-End		Other Motor Vehicle	Unsafe Speed			22350	Hit & Run: No	Property Damage Only	# Inj: 0	# Killed: 0
Party 1	Driver	East	Proceeding Straight	Female	Age: 27	2014 ACURA	MDX	Sport Utility Vehicle		No Injury	
	Veh Type: Passenger Car		Sobriety: HNBD	Assoc Factor: Violation			Lap/Shoulder Harness Used	Cell Phone Not In Use			
Party 2	Parked Vehicle		Parked		Age:	2017 NISSAN	ROGUE	Sport Utility Vehicle		No Injury	
	Veh Type: Passenger Car		Sobriety: Not Applicable	Assoc Factor: None Apparent				Cell Phone Not In Use			
Party 3	Parked Vehicle		Parked		Age:	2000 TOYOTA	4RUNNER	Sport Utility Vehicle		No Injury	
	Veh Type: Passenger Car		Sobriety: Not Applicable	Assoc Factor: None Apparent				Cell Phone Not In Use			
Party 4	Parked Vehicle		Parked		Age:	2003 LINCOLN	TOWN CAR	Passenger Car, Station Wagon, Jeep		No Injury	
	Veh Type: Passenger Car		Sobriety: Not Applicable	Assoc Factor: None Apparent				Cell Phone Not In Use			
919-06555-2243-471	11/13/2019	17:52	Wednesday	LAS VIRGENES RD - MUREAU RD			0'	Direction: Not Stated	Dark - Street Lig	Clear	Pty at Fault:1
	Head-On		Other Motor Vehicle	Auto R/W Violation			21801(a)	Hit & Run: No	Complaint of Pain	# Inj: 3	# Killed: 0
Party 1	Driver	South	Making Left Turn	Female	Age: 31	2019 AUDI	Q5	Sport Utility Vehicle		Complaint of Pain	
	Veh Type: Passenger Car		Sobriety: HNBD	Assoc Factor: None Apparent			Lap/Shoulder Harness Used	Cell Phone Not In Use			
Party 2	Driver	North	Proceeding Straight	Female	Age: 50	2015 FORD	FLEX	Passenger Car, Station Wagon, Jeep		Complaint of Pain	
	Veh Type: Passenger Car		Sobriety: HNBD	Assoc Factor: None Apparent			Lap/Shoulder Harness Used	Cell Phone Not In Use			

919-06563-2241-471	11/14/2019	08:10	Thursday	LAS VIRGENES RD - AGOURA RD	0'	Direction: Not Stated	Daylight	Clear	Pty at Fault:1
	Rear-End		Other Motor Vehicle	Following Too Closely	21703	Hit & Run: No	Property Damage Only	# Inj: 0	# Killed: 0
Party 1	Driver	South	Proceeding Straight	Female	Age: 42	2014 FORD	EDGE	Sport Utility Vehicle	No Injury
	Veh Type: Passenger Car		Sobriety: HNBD		Assoc Factor: Inattention		Lap/Shoulder Harness Used	Cell Phone Not In Use	
Party 2	Driver	South	Stopped In Road	Male	Age: 16	2014 HONDA	PILOT	Sport Utility Vehicle	No Injury
	Veh Type: Passenger Car		Sobriety: HNBD		Assoc Factor: None Apparent		Lap/Shoulder Harness Used	Cell Phone Not In Use	
919-06594-2243-471	11/15/2019	17:50	Friday	LAS VIRGENES RD - THOUSAND OAKS BLVD	500'	Direction: South	Dark - Street Lig	Clear	Pty at Fault:1
	Rear-End		Other Motor Vehicle	Unsafe Speed	22350	Hit & Run: No	Complaint of Pain	# Inj: 2	# Killed: 0
Party 1	Driver	South	Proceeding Straight	Male	Age: 19	2017 HONDA	CIVIC	Passenger Car, Station Wagon, Jeep	Complaint of Pain
	Veh Type: Passenger Car		Sobriety: HNBD		Assoc Factor: Inattention		Lap/Shoulder Harness Used	Cell Phone Handheld In Use	
Party 2	Driver	South	Stopped In Road	Male	Age: 26	2009 HONDA	CIVIC	Passenger Car, Station Wagon, Jeep	Complaint of Pain
	Veh Type: Passenger Car		Sobriety: HNBD		Assoc Factor: Other		Lap/Shoulder Harness Used	Cell Phone Not In Use	
919-06677-2242-471	11/19/2019	12:14	Tuesday	LOST HILLS RD - RT 101 NBOFF/R	0'	Direction: Not Stated	Daylight	Clear	Pty at Fault:1
	Head-On		Other Motor Vehicle	Improper Turning	22107	Hit & Run: No	Complaint of Pain	# Inj: 2	# Killed: 0
Party 1	Driver	South	Making Left Turn	Female	Age: 62	2008 TOYOTA	FJ CRUISER	Sport Utility Vehicle	Complaint of Pain
	Veh Type: Passenger Car		Sobriety: HNBD		Assoc Factor: None Apparent		Lap/Shoulder Harness Used	Cell Phone Not In Use	
Party 2	Driver	North	Proceeding Straight	Male	Age: 26	2005 LEXUS	LS430	Sport Utility Vehicle	Complaint of Pain
	Veh Type: Passenger Car		Sobriety: HNBD		Assoc Factor: None Apparent		Lap/Shoulder Harness Used	Cell Phone Not In Use	
919-06686-2241-472	11/19/2019	18:00	Tuesday	AGOURA RD - LAS VIRGENES RD	488'	Direction: West	Dark - Street Lig	Clear	Pty at Fault:1
	Sideswipe		Other Motor Vehicle	Auto R/W Violation	21801(a)	Hit & Run: No	Property Damage Only	# Inj: 0	# Killed: 0
Party 1	Driver	West	Making Left Turn	Male	Age: 18	2001 FORD	FOCUS	Passenger Car, Station Wagon, Jeep	No Injury
	Veh Type: Passenger Car		Sobriety: HNBD		Assoc Factor: None Apparent		Lap Belt Used	Cell Phone Not In Use	
Party 2	Driver	East	Proceeding Straight	Female	Age: 28	2012 VOLKSWAGEN	JETTA	Passenger Car, Station Wagon, Jeep	No Injury
	Veh Type: Passenger Car		Sobriety: HNBD		Assoc Factor: None Apparent		Lap Belt Used	Cell Phone Not In Use	
Party 3	Driver	East	Proceeding Straight	Male	Age: 26	2018 BMW	440i	Passenger Car, Station Wagon, Jeep	No Injury
	Veh Type: Passenger Car		Sobriety: HNBD		Assoc Factor: None Apparent		Lap Belt Used	Cell Phone Not In Use	
919-06769-2241-472	11/24/2019	02:44	Sunday	26510 AGOURA RD - PRIVATE PROPERTY	'	Direction:	Dark - Street Lig	Clear	Pty at Fault:1
	Hit Object		Fixed Object	Unsafe Starting or Backing	22106	Hit & Run: Misde	Property Damage Only	# Inj: 0	# Killed: 0
Party 1	Driver		Backing	Male	Age:				No Injury
	Veh Type:		Sobriety: Impairment Not Kno		Assoc Factor: Violation			Cell Phone Not In Use	
919-06775-2245-471	11/24/2019	09:51	Sunday	PARKWAY CALABASAS - PARK GRANADA	0'	Direction: Not Stated	Daylight	Clear	Pty at Fault:1
	Other		Motor Vehicle on Othe	Improper Turning	22107	Hit & Run: No	Complaint of Pain	# Inj: 2	# Killed: 0
Party 1	Driver	East	Making Left Turn	Male	Age: 26	2004 TOYOTA	CAMRY	Passenger Car, Station Wagon, Jeep	No Injury
	Veh Type: Passenger Car		Sobriety: HNBD		Assoc Factor: None Apparent		Lap/Shoulder Harness Used	Cell Phone Not In Use	
Party 2	Driver	North	Proceeding Straight	Female	Age: 61	2019 LEXUS	NX300H	Sport Utility Vehicle	Complaint of Pain
	Veh Type: Passenger Car		Sobriety: HNBD		Assoc Factor: None Apparent		Lap/Shoulder Harness Used	Cell Phone Not In Use	
919-06823-2245-472	11/26/2019	13:00	Tuesday	4776 COMMONS WAY - PRIVATE PROPERTY	'	Direction:	Daylight	Clear	Pty at Fault:1
	Rear-End		Other Motor Vehicle	Unsafe Starting or Backing	22106	Hit & Run: No	Property Damage Only	# Inj: 0	# Killed: 0
Party 1	Driver	North	Backing	Male	Age: 49	2005 FORD	F-150	Pickups & Panels	No Injury
	Veh Type: Pickup Truck		Sobriety: HNBD		Assoc Factor: None Apparent		Lap/Shoulder Harness Used	Cell Phone Not In Use	

Party 2	Driver	Parked	Male	Age: 23	2018 HONDA	ACCORD	Passenger Car, Station Wagon, Jeep	No Injury	
Veh Type: Passenger Car		Sobriety: HNBD	Assoc Factor: None Apparent		Lap/Shoulder Harness Used		Cell Phone Not In Use		
919-06838-2243-472	11/26/2019	22:20	Tuesday	LAS VIRGENES RD - THOUSAND OAKS BLVD		0'	Direction: North	Dark - Street Lig Clear	Pty at Fault:1
	Broadside	Other Motor Vehicle	Improper Turning		22107	Hit & Run: No	Property Damage Only	# Inj: 0 # Killed: 0	
Party 1	Driver	West	Male	Age: 32	2017 DODGE	CHARGER	Passenger Car, Station Wagon, Jeep	No Injury	
Veh Type: Passenger Car		Sobriety: HNBD	Assoc Factor: None Apparent		Lap/Shoulder Harness Used		Cell Phone Not In Use		
Party 2	Driver	North	Male	Age: 32	2017 CHEVROLET	VOLT	Passenger Car, Station Wagon, Jeep	No Injury	
Veh Type: Passenger Car		Sobriety: HNBD	Assoc Factor: None Apparent		Lap/Shoulder Harness Used		Cell Phone Not In Use		
919-06872-2248-472	11/28/2019	10:16	Thursday	MULHOLLAND HWY - EDDINGHAM AV		262'	Direction: East	Daylight Raining	Pty at Fault:1
	Sideswipe	Fixed Object	Unknown		22651	Hit & Run: No	Property Damage Only	# Inj: 0 # Killed: 0	
Party 1	Driver	East	Male	Age: 24	2009 HYUNDAI	IONIQ	Passenger Car, Station Wagon, Jeep	No Injury	
Veh Type: Passenger Car		Sobriety: HNBD	Assoc Factor: None Apparent		Lap/Shoulder Harness Used		Cell Phone Not In Use		
919-06892-2241-471	11/29/2019	14:30	Friday	AGOURA RD - COUNTRY CREEK LN		90'	Direction: East	Daylight Clear	Pty at Fault:1
	Hit Object	Fixed Object	Unsafe Speed		22350	Hit & Run: No	Complaint of Pain	# Inj: 1 # Killed: 0	
Party 1	Driver	West	Male	Age: 45	2016 MAZDA	CX-9	Sport Utility Vehicle	No Injury	
Veh Type: Passenger Car		Sobriety: HNBD	Assoc Factor: None Apparent		Lap/Shoulder Harness Used		Cell Phone Not In Use		

Settings for Query:

City: CALABASAS
Sorted By: Date and Time

Council Liaisons Appointments
~~May 30~~ **January 22, 2019** ~~2020~~

Budget Liaison	Shapiro Gaines
Commission Procedures/Council Protocols	Bozajian Gaines
Economic Development	Gaines Weintraub
Public Safety/Emergency Preparedness Task Force	Shapiro Weintraub
Open Space/Annexations Liaison	Bozajian Maurer
School Site Liaisons	Shapiro Weintraub
Homeless Taskforce	Weintraub Gaines
Wireless Service Taskforce	Weintraub Shapiro
Redistricting Committee Taskforce	Bozajian Maurer
<u>Senior Taskforce</u>	<u>Maurer</u> <u>Shapiro</u>

Council External Committee Appointments

~~May 30, 2019~~ January 22, 2020

<u>Agoura Hills/Calabasas Community Center Joint Powers Authority Board</u>	Bozajian Gaines (Alternate)
<u>Calabasas Chamber of Commerce</u>	Gaines Bozajian (Alternate)
<u>California Contract Cities Association</u>	Bozajian
<u>California Joint Powers Insurance Authority</u>	Bozajian Maurer (Alternate)
<u>The Valley Economic Alliance</u>	Shapiro
<u>Headwaters Corner Interpretive Center Board of Directors</u>	Maurer
<u>Las Virgenes – Malibu Council of Governments</u>	Weintraub Shapiro
<u>League of California Cities</u>	Bozajian
<u>Los Angeles County City Selection Committee</u>	Mayor or designee Maurer (Alternate)
<u>Los Angeles County West Vector & Vector-Borne Disease Control District</u>	Bozajian
<u>Clean Power Alliance</u>	Weintraub Bingham (Alternate) Shapiro (Alternate)
<u>Santa Monica Mountains Conservancy Advisory Board</u>	Maurer
<u>Southern California Association of Governments (SCAG)</u>	Shapiro
<u>Valley Industry Commerce Association (VICA)</u>	Gaines



CITY of CALABASAS
CITY COUNCIL AGENDA REPORT

DATE: JANUARY 17, 2020
TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: MARICELA HERNANDEZ, MMC, CPMC, CITY CLERK *Mari*
SUBJECT: CITY COUNCIL DISCUSSION AND POSSIBLE ACTION ON SENATE BILL 50 (SB 50) TO INCLUDE SAFETY AND WILDFIRE DANGER OPPOSITION

MEETING
DATE: JANUARY 22, 2020

SUMMARY RECOMMENDATION:

At the request of Mayor Weintraub, this item is being presented for City Council discussion and possible action to oppose SB 50.

REQUESTED ACTION:

That the City Council discuss and consider taking action on SB 50 to include a public safety and wildfire danger opposition.

ATTACHMENTS:

Senate Bill 50

AMENDED IN SENATE JANUARY 6, 2020

AMENDED IN SENATE JUNE 4, 2019

AMENDED IN SENATE MAY 1, 2019

AMENDED IN SENATE MARCH 11, 2019

SENATE BILL

No. 50

Introduced by Senator Wiener

**(Coauthors: Senators Caballero, Hueso, McGuire, Moorlach,
Skinner, and Stone Roth, and Skinner)**

(Coauthors: Assembly Members Chu, Diep, Fong, Kalra, Kiley, Low,
McCarty, *Quirk-Silva*, Robert Rivas, Ting, and Wicks)

December 3, 2018

An act to amend Section 65589.5 of, to add Sections 65913.5 and 65913.6 to, and to add Chapter 4.35 (commencing with Section 65918.50) to Division 1 of Title 7 of, the Government Code, relating to housing.

LEGISLATIVE COUNSEL'S DIGEST

SB 50, as amended, Wiener. Planning and zoning: housing development: streamlined approval: incentives.

(1) Existing law authorizes a development proponent to submit an application for a multifamily housing development that satisfies specified planning objective standards to be subject to a streamlined, ministerial approval process, as provided, and not subject to a conditional use permit.

This bill would authorize a development proponent of a neighborhood multifamily project located on an eligible parcel to submit an application for a streamlined, ministerial approval process that is not subject to a conditional use permit. The bill would define a "neighborhood

multifamily project” to mean a project to construct a multifamily structure on vacant land, or to convert an existing structure that does not require substantial exterior alteration into a multifamily structure, consisting of up to 4 residential dwelling units and that meets local height, setback, and lot coverage zoning requirements as they existed on July 1, 2019. The bill would also define “eligible parcel” to mean a parcel that meets specified requirements, including requirements relating to the location of the parcel and restricting the demolition of certain housing development that may already exist on the site.

This bill would require a local agency to notify the development proponent in writing if the local agency determines that the development conflicts with any of the requirements provided for streamlined ministerial approval within 60 days of the submission of the development to the local agency. If the local agency does not notify the development proponent within this time period, the development would be deemed to comply with those requirements. The bill would limit the authority of a local agency to impose parking standards or requirements on a streamlined development approved pursuant to these provisions, as provided. The bill would provide that the approval of a project under these provisions expires automatically after 3 years, unless that project qualifies for a one-time, one-year extension of that approval. The bill would provide that approval pursuant to its provisions would remain valid for 3 years and remain valid thereafter, so long as vertical construction of the development has begun and is in progress, and would authorize a discretionary one-year extension, as provided. The bill would prohibit a local agency from adopting any requirement that applies to a project solely or partially on the basis that the project receives ministerial or streamlined approval pursuant to these provisions.

This bill would allow a local agency to exempt a project from the streamlined ministerial approval process described above by finding that the project will cause a specific adverse impact to public health and safety, and there is no feasible method to satisfactorily mitigate or avoid the adverse impact.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a

significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA does not apply to the approval of ministerial projects.

This bill would establish a streamlined ministerial approval process for neighborhood multifamily projects, thereby exempting these projects from the CEQA approval process.

(2) Existing law, known as the density bonus law, requires, when an applicant proposes a housing development within the jurisdiction of a local government, that the city, county, or city and county provide the developer with a density bonus and other incentives or concessions for the production of lower income housing units or for the donation of land within the development if the developer, among other things, agrees to construct a specified percentage of units for very low, low-, or moderate-income households or qualifying residents.

This bill, on or after January 1, 2023, would require a *specified* city, county, or city and county to grant upon request an equitable communities incentive when a development proponent seeks and agrees to construct a residential development, as defined, that satisfies specified criteria, including, among other things, that the residential development is either a job-rich housing project or a transit-rich housing project, as those terms are defined; the site does not contain, or has not contained, housing occupied by tenants or accommodations withdrawn from rent or lease in accordance with specified law within specified time periods; and the residential development complies with specified additional requirements under existing law. The bill would impose additional requirements on a residential development located within a county with a population equal to or less than 600,000. The bill would require that a residential development within a county with a population greater than 600,000 that is eligible for an equitable communities incentive receive, upon request, waivers from maximum controls on density; minimum automobile parking requirements greater than 0.5 parking spots per unit; and specified additional waivers if the residential development is located within a ½-mile or ¼-mile radius of a major transit stop, as defined. For a residential development within a county with a population equal to or less than 600,000, the bill would instead require that the incentive provide waivers from maximum controls on density, subject to certain limitations; maximum height limitations less than or equal to one story, or 15 feet, above the highest allowable height

for mixed use or residential use; certain requirements governing the size of the parcel and the area that the building may occupy; and minimum automobile parking requirements, as provided. The bill would require a local government to grant an equitable communities incentive unless it makes a specified finding regarding the effects of the incentive on any real property or historic district that is listed on a federal or state register of historical resources. The bill would authorize a local government to modify or expand the terms of an equitable communities incentive, provided that the equitable communities incentive is consistent with these provisions.

The bill would delay implementation of these provisions in potentially sensitive communities, as defined, until July 1, 2023. The bill would further delay implementation of these provisions in sensitive communities, determined as provided, until January 1, 2026, unless the city or county in which the area is located votes to make these provisions applicable after a specified petition and public hearing process. On and after January 1, 2026, the bill would apply these provisions to a sensitive community unless the city or county adopts a community plan for the area that meets certain requirements.

The bill would also exempt from these provisions a local government that has a local flexibility plan that has been reviewed and certified by the Department of Housing and Community Development, as specified. The bill, on or before July 1, 2021, would require the Governor's Office of Planning and Research, in consultation with the Department of Housing and Community Development, to develop and publish on its internet website rules, regulations, or guidelines for the submission and approval of a local flexibility plan, as specified. The bill, on or after July 1, 2021, would authorize a local government to submit a local flexibility plan for review and approval by the Department of Housing and Community Development pursuant to those rules, regulations, or guidelines.

The bill would include findings that the changes proposed by these provisions address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities. ~~The bill would also delay implementation of these provisions in potentially sensitive communities, as defined, until July 1, 2020. The bill would further delay implementation of these provisions in sensitive communities, determined as provided, until January 1, 2026, unless the city or county in which the area is located votes to make these provisions applicable after a specified petition and public hearing process. On and~~

after January 1, 2026, the bill would apply these provisions to a sensitive community unless the city or county adopts a community plan for the area that meets certain requirements:

The Housing Accountability Act prohibits a local agency from disapproving, or conditioning approval in a manner that renders infeasible, a housing development project that complies with applicable, objective general plan, zoning, and subdivision standards and criteria in effect at the time the application for the project is deemed complete unless the local agency makes specified written findings based on a preponderance of the evidence in the record. That law provides that the receipt of a density bonus is not a valid basis on which to find a proposed housing development is inconsistent, not in compliance, or not in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision of that act.

This bill would additionally provide that the receipt of an equitable communities incentive is not a valid basis on which to find a proposed housing development is inconsistent, not in compliance, or not in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision of that act.

(3) By adding to the duties of local planning officials, this bill would impose a state-mandated local program.

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

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

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

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

- 1 SECTION 1.— Section 65589.5 of the Government Code is
- 2 amended to read:
- 3 65589.5.— (a) (1) The Legislature finds and declares all of the
- 4 following:
- 5 (A) The lack of housing, including emergency shelters, is a
- 6 critical problem that threatens the economic, environmental, and
- 7 social quality of life in California.
- 8 (B) California housing has become the most expensive in the
- 9 nation. The excessive cost of the state’s housing supply is partially

1 caused by activities and policies of many local governments that
2 limit the approval of housing, increase the cost of land for housing,
3 and require that high fees and exactions be paid by producers of
4 housing.

5 (C) Among the consequences of those actions are discrimination
6 against low-income and minority households, lack of housing to
7 support employment growth, imbalance in jobs and housing,
8 reduced mobility, urban sprawl, excessive commuting, and air
9 quality deterioration.

10 (D) Many local governments do not give adequate attention to
11 the economic, environmental, and social costs of decisions that
12 result in disapproval of housing development projects, reduction
13 in density of housing projects, and excessive standards for housing
14 development projects.

15 (2) In enacting the amendments made to this section by the act
16 adding this paragraph, the Legislature further finds and declares
17 the following:

18 (A) California has a housing supply and affordability crisis of
19 historic proportions. The consequences of failing to effectively
20 and aggressively confront this crisis are hurting millions of
21 Californians, robbing future generations of the chance to call
22 California home, stifling economic opportunities for workers and
23 businesses, worsening poverty and homelessness, and undermining
24 the state's environmental and climate objectives.

25 (B) While the causes of this crisis are multiple and complex,
26 the absence of meaningful and effective policy reforms to
27 significantly enhance the approval and supply of housing affordable
28 to Californians of all income levels is a key factor.

29 (C) The crisis has grown so acute in California that supply,
30 demand, and affordability fundamentals are characterized in the
31 negative: underserved demands, constrained supply, and protracted
32 unaffordability.

33 (D) According to reports and data, California has accumulated
34 an unmet housing backlog of nearly 2,000,000 units and must
35 provide for at least 180,000 new units annually to keep pace with
36 growth through 2025.

37 (E) California's overall homeownership rate is at its lowest level
38 since the 1940s. The state ranks 49th out of the 50 states in
39 homeownership rates as well as in the supply of housing per capita.

1 ~~Only one-half of California's households are able to afford the~~
2 ~~cost of housing in their local regions.~~

3 ~~(F) Lack of supply and rising costs are compounding inequality~~
4 ~~and limiting advancement opportunities for many Californians.~~

5 ~~(G) The majority of California renters, more than 3,000,000~~
6 ~~households, pay more than 30 percent of their income toward rent~~
7 ~~and nearly one-third, more than 1,500,000 households, pay more~~
8 ~~than 50 percent of their income toward rent.~~

9 ~~(H) When Californians have access to safe and affordable~~
10 ~~housing, they have more money for food and health care; they are~~
11 ~~less likely to become homeless and in need of~~
12 ~~government-subsidized services; their children do better in school;~~
13 ~~and businesses have an easier time recruiting and retaining~~
14 ~~employees.~~

15 ~~(I) An additional consequence of the state's cumulative housing~~
16 ~~shortage is a significant increase in greenhouse gas emissions~~
17 ~~caused by the displacement and redirection of populations to states~~
18 ~~with greater housing opportunities, particularly working- and~~
19 ~~middle-class households. California's cumulative housing shortfall~~
20 ~~therefore has not only national but international environmental~~
21 ~~consequences.~~

22 ~~(J) California's housing picture has reached a crisis of historic~~
23 ~~proportions despite the fact that, for decades, the Legislature has~~
24 ~~enacted numerous statutes intended to significantly increase the~~
25 ~~approval, development, and affordability of housing for all income~~
26 ~~levels, including this section.~~

27 ~~(K) The Legislature's intent in enacting this section in 1982 and~~
28 ~~in expanding its provisions since then was to significantly increase~~
29 ~~the approval and construction of new housing for all economic~~
30 ~~segments of California's communities by meaningfully and~~
31 ~~effectively curbing the capability of local governments to deny,~~
32 ~~reduce the density for, or render infeasible housing development~~
33 ~~projects and emergency shelters. That intent has not been fulfilled.~~

34 ~~(L) It is the policy of the state that this section should be~~
35 ~~interpreted and implemented in a manner to afford the fullest~~
36 ~~possible weight to the interest of, and the approval and provision~~
37 ~~of, housing.~~

38 ~~(3) It is the intent of the Legislature that the conditions that~~
39 ~~would have a specific, adverse impact upon the public health and~~

1 safety, as described in paragraph (2) of subdivision (d) and
2 paragraph (1) of subdivision (j), arise infrequently.

3 (b) It is the policy of the state that a local government not reject
4 or make infeasible housing development projects, including
5 emergency shelters, that contribute to meeting the need determined
6 pursuant to this article without a thorough analysis of the economic,
7 social, and environmental effects of the action and without
8 complying with subdivision (d).

9 (c) The Legislature also recognizes that premature and
10 unnecessary development of agricultural lands for urban uses
11 continues to have adverse effects on the availability of those lands
12 for food and fiber production and on the economy of the state.
13 Furthermore, it is the policy of the state that development should
14 be guided away from prime agricultural lands; therefore, in
15 implementing this section, local jurisdictions should encourage,
16 to the maximum extent practicable, in filling existing urban areas.

17 (d) A local agency shall not disapprove a housing development
18 project, including farmworker housing as defined in subdivision
19 (h) of Section 50199.7 of the Health and Safety Code, for very
20 low, low-, or moderate-income households, or an emergency
21 shelter, or condition approval in a manner that renders the housing
22 development project infeasible for development for the use of very
23 low, low-, or moderate-income households, or an emergency
24 shelter, including through the use of design review standards,
25 unless it makes written findings, based upon a preponderance of
26 the evidence in the record, as to one of the following:

27 (1) The jurisdiction has adopted a housing element pursuant to
28 this article that has been revised in accordance with Section 65588,
29 is in substantial compliance with this article, and the jurisdiction
30 has met or exceeded its share of the regional housing need
31 allocation pursuant to Section 65584 for the planning period for
32 the income category proposed for the housing development project,
33 provided that any disapproval or conditional approval shall not be
34 based on any of the reasons prohibited by Section 65008. If the
35 housing development project includes a mix of income categories,
36 and the jurisdiction has not met or exceeded its share of the regional
37 housing need for one or more of those categories, then this
38 paragraph shall not be used to disapprove or conditionally approve
39 the housing development project. The share of the regional housing
40 need met by the jurisdiction shall be calculated consistently with

1 the forms and definitions that may be adopted by the Department
2 of Housing and Community Development pursuant to Section
3 65400. In the case of an emergency shelter, the jurisdiction shall
4 have met or exceeded the need for emergency shelter, as identified
5 pursuant to paragraph (7) of subdivision (a) of Section 65583. Any
6 disapproval or conditional approval pursuant to this paragraph
7 shall be in accordance with applicable law, rule, or standards.

8 (2) ~~The housing development project or emergency shelter as~~
9 ~~proposed would have a specific, adverse impact upon the public~~
10 ~~health or safety, and there is no feasible method to satisfactorily~~
11 ~~mitigate or avoid the specific, adverse impact without rendering~~
12 ~~the development unaffordable to low- and moderate-income~~
13 ~~households or rendering the development of the emergency shelter~~
14 ~~financially infeasible. As used in this paragraph, a “specific,~~
15 ~~adverse impact” means a significant, quantifiable, direct, and~~
16 ~~unavoidable impact, based on objective, identified written public~~
17 ~~health or safety standards, policies, or conditions as they existed~~
18 ~~on the date the application was deemed complete. Inconsistency~~
19 ~~with the zoning ordinance or general plan land use designation~~
20 ~~shall not constitute a specific, adverse impact upon the public~~
21 ~~health or safety.~~

22 (3) ~~The denial of the housing development project or imposition~~
23 ~~of conditions is required in order to comply with specific state or~~
24 ~~federal law, and there is no feasible method to comply without~~
25 ~~rendering the development unaffordable to low- and~~
26 ~~moderate-income households or rendering the development of the~~
27 ~~emergency shelter financially infeasible.~~

28 (4) ~~The housing development project or emergency shelter is~~
29 ~~proposed on land zoned for agriculture or resource preservation~~
30 ~~that is surrounded on at least two sides by land being used for~~
31 ~~agricultural or resource preservation purposes, or which does not~~
32 ~~have adequate water or wastewater facilities to serve the project.~~

33 (5) ~~The housing development project or emergency shelter is~~
34 ~~inconsistent with both the jurisdiction’s zoning ordinance and~~
35 ~~general plan land use designation as specified in any element of~~
36 ~~the general plan as it existed on the date the application was~~
37 ~~deemed complete, and the jurisdiction has adopted a revised~~
38 ~~housing element in accordance with Section 65588 that is in~~
39 ~~substantial compliance with this article. For purposes of this~~
40 ~~section, a change to the zoning ordinance or general plan land use~~

1 designation subsequent to the date the application was deemed
2 complete shall not constitute a valid basis to disapprove or
3 condition approval of the housing development project or
4 emergency shelter.

5 (A) This paragraph cannot be utilized to disapprove or
6 conditionally approve a housing development project if the housing
7 development project is proposed on a site that is identified as
8 suitable or available for very low, low-, or moderate-income
9 households in the jurisdiction's housing element, and consistent
10 with the density specified in the housing element, even though it
11 is inconsistent with both the jurisdiction's zoning ordinance and
12 general plan land use designation.

13 (B) If the local agency has failed to identify in the inventory of
14 land in its housing element sites that can be developed for housing
15 within the planning period and are sufficient to provide for the
16 jurisdiction's share of the regional housing need for all income
17 levels pursuant to Section 65584, then this paragraph shall not be
18 utilized to disapprove or conditionally approve a housing
19 development project proposed for a site designated in any element
20 of the general plan for residential uses or designated in any element
21 of the general plan for commercial uses if residential uses are
22 permitted or conditionally permitted within commercial
23 designations. In any action in court, the burden of proof shall be
24 on the local agency to show that its housing element does identify
25 adequate sites with appropriate zoning and development standards
26 and with services and facilities to accommodate the local agency's
27 share of the regional housing need for the very low, low-, and
28 moderate-income categories.

29 (C) If the local agency has failed to identify a zone or zones
30 where emergency shelters are allowed as a permitted use without
31 a conditional use or other discretionary permit, has failed to
32 demonstrate that the identified zone or zones include sufficient
33 capacity to accommodate the need for emergency shelter identified
34 in paragraph (7) of subdivision (a) of Section 65583, or has failed
35 to demonstrate that the identified zone or zones can accommodate
36 at least one emergency shelter, as required by paragraph (4) of
37 subdivision (a) of Section 65583, then this paragraph shall not be
38 utilized to disapprove or conditionally approve an emergency
39 shelter proposed for a site designated in any element of the general
40 plan for industrial, commercial, or multifamily residential uses. In

1 any action in court, the burden of proof shall be on the local agency
2 to show that its housing element does satisfy the requirements of
3 paragraph (4) of subdivision (a) of Section 65583.

4 ~~(e) Nothing in this section shall be construed to relieve the local
5 agency from complying with the congestion management program
6 required by Chapter 2.6 (commencing with Section 65088) of
7 Division 1 of Title 7 or the California Coastal Act of 1976
8 (Division 20 (commencing with Section 30000) of the Public
9 Resources Code). Nothing in this section shall be construed to
10 relieve the local agency from making one or more of the findings
11 required pursuant to Section 21081 of the Public Resources Code
12 or otherwise complying with the California Environmental Quality
13 Act (Division 13 (commencing with Section 21000) of the Public
14 Resources Code).~~

15 ~~(f) (1) Nothing in this section shall be construed to prohibit a
16 local agency from requiring the housing development project to
17 comply with objective, quantifiable, written development standards,
18 conditions, and policies appropriate to, and consistent with, meeting
19 the jurisdiction's share of the regional housing need pursuant to
20 Section 65584. However, the development standards, conditions,
21 and policies shall be applied to facilitate and accommodate
22 development at the density permitted on the site and proposed by
23 the development.~~

24 ~~(2) Nothing in this section shall be construed to prohibit a local
25 agency from requiring an emergency shelter project to comply
26 with objective, quantifiable, written development standards,
27 conditions, and policies that are consistent with paragraph (4) of
28 subdivision (a) of Section 65583 and appropriate to, and consistent
29 with, meeting the jurisdiction's need for emergency shelter, as
30 identified pursuant to paragraph (7) of subdivision (a) of Section
31 65583. However, the development standards, conditions, and
32 policies shall be applied by the local agency to facilitate and
33 accommodate the development of the emergency shelter project.~~

34 ~~(3) This section does not prohibit a local agency from imposing
35 fees and other exactions otherwise authorized by law that are
36 essential to provide necessary public services and facilities to the
37 housing development project or emergency shelter.~~

38 ~~(4) For purposes of this section, a housing development project
39 or emergency shelter shall be deemed consistent, compliant, and
40 in conformity with an applicable plan, program, policy, ordinance,~~

1 standard, requirement, or other similar provision if there is
2 substantial evidence that would allow a reasonable person to
3 conclude that the housing development project or emergency
4 shelter is consistent, compliant, or in conformity.

5 (g) This section shall be applicable to charter cities because the
6 Legislature finds that the lack of housing, including emergency
7 shelter, is a critical statewide problem.

8 (h) The following definitions apply for the purposes of this
9 section:

10 (1) “Feasible” means capable of being accomplished in a
11 successful manner within a reasonable period of time, taking into
12 account economic, environmental, social, and technological factors.

13 (2) “Housing development project” means a use consisting of
14 any of the following:

15 (A) Residential units only.

16 (B) Mixed-use developments consisting of residential and
17 nonresidential uses with at least two-thirds of the square footage
18 designated for residential use.

19 (C) Transitional housing or supportive housing.

20 (3) “Housing for very low, low-, or moderate-income
21 households” means that either (A) at least 20 percent of the total
22 units shall be sold or rented to lower income households, as defined
23 in Section 50079.5 of the Health and Safety Code, or (B) 100
24 percent of the units shall be sold or rented to persons and families
25 of moderate income as defined in Section 50093 of the Health and
26 Safety Code, or persons and families of middle income, as defined
27 in Section 65008 of this code. Housing units targeted for lower
28 income households shall be made available at a monthly housing
29 cost that does not exceed 30 percent of 60 percent of area median
30 income with adjustments for household size made in accordance
31 with the adjustment factors on which the lower income eligibility
32 limits are based. Housing units targeted for persons and families
33 of moderate income shall be made available at a monthly housing
34 cost that does not exceed 30 percent of 100 percent of area median
35 income with adjustments for household size made in accordance
36 with the adjustment factors on which the moderate-income
37 eligibility limits are based.

38 (4) “Area median income” means area median income as
39 periodically established by the Department of Housing and
40 Community Development pursuant to Section 50093 of the Health

1 and Safety Code. The developer shall provide sufficient legal
2 commitments to ensure continued availability of units for very low
3 or low-income households in accordance with the provisions of
4 this subdivision for 30 years.

5 (5) “Disapprove the housing development project” includes any
6 instance in which a local agency does either of the following:

7 (A) Votes on a proposed housing development project
8 application and the application is disapproved, including any
9 required land use approvals or entitlements necessary for the
10 issuance of a building permit.

11 (B) Fails to comply with the time periods specified in
12 subdivision (a) of Section 65950. An extension of time pursuant
13 to Article 5 (commencing with Section 65950) shall be deemed to
14 be an extension of time pursuant to this paragraph.

15 (i) If any city, county, or city and county denies approval or
16 imposes conditions, including design changes, lower density, or
17 a reduction of the percentage of a lot that may be occupied by a
18 building or structure under the applicable planning and zoning in
19 force at the time the application is deemed complete pursuant to
20 Section 65943, that have a substantial adverse effect on the viability
21 or affordability of a housing development for very low, low-, or
22 moderate-income households, and the denial of the development
23 or the imposition of conditions on the development is the subject
24 of a court action which challenges the denial or the imposition of
25 conditions, then the burden of proof shall be on the local legislative
26 body to show that its decision is consistent with the findings as
27 described in subdivision (d) and that the findings are supported by
28 a preponderance of the evidence in the record. For purposes of this
29 section, “lower density” includes any conditions that have the same
30 effect or impact on the ability of the project to provide housing.

31 (j) (1) When a proposed housing development project complies
32 with applicable, objective general plan, zoning, and subdivision
33 standards and criteria, including design review standards, in effect
34 at the time that the housing development project’s application is
35 determined to be complete, but the local agency proposes to
36 disapprove the project or to impose a condition that the project be
37 developed at a lower density, the local agency shall base its
38 decision regarding the proposed housing development project upon
39 written findings supported by a preponderance of the evidence on
40 the record that both of the following conditions exist:

1 ~~(A) The housing development project would have a specific,~~
2 ~~adverse impact upon the public health or safety unless the project~~
3 ~~is disapproved or approved upon the condition that the project be~~
4 ~~developed at a lower density. As used in this paragraph, a “specific,~~
5 ~~adverse impact” means a significant, quantifiable, direct, and~~
6 ~~unavoidable impact, based on objective, identified written public~~
7 ~~health or safety standards, policies, or conditions as they existed~~
8 ~~on the date the application was deemed complete.~~

9 ~~(B) There is no feasible method to satisfactorily mitigate or~~
10 ~~avoid the adverse impact identified pursuant to paragraph (1), other~~
11 ~~than the disapproval of the housing development project or the~~
12 ~~approval of the project upon the condition that it be developed at~~
13 ~~a lower density.~~

14 ~~(2) (A) If the local agency considers a proposed housing~~
15 ~~development project to be inconsistent, not in compliance, or not~~
16 ~~in conformity with an applicable plan, program, policy, ordinance,~~
17 ~~standard, requirement, or other similar provision as specified in~~
18 ~~this subdivision, it shall provide the applicant with written~~
19 ~~documentation identifying the provision or provisions, and an~~
20 ~~explanation of the reason or reasons it considers the housing~~
21 ~~development to be inconsistent, not in compliance, or not in~~
22 ~~conformity as follows:~~

23 ~~(i) Within 30 days of the date that the application for the housing~~
24 ~~development project is determined to be complete, if the housing~~
25 ~~development project contains 150 or fewer housing units.~~

26 ~~(ii) Within 60 days of the date that the application for the~~
27 ~~housing development project is determined to be complete, if the~~
28 ~~housing development project contains more than 150 units.~~

29 ~~(B) If the local agency fails to provide the required~~
30 ~~documentation pursuant to subparagraph (A), the housing~~
31 ~~development project shall be deemed consistent, compliant, and~~
32 ~~in conformity with the applicable plan, program, policy, ordinance,~~
33 ~~standard, requirement, or other similar provision.~~

34 ~~(3) For purposes of this section, the receipt of a density bonus~~
35 ~~pursuant to Section 65915 or an equitable communities incentive~~
36 ~~pursuant to Section 65918.51 shall not constitute a valid basis on~~
37 ~~which to find a proposed housing development project is~~
38 ~~inconsistent, not in compliance, or not in conformity with an~~
39 ~~applicable plan, program, policy, ordinance, standard, requirement,~~
40 ~~or other similar provision specified in this subdivision.~~

1 ~~(4) For purposes of this section, a proposed housing development~~
2 ~~project is not inconsistent with the applicable zoning standards~~
3 ~~and criteria, and shall not require a rezoning, if the housing~~
4 ~~development project is consistent with the objective general plan~~
5 ~~standards and criteria but the zoning for the project site is~~
6 ~~inconsistent with the general plan. If the local agency has complied~~
7 ~~with paragraph (2), the local agency may require the proposed~~
8 ~~housing development project to comply with the objective~~
9 ~~standards and criteria of the zoning which is consistent with the~~
10 ~~general plan, however, the standards and criteria shall be applied~~
11 ~~to facilitate and accommodate development at the density allowed~~
12 ~~on the site by the general plan and proposed by the proposed~~
13 ~~housing development project.~~

14 ~~(5) For purposes of this section, “lower density” includes any~~
15 ~~conditions that have the same effect or impact on the ability of the~~
16 ~~project to provide housing.~~

17 ~~(k) (1) (A) The applicant, a person who would be eligible to~~
18 ~~apply for residency in the development or emergency shelter, or~~
19 ~~a housing organization may bring an action to enforce this section.~~
20 ~~If, in any action brought to enforce this section, a court finds that~~
21 ~~either (i) the local agency, in violation of subdivision (d),~~
22 ~~disapproved a housing development project or conditioned its~~
23 ~~approval in a manner rendering it infeasible for the development~~
24 ~~of an emergency shelter, or housing for very low, low-, or~~
25 ~~moderate-income households, including farmworker housing,~~
26 ~~without making the findings required by this section or without~~
27 ~~making findings supported by a preponderance of the evidence,~~
28 ~~or (ii) the local agency, in violation of subdivision (j), disapproved~~
29 ~~a housing development project complying with applicable,~~
30 ~~objective general plan and zoning standards and criteria, or imposed~~
31 ~~a condition that the project be developed at a lower density, without~~
32 ~~making the findings required by this section or without making~~
33 ~~findings supported by a preponderance of the evidence, the court~~
34 ~~shall issue an order or judgment compelling compliance with this~~
35 ~~section within 60 days, including, but not limited to, an order that~~
36 ~~the local agency take action on the housing development project~~
37 ~~or emergency shelter. The court may issue an order or judgment~~
38 ~~directing the local agency to approve the housing development~~
39 ~~project or emergency shelter if the court finds that the local agency~~
40 ~~acted in bad faith when it disapproved or conditionally approved~~

1 the housing development or emergency shelter in violation of this
2 section. The court shall retain jurisdiction to ensure that its order
3 or judgment is carried out and shall award reasonable attorney's
4 fees and costs of suit to the plaintiff or petitioner, except under
5 extraordinary circumstances in which the court finds that awarding
6 fees would not further the purposes of this section. For purposes
7 of this section, "lower density" includes conditions that have the
8 same effect or impact on the ability of the project to provide
9 housing.

10 (B) (i) Upon a determination that the local agency has failed
11 to comply with the order or judgment compelling compliance with
12 this section within 60 days issued pursuant to subparagraph (A),
13 the court shall impose fines on a local agency that has violated this
14 section and require the local agency to deposit any fine levied
15 pursuant to this subdivision into a local housing trust fund. The
16 local agency may elect to instead deposit the fine into the Building
17 Homes and Jobs Trust Fund, if Senate Bill 2 of the 2017-18
18 Regular Session is enacted, or otherwise in the Housing
19 Rehabilitation Loan Fund. The fine shall be in a minimum amount
20 of ten thousand dollars (\$10,000) per housing unit in the housing
21 development project on the date the application was deemed
22 complete pursuant to Section 65943. In determining the amount
23 of fine to impose, the court shall consider the local agency's
24 progress in attaining its target allocation of the regional housing
25 need pursuant to Section 65584 and any prior violations of this
26 section. Fines shall not be paid out of funds already dedicated to
27 affordable housing, including, but not limited to, Low and
28 Moderate Income Housing Asset Funds, funds dedicated to housing
29 for very low, low-, and moderate-income households, and federal
30 HOME Investment Partnerships Program and Community
31 Development Block Grant Program funds. The local agency shall
32 commit and expend the money in the local housing trust fund
33 within five years for the sole purpose of financing newly
34 constructed housing units affordable to extremely low, very low,
35 or low-income households. After five years, if the funds have not
36 been expended, the money shall revert to the state and be deposited
37 in the Building Homes and Jobs Trust Fund, if Senate Bill 2 of the
38 2017-18 Regular Session is enacted, or otherwise in the Housing
39 Rehabilitation Loan Fund, for the sole purpose of financing newly

1 constructed housing units affordable to extremely low, very low,
2 or low-income households.

3 (ii) ~~If any money derived from a fine imposed pursuant to this~~
4 ~~subparagraph is deposited in the Housing Rehabilitation Loan~~
5 ~~Fund, then, notwithstanding Section 50661 of the Health and Safety~~
6 ~~Code, that money shall be available only upon appropriation by~~
7 ~~the Legislature.~~

8 (C) ~~If the court determines that its order or judgment has not~~
9 ~~been carried out within 60 days, the court may issue further orders~~
10 ~~as provided by law to ensure that the purposes and policies of this~~
11 ~~section are fulfilled, including, but not limited to, an order to vacate~~
12 ~~the decision of the local agency and to approve the housing~~
13 ~~development project, in which case the application for the housing~~
14 ~~development project, as proposed by the applicant at the time the~~
15 ~~local agency took the initial action determined to be in violation~~
16 ~~of this section, along with any standard conditions determined by~~
17 ~~the court to be generally imposed by the local agency on similar~~
18 ~~projects, shall be deemed to be approved unless the applicant~~
19 ~~consents to a different decision or action by the local agency.~~

20 (2) ~~For purposes of this subdivision, “housing organization”~~
21 ~~means a trade or industry group whose local members are primarily~~
22 ~~engaged in the construction or management of housing units or a~~
23 ~~nonprofit organization whose mission includes providing or~~
24 ~~advocating for increased access to housing for low-income~~
25 ~~households and have filed written or oral comments with the local~~
26 ~~agency prior to action on the housing development project. A~~
27 ~~housing organization may only file an action pursuant to this~~
28 ~~section to challenge the disapproval of a housing development by~~
29 ~~a local agency. A housing organization shall be entitled to~~
30 ~~reasonable attorney’s fees and costs if it is the prevailing party in~~
31 ~~an action to enforce this section.~~

32 (l) ~~If the court finds that the local agency (1) acted in bad faith~~
33 ~~when it disapproved or conditionally approved the housing~~
34 ~~development or emergency shelter in violation of this section and~~
35 ~~(2) failed to carry out the court’s order or judgment within 60 days~~
36 ~~as described in subdivision (k), the court, in addition to any other~~
37 ~~remedies provided by this section, shall multiply the fine~~
38 ~~determined pursuant to subparagraph (B) of paragraph (1) of~~
39 ~~subdivision (k) by a factor of five. For purposes of this section,~~

1 “bad faith” includes, but is not limited to, an action that is frivolous
2 or otherwise entirely without merit.

3 ~~(m) Any action brought to enforce the provisions of this section~~
4 ~~shall be brought pursuant to Section 1094.5 of the Code of Civil~~
5 ~~Procedure, and the local agency shall prepare and certify the record~~
6 ~~of proceedings in accordance with subdivision (c) of Section 1094.6~~
7 ~~of the Code of Civil Procedure no later than 30 days after the~~
8 ~~petition is served, provided that the cost of preparation of the record~~
9 ~~shall be borne by the local agency, unless the petitioner elects to~~
10 ~~prepare the record as provided in subdivision (n) of this section.~~
11 ~~A petition to enforce the provisions of this section shall be filed~~
12 ~~and served no later than 90 days from the later of (1) the effective~~
13 ~~date of a decision of the local agency imposing conditions on,~~
14 ~~disapproving, or any other final action on a housing development~~
15 ~~project or (2) the expiration of the time periods specified in~~
16 ~~subparagraph (B) of paragraph (5) of subdivision (h). Upon entry~~
17 ~~of the trial court’s order, a party may, in order to obtain appellate~~
18 ~~review of the order, file a petition within 20 days after service~~
19 ~~upon it of a written notice of the entry of the order, or within such~~
20 ~~further time not exceeding an additional 20 days as the trial court~~
21 ~~may for good cause allow, or may appeal the judgment or order~~
22 ~~of the trial court under Section 904.1 of the Code of Civil~~
23 ~~Procedure. If the local agency appeals the judgment of the trial~~
24 ~~court, the local agency shall post a bond, in an amount to be~~
25 ~~determined by the court, to the benefit of the plaintiff if the plaintiff~~
26 ~~is the project applicant.~~

27 ~~(n) In any action, the record of the proceedings before the local~~
28 ~~agency shall be filed as expeditiously as possible and,~~
29 ~~notwithstanding Section 1094.6 of the Code of Civil Procedure or~~
30 ~~subdivision (m) of this section, all or part of the record may be~~
31 ~~prepared (1) by the petitioner with the petition or petitioner’s points~~
32 ~~and authorities, (2) by the respondent with respondent’s points and~~
33 ~~authorities, (3) after payment of costs by the petitioner, or (4) as~~
34 ~~otherwise directed by the court. If the expense of preparing the~~
35 ~~record has been borne by the petitioner and the petitioner is the~~
36 ~~prevailing party, the expense shall be taxable as costs.~~

37 ~~(o) This section shall be known, and may be cited, as the~~
38 ~~Housing Accountability Act.~~

1 *SECTION 1. Section 65589.5 of the Government Code, as*
2 *amended by Section 3.1 of Chapter 665 of the Statutes of 2019, is*
3 *amended to read:*

4 65589.5. (a) (1) The Legislature finds and declares all of the
5 following:

6 (A) The lack of housing, including emergency shelters, is a
7 critical problem that threatens the economic, environmental, and
8 social quality of life in California.

9 (B) California housing has become the most expensive in the
10 nation. The excessive cost of the state’s housing supply is partially
11 caused by activities and policies of many local governments that
12 limit the approval of housing, increase the cost of land for housing,
13 and require that high fees and exactions be paid by producers of
14 housing.

15 (C) Among the consequences of those actions are discrimination
16 against low-income and minority households, lack of housing to
17 support employment growth, imbalance in jobs and housing,
18 reduced mobility, urban sprawl, excessive commuting, and air
19 quality deterioration.

20 (D) Many local governments do not give adequate attention to
21 the economic, environmental, and social costs of decisions that
22 result in disapproval of housing development projects, reduction
23 in density of housing projects, and excessive standards for housing
24 development projects.

25 (2) In enacting the amendments made to this section by the act
26 adding this paragraph, the Legislature further finds and declares
27 the following:

28 (A) California has a housing supply and affordability crisis of
29 historic proportions. The consequences of failing to effectively
30 and aggressively confront this crisis are hurting millions of
31 Californians, robbing future generations of the chance to call
32 California home, stifling economic opportunities for workers and
33 businesses, worsening poverty and homelessness, and undermining
34 the state’s environmental and climate objectives.

35 (B) While the causes of this crisis are multiple and complex,
36 the absence of meaningful and effective policy reforms to
37 significantly enhance the approval and supply of housing affordable
38 to Californians of all income levels is a key factor.

39 (C) The crisis has grown so acute in California that supply,
40 demand, and affordability fundamentals are characterized in the

1 negative: underserved demands, constrained supply, and protracted
2 unaffordability.

3 (D) According to reports and data, California has accumulated
4 an unmet housing backlog of nearly 2,000,000 units and must
5 provide for at least 180,000 new units annually to keep pace with
6 growth through 2025.

7 (E) California's overall homeownership rate is at its lowest level
8 since the 1940s. The state ranks 49th out of the 50 states in
9 homeownership rates as well as in the supply of housing per capita.
10 Only one-half of California's households are able to afford the
11 cost of housing in their local regions.

12 (F) Lack of supply and rising costs are compounding inequality
13 and limiting advancement opportunities for many Californians.

14 (G) The majority of California renters, more than 3,000,000
15 households, pay more than 30 percent of their income toward rent
16 and nearly one-third, more than 1,500,000 households, pay more
17 than 50 percent of their income toward rent.

18 (H) When Californians have access to safe and affordable
19 housing, they have more money for food and health care; they are
20 less likely to become homeless and in need of
21 government-subsidized services; their children do better in school;
22 and businesses have an easier time recruiting and retaining
23 employees.

24 (I) An additional consequence of the state's cumulative housing
25 shortage is a significant increase in greenhouse gas emissions
26 caused by the displacement and redirection of populations to states
27 with greater housing opportunities, particularly working- and
28 middle-class households. California's cumulative housing shortfall
29 therefore has not only national but international environmental
30 consequences.

31 (J) California's housing picture has reached a crisis of historic
32 proportions despite the fact that, for decades, the Legislature has
33 enacted numerous statutes intended to significantly increase the
34 approval, development, and affordability of housing for all income
35 levels, including this section.

36 (K) The Legislature's intent in enacting this section in 1982 and
37 in expanding its provisions since then was to significantly increase
38 the approval and construction of new housing for all economic
39 segments of California's communities by meaningfully and
40 effectively curbing the capability of local governments to deny,

1 reduce the density for, or render infeasible housing development
2 projects and emergency shelters. That intent has not been fulfilled.

3 (L) It is the policy of the state that this section be interpreted
4 and implemented in a manner to afford the fullest possible weight
5 to the interest of, and the approval and provision of, housing.

6 (3) It is the intent of the Legislature that the conditions that
7 would have a specific, adverse impact upon the public health and
8 safety, as described in paragraph (2) of subdivision (d) and
9 paragraph (1) of subdivision (j), arise infrequently.

10 (b) It is the policy of the state that a local government not reject
11 or make infeasible housing development projects, including
12 emergency shelters, that contribute to meeting the need determined
13 pursuant to this article without a thorough analysis of the economic,
14 social, and environmental effects of the action and without
15 complying with subdivision (d).

16 (c) The Legislature also recognizes that premature and
17 unnecessary development of agricultural lands for urban uses
18 continues to have adverse effects on the availability of those lands
19 for food and fiber production and on the economy of the state.
20 Furthermore, it is the policy of the state that development should
21 be guided away from prime agricultural lands; therefore, in
22 implementing this section, local jurisdictions should encourage,
23 to the maximum extent practicable, in filling existing urban areas.

24 (d) A local agency shall not disapprove a housing development
25 project, including farmworker housing as defined in subdivision
26 (h) of Section 50199.7 of the Health and Safety Code, for very
27 low, low-, or moderate-income households, or an emergency
28 shelter, or condition approval in a manner that renders the housing
29 development project infeasible for development for the use of very
30 low, low-, or moderate-income households, or an emergency
31 shelter, including through the use of design review standards,
32 unless it makes written findings, based upon a preponderance of
33 the evidence in the record, as to one of the following:

34 (1) The jurisdiction has adopted a housing element pursuant to
35 this article that has been revised in accordance with Section 65588,
36 is in substantial compliance with this article, and the jurisdiction
37 has met or exceeded its share of the regional housing need
38 allocation pursuant to Section 65584 for the planning period for
39 the income category proposed for the housing development project,
40 provided that any disapproval or conditional approval shall not be

1 based on any of the reasons prohibited by Section 65008. If the
2 housing development project includes a mix of income categories,
3 and the jurisdiction has not met or exceeded its share of the regional
4 housing need for one or more of those categories, then this
5 paragraph shall not be used to disapprove or conditionally approve
6 the housing development project. The share of the regional housing
7 need met by the jurisdiction shall be calculated consistently with
8 the forms and definitions that may be adopted by the Department
9 of Housing and Community Development pursuant to Section
10 65400. In the case of an emergency shelter, the jurisdiction shall
11 have met or exceeded the need for emergency shelter, as identified
12 pursuant to paragraph (7) of subdivision (a) of Section 65583. Any
13 disapproval or conditional approval pursuant to this paragraph
14 shall be in accordance with applicable law, rule, or standards.

15 (2) The housing development project or emergency shelter as
16 proposed would have a specific, adverse impact upon the public
17 health or safety, and there is no feasible method to satisfactorily
18 mitigate or avoid the specific adverse impact without rendering
19 the development unaffordable to low- and moderate-income
20 households or rendering the development of the emergency shelter
21 financially infeasible. As used in this paragraph, a “specific,
22 adverse impact” means a significant, quantifiable, direct, and
23 unavoidable impact, based on objective, identified written public
24 health or safety standards, policies, or conditions as they existed
25 on the date the application was deemed complete. The following
26 shall not constitute a specific, adverse impact upon the public
27 health or safety:

28 (A) Inconsistency with the zoning ordinance or general plan
29 land use designation.

30 (B) The eligibility to claim a welfare exemption under
31 subdivision (g) of Section 214 of the Revenue and Taxation Code.

32 (3) The denial of the housing development project or imposition
33 of conditions is required in order to comply with specific state or
34 federal law, and there is no feasible method to comply without
35 rendering the development unaffordable to low- and
36 moderate-income households or rendering the development of the
37 emergency shelter financially infeasible.

38 (4) The housing development project or emergency shelter is
39 proposed on land zoned for agriculture or resource preservation
40 that is surrounded on at least two sides by land being used for

1 agricultural or resource preservation purposes, or which does not
2 have adequate water or wastewater facilities to serve the project.

3 (5) The housing development project or emergency shelter is
4 inconsistent with both the jurisdiction's zoning ordinance and
5 general plan land use designation as specified in any element of
6 the general plan as it existed on the date the application was
7 deemed complete, and the jurisdiction has adopted a revised
8 housing element in accordance with Section 65588 that is in
9 substantial compliance with this article. For purposes of this
10 section, a change to the zoning ordinance or general plan land use
11 designation subsequent to the date the application was deemed
12 complete shall not constitute a valid basis to disapprove or
13 condition approval of the housing development project or
14 emergency shelter.

15 (A) This paragraph cannot be utilized to disapprove or
16 conditionally approve a housing development project if the housing
17 development project is proposed on a site that is identified as
18 suitable or available for very low, low-, or moderate-income
19 households in the jurisdiction's housing element, and consistent
20 with the density specified in the housing element, even though it
21 is inconsistent with both the jurisdiction's zoning ordinance and
22 general plan land use designation.

23 (B) If the local agency has failed to identify in the inventory of
24 land in its housing element sites that can be developed for housing
25 within the planning period and are sufficient to provide for the
26 jurisdiction's share of the regional housing need for all income
27 levels pursuant to Section 65584, then this paragraph shall not be
28 utilized to disapprove or conditionally approve a housing
29 development project proposed for a site designated in any element
30 of the general plan for residential uses or designated in any element
31 of the general plan for commercial uses if residential uses are
32 permitted or conditionally permitted within commercial
33 designations. In any action in court, the burden of proof shall be
34 on the local agency to show that its housing element does identify
35 adequate sites with appropriate zoning and development standards
36 and with services and facilities to accommodate the local agency's
37 share of the regional housing need for the very low, low-, and
38 moderate-income categories.

39 (C) If the local agency has failed to identify a zone or zones
40 where emergency shelters are allowed as a permitted use without

1 a conditional use or other discretionary permit, has failed to
2 demonstrate that the identified zone or zones include sufficient
3 capacity to accommodate the need for emergency shelter identified
4 in paragraph (7) of subdivision (a) of Section 65583, or has failed
5 to demonstrate that the identified zone or zones can accommodate
6 at least one emergency shelter, as required by paragraph (4) of
7 subdivision (a) of Section 65583, then this paragraph shall not be
8 utilized to disapprove or conditionally approve an emergency
9 shelter proposed for a site designated in any element of the general
10 plan for industrial, commercial, or multifamily residential uses. In
11 any action in court, the burden of proof shall be on the local agency
12 to show that its housing element does satisfy the requirements of
13 paragraph (4) of subdivision (a) of Section 65583.

14 (e) Nothing in this section shall be construed to relieve the local
15 agency from complying with the congestion management program
16 required by Chapter 2.6 (commencing with Section 65088) of
17 Division 1 of Title 7 or the California Coastal Act of 1976
18 (Division 20 (commencing with Section 30000) of the Public
19 Resources Code). ~~Neither shall anything in this section~~ *This section*
20 *shall not* be construed to relieve the local agency from making one
21 or more of the findings required pursuant to Section 21081 of the
22 Public Resources Code or otherwise complying with the California
23 Environmental Quality Act (Division 13 (commencing with Section
24 21000) of the Public Resources Code).

25 (f) (1) Except as provided in subdivision (o), nothing in shall
26 be construed to prohibit a local agency from requiring the housing
27 development project to comply with objective, quantifiable, written
28 development standards, conditions, and policies appropriate to,
29 and consistent with, meeting the jurisdiction's share of the regional
30 housing need pursuant to Section 65584. However, the
31 development standards, conditions, and policies shall be applied
32 to facilitate and accommodate development at the density permitted
33 on the site and proposed by the development.

34 (2) Except as provided in subdivision (o), nothing in shall be
35 construed to prohibit a local agency from requiring an emergency
36 shelter project to comply with objective, quantifiable, written
37 development standards, conditions, and policies that are consistent
38 with paragraph (4) of subdivision (a) of Section 65583 and
39 appropriate to, and consistent with, meeting the jurisdiction's need
40 for emergency shelter, as identified pursuant to paragraph (7) of

1 subdivision (a) of Section 65583. However, the development
2 standards, conditions, and policies shall be applied by the local
3 agency to facilitate and accommodate the development of the
4 emergency shelter project.

5 (3) Except as provided in subdivision (o), nothing in this section
6 shall be construed to prohibit a local agency from imposing fees
7 and other exactions otherwise authorized by law that are essential
8 to provide necessary public services and facilities to the housing
9 development project or emergency shelter.

10 (4) For purposes of this section, a housing development project
11 or emergency shelter shall be deemed consistent, compliant, and
12 in conformity with an applicable plan, program, policy, ordinance,
13 standard, requirement, or other similar provision if there is
14 substantial evidence that would allow a reasonable person to
15 conclude that the housing development project or emergency
16 shelter is consistent, compliant, or in conformity.

17 (g) This section shall be applicable to charter cities because the
18 Legislature finds that the lack of housing, including emergency
19 shelter, is a critical statewide problem.

20 (h) The following definitions apply for the purposes of this
21 section:

22 (1) “Feasible” means capable of being accomplished in a
23 successful manner within a reasonable period of time, taking into
24 account economic, environmental, social, and technological factors.

25 (2) “Housing development project” means a use consisting of
26 any of the following:

27 (A) Residential units only.

28 (B) Mixed-use developments consisting of residential and
29 nonresidential uses with at least two-thirds of the square footage
30 designated for residential use.

31 (C) Transitional housing or supportive housing.

32 (3) “Housing for very low, low-, or moderate-income
33 households” means that either (A) at least 20 percent of the total
34 units shall be sold or rented to lower income households, as defined
35 in Section 50079.5 of the Health and Safety Code, or (B) 100
36 percent of the units shall be sold or rented to persons and families
37 of moderate income as defined in Section 50093 of the Health and
38 Safety Code, or persons and families of middle income, as defined
39 in Section 65008 of this code. Housing units targeted for lower
40 income households shall be made available at a monthly housing

1 cost that does not exceed 30 percent of 60 percent of area median
2 income with adjustments for household size made in accordance
3 with the adjustment factors on which the lower income eligibility
4 limits are based. Housing units targeted for persons and families
5 of moderate income shall be made available at a monthly housing
6 cost that does not exceed 30 percent of 100 percent of area median
7 income with adjustments for household size made in accordance
8 with the adjustment factors on which the moderate-income
9 eligibility limits are based.

10 (4) “Area median income” means area median income as
11 periodically established by the Department of Housing and
12 Community Development pursuant to Section 50093 of the Health
13 and Safety Code. The developer shall provide sufficient legal
14 commitments to ensure continued availability of units for very low
15 or low-income households in accordance with the provisions of
16 this subdivision for 30 years.

17 (5) Notwithstanding any other law, until January 1, 2025,
18 “deemed complete” means that the applicant has submitted a
19 preliminary application pursuant to Section 65941.1.

20 (6) “Disapprove the housing development project” includes any
21 instance in which a local agency does either of the following:

22 (A) Votes on a proposed housing development project
23 application and the application is disapproved, including any
24 required land use approvals or entitlements necessary for the
25 issuance of a building permit.

26 (B) Fails to comply with the time periods specified in
27 subdivision (a) of Section 65950. An extension of time pursuant
28 to Article 5 (commencing with Section 65950) shall be deemed to
29 be an extension of time pursuant to this paragraph.

30 (7) “Lower density” includes any conditions that have the same
31 effect or impact on the ability of the project to provide housing.

32 (8) Until January 1, 2025, “objective” means involving no
33 personal or subjective judgment by a public official and being
34 uniformly verifiable by reference to an external and uniform
35 benchmark or criterion available and knowable by both the
36 development applicant or proponent and the public official.

37 (9) Notwithstanding any other law, until January 1, 2025,
38 “determined to be complete” means that the applicant has submitted
39 a complete application pursuant to Section 65943.

1 (i) If any city, county, or city and county denies approval or
2 imposes conditions, including design changes, lower density, or
3 a reduction of the percentage of a lot that may be occupied by a
4 building or structure under the applicable planning and zoning in
5 force at the time housing development project's the application is
6 complete, that have a substantial adverse effect on the viability or
7 affordability of a housing development for very low, low-, or
8 moderate-income households, and the denial of the development
9 or the imposition of conditions on the development is the subject
10 of a court action which challenges the denial or the imposition of
11 conditions, then the burden of proof shall be on the local legislative
12 body to show that its decision is consistent with the findings as
13 described in subdivision (d), and that the findings are supported
14 by a preponderance of the evidence in the record, and with the
15 requirements of subdivision (o).

16 (j) (1) When a proposed housing development project complies
17 with applicable, objective general plan, zoning, and subdivision
18 standards and criteria, including design review standards, in effect
19 at the time that the application was deemed complete, but the local
20 agency proposes to disapprove the project or to impose a condition
21 that the project be developed at a lower density, the local agency
22 shall base its decision regarding the proposed housing development
23 project upon written findings supported by a preponderance of the
24 evidence on the record that both of the following conditions exist:

25 (A) The housing development project would have a specific,
26 adverse impact upon the public health or safety unless the project
27 is disapproved or approved upon the condition that the project be
28 developed at a lower density. As used in this paragraph, a "specific,
29 adverse impact" means a significant, quantifiable, direct, and
30 unavoidable impact, based on objective, identified written public
31 health or safety standards, policies, or conditions as they existed
32 on the date the application was deemed complete.

33 (B) There is no feasible method to satisfactorily mitigate or
34 avoid the adverse impact identified pursuant to paragraph (1), other
35 than the disapproval of the housing development project or the
36 approval of the project upon the condition that it be developed at
37 a lower density.

38 (2) (A) If the local agency considers a proposed housing
39 development project to be inconsistent, not in compliance, or not
40 in conformity with an applicable plan, program, policy, ordinance,

1 standard, requirement, or other similar provision as specified in
2 this subdivision, it shall provide the applicant with written
3 documentation identifying the provision or provisions, and an
4 explanation of the reason or reasons it considers the housing
5 development to be inconsistent, not in compliance, or not in
6 conformity as follows:

7 (i) Within 30 days of the date that the application for the housing
8 development project is determined to be complete, if the housing
9 development project contains 150 or fewer housing units.

10 (ii) Within 60 days of the date that the application for the
11 housing development project is determined to be complete, if the
12 housing development project contains more than 150 units.

13 (B) If the local agency fails to provide the required
14 documentation pursuant to subparagraph (A), the housing
15 development project shall be deemed consistent, compliant, and
16 in conformity with the applicable plan, program, policy, ordinance,
17 standard, requirement, or other similar provision.

18 (3) For purposes of this section, the receipt of a density bonus
19 pursuant to Section 65915 *or an equitable communities incentive*
20 *pursuant to Section 65918.51* shall not constitute a valid basis on
21 which to find a proposed housing development project is
22 inconsistent, not in compliance, or not in ~~conformity~~, *conformity*
23 with an applicable plan, program, policy, ordinance, standard,
24 requirement, or other similar provision specified in this subdivision.

25 (4) For purposes of this section, a proposed housing development
26 project is not inconsistent with the applicable zoning standards
27 and criteria, and shall not require a rezoning, if the housing
28 development project is consistent with the objective general plan
29 standards and criteria but the zoning for the project site is
30 inconsistent with the general plan. If the local agency has complied
31 with paragraph (2), the local agency may require the proposed
32 housing development project to comply with the objective
33 standards and criteria of the zoning which is consistent with the
34 general plan, however, the standards and criteria shall be applied
35 to facilitate and accommodate development at the density allowed
36 on the site by the general plan and proposed by the proposed
37 housing development project.

38 (k) (1) (A) (i) The applicant, a person who would be eligible
39 to apply for residency in the housing development project or
40 emergency shelter, or a housing organization may bring an action

1 to enforce this section. If, in any action brought to enforce this
2 section, a court finds that any of the following are met, the court
3 shall issue an order pursuant to clause (ii):

4 (I) The local agency, in violation of subdivision (d), disapproved
5 a housing development project or conditioned its approval in a
6 manner rendering it infeasible for the development of an emergency
7 shelter, or housing for very low, low-, or moderate-income
8 households, including farmworker housing, without making the
9 findings required by this section or without making findings
10 supported by a preponderance of the evidence.

11 (II) The local agency, in violation of subdivision (j), disapproved
12 a housing development project complying with applicable,
13 objective general plan and zoning standards and criteria, or imposed
14 a condition that the project be developed at a lower density, without
15 making the findings required by this section or without making
16 findings supported by a preponderance of the evidence.

17 (III) (ia) Subject to sub-subclause (ib), the local agency, in
18 violation of subdivision (o), required or attempted to require a
19 housing development project to comply with an ordinance, policy,
20 or standard not adopted and in effect when a preliminary
21 application was submitted.

22 (ib) This subclause shall become inoperative on January 1, 2025.

23 (ii) If the court finds that one of the conditions in clause(i) is
24 met, the court shall issue an order or judgment compelling
25 compliance with this section within 60 days, including, but not
26 limited to, an order that the local agency take action on the housing
27 development project or emergency shelter. The court may issue
28 an order or judgment directing the local agency to approve the
29 housing development project or emergency shelter if the court
30 finds that the local agency acted in bad faith when it disapproved
31 or conditionally approved the housing development or emergency
32 shelter in violation of this section. The court shall retain jurisdiction
33 to ensure that its order or judgment is carried out and shall award
34 reasonable attorney’s fees and costs of suit to the plaintiff or
35 petitioner, except under extraordinary circumstances in which the
36 court finds that awarding fees would not further the purposes of
37 this section.

38 (B) (i) Upon a determination that the local agency has failed
39 to comply with the order or judgment compelling compliance with
40 this section within 60 days issued pursuant to subparagraph (A),

1 the court shall impose fines on a local agency that has violated this
2 section and require the local agency to deposit any fine levied
3 pursuant to this subdivision into a local housing trust fund. The
4 local agency may elect to instead deposit the fine into the Building
5 Homes and Jobs *Trust* Fund, if Senate Bill 2 of the 2017–18
6 Regular Session is enacted, or otherwise in the Housing
7 Rehabilitation Loan Fund. The fine shall be in a minimum amount
8 of ten thousand dollars (\$10,000) per housing unit in the housing
9 development project on the date the application was deemed
10 complete pursuant to Section 65943. In determining the amount
11 of fine to impose, the court shall consider the local agency’s
12 progress in attaining its target allocation of the regional housing
13 need pursuant to Section 65584 and any prior violations of this
14 section. Fines shall not be paid out of funds already dedicated to
15 affordable housing, including, but not limited to, Low and
16 Moderate Income Housing Asset Funds, funds dedicated to housing
17 for very low, low-, and moderate-income households, and federal
18 HOME Investment Partnerships Program and Community
19 Development Block Grant Program funds. The local agency shall
20 commit and expend the money in the local housing trust fund
21 within five years for the sole purpose of financing newly
22 constructed housing units affordable to extremely low, very low,
23 or low-income households. After five years, if the funds have not
24 been expended, the money shall revert to the state and be deposited
25 in the Building Homes and Jobs *Trust* Fund, if Senate Bill 2 of the
26 2017–18 Regular Session is enacted, or otherwise in the Housing
27 Rehabilitation Loan Fund, for the sole purpose of financing newly
28 constructed housing units affordable to extremely low, very low,
29 or low-income households.

30 (ii) If any money derived from a fine imposed pursuant to this
31 subparagraph is deposited in the Housing Rehabilitation Loan
32 Fund, then, notwithstanding Section 50661 of the Health and Safety
33 Code, that money shall be available only upon appropriation by
34 the Legislature.

35 (C) If the court determines that its order or judgment has not
36 been carried out within 60 days, the court may issue further orders
37 as provided by law to ensure that the purposes and policies of this
38 section are fulfilled, including, but not limited to, an order to vacate
39 the decision of the local agency and to approve the housing
40 development project, in which case the application for the housing

1 development project, as proposed by the applicant at the time the
2 local agency took the initial action determined to be in violation
3 of this section, along with any standard conditions determined by
4 the court to be generally imposed by the local agency on similar
5 projects, shall be deemed to be approved unless the applicant
6 consents to a different decision or action by the local agency.

7 (2) For purposes of this subdivision, “housing organization”
8 means a trade or industry group whose local members are primarily
9 engaged in the construction or management of housing units or a
10 nonprofit organization whose mission includes providing or
11 advocating for increased access to housing for low-income
12 households and have filed written or oral comments with the local
13 agency prior to action on the housing development project. A
14 housing organization may only file an action pursuant to this
15 section to challenge the disapproval of a housing development by
16 a local agency. A housing organization shall be entitled to
17 reasonable attorney’s fees and costs if it is the prevailing party in
18 an action to enforce this section.

19 (l) If the court finds that the local agency (1) acted in bad faith
20 when it disapproved or conditionally approved the housing
21 development or emergency shelter in violation of this section and
22 (2) failed to carry out the court’s order or judgment within 60 days
23 as described in subdivision (k), the court, in addition to any other
24 remedies provided by this section, shall multiply the fine
25 determined pursuant to subparagraph (B) of paragraph (1) of
26 subdivision (k) by a factor of five. For purposes of this section,
27 “bad faith” includes, but is not limited to, an action that is frivolous
28 or otherwise entirely without merit.

29 (m) Any action brought to enforce the provisions of this section
30 shall be brought pursuant to Section 1094.5 of the Code of Civil
31 Procedure, and the local agency shall prepare and certify the record
32 of proceedings in accordance with subdivision (c) of Section 1094.6
33 of the Code of Civil Procedure no later than 30 days after the
34 petition is served, provided that the cost of preparation of the record
35 shall be borne by the local agency, unless the petitioner elects to
36 prepare the record as provided in subdivision (n) of this section.
37 A petition to enforce the provisions of this section shall be filed
38 and served no later than 90 days from the later of (1) the effective
39 date of a decision of the local agency imposing conditions on,
40 disapproving, or any other final action on a housing development

1 project or (2) the expiration of the time periods specified in
2 subparagraph (B) of paragraph (5) of subdivision (h). Upon entry
3 of the trial court's order, a party may, in order to obtain appellate
4 review of the order, file a petition within 20 days after service
5 upon it of a written notice of the entry of the order, or within such
6 further time not exceeding an additional 20 days as the trial court
7 may for good cause allow, or may appeal the judgment or order
8 of the trial court under Section 904.1 of the Code of Civil
9 Procedure. If the local agency appeals the judgment of the trial
10 court, the local agency shall post a bond, in an amount to be
11 determined by the court, to the benefit of the plaintiff if the plaintiff
12 is the project applicant.

13 (n) In any action, the record of the proceedings before the local
14 agency shall be filed as expeditiously as possible and,
15 notwithstanding Section 1094.6 of the Code of Civil Procedure or
16 subdivision (m) of this section, all or part of the record may be
17 prepared (1) by the petitioner with the petition or petitioner's points
18 and authorities, (2) by the respondent with respondent's points and
19 authorities, (3) after payment of costs by the petitioner, or (4) as
20 otherwise directed by the court. If the expense of preparing the
21 record has been borne by the petitioner and the petitioner is the
22 prevailing party, the expense shall be taxable as costs.

23 (o) (1) Subject to paragraphs (2), (6), and (7), and subdivision
24 (d) of Section 65941.1, a housing development project shall be
25 subject only to the ordinances, policies, and standards adopted and
26 in effect when a preliminary application including all of the
27 information required by subdivision (a) of Section 65941.1 was
28 submitted.

29 (2) Paragraph (1) shall not prohibit a housing development
30 project from being subject to ordinances, policies, and standards
31 adopted after the preliminary application was submitted pursuant
32 to Section 65941.1 in the following circumstances:

33 (A) In the case of a fee, charge, or other monetary exaction, to
34 an increase resulting from an automatic annual adjustment based
35 on an independently published cost index that is referenced in the
36 ordinance or resolution establishing the fee or other monetary
37 exaction.

38 (B) A preponderance of the evidence in the record establishes
39 that subjecting the housing development project to an ordinance,
40 policy, or standard beyond those in effect when a preliminary

1 application was submitted is necessary to mitigate or avoid a
2 specific, adverse impact upon the public health or safety, as defined
3 in subparagraph (A) of paragraph (1) of subdivision (j), and there
4 is no feasible alternative method to satisfactorily mitigate or avoid
5 the adverse impact.

6 (C) Subjecting the housing development project to an ordinance,
7 policy, standard, or any other measure, beyond those in effect when
8 a preliminary application was submitted is necessary to avoid or
9 substantially lessen an impact of the project under the California
10 Environmental Quality Act (Division 13 (commencing with Section
11 21000) of the Public Resources Code).

12 (D) The housing development project has not commenced
13 construction within two and one-half years following the date that
14 the project received final approval. For purposes of this
15 subparagraph, “final approval” means that the housing development
16 project has received all necessary approvals to be eligible to apply
17 for, and obtain, a building permit or permits and either of the
18 following is met:

19 (i) The expiration of all applicable appeal periods, petition
20 periods, reconsideration periods, or statute of limitations for
21 challenging that final approval without an appeal, petition, request
22 for reconsideration, or legal challenge having been filed.

23 (ii) If a challenge is filed, that challenge is fully resolved or
24 settled in favor of the housing development project.

25 (E) The housing development project is revised following
26 submittal of a preliminary application pursuant to Section 65941.1
27 such that the number of residential units or square footage of
28 construction changes by 20 percent or more, exclusive of any
29 increase resulting from the receipt of a density bonus, incentive,
30 concession, waiver, or similar provision. For purposes of this
31 subdivision, “square footage of construction” means the building
32 area, as defined by the California Building Standards Code (Title
33 24 of the California Code of Regulations).

34 (3) This subdivision does not prevent a local agency from
35 subjecting the additional units or square footage of construction
36 that result from project revisions occurring after a preliminary
37 application is submitted pursuant to Section 65941.1 to the
38 ordinances, policies, and standards adopted and in effect when the
39 preliminary application was submitted.

1 (4) For purposes of this subdivision, “ordinances, policies, and
2 standards” includes general plan, community plan, specific plan,
3 zoning, design review standards and criteria, subdivision standards
4 and criteria, and any other rules, regulations, requirements, and
5 policies of a local agency, as defined in Section 66000, including
6 those relating to development impact fees, capacity or connection
7 fees or charges, permit or processing fees, and other exactions.

8 (5) This subdivision shall not be construed in a manner that
9 would lessen the restrictions imposed on a local agency, or lessen
10 the protections afforded to a housing development project, that are
11 established by any other law, including any other part of this
12 section.

13 (6) This subdivision shall not restrict the authority of a public
14 agency or local agency to require mitigation measures to lessen
15 the impacts of a housing development project under the California
16 Environmental Quality Act (Division 13 (commencing with Section
17 21000) of the Public Resources Code).

18 (7) With respect to completed residential units for which the
19 project approval process is complete and a certificate of occupancy
20 has been issued, nothing in this subdivision shall limit the
21 application of later enacted ordinances, policies, and standards
22 that regulate the use and occupancy of those residential units, such
23 as ordinances relating to rental housing inspection, rent
24 stabilization, restrictions on short-term renting, and business
25 licensing requirements for owners of rental housing.

26 (8) This subdivision shall become inoperative on January 1,
27 2025.

28 (p) This section shall be known, and may be cited, as the
29 Housing Accountability Act.

30 SEC. 2. Section 65913.5 is added to the Government Code, to
31 read:

32 65913.5. For purposes of this section and Section 65913.6, the
33 following definitions shall apply:

34 (a) “Development proponent” means the developer who submits
35 an application for streamlined approval pursuant to Section
36 65913.6.

37 (b) “Eligible parcel” means a parcel that meets all of the
38 following requirements:

39 (1) *The parcel is not located on a site that is on a coastal zone,*
40 *as defined in Division 20 (commencing with Section 30000) of the*

1 *Public Resources Code, unless the local agency has a population*
2 *of 50,000 or more, based on the most recent United States Census*
3 *Bureau data.*

4 (1)

5 (2) The parcel satisfies the requirements specified in paragraph
6 (2) of subdivision (a) of Section 65913.4.

7 (3) *The parcel satisfies the requirements specified in*
8 *subparagraphs (B) to (K), inclusive, of paragraph (6) of*
9 *subdivision (a) of Section 65913.4.*

10 (2) ~~The parcel is not located on a site that is any of the following:~~

11 (A) ~~A coastal zone, as defined in Division 20 (commencing~~
12 ~~with Section 30000) of the Public Resources Code, unless the local~~
13 ~~agency has a population of 50,000 or more, based on the most~~
14 ~~recent United States Census Bureau data.~~

15 (B) ~~Either prime farmland or farmland of statewide importance,~~
16 ~~as defined pursuant to United States Department of Agriculture~~
17 ~~land inventory and monitoring criteria, as modified for California,~~
18 ~~and designated on the maps prepared by the Farmland Mapping~~
19 ~~and Monitoring Program of the Department of Conservation, or~~
20 ~~land zoned or designated for agricultural protection or preservation~~
21 ~~by a local ballot measure that was approved by the voters of that~~
22 ~~jurisdiction.~~

23 (C) ~~Wetlands, as defined in the United States Fish and Wildlife~~
24 ~~Service Manual, Part 660 FW 2 (June 21, 1993).~~

25 (D) ~~Within a very high fire hazard severity zone, as determined~~
26 ~~by the Department of Forestry and Fire Protection pursuant to~~
27 ~~Section 51178, or within a high or very high fire hazard severity~~
28 ~~zone as indicated on maps adopted by the Department of Forestry~~
29 ~~and Fire Protection pursuant to Section 4202 of the Public~~
30 ~~Resources Code. A parcel is not ineligible within the meaning of~~
31 ~~this subparagraph if it is either:~~

32 (i) ~~A site excluded from the specified hazard zones by a local~~
33 ~~agency, pursuant to subdivision (b) of Section 51179.~~

34 (ii) ~~A site that has adopted fire hazard mitigation measures~~
35 ~~pursuant to existing building standards or state fire mitigation~~
36 ~~measures applicable to the development.~~

37 (E) ~~A hazardous waste site that is listed pursuant to Section~~
38 ~~65962.5 or a hazardous waste site designated by the Department~~
39 ~~of Toxic Substances Control pursuant to Section 25356 of the~~
40 ~~Health and Safety Code, unless the Department of Toxic~~

1 ~~Substances Control has cleared the site for residential use or~~
2 ~~residential mixed uses.~~

3 ~~(F) Within a delineated earthquake fault zone as determined by~~
4 ~~the State Geologist in any official maps published by the State~~
5 ~~Geologist, unless the development complies with applicable seismic~~
6 ~~protection building code standards adopted by the California~~
7 ~~Building Standards Commission under the California Building~~
8 ~~Standards Law (Part 2.5 (commencing with Section 18901) of~~
9 ~~Division 13 of the Health and Safety Code), and by any local~~
10 ~~building department under Chapter 12.2 (commencing with Section~~
11 ~~8875) of Division 1 of Title 2.~~

12 ~~(G) Within a special flood hazard area subject to inundation by~~
13 ~~the 1-percent annual chance flood (100-year flood) as determined~~
14 ~~by the Federal Emergency Management Agency in any official~~
15 ~~maps published by the Federal Emergency Management Agency.~~
16 ~~If a development proponent is able to satisfy all applicable federal~~
17 ~~qualifying criteria in order to provide that the site satisfies this~~
18 ~~subparagraph and is otherwise eligible for streamlined approval~~
19 ~~under this section, a local government shall not deny the application~~
20 ~~on the basis that the development proponent did not comply with~~
21 ~~any additional permit requirement, standard, or action adopted by~~
22 ~~that local government that is applicable to that site. A development~~
23 ~~may be located on a site described in this subparagraph if either~~
24 ~~of the following are met:~~

25 ~~(i) The site has been subject to a Letter of Map Revision~~
26 ~~prepared by the Federal Emergency Management Agency and~~
27 ~~issued to the local jurisdiction.~~

28 ~~(ii) The site meets Federal Emergency Management Agency~~
29 ~~requirements necessary to meet minimum flood plain management~~
30 ~~criteria of the National Flood Insurance Program pursuant to Part~~
31 ~~59 (commencing with Section 59.1) and Part 60 (commencing~~
32 ~~with Section 60.1) of Subchapter B of Chapter I of Title 44 of the~~
33 ~~Code of Federal Regulations.~~

34 ~~(H) Within a regulatory floodway as determined by the Federal~~
35 ~~Emergency Management Agency in any official maps published~~
36 ~~by the Federal Emergency Management Agency, unless the~~
37 ~~development has received a no-rise certification in accordance~~
38 ~~with Section 60.3(d)(3) of Title 44 of the Code of Federal~~
39 ~~Regulations. If a development proponent is able to satisfy all~~
40 ~~applicable federal qualifying criteria in order to provide that the~~

1 ~~site satisfies this subparagraph and is otherwise eligible for~~
2 ~~streamlined approval under this section, a local government shall~~
3 ~~not deny the application on the basis that the development~~
4 ~~proponent did not comply with any additional permit requirement,~~
5 ~~standard, or action adopted by that local government that is~~
6 ~~applicable to that site.~~

7 ~~(I) Lands identified for conservation in any of the following:~~

8 ~~(i) An adopted natural community conservation plan pursuant~~
9 ~~to the Natural Community Conservation Planning Act (Chapter~~
10 ~~10 (commencing with Section 2800) of Division 3 of the Fish and~~
11 ~~Game Code).~~

12 ~~(ii) A habitat conservation plan pursuant to the federal~~
13 ~~Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.).~~

14 ~~(iii) Any other adopted natural resource protection plan.~~

15 ~~(J) Habitat for protected species identified as candidate,~~
16 ~~sensitive, or species of special status by state or federal agencies,~~
17 ~~fully protected species, or species protected by any of the~~
18 ~~following:~~

19 ~~(i) The federal Endangered Species Act of 1973 (16 U.S.C. Sec.~~
20 ~~1531 et seq.).~~

21 ~~(ii) The California Endangered Species Act (Chapter 1.5~~
22 ~~(commencing with Section 2050) of Division 3 of the Fish and~~
23 ~~Game Code).~~

24 ~~(iii) The Native Plant Protection Act (Chapter 10 (commencing~~
25 ~~with Section 1900) of Division 2 of the Fish and Game Code).~~

26 ~~(K) Lands under conservation easement.~~

27 ~~(3)~~

28 ~~(4) The development of the project on the proposed parcel would~~
29 ~~not require the demolition or alteration of any of the following~~
30 ~~types of housing:~~

31 ~~(A) Housing that is subject to a recorded covenant, ordinance,~~
32 ~~or law that restricts rents to levels affordable to persons and~~
33 ~~families of moderate, low, or very low income.~~

34 ~~(B) Housing that is subject to any form of rent or price control~~
35 ~~through a public entity's valid exercise of its police power.~~

36 ~~(C) Housing occupied by tenants, as that term is defined in~~
37 ~~subdivision (l) of Section 65918.50, within the seven years~~
38 ~~preceding the date of the application, including housing that has~~
39 ~~been demolished or that tenants have vacated before the application~~
40 ~~for a development permit.~~

1 (D) A parcel or parcels on which an owner of residential real
2 property has exercised their rights under Chapter 12.75
3 (commencing with Section 7060) of Division 7 of Title 1 to
4 withdraw accommodations from rent or lease within 15 years
5 before the date that the development proponent submits an
6 application pursuant to Section 65913.6.

7 ~~(4)~~

8 (5) The development of the project on the proposed parcel would
9 not require the demolition of a historic structure that was placed
10 on a national, state, or local historic register.

11 (c) “Local agency” means a city, including a charter city, a
12 county, including a charter county, or a city and county, including
13 a charter city and county.

14 (d) “Neighborhood multifamily project” means a project to
15 construct a multifamily structure of up to four residential dwelling
16 units that meets all of the following requirements:

17 (1) The project meets one of the following conditions:

18 (A) The parcel or parcels on which the neighborhood
19 multifamily project would be located is vacant land, as defined in
20 subdivision (e).

21 (B) If the project is a conversion of an existing structure, the
22 conversion shall not require substantial exterior alteration. For the
23 purposes of this subparagraph, a project requires “substantial
24 exterior alteration” if the project would require either of the
25 following:

26 (i) The demolition of 25 percent or more of the existing exterior
27 vertical walls, measured by linear feet.

28 (ii) Any building addition that would increase total interior
29 square footage by more than 15 percent.

30 (2) (A) The neighborhood multifamily project shall meet all
31 objective zoning standards and objective design review standards
32 that do not conflict with this section or Section 65913.6. If, on or
33 after July 1, 2019, a local agency adopts an ordinance that
34 eliminates zoning designations permissive to residential use or
35 decreases residential zoning development capacity within an
36 existing zoning district in which the development is located than
37 what was authorized on July 1, 2019, then that development shall
38 be deemed to be consistent with any applicable requirement of this
39 section and Section 65913.6 if it complies with zoning designations

1 not in conflict with this section and Section 65913.6 that were
2 authorized as of July 1, 2019.

3 (B) For purposes of this paragraph, “objective zoning standards”
4 and “objective design review standards” means standards that
5 involve no personal or subjective judgment by a public official
6 and are uniformly verifiable by reference to an external and
7 uniform benchmark or criterion available and knowable by both
8 the development proponent and the public official before the
9 development proponent submits an application pursuant to this
10 section. These standards include, but are not limited to, height,
11 setbacks, floor area ratio, and lot coverage. For purposes of this
12 section and Section 65913.6, “objective zoning standard” does not
13 include any limits related to residential density that would limit a
14 development to fewer than four residential units per parcel.

15 (3) A local agency may require the neighborhood multifamily
16 project to provide at least 0.5 parking spaces per unit.

17 (e) “Vacant land” means either of the following:

18 (1) A property that contains no existing structures.

19 (2) A property that contains at least one existing structure, but
20 the structure or structures have been unoccupied for at least five
21 years and are considered substandard as defined by Section 17920.3
22 of the Health and Safety Code.

23 SEC. 3. Section 65913.6 is added to the Government Code, to
24 read:

25 65913.6. (a) For purposes of this section, the definitions
26 provided in Section 65913.5 shall apply.

27 (b) Except as provided in subdivision (g), a development
28 proponent of a neighborhood multifamily project on an eligible
29 parcel may submit an application for a development to be subject
30 to a streamlined, ministerial approval process provided by this
31 section and not be subject to a conditional use permit if the
32 development meets the requirements of this section and Section
33 65913.5.

34 (c) (1) If a local agency determines that a development
35 submitted pursuant to this section is in conflict with any of the
36 requirements specified in this section or Section 65913.5, it shall
37 provide the development proponent written documentation of
38 which requirement or requirements the development conflicts with,
39 and an explanation for the reason or reasons the development
40 conflicts with that requirement or requirements, within 60 days of

1 submission of the development to the local agency pursuant to this
2 section.

3 (2) If the local agency fails to provide the required
4 documentation pursuant to paragraph (1), the development shall
5 be deemed to satisfy the requirements of this section and Section
6 65913.5.

7 (d) Any design review or public oversight of the development
8 may be conducted by the local agency’s planning commission or
9 any equivalent board or commission responsible for review and
10 approval of development projects, or the city council or board of
11 supervisors, as appropriate. That design review or public oversight
12 shall be objective and be strictly focused on assessing compliance
13 with criteria required for streamlined projects, as well as any
14 reasonable objective design standards published and adopted by
15 ordinance or resolution by a local agency before submission of a
16 development application, and shall be broadly applicable to
17 development within the local agency. That design review or public
18 oversight shall be completed within 90 days of submission of the
19 development to the local agency pursuant to this section and shall
20 not in any way inhibit, chill, or preclude the ministerial approval
21 provided by this section or its effect, as applicable.

22 (e) Notwithstanding any other law, a local agency, whether or
23 not it has adopted an ordinance governing automobile parking
24 requirements in multifamily developments, shall not impose
25 automobile parking standards for a streamlined development that
26 was approved pursuant to this section, including those related to
27 orientation or structure of off-street automobile parking, beyond
28 those provided in the minimum requirements of Section 65913.5.

29 (f) (1) If a local agency approves a development pursuant to
30 this section, that approval shall automatically expire after three
31 years except that a project may receive a one-time, one-year
32 extension if the project proponent provides documentation that
33 there has been significant progress toward getting the development
34 construction ready. For purposes of this paragraph, “significant
35 progress” includes filing a building permit application.

36 (2) If a local agency approves a development pursuant to this
37 section, that approval shall remain valid for three years from the
38 date of the final action establishing that approval and shall remain
39 valid thereafter for a project so long as vertical construction of the
40 development has begun and is in progress. Additionally, the

1 development proponent may request, and the local agency shall
2 have discretion to grant, an additional one-year extension to the
3 original three-year period. The local agency’s action and discretion
4 in determining whether to grant the foregoing extension shall be
5 limited to considerations and process set forth in this section.

6 (g) This section shall not apply if the local agency finds that the
7 development project as proposed would have a specific, adverse
8 impact upon the public health or safety, including, but not limited
9 to, fire safety, and there is no feasible method to satisfactorily
10 mitigate or avoid the specific adverse impact without rendering
11 the development unaffordable to low- and moderate-income
12 households. As used in this paragraph, a “specific, adverse impact”
13 means a significant, quantifiable, direct, and unavoidable impact,
14 based on objective, identified written public health or safety
15 standards, policies, or conditions as they existed on the date the
16 application was deemed complete. Inconsistency with the zoning
17 ordinance or general plan land use designation shall not constitute
18 a specific, adverse impact upon the public health or safety.

19 (h) A local agency shall not adopt any requirement, including,
20 but not limited to, increased fees or inclusionary housing
21 requirements, that applies to a project solely or partially on the
22 basis that the project is eligible to receive ministerial or streamlined
23 approval pursuant to this section.

24 (i) This section shall not affect a development proponent’s
25 ability to use any alternative streamlined by right permit processing
26 adopted by a local agency, including the provisions of subdivision
27 (i) of Section 65583.2 or 65913.4.

28 SEC. 4. Chapter 4.35 (commencing with Section 65918.50) is
29 added to Division 1 of Title 7 of the Government Code, to read:

30

31 CHAPTER 4.35. EQUITABLE COMMUNITIES INCENTIVES

32

33 65918.50. For purposes of this chapter:

34 (a) “Development proponent” means an applicant who submits
35 an application for an equitable communities incentive pursuant to
36 this chapter.

37 (b) “Eligible applicant” means a development proponent ~~who~~
38 *receives whose development project meets the requirements of this*
39 *chapter to receive an equitable communities incentive.*

40 (c) “FAR” means floor area ratio.

1 (d) “High-quality bus corridor” means a corridor with fixed
2 route bus service that meets all of the following criteria:

3 (1) It has average service intervals for each line and in each
4 direction of no more than 10 minutes during the three peak hours
5 between 6 a.m. to 10 a.m., inclusive, and the three peak hours
6 between 3 p.m. to 7 p.m., inclusive, on Monday through Friday.

7 (2) It has average service intervals for each line and in each
8 direction of no more than 20 minutes during the hours of 6 a.m.
9 to 10 p.m., inclusive, on Monday through Friday.

10 (3) It has average service intervals for each line and in each
11 direction of no more than 30 minutes during the hours of 8 a.m.
12 to 10 p.m., inclusive, on Saturday and Sunday.

13 (4) It has met the criteria specified in paragraphs (1) to (3),
14 inclusive, for the five years preceding the date that a development
15 proponent submits an application for approval of a residential
16 development.

17 (e) (1) “Jobs-rich area” means an area identified by the
18 Department of Housing and Community Development in
19 consultation with the Office of Planning and Research that is high
20 opportunity and either is jobs rich or would enable shorter commute
21 distances based on whether, in a regional analysis, the tract meets
22 both of the following:

23 (A) The tract is high opportunity, meaning its characteristics
24 are associated with positive educational and economic outcomes
25 for households of all income levels residing in the tract.

26 (B) The tract meets either of the following criteria:

27 (i) New housing sited in the tract would enable residents to live
28 near more jobs than is typical for tracts in the region.

29 (ii) New housing sited in the tract would enable shorter commute
30 distances for residents, relative to existing commute patterns and
31 jobs-housing fit.

32 (2) The Department of Housing and Community Development
33 shall, commencing on January 1, ~~2020~~, 2021, publish and update,
34 every five years thereafter, a map of the state showing the areas
35 identified by the department as “jobs-rich areas.”

36 (f) “Job-rich housing project” means a residential development
37 within a jobs-rich area. A residential development shall be deemed
38 to be within a jobs-rich area if both of the following apply:

39 (1) All parcels within the project have no more than 25 percent
40 of their area outside of the jobs-rich area.

1 (2) No more than 10 percent of residential units or 100 units,
2 whichever is less, of the development are outside of the jobs-rich
3 area.

4 (g) “Local government” means a city, including a charter city,
5 a county, or a city and county.

6 (h) “Major transit stop” means a rail transit station or a ferry
7 terminal that is a major transit stop pursuant to subdivision (b) of
8 Section 21155 of the Public Resources Code.

9 (i) “Potentially sensitive community” means any of the
10 following:

11 (1) An area that is designated as “high segregation and poverty”
12 or “low resource” on the 2019 Opportunity Maps developed by
13 the California Tax Credit Allocation Committee.

14 (2) A census tract that is in the top 25 percent scoring census
15 tracts from the internet-based CalEnviroScreen 3.0 tool.

16 (3) A qualified census tract identified by the United States
17 Department of Housing and Urban Development for 2019.

18 (4) It is the intent of the Legislature to consider ~~at~~ both of the
19 following:

20 (A) Identifying additional communities as potentially sensitive
21 communities in inland areas, areas experiencing rapid change in
22 housing cost, and other areas based on objective measures of
23 community sensitivity.

24 (B) Application of the process for determining sensitive
25 communities established in subdivision (d) of Section 65918.55
26 to the San Francisco Bay area.

27 (j) “Residential development” means a project with at least
28 two-thirds of the square footage of the development designated
29 for residential use.

30 (k) “Sensitive community” means either of the following:

31 (1) Except as provided in paragraph (2), an area identified
32 pursuant to subdivision ~~(d)~~ (b) of Section ~~65918.55~~: 65918.58.

33 (2) In the Counties of Alameda, Contra Costa, Marin, Napa,
34 Santa Clara, San Francisco, San Mateo, Solano, and Sonoma, areas
35 designated by the Metropolitan Transportation Commission on
36 December 19, 2018, as the intersection of disadvantaged and
37 vulnerable communities as defined by the Metropolitan
38 Transportation Commission and the San Francisco Bay
39 Conservation and Development Commission, which identification

1 of a sensitive community shall be updated at least every five years
2 by the Department of Housing and Community Development.

3 (l) “Tenant” means a person who does not own the property
4 where they reside, including residential situations that are any of
5 the following:

6 (1) Residential real property rented by the person under a
7 long-term lease.

8 (2) A single-room occupancy unit.

9 (3) An accessory dwelling unit that is not subject to, or does
10 not have a valid permit in accordance with, an ordinance adopted
11 by a local agency pursuant to Section 65852.2.

12 (4) A residential motel.

13 (5) A mobilehome park, as governed under the Mobilehome
14 Residency Law (Chapter 2.5 (commencing with Section 798) of
15 Title 2 of Part 2 of Division 2 of the Civil Code), the Recreational
16 Vehicle Park Occupancy Law (Chapter 2.6 (commencing with
17 Section 799.20) of Title 2 of Part 2 of Division 2 of the Civil Code),
18 the Mobilehome Parks Act (Part 2.1 (commencing with Section
19 18200) of Division 13 of the Health and Safety Code), or the
20 Special Occupancy Parks Act (Part 2.3 (commencing with Section
21 18860) of Division 13 of the Health and Safety Code).

22 (6) Any other type of residential property that is not owned by
23 the person or a member of the person’s household, for which the
24 person or a member of the person’s household provides payments
25 on a regular schedule in exchange for the right to occupy the
26 residential property.

27 (m) “Transit-rich housing project” means a residential
28 development, the parcels of which are all within a one-half mile
29 radius of a major transit stop or a one-quarter mile radius of a stop
30 on a high-quality bus corridor. A project shall be deemed to be
31 within the radius if both of the following apply:

32 (1) All parcels within the project have no more than 25 percent
33 of their area outside of a one-half mile radius of a major transit
34 stop or a one-quarter mile radius of a stop on a high-quality bus
35 corridor.

36 (2) No more than 10 percent of the residential units or 100 units,
37 whichever is less, of the project are outside of a one-half mile
38 radius of a major transit stop or a one-quarter mile radius of a stop
39 on a high-quality bus corridor.

1 65918.51. ~~A~~(a) *Except as provided in subdivision (b) or*
2 *Section 65918.58, on and after January 1, 2023, a local*
3 *government shall, upon request of a development proponent, grant*
4 *an equitable communities incentive, as specified in*~~Section~~
5 ~~65918.53, Sections 65918.54 and 65918.55, when the development~~
6 *proponent seeks and agrees to construct a multifamily residential*
7 *development that satisfies the requirements specified in*~~Section~~
8 ~~65918.52. Sections 65918.52 and 65918.53, and, if applicable,~~
9 *Sections 65918.54 and 65918.55.*

10 (b) *A local government shall not be required to grant an*
11 *equitable communities incentive pursuant to subdivision (a) if the*
12 *local government has a local flexibility plan that has been reviewed*
13 *and certified by the Department of Housing and Community*
14 *Development pursuant to Section 65918.59.*

15 65918.52. ~~In order to be eligible for an equitable communities~~
16 ~~incentive pursuant to this chapter, a~~ *A residential development*
17 ~~shall meet~~ *is not eligible for an equitable communities incentive*
18 *pursuant to this chapter unless the residential development meets*
19 *all of the following criteria:*

20 (a) *The residential development is either a job-rich housing*
21 *project or transit-rich housing project.*

22 (b) *The residential development is located on a site that meets*
23 *the following requirements:*

24 (1) *At the time of application, the site is zoned to allow housing*
25 *as an underlying use in the zone, including, but not limited to, a*
26 *residential, mixed-use, or commercial zone, as defined and allowed*
27 *by the local government.*

28 (2) *If the residential development is located within a coastal*
29 *zone, as defined in Division 20 (commencing with Section 30000)*
30 *of the Public Resources Code, the site*~~satisfies the requirements~~
31 ~~specified in paragraph (2) of subdivision (a) of Section 65913.4.~~
32 *meets the following conditions:*

33 (A) *The site satisfies the requirements specified in paragraph*
34 *(2) of subdivision (a) of Section 65913.4.*

35 (B) *The site is located in a city that has a population equal to*
36 *or greater than 50,000, based on the most recent United States*
37 *Census Bureau data.*

38 (3) *The site is not located within any of the following:*

39 (A) ~~A coastal zone, as defined in Division 20 (commencing~~
40 ~~with Section 30000) of the Public Resources Code, if the site is~~

1 also located in a city that has a population of less than 50,000,
2 based on the most recent United States Census Bureau data.

3 (B)

4 (A) A very high fire hazard severity zone, as determined by the
5 Department of Forestry and Fire Protection pursuant to Section
6 51178, or within a very high fire hazard severity zone as indicated
7 on maps adopted by the Department of Forestry and Fire Protection
8 pursuant to Section 4202 of the Public Resources Code. A parcel
9 is not ineligible within the meaning of this paragraph if it is either
10 of the following:

11 (i) A site excluded from the specified hazard zones by a local
12 agency, pursuant to subdivision (b) of Section 51179.

13 (ii) A site that has adopted fire hazard mitigation measures
14 pursuant to existing building standards or state fire mitigation
15 measures applicable to the development.

16 (C)

17 (B) A parcel for which either of the following apply:

18 (i) The parcel is a contributing parcel within a historic district
19 established by an ordinance of the local government that was in
20 effect as of December 31, 2010.

21 (ii) The parcel includes a structure that was listed on a state or
22 federal register of historic resources before the date that the
23 development proponent first submits an application for an equitable
24 communities incentive pursuant to this chapter.

25 (e) ~~If the residential development is located within a county that
26 has a population equal to or less than 600,000, based on the most
27 recent United States Census Bureau data, the residential
28 development satisfies all of the following additional requirements:~~

29 ~~(1) The site satisfies the requirements specified in paragraph
30 (2) of subdivision (a) of Section 65913.4.~~

31 ~~(2) The site is not located within either of the following:~~

32 ~~(A) An architecturally or historically significant historic district,
33 as defined in subdivision (h) of Section 5020.1 of the Public
34 Resources Code.~~

35 ~~(B) A special flood hazard area subject to inundation by the 1
36 percent annual chance flood (100-year flood) as determined by
37 the Federal Emergency Management Agency in any official maps
38 published by the Federal Emergency Management Agency. If a
39 development proponent is able to satisfy all applicable federal
40 qualifying criteria in order to provide that the site satisfies this~~

1 ~~subparagraph and is otherwise eligible for streamlined approval~~
2 ~~under this section, a local government shall not deny the application~~
3 ~~on the basis that the development proponent did not comply with~~
4 ~~any additional permit requirement, standard, or action adopted by~~
5 ~~that local government that is applicable to that site. A development~~
6 ~~may be located on a site described in this subparagraph if either~~
7 ~~of the following are met:~~

8 ~~(i) The site has been subject to a Letter of Map Revision~~
9 ~~prepared by the Federal Emergency Management Agency and~~
10 ~~issued to the local jurisdiction.~~

11 ~~(ii) The site meets Federal Emergency Management Agency~~
12 ~~requirements necessary to meet minimum flood plain management~~
13 ~~criteria of the National Flood Insurance Program pursuant to Part~~
14 ~~59 (commencing with Section 59.1) and Part 60 (commencing~~
15 ~~with Section 60.1) of Subchapter B of Chapter I of Title 44 of the~~
16 ~~Code of Federal Regulations.~~

17 ~~(3) The residential development has a minimum density of 30~~
18 ~~dwelling units per acre in jurisdictions considered metropolitan,~~
19 ~~as defined in subdivision (f) of Section 65583.2, or a minimum~~
20 ~~density of 20 dwelling units per acre in jurisdictions considered~~
21 ~~suburban, as defined in subdivision (e) of Section 65583.2.~~

22 ~~(4) The residential development is located within a one-half~~
23 ~~mile radius of a major transit stop and within a city with a~~
24 ~~population greater than 50,000.~~

25 ~~(d) (1) If the local government has adopted an inclusionary~~
26 ~~housing ordinance requiring that the development include a certain~~
27 ~~number of units affordable to households with incomes that do not~~
28 ~~exceed the limits for moderate income, lower income, very low~~
29 ~~income, or extremely low income specified in Sections 50079.5,~~
30 ~~50093, 50105, and 50106 of the Health and Safety Code, and that~~
31 ~~ordinance requires that a new development include levels of~~
32 ~~affordable housing in excess of the requirements specified in~~
33 ~~paragraph (2), the residential development complies with that~~
34 ~~ordinance. The ordinance may provide alternative means of~~
35 ~~compliance that may include, but are not limited to, in-lieu fees,~~
36 ~~land dedication, offsite construction, or acquisition and~~
37 ~~rehabilitation of existing units.~~

38 ~~(2) (A) If the local government has not adopted an inclusionary~~
39 ~~housing ordinance, as described in paragraph (1), the residential~~
40 ~~development includes an affordable housing contribution for~~

1 households with incomes that do not exceed the limits for
2 extremely low income, very low income, and low income specified
3 in Sections 50093, 50105, and 50106 of the Health and Safety
4 Code.

5 (B) For purposes of this paragraph, the residential development
6 is subject to one of the following, as applicable:

7 (i) If the project has 10 or fewer units, no affordability
8 contribution is imposed.

9 (ii) If the project has 11 to 20 residential units, the development
10 proponent may pay an in-lieu fee to the local government for
11 affordable housing, where feasible, pursuant to subparagraph (C).

12 (iii) If the project has more than 20 residential units, the
13 development proponent shall do either of the following:

14 (I) Make a comparable affordability contribution toward housing
15 offsite that is affordable to lower income households, pursuant to
16 subparagraph (C).

17 (II) Include units on the site of the project that are affordable
18 to extremely low income, very low income, or lower income
19 households, as defined in Sections 50079.5, 50105, and 50106 of
20 the Health and Safety Code, as follows:

21		
22	Project Size	Inclusionary Requirement
23	21–200 units	15% lower income; or
24		8% very low income; or
25		6% extremely low income
26	201–350 units	17% lower income; or
27		10% very low income; or
28		8% extremely low income
29	351 or more units	25% lower income; or
30		15% very low income; or
31		11% extremely low income

32
33 (C) (i) The development proponent of a project that qualifies
34 pursuant to clause (ii) or subclause (I) of clause (iii) of
35 subparagraph (B) may make a comparable affordability
36 contribution toward housing offsite that is affordable to lower
37 income households, pursuant to this subparagraph.

38 (ii) For the purposes of this subparagraph, “comparable
39 affordability contribution” means either a dedication of land or
40 direct in-lieu fee payment to a housing provider that proposes to

1 build a residential development in which 100 percent of the units,
2 excluding manager’s units, are sold or rented at affordable housing
3 cost, as defined in Section 50052.5 of the Health and Safety Code,
4 or affordable rent, as defined in Section 50053 of the Health and
5 Safety Code, subject to all of the following conditions:

6 ~~(I) The site, and if applicable, the dedicated land, is located~~
7 ~~within a one-half mile of the qualifying project.~~

8 ~~(II) The site, and if applicable, the dedicated land, is eligible~~
9 ~~for an equitable communities incentive.~~

10 ~~(III) The residential development that receives a dedication of~~
11 ~~land or in-lieu fee payment pursuant to this paragraph provides~~
12 ~~the same number of affordable units at the same income category,~~
13 ~~which would have been required onsite for the qualifying project~~
14 ~~pursuant to subclause (II) of clause (iii) of subparagraph (B) of~~
15 ~~paragraph (2).~~

16 ~~(IV) The value of the dedicated land or in-lieu fee payment must~~
17 ~~be at least equal to the capitalized value of the forgone revenue~~
18 ~~that the development proponent would have incurred if the~~
19 ~~qualifying project had provided the required number and type of~~
20 ~~affordable units onsite.~~

21 ~~(V) If the qualifying project includes 21 or more units of~~
22 ~~housing, the comparable affordability contribution is subject to a~~
23 ~~recorded covenant with the local jurisdiction. A copy of the~~
24 ~~covenant shall be provided to the Department of Housing and~~
25 ~~Community Development.~~

26 ~~(iii) For the purposes of this subparagraph, “qualifying project”~~
27 ~~means a project that receives an equitable communities incentive~~
28 ~~by providing a comparable affordability contribution.~~

29 ~~(iv) The qualifying development shall not be issued a certificate~~
30 ~~of occupancy before the residential development receiving a~~
31 ~~dedication of land or direct in-lieu fee payment pursuant to this~~
32 ~~subparagraph receives a building permit.~~

33 ~~(D) Affordability of units pursuant to this paragraph shall be~~
34 ~~restricted by deed for a period of 55 years for rental units or 45~~
35 ~~years for units offered for sale.~~

36 ~~(e)~~

37 ~~(c) The site does not contain, or has not contained, either of the~~
38 ~~following:~~

39 ~~(1) Housing occupied by tenants within the seven years~~
40 ~~preceding the date of the application, including housing that has~~

1 been demolished or that tenants have vacated prior to the
2 application for a development permit.

3 (2) A parcel or parcels on which an owner of residential real
4 property has exercised their rights under Chapter 12.75
5 (commencing with Section 7060) of Division 7 of Title 1 to
6 withdraw accommodations from rent or lease within 15 years prior
7 to the date that the development proponent submits an application
8 pursuant to this chapter.

9 (f)

10 (d) The residential development complies with all applicable
11 labor, construction employment, and wage standards otherwise
12 required by law and any other generally applicable requirement
13 regarding the approval of a development project, including, but
14 not limited to, the local government’s conditional use or other
15 discretionary permit approval process, the California
16 Environmental Quality Act (Division 13 (commencing with Section
17 21000) of the Public Resources Code), or a streamlined approval
18 process that includes labor protections.

19 (g)

20 (e) The residential development complies with all other relevant
21 standards, requirements, and prohibitions imposed by the local
22 government regarding architectural design, restrictions on or
23 oversight of demolition, impact fees, and community benefits
24 agreements.

25 (h)

26 (f) The equitable communities incentive shall not be used to
27 undermine the economic feasibility of delivering low-income
28 housing under the state density bonus program or a local
29 implementation of the state density bonus program, or any locally
30 adopted program that puts conditions on new development
31 applications on the basis of receiving a zone change or general
32 plan amendment in exchange for benefits such as increased
33 affordable housing, local hire, or payment of prevailing wages.

34 ~~65918.53. (a) (1) Any transit-rich or job-rich housing project~~
35 ~~within a county that has a population greater than 600,000, based~~
36 ~~on the most recent United States Census Bureau data, that meets~~
37 ~~the criteria specified in Section 65918.52 shall receive, upon~~
38 ~~request, an equitable communities incentive as follows:~~

1 65918.53. A residential development is not eligible for an
2 equitable communities incentive pursuant to this chapter unless
3 the residential development meets all of the following criteria:

4 (a) If the local government has adopted an inclusionary housing
5 ordinance requiring that the development include a certain number
6 of units affordable to households with incomes that do not exceed
7 the limits for moderate income, lower income, very low income,
8 or extremely low income specified in Sections 50079.5, 50093,
9 50105, and 50106 of the Health and Safety Code, and that
10 ordinance requires that a new development include levels of
11 affordable housing in excess of the requirements specified in
12 paragraph (2), the residential development complies with that
13 ordinance. The ordinance may provide alternative means of
14 compliance that may include, but are not limited to, in-lieu fees,
15 land dedication, offsite construction, or acquisition and
16 rehabilitation of existing units.

17 (b) (1) If the local government has not adopted an inclusionary
18 housing ordinance, as described in subdivision (a), the residential
19 development includes an affordable housing contribution for
20 households with incomes that do not exceed the limits for extremely
21 low income, very low income, and low income specified in Sections
22 50093, 50105, and 50106 of the Health and Safety Code.

23 (2) For purposes of this subdivision, a residential development
24 satisfies the affordable housing contribution requirement of this
25 subdivision if the residential development is subject to one of the
26 following, as applicable:

27 (A) If the project has 10 or fewer units, no affordability
28 contribution is imposed.

29 (B) If the project has 11 to 20 residential units, the development
30 proponent may pay an in-lieu fee to the local government for
31 affordable housing, where feasible, pursuant to paragraph (3).

32 (C) If the project has more than 20 residential units, the
33 development proponent shall do either of the following:

34 (i) Make a comparable affordability contribution toward housing
35 offsite that is affordable to lower income households, pursuant to
36 paragraph (3).

37 (ii) Include units on the site of the project that are affordable
38 to extremely low income, very low income, or lower income
39 households, as defined in Sections 50079.5, 50105, and 50106 of
40 the Health and Safety Code, as follows:

1	<i>Project Size</i>	<i>Inclusionary Requirement</i>
2	21–200 units	15% lower income; or
3		8% very low income; or
4		6% extremely low income
5	201–350 units	17% lower income; or
6		10% very low income; or
7		8% extremely low income
8	351 or more units	25% lower income; or
9		15% very low income; or
10		11% extremely low income

11
 12 (3) (A) *The development proponent of a project that qualifies*
 13 *pursuant to subparagraph (B) of, or clause (i) of subparagraph*
 14 *(C) of, paragraph (2) may make a comparable affordability*
 15 *contribution toward housing offsite that is affordable to lower*
 16 *income households, pursuant to this paragraph.*

17 (B) *For the purposes of this paragraph, “comparable*
 18 *affordability contribution” means either a dedication of land or*
 19 *direct in-lieu fee payment to a housing provider that proposes to*
 20 *build a residential development in which 100 percent of the units,*
 21 *excluding manager’s units, are sold or rented at affordable housing*
 22 *cost, as defined in Section 50052.5 of the Health and Safety Code,*
 23 *or affordable rent, as defined in Section 50053 of the Health and*
 24 *Safety Code, subject to all of the following conditions:*

25 (i) *The site, and, if applicable, the dedicated land are located*
 26 *within a one-half mile of the qualifying project.*

27 (ii) *The site, and, if applicable, the dedicated land are eligible*
 28 *for an equitable communities incentive.*

29 (iii) *The residential development that receives a dedication of*
 30 *land or in-lieu fee payment pursuant to this paragraph provides*
 31 *the same number of affordable units at the same income category*
 32 *that would have been required on the site of the qualifying project*
 33 *pursuant to clause (ii) of subparagraph (C) of paragraph (2) for*
 34 *the qualifying project to be eligible for an equitable community*
 35 *incentive if the development proponent did not make a comparable*
 36 *affordability contribution.*

37 (iv) *The value of the dedicated land or in-lieu fee payment is at*
 38 *least equal to the capitalized value of the forgone revenue that the*
 39 *development proponent would have incurred if the qualifying*

1 project had provided the required number and type of affordable
2 units onsite.

3 (v) If the qualifying project includes 21 or more units of housing,
4 the comparable affordability contribution is subject to a recorded
5 covenant with the local jurisdiction. A copy of the covenant shall
6 be provided to the Department of Housing and Community
7 Development.

8 (C) For the purposes of this paragraph, “qualifying project”
9 means a project that receives an equitable communities incentive
10 by providing a comparable affordability contribution.

11 (D) The qualifying development shall not be issued a certificate
12 of occupancy before the residential development receiving a
13 dedication of land or direct in-lieu fee payment pursuant to this
14 paragraph receives a building permit.

15 (4) The affordability of units made affordable to meet the
16 requirements of this subdivision shall be restricted by deed for a
17 period of 55 years for rental units or 45 years for units offered for
18 sale.

19 (c) Residents living within one-half mile of the development at
20 time of application shall receive priority for the following:

21 (1) Forty percent of the affordable housing units in the
22 development that are reserved for lower income households.

23 (2) Forty percent of the affordable housing units in the
24 development that are reserved for very low income households.

25 (3) Forty percent of the affordable housing units in the
26 development that are reserved for extremely low income
27 households.

28 65918.54. An eligible applicant that proposes a residential
29 development within a county that has a population greater than
30 600,000, based on the most recent United States Census Bureau
31 data, shall receive, upon request, an equitable communities
32 incentive as follows:

33 (a) If the residential development is a transit-rich or job-rich
34 housing project, the applicant shall receive both of the following:

35 ~~(A)~~

36 (1) A waiver from maximum controls on density.

37 ~~(B)~~

38 (2) A waiver from minimum automobile parking requirements
39 greater than 0.5 automobile parking spots per unit.

40 ~~(2) An eligible applicant proposing a~~

1 ~~(b) If the residential development within a county that has a~~
 2 ~~population greater than 600,000, based on the most recent United~~
 3 ~~States Census Bureau data, that is located within a one-half mile~~
 4 ~~radius, but outside a one-quarter mile radius, of a major transit~~
 5 ~~stop stop, the applicant shall receive, in addition to the incentives~~
 6 ~~specified in paragraph (1), subdivision (a), waivers from all of the~~
 7 ~~following:~~

- 8 ~~(A)~~
- 9 ~~(1) Maximum height requirements less than 45 feet.~~
- 10 ~~(B)~~
- 11 ~~(2) Any requirement governing the relationship between the~~
 12 ~~size of the parcel and the area that the building may occupy that~~
 13 ~~would restrict the structure to a FAR of less than 2.5.~~
- 14 ~~(C)~~
- 15 ~~(3) Notwithstanding subparagraph (B) of paragraph (1),~~
 16 ~~paragraph (2) of subdivision (a), any minimum automobile parking~~
 17 ~~requirement.~~

18 ~~(3) An eligible applicant proposing a~~
 19 ~~(c) If the residential development within a county that has a~~
 20 ~~population greater than 600,000, based on the most recent United~~
 21 ~~States Census Bureau data, that is located within a one-quarter~~
 22 ~~mile radius of a major transit stop stop, the applicant shall receive,~~
 23 ~~in addition to the incentives specified in paragraph (1), subdivision~~
 24 ~~(a), waivers from all of the following:~~

- 25 ~~(A)~~
- 26 ~~(1) Maximum height requirements less than 55 feet.~~
- 27 ~~(B)~~
- 28 ~~(2) Any requirement governing the relationship between the~~
 29 ~~size of the parcel and the area that the building may occupy that~~
 30 ~~would restrict the structure to a FAR of less than 3.25.~~
- 31 ~~(C)~~
- 32 ~~(3) Notwithstanding paragraph (2) of subdivision (a), any~~
 33 ~~minimum automobile parking requirement.~~

34 ~~(b) A residential development within a county that has a~~
 35 ~~population less than or equal to 600,000, based on the most recent~~
 36 ~~United States Census Bureau data, that meets the criteria specified~~
 37 ~~in Section 65918.52 shall receive, upon request, an equitable~~
 38 ~~communities incentive as follows:~~

- 39 ~~(1) A waiver from maximum controls on density, subject to~~
 40 ~~paragraph (3) of subdivision (c) of Section 65918.52.~~

1 ~~(2) A waiver from maximum height limitations less than or~~
2 ~~equal to one story, or 15 feet, above the highest allowable height~~
3 ~~for mixed use or residential use. For purposes of this paragraph,~~
4 ~~“highest allowable height” means the tallest height, including~~
5 ~~heights that require conditional approval, allowable pursuant to~~
6 ~~zoning and any specific or area plan that covers the parcel.~~

7 ~~(3) Any requirement governing the relationship between the~~
8 ~~size of the parcel and the area that the building may occupy that~~
9 ~~would restrict the structure to a FAR of less than 0.6 times the~~
10 ~~number of stories proposed for the project.~~

11 ~~(4) A waiver from minimum automobile parking requirements,~~
12 ~~as follows:~~

13 ~~(A) If the residential development is located within a one-quarter~~
14 ~~mile radius of a rail transit station in a city with a population of~~
15 ~~greater than 100,000, based on the most recent United States~~
16 ~~Census Bureau data, the residential development project shall~~
17 ~~receive a waiver from any minimum automobile parking~~
18 ~~requirement.~~

19 ~~(B) If the residential development does not meet the criteria~~
20 ~~specified in clause (i), the residential development project shall~~
21 ~~receive a waiver from minimum automobile parking requirements~~
22 ~~of more than 0.5 parking spaces per unit.~~

23 ~~(e) Notwithstanding any other law, a project that qualifies for~~
24 ~~an equitable communities incentive may also apply for a density~~
25 ~~bonus, incentives or concessions, and parking ratios in accordance~~
26 ~~with subdivision (b) of Section 65915. To calculate a density bonus~~
27 ~~for a project that receives an equitable communities incentive, the~~
28 ~~“otherwise maximum allowable gross residential density” as~~
29 ~~described in subdivision (f) of Section 65915 shall be equal to the~~
30 ~~proposed number of units in, or the proposed square footage of,~~
31 ~~the residential development after applying the equitable~~
32 ~~communities incentive received pursuant to this chapter. In no~~
33 ~~case may a city, county, or city and county apply any development~~
34 ~~standard that will have the effect of physically precluding the~~
35 ~~construction of a development meeting the criteria of this chapter~~
36 ~~and subdivision (b) of Section 65915 at the unit count or square~~
37 ~~footage or with the concessions or incentives permitted by this~~
38 ~~chapter and as may be increased under Section 65915 in accordance~~
39 ~~with this subdivision, but no additional waivers or reductions of~~

1 development standards, as described in subdivision (e) of Section
2 65915 shall be permitted.

3 ~~(d) The local government shall grant an incentive requested by
4 an eligible applicant pursuant to this chapter unless the local
5 government makes a written finding, based on substantial evidence,
6 that the incentive would have a specific, adverse impact on any
7 real property or historic district that is listed on a federal or state
8 register of historical resources and for which there is no feasible
9 method to satisfactorily mitigate or avoid the specific, adverse
10 impact without rendering the development unaffordable.~~

11 ~~(e) An eligible applicant proposing a project that meets all of
12 the requirements under Section 65913.4 may submit an application
13 for streamlined, ministerial approval in accordance with that
14 section.~~

15 ~~(f) The local government may modify or expand the terms of
16 an equitable communities incentive provided pursuant to this
17 chapter, provided that the equitable communities incentive is
18 consistent with, and meets the minimum standards specified in,
19 this chapter.~~

20 *65918.55. (a) An eligible applicant that proposes a residential
21 development within a county that has a population less than or
22 equal to 600,000, based on the most recent United States Census
23 Bureau data, that meets all of the requirements in subdivision (b)
24 shall receive, upon request, an equitable communities incentive
25 as follows:*

26 *(1) A waiver from maximum controls on density.*

27 *(2) A waiver from maximum height limitations less than or equal
28 to one story, or 15 feet, above the highest allowable height for
29 mixed use or residential use. For purposes of this paragraph,
30 "highest allowable height" means the tallest height, including
31 heights that require conditional approval, allowable pursuant to
32 zoning and any specific or area plan that covers the parcel.*

33 *(3) Any requirement governing the relationship between the
34 size of the parcel and the area that the building may occupy that
35 would restrict the structure to a FAR of less than 0.6 times the
36 number of stories proposed for the project.*

37 *(4) A waiver from minimum automobile parking requirements,
38 as follows:*

39 *(A) If the residential development is located within a one-quarter
40 mile radius of a rail transit station in a city with a population of*

1 greater than 100,000, based on the most recent United States
2 Census Bureau data, the residential development project shall
3 receive a waiver from any minimum automobile parking
4 requirement.

5 (B) If the residential development does not meet the criteria
6 specified in subparagraph (A), the residential development project
7 shall receive a waiver from minimum automobile parking
8 requirements of more than 0.5 parking spaces per unit.

9 (b) To be eligible for an equitable communities incentive
10 outlined in subdivision (a), a residential development shall meet
11 all of the following requirements:

12 (1) The site satisfies the requirements specified in paragraph
13 (2) of subdivision (a) of Section 65913.4.

14 (2) The site is not located within either of the following:

15 (A) An architecturally or historically significant historic district,
16 as defined in subdivision (h) of Section 5020.1 of the Public
17 Resources Code.

18 (B) A special flood hazard area subject to inundation by the
19 1-percent annual chance flood (100-year flood), as determined by
20 the Federal Emergency Management Agency in any official maps
21 published by the Federal Emergency Management Agency. If a
22 development proponent is able to satisfy all applicable federal
23 qualifying criteria in order to provide that the site satisfies this
24 subparagraph and is otherwise eligible for an equitable
25 communities incentive under this chapter, a local government shall
26 not deny the application on the basis that the development
27 proponent did not comply with any additional permit requirement,
28 standard, or action adopted by that local government that is
29 applicable to that site. A development may be located on a site
30 described in this subparagraph if either of the following are met:

31 (i) The site has been subject to a Letter of Map Revision
32 prepared by the Federal Emergency Management Agency and
33 issued to the local jurisdiction.

34 (ii) The site meets Federal Emergency Management Agency
35 requirements necessary to meet minimum flood plain management
36 criteria of the National Flood Insurance Program pursuant to Part
37 59 (commencing with Section 59.1) and Part 60 (commencing with
38 Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code
39 of Federal Regulations.

1 (3) *The residential development has a minimum density of 30*
2 *dwelling units per acre in jurisdictions considered metropolitan,*
3 *as defined in subdivision (f) of Section 65583.2, or a minimum*
4 *density of 20 dwelling units per acre in jurisdictions considered*
5 *suburban, as defined in subdivision (e) of Section 65583.2.*

6 (4) *The residential development is located within a one-half*
7 *mile radius of a major transit stop and within a city with a*
8 *population greater than 50,000.*

9 (c) *Notwithstanding any other law, a project that qualifies for*
10 *an equitable communities incentive may also apply for a density*
11 *bonus, incentives or concessions, and parking ratios in accordance*
12 *with subdivision (b) of Section 65915. To calculate a density bonus*
13 *for a project that receives an equitable communities incentive, the*
14 *“otherwise maximum allowable gross residential density,” as*
15 *described in subdivision (f) of Section 65915, shall be equal to the*
16 *proposed number of units in, or the proposed square footage of,*
17 *the residential development after applying the equitable*
18 *communities incentive received pursuant to this chapter. In no*
19 *case may a city, county, or city and county apply any development*
20 *standard that will have the effect of physically precluding the*
21 *construction of a development meeting the criteria of this chapter*
22 *and subdivision (b) of Section 65915 at the unit count or square*
23 *footage or with the concessions or incentives permitted by this*
24 *chapter and as may be increased under Section 65915 in*
25 *accordance with this subdivision, but no additional waivers or*
26 *reductions of development standards, as described in subdivision*
27 *(e) of Section 65915 shall be permitted.*

28 65918.56. (a) *The local government shall grant an incentive*
29 *requested by an eligible applicant pursuant to this chapter unless*
30 *the local government makes a written finding, based on substantial*
31 *evidence, that the incentive would have a specific, adverse impact*
32 *on any real property or historic district that is listed on a federal*
33 *or state register of historical resources and for which there is no*
34 *feasible method to satisfactorily mitigate or avoid the specific,*
35 *adverse impact without rendering the development unaffordable.*

36 (b) *An eligible applicant proposing a project that meets all of*
37 *the requirements under Section 65913.4 may submit an application*
38 *for streamlined, ministerial approval in accordance with that*
39 *section.*

1 (c) *The local government may modify or expand the terms of*
2 *an equitable communities incentive provided pursuant to this*
3 *chapter, provided that the equitable communities incentive is*
4 *consistent with, and meets the minimum standards specified in,*
5 *this chapter.*

6 ~~65918.54.~~

7 65918.57. The Legislature finds and declares that this chapter
8 addresses a matter of statewide concern rather than a municipal
9 affair as that term is used in Section 5 of Article XI of the
10 California Constitution. Therefore, this chapter applies to all cities,
11 including charter cities.

12 ~~65918.55.~~

13 65918.58. (a) On or before July 1, ~~2020~~, 2023, Sections
14 65918.51 to 65918.54, inclusive, shall not apply to a potentially
15 sensitive community. After July 1, ~~2020~~, 2023, Sections 65918.51
16 to 65918.54, inclusive, shall apply in any potentially sensitive
17 community that is not identified as a sensitive community pursuant
18 to subdivision (b).

19 (b) On or before July 1, ~~2020~~, 2023, sensitive communities in
20 each county shall be identified and mapped in accordance with the
21 following:

22 (1) The council of governments, or the county board of
23 supervisors in a county without a council of governments, shall
24 establish a working group comprised of residents of potentially
25 sensitive communities within the county, ensuring equitable
26 representation of vulnerable populations, including, but not limited
27 to, renters, low-income people, and members of classes protected
28 under the California Fair Employment and Housing Act (Part 2.8
29 (commencing with Section 12900) of Division 3 of Title 2).

30 (2) The working group shall develop a map of sensitive
31 communities within the county, which shall include some or all
32 of the areas identified as potentially sensitive communities pursuant
33 to subdivision (i) of Section 65918.50. The working group shall
34 prioritize the input of residents from each potentially sensitive
35 community in making a determination about that community.

36 (3) Each board of supervisors or council of governments shall
37 adopt the sensitive communities map for the county, along with
38 an explanation of the composition and function of the working
39 group and the community process and methodology used to create
40 the maps, at a public hearing held on or before July 1, ~~2020~~, 2023.

1 (c) Sections 65918.51 to 65918.54, inclusive, shall apply in a
2 sensitive community on and after January 1, 2026, unless the city
3 or county in which the sensitive community is located has adopted
4 a community plan for an area that includes the sensitive community
5 that is aimed toward increasing residential density and multifamily
6 housing choices near transit stops and meets all of the following:

7 (1) The community plan is not in conflict with the goals of this
8 chapter.

9 (2) The community plan permits increased density and
10 multifamily development near transit, with all upzoning linked to
11 onsite affordable housing requirements that meet or exceed the
12 affordable housing requirements in Sections 65918.51 to 65918.54,
13 inclusive. Community plans shall, at a minimum, be consistent
14 with the overall residential development capacity and the minimum
15 affordability standards set forth in Sections 65918.51 to 65918.54,
16 inclusive, within the boundaries of the community plan.

17 (3) The community plan includes provisions to protect
18 vulnerable residents from displacement.

19 (4) The community plan promotes economic justice for workers
20 and residents.

21 (5) The community plan was developed in partnership with at
22 least one of the following:

23 (A) A nonprofit or community organization that focuses on
24 organizing low-income residents in the sensitive community.

25 (B) A nonprofit or community organization that focuses on
26 organizing low-income residents in the jurisdiction.

27 (C) If there are no nonprofit or community organizations
28 working within the sensitive community or the jurisdiction, a
29 nonprofit with demonstrated experience conducting outreach to
30 low-income communities.

31 (6) Residents of the sensitive community are engaged throughout
32 the planning process, including through at least three community
33 meetings that are held at times and locations accessible to
34 low-income residents.

35 (7) All public documents and meetings related to the planning
36 process are translated into all languages spoken by at least 25
37 percent of residents of the sensitive community.

38 (8) The community plan is adopted before July 1, 2025.

39 (d) Each city and each county shall make reasonable efforts to
40 develop a community plan for any sensitive communities within

1 its jurisdiction. A community plan may address other locally
2 identified priorities, provided they are not in conflict with the intent
3 of this chapter or any other law. A city or county may designate a
4 community plan adopted before July 1, ~~2020~~, 2023, as the plan
5 that meets the requirements of this ~~paragraph~~, *subdivision*, provided
6 that the plan meets all criteria in this section.

7 (e) Notwithstanding any other provision of this section, Sections
8 65918.51 to 65918.54, inclusive, shall apply in any sensitive
9 community if all of the following apply:

10 (1) At least 20 percent of adult residents of the sensitive
11 community sign a petition attesting that the community desires to
12 make the provisions of Sections 65918.51 to 65918.54, inclusive,
13 applicable in the area. The petition shall describe in plain language
14 the planning standards set forth in Sections 65918.51 to 65918.54,
15 inclusive; be translated into all languages spoken by at least 25
16 percent of residents in the affected area; and collect contact
17 information from signatories to the petition, including first, middle,
18 and last name, mailing address, and phone number and email
19 address if available.

20 (2) The local government has verified the petition to ensure
21 compliance with paragraph (1).

22 (3) Following signature verification, the ~~local government~~ *city*
23 *or county* provides public notice and opportunity to comment to
24 residents of the affected area and holds a minimum of three public
25 hearings in the affected area at a time and in a place and manner
26 accessible to low-income residents and other vulnerable
27 populations.

28 (4) The governing body for the city or county in which the
29 sensitive community is located determines, by majority vote, to
30 apply this chapter in the affected area.

31 (f) It is the intent of the Legislature to consider all of the
32 following:

33 (1) Tasking local government entities with greater community
34 connection with convening and administering the process for
35 identifying sensitive communities.

36 (2) Requiring review by the Department of Housing and
37 Community Development of the designation of sensitive
38 communities.

39 *65918.59. (a) On or before July 1, 2021, the Governor's Office*
40 *of Planning and Research, in consultation with the Department*

1 of Housing and Community Development, shall develop and
2 publish on its internet website rules, regulations, or guidelines for
3 the submission and approval of a local flexibility plan. The rules,
4 regulations, or guidelines shall include requirements that the local
5 government demonstrate that the local flexibility plan would do
6 the following:

7 (1) Affirmatively further fair housing, as that term is defined in
8 Section 8899.50, to an extent as great or greater than if the local
9 government were to grant equitable communities incentives in
10 fulfillment of Section 65918.51.

11 (2) Achieve a standard of transportation efficiency as great or
12 greater than if the local government were to grant equitable
13 communities incentives in fulfillment of Section 65918.51.

14 (3) Increase overall feasible housing capacity for households
15 of lower, moderate, and above moderate incomes, considering
16 economic factors such as cost of likely construction types,
17 affordable housing requirements, and the impact of local
18 development fees.

19 (b) On or after July 1, 2021, a local government may submit a
20 local flexibility plan for review and approval by the Department
21 of Housing and Community Development pursuant to the rules,
22 regulations, or guidelines adopted pursuant to subdivision (a).

23 (c) A local government submitting a local flexibility plan and
24 the Department of Housing and Community Development shall
25 process, review, and certify the local flexibility plan as
26 expeditiously as possible after local community planning and
27 stakeholder outreach is complete.

28 (d) Any rule, regulation, or guideline developed and published
29 by the Governor's Office of Planning and Research pursuant to
30 this section shall not be subject to Chapter 3.5 (commencing with
31 Section 11340) of Part 1 of Division 3 of Title 2.

32 SEC. 5. No reimbursement is required by this act pursuant to
33 Section 6 of Article XIII B of the California Constitution because
34 a local agency or school district has the authority to levy service
35 charges, fees, or assessments sufficient to pay for the program or
36 level of service mandated by this act, within the meaning of Section
37 17556 of the Government Code.



Check Register Report

Bank: BANK OF AMERICA - CITY OPERATING
 Reporting Period: 12/19/2019 to 01/08/2020

Date: 1/9/2020
 Time: 1:04:33PM
 Page 1 of 15

Check No.	Check Date	Vendor Name	Check Description	Amount	Department
Administrative Services					
107215	12/23/2019	MCCONVILLE/MICHAEL//	REIMBURSE EDUC EXPS- FALL 2019	995.00	Administrative Services
107204	12/23/2019	HENRY/CEDRIC//	REIMBURSE EDUC EXPS- FALL 2019	915.00	Administrative Services
107181	12/23/2019	US BANK	VISA- AMAZON.COM	200.62	Administrative Services
107199	12/23/2019	EXER- MORE THAN URGENT CARE	PRE-EMPLOYMENT PHYSICALS	75.00	Administrative Services
107297	1/8/2020	VALLEY NEWS GROUP	LEGAL ADVERTISING	45.00	Administrative Services
107181	12/23/2019	US BANK	VISA- COGNITO	32.00	Administrative Services
107181	12/23/2019	US BANK	VISA- APPLE.COM	6.99	Administrative Services
Total Amount for 7 Line Item(s) from Administrative Services				\$2,269.61	
Boards and Commissions					
107210	12/23/2019	KRAUT/PETER//	PC MEETINGS 7/10/19-12/5/19	300.00	Boards and Commissions
107237	12/23/2019	WASHBURN/DENNIS//	PC MEETINGS 7/10/19-12/5/19	250.00	Boards and Commissions
107228	12/23/2019	SIKAND/MARK//	PC MEETINGS 7/10/19-12/5/19	250.00	Boards and Commissions
107203	12/23/2019	HARRISON/MICHAEL//	PC MEETINGS 7/10/19-12/5/19	250.00	Boards and Commissions
107218	12/23/2019	MUELLER/JOHN//	PC MEETINGS 7/10/19-12/5/19	200.00	Boards and Commissions
107200	12/23/2019	FASSBERG/WENDY//	PC MEETINGS 7/10/19-12/5/19	150.00	Boards and Commissions
107181	12/23/2019	US BANK	VISA- BAJA FRESH	91.96	Boards and Commissions
107181	12/23/2019	US BANK	VISA- RITE AID/GELSONS/DOLLAR	53.76	Boards and Commissions
Total Amount for 8 Line Item(s) from Boards and Commissions				\$1,545.72	
City Attorney					
107193	12/23/2019	COLANTUONO, HIGHSMITH &	GENERAL SERVICES	38,645.66	City Attorney
107294	1/8/2020	THOMPSON COE	LEGAL SERVICES	4,676.00	City Attorney
107193	12/23/2019	COLANTUONO, HIGHSMITH &	BROWN PETITION	2,182.95	City Attorney
107193	12/23/2019	COLANTUONO, HIGHSMITH &	CRLA & ED FUND	1,373.83	City Attorney
107193	12/23/2019	COLANTUONO, HIGHSMITH &	ZEESMAN	150.00	City Attorney
107193	12/23/2019	COLANTUONO, HIGHSMITH &	LABOR & EMPLOYMENT	63.00	City Attorney
Total Amount for 6 Line Item(s) from City Attorney				\$47,091.44	
City Council					
107181	12/23/2019	US BANK	VISA- FRESH BROTHERS	377.05	City Council
107186	12/23/2019	BOZAJIAN/JAMES R.//	REIMB OFFICE SUPPLIES	340.69	City Council
107181	12/23/2019	US BANK	VISA- ROSTI TUSCAN	245.75	City Council
107181	12/23/2019	US BANK	VISA- RALPHS/GELSONS	215.60	City Council





Check Register Report

Bank: BANK OF AMERICA - CITY OPERATING
Reporting Period: 12/19/2019 to 01/08/2020

Date: 1/9/2020
Time: 1:04:34PM
Page 2 of 15

Check No.	Check Date	Vendor Name	Check Description	Amount	Department
107181	12/23/2019	US BANK	VISA- CALABASAS SELF STORAGE	199.00	City Council
107273	1/8/2020	J THAYER COMPANY, INC.	OFFICE SUPPLIES	192.92	City Council
107181	12/23/2019	US BANK	VISA- FLORENTYNA'S	177.39	City Council
107261	1/8/2020	CONEJO AWARDS	TILE PLAQUE	112.56	City Council
107181	12/23/2019	US BANK	VISA- PAPERLESS POST	80.00	City Council
107181	12/23/2019	US BANK	VISA- CALABASAS CHAMBERS	35.00	City Council
107181	12/23/2019	US BANK	VISA- CALABASAS CHAMBERS	35.00	City Council
107181	12/23/2019	US BANK	VISA- KAKE KREATIONS	25.00	City Council
Total Amount for 12 Line Item(s) from City Council				\$2,035.96	
City Management					
107273	1/8/2020	J THAYER COMPANY, INC.	OFFICE SUPPLIES	740.94	City Management
107270	1/8/2020	HERNANDEZ/MARICELA//	REIMB TRAVEL EXP- ELECTION LAW	168.66	City Management
107181	12/23/2019	US BANK	VISA- LOVI'S DELI	38.97	City Management
107181	12/23/2019	US BANK	VISA- CALABASAS CHAMBERS	35.00	City Management
Total Amount for 4 Line Item(s) from City Management				\$983.57	
Civic Center O&M					
107227	12/23/2019	SECURAL SECURITY CORP	SECURITY- NIGHTLY CIV CTR	5,349.00	Civic Center O&M
107293	1/8/2020	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	4,760.89	Civic Center O&M
107293	1/8/2020	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	3,849.23	Civic Center O&M
107243	1/8/2020	ACCURATE BACKFLOW TESTING	BACKFLOW DEVICE TEST	518.00	Civic Center O&M
107243	1/8/2020	ACCURATE BACKFLOW TESTING	BACKFLOW DEVICE TEST	518.00	Civic Center O&M
107301	1/8/2020	VORTEX INDUSTRIES INC	DOOR REPAIRS - LIBRARY	517.12	Civic Center O&M
107181	12/23/2019	US BANK	VISA- AMTC	210.24	Civic Center O&M
107181	12/23/2019	US BANK	VISA- BEST BUY/WALMART/RITEAID	44.82	Civic Center O&M
107181	12/23/2019	US BANK	VISA- HOME DEPOT/HARBOR FREIGH	28.45	Civic Center O&M
107181	12/23/2019	US BANK	VISA- BEST BUY/WALMART/RITEAID	27.43	Civic Center O&M
107181	12/23/2019	US BANK	VISA- HOME DEPOT/HARBOR FREIGH	21.65	Civic Center O&M
Total Amount for 11 Line Item(s) from Civic Center O&M				\$15,844.83	
Community Development					
107187	12/23/2019	CALABASAS CREST LTD	R.A.P.- JAN 2020	7,056.00	Community Development
107197	12/23/2019	DAPEER, ROSENBLIT & LITVAK	LEGAL SERVICES	3,022.28	Community Development
107181	12/23/2019	US BANK	VISA- MARRIOT HOTEL	1,192.20	Community Development



Check Register Report

Bank: BANK OF AMERICA - CITY OPERATING
 Reporting Period: 12/19/2019 to 01/08/2020

Date: 1/9/2020
 Time: 1:04:34PM
 Page 3 of 15

Check No.	Check Date	Vendor Name	Check Description	Amount	Department
107182	12/23/2019	A STRAIGHT LINE CONSTRUCTION	CODE ENFORCEMENT SERVICES	750.00	Community Development
107181	12/23/2019	US BANK	VISA- ICC/NAWT.ORG	335.00	Community Development
107201	12/23/2019	FLEISHMAN/ALBERT//	R.A.P.- JAN 2020	240.00	Community Development
107217	12/23/2019	MEDVETSKY/LINA//	R.A.P.- JAN 2020	240.00	Community Development
107225	12/23/2019	RASCOE/JOAN//	R.A.P.- JAN 2020	240.00	Community Development
107212	12/23/2019	LEVY/ESTHER//	R.A.P.- JAN 2020	240.00	Community Development
107241	12/23/2019	YAZDINIAN/SUSAN//	R.A.P.- JAN 2020	240.00	Community Development
107216	12/23/2019	MCCUNE/SHANNON//	R.A.P.- JAN 2020	240.00	Community Development
107208	12/23/2019	J THAYER COMPANY, INC.	OFFICE SUPPLIES	146.85	Community Development
107181	12/23/2019	US BANK	VISA- AMAZON.COM	79.66	Community Development
107196	12/23/2019	CYBERCOPY, INC.	COPY/PRINTING SERVICE	67.94	Community Development
107181	12/23/2019	US BANK	VISA- WALMART	64.52	Community Development
107196	12/23/2019	CYBERCOPY, INC.	COPY/PRINTING SERVICE	33.95	Community Development
107181	12/23/2019	US BANK	VISA- LCC	25.00	Community Development
107197	12/23/2019	DAPEER, ROSENBLIT & LITVAK	LEGAL SERVICES	22.50	Community Development
Total Amount for 18 Line Item(s) from Community Development				\$14,235.90	

Community Services

107224	12/23/2019	R P BARRICADE INC	EQUIPMENT RENTAL- PUMPKIN FEST	7,173.10	Community Services
107226	12/23/2019	S & T CONTRACTORS SVS, INC.	CUSTOM COATING- ARBOR POST	6,300.00	Community Services
107291	1/8/2020	S & T CONTRACTORS SVS, INC.	CUSTOM COATING- ARBOR POST	5,900.00	Community Services
107220	12/23/2019	NICHOLSON/TRISSA//	RECREATION INSTRUCTOR	4,527.60	Community Services
107232	12/23/2019	ULTIMATE EXPOSURES, INC.	B-BALL PHOTOGRAPHS	2,599.99	Community Services
107235	12/23/2019	VERGUN/SHANNON JANNETTE//	RECREATION INSTRUCTOR	2,595.60	Community Services
107293	1/8/2020	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	2,267.46	Community Services
107293	1/8/2020	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	1,519.44	Community Services
107181	12/23/2019	US BANK	VISA- WEBSTAUANT	927.11	Community Services
107213	12/23/2019	LITTLE LEARNERS LLC	RECREATION INSTRUCTOR	861.00	Community Services
107181	12/23/2019	US BANK	VISA- DANS SUPER SUB	821.25	Community Services
107238	12/23/2019	WEINSTOCK/ARLENE//	RECREATION INSTRUCTOR	798.00	Community Services
107181	12/23/2019	US BANK	VISA- CALABASAS SELF STORAGE	748.00	Community Services
107233	12/23/2019	VAROL/DIANA//	RECREATION INSTRUCTOR	598.50	Community Services
107181	12/23/2019	US BANK	VISA- BOBS GARDEN	551.84	Community Services
107181	12/23/2019	US BANK	VISA- SAM & ALFREDA MALOOF	525.00	Community Services
107231	12/23/2019	TELLER/BARBARA//	RECREATION INSTRUCTOR	462.00	Community Services
107181	12/23/2019	US BANK	VISA- JUDSON/QUEEN MARY	408.00	Community Services
107181	12/23/2019	US BANK	VISA- FLORAL/VASE MARKET	390.41	Community Services



Check Register Report

Bank: BANK OF AMERICA - CITY OPERATING
 Reporting Period: 12/19/2019 to 01/08/2020

Date: 1/9/2020
 Time: 1:04:34PM
 Page 4 of 15

Check No.	Check Date	Vendor Name	Check Description	Amount	Department
107230	12/23/2019	TANENBAUM/PATTY LIMATOLA//	RECREATION INSTRUCTOR	350.00	Community Services
107181	12/23/2019	US BANK	VISA- DIY/HOME DEPOT/LOWES	342.80	Community Services
107181	12/23/2019	US BANK	VISA- AMAZON.COM	341.62	Community Services
107206	12/23/2019	INNER-I ...SECURITY IN FOCUS	SERVICE RESPONSE CALL	340.00	Community Services
107181	12/23/2019	US BANK	VISA- COSTCO	315.55	Community Services
107181	12/23/2019	US BANK	VISA- FIRST CHOICE/DS COFFEE	285.85	Community Services
107189	12/23/2019	CANON FINANCIAL SERVICES INC	CANON COPIER LEASES	267.98	Community Services
107181	12/23/2019	US BANK	VISA- ALBERTSONS/COSTCO	256.61	Community Services
107181	12/23/2019	US BANK	VISA- 7 ELEVEN/UNION 76	253.67	Community Services
107181	12/23/2019	US BANK	VISA- ALBERTSONS/COSTCO	197.85	Community Services
107181	12/23/2019	US BANK	VISA- VIVA WHOLESale	156.00	Community Services
107181	12/23/2019	US BANK	VISA- SURFSIDE PRINTS	155.16	Community Services
107181	12/23/2019	US BANK	VISA- COSTCO	155.06	Community Services
107181	12/23/2019	US BANK	VISA- DIRECT TV	151.66	Community Services
107181	12/23/2019	US BANK	VISA- TARGET/CVS	146.51	Community Services
107181	12/23/2019	US BANK	VISA- AMAZON.COM	123.54	Community Services
107183	12/23/2019	AT&T	TELEPHONE SERVICE	100.80	Community Services
107181	12/23/2019	US BANK	VISA- HOME DEPOT/HARBOR FREIGH	95.15	Community Services
107181	12/23/2019	US BANK	VISA- MALIBU LAUNDRY	93.00	Community Services
107181	12/23/2019	US BANK	VISA- HOBBY LOBBY	78.09	Community Services
107242	12/23/2019	ZEE MEDICAL SERVICE CO.	FIRST AID KIT SUPPLIES	68.01	Community Services
107181	12/23/2019	US BANK	VISA- COSTCO/RALPHS/TJ	65.98	Community Services
107181	12/23/2019	US BANK	VISA- MINUTEMAN PRESS	64.61	Community Services
107181	12/23/2019	US BANK	VISA- ALBERTSONS/COSTCO	61.16	Community Services
107181	12/23/2019	US BANK	VISA- PEACHJAR	50.00	Community Services
107181	12/23/2019	US BANK	VISA- CONSTANT CONTACT	45.00	Community Services
107181	12/23/2019	US BANK	VISA- AGOURA WHOLE/LOCKTECH	35.56	Community Services
107181	12/23/2019	US BANK	VISA- HOME DEPOT	27.68	Community Services
107181	12/23/2019	US BANK	VISA- CANOGA ELECTRIC/FRANKLIN	27.09	Community Services
107181	12/23/2019	US BANK	VISA- CANOGA ELECTRIC/FRANKLIN	25.13	Community Services
107181	12/23/2019	US BANK	VISA- CANVA.COM	13.00	Community Services
107181	12/23/2019	US BANK	VISA- TARGET/CVS	11.27	Community Services
107181	12/23/2019	US BANK	VISA- CANVA	3.00	Community Services
107181	12/23/2019	US BANK	VISA- APPLE.COM	0.99	Community Services
Total Amount for 53 Line Item(s) from Community Services				\$44,679.68	

Finance



Check Register Report

Bank: BANK OF AMERICA - CITY OPERATING
 Reporting Period: 12/19/2019 to 01/08/2020

Date: 1/9/2020
 Time: 1:04:34PM
 Page 5 of 15

Check No.	Check Date	Vendor Name	Check Description	Amount	Department
107244	1/8/2020	ADP, INC	PAYROLL PROCESSING	6,397.58	Finance
107269	1/8/2020	HDL, COREN & CONE INC.	CAFR REPORT SERVICES	500.00	Finance
Total Amount for 2 Line Item(s) from Finance				\$6,897.58	

Library

107181	12/23/2019	US BANK	VISA- AMAZON.COM	828.42	Library
107287	1/8/2020	PREFERRED BENEFIT	VISION/DENTAL PREMIUM- DEC 19	643.40	Library
107289	1/8/2020	RECORDED BOOKS, LLC	BOOKS ON CD	598.32	Library
107272	1/8/2020	INGRAM LIBRARY SERVICES	BOOKS-LIBRARY	456.68	Library
107255	1/8/2020	BCC	LIFE & DISABILITY INS- DEC 19	409.99	Library
107273	1/8/2020	J THAYER COMPANY, INC.	OFFICE SUPPLIES	304.28	Library
107181	12/23/2019	US BANK	VISA- ELM USA/SUNSHINE	182.55	Library
107289	1/8/2020	RECORDED BOOKS, LLC	BOOKS ON CD	106.45	Library
107289	1/8/2020	RECORDED BOOKS, LLC	E- AUDIO BOOKS	86.71	Library
107289	1/8/2020	RECORDED BOOKS, LLC	E- AUDIO BOOKS	80.40	Library
107257	1/8/2020	CANON SOLUTIONS AMERICA, INC	COPIER SVC PROGRAM	79.19	Library
107257	1/8/2020	CANON SOLUTIONS AMERICA, INC	COPIER SVC PROGRAM	79.19	Library
107264	1/8/2020	CSAC-EXCESS INSURANCE	EAP/JAN-MAR 2020	76.57	Library
107272	1/8/2020	INGRAM LIBRARY SERVICES	BOOKS-LIBRARY	58.43	Library
107281	1/8/2020	MIDWEST TAPE, LLC	DVD'S-LIBRARY	56.58	Library
107281	1/8/2020	MIDWEST TAPE, LLC	DVD'S-LIBRARY	28.29	Library
107254	1/8/2020	BAKER & TAYLOR, LLC	BOOKS-LIBRARY	11.70	Library
107181	12/23/2019	US BANK	VISA- USPS	2.90	Library
107273	1/8/2020	J THAYER COMPANY, INC.	OFFICE SUPPLIES	-75.50	Library
Total Amount for 19 Line Item(s) from Library				\$4,014.55	

LMD #22

107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	12,648.27	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	12,000.04	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	12,000.04	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	8,925.55	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	5,954.12	LMD #22
107253	1/8/2020	AZTECA LANDSCAPE	LANDSCAPE MAINTENANCE	5,727.85	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	5,607.00	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	4,895.86	LMD #22
107239	12/23/2019	WESTRIDGE CALABASAS HOA	LANDSCAPE MAINTENANCE	4,755.00	LMD #22



Check Register Report

Bank: BANK OF AMERICA - CITY OPERATING

Reporting Period: 12/19/2019 to 01/08/2020

Date: 1/9/2020

Time: 1:04:34PM

Page 6 of 15

Check No.	Check Date	Vendor Name	Check Description	Amount	Department
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	4,000.04	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	3,843.47	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	3,796.00	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	2,970.84	LMD #22
107283	1/8/2020	NEWBURY PARK TREE SERVICE INC	TREE TRIMMING/REMOVAL SVCS	2,915.00	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	2,893.00	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	2,891.40	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	2,743.26	LMD #22
107283	1/8/2020	NEWBURY PARK TREE SERVICE INC	TREE TRIMMING/REMOVAL SVCS	2,350.00	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	2,278.29	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	2,043.96	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	1,361.10	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	1,245.08	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	1,119.18	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	1,045.00	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	914.46	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	878.64	LMD #22
107240	12/23/2019	WILLDAN FINANCIAL SERVICES	ANNUAL LMD REFORMATION	786.56	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	761.00	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	758.62	LMD #22
107240	12/23/2019	WILLDAN FINANCIAL SERVICES	ANNUAL LMD REFORMATION	690.68	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	679.14	LMD #22
107240	12/23/2019	WILLDAN FINANCIAL SERVICES	ANNUAL LMD REFORMATION	645.57	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	636.41	LMD #22
107240	12/23/2019	WILLDAN FINANCIAL SERVICES	ANNUAL LMD REFORMATION	599.03	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	597.81	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	594.00	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	549.00	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	521.00	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	520.80	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	430.62	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	388.32	LMD #22
107240	12/23/2019	WILLDAN FINANCIAL SERVICES	ANNUAL LMD REFORMATION	377.66	LMD #22
107240	12/23/2019	WILLDAN FINANCIAL SERVICES	ANNUAL LMD REFORMATION	304.34	LMD #22
107240	12/23/2019	WILLDAN FINANCIAL SERVICES	ANNUAL LMD REFORMATION	266.27	LMD #22
107293	1/8/2020	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	251.14	LMD #22
107293	1/8/2020	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	244.60	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	243.09	LMD #22



Check Register Report

Bank: BANK OF AMERICA - CITY OPERATING
 Reporting Period: 12/19/2019 to 01/08/2020

Date: 1/9/2020
 Time: 1:04:34PM
 Page 7 of 15

Check No.	Check Date	Vendor Name	Check Description	Amount	Department
107240	12/23/2019	WILLDAN FINANCIAL SERVICES	ANNUAL LMD REFORMATION	226.10	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	211.00	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	183.28	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	169.20	LMD #22
107240	12/23/2019	WILLDAN FINANCIAL SERVICES	ANNUAL LMD REFORMATION	168.98	LMD #22
107240	12/23/2019	WILLDAN FINANCIAL SERVICES	ANNUAL LMD REFORMATION	156.29	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	149.00	LMD #22
107240	12/23/2019	WILLDAN FINANCIAL SERVICES	ANNUAL LMD REFORMATION	125.27	LMD #22
107293	1/8/2020	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	100.50	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	93.04	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	93.04	LMD #22
107287	1/8/2020	PREFERRED BENEFIT	VISION/DENTAL PREMIUM- DEC 19	86.08	LMD #22
107255	1/8/2020	BCC	LIFE & DISABILITY INS- DEC 19	82.99	LMD #22
107240	12/23/2019	WILLDAN FINANCIAL SERVICES	ANNUAL LMD REFORMATION	51.95	LMD #22
107240	12/23/2019	WILLDAN FINANCIAL SERVICES	ANNUAL LMD REFORMATION	46.31	LMD #22
107293	1/8/2020	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	34.88	LMD #22
107240	12/23/2019	WILLDAN FINANCIAL SERVICES	ANNUAL LMD REFORMATION	23.75	LMD #22
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	21.24	LMD #22
107264	1/8/2020	CSAC-EXCESS INSURANCE	EAP/JAN-MAR 2020	12.06	LMD #22
Total Amount for 66 Line Item(s) from LMD #22				\$124,683.07	

LMD #24

107184	12/23/2019	AZTECA LANDSCAPE	LANDSCAPE MAINTENANCE	2,563.91	LMD #24
107184	12/23/2019	AZTECA LANDSCAPE	LANDSCAPE MAINTENANCE	1,145.38	LMD #24
107184	12/23/2019	AZTECA LANDSCAPE	LANDSCAPE MAINTENANCE	1,022.64	LMD #24
107184	12/23/2019	AZTECA LANDSCAPE	LANDSCAPE MAINTENANCE	1,018.25	LMD #24
107184	12/23/2019	AZTECA LANDSCAPE	LANDSCAPE MAINTENANCE	970.05	LMD #24
107240	12/23/2019	WILLDAN FINANCIAL SERVICES	ANNUAL LMD REFORMATION	432.46	LMD #24
107240	12/23/2019	WILLDAN FINANCIAL SERVICES	ANNUAL LMD REFORMATION	389.21	LMD #24
107240	12/23/2019	WILLDAN FINANCIAL SERVICES	ANNUAL LMD REFORMATION	345.97	LMD #24
107184	12/23/2019	AZTECA LANDSCAPE	LANDSCAPE MAINTENANCE	219.14	LMD #24
107184	12/23/2019	AZTECA LANDSCAPE	LANDSCAPE MAINTENANCE	219.14	LMD #24
107293	1/8/2020	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	208.25	LMD #24
107184	12/23/2019	AZTECA LANDSCAPE	LANDSCAPE MAINTENANCE	146.09	LMD #24
107240	12/23/2019	WILLDAN FINANCIAL SERVICES	ANNUAL LMD REFORMATION	69.19	LMD #24
107240	12/23/2019	WILLDAN FINANCIAL SERVICES	ANNUAL LMD REFORMATION	61.99	LMD #24
107240	12/23/2019	WILLDAN FINANCIAL SERVICES	ANNUAL LMD REFORMATION	49.01	LMD #24



Check Register Report

Bank: BANK OF AMERICA - CITY OPERATING
 Reporting Period: 12/19/2019 to 01/08/2020

Date: 1/9/2020
 Time: 1:04:34PM
 Page 8 of 15

Check No.	Check Date	Vendor Name	Check Description	Amount	Department
107287	1/8/2020	PREFERRED BENEFIT	VISION/DENTAL PREMIUM- DEC 19	6.14	LMD #24
107255	1/8/2020	BCC	LIFE & DISABILITY INS- DEC 19	5.93	LMD #24
107240	12/23/2019	WILLDAN FINANCIAL SERVICES	ANNUAL LMD REFORMATION	2.89	LMD #24
107264	1/8/2020	CSAC-EXCESS INSURANCE	EAP/JAN-MAR 2020	0.86	LMD #24
Total Amount for 19 Line Item(s) from LMD #24				\$8,876.50	
<u>LMD #27</u>					
107240	12/23/2019	WILLDAN FINANCIAL SERVICES	ANNUAL LMD REFORMATION	445.43	LMD #27
107240	12/23/2019	WILLDAN FINANCIAL SERVICES	ANNUAL LMD REFORMATION	158.57	LMD #27
107293	1/8/2020	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	11.03	LMD #27
107287	1/8/2020	PREFERRED BENEFIT	VISION/DENTAL PREMIUM- DEC 19	1.54	LMD #27
107255	1/8/2020	BCC	LIFE & DISABILITY INS- DEC 19	1.48	LMD #27
107264	1/8/2020	CSAC-EXCESS INSURANCE	EAP/JAN-MAR 2020	0.22	LMD #27
Total Amount for 6 Line Item(s) from LMD #27				\$618.27	
<u>LMD #32</u>					
107240	12/23/2019	WILLDAN FINANCIAL SERVICES	ANNUAL LMD REFORMATION	28.83	LMD #32
107293	1/8/2020	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	10.90	LMD #32
107287	1/8/2020	PREFERRED BENEFIT	VISION/DENTAL PREMIUM- DEC 19	1.54	LMD #32
107255	1/8/2020	BCC	LIFE & DISABILITY INS- DEC 19	1.48	LMD #32
107264	1/8/2020	CSAC-EXCESS INSURANCE	EAP/JAN-MAR 2020	0.22	LMD #32
Total Amount for 5 Line Item(s) from LMD #32				\$42.97	
<u>LMD 22 - Common Benefit Area</u>					
107248	1/8/2020	ARCH CHEMICALS, INC.	LAKE MAINTENANCE	11,730.00	LMD 22 - Common Benefit Area
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	9,677.34	LMD 22 - Common Benefit Area
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	5,739.65	LMD 22 - Common Benefit Area
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	4,346.00	LMD 22 - Common Benefit Area
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	4,121.00	LMD 22 - Common Benefit Area
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	3,101.83	LMD 22 - Common Benefit Area
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	2,637.95	LMD 22 - Common Benefit Area
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	2,212.26	LMD 22 - Common Benefit Area
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	1,883.51	LMD 22 - Common Benefit Area
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	1,375.00	LMD 22 - Common Benefit Area
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	1,312.08	LMD 22 - Common Benefit Area



Check Register Report

Bank: BANK OF AMERICA - CITY OPERATING
 Reporting Period: 12/19/2019 to 01/08/2020

Date: 1/9/2020
 Time: 1:04:34PM
 Page 9 of 15

Check No.	Check Date	Vendor Name	Check Description	Amount	Department
107293	1/8/2020	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	1,214.00	LMD 22 - Common Benefit Area
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	996.15	LMD 22 - Common Benefit Area
107248	1/8/2020	ARCH CHEMICALS, INC.	LAKE MAINTENANCE	929.68	LMD 22 - Common Benefit Area
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	709.08	LMD 22 - Common Benefit Area
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	700.33	LMD 22 - Common Benefit Area
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	603.06	LMD 22 - Common Benefit Area
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	512.00	LMD 22 - Common Benefit Area
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	483.51	LMD 22 - Common Benefit Area
107293	1/8/2020	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	354.42	LMD 22 - Common Benefit Area
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	284.64	LMD 22 - Common Benefit Area
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	210.27	LMD 22 - Common Benefit Area
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	160.14	LMD 22 - Common Benefit Area
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- LMD	148.83	LMD 22 - Common Benefit Area
107287	1/8/2020	PREFERRED BENEFIT	VISION/DENTAL PREMIUM- DEC 19	111.41	LMD 22 - Common Benefit Area
107255	1/8/2020	BCC	LIFE & DISABILITY INS- DEC 19	94.62	LMD 22 - Common Benefit Area
107181	12/23/2019	US BANK	VISA- HOME DEPOT/MICHAELS	42.42	LMD 22 - Common Benefit Area
107264	1/8/2020	CSAC-EXCESS INSURANCE	EAP/JAN-MAR 2020	18.96	LMD 22 - Common Benefit Area
107293	1/8/2020	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	10.16	LMD 22 - Common Benefit Area
Total Amount for 29 Line Item(s) from LMD 22 - Common Benefit Area				\$55,720.30	

Media Operations

107223	12/23/2019	PERFORMING ARTS EDUCATION CTR	SOTC EVENT	3,645.68	Media Operations
107284	1/8/2020	NICKERSON/LAURA//	CTV HOST SERVICES	1,968.75	Media Operations
107295	1/8/2020	TIME WARNER CABLE	CABLE MODEM- CITY HALL	1,615.00	Media Operations
107250	1/8/2020	AT&T	TELEPHONE SERVICE	1,102.23	Media Operations
107181	12/23/2019	US BANK	VISA- FRESH BRO/ROSTI/MED PITA	674.54	Media Operations
107274	1/8/2020	KEY INFORMATION SYSTEMS, INC.	T-1 LINE MONTHLY FEE	578.77	Media Operations
107295	1/8/2020	TIME WARNER CABLE	CABLE MODEM- CITY HALL	492.70	Media Operations
107267	1/8/2020	FUSION CLOUD COMPANY	DSL SERVICE	454.75	Media Operations
107181	12/23/2019	US BANK	VISA- MODERN POSTCARDS	411.78	Media Operations
107295	1/8/2020	TIME WARNER CABLE	CABLE MODEM- CITY HALL	289.98	Media Operations
107181	12/23/2019	US BANK	VISA- AMAZON.COM	274.46	Media Operations
107181	12/23/2019	US BANK	VISA- LINKED IN	215.88	Media Operations
107181	12/23/2019	US BANK	VISA- INMOTIONHOSTING.COM	171.87	Media Operations
107250	1/8/2020	AT&T	TELEPHONE SERVICE	164.69	Media Operations
107181	12/23/2019	US BANK	VISA- AMAZON.COM	125.00	Media Operations
107181	12/23/2019	US BANK	VISA- CAPIO	105.00	Media Operations



Check Register Report

Bank: BANK OF AMERICA - CITY OPERATING
 Reporting Period: 12/19/2019 to 01/08/2020

Date: 1/9/2020
 Time: 1:04:34PM
 Page 10 of 15

Check No.	Check Date	Vendor Name	Check Description	Amount	Department
107192	12/23/2019	CHARTER COMMUNICATIONS	CABLE MODEM- CITY HALL	91.68	Media Operations
107181	12/23/2019	US BANK	VISA- AIRPORT PARKING	79.33	Media Operations
107181	12/23/2019	US BANK	VISA- CAPIO	60.00	Media Operations
107251	1/8/2020	AT&T MOBILITY	TELEPHONE SERVICE	48.24	Media Operations
107181	12/23/2019	US BANK	VISA- US FLAG STORE	12.81	Media Operations
Total Amount for 21 Line Item(s) from Media Operations				\$12,583.14	

Non-Departmental - Finance

107229	12/23/2019	SO CAL REMODELING PRODUCTS INC	CDBG RES REHAB- FRIEDKIN	12,504.00	Non-Departmental - Finance
107234	12/23/2019	VENCO WESTERN, INC.	EMERGENCY- WOOLSEY FIRE 11/18	5,649.00	Non-Departmental - Finance
107207	12/23/2019	IRON MOUNTAIN, INC.	STORAGE SERVICES	1,961.55	Non-Departmental - Finance
107181	12/23/2019	US BANK	VISA- LIFE STORAGE	1,371.00	Non-Departmental - Finance
107181	12/23/2019	US BANK	VISA- OFFICE SUPPLY	631.74	Non-Departmental - Finance
107181	12/23/2019	US BANK	VISA- RITE AID/GELSONS/DOLLAR	537.23	Non-Departmental - Finance
107181	12/23/2019	US BANK	VISA- COSTCO/RALPHS/TJ	453.25	Non-Departmental - Finance
107288	1/8/2020	READYREFRESH BY NESTLE	WATER SERVICE	326.02	Non-Departmental - Finance
107190	12/23/2019	CANON SOLUTIONS AMERICA, INC	COPIER SVC PROGRAM- KZT02095	64.00	Non-Departmental - Finance
107266	1/8/2020	FEDERAL EXPRESS CORP.	COURIER SERVICE	33.03	Non-Departmental - Finance
107257	1/8/2020	CANON SOLUTIONS AMERICA, INC	COPIER SVC PROGRAM	14.55	Non-Departmental - Finance
Total Amount for 11 Line Item(s) from Non-Departmental - Finance				\$23,545.37	

Payroll

107287	1/8/2020	PREFERRED BENEFIT	VISION/DENTAL PREMIUM- DEC 19	6,910.71	Payroll
107255	1/8/2020	BCC	LIFE & DISABILITY INS- DEC 19	4,179.35	Payroll
107264	1/8/2020	CSAC-EXCESS INSURANCE	EAP/JAN-MAR 2020	725.25	Payroll
107191	12/23/2019	CATE/CHARLES R.//	HEALTH INS REIMB (RETIREE)	702.78	Payroll
107195	12/23/2019	COROALLES/ANTHONY//	HEALTH INS REIMB (RETIREE)	702.78	Payroll
107202	12/23/2019	GROVEMAN/BARRY//	HEALTH INS REIMB (RETIREE)	702.78	Payroll
107205	12/23/2019	HILL/BOB//	HEALTH INS REIMB (RETIREE)	702.78	Payroll
107214	12/23/2019	LOPATA/MARVIN//	HEALTH INS REIMB (RETIREE)	702.78	Payroll
107222	12/23/2019	PARKER/ROBIN//	HEALTH INS REIMB (RETIREE)	702.78	Payroll
107236	12/23/2019	WASHBURN/DENNIS//	HEALTH INS REIMB (RETIREE)	702.78	Payroll
107247	1/8/2020	APPLE ONE	TEMPORARY EMPLOYMENT SVCS	529.00	Payroll
107285	1/8/2020	P&A ADMINISTRATIVE SVCS INC	FSA MONTHLY ADMIN FEE- JAN 20	67.50	Payroll



Check Register Report

Bank: BANK OF AMERICA - CITY OPERATING
 Reporting Period: 12/19/2019 to 01/08/2020

Date: 1/9/2020
 Time: 1:04:34PM
 Page 11 of 15

Check No.	Check Date	Vendor Name	Check Description	Amount	Department
Total Amount for 12 Line Item(s) from Payroll				\$17,331.27	
Police / Fire / Safety					
107211	12/23/2019	L.A. CO. SHERIFF'S DEPT.	SHERIFF SVCS- NOV 2019	383,533.02	Police / Fire / Safety
107211	12/23/2019	L.A. CO. SHERIFF'S DEPT.	SHERIFF SVCS- NOV 2019	9,733.43	Police / Fire / Safety
107276	1/8/2020	L.A. CO. DEPT. OF ANIMAL CARE	ANIMAL HOUSING SVCS- NOV 2019	3,238.22	Police / Fire / Safety
107277	1/8/2020	L.A. CO. SHERIFF'S DEPT.	SHERIFF SVCS- VIEWPOINT	2,842.40	Police / Fire / Safety
107277	1/8/2020	L.A. CO. SHERIFF'S DEPT.	SHERIFF SVCS- THE OAKS	1,716.58	Police / Fire / Safety
107211	12/23/2019	L.A. CO. SHERIFF'S DEPT.	SHERIFF SVCS- NOV 2019	387.50	Police / Fire / Safety
107277	1/8/2020	L.A. CO. SHERIFF'S DEPT.	SHERIFF SVCS- FINGERPRINT	310.48	Police / Fire / Safety
Total Amount for 7 Line Item(s) from Police / Fire / Safety				\$401,761.63	
Public Safety & Emergency Preparedness					
107181	12/23/2019	US BANK	VISA- COSTCO	367.88	Public Safety & Emergency Preparedness
107181	12/23/2019	US BANK	VISA- TOONUPZ	292.50	Public Safety & Emergency Preparedness
107181	12/23/2019	US BANK	VISA- MEDITERRANEAN PITA	213.36	Public Safety & Emergency Preparedness
107286	1/8/2020	PAPA SYSTEM	PAPA RENEWAL FEE - KG6ZRF	125.00	Public Safety & Emergency Preparedness
Total Amount for 4 Line Item(s) from Public Safety & Emergency Preparedness				\$998.74	
Public Works					
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- PARKS	15,437.68	Public Works
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- PARKS	7,614.00	Public Works
107259	1/8/2020	CHRIS NELSON & ASSOCIATES, INC	SURVEY CONSULTING	5,175.00	Public Works
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- PARKS	3,529.02	Public Works
107263	1/8/2020	COUNTY OF LOS ANGELES	CONTRACT SERVICES	3,401.66	Public Works
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- PARKS	1,976.00	Public Works
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- PARKS	1,050.00	Public Works
107181	12/23/2019	US BANK	VISA- BARNES & NOBLE	950.00	Public Works
107268	1/8/2020	HAJIZADEH/HOUMAN//	CONSULTING SERVICES	948.75	Public Works
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- PARKS	906.00	Public Works
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- PARKS	767.45	Public Works
107209	12/23/2019	KHANDAKER/ASHIQUE//	CONSULTING SERVICES	700.00	Public Works
107209	12/23/2019	KHANDAKER/ASHIQUE//	CONSULTING SERVICES	700.00	Public Works
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- P.W.	647.63	Public Works
107181	12/23/2019	US BANK	VISA- APWA	630.00	Public Works



Check Register Report

Bank: BANK OF AMERICA - CITY OPERATING

Reporting Period: 12/19/2019 to 01/08/2020

Date: 1/9/2020

Time: 1:04:34PM

Page 12 of 15

Check No.	Check Date	Vendor Name	Check Description	Amount	Department
107219	12/23/2019	NEWBURY PARK TREE SERVICE INC	TREE TRIMMING/REMOVAL SVCS	625.00	Public Works
107181	12/23/2019	US BANK	VISA- 24HR WRISTBANDS	564.90	Public Works
107181	12/23/2019	US BANK	VISA- DIY/HARBOR FREIGHT	552.95	Public Works
107275	1/8/2020	KHANDAKER/ASHIQUE//	CONSULTING SERVICES	500.00	Public Works
107268	1/8/2020	HAJZADEH/HOUMAN//	CONSULTING SERVICES	385.00	Public Works
107181	12/23/2019	US BANK	VISA- ISA/CAPCA	340.00	Public Works
107283	1/8/2020	NEWBURY PARK TREE SERVICE INC	TREE TRIMMING/REMOVAL SVCS	337.50	Public Works
107275	1/8/2020	KHANDAKER/ASHIQUE//	CONSULTING SERVICES	280.00	Public Works
107181	12/23/2019	US BANK	VISA- GOLDEN OPENINGS	199.25	Public Works
107181	12/23/2019	US BANK	VISA- SO CAL TROPHY	170.56	Public Works
107181	12/23/2019	US BANK	VISA- APWA	90.00	Public Works
107181	12/23/2019	US BANK	VISA- APWA	86.14	Public Works
107273	1/8/2020	J THAYER COMPANY, INC.	OFFICE SUPPLIES	80.28	Public Works
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- PARKS	73.50	Public Works
107181	12/23/2019	US BANK	VISA- DIY/HOME DEPOT	69.94	Public Works
107293	1/8/2020	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	67.62	Public Works
107181	12/23/2019	US BANK	VISA- AMAZON.COM	63.20	Public Works
107208	12/23/2019	J THAYER COMPANY, INC.	OFFICE SUPPLIES	56.90	Public Works
107181	12/23/2019	US BANK	VISA- DIY/HARBOR FREIGHT	52.14	Public Works
107181	12/23/2019	US BANK	VISA- DIY/HOME DEPOT	40.50	Public Works
107198	12/23/2019	ESTRADA/KEVIN//	REIMB MILEAGE - TRAINING	36.19	Public Works
107181	12/23/2019	US BANK	VISA- PEPBOYS/ACE T.O.	31.72	Public Works
107181	12/23/2019	US BANK	VISA- PEPBOYS/ACE T.O.	30.97	Public Works
107185	12/23/2019	BARBOSA/FRANCISCO//	REIMB MILEAGE - TRAINING	29.58	Public Works
107181	12/23/2019	US BANK	VISA- HOME DEPOT/MICHAELS	18.85	Public Works
107181	12/23/2019	US BANK	VISA- CONCRETE SOLUTIONS	9.17	Public Works
107181	12/23/2019	US BANK	VISA- O'REILLY AUTO/SINCLAIR	2.85	Public Works
Total Amount for 42 Line Item(s) from Public Works				\$49,227.90	

Recoverable / Refund / Liability

107265	1/8/2020	EXCEL PAVING COMPANY	RELEASE OF RETENTION	43,216.82	Recoverable / Refund / Liability
107285	1/8/2020	P&A ADMINISTRATIVE SVCS INC	FSA-MED CARE REIMBURSEMENT	1,780.32	Recoverable / Refund / Liability
107221	12/23/2019	P&A ADMINISTRATIVE SVCS INC	FSA-MED/DEP CARE REIMBURSEMENT	192.25	Recoverable / Refund / Liability
107221	12/23/2019	P&A ADMINISTRATIVE SVCS INC	FSA-MED/DEP CARE REIMBURSEMENT	85.00	Recoverable / Refund / Liability
107229	12/23/2019	SO CAL REMODELING PRODUCTS INC	CDBG RES REHAB- FRIEDKIN	-1,250.40	Recoverable / Refund / Liability



Check Register Report

Bank: BANK OF AMERICA - CITY OPERATING
 Reporting Period: 12/19/2019 to 01/08/2020

Date: 1/9/2020
 Time: 1:04:34PM
 Page 13 of 15

Check No.	Check Date	Vendor Name	Check Description	Amount	Department
Total Amount for 5 Line Item(s) from Recoverable / Refund / Liability				\$44,023.99	
Tennis & Swim Center					
107260	1/8/2020	COMMERCIAL AQUATIC SVCS	POOL SERVICE/REPAIR	4,121.26	Tennis & Swim Center
107234	12/23/2019	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- T&SC	3,720.94	Tennis & Swim Center
107194	12/23/2019	COMMERCIAL AQUATIC SVCS	POOL SERVICE/REPAIR	2,550.00	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- SUPERIOR AWNING	2,000.00	Tennis & Swim Center
107293	1/8/2020	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	1,582.98	Tennis & Swim Center
107260	1/8/2020	COMMERCIAL AQUATIC SVCS	POOL SERVICE/REPAIR	1,290.00	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- CHEFS TOYS	1,237.88	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- HORIZON MECH/HOME DEPOT	960.00	Tennis & Swim Center
107300	1/8/2020	VENCO WESTERN, INC.	LANDSCAPE MAINTENANCE- T&SC	850.62	Tennis & Swim Center
107258	1/8/2020	CASAS/JORGE//	FITNESS EQUIPMENT REPAIRS	794.43	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- LEASED EQUIPMENT	765.30	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- FINDLAYS	640.00	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- AMAZON.COM	625.19	Tennis & Swim Center
107279	1/8/2020	MARKET PLAYS PRODUCTIONS	STAFF UNIFORMS	606.35	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- FLICKER PB/OTC BRANDS	598.65	Tennis & Swim Center
107290	1/8/2020	REGENCY HOOD CLEANING INC.	MAINTENANCE SERVICES	575.00	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- SIRIUS XM	553.14	Tennis & Swim Center
107279	1/8/2020	MARKET PLAYS PRODUCTIONS	STAFF UNIFORMS	536.16	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- HOME DEPOT/FRANKLINS	447.57	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- RALPHS/WALMART/PARTYCITY	436.73	Tennis & Swim Center
107194	12/23/2019	COMMERCIAL AQUATIC SVCS	POOL SERVICE/REPAIR	397.11	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- INDEED	387.99	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- AMAZON.COM	366.86	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- LESLIE'S POOL MART	334.97	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- HOME DEPOT/FRANKLINS	318.26	Tennis & Swim Center
107262	1/8/2020	COUNTY OF LOS ANGELES	CONTRACT SERVICES	303.00	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- CAMPUS SAVE/10-S	276.40	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- WSW CORP	273.75	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- POSTAL ANNEX	241.93	Tennis & Swim Center
107255	1/8/2020	BCC	LIFE & DISABILITY INS- DEC 19	234.66	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- RED CROSS	228.00	Tennis & Swim Center
107287	1/8/2020	PREFERRED BENEFIT	VISION/DENTAL PREMIUM- DEC 19	222.60	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- OFFICE DEPOT	216.62	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- SMART & FINAL	194.47	Tennis & Swim Center



Check Register Report

Bank: BANK OF AMERICA - CITY OPERATING

Reporting Period: 12/19/2019 to 01/08/2020

Date: 1/9/2020

Time: 1:04:34PM

Page 14 of 15

Check No.	Check Date	Vendor Name	Check Description	Amount	Department
107181	12/23/2019	US BANK	VISA- CAP LEASING	192.00	Tennis & Swim Center
107302	1/8/2020	WATERLINE TECHNOLOGIES INC	POOL CHEMICALS	191.14	Tennis & Swim Center
107278	1/8/2020	LAS VIRGENES MUNICIPAL WATER	WATER SERVICE	185.39	Tennis & Swim Center
107252	1/8/2020	ATMOSPHERE EVENTS & CATERING	SOCIAL EXPENSE- HOLIDAY	165.56	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- STONEFIRE GRILL	164.14	Tennis & Swim Center
107246	1/8/2020	ALLIANT INSURANCE SERVICES INC	SPECIAL EVENTS INS- T&SC	162.00	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- HORIZON MECH/HOME DEPOT	141.26	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- CONSTANT CONTACT	100.00	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- MCCALLA COMPANY	99.81	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- POWER SYSTEMS	92.53	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- MCCALLA COMPANY	69.09	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- USTA	55.00	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- CAMPUS SAVE/10-S	51.00	Tennis & Swim Center
107264	1/8/2020	CSAC-EXCESS INSURANCE	EAP/JAN-MAR 2020	35.00	Tennis & Swim Center
107287	1/8/2020	PREFERRED BENEFIT	VISION/DENTAL PREMIUM- DEC 19	27.48	Tennis & Swim Center
107255	1/8/2020	BCC	LIFE & DISABILITY INS- DEC 19	23.11	Tennis & Swim Center
107181	12/23/2019	US BANK	VISA- AMAZON.COM	14.22	Tennis & Swim Center
107264	1/8/2020	CSAC-EXCESS INSURANCE	EAP/JAN-MAR 2020	3.23	Tennis & Swim Center
Total Amount for 52 Line Item(s) from Tennis & Swim Center				\$30,660.78	

Transportation

107188	12/23/2019	CALIFORNIA CIVIL ENGINEERING	EV CHARGING STATION PROJ	20,000.00	Transportation
107282	1/8/2020	MV TRANSPORTATION, INC.	SHUTTLE SERVICES- OCT 19	19,788.66	Transportation
107271	1/8/2020	IDEAL GENERAL SERVICES, INC.	DIAL-A-RIDE DEC 2019	16,620.00	Transportation
107282	1/8/2020	MV TRANSPORTATION, INC.	SHUTTLE SERVICES- OCT 19	16,384.47	Transportation
107280	1/8/2020	MICHAEL BAKER INTERNATIONAL	PROFESSIONAL SERVICES	6,854.64	Transportation
107245	1/8/2020	ALL CITY MANAGEMENT SVCS, INC.	SCHOOL CROSSING GUARD SVCS	6,816.54	Transportation
107282	1/8/2020	MV TRANSPORTATION, INC.	SHUTTLE SERVICES- OCT 19	6,333.16	Transportation
107282	1/8/2020	MV TRANSPORTATION, INC.	SHUTTLE SERVICES- OCT 19	3,190.43	Transportation
107296	1/8/2020	TOYOTA FINANCIAL SERVICES	LEASE PAYMENT- JAN 2020	2,092.14	Transportation
107293	1/8/2020	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	1,299.13	Transportation
107282	1/8/2020	MV TRANSPORTATION, INC.	SHUTTLE FUEL COST- OCT 19	1,283.65	Transportation
107292	1/8/2020	SIEMENS MOBILITY, INC	TRAFFIC SIGN MAINTENANCE	1,276.51	Transportation
107256	1/8/2020	CALACT	2020 MEMBERSHIP	535.00	Transportation
107282	1/8/2020	MV TRANSPORTATION, INC.	SHUTTLE SERVICES- OCT 19	212.70	Transportation
107181	12/23/2019	US BANK	VISA- EXXON/SHELL/UNION 76	198.25	Transportation
107181	12/23/2019	US BANK	VISA- UNION 76/SHELL/EXXON	160.03	Transportation



Check Register Report

Bank: BANK OF AMERICA - CITY OPERATING

Reporting Period: 12/19/2019 to 01/08/2020

Date: 1/9/2020

Time: 1:04:34PM

Page 15 of 15

Check No.	Check Date	Vendor Name	Check Description	Amount	Department
107181	12/23/2019	US BANK	VISA- LANSEND OUTFITTERS	156.83	Transportation
107249	1/8/2020	AT&T	TELEPHONE SERVICE	111.86	Transportation
107273	1/8/2020	J THAYER COMPANY, INC.	OFFICE SUPPLIES	80.30	Transportation
107273	1/8/2020	J THAYER COMPANY, INC.	OFFICE SUPPLIES	80.30	Transportation
107181	12/23/2019	US BANK	VISA- CALABASAS SINCLAIR	75.00	Transportation
107181	12/23/2019	US BANK	VISA- EXXON MOBIL	69.02	Transportation
107181	12/23/2019	US BANK	VISA- 7 ELEVEN	64.49	Transportation
107181	12/23/2019	US BANK	VISA- 7 ELEVEN	60.36	Transportation
107181	12/23/2019	US BANK	VISA- CHEVRON	58.65	Transportation
107181	12/23/2019	US BANK	VISA- O'REILLY AUTO/SINCLAIR	57.89	Transportation
107181	12/23/2019	US BANK	VISA- CHEVRON/SHELL	37.99	Transportation
107181	12/23/2019	US BANK	VISA- CALABASAS SINCLAIR	30.78	Transportation
107181	12/23/2019	US BANK	VISA- EXXON MOBIL	30.00	Transportation
107181	12/23/2019	US BANK	VISA- CHEVRON/SHELL	29.99	Transportation
107181	12/23/2019	US BANK	VISA- EXXON/SHELL/UNION 76	29.99	Transportation
107181	12/23/2019	US BANK	VISA- CHEVRON	27.00	Transportation
107181	12/23/2019	US BANK	VISA- UNION 76/SHELL/EXXON	26.99	Transportation
107181	12/23/2019	US BANK	VISA- CALABASAS SINCLAIR	26.97	Transportation
107181	12/23/2019	US BANK	VISA- PEPBOYS	26.26	Transportation
107263	1/8/2020	COUNTY OF LOS ANGELES	CONTRACT SERVICES	24.00	Transportation
107181	12/23/2019	US BANK	VISA- AMAZON.COM	18.21	Transportation
107181	12/23/2019	US BANK	VISA- RALPHS/AMAZON.COM	14.22	Transportation
107181	12/23/2019	US BANK	VISA- RALPHS/AMAZON.COM	6.99	Transportation
Total Amount for 39 Line Item(s) from Transportation				\$104,189.40	
GRAND TOTAL for 458 Line Items				\$1,013,862.17	



Check Register Report

Bank: BANK OF AMERICA - TENNIS & SWIM CENTER

Reporting Period: 12/19/2019 to 01/08 /2020

Date: 1/9/2020

Time: 1:06:43PM

Page 1 of 1

Check No.	Check Date	Vendor Name	Check Description	Amount	Department
Tennis & Swim Center					
13774	1/6/2020	BLUE SHIELD OF CA	INSURANCE EXPENSE	7,459.78	Tennis & Swim Center
13767	12/23/2019	SOUTHERN CALIFORNIA EDISON	ELECTRIC SERVICE	3,974.41	Tennis & Swim Center
13769	12/23/2019	WILSON SPORTING GOODS	FACILITY EXPENSE	2,770.35	Tennis & Swim Center
13777	1/6/2020	UNIFIRST CORPORATION	JANITORIAL SUPPLIES	2,093.82	Tennis & Swim Center
13775	1/6/2020	ICW GROUP	WORKERS COMP INS	1,738.56	Tennis & Swim Center
13772	1/6/2020	ATMOSPHERE EVENTS & CATERING	PROMOTION/SOCIALS	1,478.25	Tennis & Swim Center
13776	1/6/2020	PHILIDELPHIA INSURANCE	INSURANCE EXPENSE	1,109.00	Tennis & Swim Center
13778	1/6/2020	WILSON SPORTING GOODS	FACILITY EXPENSE	1,067.26	Tennis & Swim Center
13764	12/23/2019	NET RESULTS TENNIS LLC	GIFT CERTS - LEAGUE PRIZES	880.00	Tennis & Swim Center
13765	12/23/2019	PURCHASE POWER	ADMINISTRATIVE EXPENSES	500.00	Tennis & Swim Center
13758	12/23/2019	AT&T	TELEPHONE SERVICE	343.21	Tennis & Swim Center
13763	12/23/2019	MARILYN'S TROPHIES	PROMOTION/SOCIALS	321.75	Tennis & Swim Center
13773	1/6/2020	BLUE SHIELD OF CA	INSURANCE EXPENSE	314.90	Tennis & Swim Center
13770	12/23/2019	XEROX FINANCIAL SERVICES	ADMINISTRATIVE EXPENSES	288.97	Tennis & Swim Center
13762	12/23/2019	IMAGE SOURCE	ADMINISTRATIVE EXPENSES	264.51	Tennis & Swim Center
13760	12/23/2019	CALAMANDREI/DAMEN//	UMPIRE	250.00	Tennis & Swim Center
13761	12/23/2019	COSGROVE/JILL//	UMPIRE	200.00	Tennis & Swim Center
13763	12/23/2019	MARILYN'S TROPHIES	PROMOTION/SOCIALS	193.05	Tennis & Swim Center
13768	12/23/2019	UNIFIRST CORPORATION	JANITORIAL SUPPLIES	184.59	Tennis & Swim Center
13759	12/23/2019	AWESOME LIFE, INC.	UMPIRE	150.00	Tennis & Swim Center
13768	12/23/2019	UNIFIRST CORPORATION	JANITORIAL SUPPLIES	133.22	Tennis & Swim Center
13777	1/6/2020	UNIFIRST CORPORATION	JANITORIAL SUPPLIES	125.15	Tennis & Swim Center
13766	12/23/2019	SCTA	LEVEL 6 JR TOUR 2019	122.00	Tennis & Swim Center
13757	12/23/2019	ADP, INC	ADMINISTRATIVE EXPENSES	99.37	Tennis & Swim Center
13771	1/6/2020	ADP, INC	ADMINISTRATIVE EXPENSES	99.37	Tennis & Swim Center
Total Amount for 25 Line Item(s) from Tennis & Swim Center				\$26,161.52	
GRAND TOTAL for 25 Line Items				\$26,161.52	

12-Feb

1	CC	Presentation	MRT bridge update
2	FIN	New Business	Calabasas Chamber of Commerce Contract
3	CC	New Business	Vaping and Electronic Cigarette Regulations Discussion
4	AS	New Business	Evaluation of private security

Future Items

5	AS/HR	New Business	Hiring freeze explanation/process
6	CC	New Business	Seniors Needs Assessment
7	CC	New Business	Recommendation from the Environmental Commission regarding anticoagulants ordinance
8	CC	New Business	City Attorney review of tobacco/vaping regulations
9	CS	New Business	Commemorative plaques for City facilities
10	PS	New Business	County's Woolsey Fire After Action Report
11	PW	New Business	Recommendation from the Environmental Commission regarding San Jose Ordinance and other ideas for further reduction of plastics including plastic bags
12	CD/Finance	New Business	Annexation update
13	CD	Public Hearing	West Village Project
14	CA	New Business	Closed session regarding State's mandate for affordable housing
15	CA/CC	New Business	Report/timeline on a cannabis tax initiative
16	CD	New Business	Story poles review by Planning Commission or CDD
17	AS/HR	New Business	Salary adjustments policy
18	CC	New Business	Election Certificaton
19	CC	Consent	Commission Appointments

2020 Meeting Dates	
26-Feb	12-Aug
3-Mar - Special Municipal Election	26-Aug
11-Mar	9-Sep
25-Mar	23-Sep
08-Apr - Canceled - Passover	14-Oct
22-Apr	28-Oct
13-May - Canceled - CCCA Annual Municipal Seminar	3-Nov General Municipal Election
27-May	11-Nov Canceled - Veteran's Day
10-Jun	25-Nov Canceled - Thanksgiving Eve
24-Jun	9-Dec - Election Certification/ City Council Reorganization
8-Jul - Canceled	23-Dec - Canceled
22-Jul - Canceled	