PALMDALE

a place to call home

CITY COUNCIL MEETING
SUCCESSOR AGENCY/HOUSING AUTHORITY
CITY COUNCIL CHAMBERS
38300 SIERRA HIGHWAY
SUITE B
PALMDALE, CA 93550
WEDNESDAY, APRIL 6, 2022
5:00 PM
7:00 PM
www.cityofpalmdale.org

WELCOME

The Council Chamber is open for in-person public comment and seating. Councilmembers may choose to participate via conference call.

How to observe the meeting virtually:

1. Spectrum local access Channel 27
2. Online live webcast at www.cityofpalmdale.org.

How to Submit Public Comments:

VERBAL PUBLIC COMMENT DURING THE MEETING – ZOOM Number: US: +1 346 248 7799 Webinar ID: 867 2246 5619 Passcode: 057780

Webinar attendee link https://us06web.zoom.us/j/86722465619?pwd=TEt0ekFHb0k3Y1JtSkRiem5OMGM2QT09.
Verbal comments must be limited to 3 minutes. Public comments submitted will become part of the official meeting record.

The safety and well-being of employees and the public remains the City's top priority. The City of Palmdale appreciates your patience and understanding during these challenging times.

The City Council is making every effort to follow the spirit and intent of the Brown Act and

other applicable laws regulating the conduct of public meetings in order to maximize transparency and public access.

In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to participate in this meeting, please contact the City Clerk's Office at (661) 267-5151 at least 72 hours prior to the meeting.

If you require oral Spanish translation, please contact the City Clerk's Office at (661) 267-5151 at least 72 hours prior to the meeting.

Your courtesy is requested to help our meetings run smoothly. If you'll be kind enough to follow these simple rules, we can make the best possible use of your time and ours:

- Please refrain from public displays or outbursts, such as unsolicited applause, comments, cheering, foul language or obscenities.
- Any disruptive activities that substantially interfere with the ability of the City Council to carry out its meeting will not be permitted and offenders will be asked to leave the meeting.
- Please turn off/mute your cell phones and mobile devices.

5:00 P.M.

1. **MAYOR TO CALL MEETINGS TO ORDER**

2. **ROLL CALL**
   MAYOR HOFBAUER, MAYOR PRO TEM LOA,
   COUNCILMEMBERS CARRILLO, BISHOP, BETTENCOURT

3. **PUBLIC COMMENTS**
   Now is the time for public participation for any person wishing to speak to the City Council on matters listed or not listed on the agenda, within the jurisdiction of the City Council. If you are attending the meeting by phone, please press *9 to "raise your hand." If attending by personal computer, please click the "raise your hand" button. Press *6 to un-mute yourself, state your name and begin speaking. PLEASE NOTE: A three-minute limit is imposed on each speaker.

4. **PRESENTATION BY CITY ATTORNEY**

   4.1 CONFERENCE WITH LABOR NEGOTIATORS

   City representatives: Steve Hofbauer, Mayor
   Unrepresented employee: Ronda Perez, Interim City Manager

This Closed Session is being held pursuant to the authority of California Government Code Section 54957.6.

4.2 CONFERENCE WITH LABOR NEGOTIATORS

City representatives: Steve Hofbauer, Mayor
Unrepresented employee: Christopher Beck, City Attorney

This Closed Session is being held pursuant to the authority of California Government Code Section 54957.6.

4.3 CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
The existing facts and circumstances that constitute a significant exposure to litigation are detailed in the following claim received by the City, which is available for public inspection pursuant to Government Code Section 54957.5:

Claimant: Patricia Nevarez
City Claim No.: 2022-005
Date Filed: 1/27/22
Date of Loss: Various

4.4 CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
The existing facts and circumstances that constitute a significant exposure to litigation are detailed in the following claim received by the City, which is available for public inspection pursuant to Government Code Section 54957.5:

Claimant: Shanae Smith
City Claim No.: 2022-005
Date Filed: 1/10/22
Date of Loss: Various

4.5 CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
The existing facts and circumstances that constitute a significant exposure to litigation are detailed in the following claim received by the City, which is available for public inspection pursuant to Government Code Section 54957.5:

Claimant: Maithi Ricci
City Claim No.: 2021-047
Date Filed: 09/27/21
Date of Loss: 09/22/21

4.6 CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
The existing facts and circumstances that constitute a significant exposure to litigation are detailed in the following claim received by the City, which is available for public inspection pursuant to Government Code Section 54957.5:

Claimant: Michael Behen
City Claim No.: 2022-008
Date Filed: 02/09/22
Date of Loss: Various

4.7 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9 of the California Government Code.
Number of Cases: One.

4.8 CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case.
A point has been reached where, in the opinion of the City on the advice of the City Attorney, based on existing facts and circumstances, there is a significant exposure to litigation against the City. The City believes that the facts and circumstances that might result in litigation against the City are not yet known to a potential plaintiff or plaintiffs.

5. **ANNOUNCEMENT BY CITY ATTORNEY**

6. **ADJOURN CLOSED SESSION MEETING**

7:00 P.M.

7. **PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE IN HONOR OF OUR TROOPS**

8. **ROLL CALL**
MAYOR/CHAIR HOFBAUER, MAYOR PRO TEM/CHAIR/VICE CHAIR LOA, COUNCILMEMBERS/DIRECTORS/COMMISSIONERS CARRILLO, BISHOP, BETTENCOURT
COMMISSIONERS FRAGA-SAENZ, DENNY

9. **PRESENTATIONS**

9.1 Presentation of a cute critter available for adoption at the Palmdale Animal Care

Center.

9.2 Presentation of a Proclamation by Mayor and Council declaring April as Child Abuse Awareness and Prevention Month in the City of Palmdale.

9.3 Presentation of Certificates of Recognition by Mayor and Council to the Antelope Valley Futbol Club (AVFC) for winning the 2022 Cal South State Cup.

9.4 Presentation of a Proclamation by Mayor and Council declaring April 2022 as Fair Housing Month in the City of Palmdale.

9.5 Presentation by Mayor and Council to William Warford for 38 years of service to the Antelope Valley Press.

10. **WAIVER OF FULL READING OF RESOLUTION(S) and ORDINANCE(S)**
Staff Recommendation: Move to waive full reading of the Resolution (s) and/or Ordinance(s) to be considered and voted on at this meeting. (Voice Vote - Requires a majority to waive.)

11. **PUBLIC COMMENTS**
Now is the time for public participation for any person wishing to speak to the City Council/Housing Authority on matters listed or not listed on the agenda, within the jurisdiction of the City Council/Housing Authority. If you are attending the meeting by phone, please press *9 to "raise your hand." If attending by personal computer, please click the "raise your hand" button. Press *6 to un-mute yourself, state your name and begin speaking. PLEASE NOTE: A three-minute limit is imposed on each speaker.

12. **HOUSING AUTHORITY CONSENT CALENDAR**
All matters listed under the Housing Consent Calendar will be enacted by one motion unless an item(s) is pulled by the Housing Authority, in which case the item(s) will be removed from the Calendar and will be considered separately following this portion of the Agenda.

12.1 Approve the License Agreement between Music and Kids and Housing Authority of the City of Palmdale for the Management of the Gabriel's House Program. (Staff Reference: Director of Neighborhood Services Miller - Presented by Housing Manager Reyes)

3a HA SR- Music and Kids A-7714 v2.docx
3b Gabriel's House License Agreement 3.4.22.pdf

12.2 Approve the minutes from previous meetings. (Staff Reference: Authority Secretary Smith)
HA MINS 11 3 2021.pdf
HA MINS 11 17 2021.pdf
HA MINS 12 01 2021.pdf

13. **ADJOURN HOUSING AUTHORITY**

14. **CONSENT CALENDAR**
All matters listed under the Consent Calendar will be enacted by one motion unless an item(s) is pulled by Council, in which case the item(s) will be removed from the Calendar and will be considered separately following this portion of the Agenda.

14.1 Receive and file the monthly investment activity reports for February 2022. (Staff Reference: Finance Manager Kang)
Staff_Report_-_Investment_Report_February_2022.docx
08 February 2022 Investment Report City & Successor.pdf

14.2 Approve Second Amendment to professional services Agreement with Robert Half International, Inc. for an additional amount of $75,000 not to exceed amount of $125,000 for the term through June 30,2023 and approve the additional budget appropriation for $75,000 in the General Fund. (Staff Reference: Finance Manager Kang)
01._Staff_Report_-_Agreement_A-7092_Robert_Half.docx
DocuSign_Robert_Half_International_In.pdf

14.3 Approve the Measure AV Reserve Policy. (Staff Reference: Finance Manager Kang)
01. Staff_Report_-_Measure_AV_Reserve_Policy.docx
Measure AV Reserve Policy.docx

14.4 Adopt Resolution No. CC 2022-044, A Resolution of the City Council of the City of Palmdale Requesting a New Full-Time Position and Amending the City's Classification and Pay Plan for General Positions. (Staff Reference: Human Resources Manager Nevarez)
Staff_Report_Resolution_CC_2022.044 Deputy Director Finance 4.6.22.docx
Resolution CC 2022.044 Deputy Dir Finance 4.6.22.doc
Exhibit 1 CC 2022.044 4.6.22 CLASSIFICATION AND PAY PLAN General Positions.doc

14.5 Approve Agreement No. A-7865 with Innovative Concert Lighting, Inc. to provide lighting production and equipment services for the Palmdale Amphitheater, in an amount not to exceed $117,000 for a three year term with two one-year options. (Staff Reference: Director of Parks and Recreation Smith)

Staff_Report-RFP_Innovative_Concert_Lighting_FINAL_04062022.docx
AGREEMENT A-7865 Innovative Concert Lighting.pdf

14.6 Approve Agreement No. A-7866 with Pacific West Sound, Inc. to provide sound production and event equipment services for the Palmdale Amphitheater, in an amount not to exceed $242,000 for a three year term with two one-year options. (Staff Reference: Director of Parks and Recreation Smith).

Staff Report-RFP Pacific West Sound FINAL 04062022.docx
AGREEMENT A-7866 Pacific West Sound.pdf

14.7 Approve Third Amendment to the Agreement with Interwest Consulting Group for an amount, not to exceed $100,000. (Staff Reference: Director of Economic and Community Development Garibay)

Staff_Report_for_Interwest__April_6__2022 (1).docx
Amendment to Agreement - Interwest Consulting Group (A-6355) Amendment # 3 - 4-6-2022.pdf

14.8 Approve 4th Amendment to the Agreement with Bureau Veritas North America for an additional amount not to exceed amount of $120,000. (Staff Reference: Director of Economic and Community Development Garibay)

Staff_Report_for_Bureau_Veritas_April_6__2022 (1).docx
Amendment to Agreement - Bureau Veritas North America (A-6354) Amendment #4 - 4-6-2022.pdf

14.9 Approve the agreement with Karma Rescue, Inc. to administer a low or no cost spay and neuter program for Palmdale residents. (Staff Reference: Director of Neighborhood Services Miller- Presented by Public Safety Supervisor German)

Staff_Report_Spay._Neuter_A-7837 (2).docx
Sole Source Justification approved by K.K..pdf
City of Palmdale - Agreement No. A-7837 Contract for Services Between the City of Palmdale and Karma Rescue Inc. - DRAFT.pdf

14.10 Notice of Completion - Accept Public Improvements for Carmax located at northeast corner of 5th Street West and Technology Drive. (Staff Reference: Director of Public Works Heffernan)

SR-04062022 15-26.docx
EXHIBIT A 15-26.docx
EXHIBIT B.docx
Signed NOC.pdf

14.11 Award Construction Contract with Alfaro Communications Construction, Inc. for PN 670, Palmdale Blvd. and 15th St. East Intersection Improvement Project, in the amount of $648,250.60, for a term of 100 calendar days. (Staff Reference: Director of Public Works Heffernan - Presented by Deputy Director Works Glidden)

Staff Report PN 670 - Palmdale Blvd & 15th St East Intersection Improvements.docx

14.12 Notice of Completion - Accept Completed Project with America Landscape Inc. for PN 758, Avenue S LMD Landscape Enhancement. (Staff Reference: Director of Public Works Heffernan - Presented by Deputy Director of Public Works Glidden)

Stf Rpt NOC PN 758.docx
Signed NOC.pdf

14.13 Award Construction Agreement with ACCO Engineered Systems for PN 759, Palmdale Playhouse HVAC Replacement Phase 2, in the amount of $369,007.49, for a term of 7 months from the date of notice to proceed. (Staff Reference: Director of Public Works Heffernan - Presented by Deputy Director of Public Works Glidden)

Staff_Report_-_Award_Construction_PN_759_Phase_2 (2).docx

14.14 Approve Amendment No. 3 for PN 795, Sam Yellen Park, Phase II, with KTUA in the amount of $182,665. (Staff Reference: Director of Public Works Heffernan - Presented by Deputy Director of Public Works Glidden)

PN 795 - Design_Amendment.docx
Amendment_3_to_Agreement_No._A-6824.pdf

14.15 Award Construction Agreement with New Art Construction, Inc., for PN 837, IT Server Room Uninterruptable Power Supply, located at 38300 Sierra Highway, in the amount of $208,000 for a term of 18 weeks. (Staff Reference: Director of Public Works Heffernan - Presented by Deputy Director of Public Works Glidden)

Award_IT Server Room UPS_Construction.docx

14.16 Adopt Resolution No. CC 2022-028, a Resolution of the City Council of the City of Palmdale, approving Joint Resolution of the Board of Supervisors of the County of Los Angeles, the Board of Directors of the Antelope Valley Cemetery District, the Board of Trustees of the Antelope Valley Mosquito and Vector Control District, the Board of Directors of County Sanitation District No. 14 of Los Angeles County, the Board of Directors of Antelope Valley Resource Conservation District, the City Council of the City of Palmdale, and the Board of Directors of the Antelope Valley-East Kern Water Agency approving and accepting the negotiated exchange of property tax revenues resulting from annexation of property designated as Annexation 40-153 (34-44), local agency Formation Commission Designation 2021-02, to the Los Angeles County Waterworks District No. 40, Antelope Valley. (Staff Reference: Director of Public Works Heffernan)

040622, Reso CC 2022-028 Staff_Report.docx
040622, Reso CC 2022-028, Waterworks 40-153 (34-44).doc
Waterworks Tax Sharing, Annexation 40-153 (34-44).pdf

14.17 Adopt Resolution No. CC 2022-023, a Resolution of the City Council of the City of Palmdale approving the application for Local Streets and Roads Funds authorized under Article 8 of the Transportation Development Act. (Staff Reference: Director of Public Works Heffernan - Presented by Deputy Director of Public Works Glidden)

Staff Report-Resolution 4.6.22.docx
TDA 8 reso FY 2022.pdf

14.18 Approve Final Tract Map No. 60431-01 (located at the southwest corner of Avenue M-8 and 70th Street West). (Staff Reference: Director of Public Works Heffernan)

TR 60431-01 Approval - Staff Report.docx
TR 60431-01 Final.pdf

14.19 Approve the minutes from the previous meetings. (Staff Reference: City Clerk/Agency Secretary Smith)

CC - February 16, 2022
CC/SA - March 2, 2022
CC - March 7, 2022

02 16 2022 Minutes CC.pdf
03 02 2022 Minutes CC-SA.pdf
03 07 2022 Minutes CC.pdf

15. PUBLIC HEARING

15.1 Public Hearing and review of proposed Resolution No. CC 2022-031 for adoption. (Staff Reference: Director of Economic and Community Development Luis Garibay - Presented by Eric Norris)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE DENYING APPEAL 22-001 AND UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF CONDITIONAL USE PERMIT 22-001 FOR THE IMPLEMENTATION OF PLANNED DEVELOPMENT DOCUMENT 21-001 AND VESTING TENTATIVE TRACT MAPS 51604, 51605, 51606, 51607, 52093, and 52116

CC SR 4-6-22.docx
Reso No. CC 2022-031.docx
Appeal Letter.pdf
DKS Appeal Response Letter 031822.pdf
TB Ritter Ranch Appeal Response (2022-03-18).pdf
8D - 1st Part.pdf
8D - 2nd Part.pdf

Memo to PC for Item 8D.pdf

15.2 Adopt Resolution No. CC 2022-029, a Resolution of the City Council of the City of Palmdale approving Interim Agreement associated with Ritter Ranch Master Planned Community and Community Facilities District No. 93-1 (Ritter Ranch) and actions referenced to therein. (Staff Reference: Director of Public Works Heffernan)

040622, Reso CC 2022-029 Staff_Report.docx
031622, Ritter Ranch Interim Agreement A-7796.docx
Reso CC 2022-029, Ritter Ranch Interim Agreement.doc

15.3 Public Hearing and Review of Proposed Ordinance No. 1579 for adoption. (Staff Reference: Interim City Manager Perez)

ORDINANCE NO. 1579, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE , CALIFORNIA, TO ENSURE PALMDALE'S ELECTIONS COMPLY WITH THE CALIFORNIA VOTING RIGHTS ACT; AMENDING SECTIONS 2.080.10, 2.08.020, 2.08.030, 2.08.060, 4.10.010, 4.10.020, 4.11.010 and 4.11.020 OF THE PALMDALE MUNICIPAL CODE, ADDING SECTION 4.10.030 TO THE PALMDALE MUNICIPAL CODE, REPEALING SUBDIVISIONS (B) AND (C)(2) OF SECTION 2.08.025 OF THE PALMDALE MUNICIPAL CODE, ESTABLISHING DISTRICT-BASED ELECTIONS, DEFINING DISTRICT BOUNDARIES, AND SCHEDULING DISTRICT ELECTIONS

Staff Recommendation: Adopt Ordinance No. 1579

4.6.2022_Public_Hearing_And_Adoption_Of_
Ordinance_1579_Transitioning_To_Five_Council_Districts_And_
A_Rotating_Mayor.docx
ORD_1579.docx
Five District Map 2.pdf

16. **NEW BUSINESS**

16.1 Approve the First Amendment to Employment Agreement Between the City of Palmdale and Interim City Manager, Ronda Perez. (Staff Reference: Human Resources Manager Nevarez)

SR 1st Amend Perez Emp Agt 040622.docx
First Amendment.RondaPerez.3.15.22 (002).docx

16.2 Approve the first amendment to employment agreement No. A-7065 between the City of Palmdale and Christopher Beck, City Attorney (Staff Reference: Human Resources Manager Nevarez)

SR 1st Amend Beck Emp Agt 040622.docx
Palmdale - Christopher Beck - First Amendment to Agreement (003).docx

17. **INFORMATIONAL REPORT FROM MAYOR AND / OR COUNCILMEMBERS ON THEIR VARIOUS COMMITTEE MEMBERSHIPS AND MEETINGS ATTENDED AT PUBLIC EXPENSE**

17.1 COMMITTEE MEMBERSHIPS.

- ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
- ANTELOPE VALLEY TRANSIT AUTHORITY
- CALIFORNIA CONTRACT CITIES ASSOCIATION
- CITY OF PALMDALE AUDIT COMMITTEE
- CITY OF PALMDALE INVESTMENT OVERSIGHT COMMITTEE
- HIGH DESERT CORRIDOR JOINT POWERS AUTHORITY
- LEAGUE OF CALIFORNIA CITIES
- LOS ANGELES COUNTY SANITATION DISTRICT
- NORTH LOS ANGELES COUNTY TRANSPORTATION COALITION
- PALMDALE RECYCLED WATER AUTHORITY
- SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS REGIONAL COUNCIL
- UNITED STATES/MEXICO SISTER CITIES ASSOCIATION
- CALIFORNIA STATE PRISON – LOS ANGELES COUNTY, CITIZENS ADVISORY COMMITTEE

17.2 MEETINGS ATTENDED AT PUBLIC EXPENSE
Bettencourt Informational Report 04062022.docx

18. **CITY MANAGER'S REPORT**

19. **CITY COUNCIL REQUESTS FOR NEW AGENDA ITEMS**

20. **Adjourn** meeting to April 20, 2022 at 7:00 p.m. in the City Hall Council Chamber located at 38300 Sierra Highway, Suite B, Palmdale, California.

Housing Authority
Staff Report

DATE: **APRIL 6, 2022**

TO: **HONORABLE CHAIR AND COMMISSIONERS**

FROM: **NEIGHBORHOOD SERVICES DEPARTMENT**

HOUSING DIVISION

DISTRICT: **ALL**

SUBJECT: **APPROVE THE LICENSE AGREEMENT BETWEEN MUSIC AND KIDS AND THE HOUSING AUTHORITY OF THE CITY OF PALMDALE FOR THE MANAGEMENT OF THE GABRIEL'S HOUSE PROGRAM.**

ISSUE

Approve the License Agreement between Music and Kids and the Housing Authority of the City of Palmdale for the Management of the Gabriel's House Program.

RECOMMENDATION

Staff recommends that the Housing Authority:

1. Approve License Agreement No. A-7714 between Music and Kids and the Housing Authority of the City of Palmdale for management of the Gabriel's House Program; and

2. Authorize the Housing Authority Executive Director or his designee to execute all necessary documents.

BACKGROUND

In June of 2007, the City of Palmdale established the Neighborhood House Program to provide housing-related assistance and services in lower-income neighborhoods in the City. The Neighborhood House Program serves as a resource for residents and community partners to provide health and wellness programs, art and educational enrichment, workshops, classes, and activities.

The Gabriel's House Program, named in memory of Gabriel Fernandez, was provided at the 4th Street East Neighborhood House. For more than 7 years the Gabriel's House program has offered free music and art instruction to children within the community ranging in age from 8 to 18 years old with the support of volunteer instructors and

donations from various private organizations, businesses and members of the community. To date, the program has served over 300 local youth with instruction in the arts and has been a benefit to the community when allowed to perform at various events.

Beginning December 4, 2018 Music and Kids has managed the Gabriel's House Program offering music instruction to children within the community. Music and Kids is a local 501(c)(3) non-profit established to bridge the growing gap between government funded educational programs and private funding. Music and Kids is focused on helping bridge the divide in three ways: by raising awareness, by giving opportunity and by building a community of love through music. Their mission includes working with students that have a natural musical ability who may not be receiving the ongoing education to develop their talent. Music and Kids is committed in joining with the community to support ongoing programs and events to continue the awareness of the need to foster artistic development for our youth. In December 2021 Music and Kids moved the Gabriel's House Program from the 4th Street East Neighborhood House to the Courson Arts Colony in an effort to increase outreach and to meet and learn in a location and environment with spaces fostering the arts.

DISCUSSION

In accordance with the Housing Authority acting as the Successor Housing Agency and its obligation to the Focus Neighborhood Program, the Housing Authority wishes to grant a non-exclusive revocable license to Music and Kids for use of the name of the Neighborhood House Program known as "Gabriel's House" with the purpose of providing children in that neighborhood and the surrounding area the opportunity to develop their musical, artistic and performing talents.

Under the proposed agreement, existing musical equipment, and the name "Gabriel's House" will continue to be utilized by Music and Kids to promote and support youth in the community in the development of their artistic talents. Under the direction of Music and Kids there will be continued support and community outreach for music programming and partnerships for grant funding for instructional and equipment needs. Music and Kids will also work with City staff in the oversight and recommendations with regard to managing and disbursing funds received by the Palmdale Community Foundation that are directed to Gabriel's House and promoting program activities and events in City-sponsored marketing. Music and Kids have agreed to continue existing "Gabriel's House" programs and to develop and implement arts-related programming, including, without limitation, music instruction, music performance, and/or other performing art instruction related to music. The Gabriel's House Program includes public performances for the community through the Sunday's in Courson Park and other community events.

FISCAL IMPACT

The City has applied for a County of Los Angeles Arts Grant for the Gabriel's House program with Palmdale Community Foundation (PCF) funding of $18,188 for match funds for the Gabriel's House Program.

STRATEGIC PLAN

Goal IV: Maintain a desirable community where everyone wants to live, work, and play.

D. Develop and maintain diverse programs and events that inspire growth, pride and lifelong learning.

Prepared by:	Sophia Reyes, Housing Manager
Certified as to availability of Funds:	Keith Kang, Finance Manager
Approved by:	Ronda Perez, Interim Executive Director
Approved as to form:	Christopher Beck, Authority Attorney

GABRIEL'S HOUSE LICENSE AGREEMENT BY AND BETWEEN THE HOUSING AUTHORITY OF THE CITY OF PALMDALE AND MUSIC AND KIDS

AGREEMENT NO. A-7714

This Gabriel's House License Agreement (this "**License**"), dated as of April 6, 2022, is entered into by and between the Housing Authority of the City of Palmdale, a public body corporate and politic ("**Licensor**"), and Music and Kids, a California 501 (C) (3) corporation ("**Licensee**").

RECITALS

A. The City Council (the "**City Council**") of the City of Palmdale (the "**City**") adopted the Redevelopment Plans for the Merged Redevelopment Projects (the "**Project Area**") on March 24, 1994 by Ordinances Nos. 1042, 1043, and 1044, which resulted in the allocation of property taxes from the Project Area to the former Community Redevelopment Agency of the City of Palmdale ("**Redevelopment Agency**") for purposes of redevelopment. On May 4, 2011 the City Council adopted the Expansion Area Amendment by Ordinance No. 1418 adding additional territory to the Project Area, and amending and restating the redevelopment plans into a single Amended and Restated Redevelopment Plan for the Merged Project Area (the "**Redevelopment Plan**"). Project Area No. 2, Project Area No. 3, Project Area No. 4 and the Expansion Area collectively are referred to as the "**Merged Project Area**".

B. Licensor is implementing certain proposed uses in the Merged Project Area including low-income housing, which use will aid in carrying out the Redevelopment Plan, pursuant to its obligations under Assembly Bill No. 26 (2011-2012 1st Ex. Sess.), as amended by Assembly Bill No. 1484 (2011-2012 Regular Session) (collectively, the "**Dissolution Bills**") wherein Licensor, as the designated entity, will perform the housing functions previously performed by the former Redevelopment Agency, including to enforce existing covenants, contracts or other obligations, and for other municipal purposes benefiting the Merged Project Area in accordance with the Redevelopment Plan.

C. The Focus Neighborhood program (the "**Focus Neighborhood Program**") was established to provide housing-related assistance and services in lower-income neighborhoods in the City. The Neighborhood House Program serves as a resource for residents and community partners to provide health and wellness programs, art and educational enrichment, workshops, classes and activities.

D. In accordance with its obligations under the Dissolution Bills and the Focus Neighborhood Program, Licensor wishes to grant a non-exclusive revocable license to Licensee for management of the Program known as "Gabriel's House" with a purpose to provide children in that neighborhood and the surrounding area the opportunity to develop their musical, artistic and performing talents.

H Now, therefore, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Licensor and Licensee hereby agree as follows:

AGREEMENT

1. Recitals

The Recitals above are adopted as true and incorporated herein by this reference.

2. Coordination between Parties

a. In connection with providing the services required of Licensee by this License, Licensee shall act under the authority and approval of Licensor's Neighborhood Services Director, or designee, who shall oversee this License, the work performed by Licensee, assist Licensee with any necessary information, audit any billings, and approve any payments. Licensee shall channel all contacts and requests to Licensor through one or both of the respective designees identified in Exhibit 2, attached hereto and incorporated herein by this reference.

b. Licensor shall channel all contacts and requests to Licensee through the respective designee identified in Exhibit 1. Licensee shall not change such designee without the prior written approval of Licensor.

3. License

Licensor hereby grants a non-exclusive revocable license to Licensee for use of existing musical equipment and the name "Gabriel's House", subject to the terms and provisions of this agreement.

4. License Term; Option to Extend

The term of this License shall commence on December 1, 2021 (the "**Commencement Date**") and shall continue for a term of 1 year from the Commencement Date (the "**License Term**"), subject to the early termination provisions of this License.

If Licensee desires that the License Term be extended, then not less than 30 days before the end of the original License Term, Licensee shall deliver written notice to Licensor of Licensee's desire. Licensor has the exclusive option to continue to license the name "Gabriel's House" to Licensee subject to the terms and provisions of this agreement for up to an additional four one-year terms ("**License Extension Option**"). If Licensor chooses, in its sole and absolute discretion, to exercise its License Extension Option, then not less than 5 business days before the end of the original License Term, Licensor shall deliver written notice to Licensee of Licensor's exercise of its License Extension Option, which shall extend the License Term by the specified period. Licensee may terminate the use of the existing real estate property and in favor of a new location within the City of Palmdale subject to approval by the Licensor.

5. Use of Name by Licensor

It is contemplated that the following services will be provided by Licensor (and/or its designee(s)) during the term of this License:

a. Providing support and community outreach regarding music program opportunities;

b. Providing support regarding opportunities for grant funding for programming;

c. Providing literature and support regarding program resources;

d. Overseeing, managing and disbursing funds received by the Palmdale Community Foundation that are directed to Gabriel's House; and

b. Promoting program activities and events in City-sponsored marketing.

c. Continue all existing "Gabriel's House" programs;

d. Display and distribute provided materials related to program opportunities;

e. Develop and implement arts-related programming, including, without limitation, music instruction, music performance, and/or other performing art instruction related to music only;

f. Coordinate special music events related to music resource development and music program performance;

g. In collaboration with City staff, develop policy and procedure related to programming and operations with respect to "Gabriel's House" programs;

h. Develop partnerships supportive of the "Gabriel's House" mission;

i. Develop financial resources for "Gabriel's House" programming;

j. Maintain City-approved security systems and procedures;

k. Manage all "Gabriel's House" program assets and resources;

l. While performing work under this agreement, no driving of other persons.

m. Timely submit reimbursement requests; and

n. Submit to City staff a monthly activity report for "Gabriel's House" operations and programming, to include:

    i. Project narrative highlighting program successes and challenges;

    ii. List of facilitated classes and related participation numbers;

    iii. Upcoming schedule;

    iv. Outcome reports related to student advancement and continued participation;

    v. Number of active volunteers and hours; and

    vi. Investment report on in-kind and cash donations.

These contemplated uses, along with every other legal use appropriate to occur at or for the benefit of the Name, are permitted to Licensor.

Licensee shall not use or allow the use of the name "Gabriel's House" by any means or for any reason at any time or at any place, except as expressly permitted by this agreement or with the prior written consent of Licensor.

6. <u>Insurance</u>

6.1 LICENSEE, at its expense, shall maintain in effect at all times during the performance of work under this Contract not less than the following coverage and limits of insurance, which shall be maintained with insurers listed "A" or better in the Best's Insurance Guide and authorized to do business in the State of California. Proof of Insurance, as identified in Section 6.8, must be reviewed and accepted by the City Attorney.

6.1.1 Workers' Compensation and Employer's Liability

- Workers' Compensation -- coverage as required by the State of California
- Employer's Liability -- $1,000,000.00 each accident
  $1,000,000.00 policy limit bodily injury
  $1,000,000.00 each employee bodily injury by disease

6.1.2 Commercial General Liability

- $1,000,000.00 limit on a per occurrence basis
- $2,000,000.00 general aggregate limit

6.1.3 Automobile Liability

Personal Automobile Insurance – For any automobile used to perform work under agreement – coverage as required by State of California

6.1.4 Professional Liability (Errors & Omissions)*

$1,000,000.00 limit on a per occurrence basis

6.1.5 Sexual Abuse/Physical Abuse Liability*

$1,000,000.00 limit on a per occurrence basis

6.2 All of LICENSEE's policies shall contain an endorsement providing that written notice shall be given to CITY at least thirty (30) calendar days prior to termination, cancellation, or reduction of coverage in the policy.

6.3 Policies providing for bodily injury and property damage coverage shall contain the following:

A. An endorsement extending coverage to the City as an additional insured, as respects liability arising out of the performance of any work under the Contract. Such insurance shall be primary insurance, as respects the interest of the City, and any other insurance maintained by the City shall be considered excess coverage and not contributing insurance with the insurance required hereunder. The certificates shall state: "The City of Palmdale, Successor Agency to the Community Redevelopment Agency of the City of Palmdale, Palmdale Civic Authority, Housing Authority, Industrial Development Authority, Airport Authority, their officers, agents, employees and volunteers are named as additional insured".

B. "Severability of Interest" Clause.

6.4 Promptly upon execution of this Contract, and prior to commencement of any work, LICENSEE shall deliver to CITY certificates of insurance and endorsements to all required policies demonstrating that LICENSEE has the required coverage and showing the required named insured. Within five (5) days of written request from CITY, LICENSEE shall deliver to CITY full and complete copies of all insurance policies required by this Contract.

6.5 The requirements as to the types and limits of insurance to be maintained by LICENSEE are not intended to and shall not in any manner limit or qualify LICENSEE's liabilities and obligations under this Contract.

6.6 Any policy or policies of insurance that LICENSEE elects to carry as insurance against loss or damage to its equipment and tools or other personal property used in the performance of this Contract shall include a provision waiving the insurer's right of subrogation against CITY.

6.7 All insurance coverage must be maintained throughout the duration of this Contract.

6.8 Acceptable Proof of Insurance:

6.8.1 ACORD Certificate of Insurance listing all coverage, limits, deductibles and insured; and endorsements for all applicable coverage if agent has authority to issue it; or additional insured Form CG20100704 and CG20370704 or equivalent must be provided for general liability coverage. Additional insured form CA0001 must be provided for automobile liability coverage.

6.8.2 Binders of insurance for all coverage. Agents must confirm that policy endorsements have been ordered from the respective insurance companies. Upon issuance, policy endorsements and a corresponding Certificate of Insurance listing all insurers and coverage must be submitted to the City Attorney.

6.8.3 *When professional liability (errors & omissions) and/or sexual abuse/physical abuse liability coverage is provided on a "claims made basis, LICENSEE will continue to renew the insurance for a period of five (5) years after this Agreement expires or is terminated. Such insurance will have the same coverage and limits as the policy that was in effect during the term of this Agreement, and will cover LICENSEE, or its officers, employees or agents during the time this Agreement was in effect.

6.9 Notwithstanding any other provision of this Contract, CITY may immediately terminate this Contract if, at any time LICENSEE fails to maintain the required insurance for any period of time or fails to comply with any of the insurance requirements listed above.

7. Licensee's Indemnification

Licensee agrees to and shall defend, indemnify, assume all responsibility for, and hold Licensor and the City, and their representatives, volunteers, officers, elected officials, employees and agents, harmless from and against all claims, demands, damages, defense costs and/or liability of any kind or nature relating to Licensee's actions in the implementation of this License and for any damages to property or injuries to persons,

including accidental death (including reasonable attorneys' fees and costs), which may be caused by any acts or omissions of Licensee relating to this License, whether such activities or performance thereof be by Licensee, its guests, or by anyone directly or indirectly employed or contracted with by Licensee, including volunteers, and whether such damage shall accrue or be discovered before or after termination of this License. Licensee shall not be liable for property damage or bodily injury occasioned by the sole negligence or willful acts of Licensor or the City or their agents or employees, in which case the indemnity provided by this Section 11 shall not be applicable. This Section 7 shall survive any termination of this License.

8. No Assignment or Sublicense

Licensee agrees that it may not assign its rights under this License and may not sublicense the Name, in whole or in part, without the express written consent of Licensor, which it may grant or deny in its sole and absolute discretion.

9. Licensee's Additional Deliverables

Prior to the Commencement Date, Licensee shall deliver each of the following documents to Licensor:

a. Proof of Licensee's non-profit status;

b. Licensee's articles of incorporation or by-laws;

c. Licensee's board roster and list of key personnel; and

d. Copy of Licensee's IRS Form 990, if required.

10. Anti-Discrimination

Licensee herein covenants by and for itself or its, executors, administrators, and assigns, and all persons claiming under or through it, and this License is made and accepted upon and subject to the following conditions:

> No person shall, on the grounds of race, sex, creed, color, religion, national origin, handicap, age, sexual orientation, gender identity, or marital status be excluded from participating in, be refused the benefits of, or otherwise be subjected to discrimination in any activities, programs, or employment supported by this Agreement.

11. Termination

Licensor and Licensee may terminate this License at any time, with or without cause and whether or not the other party is in default under this License. The terminating party shall give at least 15-days' prior written notice to the other party prior to terminating this License. The notice shall specify the effective date of the termination of this License. In addition to any other manner of service authorized by law, said written notice may be given by certified or registered mail to such party at the address designated in Section 12 below.

12. Notices

All notices which Licensor wishes to give to Licensee in connection with this License shall be sent by first-class mail, postage prepaid, to the following address:

Music and Kids
Attention: Chuck Murphy
1005 Lakeview Drive
Palmdale, CA 93551

All notices which Licensee wishes to send to Licensor in connection with this License shall be sent by first-class mail, postage prepaid, to the following address:

Housing Authority of the City of Palmdale
Attention: Director of Neighborhood Services
38250 N. Sierra Highway
Palmdale, California 93550

Failure or refusal of either party to accept such mailed notices shall not affect the validity thereof and such notices shall be deemed delivered 5 days after the date of mailing. Either party may substitute a new address for the receipt of notice by giving notice of the new address in accordance with this Section 18. Unless such notice of changed address is so given, the other party shall be entitled to rely upon the addresses herein set forth for mailing notices pursuant to this License.

13. Interpretation of License

Unless the context clearly requires otherwise:

a. Plural and singular numbers will each be considered to include the other;

b. The masculine, feminine, and neuter genders will each be considered to include the others;

c. "Shall," "will," "must," "agree," and "covenants" are each mandatory;

d. "May" is permissive;

e. "Or" is not exclusive;

f. "Includes" and "including" are not limiting;

g. The captions of the paragraphs, sections and subsections herein are inserted solely for convenience and under no circumstances are they or any of them to be treated or construed as part of this instrument; and

h. The language in all parts of this License shall in all cases be construed simply, as a whole and in accordance with its fair meaning and not strictly for or against any party. The parties hereto acknowledge and agree that this License has been prepared jointly by the parties and has been the subject of arm's length and careful negotiation over a considerable period of time, that each party has been given the opportunity to independently review this License with legal counsel, and that each party has the requisite experience

and sophistication to understand, interpret, and agree to the particular language of the provisions hereof. Accordingly, in the event of an ambiguity in or dispute regarding the interpretation of this License, this License shall not be interpreted or construed against the party preparing it, and instead other rules of interpretation and construction shall be utilized.

14. Counterparts

This License may be executed in several counterparts, all of which shall be an original and all of which together shall constitute but one and the same instrument.

15. Governing Law

This License shall be construed and enforced in accordance with the internal laws of the State of California, without reference to choice of law or conflict of law provisions.

16. Non-liability of Officials and Employees

No member, official, agent, legal counsel or employee of Licensor shall be personally liable to Licensee, or any successor in interest, in the event of any default or breach by Licensor or for any amount which may become due to Licensee or successor or on any obligation under the terms of this License.

17. Time of Essence

Time is of the essence with respect to the performance of each of the covenants and agreements contained in this License.

18. No Third Party Beneficiaries

The parties hereto acknowledge and agree that the provisions of this License are for the sole benefit of Licensor and Licensee, and not for the benefit, directly or indirectly, of any other person or entity, except for the City and as otherwise expressly provided herein.

19. No Partnership

Nothing contained in this License shall be deemed or construed to create a partnership, joint venture, or any other similar relationship between the parties hereto or cause Licensor to be responsible in any way for the debts or obligations of Licensee or any other person.

20. Severability

If any term or provision of this License, the deletion of which would not adversely affect the receipt of any material benefit by any party hereunder, shall be held by a court of competent jurisdiction to be invalid or unenforceable, then the remainder of this License shall not be affected thereby and each other term and provision of this License shall be valid and enforceable to the fullest extent permitted by law. It is the intention of the parties hereto that in lieu of each clause or provision of this License that is illegal, invalid, or unenforceable, there be added as a part of this License an enforceable clause or provision as similar in terms to such illegal, invalid or unenforceable clause or provision as may be possible.

21. Entire License

This License constitutes the entire agreement of the parties hereto relating to the license of the name "Gabriel's House". This License shall not be modified in any particular except by a written agreement duly executed by the parties.

IN WITNESS WHEREOF, the parties have executed this License as of the date below.

"**LICENSOR**"	"**LICENSEE**"
The Housing Authority of the City of Palmdale	Music and Kids, a California corporation
By: _____	By: _____
Ronda Perez, Date Interim City Manager	Chuck Murphy Date CEO

ATTEST:

By: _____
Shanae S. Smith
City Clerk

APPROVED AS TO FORM:

By: _____
Christopher Beck
City Attorney

EXHIBIT 1

KEY PERSONNEL

Licensor: Mr. Mike Miller, Director of Neighborhood Services

Licensee: Chuck Murphy

MINUTES
CITY COUNCIL/SUCCESSOR AGENCY/HOUSING AUTHORITY
CITY HALL COUNCIL CHAMBER
38300 SIERRA HIGHWAY, SUITE B
PALMDALE, CALIFORNIA
NOVEMBER 3, 2021

www.cityofpalmdale.org

1) 5:00 P.M.

2) MAYOR TO CALL MEETINGS TO ORDER

Mayor Hofbauer called the meeting to order at 5:04 p.m.

3) ROLL CALL MAYOR HOFBAUER, MAYOR PRO TEM BETTENCOURT, COUNCILMEMBERS CARRILLO, LOA, BISHOP

PRESENT: Steven Hofbauer, Juan Carrillo, Richard J. Loa, Austin Bishop.
ABSENT: Laura Bettencourt.
Motion: Excuse the absence of Mayor Pro Tem Bettencourt.
Moved by Richard J Loa, seconded by Juan Carrillo.

Vote: Motion carried (4-0)
Yes: Steven Hofbauer, Juan Carrillo, Richard J. Loa, Austin Bishop.
Absent: Laura Bettencourt.

4) PUBLIC COMMENTS

None.

5) PRESENTATION BY CITY ATTORNEY

City Attorney Beck confirmed the items would be heard as listed.

5.1) The reason for holding a closed session is for the purpose of conferring with and/or receiving advice from the City's legal counsel regarding the following pending litigation to which the City is a party: Special District Risk Management v. City of Palmdale, et al. Sacramento County Superior Court Case No. 34-2020-00280343-CU-CO-GDS This closed session is being held pursuant to the authority of California Government Code Sections 54956.9(a) and 54956.9(d)(1).

Closed session is recommended because the City will assess the merits and weaknesses of this matter and consider the City's perspective. Based on existing facts and circumstances it is the opinion of the City Attorney that it would prejudice the position of the City to discuss this matter in public.

5.2) PUBLIC EMPLOYEE PERFORMANCE EVALUATION (ANNUAL EVALUATION)

Title: City Attorney
Name: Christopher Beck

This closed session is being held pursuant to the the authority of California Government Code Section 54957.

6) ANNOUNCEMENT BY CITY ATTORNEY

Four members of the City Council were present, with Mayor Pro Tem Bettencourt absent.

Item 5.1 Pending Litigation: SDRMA v. City of Palmdale – The City Council was provided an update on this matter and gave unanimous direction to staff. There was no further reportable action.

Item 5.2 Public Employee Evaluation: City Attorney – The Council conducted the public employee evaluation and requested the item back in January 2022. There was no further reportable action.

7) ADJOURN CLOSED SESSION MEETING

Mayor Hofbauer adjourned the meeting at 6:59 p.m.

8) 7:00 P.M.

Mayor Hofbauer called the meeting to order at 7:01 p.m.

9) PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE IN HONOR OF OUR TROOPS

Vladimir led the pledge of allegiance.

10) ROLL CALL
MAYOR/CHAIR HOFBAUER, MAYOR PRO TEM/VICE CHAIR BETTENCOURT,

COUNCILMEMBERS/DIRECTORS/COMMISSIONERS CARRILLO, LOA, BISHOP
COMMISSIONER FRAGA-SAENZ

PRESENT: Steven Hofbauer, Juan Carrillo, Richard J. Loa, Austin Bishop, Christina Fraga-Saenz
ABSENT: Laura Bettencourt

Motion: Excuse the absence of Mayor Pro Tem Bettencourt.
Moved by Mayor Hofbauer, seconded by Councilmember Loa

Vote: Motion carried (5-0)
Yes: Steven Hofbauer, Juan Carrillo, Austin Bishop, Richard J. Loa, Christina Fraga-Saenz
Absent: Laura Bettencourt

11) PRESENTATIONS

11.1) City Manager Murphy presented the City of Palmdale's Warrior Award to non-staff Clergy members of our community.

Jorge Carew
Anthony Roeback
V. Jesse Smith
Tim Stroup
Regina Nations
Lovell Fleming
Mike Robles
Nolan Hicks
Charles Asare
Rose Asare
Chuck L. Turner Sr.
Michael Gonzalez
Dalila Reynoso
Fernando Reynoso Contreras

11.2) City Manager Murphy presented the City of Palmdale's Warrior Award to Tracy Cooper.

11.3) Mayor Hofbauer presented a $40,000 check on behalf of the City of Palmdale to the Palmdale Sheriff Boosters.

11.4) Mayor Hofbauer presented a Proclamation to Linda Hayes, President of the Palmdale American Legion Auxiliary Unit 348, declaring November as Veterans and Military Family Month in the City of Palmdale.

11.5) Mayor Hofbauer presented a Commendation and Certificates of Recognition to the Palmdale High School Boys Varsity Team on being named the CIF-Southern Section Division 4 champions.

11.6) Linden Johnson from the Los Angeles County Economic Development Corporation (LAEDC) presented the City of Palmdale with the Most Business Friendly City in LA County Award.

11.7) Presentation from Sister Cities Association to Mayor and Council.

11.8) Presentation of a cute critter available for adoption at the Palmdale Animal Care Center.

This item was taken out of order and heard before Item 11.1.

12) WAIVER OF FULL READING OF RESOLUTION(S) and ORDINANCE(S)

Motion: Move to waive full reading of the Resolution(s) and/or Ordinance(s) to be considered and voted on at this meeting.
Moved by Richard J. Loa, seconded by Juan Carrillo.

Vote: Motion carried (4-0)
Yes: Steven Hofbauer, Juan Carrillo, Richard J. Loa, Austin Bishop.
Absent: Laura Bettencourt.

13) PUBLIC COMMENTS

Dave Bowman commented regarding public comment time limit, redistricting, dissolution of the Office of Mayor in favor of five (5) City Council persons and requested that the City Attorney outline the process.

Erika Schwerdt (SBCC) invited the Council to a 5K run event on January 8, 2022 for victims of child abuse

Maline Medina, Smoke Free Outdoor Areas Coalition, requested Council support to expedite the coalition's proposed provisions and update Palmdale's current smoking ordinance.

Jason Zink commented on COVID natural immunity, and the California State Economic Summit.

Ruth Sanchez and Josh Bardoo spoke regarding a proposed tiny habits project. Requested permission to use the Sheriff's logo and the City logo on t-shirts.

Alenna Schofield suggested Ad Hoc Committees be formed to tackle various issues in the City.

Threresa Menendez commented in opposition of Item 15.6 Resolution No. CC 2021- 103. Tom Looby, MLC Constructers, stated his opposition to the award of Deark E&C Item 15.14.

Council pulled items 15.2, 15.6, 15.14 for discussion.

14) HOUSING AUTHORITY CONSENT CALENDAR

14.1) Approve maximum rent for Housing Authority Boulders Mobile Home Parks and authorize the Authority Executive Director or his designee to review and determine future increases of the maximum space rent for qualifying spaces. (Staff Reference: Director of Neighborhood Services Miller - Presented by Housing Manager Reyes)

Motion: Continue item 14.1.
Moved by Mayor Hofbauer, seconded by Councilmember Bishop

Vote: Motion carried (5-0)
Yes: Steven Hofbauer, Juan Carrillo, Austin Bishop, Richard J. Loa, Christina Fraga-Saenz
Absent: Laura Bettencourt

14.2) Approve the minutes from the previous meetings. (Staff Reference: Authority Secretary Smith)

HA - September 7, 2021

Motion: Approve the minutes from the previous meeting.
Moved by Richard Loa, seconded by Christina Fraga-Saenz

Vote: Motion carried (5-0)
Yes: Steven Hofbauer, Juan Carrillo, Austin Bishop, Richard J. Loa, Christina Fraga-Saenz
Absent: Laura Bettencourt

15) CONSENT CALENDAR

15.1) Receive and File the Monthly and Quarterly Investment Activity Reports for September 2021. (Staff Reference: Finance Manager Kang)
City Manager's Office - Finance Division

15.2) Adopt Resolution No. CC 2021-072, a Resolution of the City Council of the City of Palmdale amending the City of Palmdale Human Resources Rules and Regulations. (Staff Reference: Human Resources Manager Nevarez)

City Manager Murphy requested that Council pull this item for discussion.

Human Resources Analyst Rickert provided a brief overview of the staff report. Discussion ensued regarding the closure of City of Palmdale offices.

Motion: Adopt Resolution No. CC 2021-072.
Moved by Juan Carrillo, seconded by Steven Hofbauer.

Vote: Motion carried (4-0)
Yes: Steven Hofbauer, Juan Carrillo, Richard J. Loa, Austin Bishop.
Absent: Laura Bettencourt.

15.3) Receive and file the annual activity report for Development Agreement (DA) A-5595. (Staff Reference: Director of Economic and Community Development Garibay - Planning Manager Taggart)

15.4) Approve Purchase Order 20220295 with Omni Card LLC, for the purchase of gift cards for Jumpstart Palmdale in the amount not to exceed $200,000. (Staff Reference: Director of Economic and Community Development Garibay)

15.5) Approve two agreements 1) Professional Services Agreement with TruePoint Solutions, LLC for the implementation of Land Use, Plan Review, Permitting and Inspection Tracking System in an amount not to exceed $300,000 for a term of 3 years; and 2) Subscription Services Agreement with Accela Civic Good for subscription to land use, plan review, permitting and inspection tracking software application for an annual fee of $116,000 for first year with a 5% escalator each year for a term of 5 years. (Staff Reference: Information Technology Manager Thompson - Presented by Assistant to the City Manager Lopez)

15.6) Adopt Resolution No. CC 2021-103, a Resolution of the City Council of the City of Palmdale to continue the Proclamation of a local emergency resulting from Coronavirus Disease (COVID-19). (Staff Reference: Director of Neighborhood Services Miller - Presented by Public Safety Supervisor German)

Mayor Hofbauer pulled this item for discussion.

Finance Manager Kang, City Attorney Beck, and City Manager Murphy provided clarification to Council on the financial impact of not adopting Resolution CC 2021-103. Discussion ensued.

The following individuals opposed the adoption of Resolution CC 2021-103: Mikki Martinez, Adam, David Eberhavo, Amanda Palmer, Mario Presents, Mikey, David A., Michelle Hart, Amierre Santos, Abraham Salcedo, Mark Napolitano, Rob Chauvie, Terry Shepherd, Jill Mrantz, Phu Thi Shore, individual (No Name provided), and Rich Diego.

Yul Gevargis requested that Council not adopt Resolution No. CC 2021-103 if it calls for vaccine passports and mandates.

Motion: Continue conducting the City Council meeting past 10:30 p.m.
Moved by Austin Bishop, seconded by Richard J. Loa.

Vote: Motion carried (4-0)
Yes: Steven Hofbauer, Juan Carrillo, Richard J. Loa, Austin Bishop.
Absent: Laura Bettencourt.

Dave Bowman regarding Los Angeles County mandates and fiscal impacts.

A motion was made and carried unanimously to close the public comments.

Council expressed their concerns regarding COVID, the vaccination, and the financial impact of not adopting Resolution NO. CC 2021-103. Discussion ensued.

Motion: Adopt Resolution No. CC 2021-103.
Moved by Steven Hofbauer, seconded by Juan Carrillo.

Vote: Motion Failed (2-2)
Yes: Juan Carrillo, Richard J. Loa.
No: Steven Hofbauer, Austin Bishop.
Laura Bettencourt.
Mayor Hofbauer directed staff to research the process of remote public participation continuing in the meetings outside of the emergency declaration.

Mayor Hofbauer called for a recess at this time.

The Zoom component of the meeting experienced technical difficulties. According to AB 361, the meeting was stopped and the previous motion on this item was null and void.

A motion was made by Mayor Hofbauer to adopt Resolution No. CC 2021-103, the motion died for a lack of second.

15.7) Approve first amendment to agreement with LDM Associates, Inc. to provide technical assistance services for Consolidated Plan Programs and Treasury Funding, increasing the not to exceed amount to $370,000 and approve budget for the HOME ARP Grant. (Staff Reference: Director of Neighborhood Services Miller - Presented by Housing Manager Reyes)

15.8) Adopt Resolution No. CC 2021-105, a Resolution of the City Council of the City of Palmdale to accept the Los Angeles County Council of Governments Regional Homelessness Coordination and Innovation Funds of $335,000. (Staff Reference: Director of Neighborhood Services Miller - Presented by Housing Manager Reyes)

15.9) Approve the Community Clergy Connect Program, an innovative program used to connect with the community by providing support and resources to individuals and families in an effort to deter and prevent incidents of domestic violence and homelessness. (Staff Reference: Director of Neighborhood Services Miller - Presented by Public Safety Specialist Diaz)

15.10) Adopt Resolution No. CC 2021-091, a Resolution of the City Council of the City of Palmdale declaring its intention to conduct a public hearing to consider the vacation of portions of 5th Street West, Auto Center Drive, and Trade Center Drive and the reservation of utility easements therein. (Staff Reference: Director of Public Works Heffernan)

15.11) Approve On-Call Labor Compliance Consultant Services Agreements with Perceptive Enterprises, Inc., and TSG Enterprises, Inc., dba The Solis Group, in the amount of $500,000 per agreement, over a period of three (3) years. (Staff Reference: Director of Public Works Heffernan - Presented by Deputy Director of Public Works Glidden)

15.12) Award Construction Agreement with Nuline Technologies, LLC., for PN 751-B, Sanitary Sewer Pipeline Trenchless Rehabilitation Project, at various locations throughout the City, in the amount of $172,300. for a term of 6 months from the date of Notice to Proceed. (Staff Reference: Director of Public Works Heffernan - Presented by Deputy Director of Public Works Glidden)

15.13) Notice of Completion - Accept completed Project No. 812, Traffic Signal Installation at 5th Street West and Auto Center Drive. (Staff Reference: Director of Public Works Heffernan - Presented by Deputy Director of Public Work Glidden)

15.14) Award Construction Agreement with Deark E&C, Inc., for Project No. 813, Palmdale Film Stages, located at 38448 Sierra Highway, in the amount of $441,835 for the term of 30 weeks. (Staff Reference: Director of Public Works Heffernan - Presented by Deputy Director of Public Works Glidden)

Mayor Hofbauer pulled this item for discussion.

Deputy Director of Public Works Glidden provided clarification to Council regarding the bid protest received on this project. Discussion ensued.

Motion: Award Construction Agreement with Deark E&C, Inc., for Project No. 813, Palmdale Film Stages, located at 38448 Sierra Highway with direction for staff to provide an update on the project in two weeks.
Moved by Austin Bishop, seconded by Juan Carrillo.

Vote: Motion carried (4-0)
Yes: Steven Hofbauer, Juan Carrillo, Richard J. Loa, Austin Bishop.
Absent: Laura Bettencourt.

15.15) Award Construction Agreement with Knorr Systems, Inc. for Project No. 838, Dry Town Water Park and Oasis Park Pool Filter Removal and Replacement in the amount of $554,135.09 for a term of 6 months from the date of the Notice to Proceed. (Staff Reference: Director of Public Works Heffernan - Presented by Deputy Director of Public Works Glidden)

15.16) Award Construction Agreement with Knorr Systems, Inc. for Project No. 841, Pool Boiler Replacement and Energy Efficiency Project, in the amount of $642,056.36 for a term of 6 months from the date of the Notice to Proceed. (Staff Reference: Director of Public Works Heffernan - Presented by Deputy Director of Public Works Heffernan)

15.17) Approve Agreement with Advantage Mailing, LLC for the printing of the Palmdale News, Activities, and Entertainment Magazine in the amount of $119,128 for a term of one year with the City reserving the option to extend the agreement for two additional terms of one year each. (Staff Reference: Communications Manager Mlynar)

15.18) Adopt Resolution No. CC 2021-098, A Resolution of the City Council of the City of Palmdale Repealing Resolution No. CC 86-185 Regarding Posting of Ordinances, Agendas, and Public Notices in Public Places in its entirety. (Staff Reference: City Attorney Beck)

15.19) Approve the minutes from the previous meetings. (Staff Reference: City Clerk/Agency Secretary Smith)

CC - September 13, 2021
CC - October 5, 2021
SA - October 5, 2021

Motion: Approve all items listed on the Consent Calendar with the exception of 15.2, 15.6, and 15.14.
Moved by Juan Carrillo, seconded by Richard J Loa.

Vote: Motion carried (4-0)
Yes: Steven Hofbauer, Richard J Loa, Juan Carrillo, Austin Bishop.
Absent: Laura Bettencourt.

16) PUBLIC HEARING

16.1) Public Hearing to receive input from the community regarding the redrawing of election district boundaries. (Staff Reference: City Clerk Smith)

City Clerk Smith provided a brief overview of the staff report and introduced Kristen Parks of National Demographic Corporation. Ms. Parks provided a detailed PowerPoint presentation to Council and the public on the redistricting process. Discussion ensued regarding allowable deviation of districts.

Dave Bowman expressed concerns regarding workshops and communities of interest.

Marcos Alvarez commented regarding redistricting.

Alenna Schofield requested a fifth district.

Jason Zink commented on redistricting, candidate statement fees and sponsored city debates.

Xavier Flores commented on mapping tool malfunction, and Latino districts.

Erika Schwarts announced the Neighborhood Action Council will participate on drawing maps.

16.2) Public Hearing and Review of Proposed Resolution Nos. CC 2021-080 OR CC 2021-081 for adoption. (Staff Reference: Director of Public Works Heffernan)

RESOLUTION NO. CC 2021-080, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE CONFIRMING THE BALLOT RESULTS TO DETERMINE THAT NO MAJORITY PROTEST EXISTS IN THE PROCEEDINGS, AND ORDERING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF PALMDALE LANDSCAPE MAINTENANCE ASSESSMENT DISCTRICT, AS ANNEXATION NO. 2020-324;

OR

RESOLUTION NO. 2021-081, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE CONFIRMING THE BALLOT RESULTS TO DETERMINE THAT A MAJORITY PROTEST EXISTS IN THE PROCEEDINGS TO ANNEX TERRITORY INTO THE CITY OF PALMDALE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT AS ANNEXATION NO. 2020-324.

Director of Public Works Heffernan read the title of Resolution No. CC 2021-080 and provided a brief overview of the staff report.

Mayor Hofbauer opened the Public Hearing

Donna Deutchman, CEO of Homes for Family, thanked staff for their patience and work ethics.

A motion was made and carried unanimously to close the Public Hearing.

City Clerk Smith counted ballots and the district carried.

Motion: Adopt Resolution No. CC 2021-080
Moved by Richard J. Loa, seconded by Austin Bishop.

Vote: Motion carried (4-0)
Yes: Steven Hofbauer, Juan Carrillo, Richard J. Loa, Austin Bishop.
Absent: Laura Bettencourt.

16.3) Public Hearing and Review of Proposed Resolution Nos. CC 2021-083 OR CC 2021-084 for adoption. (Staff Reference: Director of Public Works Heffernan)

RESOLUTION NO. CC 2021-083, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE CONFIRMING THE BALLOT RESULTS TO DETERMINE THAT NO MAJORITY PROTEST EXISTS IN THE PROCEEDINGS, AND ORDERING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF PALMDALE STREETLIGHT MAINTENANCE ASSESSMENT DISTRICT NO. 1 AS ANNEXATION 2019-186;

OR

RESOLUTION NO. CC 2021-084, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE CONFIRMING THE BALLOT RESULTS TO DETERMINE THAT A MAJORITY PROTEST EXISTS IN THE PROCEEDINGS TO ANNEX TERRITORY INTO THE CITY OF PALMDALE STREETLIGHT MAINTENANCE ASSESSMENT DISTRICT NO. 1 AS ANNEXATION 2019-186.

Director of Public Works Heffernan read the title of Resolution No. CC 2021-083.

Mayor Hofbauer opened the Public Hearing.

A motion was made and carried unanimously to close the Public Hearing.

City Clerk Smith counted the ballots and the district carried.

Motion: Adopt Resolution No. CC 2021-083.
Moved by Richard J. Loa, seconded by Austin Bishop.

Vote: Motion carried (5-0)
Yes: Steven Hofbauer, Laura Bettencourt, Juan Carrillo, Richard J. Loa, Austin Bishop.

16.4) Public Hearing and Review of Proposed Ordinance No. 1573 approving Specific Plan Amendment 18-003 and Resolution No. CC 2021-106 approving Tentative Tract Map 61894. (Staff Reference: Director of Economic and Community Development Garibay - Presented by Planning Manager Megan Taggart)

ORDINANCE NO. 1573, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE, CALIFORNIA, APPROVING SPECIFIC PLAN AMENDMENT 18-003; A REQUEST TO AMEND THE CITY RANCH (ANAVERDE) SPECIFIC PLAN TO REDUCE THE NUMBER OF DWELLING UNITS, REDUCE COMMERCIAL SQUARE FOOTAGE, REDUCE PARK ACREAGE, ALLOW FOR THE DEVELOPMENT OF AN ACTIVE ADULT COMMUNITY, ELIMINATE THE GOLF COURSE, AND INCREASE ACTIVE AND PASSIVE OPEN SPACE ON APPROXIMATELY 1,400 ACRES GENERALLY LOCATED SOUTH OF ELIZABETH LAKE ROAD BETWEEN RANCH CENTER DRIVE AND LOUISE LANE (APPROXIMATELY 5,500 FEET WEST OF TIERRA SUBIDA AVENUE) AND CONTINUING SOUTH OF AVENUE S TO THE PALMDALE CITY LIMITS

RESOLUTION NO. CC 2021-106, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE, CALIFORNIA, APPROVING TENTATIVE TRACT MAP 61894 MAJOR MODIFICATION NO. 1; A REQUEST TO MODIFY CONDITIONS OF APPROVAL FOR TENTATIVE TRACT MAP 61894 TO COINCIDE WITH REVISIONS TO THE CITY RANCH (ANAVERDE) SPECIFIC PLAN THROUGH SPECIFIC PLAN AMENDMENT 18-003, ON APPROXIMATELY 1,400 ACRES GENERALLY LOCATED SOUTH OF ELIZABETH LAKE ROAD BETWEEN RANCH CENTER DRIVE AND LOUISE LANE (APPROXIMATELY 5,500 FEET WEST OF TIERRA SUBIDA AVENUE) AND CONTINUING SOUTH OF AVENUE S TO THE PALMDALE CITY LIMITS

A motion was made by Councilmember Carrillo to continue this item, the motion died for a lack of a second.

Planning Manager Taggart read the title of Ordinance No. 1573 and Resolution No. CC 2021-106 and provided a brief overview of the

A motion was made and carried unanimously to introduce the Ordinance.

Mayor Hofbauer opened the Public Hearing.

Jason Zink commented regarding community outreach for the Anaverde project.

Mr. Richard Nolan, on behalf of the Anaverde developer, commented on community outreach and the project amenities. Discussion ensued.

A motion was made and carried unanimously to close the Public Hearing.

Discussion ensued regarding Multi-Family designation, senior housing, segregation of affordable housing, closeness to the landfill, and commercial land use.

A motion was made and carried unanimously to re-open the Public Hearing.

Suzann Reina commented regarding an adequate amount of grocery stores, parks, and affordable housing in Anaverde.

A motion was made and carried unanimously to close the Public Hearing.

Motion: Adopt Ordinance No. 1573 and Resolution No. CC-2021-106, with an amendment requiring submission back to Planning Commission and Council if a commercial store/tenant is proposed that is not consistent with the Anaverde development.
Moved by Richard J. Loa, seconded by Austin Bishop.

Vote: Motion carried (4-0)
Yes: Steven Hofbauer, Juan Carrillo, Richard J. Loa, Austin Bishop.
Absent: Laura Bettencourt.

16.5) Public Hearing and Review of Proposed Ordinance No. 1572 for adoption (ZOA 21-003). (Staff Reference: Director of Economic and Community Development Garibay - Presented by Associate Planner Sauder)

ORDINANCE NO. 1572, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT ZONING ORDINANCE AMENDMENT 21-003 TO ENSURE COMPLIANCE WITH APPLICABLE LAWS, ADD CLARIFYING LANGAUGE, AND MODIFY STANDARDS TO ENHANCE FLEXIBILITY FOR SIGN PROGRAMS, SIGN TYPES AND MONUMENT SIGNS (PALMDALE MUNICIPAL CODE CHAPTERS 17.16, 17.88 AND 17.92)

Associate Planner Sauder read the title of Ordinance No. 1572 and provided Council with a brief overview

A motion was made and carried unanimously to introduce Ordinance No. 1572.

Mayor Hofbauer opened the Public Hearing. Discussion ensued.

A motion was made and carried unanimously to close the Public Hearing.

Jason Zink commented on For Lease signs.

Motion: Adopt Ordinance No. 1572 with direction to staff to review leasing signage and offsite signage rules.
Moved by Steven Hofbauer, seconded by Austin Bishop.

Vote: Motion carried (4-0)
Yes: Steven Hofbauer, Juan Carrillo, Richard J. Loa, Austin Bishop.
Absent: Laura Bettencourt.

17) NEW BUSINESS

17.1) Review and approve FY 2022 Measure AV budget adjustment. (Staff Reference: Finance Manager Kang)

Motion: Continue item 17.1, 18, 19, and 20.
Moved by Steven Hofbauer, seconded by Richard J. Loa.

Vote: Motion carried (4-0)
Yes: Steven Hofbauer, Juan Carrillo, Richard J. Loa, Austin Bishop.
Absent: Laura Bettencourt.

17.2) Adopt Resolution No. CC 2021-104, a Resolution of Energy for Palmdale's Independent Choice (EPIC) authorizing California Choice Energy Authority (CalChoice) to enter into a Long-Term Resource Adequacy (RA) Agreement with Calpine Energy, L.P. (Calpine) on behalf of EPIC for a period of eight (8) years. (Staff Reference: Director of Public Works Heffernan - Presented by Deputy Director of Public Works Glidden)

Environmental Resource Manager Lucha provided a brief overview of the staff report.

Motion: Adopt Resolution No. CC 2021-104.
Moved by Richard J. Loa, seconded by Steven Hofbauer.

Vote: Motion carried (4-0)
Yes: Steven Hofbauer, Juan Carrillo, Richard J. Loa, Austin Bishop.
Absent: Laura Bettencourt.

18) INFORMATIONAL REPORT FROM MAYOR AND / OR COUNCILMEMBERS ON THEIR VARIOUS COMMITTEE MEMBERSHIPS AND MEETINGS ATTENDED AT PUBLIC EXPENSE

Motion: Continue Items 17.1, 18, 19, and 20.
Moved by Steven Hofbauer, seconded by Richard J. Loa.

Vote: Motion carried (4-0)
Yes: Steven Hofbauer, Juan Carrillo, Richard J. Loa, Austin Bishop.
Absent: Laura Bettencourt.

18.1) COMMITTEE MEMBERSHIPS.

- ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
- ANTELOPE VALLEY TRANSIT AUTHORITY
- CALIFORNIA CONTRACT CITIES ASSOCIATION
- CITY OF PALMDALE AUDIT COMMITTEE
- CITY OF PALMDALE INVESTMENT OVERSIGHT COMMITTEE
- HIGH DESERT CORRIDOR JOINT POWERS AUTHORITY
- LEAGUE OF CALIFORNIA CITIES
- LOS ANGELES COUNTY SANITATION DISTRICT
- NORTH LOS ANGELES COUNTY TRANSPORTATION COALITION
- PALMDALE RECYCLED WATER AUTHORITY
- SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS REGIONAL COUNCIL
- UNITED STATES/MEXICO SISTER CITIES ASSOCIATION
- CALIFORNIA STATE PRISON – LOS ANGELES COUNTY, CITIZENS ADVISORY COMMITTEE

18.2) MEETINGS ATTENDED AT PUBLIC EXPENSE
City Manager's Office - City Clerk Department

19) CITY MANAGER'S REPORT

20) CITY COUNCIL REQUESTS FOR NEW AGENDA ITEMS

21) Adjourn

Mayor Hofbauer adjourned the meeting at 1:15 p.m. to November 17, 2021 at 7:00 p.m. in the City Hall Council Chamber located at 38300 Sierra Highway, Suite B, Palmdale, California.

PASSED, APPROVED, and ADOPTED this 6th day of April 2022

_____
Steven D. Hofbauer, Mayor

ATTEST:

_____
Shanae S. Smith, City Clerk

MINUTES
CITY COUNCIL/SUCCESSOR AGENCY/HOUSING AUTHORITY
CITY HALL COUNCIL CHAMBER
38300 SIERRA HIGHWAY, SUITE B
PALMDALE, CALIFORNIA
NOVEMBER 17, 2021

www.cityofpalmdale.org

6:00 P.M.

1) MAYOR TO CALL MEETINGS TO ORDER

Mayor Pro Tem Bettencourt called the meeting to order at 6:07 p.m.

2) ROLL CALL MAYOR HOFBAUER, MAYOR PRO TEM BETTENCOURT, COUNCILMEMBERS CARRILLO, LOA, BISHOP

PRESENT: Laura Bettencourt, Juan Carrillo, Austin Bishop, Richard J. Loa.
ABSENT: Steven Hofbauer.

3) PUBLIC COMMENTS

None.

4) PRESENTATION BY CITY ATTORNEY

City Attorney Beck confirmed items would be heard as listed.

4.1) CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
In Re National Prescription Opiate Litigation United States District Court - Northern District of Ohio, Eastern Division Case No. 17-MD-2804

This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).

4.2) The reason for holding a closed session is for the purpose of obtaining authorization and direction from the City Council regarding the possible acquisition of property interests in the following property, generally located near State Route 14 and Avenue Q:

Property Owner: Jim Goltche; Royal Investors Group, LLC; K Land Associates, LLC; Jaz Investment Corp; Royal & Aframian LLC; 26 Maple LLC. Property: APNs 3008-041-002~007 City Negotiator: JJ Murphy, City Manager

This closed session is being held pursuant to the authority of California Government Code Section 54956.8. Closed session is recommended because the City Council will be instructing the negotiator regarding terms and conditions, including price, for the possible purchase of the real property identified above.

5) ANNOUNCEMENT BY CITY ATTORNEY

Closed Session was held from 6:09 pm - 7:01 pm.

Four members of the Council were present and available to participate in all matters. Mayor Hofbauer was not present.

Item 4.1 Existing Litigation: In Re National Prescription Opiate Settlement: The Council was provided an update on this matter and provided unanimous direction to staff. There was no further reportable action.

Item 4.2 Real Estate Negotiations: The Council was provided an update on this matter and provided unanimous direction to staff. There was no further reportable action.

6) ADJOURN CLOSED SESSION MEETING

Mayor Pro Tem Bettencourt adjourned the meeting at 7:04 p.m.

7:00 P.M.

7) PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE IN HONOR OF OUR TROOPS

8) ROLL CALL MAYOR/CHAIR HOFBAUER, MAYOR PRO TEM/VICE CHAIR BETTENCOURT, COUNCILMEMBERS/COMMISSIONERS CARRILLO, LOA, BISHOP COMMISSIONER FRAGA-SAENZ

PRESENT: Laura Bettencourt, Juan Carrillo, Austin Bishop, Richard J. Loa, Christina Fraga-Saenz
ABSENT: Steven Hofbauer

9) WAIVER OF FULL READING OF RESOLUTION(S) and ORDINANCE(S)

Motion: Move to waive full reading of the Resolution(s) and/or Ordinance(s) to be considered and voted on at this meeting.
Moved by Richard J. Loa, seconded by Austin Bishop.

Vote: Motion carried (4-0)
Yes: Laura Bettencourt, Juan Carrillo, Austin Bishop, Richard J. Loa.
Absent: Steven Hofbauer.

10) PUBLIC COMMENTS

Jason Zink commented on the following: requested a time clock for citizens in the Council Chamber; suggested links to agenda items; thanked Council for assistance with the domestic violence program; congratulated City for being named the most business friendly City in Los Angeles County; commented on the State Economic Summit meeting; and approval of Anaverde master plan revision.

Xavier Flores, Pueblo Y Salud, commented on the following: commended Council efforts regarding domestic violence; and encouraged Council to review the alcohol outlet density proliferation.

11) JOINT CC/SA/HA CONSENT CALENDAR

11.1) First Amendment to the Legal Services Agreement between the City of Palmdale and Kane, Ballmer & Berkman (A-7222) increasing the contract maximum by $150,000. (Staff Reference: City Attorney Beck)

City Attorney Beck provided clarification to Council questions regarding the amount of the agreement.

Motion: Approve First Amendment to the Legal Services Agreement between the City of Palmdale and Kane, Ballmer & Berkman.
Moved by Austin Bishop, seconded by Christina Fraga-Saenz.

Vote: Motion carried (4-1)
Yes: Laura Bettencourt, Juan Carrillo, Austin Bishop, Christina Fraga-Saenz
No: Richard J. Loa.
Absent: Steven Hofbauer

12) ADJOURN THE HOUSING AUTHORITY

Mayor Pro Tem Bettencourt adjourned the Housing Authority meeting at 7:18 p.m.

13) CONSENT CALENDAR

13.1) Adopt Resolution No. CC 2021-107, a Resolution of the City Council of the City of Palmdale authorizing Remote Teleconference Meetings of the City Council and all Subordinate Bodies for the period of November 20 - December 20, 2021. (Staff Reference: City Attorney Beck)

City Attorney provided clarification to Council regarding the necessity of this item. Councilmember Loa commented staff did not provide adequate information to the public at the last meeting which caused public concern.

Motion: Adopt Resolution No. CC 2021-107.
Moved by Laura Bettencourt, seconded by Juan Carrillo.

Vote: Motion carried (4-0)
Yes: Laura Bettencourt, Juan Carrillo, Austin Bishop, Richard J. Loa.
Absent: Steven Hofbauer.

14) NEW BUSINESS

14.1) Present information to City Council regarding Speed Management for Safety and other Traffic Safety Issues. (Staff Reference: Director of Public Works Heffernan - Presented by Traffic Engineer Nelson)

Traffic Engineer Nelson and Associate Engineer Hovanesian provided a PowerPoint presentation to Council. Discussion ensued. Council inquired regarding citations and collisions and Captain Shaffer provided the number of tickets issued. Councilmember Carrillo inquired regarding accidents and having more control by taking over highway 138. Mayor Pro Tem Bettencourt suggested staff review what other cities have instituted and the success rates of the solutions.

Jason Zink commented on the following: absence of driver's education in the high school district; control of Palmdale Boulevard; an interactive map showing accidents; grant for railroad crossing; and Pearblossom Highway safety.

14.2) Review and approve Measure AV budget adjustments. (Staff reference: Finance Manager Kang)

Assistant Finance Manager Samson provided a brief overview of the budget adjustments. Councilmember Loa expressed his concerns on how grant funds will be vetted for non-profits and City Manager Murphy responded there will be a listing and requirements for applying for grant funds. Councilmember Loa suggested directing grant funds to mental health. Mayor Pro Tem Bettencourt requested a link on the City website for public transparency of Measure AV funds. Councilmember Carrillo stated the table provided in the staff report did not list the programs and he was uncomfortable approving the item.

Jason Zink suggested several projects for the extra funds received due to Measure AV.

Motion: Table the item for Measure AV FY 2022 budget adjustments to January 2022.
Moved by Juan Carrillo, seconded by Richard J. Loa.

Vote: Motion carried (4-0)
Yes: Laura Bettencourt, Juan Carrillo, Austin Bishop, Richard J. Loa.
Absent: Steven Hofbauer.

14.3) Update on Agreement No. A-7696 with Deark E&C, Inc. for Project No. 813, Palmdale Film Stages, located at 38448 Sierra Highway. (Staff Reference: Director of Public Works Heffernan - Presented by Deputy Director of Public Works Glidden)

Deputy Director of Public Works Glidden provided an update on Project No. 813, A-7696 with Deark E&C. Mrs. Glidden stated on December 5, 2021, the sub-contractor requested to be pulled from the contract and Deark E&C would hire its own electrician which is in accordance with Public Works contract code.

Jason Zink commented regarding state grant funds for sound stages.

Councilmember Carrillo mentioned the Palmdale School District is a part of the Edward James Olmos filming program.

15) ADJOURN

Mayor Pro Tem Bettencourt adjourned the meeting at 8:11 p.m.

PASSED, APPROVED, and ADOPTED this 6th day of April 2022.

_____

Steven D. Hofbauer, Mayor

ATTEST:

_____

Shanae S. Smith, City Clerk

MINUTES
CITY COUNCIL/SUCCESSOR AGENCY/HOUSING AUTHORITY
CITY HALL COUNCIL CHAMBER
38300 SIERRA HIGHWAY, SUITE B
PALMDALE, CALIFORNIA
DECEMBER 1, 2021

www.cityofpalmdale.org

5:00 P.M.

1) MAYOR TO CALL MEETINGS TO ORDER

Mayor Hofbauer called the meeting to order at 5:00 p.m.

2) ROLL CALL MAYOR HOFBAUER, MAYOR PRO TEM BETTENCOURT, COUNCILMEMBERS CARRILLO, BISHOP, LOA

PRESENT: Steven Hofbauer, Laura Bettencourt, Juan Carrillo, Richard J. Loa, Austin Bishop.
ABSENT: None.

3) PUBLIC COMMENTS

The following individuals spoke in support of the performance evaluation for City Manager Murphy: Joyce Bruce and Xavier Flores.

4) PRESENTATION BY CITY ATTORNEY

City Attorney Beck confirmed the items would be heard as listed.

4.1) CONFERENCE WITH REAL PROPERTY NEGOTIATORS
The reason for holding a closed session is for the purpose of obtaining authorization and direction from the City Council regarding the possible acquisition of property interests in the following property, generally located near 9th Street East and Palmdale Blvd.:

Property Owner: Joe Acosta
Property: APN 3008-039-022
City Negotiator: JJ Murphy, Mike Miller, Sophia Reyes

This closed session is being held pursuant to the authority of California Government Code Section 54956.8. Closed session is recommended because the City Council will be instructing the negotiator regarding terms and conditions, including price, for the possible purchase of the real property identified above.

4.2) PUBLIC EMPLOYEE PERFORMANCE EVALUATION (ANNUAL EVALUATION)

Title: City Manager
Name: J.J. Murphy

This closed session is being held pursuant to the authority of California Government Code Section 54957.

4.3) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATIONInitiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9 of the California Government Code. Number of Cases: One.

5) ANNOUNCEMENT BY CITY ATTORNEY

All members of the City Council were present, and able to participate on all items.

Item 4.1 Conference with Real Property Negotiators: The Council was provided an update on this matter and provided unanimous direction to staff. There was no further reportable action.

Item 4.2 Public Employee Evaluation: The Council has completed the annual evaluation of the City Manager, and on a 5-0 vote received a positive evaluation. There was no further reportable.

Item 4.3 Conference with Legal Counsel – Initiation of Litigation: The Council was provided an update on this matter and gave unanimous direction to staff. There was no further reportable action.

6) ADJOURN CLOSED SESSION MEETING

Mayor Hofbauer adjourned the meeting at 6:59 p.m.

7:00 P.M.

7) PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE IN HONOR OF OUR TROOPS

Human Rights Committee Member Sky Jung led the pledge of allegiance.

8) ROLL CALL
MAYOR/CHAIR HOFBAUER, MAYOR PRO TEM/VICE CHAIR BETTENCOURT,

COUNCILMEMBERS/DIRECTORS/COMMISSIONERS CARRILLO, BISHOP, LOA
COMMISSIONER FRAGA-SAENZ

PRESENT: Steven Hofbauer, Laura Bettencourt, Juan Carrillo, Austin Bishop, Richard J. Loa, Christina Fraga-Saenz

9) PRESENTATIONS

9.1) City Manager Murphy presented the City of Palmdale's Warrior Award to Mica Schuler.

9.2) Mayor Hofbauer presented a Proclamation to Sky Jung of the City of Palmdale Human Rights Committee declaring December as Human Rights Month in the City of Palmdale.

9.3) Mayor Hofbauer presented Certificates of Recognition to the graduates of the Palmdale Sheriff Vital Intervention and Directional Alternatives (VIDA) program.

9.4) Mayor Hofbauer presented the cute critter available for adoption at the Palmdale Animal Care Center.

10) WAIVER OF FULL READING OF RESOLUTION(S) and ORDINANCE(S)

Motion: Move to waive full reading of the Resolution (s) and/or Ordinance(s) to be considered and voted on at this meeting.
Moved by Richard J. Loa, seconded by Juan Carrillo.

Vote: Motion carried (5-0)
Yes: Steven Hofbauer, Laura Bettencourt, Juan Carrillo, Richard J. Loa, Austin Bishop.

11) PUBLIC COMMENTS

The following individuals spoke in support of Multi-family housing on the westside: Steve Hill and Marcos Alvarez.

Xavier Flores stated the District R mapping tool had a glitch requested that the deadline be extended.

Cindy Chambers, non-agenda item, commented regarding masks and vaccination requirements.

12) HOUSING AUTHORITY CONSENT CALENDAR

12.1) Approve and accept the Housing Authority of the City of Palmdale's 2020-2021 Annual Report prepared pursuant to California Health & Safety Code §34176.1 and direct staff to post the report on the City's website. (Staff Reference: Director of Neighborhood Services Miller - Presented by Housing Manager Reyes)

Motion: Move to approve and accept the Housing Authority of the City of Palmdale's 2020-2021 Annual Report.
Moved by Mayor Hofbauer, seconded by Councilmember Bishop

Vote: (6-0)
Yes: Steven Hofbauer, Laura Bettencourt, Juan Carrillo, Richard J. Loa, Austin Bishop, Christina Fraga-Saenz

12.2) Approve maximum rent for Housing Authority Boulders Mobile Home Parks and authorize the Authority Executive Director or his designee to review and determine future increases of the maximum space rent for qualifying spaces. (Staff Reference: Director of Neighborhood Services Miller - Presented by Housing Manager Reyes)

The following individuals expressed their concerns regarding rental increases at the Boulders: Ms. Diane Betts and Mr. Phil Denny.

Commissioner Fraga-Saenz recused herself from this item.

Motion: Move to deny staff's recommendation for approval; and return item to staff, to return with language subject to the boulders to adhere to the Mobile Home Rental Review Board (MHRRB) process for review; and second approval process by the City Council/Housing Authority; and remove the Executive language indicating him as approver of future increases; and to look at potential grants for senior housing relief and specifically applying those grants for seniors.
Moved by Mayor Hofbauer, seconded by Councilmember Loa

Vote: (4-1)
Yes: Steven Hofbauer, Laura Bettencourt, Juan Carrillo, Austin Bishop
No: Richard J. Loa

13) ADJOURN THE HOUSING AUTHORITY

Mayor Hofbauer Adjourned the Housing Authority meeting at 8:11 p.m.

14) CONSENT CALENDAR

14.1) Receive and file the Monthly Investment Activity investment report for October 2021. (Staff Reference: Finance Manager Kang)

14.2) Approve the Third Amendment to the Agreement with Antelope Valley Domestic Violence Council DBA Valley Oasis for Tenant Based Rental Assistance Program (TBRA), exercise the option to extend the agreement for a one-year term, increase the agreement by $105,000 for a new not to exceed total of $597,130, and ratify expenditures for the Tenant Based Rental Program. (Staff Reference: Director of Neighborhood Services Miller - Presented by Housing Manager Reyes)

Councilmember Bishop pulled this item and recused himself.

Motion: Approve the Third Amendment to the Agreement with Antelope Valley Domestic Violence Council DBA Valley Oasis for Tenant Based Rental Assistance Program (TBRA).

Moved by Juan Carrillo, seconded by Richard J. Loa.

Vote: Motion carried (5-0)
Yes: Steven Hofbauer, Laura Bettencourt, Juan Carrillo, Richard J. Loa, Austin Bishop.

14.3) Adopt Resolution No. CC 2021-094, a Resolution of the City Council of the City of Palmdale, approving and directing execution of a joint exercise of powers agreement relating to CMFA Special Finance Agency and the form of a public benefit agreement; and approving the issuance of revenue bonds by said agency for the purpose of financing the acquisition, construction or improvement of project listed herein, Rancho Vista Boulevard and 20th Street West Apartments. (Staff Reference: Director of Neighborhood Services Miller - Presented by Housing Manager Reyes)

Councilmember Loa pulled this item for discussion. Mayor Hofbauer recused himself from this item.

The following individuals commented in support of the Rancho Vista Boulevard apartment project and the community workforce agreement: Xavier Flores (via Zoom), Rodger Corona, Enrique Apodaca, Daniel Hackler, Mark Frankenberger, Dmitri Turner, Ron Diament, Sean Mann, Victor Camposeco, Jerred Langford, Gino Zaragoza, Shaun Mieure, Brandon Solozano, Marco Hernandez, Herbert Hardy, Justin Rockey, Efrain Yera, Clarence Brown, Leonard Lemos, Carolina Corona, Eddie Diaz, Nicolas Reyes, Adrian Gudino, Josue Solis, Suzann Reina, Daniel Osborne, Kathy Mac Laren, David Gomez, Mr. Marcos of laborers local 300, Marcos Alvarez (via Zoom), Dave Bowman (via Zoom), Greg Lewis, and Christian Orozco.

Lori Carr spoke in opposition to the Rancho Vista Apartment project.

Council expressed their views regarding the Rancho Vista Apartment project.

Housing Manager Reyes provided a detailed overview of this project.

Mr. Chang, developer, verified that the construction project will adhere to what was entitled and approved. Discussion ensued regarding working with building trades.

A motion was made and carried unanimously to reopen the Public Comments.

Kathy Mac Laren-Gomez provided clarification regarding the Community Workforce Agreement.

A motion was made and carried unanimously to close the Public Comments.

Motion: A substitute motion to adopt Resolution No. CC 2021-094 as it stands
Moved by Laura Bettencourt, seconded by Juan Carrillo.

Vote: Motion Failed (2-2)
Yes: Laura Bettencourt, Juan Carrillo.
No: Richard J. Loa, Austin Bishop.
Motion: Adopt Resolution No. CC 2021-094, contingent on AMCAL agreeing to include the building trades as a part of this project.
Moved by Richard J. Loa, seconded by Juan Carrillo.

Vote: Motion carried (3-1)
Yes: Juan Carrillo, Richard J. Loa, Austin Bishop.
No:
Laura Bettencourt.

Mayor Pro Tem Bettencourt disconnected from the meeting at 9:53 p.m.

14.4) Approve On-Call Pavement Management Consultant Services Agreement with Applied Research Associates, in the amount of $500,000, over a period of three (3) years . (Staff Reference: Director of Public Works Heffernan - Presented by Deputy Director of Public Works Glidden)

14.5) Approve Final Tract Map No. 54058-3 located at the southeast corner of 25th Street West/Highland Street and Avenue P-12. (Staff Reference: Director of Public Works Heffernan)

14.6) Adopt Resolution No. CC 2021-092, a Resolution of the City Council of the City of Palmdale ordering the vacation of portions of 5th Street West, Auto Center Drive, and Trade Center Drive and the reservation of utility easements therein. (Staff Reference: Director of Public Works Heffernan)

14.7) Notice of Completion - Accept completed project with Hardy and Harper Inc. that provided additional pavement overlay construction for Barrel Springs Road from 32nd Street East to the intersection of Pearblossom Highway. (Staff Reference: Director of Public Works Heffernan - Presented by Deputy Director of Public Works Glidden)

14.8) Notice of Completion - Accept Public Improvements for the Edwards Federal Credit Union located at the southwest corner of 10th Street West and Avenue O-8. (Staff Reference: Director of Public Works Heffernan)

Motion: Approve all items on the Consent Calendar with the exception of 14.2, 14.3.
Moved by Juan Carrillo, seconded by Richard J. Loa.

Vote: Motion carried (5-0)
Yes: Steven Hofbauer, Laura Bettencourt, Juan Carrillo, Richard J. Loa, Austin Bishop.

15) APPOINTMENT

15.1) Approve Nomination for Appointment to the Measure AV Oversight Committee. (Staff Reference: City Clerk Smith)

Tabled to 12/15/21 City Council Workshop.

16) PUBLIC HEARING

16.1) Public Hearing and Review of Proposed Ordinance No. 1574 for adoption. (Staff Reference: Finance Manager Kang)

Finance Manager Kang provided a brief overview of the staff report and read the title of Ordinance No. 1574.

ORDINANCE NO. 1574, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE AMENDING PALMDALE MUNICIPAL CODE SECTION 8.04.460(A)(4) RELATING TO FIREWORKS APPLICATION PERMIT FEE.

A motion was made and carried unanimously to introduce Ordinance No. 1574.

Mayor Hofbauer opened the Public Hearing.

A motion was made and carried unanimously to close the Public Hearing.

Councilmember Loa spoke in opposition of adopting this item. Discussion ensued.

A motion was made by Councilmember Carrillo to adopt Ordinance No. 1574, the motion died for lack of a second.

17) NEW BUSINESS

17.1) ADOPT RESOLUTION NO. CC 2021-108, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE, OPPOSING VACCINE MANDATES AND CONDEMNING UNNECESSARY INTRUSION INTO MUNICIPAL AFFAIRS BY FEDERAL, STATE AND LOCAL GOVERNMENT. (Staff Reference: City Attorney Beck)

Motion: Take this item out of order to be heard before Item 15.1.
Moved by Richard J. Loa, seconded by Austin Bishop.

Vote: Motion carried (4-0)
Yes: Steven Hofbauer, Juan Carrillo, Richard J. Loa, Austin Bishop.
Absent: Laura Bettencourt.

The following individuals spoke in opposition of approving Resolution No. CC 2021-108 and in support of the adoption of the Ordinance by the Palmdale Freedom Coalition: Betsy Haslett, Mickey Martinez, Makenzie Martinez, Johnathan Morales, Mario Presents, Richard Galiego, David Ross, Carol Ross, Steven A. Harris, Amanda, Eric Shore, Mark Napolitano, Lori Carr, David Bowman, and Yvonne Shield.

A motion was made and carried unanimously to close the Public Comment section.

City Attorney Beck provided clarification to the public regarding charter law.

Motion: Reject Resolution No. CC 2021-108 and direct City Attorney to bring back an Ordinance to the January meeting.
Moved by Richard J. Loa, seconded by Steven Hofbauer.

Vote: Motion carried (5-0)
Yes: Steven Hofbauer, Laura Bettencourt, Juan Carrillo, Richard J. Loa, Austin Bishop.

18) INFORMATIONAL REPORT FROM MAYOR AND / OR COUNCILMEMBERS ON THEIR VARIOUS COMMITTEE MEMBERSHIPS AND MEETINGS ATTENDED AT PUBLIC EXPENSE

Due to lack of time section 18, 19, and 20 were not heard.

18.1) COMMITTEE MEMBERSHIPS.

18.2) MEETINGS ATTENDED AT PUBLIC EXPENSE

19) CITY MANAGER'S REPORT

20) CITY COUNCIL REQUESTS FOR NEW AGENDA ITEMS

21) Adjournment.

Mayor Hofbauer adjourned the meeting at 10:45 to December 15, 2021 at 7:00 p.m. in the City Hall Council Chamber located at 38300 Sierra Highway, Suite B, Palmdale, California.

PASSED, APPROVED, and ADOPTED this 6th day of April 2022.

_____
Steven D. Hofbauer, Mayor

ATTEST:

_____
Shanae S. Smith, City Clerk

City Council Staff Report

DATE: **APRIL 6, 2022**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **CITY MANAGER'S OFFICE – FINANCE DIVISION**

DISTRICT: **ALL**

SUBJECT: **RECEIVE AND FILE THE MONTHLY INVESTMENT ACTIVITY REPORTS FOR FEBRUARY 2022.**

ISSUE

Receive and file the monthly investment activity reports for February 2022.

RECOMMENDATION

Staff recommends that the City Council accept the monthly investment activity reports for City of Palmdale and Successor Agency for February 2022.

BACKGROUND

Pursuant to Section 16 of the City of Palmdale and Successor Agency Investment Policy, the City Treasurer shall prepare and present monthly and quarterly reports on investments to the City Manager/Executive Director and the City Council/Directors. The reports shall detail the type of investment, name of the issuer, purchase date, date of maturity, amount of deposit, and rate of interest. This information shall be provided for all City and Successor Agency pooled investments, as well as for Certificates of Participation, Revenue Bonds, Tax Allocation Bonds, Assessment Districts and Community Facilities District accounts which are managed by outside Fiscal Agents.

The monthly and quarterly reports provide a synopsis of the investment activity for the City of Palmdale and Successor Agency. The reports provide information on assets, allocations, average maturities, yields, and book valuations.

The interest rates presented are the most current rates available as of the date of this report.

The market values presented for pooled City and Successor Agency investments are based on closing prices for the related investment as of the date of this report. This information was obtained from the Wall Street Journal, Bloomberg Financial Markets, Capital Market Finances, or other reliable source of market prices.

DISCUSSION

Compliance with Investment Policy

For February, the invested portfolio amount for the City of Palmdale totaled $239,092,081, an increase of $37,514 from the previous month and an increase of $58,342,650 in comparison to last year. The slight increase in overall portfolio balance from the previous month is a result more cash receipts and fewer disbursements.

The par value of Successor Agency's portfolio as of February was $11,775,748. The balance decreased by $352,544 from the last month due to debt service payment made during the month.

All investments meet criteria appropriate to Section 8 of the Investment Policy. The portfolios are based on a combination of various investments, including CDs, Corporate Notes, U.S. Treasury Securities and Government Agency Paper, each adhering to portfolio percentage limitations.

The Finance Division is the custodian for the City and Successor Agency's investment portfolio and follows the three main principles of both entity's investment policy to 1) Investment in financial instruments that mitigate the risk of monetary losses stemming from market fluctuations; 2) Establish and maintain a portfolio that has sufficient liquidity to allow the City and Successor Agency to meet all anticipated cash requirements; and 3) Seek out investment instruments that provide a competitive market rate of return.

Liquidity

One core approach the Finance Division focuses on, is providing liquidity to measure up to the City and Successor Agency's operational requirements. Thus, the Finance Department is currently investing in two pooled funds, LAIF and CAMP. These are intended for the daily operational activities, used for economic uncertainties and maintenance needs. The pooled funds provide a higher liquidity ratio to ensure the City and Successor Agency meet cash flow requirements.

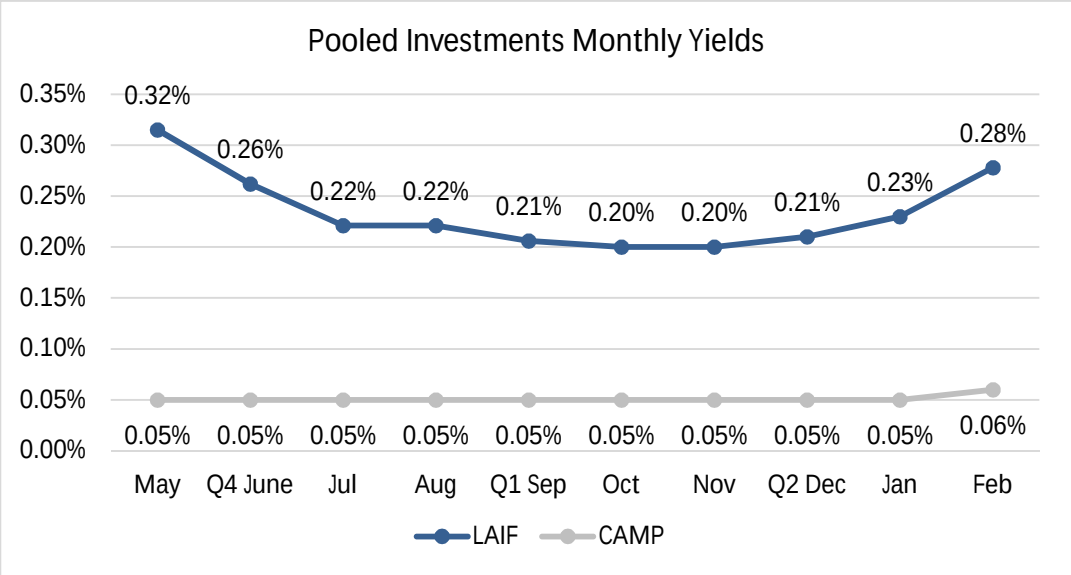
Total LAIF balance for the City of Palmdale is $65,038,422 compared to January's balance of $65,038,422. There were no changes during the month.

Successor Agency LAIF balance at the end of February was $3,697,774, no change from the prior month.

CAMP's balance for City of Palmdale is $248,759 compared to January's balance of $248,747. The slight increase is due to interest received during the month.

The interest rates presented are the most current rates available as of the date of this report. As of February 28, 2022, the interest rates for LAIF and CAMP investments were at .278 percent and .06 percent, respectively. By comparison, the LAIF and CAMP

interest rates at the end of January were at .234 percent and .05 percent. Both rates have steadily declined over the past year and are holding flat. This time last year, LAIF and CAMP rates were at 0.407 percent and .10, respectively.



The chart above shows both the Local Agency Investment Fund and California Asset Management Program's average monthly yields beginning May 2021 through February 2022, the graph depicts the prolonged period of declining rates.

We anticipate the rates to increase in the upcoming months, considering the current state of the economy. Overall, LAIF shows better performance than CAMP in interest rates. The difference between the performance of the two funds is partly due to the varying pool characteristics. CAMP's portfolio composition is much more subject to market volatility, resulting in performance variation.

Diversity

The Finance Division aims to diversify the investment portfolios to avoid incurring unreasonable and avoidable risks regarding specific security types or individual financial institutions.

City of Palmdale and Successor Agency's investment portfolios remain strongly diversified. The monthly and quarterly reports include all investments held by both entities and current book values as of February 28, 2022.

It is anticipated that both the City of Palmdale and Successor Agency will have sufficient moneys to meet its expenditure requirements for the next 6 months as we continue to monitor any financial impact due to the Coronavirus pandemic.

Attached are summaries of the investments on the City of Palmdale and Successor Agency's books as of February 28, 2022.

FISCAL IMPACT

There is no fiscal impact associated with the recommended actions for this report.

STRATEGIC PLAN

Goal II: Ensure long-term fiscal health of the City and maintain funding for services.

B. Manage resources, costs, and liabilities to ensure the City's long-term fiscal health.

C. Involve and expand engagement to enhance public oversight and transparency.

Prepared by:	Janelle Samson, Assistant Finance Manager
Certified as to availability of Funds:	Keith Kang, Finance Manager
Approved by:	Ronda Perez, Acting City Manager
Approved as to form:	Christopher Beck, City Attorney

ATTACHMENTS

1. Monthly Report on City of Palmdale Investments
2. Monthly Report on Successor Agency Investments

CITY OF PALMDALE
TREASURER'S REPORT OF INVESTMENTS
February 28 2022
CITY OF PALMDALE INVESTMENTS

PURCHASE DATE	MATURITY DATE	FUND	ACCOUNT/ INSTITUTION	FDIC Number	INTEREST RATE	PAR AMOUNT	PURCHASE AMOUNT	INVESTED AMOUNT
U.S. TREASURY SECURITIES					Yield			
05-31-19	04-30-24	CITY	9128286R6 U.S. Treasury Note		2.03	5,000,000.00	5,051,650.00	5,256,640.00
01-19-21	05-31-23	CITY	9128284S6 U.S. Treasury Note		2.75	2,815,000.00	2,985,994.41	2,950,035.55
03-19-21	12-31-25	CITY	9128285T3 U.S. Treasury Note		2.63	3,000,000.00	3,260,634.36	3,244,110.00
05-11-21	02-28-26	CITY	9128286F2 U.S. Treasury Note		0.66	3,000,000.00	3,261,331.50	3,231,330.00
05-11-21	12-31-24	CITY	9128283P3 U.S. Treasury Note		0.40	3,000,000.00	3,200,040.56	3,175,080.00
06-04-21	12-31-22	CITY	912828N30 U.S. Treasury Note		0.05	3,000,000.00	3,097,665.56	3,087,420.00
06-04-21	12-31-23	CITY	912828V23 U.S. Treasury Note		0.20	4,000,000.00	4,210,026.50	4,188,600.00
07-12-21	12-31-23	CITY	9128285U0 U.S. Treasury Note		2.63	5,000,000.00	5,294,239.83	5,294,239.83
07-12-21	12-31-25	CITY	9128285T3 U.S. Treasury Note		2.63	5,000,000.00	5,456,238.24	5,456,238.24
07-12-21	12-31-23	CITY	912828V23 U.S. Treasury Note		2.25	5,000,000.00	5,247,829.98	5,247,829.98
12-17-21	12-15-23	CITY	91282CBA8 U.S. Treasury Note		0.56	10,000,000.00	9,913,130.25	9,913,198.93
12-17-21	12-15-24	CITY	91282CDN8 U.S. Treasury Note (UBS)		0.85	10,000,000.00	10,045,505.25	10,046,054.70
12-22-21	12-15-23	CITY	91282CBA8 U.S. Treasury Note		0.56	5,000,000.00	4,957,270.88	4,957,391.07
12-22-21	12-15-24	CITY	91282CDN8 U.S. Treasury Note		0.88	5,000,000.00	5,018,208.38	5,019,169.92
12-20-21	12-15-24	CITY	91282CDN8 U.S. Treasury Note (Stifel)		1.00	5,000,000.00	5,017,187.50	5,018,011.68
			TOTAL U.S. TREASURY SECURITIES			$ 73,815,000.00	$ 76,016,953.20	$ 76,085,349.90
GOVERNMENT AGENCY PAPER								
06-05-19	06-05-23	CITY	3133EKPT7 Fed Farm Credit Bk		2.13	5,000,000.00	5,008,600.00	5,178,913.05
06-10-20	06-16-25	CITY	3133ELK37 Federal Farm Credit		0.78	5,000,000.00	5,000,000.00	5,000,332.40
08-07-20	05-06-24	CITY	3133EL2X1 Federal Farm Credit		0.42	2,000,000.00	2,000,000.00	1,985,613.10
08-27-20	11-27-24	CITY	3134GWNG7 Freddie Mac Domestic		0.50	2,000,000.00	2,000,000.00	1,998,606.02
04-01-21	04-01-25	CITY	3133EMUP5 Fed Farm Credit		0.71	5,000,000.00	5,000,000.00	5,001,585.95
05-11-21	09-04-25	CITY	3133EJYM5 FFCB Bond		0.59	1,000,000.00	1,103,275.25	1,094,660.00
05-11-21	09-04-25	CITY	3133EJYM5 FFCB Bond 0.57		0.57	2,000,000.00	2,208,460.00	2,189,320.00
06-04-21	11-07-25	CITY	3135G06G3 Fannie Mae		0.55	3,000,000.00	2,993,675.25	2,967,390.00
06-04-21	08-01-24	CITY	3130AMHH8 FHLB NOTE		0.41	4,000,000.00	4,000,000.00	3,979,555.16
06-07-21	06-07-24	CITY	3130AMQR6 FHLB NOTE		0.35	3,000,000.00	3,000,000.00	2,986,755.36
06-30-21	12-30-25	CITY	3130AMRQ7 FHLB NOTE		0.88	3,000,000.00	3,000,000.00	2,981,324.28
07-29-21	04-29-26	CITY	3130AN5C0 FHLB NOTE		1.05	4,000,000.00	4,010,455.13	4,010,455.13
12-17-21	11-12-25	CITY	3134GXBM5 FHLMC Note		1.15	1,150,000.00	1,125,785.50	1,126,456.33
12-17-21	12-30-24	CITY	3130AQDY6 FHLB		1.00	6,750,000.00	6,750,000.00	6,750,000.00
12-17-21	06-23-25	CITY	3133ENHW3 FFCB		1.17	10,000,000.00	10,000,000.00	10,000,000.00
12-20-21	07-30-25	CITY	3136G4ZP1 FANNIE MAE		0.65	3,500,000.00	3,444,175.00	3,453,085.42
12-20-21	09-24-25	CITY	3134GWUG9 FREDDIE MAC		0.57	10,000,000.00	9,806,600.00	9,820,375.00
12-21-21	12-22-26	CITY	3133ENJC5 FFCB		1.29	5,000,000.00	5,000,000.00	5,000,000.00
01-14-22	01-14-25	CITY	3130AQEA7 FHLB		1.05	7,000,000.00	7,000,000.00	7,000,000.00
	c = callable							
			TOTAL GOVERNMENT AGENCY PAPER			$ 82,400,000.00	$ 82,451,026.13	$ 82,524,427.20
CERTIFICATES OF DEPOSIT								
05-11-18	05-11-22	CITY	05580AMR2 Bmw Bank North America	35141	2.95	245,000.00	245,000.00	251,143.62
05-15-18	05-16-22	CITY	86063QAN5 Stifel Bank & Trust	57311	2.85	245,000.00	245,000.00	250,964.53
05-18-18	05-18-22	CITY	29278TBF6 Enerbank Usa	57293	2.95	245,000.00	245,000.00	251,216.88
05-31-17	05-31-22	CITY	02587CFM7 American Express Bk	35328	2.40	245,000.00	245,000.00	250,250.84
06-01-17	05-31-22	CITY	51210SMT1 Lakeside Bank	19573	2.00	245,000.00	245,026.85	249,319.60
05-10-18	05-10-23	CITY	61747MX30 Morgan Stanley Bank Na	32992	3.15	245,000.00	245,000.00	258,447.32
05-11-18	05-11-23	CITY	87164WWF1 Synchrony Bank	27314	3.15	245,000.00	245,000.00	258,465.69
05-11-18	05-11-23	CITY	17312QL23 Citibank Na	7213	3.15	245,000.00	245,000.00	258,465.69
05-15-18	05-15-23	CITY	20033AYE0 Comenity Capital Bank	57570	3.10	245,000.00	245,000.00	258,255.73
			TOTAL CERTIFICATES OF DEPOSIT			$ 2,205,000.00	$ 2,205,026.85	$ 2,286,529.90

CITY OF PALMDALE
TREASURER'S REPORT OF INVESTMENTS
February 28 2022

CORPORATE NOTES

03-10-20	03-01-23	CITY	30231GAR3 Exxon Mobil	2.73	1,000,000.00	1,045,330.00	1,035,276.25
03-10-20	05-13-22	CITY	037833BF6 Apple Inc	2.70	1,000,000.00	1,039,820.00	1,021,372.65
03-10-20	11-03-22	CITY	594918BH6 Microsoft Corp	2.65	1,000,000.00	1,047,870.00	1,028,648.84
03-10-20	01-13-23	CITY	037833DE7 Apple Inc	2.40	1,000,000.00	1,041,800.00	1,032,294.50
03-10-20	12-14-22	CITY	92826CAC6 VISA Inc	2.80	1,500,000.00	1,572,135.00	1,549,706.22
06-10-20	04-15-23	CITY	30231GBL5 Exxon Mobil Corp	1.75	5,000,000.00	5,000,000.00	5,110,650.00
06-10-20	05-11-23	CITY	166764BV1 Chevron Corp	1.14	2,075,000.00	2,075,000.00	2,105,595.85
			TOTAL CORPORATE BONDS		$ 12,575,000.00	$ 12,821,955.00	$ 12,883,544.31

STATE OF CALIFORNIA LOCAL AGENCY INVESTMENT FUND

09-01-84	n/a	CITY ACCOUNT	98-19-620	0.78	30,094,590.89	30,094,590.89	30,094,590.89
06/23/08	n/a	PCA ACCOUNT	40-19-060	0.78	17,220,834.52	17,220,834.52	17,220,834.52
	n/a	ARPA ACCOUNT	19-19-004	0.78	17,710,542.41	17,710,542.41	17,710,542.41
			TOTAL LAIF ACCOUNTS		$ 65,025,967.82	$ 65,025,967.82	$ 65,025,967.82

CAMP- CALIFORNIA ASSET MANAGEMENT PROGRAM

6080-01	n/a	CITY ACCOUNT	6080-01	0.30	248,758.67	248,758.67	248,758.67
			TOTAL CAMP ACCOUNTS		$ 248,758.67	$ 248,758.67	$ 248,758.67

UBS FINANCIAL SERVICES

n/a	n/a	CITY ACCOUNT		0.00	37,502.79	37,502.79	37,502.79
			TOTAL UBS FINANCIAL SERVICES ACCOUNTS		$ 37,502.79	$ 37,502.79	$ 37,502.79

			TOTAL CITY INVESTMENTS		$ 236,307,229.28	$ 238,807,190.46	$ 239,092,080.59

CITY OF PALMDALE
TREASURER'S REPORT OF INVESTMENTS
February 28 2022

LIBRARY INVESTMENTS

PURCHASE DATE	MATURITY DATE	FUND	ACCOUNT NUMBER	INTEREST RATE	INVESTED AMOUNT
STATE OF CALIFORNIA LOCAL AGENCY INVESTMENT FUND					
11-20-84	n/a	LIBRARY	16-19-012	0.78	12,454.00
		TOTAL LIBRARY INVESTMENTS			$ 12,454.00

FISCAL AGENT CASH

PURCHASE DATE	MATURITY DATE	FUND	ACCOUNT NUMBER	INTEREST RATE	INVESTED AMOUNT
BOND PROCEEDS					
SIERRA GATEWAY COMMUNITY FACILITIES DISTRICT 91-1					
Fiscal Agent: U.S. Bank National Association (fka First Trust)					
05-10-95	n/a	BOND	95421220	0.01	106.62
05-10-95	n/a	IMPROVEMENT	95421222	0.01	154,941.04
City Held Cash	(Fund 736-114000)	($255,912.67)			
		TOTAL SIERRA GATEWAY COMMUNITY FACILITIES DISTRICT 91-1			$ 155,047.66
BOND PROCEEDS					
RITTER RANCH COMMUNITY FACILITIES DISTRICT 93-1					
Fiscal Agent: U.S. Bank National Association (fka First Trust)					
04-06-95	n/a	RESERVE-SEN	95420880	n/a	0.00
04-06-95	n/a	IMPV-ACQUI	95420884	0.01	2,585,411.86
04-06-95	n/a	BOND	95420887	0.00	0.15
City Held Cash	(Fund 738-114000)	($1,000,675.82)			
		TOTAL RITTER RANCH COMMUNITY FACILITIES DISTRICT 93-1			$ 2,585,412.01
BOND PROCEEDS					
ANAVERDE COMMUNITY FACILITIES DISTRICT 2003-1					
Fiscal Agent: U.S. Bank National Association (fka First Trust)					
08-01-19	n/a	SP TAX - B BOND	242969000	0.00	356,769.68
08-01-19	n/a	RESERVE	242969003	0.00	722,947.91
08-01-19	n/a	SP TAX - REFUNDING BC	242969004	0.01	15,149.21
08-01-19	n/a	SP TAX - REFUNDING BC	242969005	0.01	300.42
City Held Cash	(Fund 734-114000)	$900,917.97			
		TOTAL ANAVERDE COMMUNITY FACILITIES DISTRICT 2003-1			$ 1,095,167.22

CITY OF PALMDALE
TREASURER'S REPORT OF INVESTMENTS
February 28 2022

BOND PROCEEDS
2005 $7.2M COMMUNITY FACILITIES DISTRICT 05-1 (TRADE AND COMMERCE CENTER)
Fiscal Agent: U.S. Bank National Association (fka First Trust)

08-02-05	n/a	SPEC TRB SER A/B	790330000	0.01	0.00
08-02-05	n/a	RESERVE FUND	790330002	0.01	0.00

City Held Cash (Fund 735-114000) $744,688.56

TOTAL 2005 $7.2M COMMUNITY FACILITIES DISTRICT 05-1 (TRADE AND COMMERCE CENTER) $ -

BOND PROCEEDS
2005 $7.2M COMMUNITY FACILITIES DISTRICT 05-1 (TRADE AND COMMERCE CENTER) REFUNDED 2021
Fiscal Agent: U.S. Bank National Association (fka First Trust)

	n/a	SPEC TRB SER A/B	251009000	0.01	34.20
	n/a	RESERVE FUND	251009001	0.01	639,057.15

City Held Cash

TOTAL 2005 $7.2M COMMUNITY FACILITIES DISTRICT 05-1 (TRADE AND COMMERCE CENTER) REFUNDED 2021 $ 639,091.35

BOND PROCEEDS
2006-1 Godde Hill Estate Sewer Improvements LOIB
Fiscal Agent: U.S. Bank National Association (fka First Trust)

11-08-06	n/a	REDEMPTION FUND	106844000	0.01	64,454.73
11-08-06	n/a	ADM EXP	106844002	0.01	1,594.39
11-08-06	n/a	RESERVE FUND	106844003	0.01	105,755.47

City Held Cash (Fund 739-114000) $127,799.09

TOTAL 2006-1 Godde Hill Estate Sewer Improvements LOIB $ 171,804.59

BOND PROCEEDS
2007 $19.9M COP Power Plant Land Acquisition
Fiscal Agent: U.S. Bank National Association (fka First Trust)

04-12-07	n/a	LEASE PAYMENT	112055000	0.01	0.00
04-12-07	n/a	RESERVE FUND	112055001	0.00	0.00

TOTAL 2007 $19.9M COP Power Plant Land Acquisition $ -

BOND PROCEEDS
2007 $6.5M COMMUNITY FACILITIES DISTRICT 05-1 (TRADE AND COMMERCE CENTER)
Fiscal Agent: U.S. Bank National Association (fka First Trust)

08-23-07	n/a	BOND FUND	117856000	0.01	0.00
08-23-07	n/a	RESERVE FUND	117856002	0.01	0.00

TOTAL 2007 $6.5M COMMUNITY FACILITIES DISTRICT 05-1 (TRADE AND COMMERCE CENTER) $ -

CITY OF PALMDALE
TREASURER'S REPORT OF INVESTMENTS
February 28 2022
FISCAL AGENT CASH

PURCHASE DATE	MATURITY DATE	FUND	ACCOUNT NUMBER	INTEREST RATE	INVESTED AMOUNT
BOND PROCEEDS					
2012 PFA $8.7M LEASE REVENUE BONDS					
Fiscal Agent: U.S. Bank National Association (fka First Trust)					
12-19-12	n/a	REVENUE FD	201546000	0.00	77,680.01
12-19-12	n/a	INTEREST ACCOUNT	201546001	n/a	0.00
12-19-12	n/a	PRINCIPAL ACCOUNT	201546002	n/a	0.00
		TOTAL 2012 PFA $8.7M LEASE REVENUE BONDS			$ 77,680.01
2013 HA PALMDALE TRANSIT VILLAGE HOMES LLC ESCROW					
Fiscal Agent: U.S. Bank National Association (fka First Trust)					
10-11-13	n/a	ESCROW FUND	206455000	0.00	2,979,512.65
		TOTAL 2013 HA TRANSIT VILLAGE HOMES ESCROW			$ 2,979,512.65
2015 HA DEBT SERVICE RESERVE					
Fiscal Agent: Bank of America					
11-19-15	n/a	DEBT SVC RESERVE	1257964992	0.08	39,129.16
		TOTAL 2015 HA DEBT SERVICE RESERVE			$ 39,129.16
PARS RESTRICTED CASH FOR PENSION STABILIZATION TRUST FUND					
05-23-18	n/a	CITY	104790895775 Public Agency Retirement Services	2.60	7,031,685.16
		TOTAL PARS PENSION TRUST FUND			$ 7,031,685.16
BOND PROCEEDS					
2015 HA $4.3M MULTIFAMILY HOUSING REVENUE BONDS					
Fiscal Agent: U.S. Bank National Association (fka First Trust)					
09-03-15	n/a	BOND FUND	277067000	0.00	122,461.57
09-03-15	n/a	INTEREST ACCT	277067001	0.01	7.06
09-03-15	n/a	BOND RESERVE	277067003	0.00	281,018.53
09-03-15	n/a	REPAIR & REPLACE FUN	277067004	0.00	1,100,183.67
		TOTAL 2015 HA $4.3M MULTIFAMILY HOUSING REVENUE BONDS			$ 1,503,670.83

CITY OF PALMDALE
TREASURER'S REPORT OF INVESTMENTS
February 28 2022

BOND PROCEEDS

2017 PFA $17.4M LEASE REVENUE BONDS

Fiscal Agent: U.S. Bank National Association (fka First Trust)

04-05-17	n/a	REVENUE FUND	271128000	0.00	2.04
04-05-17	n/a	PRINCIPAL ACCT	271128002	n/a	0.00

TOTAL 2017 PFA $17.4M LEASE REVENUE BONDS $ 2.04

Total City Held Cash (XXX-114000) $516,817.13

GRAND TOTAL - FISCAL AGENT CASH $ 15,639,111.33

CITY OF PALMDALE
TREASURER'S REPORT OF INVESTMENTS
February 28 2022
SUMMARY OF CASH AND INVESTMENTS

Cash on Hand			$	24,599,908
Pooled Cash Investments				
City:	$	228,896,392		
Insur Fund:		$10,195,689	$	239,092,081
Library Investments				$12,454
Subtotal			$	263,704,443
City/AD/CFD/PCA/PFA/HA Fiscal Agent Cash			$	15,639,111 *
Grand total			$	279,343,554

The interest rate quoted on LAIF, AIM, and Fiscal Agent/Trustee accounts is the most current rate available.
LAIF & AIM interest rates are as of February 28, 2022.

CITY OF PALMDALE
TREASURER'S REPORT OF INVESTMENTS

POOLED CASH - LOCAL AGENCY INVESTMENT FUND (LAIF), CALIFORNIA ASSET MANAGEMENT PROGRAM (CAMP), & UBS FINANCIAL SERVICES
February 28, 2022

TRANSACTION DATE	DEPOSIT	WITHDRAWAL	INTEREST RECEIVED	BALANCE
CITY ACCOUNT 98-19-620				
Beginning Balance				$ 30,094,590.89
02/28/22	$ -	$ -	$ -	
Subtotal	$ -	$ -	$ -	$ 30,094,590.89
PCA ACCOUNT 40-19-060				
Beginning Balance				$ 17,220,834.52
02/28/22	$ -	$ -	$ -	
Subtotal	$ -	$ -	$ -	$ 17,220,834.52
LIBRARY ACCOUNT 16-19-012				
Beginning Balance				$ 12,454.00
02/28/22	$ -	$ -	$ -	
Subtotal	$ -	$ -	$ -	$ 12,454.00
ARPA ACCOUNT 19-19-004				
Beginning Balance				$ 17,710,542.41
02/28/22	$ -	$ -		
Subtotal	$ -	$ -	$ -	$ 17,710,542.41
CAMP - CALIFORNIA ASSET MANAGEMENT PROGRAM				
Beginning Balance				$ 248,746.90
02/28/22		$ -	$ 11.77	
Subtotal	$ -	$ -	$ 11.77	$ 248,758.67
UBS Financial Services				
Beginning Balance				$ 0.63
02/07/22		$ -	$ 2.16	
02/28/22			$ 37,500.00	
Subtotal	$ -	$ -	$ 37,502.16	$ 37,502.79
Total	$ -	$ -	$ 37,513.93	$ 65,324,683.28

CITY OF PALMDALE
TREASURER'S REPORT OF INVESTMENTS

POOLED CASH - INVESTMENTS MATURED OR CALLED

February 28, 2022

TN = US Treasury
FP = Federal Paper
CD = Certificate of Deposit
C = Call
M = Maturity
CB = Corporate Bond

ISSUER	PURCHASE DATE	MATURITY DATE	REDEMPTION DATE	FACE VALUE REDEEMED	INTEREST RECEIVED	NET FUNDS	INVESTED AMOUNT	GAIN/ (LOSS)
						$ -		$0.00
						$ -		$0.00
				$ -	$ -	$ -	$ -	$ -

Total Number of Transactions: 0

CITY OF PALMDALE
TREASURER'S REPORT OF INVESTMENTS

POOLED CASH - INVESTMENTS PURCHASED
February 28, 2022

TN = US Treasury
FP = Federal Paper
CD = Certificate of Deposit
CN = Corporate Notes

ISSUER	PURCHASE DATE	MATURITY DATE	FACE VALUE	PREMIUM / (DISCOUNT)	PURCHASE PRICE	ACCRUED INTEREST PURCHASED	NET PURCHASE	Yield
				$ -		$ -		
			$ -	$ -	$ -	$ -	$ -	

Total Number of Transactions: 0

SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF PALMDALE
TREASURER'S REPORT OF INVESTMENTS
February 28, 2022

SUCCESSOR AGENCY POOLED CASH INVESTMENTS

PURCHASE DATE	MATURITY DATE	FUND	ACCOUNT/ INSTITUTION	INTEREST RATE	INVESTED AMOUNT	TOTAL
STATE OF CALIFORNIA LOCAL AGENCY INVESTMENT FUND						
09-01-84	n/a	SA ACCOUNT	65-19-035	0.78	3,697,774.06	
TOTAL LAIF ACCOUNTS						$ 3,697,774.06

FISCAL AGENT CASH

BOND PROCEEDS						
CRA - 2002 Sub Lien Tax Allocation Bonds $5.3M ($5,329,748.25)						
Fiscal Agent: U.S. Bank National Association						
08-20-02	n/a	RESERVE FUND	94460700	0.01	527,740.04	
08-20-02	n/a	INTEREST ACCT	94460701	0.01	28.91	
08-20-02	n/a	PRINCIPAL ACCT	94460702	0.01	0.15	
TOTAL CRA - 2002 Sub Lien Tax Allocation Bonds $5.3M ($5,329,748.25)						$ 527,769.10
BOND PROCEEDS						
2016 SA $31.5M Tax Allocation Refunding Bonds Series A						
Fiscal Agent: U.S. Bank National Association (fka First Trust)						
04-26-16	n/a	DEBT SERVICE	245113000	0.00	4.95	
04-26-16	n/a	INTEREST ACCT	245113001	N/A	0.00	
TOTAL 2016 SA $31.5M Tax Allocation Refunding Bonds Series A						$ 4.95
GRAND TOTAL - FISCAL AGENT CASH						$527,774

SUMMARY OF CASH AND INVESTMENTS

Cash on Hand	$ 7,550,200
Pooled Cash Investments	$ 3,697,774
Successor Agency Fiscal Agent Cash	$527,774
Grand total	$ 11,775,748

* The interest rate quoted on LAIF and Fiscal Agent/Trustee accounts is the most current rate available. LAIF interest rates are as of February 28, 2022.

SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF PALMDALE
TREASURER'S REPORT OF INVESTMENTS

POOLED CASH - LOCAL AGENCY INVESTMENT FUND (LAIF)
February 28, 2022

TRANSACTION DATE	DEPOSIT	WITHDRAWAL	INTEREST RECEIVED	BALANCE
SA ACCOUNT 65-19-035				
Beginning Balance				$ 3,697,774.06
Subtotal	$ -	$ -	$ -	$ 3,697,774.06

City Council Staff Report

DATE: **April 6, 2022**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **CITY MANAGER'S OFFICE – FINANCE DIVISION**

DISTRICT: **ALL**

SUBJECT: **APPROVE SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH ROBERT HALF INTERNATIONAL, INC. FOR AN ADDITIONAL AMOUNT OF $75,000, AND A NOT TO EXCEED AMOUNT OF $125,000 FOR THE TERM THROUGH JUNE 30, 2023.**

ISSUE

Approve Second Amendment to professional services Agreement with Robert Half International, Inc. for an additional amount of $75,000, not to exceed amount of $125,000 for the term through June 30,2023.

RECOMMENDATION

Staff recommends that the City Council:

1. Approve Second Amendment to professional services Agreement A-7092 with Robert Half International, Inc. for an additional amount of $75,000, not to exceed amount of $125,000 for the term through June 30,2023; and
2. Approve the additional budget appropriation for $75,000 from the General Fund unappropriated fund balance.

BACKGROUND

The City previously entered into an agreement with Robert Half on October 26, 2021, for a term length of 1 year for a not to exceed amount of $20,000. Then on February 3, 2022, the City made an Amendment to the existing contract for the additional $30,000, increasing the total contract amount to match the budgeted amount of $50,000.

At that time, it was expected to only use the consultant for a short period of time. However, due to the departure of Assistant Finance Manager in the finance department, staff are requesting a Second Amendment to contract A-7092 with Robert Half International, Inc. The amendment is to extend the dollar amount of the existing Contract by $75,000 and the term length by an additional eight (8) months expiring on June 30, 2023.

DISCUSSION

This Second Amendment to contract A-7092 provides the additional resources for Finance Division to continue to support Departments' needs with limited disruptions and delays as a result of Assistant Finance Manager leaving the City. The bulk of Finance

products are time sensitive, and it is crucial to meet the deadlines such as the Fiscal Year 2022-22 budget preparation, ARPA reporting, and coordinating Measure AV spending programs.

FISCAL IMPACT

$75,000; The fiscal impact to the City's General Fund for A-7092 will be an increase of $75,000 with a not to exceed amount of $125,000 for the term through June 30, 2023. Funds will be allocated in account 10115001-722460 from General Fund unappropriated fund balance.

STRATEGIC PLAN

Goal II: Ensure long-term fiscal health of the City and maintain funding for services.

A. Manage resources, costs, and liabilities to ensure the City's long-term fiscal health.

C. Involve and expand engagement to enhance public oversight and transparency.

Prepared by:	Keith Kang, Finance Manager
Certified as to availability of Funds:	Keith Kang, Finance Manager
Approved by:	Ronda Perez, Interim City Manager
Approved as to form:	Christopher Beck, City Attorney

ATTACHMENTS

1. Second Amendment to Agreement A-7092 with Robert Half International, Inc.

DocuSign Envelope ID: F011F425-2680-4000-BDD0-826F4883709E

2nd AMENDMENT TO AGREEMENT A-7092
BETWEEN THE CITY OF PALMDALE AND ROBERT HALF INTERNATIONAL, INC.

This 2nd Amendment to Agreement No. A-7092 (“Agreement”) between the City of Palmdale and ROBERT HALF INTERNATIONAL, INC. is made and entered into this 06 day of April, 2022 by and between the City of Palmdale (hereinafter called “CITY”) and ROBERT HALF INTERNATIONAL, INC. (hereinafter called "CONSULTANT").

WHEREAS, the CITY and CONSULTANT entered into an agreement to provide: Temporary Staffing Services to the Finance Department

WHEREAS, CONSULTANT represents that CONSULTANT has the expertise and is qualified to perform the services described in the Contract, and if required, is duly registered under the laws of the State of California.

NOW THEREFORE, the parties agree as follows:

The CONTRACT AMOUNT is amended to increase by $75,000.00, not to exceed $125,000.00.

The CONTRACT TERM is amended to extend to June 30, 2023.

DocuSign Envelope ID: F011F425-2680-4000-BDD0-826F4883709E

In Witness Whereof, the parties hereto have caused this Contract to be executed and attested by their respective officers thereunto duly authorized.

CITY OF PALMDALE:

Steven D. Hofbauer Date
MAYOR

ADDRESS FOR NOTICE:
CITY OF PALMDALE
38300 Sierra Highway, Suite D
Palmdale, CA 93550

APPROVE AS TO FORM:

Christopher L. Beck
City Attorney

ATTEST:

Shanae S. Smith
City Clerk

ROBERT HALF INTERNATIONAL, INC.:

DocuSigned by:
Tony Uyehara
32D8467A31174ZB...

Tony Uyehara Date
Senior Regional Director

ADDRESS FOR NOTICE:
ROBERT HALF INTERNATIONAL, INC.
101 S. First Street #304
Burbank, CA 91502

ATTEST: If Corporation

Secretary

City Council Staff Report

DATE: **APRIL 6, 2022**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **CITY MANAGER'S OFFICE – FINANCE DIVISION**

DISTRICT: **ALL**

SUBJECT: **APPROVE THE MEASURE AV RESERVE POLICY.**

ISSUE

Approve the Measure AV Reserve Policy.

RECOMMENDATION

Staff recommends that the City Council:

1. Approve the Measure AV Reserve Policy.

BACKGROUND

Voters approved the ¾ cent local sales tax measure in November 2020 and it went into effect in April 2021. The local sales tax is designated in the ballot measure language to be used to protect essential City services and ensure continued quality of life services for our residents. Establishing a formal Measure AV Reserve Policy is fundamental to the City to ensure that the fund has adequate financial resources to maintain programs and services in accordance with the ballot measure in the event of a significant revenue shortfall.

Staff have presented the proposed Measure AV Reserve Policy to the Measure AV Oversight Committee on March 23, 2022 for discussion and consensus.

DISCUSSION

Staff has developed a formal Measure AV Reserve Policy setting the appropriate level of reserve funds, establishing formal criteria for draw-down of reserves, and providing guidance for the use and replenishment of reserve funds. When developing the policy, staff considered Government Finance Officers' Association (GFOA) best practices and evaluated policies adopted by other cities. The Finance Division is proposing a 10% fund reserve to account for potential economic downturn.

The City has considered the below risk factor in determining the appropriate Measure AV reserve percentage.

Revenue Source Stability: The sole source of revenue for Measure AV fund is sales tax. Sales tax revenue is extremely volatile to economic unpredictability and is likely to decrease if economic distress arises. A reserve will prepare the City for unexpected shifts in sales tax revenues.

FISCAL IMPACT

$0; there is no fiscal impact associated with this action.

STRATEGIC PLAN

Goal II: Ensure long-term fiscal health of the City and maintain funding for services.

A. Manage resources, costs, and liabilities to ensure the City's long-term fiscal health.

C. Involve and expand engagement to enhance public oversight and transparency.

Prepared by:	Janelle Samson, Finance Manager
Certified as to availability of Funds:	Keith Kang, Finance Manager
Approved by:	Ronda Perez, Interim City Manager
Approved as to form:	Christopher Beck, City Attorney

ATTACHMENTS

1. Measure AV Reserve Policy

CITY OF PALMDALE

Measure AV Reserve Policy

PURPOSE:

To establish guidelines for a Reserve Fund Policy to ensure Measure AV Fund maintains adequate financial reserves to protect against unanticipated circumstances and events resulting in revenue shortfalls. The City of Palmdale is committed to prudent fiscal practices and maintaining adequate reserves to ensure consistent, uninterrupted municipal services in accordance with the Measure AV ballot measure.

BACKGROUND:

Fund reserves are important long-term planning tools for municipalities, whose revenues are derived from taxes that can fluctuate year over year and are received. Adequate reserves will help to sustain programs and services during times of economic downturn and unforeseen circumstances.

In November 2020, voters in the City of Palmdale passed a local ¾ cent sales tax to protect essential City services and keep the community strong and healthy into the future. A Measure AV Oversight Committee, comprised of seven (7) members, was established on April 6, 2021, by the City Council. The role of the Oversight Committee is to ensure that funds generated through this local sales tax measure are spent appropriately and in accordance with the language in the ballot measure. This reserve policy will establish reserves in the Measure AV Fund, which is deemed to be susceptible to volatility based on sales tax revenues.

POLICY:

On an annual basis, the Finance Division will appropriate assigned reserves according to the reserve policy. The Finance Division will ensure that minimum fund reserves are met and present to the City Council and the Measure AV Oversight Committee through the budget process.

This policy establishes a minimum required reserve for Measure AV Fund of ten (10) percent of the annual Measure AV fund expenditure budget.

Committing to a 10 percent Measure AV Fund Reserve Balance will help ensure that there will be adequate financial resources available to protect the City against unforeseen circumstances such as revenue shortfalls. For purposes of this policy, these reserve levels are to be established annually as a part of the budget process utilizing the preliminary Measure AV fund budget for future year(s).

USE AND REPLENISHMENT OF RESERVES:

The following is provided to govern the appropriate use and replenishment of the Measure AV Fund reserve.

- Reserves should not be used for recurring annual operating costs. They may be used to provide short-term relief to the Fund so that the City can restructure in an orderly manner, when necessary.

- Any use of the funds that would cause the Fund to drop below the budgeted annual amount of reserves shall only be permitted on a specific, case by case, basis as authorized by the City Council.

- In the event that City Council authorizes the use of Measure AV Fund reserve, the Finance Division shall propose a plan for the replenishment of the reserves to the City Council as part of the development of the annual budget.

City Council Staff Report

DATE: **April 6, 2022**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **CITY MANAGER DEPARTMENT**
HUMAN RESOURCES

DISTRICT: **ALL**

SUBJECT: **ADOPT RESOLUTION NO. CC 2022-044, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE REQUESTING A NEW FULL-TIME POSITION AND AMENDING THE CITY'S CLASSIFICATION AND PAY PLAN FOR GENERAL POSITIONS.**

ISSUE

Adopt Resolution No. CC 2022-044, A Resolution of the City Council of the City of Palmdale Requesting a New Full-Time Position and Amending the City's Classification and Pay Plan for General Positions.

RECOMMENDATION

Staff recommends that the City Council adopt Resolution No. CC 2022-044 A Resolution of the City Council of the City of Palmdale Requesting a New Full-Time Position and Amending the City's Classification and Pay Plan for General Positions.

BACKGROUND

The City Manager in collaboration with the Human Resources Division monitors and evaluates positions within the organization and makes recommendations based on the needs of the City.

DISCUSSION

During the Fall of 2021 the Finance Division went through a re-organization and more recently last month the City promoted a new Director of Finance to lead the Division. As a result of these changes, the division is requesting one (1) position, a Deputy Director of Finance.

The Deputy Director of Finance, reporting to the Director of Finance, would provide the Finance Division with a strong level of leadership and financial guidance. This position also assumes a leading strategic role in influencing the future of the Division, developing policies, procedures, internal controls, and segregation of duties.

FISCAL IMPACT

The fiscal impact for the remainder of FY 2022 is estimated to be $47,450. There are available fund budgeted in accounts 10115001-701000 and 10115001-705000 in the current fiscal year. The impact in FY 2023 is estimated to be $284,740. The fiscal impact includes both salary and benefits.

STRATEGIC PLAN

Goal IV: Maintain a desirable community where everyone wants to live, work and play.
Objective:

C. Invest in staff and other human resource strategies to attract and retain a highly qualified, diverse, and creative workforce.

Prepared by:	Garrett Rickert, Sr Human Resources Analyst
Certified as to availability of Funds:	Janelle Samson, Director of Finance
Approved by:	Ronda Perez, Interim City Manager
Approved as to form:	Christopher Beck, City Attorney

ATTACHMENTS

1. Resolution No. CC 2022-044

CITY COUNCIL
CITY OF PALMDALE, CALIFORNIA
RESOLUTION NO. CC 2022-044

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE REQUESTING A NEW FULL-TIME POSITION AND AMENDING THE CITY'S CLASSIFICATION AND PAY PLAN FOR GENERAL POSITIONS

NOW THEREFORE, BE IT RESOLVED, THE CITY COUNCIL OF THE CITY OF PALMDALE DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

SECTION 1. One new full-time position, Deputy Director of Finance, is approved.

SECTION 2. The City's Classification and Pay Plan for General Positions is amended as set forth in the attached Exhibit # 1.

SECTION 3. The City Clerk shall certify the passage and adoption of this resolution Requesting a New Full-Time Position and Amending the City's Classification and Pay Plan for General Positions. It is deemed to be effective April 6, 2022.

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

PASSED, APPROVED and **ADOPTED** this 6th day of April, 2022.

Approved as to form:

Christopher L. Beck
City Attorney

Steven D. Hofbauer, Mayor

ATTEST:

Shanae S. Smith, City Clerk

I, Shanae S. Smith, City Clerk of Palmdale, California, do hereby certify that the foregoing resolution was duly passed, approved, and adopted by the City Council of the City of Palmdale at a regular meeting of said Council held on the 6th day of April, 2022 by the following roll call vote:

AYES: _____

NOES:_____

ABSTAIN:_____ABSENT:_____

Date: _____ _____
Shanae S. Smith, City Clerk

CLASSIFICATION AND PAY PLAN – GENERAL POSITIONS
FY 2021 – 2022

TITLE	RANGE Hourly	RANGE #
Intern	$15.00 - $16.43 per hour	14
Program Aide	$15.00 - $16.43 per hour	14
Public Security Officer	$15.00 - $16.43 per hour	14
Administrative Intern	$16.43 – $20.97 per hour	18
Records Management Clerk I	$16.43 – $20.97 per hour	18
Senior Public Security Officer	$16.43 – $20.97 per hour	18
Office Assistant I	$18.11 – $23.12 per hour	20
Records Management Clerk II	$18.11 – $23.12 per hour	20
SAVES Assistant	$19.97 – $25.49 per hour	22
Senior Records Management Clerk	$19.97 – $25.49 per hour	22
Neighborhood Compliance Officer	$22.02 – $28.11 per hour	24
Theater Operations Technician	$22.02 – $28.11 per hour	24
Senior Neighborhood Compliance Officer	$24.28 – $30.99 per hour	26
Theater Operations Coordinator	$24.28 – $30.99 per hour	26
Administrative Assistant	$25.49 – $32.54 per hour	27

TITLE	RANGE Monthly	RANGE #
Office Assistant I	$3,139 - $4,007	20
Account Clerk I	$3,461 - $4,418	22
Office Assistant II	$3,461 - $4,418	22
SAVES Assistant	$3,461 - $4,418	22
Account Clerk II	$3,817 - $4,872	24
Audio Technician	$3,817 - $4,872	24
Neighborhood Compliance Officer	$3,817 - $4,872	24
Public Safety Technician	$3,817 - $4,872	24
Records Center Specialist	$3,817 - $4,872	24
Community Compliance Aide I	$4,209 - $5,372	26
Community Service Officer	$4,209 - $5,372	26
Development Technician I	$4,209 - $5,372	26
Information Technology Technician I	$4,209 - $5,372	26
Senior Account Clerk	$4,209 - $5,372	26
Theater Operations Coordinator	$4,209 - $5,372	26
Administrative Assistant	$4,418 - $5,640	27
Management Aide	$4,418 - $5,640	27
Business License Coordinator	$4,638 - $5,923	28
Community Compliance Aide II	$4,638 - $5,923	28
Community Development Technician II	$4,638 - $5,923	28
Financial Technician	$4,638 - $5,923	28
Information Technology Technician II	$4,638 - $5,923	28

TITLE	RANGE Monthly	RANGE #
Payroll Specialist	$4,638 - $5,923	28
Public Safety Specialist	$4,638 - $5,923	28
Housing Technician	$4,872 - $6,217	29
SAVES Coordinator	$4,872 - $6,217	29
Senior Administrative Assistant	$4,872 - $6,217	29
Senior Community Development Technician	$4,872 - $6,217	29
Supervising Public Security Officer	$4,872 - $6,217	29
Building Inspector I	$5,117 - $6,529	30
Economic Development Coordinator	$5,117 - $6,529	30
Engineering Technician I	$5,117 - $6,529	30
Plan Reviewer Aide	$5,117 - $6,529	30
Planning Aide	$5,117 - $6,529	30
Public Art Coordinator	$5,117 - $6,529	30
Public Works Inspector I	$5,117 - $6,529	30
Recreation Coordinator	$5,117 - $6,529	30
Senior Payroll Specialist	$5,117 - $6,529	30
Buyer	$5,372 - $6,855	31
City Council Legislative Aide	$5,372 - $6,855	31
Code Enforcement Officer I	$5,372 - $6,855	31
Community Compliance Specialist	$5,372 - $6,855	31
Deputy City Clerk	$5,372 - $6,855	31
Digital Media Specialist	$5,372 - $6,855	31
Environmental Compliance Inspector	$5,372 - $6,855	31
Executive Assistant	$5,372 - $6,855	31
Human Resources Specialist	$5,372 - $6,855	31
Neighborhood Services Specialist	$5,372 - $6,855	31
Traffic Signal & Streetlight Technician I	$5,372 - $6,855	31
Assistant Planner	$5,640 - $7,199	32
Building Inspector II	$5,640 - $7,199	32
Engineering Technician II	$5,640 - $7,199	32
Information Technology Specialist	$5,640 - $7,199	32
Public Works Inspector II	$5,640 - $7,199	32
Supervising Community Development Technician	$5,640 - $7,199	32
Assistant Engineer I	$5,923 - $7,559	33
Code Enforcement Officer II	$5,923 - $7,559	33
Collection System Maintenance Planner	$5,923 - $7,559	33
Community Compliance Coordinator	$5,923 - $7,559	33
GIS Analyst	$5,923 - $7,559	33
Human Resources Analyst I	$5,923 - $7,559	33
Legal & Risk Assistant	$5,923 - $7,559	33
Management Analyst I	$5,923 - $7,559	33
Recreation Supervisor	$5,923 - $7,559	33
Senior Buyer	$5,923 - $7,559	33
Traffic Signal & Streetlight Technician II	$5,923 - $7,559	33
Associate Planner	$6,217 - $7,937	34
Plan Reviewer	$6,217 - $7,937	34
Senior Building Inspector	$6,217 - $7,937	34
Senior Engineering Technician	$6,217 - $7,937	34
Senior Public Works Inspector	$6,217 - $7,937	34

TITLE	RANGE Monthly	RANGE #
Assistant Engineer II	$6,529 - $8,334	35
Community Programs Coordinator	$6,529 - $8,334	35
Financial Analyst	$6,529 - $8,334	35
Housing Coordinator	$6,529 - $8,334	35
Human Resources Analyst II	$6,529 - $8,334	35
Information Technology Analyst I	$6,529 - $8,334	35
Maintenance Asset Analyst	$6,529 - $8,334	35
Management Analyst II	$6,529 - $8,334	35
Marketing & Digital Specialist	$6,529 - $8,334	35
Media Production Specialist	$6,529 - $8,334	35
Paralegal	$6,529 - $8,334	35
Senior Code Enforcement Officer	$6,529 - $8,334	35
Senior Traffic Signal & Streetlight Technician	$6,529 - $8,334	35
Water Park Supervisor	$6,529 - $8,334	35
Collection System Superintendent	$6,855 - $8,750	36
Community Compliance Supervisor	$6,855 - $8,750	36
Facilities Superintendent	$6,855 - $8,750	36
Fleet Superintendent	$6,855 - $8,750	36
Parks Superintendent	$6,855 - $8,750	36
Public Safety Supervisor	$6,855 - $8,750	36
Senior Financial Analyst	$6,855 - $8,750	36
Senior Plan Reviewer	$6,855 - $8,750	36
Urban Grounds and Green Spaces Superintendent	$6,855 - $8,750	36
Associate Engineer	$7,199 - $9,180	37
Information Technology Analyst II	$7,199 - $9,180	37
Public Works Project Manager	$7,199 - $9,180	37
Senior Housing Coordinator	$7,199 - $9,180	37
Senior Human Resources Analyst	$7,199 - $9,180	37
Senior Management Analyst	$7,199 - $9,180	37
Senior Planner	$7,199 - $9,180	37
Supervising Building Inspector	$7,199 - $9,180	37
Supervising Financial Analyst	$7,199 - $9,180	37
Supervising Public Works Inspector	$7,199 - $9,180	37
Budget Officer	$7,559 - $9,646	38
Deputy Public Information Officer	$7,559 - $9,646	38
Diversity, Equity & Inclusion Specialist	$7,559 - $9,646	38
GIS Coordinator	$7,559 - $9,646	38
Purchasing/Risk Manager	$7,559 - $9,646	38
Safety Coordinator	$7,559 - $9,646	38
Street Superintendent	$7,559 - $9,646	38
Traffic Signal & Streetlight Manager	$7,559 - $9,646	38
Senior Information Technology Analyst	$7,937 - $10,130	39
Senior Public Works Project Manager	$7,937 - $10,130	39

TITLE	**RANGE Monthly**	**RANGE #**
Assistant Finance Manager	$8,334 - $10,636	40
Community Compliance Manager	$8,334 - $10,636	40
Community Programs Manager	$8,334 - $10,636	40
Deputy City Attorney	$8,334 - $10,636	40
Emergency Services Administrator	$8,334 - $10,636	40
Energy Resources Manager	$8,334 - $10,636	40
Environmental Resources Manager	$8,334 - $10,636	40
Housing Manager	$8,334 - $10,636	40
Principal Planner	$8,334 - $10,636	40
Recreation Manager	$8,334 - $10,636	40
Senior Civil Engineer	$8,334 - $10,636	40
Assistant to the City Manager	$8,750 - $11,168	41
City Clerk	$8,750 - $11,168	41
Communications Manager/Public Information Officer	$8,750 - $11,168	41
Building Official	$9,180 - $11,726	42
Economic Development Manager	$9,180 - $11,726	42
Information Technology Manager	$9,180 - $11,726	42
Maintenance Services Manager	$9,180 - $11,726	42
Capital Improvement Program Manager	$10,130 - $12,927	44
Finance Manager	$10,130 - $12,927	44
Human Resources Manager	$10,130 - $12,927	44
Planning Manager	$10,130 - $12,927	44
Traffic Engineer	$10,130 - $12,927	44
Deputy Director of Economic & Community Development	$10,636 - $13,574	45
Deputy Director of Finance	$10,636 - $13,574	45
Deputy Director of Parks & Recreation	$10,636 - $13,574	45
Assistant City Attorney	$11,726 - $14,966	47
City Engineer	$11,726 - $14,966	47
Deputy Director of Public Works	$11,726 - $14,966	47
Deputy City Manager	$12,312 - $15,714	48
Director of Economic & Community Development	$12,312 - $15,714	48
Director of Finance	$12,312 - $15,714	48
Director of Neighborhood Services	$12,312 - $15,714	48
Director of Parks & Recreation	$12,312 - $15,714	48
Director of Public Works	$14,966 - $19,100	52
Assistant City Manager	$17,325 - $22,110	55

TITLE	**Monthly - Contract**
City Manager	$25,925
City Attorney	$17,425

City Council Staff Report

DATE: **APRIL 6, 2022**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **PARKS AND RECREATION DEPARTMENT**

DISTRICT: **ALL**

SUBJECT: **APPROVE AGREEMENT NO. A-7865 WITH INNOVATIVE CONCERT LIGHTING INC. TO PROVIDE LIGHTING PRODUCTION AND EQUIPMENT SERVICES FOR THE PALMDALE AMPHITHEATER, IN AN AMOUNT NOT TO EXCEED $117,000 FOR A THREE (3) YEAR TERM WITH TWO (2) ONE-YEAR OPTIONS**

ISSUE

Approve Agreement No. A-7865 with Innovative Concert Lighting, Inc. to provide lighting production and equipment services for the Palmdale Amphitheater, in an amount not to exceed $117,000 for a three (3) year term with two (2) one-year options.

RECOMMENDATION

Staff recommends that the City Council:

1. Approve Agreement No. A-7865 with Innovative Concert Lighting, Inc. to provide lighting production and equipment services for the Palmdale Amphitheater, in an amount not to exceed $117,000 for a three (3) year term with two (2) one-year options.

BACKGROUND

The Palmdale Amphitheater hosts various on-stage performances, and the property does not have permanently installed stage lighting. Therefore, to meet artist performance agreements and produce well lighted shows, all associated stage lighting equipment and operation services are contracted.

DISCUSSION

On January 19, 2022, the City released Request for Proposal (RFP) 21-001-4100 for Lighting Production and Equipment Services for events at the Palmdale Amphitheater. Notifications were released through PlanetBids and sent to 180 eligible vendors. Two vendors responded to the RFP and the proposals were evaluated based on the following scoring methodology:

Category	Maximum Value
Past Performance/Experience	25
Ability to Perform the Services	25
Cost Proposal	25

Technical Approach	25
TOTAL EARNED VALUE	100

Service Provider	Location
1. Innovative Concert Lighting, Inc.	Bakersfield, CA
2. Stone Throw DBA Pacific Productions	Monrovia, CA

The City received and evaluated proposals from Innovative Concert Lighting, Inc. and Stone Throw DBA Pacific Productions. Proposed Agreement No A-7865 with Innovative Concert Lighting, Inc., resulting from the award of RFP 21-001-4100, will be for a term of three (3) years, commencing on July 1, 2022, through June 30, 2025. The City reserves the right and option to extend the term for two (2) additional one-year periods.

FISCAL IMPACT

The Lighting Production and Equipment Services Agreement will be funded through Special Events account number 10142001-722135-1088. As written, the agreement is a not-to-exceed $117,000 for the total term of the contract (maximum of five-years). Should the City decide to exercise an option, it may be modified. Annual funding necessary for these expenses will be evaluated and approved as part of the City's budget adoption process.

STRATEGIC PLAN

Goal II: Ensure long-term fiscal health of the City and maintain funding for services.

A. Manage resources, costs, and liability to ensure the City's long-term fiscal health.

Goal IV: Maintain a desirable community where everyone wants to live, work and play.

A. Support opportunities to celebrate rich traditions and diverse cultures in the community.
D. Develop and maintain diverse programs and events that inspire growth, pride, and lifelong learning.

Prepared by:	Eric Dombrowski, Deputy Director of Parks & Recreation
Certified as to availability of Funds:	Keith Kang, Finance Manager
Approved by:	Ronda Perez, Interim City Manager
Approved as to form:	Christopher Beck, City Attorney

ATTACHMENTS

Agreement No. A-7865

AGREEMENT NO. A-7865
CONTRACT FOR SERVICES
BETWEEN THE CITY OF PALMDALE AND INNOVATIVE CONCERT LIGHTING, INC.

This CONTRACT for services ("Contract" herein) is made and entered into this 1 day of July, 2022, by and between the City of Palmdale, a public body corporate and politic, (hereinafter called "CITY"), and INNOVATIVE CONCERT LIGHTING, INC., a corporation, (hereinafter called "CONTRACTOR"). The term of this Contract is THREE (3) YEARS, commencing on July 1, 2022, with CITY reserving the option to extend the agreement for 2 additional terms of one year each.

RECITALS

WHEREAS, CONTRACTOR represents that CONTRACTOR has the expertise and is qualified to perform the services described in this Contract.

NOW THEREFORE, CITY and CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows:

1 CITY PROJECT MANAGER

To provide the services required by this Contract, CONTRACTOR shall act under the authority and approval of Keri Smith Director/designee, who shall oversee this Contract, the work performed by CONTRACTOR, assist CONTRACTOR with any necessary information, audit billings, and approve payments. The CONTRACTOR shall channel all contacts and requests through the City project manager.

2 DESCRIPTION OF WORK

2.1 CONTRACTOR shall provide the following services in a manner satisfactory to CITY:

The following are the Lighting Production Services to be performed:

Service & Rentals

The Palmdale Amphitheater is home to the Summer Concert Series and other concert events. Contractor will provide professional theatrical lighting equipment for up to four (4) live headliner concerts that meet or exceed artist's rider requirements and meets City lighting specifications as follows in the below lighting requirements.

The Palmdale Amphitheater is rented throughout the year for an undetermined number of live headliner concerts and community events that require quality lighting production equipment and services. These live concerts may vary in scale from medium to grand use. Contractor will use the "standard required house package" as indicated below as a base to enhance equipment and cost as necessary to the renter. Payment for services for rentals with be submitted by renter.

Lighting Requirements

The Contractor shall provide complete two-truss lighting system containing a minimum of 120 Par 64's. All trusses and motors that are needed, shall comply with rigging of lighting safety requirements. Additional requirements include:

- Two Source 4 Lekos
- Control Console/Light Board
- Dimmer Racks
- Four Long Throw Spotlights
- Four Station Intercom
- Two Qualified technicians needed to set-up and operate equipment
- Standard number of qualified audio engineers to efficiently handle event size.

Additional Company/Contractor Required Qualifications

- Shall be a full-service theatrical lighting company recognized in the industry that features complete lighting systems and services for live headliner concerts.
- Venue rigger is responsible for installation or related equipment and will coordinate with sound and lighting contractors based upon show requirements.
- Shall specialize in theatrical lighting installs at outdoor venues for live headliner concerts.
- Shall have a minimum of ten years' experience in the professional lighting industry.
- Shall provide lighting and equipment that is UL or CSA Certified per OSHA regulations and requirements.
- Shall be able to provide a variety of quality theatrical lighting packages for different scales of live headliner concerts.
- Shall be able to provide quality theatrical lighting systems that meet the highest industry standards and required City specifications.
- Shall provide professional technicians and programmers on-site for the duration of event with the ability to address lighting problems in a timely manner.
- Contract services such as: sound, lighting, rigging and electrical services are paid from one account, no separate budget.

Safety Requirements

- The Contractor shall develop and maintain a safety program in compliance with Public Law 91-596 Occupational Safety and Health Act (OSHA) Series 1910 Contractor personnel shall work in a safe manner and comply with all applicable safety regulations. The Contractor shall be subject to safety inspections of its work sites by the City. Contractor safety records shall be available upon request. All unsafe incidents shall be immediately reported. A copy of the safety program implemented for a resulting contract shall be provided to the City for review and concurrence.

- Accident Reporting The Contractor shall maintain an accurate record of, and shall report to the City, exposure data and all accidents resulting in death, traumatic injury, or occupational disease, incidental to work performed under this contract.
- Damage Reporting The Contractor shall maintain an accurate record of, and shall report to the City, damage to property, materials, supplies and equipment incidental to work performed under this contract. Damage resulting from Contractor negligence, as determined by the City, shall be the responsibility of the Contractor.
- Environmental Protection Compliance with Laws and Regulations. The Contractor shall be knowledgeable of and comply with all applicable interstate, federal, state, and local laws, regulations, and requirements regarding environmental protection. The Contractor shall comply with Federal Environmental Protection Agency law as it applies to hazardous materials handling, transportation, and waste management. The Contractor is solely responsible for any liability regarding the release of substances.

Additional Costs
The Contractor event fees shall include the equipment, fuel, transportation, delivery, set-up, teardown, two spot operators and professional labor necessary to ensure efficient load-in and load-out of own equipment and artist band gear per performance.

Notice of Event Change

Events change throughout the year and may not apply each year. Scheduling of technicians: The contractor agrees to provide technicians for each event on an “as-needed” basis. The City will make every effort to give reasonable notification for its Lighting Production requests.

2.2 CONTRACTOR shall have no claim for compensation for any services or work, which has not been authorized by CITY’s Authorization to Proceed.

2.3 CONTRACTOR shall not accept any change of scope, or change in contract provisions, to this Contract unless issued in writing, as a contract change order or amendment and signed by CITY. Any extensions of time must be mutually agreed upon in writing and executed by both parties.

2.4 CONTRACTOR shall maintain in current status all Federal, State, and local licenses and permits required for the operation of the business conducted by the CONTRACTOR as applicable to this contract.

2.5 All work supplied under this Contract shall be fully guaranteed by CONTRACTOR for a minimum period of 60 days from the date of acceptance by CITY. Any defects of design, workmanship, or materials that would result in non-compliance with the Contract specifications shall be fully corrected by CONTRACTOR (including parts and labor) without cost to CITY. The written warranty shall be included with the delivered products to the using Department.

2.6 CITY shall provide to CONTRACTOR, without charge, all data, program information, including reports, records, maps, and other information, now in CITY's possession, which may facilitate the timely performance of the work.

3 CONTRACTOR'S KEY PERSONNEL

3.1 **Key Staff.** CITY reserves the right to review and approve CONTRACTOR'S staff including all subcontractors to be assigned to any project by CONTRACTOR during the term of this Contract.

This Contract has been awarded to CONTRACTOR based partially on the key personnel proposed to perform the services required herein. CONTRACTOR shall not change nor substitute any of these key staff for work on this Contract without prior written approval by CITY.

CONTRACTOR's Team and Key Personnel are as follows:

Kirk Milton, President

(661) 324-1130
cat@i-c-l.com

This Services Contract has been awarded to CONTRACTOR based on its representation that those personnel and subcontractors submitted as part of its bid and listed above will perform the portions of the work listed above.

CONTRACTOR shall not deviate nor substitute any of these team members without prior written approval by CITY.

3.2 **Subcontractors.** During the performance of the Agreement, CONTRACTOR may engage such additional SUBCONTRACTORS as may be required for the timely completion of this Agreement. In the event of subcontracting, the sole responsibility for fulfillment of all terms and conditions of this Agreement rests with CONTRACTOR.

CONTRACTOR shall not enter into any Subcontract under this Contract for the performance of this Contract without the advance written approval of CITY. The subcontract shall incorporate by reference the terms and conditions of this Contract.

3.3 **Direct Responsibility.** All services required under this Contract shall be performed by CONTRACTOR, or under CONTRACTOR's direct supervision, and all personnel shall possess the qualifications, permits and licenses required by State and local law to perform such services.

3.3.1 CONTRACTOR shall be solely responsible for the satisfactory work performance of all personnel engaged in performing services required by this Contract, and compliance with all reasonable performance standards established by CITY.

3.3.2 CONTRACTOR shall be responsible for payment of all CONTRACTOR's employees' and subcontractor's wages and benefits and shall comply with all requirements pertaining to the employer's liability, workers' compensation, unemployment insurance, and Social Security.

3.3.3 CONTRACTOR shall indemnify and hold harmless CITY, and its respective officers, agents and employees from and against all claims, demands, damages or costs arising from CONTRACTOR's acts or omissions with respect to any liability, damages, claims, costs and expenses of any nature arising from alleged violations of personnel practices.

4 ACCEPTANCE AND DOCUMENTATION

Each task shall be reviewed and approved by the Contract Project Manager to determine acceptable completion.

4.1 **Records**. The CONTRACTOR shall retain and shall contractually require each SUBCONTRACTOR to retain all data and other "records" relating to the acquisition and performance of the Contract for a period of five years after the completion of the Contract.

4.2 **Property of CITY.** All materials, including reports, computer programs and other deliverables, supplied or created under this Contract are the sole property of CITY. CONTRACTOR is not entitled to a patent or copyright on those materials and may not transfer the patent or copyright to anyone else. CONTRACTOR shall not use or release these materials without the prior written consent of CITY.

4.3 **Products.** All equipment, materials, parts, and other components incorporated in the work or services performed pursuant to this Contract shall be new, or the latest model and of the most suitable grade for the purpose intended. All work shall be performed in a skilled and workmanlike manner.

5 PRICE

CITY shall pay to CONTRACTOR an amount not to exceed One Hundred and Seventeen Thousand dollars ($117000.00) for the completion of all the work and services described in Section 2, which sum shall include all costs or expenses incurred by CONTRACTOR, payable as follows:

City Event/Palmdale Amphitheater Rental "House Package" - Per Artist/Event: $7,050.00

City Event/Palmdale Amphitheater Rental "Grand Use" - Per Artist/Event: $8,550.00

Renters are responsible for their own fees either for house package or grand use.

5.1 An application for payment form must be submitted to CITY which shall include the following: a clear, detailed invoice reflecting work being billed for, a

summary sheet showing percentage of work completed to date, amount/percent billed to date and current status of all tasks within a project; any/all backup documentation supporting the above items. Work schedule updates must also be included with the payment requests.

5.2 CONTRACTOR shall maintain adequate records and shall permit inspection and audit by CITY of CONTRACTOR's charges under this Contract. CONTRACTOR shall make such records available to CITY during normal business hours upon reasonable notice. Nothing herein shall convert such records into public records, and they will be available only to CITY and any specified public agencies. Such records shall be maintained by CONTRACTOR for one (1) year following completion of the work under this Contract unless a longer period of time is required by state or federal law, in which event CONTRACTOR shall retain its records for the time required by such laws.

5.3 **Payment.** A separate invoice shall be issued for each shipment of material or service performed, and no payment will be issued prior to receipt of material and/or completion of specified services and receipt of a correct invoice.

6 TAXES

6.1 CONTRACTOR shall pay all sales, consumer, use, and other similar taxes required to be paid by CONTRACTOR in accordance with state and local laws.

6.2 CONTRACTOR is an independent contractor and shall have no power or authority to incur any debt, obligation, or liability on behalf of CITY. No person employed by CONTRACTOR or acting on its behalf, in connection with this Contract shall be considered the Agent or employee of CITY.

6.3 CONTRACTOR shall be required to obtain a current City of Palmdale business license, as required by the Palmdale Municipal Code, before an Authorization to Proceed is issued.

6.4 When equipment, materials or supplies generally taxable to CONTRACTOR are eligible for a tax exemption due to the nature of the work, CONTRACTOR shall assist the City in applying for and obtaining such tax credits and exemptions, which shall be paid or credited to the City.

7 PATENT FEES AND ROYALTIES

CONTRACTOR shall pay all license fees and royalties and assume all costs incident to the use, in the performance of the work or the incorporation in the work of any invention, design, process, program, product or device which is the subject of patent rights or copyrights held by others. If a particular invention, design, process, program, product or device is specified in the contract documents for use in the performance of the work and if, to the actual knowledge of CITY, its use is subject to patent rights or copyrights calling for the payment of any license fee or royalty to others, the

existence of such rights shall be disclosed by CITY in the contract documents. CONTRACTOR shall indemnify and hold harmless CITY and anyone directly or indirectly employed by CITY from and against all claims, damages, losses and expenses (including attorneys' fees) arising out of any infringement of patent rights or copyrights incident to the use in the performance of the work, or resulting from the incorporation in the work of any invention, design, process, program, product or device not specified in the contract documents, and shall defend all such claims in connection with any alleged infringement of such rights.

8 INDEMNIFICATION

To the fullest extent permitted by law, CONTRACTOR and any subcontractors working on its behalf agree to indemnify CITY, its officers, employees, agents and elected and appointed boards (hereinafter “Indemnified Parties”) for any loss, claim, demand, cause of action, cost, expense, damage, obligation or liability which arises out of or is in any way connected with the performance of any work under this agreement, including any acts or omissions, willful misconduct or negligent conduct, whether active or passive, on the part of CONTRACTOR, or its subcontractors, and regardless of any acts, omissions or negligence (whether active or passive) of any person or entity indemnified hereunder. At their own expense, CONTRACTOR and, as applicable, any subcontractors working on its behalf, shall defend any suit, claim or action against the Indemnified Parties founded upon such loss, claim, demand, cause of action, cost, expense, damage, obligation or liability. CONTRACTOR shall ensure that the contract of any subcontractor working under this agreement contain an indemnity agreement, requiring the subcontractor to indemnify and defend the Indemnified Parties pursuant the terms set forth above. CONTRACTOR shall indemnify the Indemnified Parties, and save it harmless from any and all loss, damage, costs, expenses and attorney's fees suffered or incurred on account of any breach of the aforesaid obligations and covenants, and any other provision or covenant of this agreement.

9 INSURANCE

9.1 CONTRACTOR, at its expense, shall maintain in effect at all times during the performance of work under this Contract not less than the following coverage and limits of insurance, which shall be maintained with insurers listed “A” or better in the Best’s Insurance Guide and authorized to do business in the State of California. **Proof of Insurance, as identified in Section 9.8, must be reviewed and accepted by the City Attorney**.

9.1.1 Workers’ Compensation and Employer’s Liability

- Workers’ Compensation -- coverage as required by the State of California
- Employer’s Liability -- $1,000,000.00 each accident
  $1,000,000.00 policy limit bodily injury
  $1,000,000.00 each employee bodily injury by disease

9.1.2 Commercial General Liability

- $2,000,000.00 limit on a per occurrence basis
- $5,000,000.00 general aggregate limit

9.1.3 Commercial Automobile Liability

- $2,000,000.00 combined single limit including owned, non-owned and hired automobile coverage

9.2 All of CONTRACTOR's policies shall contain an endorsement providing that written notice shall be given to CITY at least thirty (30) calendar days prior to termination, cancellation, or reduction of coverage in the policy.

9.3 Policies providing for bodily injury and property damage coverage shall contain the following:

A. An endorsement extending coverage to the City as an additional insured, as respects liability arising out of the performance of any work under the Contract. Such insurance shall be primary insurance, as respects the interest of the City, and any other insurance maintained by the City shall be considered excess coverage and not contributing insurance with the insurance required hereunder. The certificates shall state: "The City of Palmdale, Successor Agency to the Community Redevelopment Agency of the City of Palmdale, Palmdale Civic Authority, Housing Authority, Industrial Development Authority, Airport Authority, their officers, agents, employees and volunteers are named as additional insured".

B. "Severability of Interest" Clause.

9.4 Promptly upon execution of this Contract, and prior to commencement of any work, CONTRACTOR shall deliver to CITY certificates of insurance and endorsements to all required policies demonstrating that CONTRACTOR has the required coverage and showing the required named insured. Within five (5) days of written request from CITY, CONTRACTOR shall deliver to CITY full and complete copies of all insurance policies required by this Contract.

9.5 The requirements as to the types and limits of insurance to be maintained by CONTRACTOR are not intended to and shall not in any manner limit or qualify CONTRACTOR's liabilities and obligations under this Contract.

9.6 Any policy or policies of insurance that CONTRACTOR elects to carry as insurance against loss or damage to its equipment and tools or other personal property used in the performance of this Contract shall include a provision waiving the insurer's right of subrogation against CITY.

9.7 All insurance coverage must be maintained throughout the duration of this Contract.

9.8 Acceptable Proof of Insurance:

9.8.1 ACORD Certificate of Insurance listing all coverage, limits, deductibles and insured; and endorsements for all applicable coverage if agent has authority to issue it; or additional insured Form CG20100704 and CG20370704 or equivalent must be provided for general liability coverage. Additional insured form CA0001 must be provided for automobile liability coverage.

9.8.2 Binders of insurance for all coverage. Agents must confirm that policy endorsements have been ordered from the respective insurance companies. Upon issuance, policy endorsements and a corresponding Certificate of Insurance listing all insurers and coverage must be submitted to the City Attorney.

9.9 Notwithstanding any other provision of this Contract, CITY may immediately terminate this Contract if, at any time CONTRACTOR fails to maintain the required insurance for any period of time or fails to comply with any of the insurance requirements listed above.

10 TERMINATION WITHOUT CAUSE

City reserves the right to terminate this Contract or any part thereof for its sole convenience with fifteen (15) days written notice. In the event of such termination, CONTRACTOR shall immediately stop all work hereunder, and shall immediately cause any of its suppliers and subcontractors to cease such work. CONTRACTOR shall also surrender to CITY all finished or unfinished documents, processes, programs and other supplies and materials, which shall be City's property. As compensation in full for services performed to the date of such termination, the CONTRACTOR shall receive an amount equal to the value of the work completed as of the termination date in accordance with the fee schedule or as negotiated between the parties. In no event shall the amount payable upon termination exceed the total maximum compensation provided for in this Contract.

11 TERMINATION FOR CAUSE

If CITY determines that CONTRACTOR has failed to supply an adequate working force, or to provide services of proper quality, or has failed in any other respect to satisfactorily perform the services specified in this Contract, CITY shall give written notice to CONTRACTOR specifying all defaults to be remedied within thirty (30) days. Such notice shall set forth the basis for CITY's dissatisfaction and suggest corrective measures. If, after thirty days, CONTRACTOR has failed to implement appropriate corrective measures, CITY may elect to terminate this Contract in whole or in part.

11.1 In the event CITY terminates this Contract, in whole or in part, for cause, CITY may procure, upon such terms and in such manner, as it may deem appropriate, services similar to those terminated.

11.2 CONTRACTOR shall provide all finished or unfinished documents, data, studies, software, drawings, programs, processes, maps, photographs, reports, etc., prepared by CONTRACTOR within fifteen (15) working days after notice of

termination. Upon such termination, CONTRACTOR shall be paid an amount equal to the value of the services provided and work performed as of the date of termination, taking into consideration the costs associated with hiring another CONTRACTOR to complete the services. In ascertaining the value of the work performed up to the date of termination, consideration shall be given to both completed work and work in progress, to complete and incomplete documents when such are delivered to CITY, and to authorized reimbursement expenses. The above is in addition to any other remedies available by law or equity to CITY.

11.3 If, after notice of termination of the Contract under the provisions of this Section 11, it is determined, for any reason, that CONTRACTOR was not in default, or that the default was excusable, then the rights and obligations of the parties shall be the same as if the notice of termination had been issued pursuant to Section 10.

12 DISPUTE RESOLUTION

All claims, disputes, and other matters in question between CITY and CONTRACTOR arising out of or relating to this Contract or the breach thereof shall, to the extent reasonably feasible, be resolved through good faith negotiations between the parties.

13 OWNERSHIP OF PRODUCT

All product, data, documents, programs and software including, but not limited to, research, field notes, investigations, analysis, studies, processes, software, instructions for use and other manuals, whether complete or incomplete, which are prepared or produced in the performance of this Contract are to be, and remain the property of CITY and shall be delivered to or left with CITY upon the completion or termination of this Agreement. CONTRACTOR shall furnish CITY, upon its request, originals and reproducible and electronic copies of product, data reports, studies and of all other documents listed above. Electronic copies shall be provided in an unprotected format which allows CITY to copy, reproduce and makes changes as CITY deems necessary.

14 DELEGATION AND ASSIGNMENT

14.1 CONTRACTOR shall not delegate or assign its duties or rights hereunder, either in whole or in part, without the prior written consent of CITY; provided, however, that claims for money due or to become due to CONTRACTOR from CITY under this Contract may be assigned to a bank, trust company or other financial institution without such approval.

14.2 Any assignment, delegation or subcontract shall be made in the name of CONTRACTOR and shall not bind or purport to bind CITY and shall not release CONTRACTOR from any obligations under this Contract including, but not limited to, the duty to properly supervise and coordinate the work of employees, assignees, delegates and subcontractors. No such assignment, delegation or subcontract shall

result in any increase in the amount of total compensation payable to CONTRACTOR under this Contract.

15 NON-DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY

15.1 In performance of this Contract, CONTRACTOR shall not discriminate against any employee, subcontractor, or applicant for employment because of sex, color, race, religion, ancestry, national origin, disability, medical condition, marital status, sexual orientation, or age. CONTRACTOR will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their sex, color, race, religion, ancestry, national origin, disability, medical condition, marital status, sexual orientation or age. Affirmative action relating to employment shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

15.2 The provisions of subsection 15.1 above shall be included in all solicitations or advertisements placed by or on behalf of CONTRACTOR for personnel to perform any services under this Contract. CITY shall have access to all documents, data and records of CONTRACTOR and its subcontractors for purposes of determining compliance with the equal employment opportunity and non-discrimination provisions of this Section, and all applicable provisions of Executive Order No. 11246 which is incorporated herein by this reference. A copy of Executive Order No. 11246 is available for inspection at, and on file with, the Palmdale City Clerk's Office.

16 FINANCIAL INTEREST CERTIFICATION

16.1 CONTRACTOR warrants that no person has been employed or retained to solicit or secure this Contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee; and that no officer or employee of the CITY has any interest, financially or otherwise, in CONTRACTOR's firm.

16.2 For breach or violation of this warranty, CITY shall have the right to annul this Contract without liability or at its discretion to deduct from the Contract Price or consideration, the full amount of such commission, percentage, brokerage or contingent fee.

17 CONFLICT OF INTEREST

17.1 CONTRACTOR stipulates that its officers and employees do not now have a conflict of interest and it further agrees for itself, its officers and its employees that it will not contract for or accept employment for the performance of any work or services with any individual business, corporation or government unit that would create a conflict of interest in the performance of its obligations pursuant to this Contract or which would cause CONTRACTOR to be "financial interested" (as provided in California Government Code Section 1090 et seq. or 87100 et seq.) in any contract or decision made by CITY on any matter.

17.2 CONTRACTOR shall not employ any City official or employee to perform any work required pursuant to this Contract.

17.3 To the extent required by the City Manager or his designee, CONTRACTOR shall complete and file with the City Clerk a Form 700 Statement of Economic Interests disclosing any reportable property interests, income, gifts, investments, or business positions.

18 COMPLIANCE WITH LAW

18.1 CONTRACTOR shall comply with all state and federal laws, including but not limited to, the requirement to hire only those persons authorized by federal law to work in the United States. If CONTRACTOR uses any subcontractors to complete this Contract, this same requirement shall be included in all subcontracts and strictly enforced by CONTRACTOR.

18.2 The law of the state of California shall govern this Contract. The venue of any legal action, either formal or informal, shall be the County of Los Angeles.

19 NOTICES

Any notice required under this Contract shall be in writing, addressed to the appropriate party at its address on the signature page and given personally or by registered or certified mail postage prepaid, or by a commercial courier service. All notices shall be effective upon the date of receipt.

20 ENTIRE AGREEMENT AND AMENDMENTS

20.1 This Contract is the complete Agreement between the parties and supersedes all prior proposals, agreements, and understandings between the parties and may not be modified or terminated orally.

20.2 No attempted waiver of any of the provisions hereof, nor any modification in the nature, extent or duration of the work to be performed by CONTRACTOR hereunder, shall be binding unless in writing and signed by the party against whom the same is sought to be enforced.

20.3 The failure of any party to enforce against another party any provision of this Contract shall not constitute a waiver of that party’s right to enforce such a provision at a later time, and shall not serve to vary the terms of this Contract.

21 ATTORNEY'S FEES

If any action at law or in equity is brought to enforce or interpret any provisions of this Contract, the prevailing party in such action shall be entitled to reasonable attorney's fees, costs and necessary disbursements, in addition to such other relief as may be sought and awarded.

In Witness Whereof, the parties hereto have caused this Contract to be executed and attested by their respective officers thereunto duly authorized.

CITY OF PALMDALE:

Ronda Perez Date
Interim City Manager

ADDRESS FOR NOTICE:
CITY OF PALMDALE
827 East Avenue Q-9
Palmdale, Ca 93550

APPROVE AS TO FORM:

Christopher L. Beck
City Attorney

ATTEST:

Shanae S. Smith
City Clerk

INNOVATIVE CONCERT LIGHTING, INC.
:

Kirk Milton Date
President

ADDRESS FOR NOTICE:
INNOVATIVE CONCERT LIGHTING, INC.
200 Kentucky Street
Bakersfield, CA 93305

ATTEST: If Corporation

Secretary

City Council Staff Report

DATE: **APRIL 6, 2022**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **PARKS AND RECREATION DEPARTMENT**

DISTRICT: **ALL**

SUBJECT: **APPROVE AGREEMENT NO. A-7866 WITH PACIFIC WEST SOUND, INC. TO PROVIDE SOUND PRODUCTION AND EVENT EQUIPMENT SERVICES FOR THE PALMDALE AMPHITHEATER, IN AN AMOUNT NOT TO EXCEED $242,000 FOR A THREE (3) YEAR TERM WITH TWO (2) ONE-YEAR OPTIONS.**

ISSUE

Approve Agreement No. A-7866 with Pacific West Sound, Inc. to provide sound production and event equipment services for the Palmdale Amphitheater, in an amount not to exceed $242,000 for a three (3) year term with two (2) one-year options.

RECOMMENDATION

Staff recommends that the City Council:

1. Approve Agreement No. A-7866 with Pacific West Sound, Inc. to provide sound production and event equipment services for the Palmdale Amphitheater, in an amount not to exceed $242,000 for a three (3) year term with two (2) one-year options.

BACKGROUND

The Palmdale Amphitheater hosts various on-stage performances, and the property does not have permanently installed sound production equipment. Therefore, to meet artist performance agreements and produce audio for shows, all associated stage sound equipment and operation services are contracted.

DISCUSSION

On January 19, 2022, the City released Request for Proposal (RFP) 21-002-4100 for Sound Production and Equipment Services for events at the Palmdale Amphitheater. Notifications were released through PlanetBids and sent to 137 eligible vendors. Two vendors responded to the RFP and the proposals were evaluated based on the following scoring methodology:

Category	Maximum Value
Past Performance/Experience	25

Ability to Perform the Services	25
Cost Proposal	25
Technical Approach	25
TOTAL EARNED VALUE	100

Service Provider	Location
1. Pacific West Sound, Inc.	Bakersfield, CA
2. Stone Throw DBA Pacific Productions	Monrovia, CA

The proposed Agreement No A-7866 with Pacific West Sound, Inc., resulting from the award of RFP 21-002-4100, will be for a term of three (3) years, commencing on July 1, 2022, through June 30, 2025. The City reserves the right and option to extend the term for two (2) additional one-year periods.

FISCAL IMPACT

The Sound Production and Equipment Services Agreement will be funded through Special Events account number 10142001-722135-1088. As written, the agreement is a not-to-exceed $242,000 for the total term of the contract (maximum of five-years). Should the City decide to exercise an option, it may be modified. Annual funding necessary for these expenses will be evaluated and approved as part of the City's budget adoption process.

STRATEGIC PLAN

Goal II: Ensure long-term fiscal health of the City and maintain funding for services.

A. Manage resources, costs, and liability to ensure the City's long-term fiscal health.

Goal IV: Maintain a desirable community where everyone wants to live, work and play.

A. Support opportunities to celebrate rich traditions and diverse cultures in the community.
D. Develop and maintain diverse programs and events that inspire growth, pride, and lifelong learning.

Prepared by:	Eric Dombrowski, Deputy Director of Parks & Recreation
Certified as to availability of Funds:	Keith Kang, Finance Manager
Approved by:	Ronda Perez, Acting City Manager
Approved as to form:	Christopher Beck, City Attorney

ATTACHMENTS

Agreement No. A-7866

AGREEMENT NO. A-7866
CONTRACT FOR SERVICES
BETWEEN THE CITY OF PALMDALE AND PACIFIC WEST SOUND INC.

This CONTRACT for services ("Contract" herein) is made and entered into this 1 day of July, 2022, by and between the City of Palmdale, a public body corporate and politic, (hereinafter called "CITY"), and PACIFIC WEST SOUND INC., a a professional audio and design company, (hereinafter called "CONTRACTOR"). The term of this Contract is THREE (3) YEARS, commencing on July 1, 2022, with CITY reserving the option to extend the agreement for 2 additional terms of one year each.

RECITALS

WHEREAS, CONTRACTOR represents that CONTRACTOR has the expertise and is qualified to perform the services described in this Contract.

NOW THEREFORE, CITY and CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows:

1 CITY PROJECT MANAGER

To provide the services required by this Contract, CONTRACTOR shall act under the authority and approval of Keri Smith Director/designee, who shall oversee this Contract, the work performed by CONTRACTOR, assist CONTRACTOR with any necessary information, audit billings, and approve payments. The CONTRACTOR shall channel all contacts and requests through the City project manager.

2 DESCRIPTION OF WORK

2.1 CONTRACTOR shall provide the following services in a manner satisfactory to CITY:

Service & Rentals

The Palmdale Amphitheater is home to the Summer Concert Series (and other concert events. Contractor will provide professional sound equipment for five to six (5-6) live headliner concerts that meet or exceed artist's rider requirements and meets City sound specifications as follows in the below sound requirements section of the scope of work.

The Palmdale Amphitheater is rented throughout the year for an undetermined number of live headliner concerts and community events that require quality sound production services and equipment. These live concerts may vary in scale from medium to grand use. Contractor will use the "standard required house package" as indicated below as a base to enhance equipment and cost as necessary to the renter. Payment for services for rentals with be submitted by renter. City sound specifications are as follows in the below requirements.

Sound Requirements

All sound equipment provided by the Contractor shall be of the highest quality. A line array sound system is required. The control of sound within the venue is essential and the City's acceptable sound level shall not exceed 95 decibels "A" weighted at the mixer location during sound check and performance. Contract shall provide the following:

- Line Array System – Concert Grade (JBL Vertech or V'Dosc) complete system with a minimum of 16 cabinets flown and 8 sub-cabinets.
- Stacked Audio System – Concert grade. Capable of reaching lower-level grass area of the Amphitheater.
- Bid one cost for Line Array System and one cost for Stacked Audio System
- Main and Monitor Amps – Acceptable brands: Crest, Crown, Ashly & Q.S.C.
- House Mixing Console – Acceptable brands: Yamaha: 4K or 5D as required by artist.
- Monitor Console – Yamaha: 4K or 5D as required by artist.
- Monitors – speakers and in-ears as required by artist.
- All necessary outboard gear, processing and insertable.
- All cables needed – Microphone, power cable, snakes (52 channel) sub snakes, etc.
- Complete Power Distribution
- All microphones needed – Includes all necessary microphones, direct boxes, stands and booms per artist's requirements.
- All components, plus CD, playback, etc.
- Clear-Com Communication System or equal system
- Technicians – Standard number of qualified audio engineers experienced in large concert systems needed to set-up and operate system. (Standard number of techs used to properly/efficiently handle load in and load out of all equipment, techs located at sound pad and on-stage during performance to run equipment properly and troubleshoot audio issues without disruption to the show).

<u>Artist Backline</u>

- Ability to meet artist backline requirements as necessary and negotiate backline as City budget allows.

<u>Additional Company/Contractor Required Qualifications</u>

- Contractor shall be a full-service sound company, recognized in the industry featuring a large inventory of state-of-the-art sound equipment.
- Contractor shall specialize in sound installs at outdoor venues for live headliner concerts.
- Contractor shall provide sound and stage equipment that is UL or CSA Certified per OSHA regulations and requirements.
- Contractor shall have the ability to provide a variety of quality sound packages for different types of live concerts ranging from 1,000 to 10,000 people.
- Contractor shall provide quality sound systems that meet the highest industry standards and required City specifications.
- Contractor shall provide technical expertise, superior service and highly skilled production crews to be on-site for duration of event.

- Technicians shall provide an expertly balanced and tuned system per show with the ability to address sound quality problems in a timely manner.

Additional Costs
The Contractor event fees shall include the equipment, fuel, transportation, delivery, set-up, teardown, two spot operators and professional labor necessary to ensure efficient load-in and load-out of own equipment and artist band gear per performance.

Notice of Event Change

Events change throughout the year and may not apply each year. Scheduling of technicians: The contractor agrees to provide technicians for each event on an "as-needed" basis. The City will make every effort to give reasonable notification for its Sound Production requests.

2.2 CONTRACTOR shall have no claim for compensation for any services or work, which has not been authorized by CITY's Authorization to Proceed.

2.3 CONTRACTOR shall not accept any change of scope, or change in contract provisions, to this Contract unless issued in writing, as a contract change order or amendment and signed by CITY. Any extensions of time must be mutually agreed upon in writing and executed by both parties.

2.4 CONTRACTOR shall maintain in current status all Federal, State, and local licenses and permits required for the operation of the business conducted by the CONTRACTOR as applicable to this contract.

2.5 All work supplied under this Contract shall be fully guaranteed by CONTRACTOR for a minimum period of 60 days from the date of acceptance by CITY. Any defects of design, workmanship, or materials that would result in non-compliance with the Contract specifications shall be fully corrected by CONTRACTOR (including parts and labor) without cost to CITY. The written warranty shall be included with the delivered products to the using Department.

2.6 CITY shall provide to CONTRACTOR, without charge, all data, program information, including reports, records, maps, and other information, now in CITY's possession, which may facilitate the timely performance of the work.

3 CONTRACTOR'S KEY PERSONNEL

3.1 **Key Staff.** CITY reserves the right to review and approve CONTRACTOR'S staff including all subcontractors to be assigned to any project by CONTRACTOR during the term of this Contract.

This Contract has been awarded to CONTRACTOR based partially on the key personnel proposed to perform the services required herein. CONTRACTOR shall not change nor substitute any of these key staff for work on this Contract without prior written approval by CITY.

CONTRACTOR's Team and Key Personnel are as follows:

Brent Milton, President
Steve Grider, VP Business Development
Efrain Flores, Production Manager

661/395-1448

This Services Contract has been awarded to CONTRACTOR based on its representation that those personnel and subcontractors submitted as part of its bid and listed above will perform the portions of the work listed above.

CONTRACTOR shall not deviate nor substitute any of these team members without prior written approval by CITY.

3.2 **Subcontractors.** During the performance of the Agreement, CONTRACTOR may engage such additional SUBCONTRACTORS as may be required for the timely completion of this Agreement. In the event of subcontracting, the sole responsibility for fulfillment of all terms and conditions of this Agreement rests with CONTRACTOR.

CONTRACTOR shall not enter into any Subcontract under this Contract for the performance of this Contract without the advance written approval of CITY. The subcontract shall incorporate by reference the terms and conditions of this Contract.

3.3 **Direct Responsibility.** All services required under this Contract shall be performed by CONTRACTOR, or under CONTRACTOR's direct supervision, and all personnel shall possess the qualifications, permits and licenses required by State and local law to perform such services.

3.3.1 CONTRACTOR shall be solely responsible for the satisfactory work performance of all personnel engaged in performing services required by this Contract, and compliance with all reasonable performance standards established by CITY.

3.3.2 CONTRACTOR shall be responsible for payment of all CONTRACTOR's employees' and subcontractor's wages and benefits and shall comply with all requirements pertaining to the employer's liability, workers' compensation, unemployment insurance, and Social Security.

3.3.3 CONTRACTOR shall indemnify and hold harmless CITY, and its respective officers, agents and employees from and against all claims, demands, damages or costs arising from CONTRACTOR's acts or omissions with respect to any liability, damages, claims, costs and expenses of any nature arising from alleged violations of personnel practices.

4 ACCEPTANCE AND DOCUMENTATION

Each task shall be reviewed and approved by the Contract Project Manager to determine acceptable completion.

4.1 **Records**. The CONTRACTOR shall retain and shall contractually require each SUBCONTRACTOR to retain all data and other “records” relating to the acquisition and performance of the Contract for a period of five years after the completion of the Contract.

4.2 **Property of CITY.** All materials, including reports, computer programs and other deliverables, supplied or created under this Contract are the sole property of CITY. CONTRACTOR is not entitled to a patent or copyright on those materials and may not transfer the patent or copyright to anyone else. CONTRACTOR shall not use or release these materials without the prior written consent of CITY.

4.3 **Products.** All equipment, materials, parts, and other components incorporated in the work or services performed pursuant to this Contract shall be new, or the latest model and of the most suitable grade for the purpose intended. All work shall be performed in a skilled and workmanlike manner.

5 PRICE

CITY shall pay to CONTRACTOR an amount not to exceed Two-Hundred and Forty-Two Thousand dollars ($242000.00) for the completion of all the work and services described in Section 2, which sum shall include all costs or expenses incurred by CONTRACTOR, payable as follows:

City Concert/Amphitheater Rentals (House Package) Per Artist:
- Line Array Complete System
  YEAR 1: $12,000.00
  YEAR 2: $13,200.00
  YEAR 3: $14,520.00
- Stacked Audio Complete System
  YEAR 1: $6,300.00
  YEAR 2: $6,930.00
  YEAR 3: $7,623.00

Amphitheater (Grant Use Package) Per Artist:
- Line Array Complete System
  YEAR 1: $15,000.00
  YEAR 2: $16,500.00
  YEAR 3: $18,000.00
- Stacked Audio Complete System
  YEAR 1: $9,000.00
  YEAR 2: $9,900.00
  YEAR 3: $10,800.00

5.1 An application for payment form must be submitted to CITY which shall include the following: a clear, detailed invoice reflecting work being billed for, a summary sheet showing percentage of work completed to date, amount/percent billed to date and current status of all tasks within a project; any/all backup documentation supporting the above items. Work schedule updates must also be included with the payment requests.

5.2 CONTRACTOR shall maintain adequate records and shall permit inspection and audit by CITY of CONTRACTOR's charges under this Contract. CONTRACTOR shall make such records available to CITY during normal business hours upon reasonable notice. Nothing herein shall convert such records into public records, and they will be available only to CITY and any specified public agencies. Such records shall be maintained by CONTRACTOR for one (1) year following completion of the work under this Contract unless a longer period of time is required by state or federal law, in which event CONTRACTOR shall retain its records for the time required by such laws.

5.3 **Payment.** A separate invoice shall be issued for each shipment of material or service performed, and no payment will be issued prior to receipt of material and/or completion of specified services and receipt of a correct invoice.

6 TAXES

6.1 CONTRACTOR shall pay all sales, consumer, use, and other similar taxes required to be paid by CONTRACTOR in accordance with state and local laws.

6.2 CONTRACTOR is an independent contractor and shall have no power or authority to incur any debt, obligation, or liability on behalf of CITY. No person employed by CONTRACTOR or acting on its behalf, in connection with this Contract shall be considered the Agent or employee of CITY.

6.3 CONTRACTOR shall be required to obtain a current City of Palmdale business license, as required by the Palmdale Municipal Code, before an Authorization to Proceed is issued.

6.4 When equipment, materials or supplies generally taxable to CONTRACTOR are eligible for a tax exemption due to the nature of the work, CONTRACTOR shall assist the City in applying for and obtaining such tax credits and exemptions, which shall be paid or credited to the City.

7 PATENT FEES AND ROYALTIES

CONTRACTOR shall pay all license fees and royalties and assume all costs incident to the use, in the performance of the work or the incorporation in the work of any invention, design, process, program, product or device which is the subject of patent rights or copyrights held by others. If a particular invention, design, process, program, product or device is specified in the contract documents for use in the performance of

the work and if, to the actual knowledge of CITY, its use is subject to patent rights or copyrights calling for the payment of any license fee or royalty to others, the existence of such rights shall be disclosed by CITY in the contract documents. CONTRACTOR shall indemnify and hold harmless CITY and anyone directly or indirectly employed by CITY from and against all claims, damages, losses and expenses (including attorneys' fees) arising out of any infringement of patent rights or copyrights incident to the use in the performance of the work, or resulting from the incorporation in the work of any invention, design, process, program, product or device not specified in the contract documents, and shall defend all such claims in connection with any alleged infringement of such rights.

8 INDEMNIFICATION

To the fullest extent permitted by law, CONTRACTOR and any subcontractors working on its behalf agree to indemnify CITY, its officers, employees, agents and elected and appointed boards (hereinafter “Indemnified Parties”) for any loss, claim, demand, cause of action, cost, expense, damage, obligation or liability which arises out of or is in any way connected with the performance of any work under this agreement, including any acts or omissions, willful misconduct or negligent conduct, whether active or passive, on the part of CONTRACTOR, or its subcontractors, and regardless of any acts, omissions or negligence (whether active or passive) of any person or entity indemnified hereunder. At their own expense, CONTRACTOR and, as applicable, any subcontractors working on its behalf, shall defend any suit, claim or action against the Indemnified Parties founded upon such loss, claim, demand, cause of action, cost, expense, damage, obligation or liability. CONTRACTOR shall ensure that the contract of any subcontractor working under this agreement contain an indemnity agreement, requiring the subcontractor to indemnify and defend the Indemnified Parties pursuant the terms set forth above. CONTRACTOR shall indemnify the Indemnified Parties, and save it harmless from any and all loss, damage, costs, expenses and attorney's fees suffered or incurred on account of any breach of the aforesaid obligations and covenants, and any other provision or covenant of this agreement.

9 INSURANCE

9.1 CONTRACTOR, at its expense, shall maintain in effect at all times during the performance of work under this Contract not less than the following coverage and limits of insurance, which shall be maintained with insurers listed “A” or better in the Best’s Insurance Guide and authorized to do business in the State of California. **Proof of Insurance, as identified in Section 9.8, must be reviewed and accepted by the City Attorney**.

9.1.1 Workers’ Compensation and Employer’s Liability

- Workers’ Compensation -- coverage as required by the State of California
- Employer’s Liability -- $1,000,000.00 each accident
  $1,000,000.00 policy limit bodily injury

$1,000,000.00 each employee bodily injury by disease

9.1.2 Commercial General Liability
- $2,000,000.00 limit on a per occurrence basis
- $5,000,000.00 general aggregate limit

9.1.3 Commercial Automobile Liability
- $2,000,000.00 combined single limit including owned, non-owned and hired automobile coverage

9.2 All of CONTRACTOR's policies shall contain an endorsement providing that written notice shall be given to CITY at least thirty (30) calendar days prior to termination, cancellation, or reduction of coverage in the policy.

9.3 Policies providing for bodily injury and property damage coverage shall contain the following:

A. An endorsement extending coverage to the City as an additional insured, as respects liability arising out of the performance of any work under the Contract. Such insurance shall be primary insurance, as respects the interest of the City, and any other insurance maintained by the City shall be considered excess coverage and not contributing insurance with the insurance required hereunder. The certificates shall state: "The City of Palmdale, Successor Agency to the Community Redevelopment Agency of the City of Palmdale, Palmdale Civic Authority, Housing Authority, Industrial Development Authority, Airport Authority, their officers, agents, employees and volunteers are named as additional insured".

B. "Severability of Interest" Clause.

9.4 Promptly upon execution of this Contract, and prior to commencement of any work, CONTRACTOR shall deliver to CITY certificates of insurance and endorsements to all required policies demonstrating that CONTRACTOR has the required coverage and showing the required named insured. Within five (5) days of written request from CITY, CONTRACTOR shall deliver to CITY full and complete copies of all insurance policies required by this Contract.

9.5 The requirements as to the types and limits of insurance to be maintained by CONTRACTOR are not intended to and shall not in any manner limit or qualify CONTRACTOR's liabilities and obligations under this Contract.

9.6 Any policy or policies of insurance that CONTRACTOR elects to carry as insurance against loss or damage to its equipment and tools or other personal property used in the performance of this Contract shall include a provision waiving the insurer's right of subrogation against CITY.

9.7 All insurance coverage must be maintained throughout the duration of this Contract.

9.8 Acceptable Proof of Insurance:

9.8.1 ACORD Certificate of Insurance listing all coverage, limits, deductibles and insured; and endorsements for all applicable coverage if agent has authority to issue it; or additional insured Form CG20100704 and CG20370704 or equivalent must be provided for general liability coverage. Additional insured form CA0001 must be provided for automobile liability coverage.

9.8.2 Binders of insurance for all coverage. Agents must confirm that policy endorsements have been ordered from the respective insurance companies. Upon issuance, policy endorsements and a corresponding Certificate of Insurance listing all insurers and coverage must be submitted to the City Attorney.

9.9 Notwithstanding any other provision of this Contract, CITY may immediately terminate this Contract if, at any time CONTRACTOR fails to maintain the required insurance for any period of time or fails to comply with any of the insurance requirements listed above.

10 TERMINATION WITHOUT CAUSE

City reserves the right to terminate this Contract or any part thereof for its sole convenience with fifteen (15) days written notice. In the event of such termination, CONTRACTOR shall immediately stop all work hereunder, and shall immediately cause any of its suppliers and subcontractors to cease such work. CONTRACTOR shall also surrender to CITY all finished or unfinished documents, processes, programs and other supplies and materials, which shall be City's property. As compensation in full for services performed to the date of such termination, the CONTRACTOR shall receive an amount equal to the value of the work completed as of the termination date in accordance with the fee schedule or as negotiated between the parties. In no event shall the amount payable upon termination exceed the total maximum compensation provided for in this Contract.

11 TERMINATION FOR CAUSE

If CITY determines that CONTRACTOR has failed to supply an adequate working force, or to provide services of proper quality, or has failed in any other respect to satisfactorily perform the services specified in this Contract, CITY shall give written notice to CONTRACTOR specifying all defaults to be remedied within thirty (30) days. Such notice shall set forth the basis for CITY's dissatisfaction and suggest corrective measures. If, after thirty days, CONTRACTOR has failed to implement appropriate corrective measures, CITY may elect to terminate this Contract in whole or in part.

11.1 In the event CITY terminates this Contract, in whole or in part, for cause, CITY may procure, upon such terms and in such manner, as it may deem appropriate, services similar to those terminated.

11.2 CONTRACTOR shall provide all finished or unfinished documents, data, studies, software, drawings, programs, processes, maps, photographs, reports, etc., prepared by CONTRACTOR within fifteen (15) working days after notice of termination. Upon such termination, CONTRACTOR shall be paid an amount equal to the value of the services provided and work performed as of the date of termination, taking into consideration the costs associated with hiring another CONTRACTOR to complete the services. In ascertaining the value of the work performed up to the date of termination, consideration shall be given to both completed work and work in progress, to complete and incomplete documents when such are delivered to CITY, and to authorized reimbursement expenses. The above is in addition to any other remedies available by law or equity to CITY.

11.3 If, after notice of termination of the Contract under the provisions of this Section 11, it is determined, for any reason, that CONTRACTOR was not in default, or that the default was excusable, then the rights and obligations of the parties shall be the same as if the notice of termination had been issued pursuant to Section 10.

12 DISPUTE RESOLUTION

All claims, disputes, and other matters in question between CITY and CONTRACTOR arising out of or relating to this Contract or the breach thereof shall, to the extent reasonably feasible, be resolved through good faith negotiations between the parties.

13 OWNERSHIP OF PRODUCT

All product, data, documents, programs and software including, but not limited to, research, field notes, investigations, analysis, studies, processes, software, instructions for use and other manuals, whether complete or incomplete, which are prepared or produced in the performance of this Contract are to be, and remain the property of CITY and shall be delivered to or left with CITY upon the completion or termination of this Agreement. CONTRACTOR shall furnish CITY, upon its request, originals and reproducible and electronic copies of product, data reports, studies and of all other documents listed above. Electronic copies shall be provided in an unprotected format which allows CITY to copy, reproduce and makes changes as CITY deems necessary.

14 DELEGATION AND ASSIGNMENT

14.1 CONTRACTOR shall not delegate or assign its duties or rights hereunder, either in whole or in part, without the prior written consent of CITY; provided, however, that claims for money due or to become due to CONTRACTOR from CITY under this Contract may be assigned to a bank, trust company or other financial institution without such approval.

14.2 Any assignment, delegation or subcontract shall be made in the name of CONTRACTOR and shall not bind or purport to bind CITY and shall not release CONTRACTOR from any obligations under this Contract including, but not limited to,

the duty to properly supervise and coordinate the work of employees, assignees, delegates and subcontractors. No such assignment, delegation or subcontract shall result in any increase in the amount of total compensation payable to CONTRACTOR under this Contract.

15 NON-DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY

15.1 In performance of this Contract, CONTRACTOR shall not discriminate against any employee, subcontractor, or applicant for employment because of sex, color, race, religion, ancestry, national origin, disability, medical condition, marital status, sexual orientation, or age. CONTRACTOR will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their sex, color, race, religion, ancestry, national origin, disability, medical condition, marital status, sexual orientation or age. Affirmative action relating to employment shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

15.2 The provisions of subsection 15.1 above shall be included in all solicitations or advertisements placed by or on behalf of CONTRACTOR for personnel to perform any services under this Contract. CITY shall have access to all documents, data and records of CONTRACTOR and its subcontractors for purposes of determining compliance with the equal employment opportunity and non-discrimination provisions of this Section, and all applicable provisions of Executive Order No. 11246 which is incorporated herein by this reference. A copy of Executive Order No. 11246 is available for inspection at, and on file with, the Palmdale City Clerk’s Office.

16 FINANCIAL INTEREST CERTIFICATION

16.1 CONTRACTOR warrants that no person has been employed or retained to solicit or secure this Contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee; and that no officer or employee of the CITY has any interest, financially or otherwise, in CONTRACTOR’s firm.

16.2 For breach or violation of this warranty, CITY shall have the right to annul this Contract without liability or at its discretion to deduct from the Contract Price or consideration, the full amount of such commission, percentage, brokerage or contingent fee.

17 CONFLICT OF INTEREST

17.1 CONTRACTOR stipulates that its officers and employees do not now have a conflict of interest and it further agrees for itself, its officers and its employees that it will not contract for or accept employment for the performance of any work or services with any individual business, corporation or government unit that would create a conflict of interest in the performance of its obligations pursuant to this Contract or which would cause CONTRACTOR to be “financial interested” (as

provided in California Government Code Section 1090 et seq. or 87100 et seq.) in any contract or decision made by CITY on any matter.

17.2 CONTRACTOR shall not employ any City official or employee to perform any work required pursuant to this Contract.

17.3 To the extent required by the City Manager or his designee, CONTRACTOR shall complete and file with the City Clerk a Form 700 Statement of Economic Interests disclosing any reportable property interests, income, gifts, investments, or business positions.

18 COMPLIANCE WITH LAW

18.1 CONTRACTOR shall comply with all state and federal laws, including but not limited to, the requirement to hire only those persons authorized by federal law to work in the United States. If CONTRACTOR uses any subcontractors to complete this Contract, this same requirement shall be included in all subcontracts and strictly enforced by CONTRACTOR.

18.2 The law of the state of California shall govern this Contract. The venue of any legal action, either formal or informal, shall be the County of Los Angeles.

19 NOTICES

Any notice required under this Contract shall be in writing, addressed to the appropriate party at its address on the signature page and given personally or by registered or certified mail postage prepaid, or by a commercial courier service. All notices shall be effective upon the date of receipt.

20 ENTIRE AGREEMENT AND AMENDMENTS

20.1 This Contract is the complete Agreement between the parties and supersedes all prior proposals, agreements, and understandings between the parties and may not be modified or terminated orally.

20.2 No attempted waiver of any of the provisions hereof, nor any modification in the nature, extent or duration of the work to be performed by CONTRACTOR hereunder, shall be binding unless in writing and signed by the party against whom the same is sought to be enforced.

20.3 The failure of any party to enforce against another party any provision of this Contract shall not constitute a waiver of that party’s right to enforce such a provision at a later time, and shall not serve to vary the terms of this Contract.

21 ATTORNEY'S FEES

If any action at law or in equity is brought to enforce or interpret any provisions of this Contract, the prevailing party in such action shall be entitled to reasonable attorney's fees, costs and necessary disbursements, in addition to such other relief as may be sought and awarded.

In Witness Whereof, the parties hereto have caused this Contract to be executed and attested by their respective officers thereunto duly authorized.

CITY OF PALMDALE:

Steven D. Hofbauer Date
Mayor

ADDRESS FOR NOTICE:
CITY OF PALMDALE
827 East Avenue Q-9
Palmdale, Ca 93550

APPROVE AS TO FORM:

Christopher L. Beck
City Attorney

ATTEST:

Shanae S. Smith
City Clerk

PACIFIC WEST SOUND INC.:

Brent Milton Date
President

ADDRESS FOR NOTICE:
PACIFIC WEST SOUND INC.
521 East 21st Street
Bakersfield, CA 93305

ATTEST: If Corporation

Secretary

City Council Staff Report

DATE: **April 6, 2022**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT BUILDING AND SAFETY DIVISION**

DISTRICT: **All**

SUBJECT: **APPROVE THIRD AMENDMENT TO THE AGREEMENT WITH INTERWEST CONSULTING GROUP FOR AN ADDITIONAL AMOUNT, NOT TO EXCEED $100,000.**

ISSUE

Approve Third Amendment to the Agreement with Interwest Consulting Group for an additional amount, not to exceed $100,000.

RECOMMENDATION

Staff recommends that the City Council:

1. Approve the Third Amendment to Agreement A-6355 with Interwest Consulting Group, for an amount not to exceed $100,000.

BACKGROUND

The City utilizes consultants in the Building and Safety Division to process plan checks and provide other additional services. These services help expedite plan check by providing quicker turnaround times for the Development Community.

DISCUSSION

The City has a current agreement with Interwest Consulting Group to provide Building and Safety plan check, inspection, permit technician and Building Official services. Over the past two years the volume of plan check services has increased 52 percent. As part of the proposed action, the City would exercise one of the options to extend the agreement through June 30, 2022. Economic and Community Development is currently in the RFP process for new contracts and will be awarding a contract in the next fiscal year.

FISCAL IMPACT

$100,000; funds are budgeted and available in account 10122001-721200 in the amount of $268,184. The City will recover 100% of the cost through permit fees paid by applicants.

STRATEGIC PLAN

Goal II: Ensure long-term fiscal health of the City and maintain funding for services.

A. Manage resources, costs, and liabilities to ensure the City's long-term fiscal health.

Prepared by:	Denise Reynia, Supv. Com Dev Technician
Certified as to availability of Funds:	Keith Kang, Finance Manager
Approved by:	Ronda Perez, Interim City Manager
Approved as to form:	Christopher Beck, City Attorney

ATTACHMENTS

1. Third Amendment to Agreement A-6355

3rd AMENDMENT TO AGREEMENT A-6355
BETWEEN THE CITY OF PALMDALE AND INTERWEST CONSULTING GROUP INC

This 3rd Amendment to Agreement No. A-6355 (“Agreement”) between the City of Palmdale and INTERWEST CONSULTING GROUP INC is made and entered into this 6TH day of APRIL, 2022 by and between the City of Palmdale (hereinafter called “CITY”) and INTERWEST CONSULTING GROUP INC (hereinafter called "CONSULTANT").

WHEREAS, the CITY and CONSULTANT entered into an agreement to provide: Building Inspection, Plan Check, Community Development Technician and Building Official services; and

WHEREAS, CONSULTANT represents that CONSULTANT has the expertise and is qualified to perform the services described in the Contract, and if required, is duly registered under the laws of the State of California.

WHEREAS, City and Consultant agree to amend Section 5 to increase the total price of the Agreement by one-hundred thousand dollars ($100,000); and

WHEREAS, Section 6.1 of the Agreement provides for a term of three (3) years, with the option to extend the Agreement for three (3) additional one (1) year periods.

NOW THEREFORE, the parties agree as follows:

1. Section 1. CITY PROJECT MANAGER is amended to change the Agreement Project Manager from Steven Raney to Luis Garibay.
2. Section 5. PRICE is amended to increase the total price of the Agreement by one-hundred thousand dollars ($100,000) not to exceed the amount of one-hundred and ninety thousand dollars ($190,000), for the multi-year agreement total.
3. Section 6.1. CONTRACT TERM is amended to extend the agreement through June 30, 2022.
4. All other terms and conditions remain in full force and effect.

In Witness Whereof, the parties hereto have caused this Contract to be executed and attested by their respective officers thereunto duly authorized.

CITY OF PALMDALE:

Ronda Perez Date
Interim City Manager

ADDRESS FOR NOTICE:
CITY OF PALMDALE
38250 Sierra Highway
Palmdale, CA 93550

APPROVE AS TO FORM:

Christopher L. Beck
City Attorney

ATTEST:

Shanae S. Smith
City Clerk

INTERWEST CONSULTING GROUP INC:

Paul Meschino Date
Vice President of Operations

ADDRESS FOR NOTICE:
INTERWEST CONSULTING GROUP INC
1613 Santa Clara Drive, Suite 100
Roseville, CA 95661

ATTEST: If Corporation

Secretary

City Council Staff Report

DATE: **April 6, 2022**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT BUILDING AND SAFETY DIVISION**

DISTRICT: **All**

SUBJECT: **APPROVE FOURTH AMENDMENT TO THE AGREEMENT WITH BUREAU VERITAS NORTH AMERICA FOR AN ADDITIONAL AMOUNT, NOT TO EXCEED $120,000.**

ISSUE

Approve Fourth Amendment to the Agreement with Bureau Veritas North America for an additional amount, not to exceed $120,000.

RECOMMENDATION

Staff recommends that the City Council:

1. Approve the Fourth Amendment to Agreement A-6354 with Bureau Veritas North America, for an amount not to exceed $120,000.

BACKGROUND

The City utilizes consultants in the Building and Safety Division to process plan checks and provide other additional services. These services help expedite plan check by providing quicker turnaround times for the Development Community.

DISCUSSION

The City has a current agreement with Bureau Veritas North America to provide Building and Safety plan check, inspection, permit technician and Building Official services. Over the past two years the volume of plan check services has increased 52 percent. As part of the proposed action, the City would exercise one of the options to extend the agreement through June 30, 2022. Economic and Community Development is currently in the RFP process for new contracts and will be awarding a contract in the next fiscal year.

FISCAL IMPACT

$120,000; Funds are budgeted and available in account 10122001-721200 in the amount of $268,184. The City will recover 100% of the cost through permit fees paid by applicants.

STRATEGIC PLAN

Goal II: Ensure long-term fiscal health of the City and maintain funding for services.

A. Manage resources, costs, and liabilities to ensure the City's long-term fiscal health.

Prepared by:	Denise Reynia, Supv. Com Dev Technician
Certified as to availability of Funds:	Keith Kang, Finance Manager
Approved by:	Ronda Perez, Interim City Manager
Approved as to form:	Christopher Beck, City Attorney

ATTACHMENTS:

1. Fourth Amendment to Agreement A-6354

4th AMENDMENT TO AGREEMENT A-6354 BETWEEN THE CITY OF PALMDALE AND BUREAU VERITAS NORTH AMERICA (BVNA)

This 4th Amendment to Agreement No. A-6354 (“Agreement”) between the City of Palmdale and BUREAU VERITAS NORTH AMERICA (BVNA) is made and entered into this 6th day of APRIL, 2022 by and between the City of Palmdale (hereinafter called “CITY”) and BUREAU VERITAS NORTH AMERICA (BVNA) (hereinafter called "CONSULTANT").

WHEREAS, the CITY and "CONSULTANT" entered into an agreement to provide: Plan Check, Building Official, Building Inspection and Community Development Technician services; and

WHEREAS, "CONSULTANT" represents that "CONSULTANT" has the expertise and is qualified to perform the services described in the Contract, and if required, is duly registered under the laws of the State of California.

WHEREAS, City and Consultant agree to amend Section 5 to increase the total price of the Agreement by one-hundred and twenty thousand dollars ($120,000); and

WHEREAS, Section 6.1 of the Agreement provides for a term of three (3) years, with the option to extend the Agreement for three (3) additional one (1) year periods.

NOW THEREFORE, the parties agree as follows:

1. Section 1. CITY PROJECT MANAGER is amended to change the Agreement Project Manager from Steven Raney to Luis Garibay.
2. Section 5. PRICE is amended to increase the total price of the Agreement by one-hundred and twenty thousand dollars ($120,000), not to exceed the amount of two-hundred and twenty-seven thousand dollars ($227,000), for the multi-year agreement total.
3. Section 6.1. CONTRACT TERM is amended to extend the agreement through June 30, 2022.
4. All other terms and conditions remain in full force and effect.

In Witness Whereof, the parties hereto have caused this Contract to be executed and attested by their respective officers thereunto duly authorized.

CITY OF PALMDALE:

Ronda Perez Date
Interim City Manager

ADDRESS FOR NOTICE:
CITY OF PALMDALE
38250 Sierra Highway
Palmdale, Ca 93550

APPROVE AS TO FORM:

Christopher L. Beck
City Attorney

ATTEST:

Shanae S. Smith
City Clerk

BUREAU VERITAS NORTH AMERICA (BVNA):

Craig Baptista Date
Vice President – Facilities Division, West Region

ADDRESS FOR NOTICE:
BUREAU VERITAS NORTH AMERICA (BVNA)
180 Promenade Circle, Suite 150
Sacramento, CA 95834

ATTEST: If Corporation

Secretary

City Council Staff Report

DATE: **APRIL 6, 2022**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **NEIGHBORHOOD SERVICES DEPARTMENT**
PUBLIC SAFETY DIVISION

DISTRICT: **All**

SUBJECT: **APPROVE AN AGREEMENT WITH KARMA RESCUE INC. TO ADMINISTER A LOW OR NO COST SPAY AND NEUTER PROGRAM FOR PALMDALE RESIDENTS.**

ISSUE

Approve an agreement with Karma Rescue, Inc. to administer a low or no cost spay and neuter program for Palmdale residents in an amount not to exceed $200,000.00.

RECOMMENDATION

Staff recommends that the City Council approve the agreement with Karma Rescue, Inc. in an amount not to exceed $200,000.00.

BACKGROUND

In an effort to reduce the number of animals that enter the Los Angeles County Palmdale Animal Care Center, and the associated cost staff examined options to aid in this reduction with a no or low cost spay and neuter program being one of the most effective measures. All veterinarians in the Antelope Valley were mailed a letter to determine their interest and ability to participate in such a program. After follow-up phone calls to each veterinarian, it was determined that only three of the seventeen veterinarians expressed interest in participating. Though these veterinarians were interested in participating they did not have the capability to perform the volume of services needed.

In addition to seeking participation from local veterinarians research was done on existing non-profits offering free or low cost spay and neuter services in the Los Angeles area. The non-profit, operating in the Palmdale Animal Care Center parking lot does not have the capacity to operate outside of what they are already doing with their current funding due to staffing. The other non-profits offering low, or no cost spay, and neuter only offer their services out of offices located in Los Angeles which would pose a hardship for Palmdale residents.

DISCUSSION

Karma Rescue, Inc, through grant funding, has been offering free and low cost spay neuter options in the Antelope Valley for several years by partnering with local veterinarians to perform the service. Because of their experience in offering free and low cost spay and neuter services, existing veterinary partnerships, knowledge of the Antelope Valley and our need for these services Karma Rescue, Inc. is in the unique position to assist the City of Palmdale in bringing this program to our residents. Karma has the ability to administer the entire program from developing agreements with the veterinarians and making payment for services, confirming resident eligibility, handling appointments, developing partnerships with our community cat volunteers to promote the program, and handling all record keeping. An estimated 1,200 animals will receive spay or neuter services under the recommended three-year agreement.

FISCAL IMPACT

$200,000; funds are budgeted for fiscal year 2021-22 in account 15725002-722400. Expenditures for the current fiscal year will be for program set up and administration, outreach and engagement, and the number of animals who receive service. It is anticipated that we will realize a cost offset in animal housing fees which is the largest expenditure of our Los Angeles County Animal Care and Control agreement.

STRATEGIC PLAN

Goal II: Ensure long-term fiscal health of the City and maintain funding for services.

A. Provide a low or no cost spay and neuter program for Palmdale residents thus reducing the number of animals entering the Palmdale Animal Care Center.
B. Increase education and awareness of the benefits of spay and neuter and its compliance with Ordinance 6.04.010- Adoption of Los Angeles County animal control ordinance, requiring all cats and dogs over four months of age to be spayed or neutered (Los Angeles County Code §10.20.350).

Prepared by:	Kery German, Public Safety Supervisor
Certified as to availability of Funds:	Keith Kang, Finance Manager
Approved by:	Ronda Perez, Interim City Manager
Approved as to form:	Christopher Beck, City Attorney

ATTACHMENTS

1. Sole Source Justification from Keith Kang, Finance Manager
2. Agreement No. A-7837

CITY OF PALMDALE

Finance Department Purchasing Division

Sole Source Justification

General Information	Date:02/16/2022
Department:Neighborhood Services	Phone No.:661/267-5541
Contact Name:Kery German	Email:kgerman@cityofpalmdale.org

Vendor Information	Requisition No.:
Name: Karma Rescue, Inc	Purchase Order No.:
Address: 1158 26th Street PMB 155 Santa Monica, CA 90403	Contract No.: A-7837

Description. Please provide a description of the goods or services required, the duration or frequency of the requirement, and the location where the services or goods will be delivered. Please also identify the annual cost of this good or service.

Administer the City of Palmdale's Spay and Neuter Voucher Program. Responsibilities include but are not limited to contracting with local, qualified veterinarians who will provide spay and neuter services and ensure payment to contracted veterinarians, resident eligibility verification, scheduling, billing, records retention, outreach, and promotion.
Funding to be allocated in the initial period as follows:
Funding of $200,000.00 was allocated for Fiscal Year 21/22 and $300,000.00 for Fiscal Year 22/23 should a second agreement be entered into.

-Services provided in the target zip codes of 93550, 93551 and 93552 within the incorporated City of Palmdale. Amount determined by number of animals serviced but not to exceed $170,000.00
-Marketing $10,000
-Administrative Costs $20,000

Karma Rescue, Inc to provide:

Marketing and Awareness:
-Marketing of program to include but not limited to, Social Posts, Neighborhood and City Pages, Karma Rescue Facebook and Instagram
-Community efforts to include but not limited to partnerships with schools, pet service providers and pet stores, community groups, and participate in community events

Administration:
-Karma will facilitate all appointment setting with client and participating veterinarian
-Secure all necessary client and pet information; to include proof of residency
-Confirmation of all appointments
-Handle all Cancellations and No Shows

Type. Please select one of the options and explain below.

■ Single Source □ Proprietary/Copyright Restrictions □ Equipment Compatibility
□ Patented Product □ Exclusive or Unique Capability

Other: _____

Explanation: Why is this product or service the only one that would satisfy the requirement(s)?
This is the only entity that provides both the program administration experience, existing partnerships with local providers and history of working in the Antelope Valley.

Due Diligence. Describe the due diligence performed that led to the conclusion that this is a sole source.

Considerable research was put into the implementation of a low or no cost spay and neuter program. All veterinarians in the Antelope Valley were mailed a letter to determine their interest and ability to participate in such a program. After follow-up phone calls to each veterinarian, it was determined that only three of the seventeen veterinarians expressed interest in participating. Though these veterinarians were interested in participating they did not have the capability to perform the volume of services needed.

In addition to seeking participation from local veterinarians research was done on existing non-profits offering free or low cost spay and neuter services in the Los Angeles area. The non-profit, Simi Valley Spay Neuter, operating in the Palmdale Animal Care Center parking lot does not have the capacity to operate outside of what they are already doing with their current funding due to staffing. Entities such as Fix Nation and Spay LA only offer their services out off offices located in Los Angeles which would pose a problem for Palmdale residents.

Department Recommendation	
Requestor: Kery German	Date: 2/16/2022
Department Director: Mike Miller	Date: 2/16/2022

Chief Procurement Officer's Approval	
Signature:	Date: 3/1/22

10/2020

CITY OF PALMDALE
DEPARTMENT OF NEIGHBORHOOD SERVICES

M E M O R A N D U M

TO: Keith Kang, Finance Manager

FROM: Mike Miller, Director of Neighborhood Services

SUBJECT: **SPAY AND NEUTER PROGRAM ADMINISTRATOR**

DATE: February 16, 2022

Considerable research was put into the implementation of a low or no cost spay and neuter program. All veterinarians in the Antelope Valley were mailed a letter to determine their interest and ability to participate in such a program. After follow-up phone calls to each veterinarian, it was determined that only three of the seventeen veterinarians expressed interest in participating. Though these veterinarians were interested in participating they did not have the capability to perform the volume of services needed.

In addition to seeking participation from local veterinarians research was done on existing non-profits offering free or low cost spay and neuter services in the Los Angeles area. The non-profit, Simi Valley Spay Neuter, operating in the Palmdale Animal Care Center parking lot does not have the capacity to operate outside of what they are already doing with their current funding due to staffing. Entities such as Fix Nation and Spay LA only offer their services out off offices located in Los Angeles which would pose a problem for Palmdale residents.

Karma Rescue, through grant funding, has been offering free and low cost spay neuter options in the Antelope Valley for several years by partnering with local veterinarians to perform the service. Because of their experience in offering free and low cost spay and neuter services, existing veterinary partnerships, knowledge of the Antelope Valley and our need for these services Karma Rescue is in the unique position to assist the City of Palmdale in bringing this program to our residents. Karma has the ability to administer the entire program from developing agreements with the veterinarians and making payment for services, confirming resident eligibility, handling appointments develop partnerships with our community cat volunteers to promote the program, and handling all record keeping.

MM/kg

AGREEMENT NO. A-7837
CONTRACT FOR SERVICES
BETWEEN THE CITY OF PALMDALE AND KARMA RESCUE, INC.

This CONTRACT for services (“Contract” herein) is made and entered into this 6th day of April 6, 2022, by and between the City of Palmdale, a public body corporate and politic, (hereinafter called “CITY”), and KARMA RESCUE, INC., a non-profit corporation of the State of California, (hereinafter called “CONTRACTOR”). The term of this Contract is three (3) years,commencing on April 7, 2022, with CITY reserving the option to extend the agreement for one (1) additional term of one year ("Term" herein).

RECITALS

WHEREAS, CONTRACTOR represents that CONTRACTOR has the expertise and is qualified to perform the services described in this Contract.

NOW THEREFORE, CITY and CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows:

1 CITY PROJECT MANAGER

To provide the services required by this Contract, CONTRACTOR shall act under the authority and approval of Mike Miller Director/designee, who shall oversee this Contract, the work performed by CONTRACTOR, assist CONTRACTOR with any necessary information, audit billings, and approve payments. The CONTRACTOR shall channel all contacts and requests through the City project manager.

2 DESCRIPTION OF WORK

2.1 CONTRACTOR shall provide the following services in a manner satisfactory to CITY:

Administer the City of Palmdale's Spay and Neuter Program.

Responsibilities include but are not limited to contracting with local, qualified veterinarians who will provide spay and neuter services and ensure payment to contracted veterinarians, resident eligibility verification, scheduling, billing, records retention, outreach, and promotion.

Marketing and Awareness: Marketing of program to include but not limited to, Social Posts, Neighborhood and City Pages, CONTRACTOR'S Facebook and Instagram. Community efforts to include but not limited to partnerships with schools, pet service providers and pet stores, community groups, and participate in community events Administration: CONTRACTOR will facilitate all appointment setting with client and participating veterinarian.

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Secure all necessary client and pet information; to include proof of residency, confirmation of all appointments, handle all cancellations and no-shows Reconciliation of Services:

CONTRACTOR will track all details of appointments, services and costs. CONTRACTOR will coordinate with veterinarians for weekly reconciliation, and payment of veterinarian in mutually agreed timeframe.

Monthly Report: CONTRACTOR will provide a monthly report to the City of Palmdale on previous month data, and Year to date data.

Verification through California's Veterinary Medical Board of each participating veterinarian's credentials, insurance (including, but not limited to medical malpractice insurance), and authority to practice will be the sole responsibility of the CONTRACTOR.

2.2 CONTRACTOR shall have no claim for compensation for any services or work, which has not been authorized by CITY's Authorization to Proceed.

2.3 CONTRACTOR shall not accept any change of scope, or change in contract provisions, to this Contract unless issued in writing, as a contract change order or amendment and signed by CITY. Any extensions of time must be mutually agreed upon in writing and executed by both parties.

2.4 CONTRACTOR shall maintain in current status all Federal, State, and local licenses and permits required for the operation of the business conducted by the CONTRACTOR as applicable to this contract.

2.5 All work supplied under this Contract shall be fully guaranteed by CONTRACTOR for a minimum period of 30 days from the date of acceptance by CITY. Any defects of design, workmanship, or materials that would result in non-compliance with the Contract specifications shall be fully corrected by CONTRACTOR (including parts and labor) without cost to CITY. The written warranty shall be included with the delivered products to the using Department.

2.6 CITY shall provide to CONTRACTOR, without charge, all data, program information, including reports, records, maps, and other information, now in CITY's possession, which may facilitate the timely performance of the work.

3 CONTRACTOR'S KEY PERSONNEL

3.1 **Key Staff.** CITY reserves the right to review and approve CONTRACTOR'S staff including all subcontractors to be assigned to any project by CONTRACTOR during the Term of this Contract.

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This Contract has been awarded to CONTRACTOR based partially on the key personnel proposed to perform the services required herein. CONTRACTOR shall not change nor substitute any of these key staff for work on this Contract without prior written approval by CITY.

CONTRACTOR's Team and Key Personnel are as follows:

Randy Levine, Founder
Shannon Montoya, Director of Spay, Neuter and Community Outreach
Flo Lee, Director of Operations and Vet Assistance
Annie Ward, Administrative and Volunteer Program

This Services Contract has been awarded to CONTRACTOR based on its representation that those personnel and subcontractors submitted as part of its bid and listed above will perform the portions of the work listed above.

CONTRACTOR shall not deviate nor substitute any of these team members without prior written approval by CITY.

3.2 **Subcontractors.** During the performance of the Agreement, CONTRACTOR may engage such additional SUBCONTRACTORS as may be required for the timely completion of this Agreement. In the event of subcontracting, the sole responsibility for fulfillment of all terms and conditions of this Agreement rests with CONTRACTOR.

CONTRACTOR shall not enter into any Subcontract under this Contract for the performance of this Contract without the advance written approval of CITY. The subcontract shall incorporate by reference the terms and conditions of this Contract.

3.3 **Direct Responsibility.** All services required under this Contract shall be performed by CONTRACTOR, or under CONTRACTOR's direct supervision, and all personnel shall possess the qualifications, permits and licenses required by State and local law to perform such services.

3.3.1 CONTRACTOR shall be solely responsible for the satisfactory work performance of all personnel engaged in performing services required by this Contract, and compliance with all reasonable performance standards established by CITY.

3.3.2 CONTRACTOR shall be responsible for payment of all CONTRACTOR's employees' and subcontractor's wages and benefits and shall comply with all requirements pertaining to the employer's liability, workers' compensation, unemployment insurance, and Social Security.

3.3.3 CONTRACTOR shall indemnify and hold harmless CITY, and its respective officers, agents and employees from and against all claims, demands, damages or costs arising from CONTRACTOR's acts or omissions with respect to any liability, damages, claims, costs and expenses of any nature arising from alleged violations of personnel practices.

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4 ACCEPTANCE AND DOCUMENTATION

Each task shall be reviewed and approved by the Contract Project Manager to determine acceptable completion.

4.1 **Records**. The CONTRACTOR shall retain and shall contractually require each SUBCONTRACTOR to retain all data and other "records" relating to the acquisition and performance of the Contract for a period of five years after the completion of the Contract.

4.2 **Property of CITY.** All materials, including reports, computer programs and other deliverables, supplied or created under this Contract are the sole property of CITY. CONTRACTOR is not entitled to a patent or copyright on those materials and may not transfer the patent or copyright to anyone else. CONTRACTOR shall not use or release these materials without the prior written consent of CITY.

4.3 **Products.** All equipment, materials, parts, and other components incorporated in the work or services performed pursuant to this Contract shall be new, or the latest model and of the most suitable grade for the purpose intended. All work shall be performed in a skilled and workmanlike manner.

5 PRICE

CITY shall pay to CONTRACTOR an amount not to exceed TWO HUNDRED THOUSAND dollars ($200000.00) for the completion of all the work and services described in Section 2, which sum shall include all costs or expenses incurred by CONTRACTOR, payable as follows:

Billing is based on, in part, the following budget set forth below. Additional details regarding the costs of the program can be found in Addendum 1 attached hereto:

Administrative Costs	$20,000.00
Outreach and Promotion	$10,000.00
Spay/Neuter Services Provided	Based on number of animals serviced at approximately $175.00 per animal
Total not to exceed	$200,000.00

Any and all costs increases regarding the program must be approved by CITY before implementation.

5.1 An application for payment form must be submitted to CITY which shall include the following: a clear, detailed invoice reflecting work being billed for, a summary sheet showing percentage of work completed to date, amount/percent billed to date and current status of all tasks within a project; any/all backup documentation supporting the above items. Work schedule updates must also be included with the payment requests.

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5.2 CONTRACTOR shall maintain adequate records and shall permit inspection and audit by CITY of CONTRACTOR's charges under this Contract. CONTRACTOR shall make such records available to CITY during normal business hours upon reasonable notice. Nothing herein shall convert such records into public records, and they will be available only to CITY and any specified public agencies. Such records shall be maintained by CONTRACTOR for one (1) year following completion of the work under this Contract unless a longer period of time is required by state or federal law, in which event CONTRACTOR shall retain its records for the time required by such laws.

5.3 CITY's representative may visit CONTRACTOR's offices or program sites to evaluate service and monitor administration of the Spay and Neuter Program during the Term.

5.4 **Payment.** A separate invoice shall be issued for each shipment of material or service performed, and no payment will be issued prior to receipt of material and/or completion of specified services and receipt of a correct invoice.

6 TAXES

6.1 CONTRACTOR shall pay all sales, consumer, use, and other similar taxes required to be paid by CONTRACTOR in accordance with state and local laws.

6.2 CONTRACTOR is an independent contractor and shall have no power or authority to incur any debt, obligation, or liability on behalf of CITY. No person employed by CONTRACTOR or acting on its behalf, in connection with this Contract shall be considered the Agent or employee of CITY.

6.3 CONTRACTOR shall be required to obtain a current City of Palmdale business license, as required by the Palmdale Municipal Code, before an Authorization to Proceed is issued.

6.4 When equipment, materials or supplies generally taxable to CONTRACTOR are eligible for a tax exemption due to the nature of the work, CONTRACTOR shall assist the City in applying for and obtaining such tax credits and exemptions, which shall be paid or credited to the City.

7 PATENT FEES AND ROYALTIES

CONTRACTOR shall pay all license fees and royalties and assume all costs incident to the use, in the performance of the work or the incorporation in the work of any invention, design, process, program, product or device which is the subject of patent rights or copyrights held by others. If a particular invention, design, process, program, product or device is specified in the contract documents for use in the performance of the work and if, to the actual knowledge of CITY, its use is subject to patent rights or copyrights calling for the payment of any license fee or royalty to others, the existence of such rights shall be disclosed by CITY in the contract documents.

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CONTRACTOR shall indemnify and hold harmless CITY and anyone directly or indirectly employed by CITY from and against all claims, damages, losses and expenses (including attorneys' fees) arising out of any infringement of patent rights or copyrights incident to the use in the performance of the work, or resulting from the incorporation in the work of any invention, design, process, program, product or device not specified in the contract documents, and shall defend all such claims in connection with any alleged infringement of such rights.

8 INDEMNIFICATION

To the fullest extent permitted by law, CONTRACTOR and any subcontractors working on its behalf agree to indemnify CITY, its officers, employees, agents and elected and appointed boards (hereinafter “Indemnified Parties”) for any loss, claim, demand, cause of action, cost, expense, damage, obligation or liability which arises out of or is in any way connected with the performance of any work under this agreement, including any acts or omissions, willful misconduct or negligent conduct, whether active or passive, on the part of CONTRACTOR, or its subcontractors, and regardless of any acts, omissions or negligence (whether active or passive) of any person or entity indemnified hereunder. At their own expense, CONTRACTOR and, as applicable, any subcontractors working on its behalf, shall defend any suit, claim or action against the Indemnified Parties founded upon such loss, claim, demand, cause of action, cost, expense, damage, obligation or liability. CONTRACTOR shall ensure that the contract of any subcontractor working under this agreement contain an indemnity agreement, requiring the subcontractor to indemnify and defend the Indemnified Parties pursuant the terms set forth above. CONTRACTOR shall indemnify the Indemnified Parties, and save it harmless from any and all loss, damage, costs, expenses and attorney's fees suffered or incurred on account of any breach of the aforesaid obligations and covenants, and any other provision or covenant of this agreement.

9 INSURANCE

9.1 CONTRACTOR, at its expense, shall maintain in effect at all times during the performance of work under this Contract not less than the following coverage and limits of insurance, which shall be maintained with insurers listed “A” or better in the Best’s Insurance Guide and authorized to do business in the State of California. **Proof of Insurance, as identified in Section 9.8, must be reviewed and accepted by the City Attorney**.

9.1.1 Workers’ Compensation and Employer’s Liability

- Workers’ Compensation -- coverage as required by the State of California
- Employer’s Liability -- $1,000,000.00 each accident
  $1,000,000.00 policy limit bodily injury
  $1,000,000.00 each employee bodily injury by disease

9.1.2 Commercial General Liability

- $2,000,000.00 limit on a per occurrence basis

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- $3,000,000.00 general aggregate limit

9.1.3 Automobile Liability

- Personal Automobile Insurance - For any automobile used to perform work under this agreement - coverage as required by the State of California; and

Commercial Automobile Liability

- $1,000,000.00 combined single limit including owned, non-owned and hired automobile coverage

9.1.4 Crime/Fidelity Insurance*

- $500,000 limit on a per occurrence basis

9.1.5 Professional Liability (Errors & Omissions)*

- $1,000,000 limit on a per occurence basis

9.2 All of CONTRACTOR's policies shall contain an endorsement providing that written notice shall be given to CITY at least thirty (30) calendar days prior to termination, cancellation, or reduction of coverage in the policy.

9.3 Policies providing for bodily injury and property damage coverage shall contain the following:

A. An endorsement extending coverage to the City as an additional insured, as respects liability arising out of the performance of any work under the Contract. Such insurance shall be primary insurance, as respects the interest of the City, and any other insurance maintained by the City shall be considered excess coverage and not contributing insurance with the insurance required hereunder. The certificates shall state: "The City of Palmdale, Successor Agency to the Community Redevelopment Agency of the City of Palmdale, Palmdale Civic Authority, Housing Authority, Industrial Development Authority, Airport Authority, their officers, agents, employees and volunteers are named as additional insured".

B. "Severability of Interest" Clause.

9.4 Promptly upon execution of this Contract, and prior to commencement of any work, CONTRACTOR shall deliver to CITY certificates of insurance and endorsements to all required policies demonstrating that CONTRACTOR has the required coverage and showing the required named insured. Within five (5) days of written request from CITY, CONTRACTOR shall deliver to CITY full and complete copies of all insurance policies required by this Contract.

9.5 The requirements as to the types and limits of insurance to be maintained by CONTRACTOR are not intended to and shall not in any manner limit or qualify CONTRACTOR's liabilities and obligations under this Contract.

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9.6 Any policy or policies of insurance that CONTRACTOR elects to carry as insurance against loss or damage to its equipment and tools or other personal property used in the performance of this Contract shall include a provision waiving the insurer's right of subrogation against CITY.

9.7 All insurance coverage must be maintained throughout the duration of this Contract.

9.8 Acceptable Proof of Insurance:

9.8.1 ACORD Certificate of Insurance listing all coverage, limits, deductibles and insured; and endorsements for all applicable coverage if agent has authority to issue it; or additional insured Form CG20100704 and CG20370704 or equivalent must be provided for general liability coverage. Additional insured form CA0001 must be provided for automobile liability coverage.

9.8.2 Binders of insurance for all coverage. Agents must confirm that policy endorsements have been ordered from the respective insurance companies. Upon issuance, policy endorsements and a corresponding Certificate of Insurance listing all insurers and coverage must be submitted to the City Attorney.

9.8.3 *When professional liability (errors & omissions) and/or crime/fidelity insurance is provided on a claims-made basis, CONTRACTOR will continue to renew the insurance for a period of five (5) years after this Agreement expires or is terminated. Such insurance will have the same coverage and limits as the policy that was in effect during the term of this Agreement, and will cover CONTRACTOR, or its officers, employees or agents during the time this Agreement was in effect.

9.9 Notwithstanding any other provision of this Contract, CITY may immediately terminate this Contract if, at any time CONTRACTOR fails to maintain the required insurance for any period of time or fails to comply with any of the insurance requirements listed above.

9.10 Any and all subcontractors (including, but not limited to, any participating veterinarians) working on behalf of CONTRACTOR shall be subject to insurance requirements that are substantially similar to those required of CONTRACTOR under this Contract.

10 TERMINATION WITHOUT CAUSE

City reserves the right to terminate this Contract or any part thereof for its sole convenience with fifteen (15) days written notice. In the event of such termination, CONTRACTOR shall immediately stop all work hereunder, and shall immediately cause any of its suppliers and subcontractors to cease such work. CONTRACTOR shall also surrender to CITY all finished or unfinished documents, processes, programs and other supplies and materials, which shall be City's property. As compensation in full for services performed to the date of such termination, the

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CONTRACTOR shall receive an amount equal to the value of the work completed as of the termination date in accordance with the fee schedule or as negotiated between the parties. In no event shall the amount payable upon termination exceed the total maximum compensation provided for in this Contract.

11 TERMINATION FOR CAUSE

If CITY determines that CONTRACTOR has failed to supply an adequate working force, or to provide services of proper quality, or has failed in any other respect to satisfactorily perform the services specified in this Contract, CITY shall give written notice to CONTRACTOR specifying all defaults to be remedied within thirty (30) days. Such notice shall set forth the basis for CITY's dissatisfaction and suggest corrective measures. If, after thirty days, CONTRACTOR has failed to implement appropriate corrective measures, CITY may elect to terminate this Contract in whole or in part.

11.1 In the event CITY terminates this Contract, in whole or in part, for cause, CITY may procure, upon such terms and in such manner, as it may deem appropriate, services similar to those terminated.

11.2 CONTRACTOR shall provide all finished or unfinished documents, data, studies, software, drawings, programs, processes, maps, photographs, reports, etc., prepared by CONTRACTOR within fifteen (15) working days after notice of termination. Upon such termination, CONTRACTOR shall be paid an amount equal to the value of the services provided and work performed as of the date of termination, taking into consideration the costs associated with hiring another CONTRACTOR to complete the services. In ascertaining the value of the work performed up to the date of termination, consideration shall be given to both completed work and work in progress, to complete and incomplete documents when such are delivered to CITY, and to authorized reimbursement expenses. The above is in addition to any other remedies available by law or equity to CITY.

11.3 If, after notice of termination of the Contract under the provisions of this Section 11, it is determined, for any reason, that CONTRACTOR was not in default, or that the default was excusable, then the rights and obligations of the parties shall be the same as if the notice of termination had been issued pursuant to Section 10.

12 DISPUTE RESOLUTION

All claims, disputes, and other matters in question between CITY and CONTRACTOR arising out of or relating to this Contract or the breach thereof shall, to the extent reasonably feasible, be resolved through good faith negotiations between the parties.

13 OWNERSHIP OF PRODUCT

All product, data, documents, programs and software including, but not limited to, research, field notes, investigations, analysis, studies, processes, software, instructions for use and other manuals, whether complete or incomplete, which are

DRAFT

prepared or produced in the performance of this Contract are to be, and remain the property of CITY and shall be delivered to or left with CITY upon the completion or termination of this Agreement. CONTRACTOR shall furnish CITY, upon its request, originals and reproducible and electronic copies of product, data reports, studies and of all other documents listed above. Electronic copies shall be provided in an unprotected format which allows CITY to copy, reproduce and makes changes as CITY deems necessary.

14 DELEGATION AND ASSIGNMENT

14.1 CONTRACTOR shall not delegate or assign its duties or rights hereunder, either in whole or in part, without the prior written consent of CITY; provided, however, that claims for money due or to become due to CONTRACTOR from CITY under this Contract may be assigned to a bank, trust company or other financial institution without such approval.

14.2 Any assignment, delegation or subcontract shall be made in the name of CONTRACTOR and shall not bind or purport to bind CITY and shall not release CONTRACTOR from any obligations under this Contract including, but not limited to, the duty to properly supervise and coordinate the work of employees, assignees, delegates and subcontractors. No such assignment, delegation or subcontract shall result in any increase in the amount of total compensation payable to CONTRACTOR under this Contract.

15 NON-DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY

15.1 In performance of this Contract, CONTRACTOR shall not discriminate against any employee, subcontractor, or applicant for employment because of sex, color, race, religion, ancestry, national origin, disability, medical condition, marital status, sexual orientation, or age. CONTRACTOR will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their sex, color, race, religion, ancestry, national origin, disability, medical condition, marital status, sexual orientation or age. Affirmative action relating to employment shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

15.2 The provisions of subsection 15.1 above shall be included in all solicitations or advertisements placed by or on behalf of CONTRACTOR for personnel to perform any services under this Contract. CITY shall have access to all documents, data and records of CONTRACTOR and its subcontractors for purposes of determining compliance with the equal employment opportunity and non-discrimination provisions of this Section, and all applicable provisions of Executive Order No. 11246 which is incorporated herein by this reference. A copy of Executive Order No. 11246 is available for inspection at, and on file with, the Palmdale City Clerk’s Office.

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16 FINANCIAL INTEREST CERTIFICATION

16.1 CONTRACTOR warrants that no person has been employed or retained to solicit or secure this Contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee; and that no officer or employee of the CITY has any interest, financially or otherwise, in CONTRACTOR's firm.

16.2 For breach or violation of this warranty, CITY shall have the right to annul this Contract without liability or at its discretion to deduct from the Contract Price or consideration, the full amount of such commission, percentage, brokerage or contingent fee.

17 CONFLICT OF INTEREST

17.1 CONTRACTOR stipulates that its officers and employees do not now have a conflict of interest and it further agrees for itself, its officers and its employees that it will not contract for or accept employment for the performance of any work or services with any individual business, corporation or government unit that would create a conflict of interest in the performance of its obligations pursuant to this Contract or which would cause CONTRACTOR to be "financial interested" (as provided in California Government Code Section 1090 et seq. or 87100 et seq.) in any contract or decision made by CITY on any matter.

17.2 CONTRACTOR shall not employ any City official or employee to perform any work required pursuant to this Contract.

17.3 To the extent required by the City Manager or his designee, CONTRACTOR shall complete and file with the City Clerk a Form 700 Statement of Economic Interests disclosing any reportable property interests, income, gifts, investments, or business positions.

18 COMPLIANCE WITH LAW

18.1 CONTRACTOR shall comply with all state and federal laws, including but not limited to, the requirement to hire only those persons authorized by federal law to work in the United States. If CONTRACTOR uses any subcontractors to complete this Contract, this same requirement shall be included in all subcontracts and strictly enforced by CONTRACTOR.

18.2 The law of the state of California shall govern this Contract. The venue of any legal action, either formal or informal, shall be the County of Los Angeles.

19 NOTICES

Any notice required under this Contract shall be in writing, addressed to the appropriate party at its address on the signature page and given personally or by registered or certified mail postage prepaid, or by a commercial courier service. All notices shall be effective upon the date of receipt.

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20 ENTIRE AGREEMENT AND AMENDMENTS

20.1 This Contract is the complete Agreement between the parties and supersedes all prior proposals, agreements, and understandings between the parties and may not be modified or terminated orally.

20.2 No attempted waiver of any of the provisions hereof, nor any modification in the nature, extent or duration of the work to be performed by CONTRACTOR hereunder, shall be binding unless in writing and signed by the party against whom the same is sought to be enforced.

20.3 The failure of any party to enforce against another party any provision of this Contract shall not constitute a waiver of that party's right to enforce such a provision at a later time, and shall not serve to vary the terms of this Contract.

21 PERFORMANCE REPORT

CONTRACTOR agrees to submit a written report on the use of the MEASURE AV grant funds to support the Scope of Work/Program described in Section Two above. This report shall be completed and submitted to CITY within 30 days of the complete expenditure of Program funds, or the end date of the Contract, whichever is later.

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22 ATTORNEY'S FEES

If any action at law or in equity is brought to enforce or interpret any provisions of this Contract, the prevailing party in such action shall be entitled to reasonable attorney's fees, costs and necessary disbursements, in addition to such other relief as may be sought and awarded.

In Witness Whereof, the parties hereto have caused this Contract to be executed and attested by their respective officers thereunto duly authorized.

CITY OF PALMDALE:

Steven D. Hofbauer Date
Mayor

ADDRESS FOR NOTICE:
CITY OF PALMDALE
38250 Sierra Hwy
Palmdale, CA 93550

APPROVE AS TO FORM:

Christopher L. Beck
City Attorney

ATTEST:

Shanae S. Smith
City Clerk

KARMA RESCUE, INC.:

Rande Levine Date
Founder

ADDRESS FOR NOTICE:
KARMA RESCUE, INC.
1158 26th Street PMB 155
Santa Monica, CA 90403

ATTEST: If Corporation

Secretary

DRAFT

City Council Staff Report

DATE: **APRIL 06, 2022**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **PUBLIC WORKS DEPARTMENT**
ENGINEERING DIVISION

DISTRICT: **2**

SUBJECT: **NOTICE OF COMPLETION – ACCEPT PUBLIC IMPROVEMENTS FOR CARMAX LOCATED AT NORTHEAST CORNER OF 5TH STREET WEST AND TECHNOLOGY DRIVE**

ISSUE

Notice of Completion – Accept Public Improvements for CarMax located at Northeast corner of 5th Street West and Technology Drive.

RECOMMENDATION

Staff recommends that the City Council:

1. Accept the completed public improvements for CarMax at Northeast corner of 5th Street West and Technology Drive.

2. Authorize the City Manager or his designee to file a Notice of Completion and release the security for the completed public improvements.

BACKGROUND

This project constructed public street improvements on Technology Drive. The public improvements have been installed per the approved construction plan, inspected, and approved by City Public Works inspection staff.

DISCUSSION

The required public improvements for the project listed in Exhibit “A” and shown in Exhibit “B” have been completed to the satisfaction of the City Engineer as required in the Subdivision/Development Improvement Agreement between the developer and the City. This council action will accept the public improvements as complete and will begin a one-year period, thereafter transferring maintenance responsibility of these improvements from the developer to the City of Palmdale. This council action will also initiate the City’s release of applicable securities posted for this project in accordance

with the City's subdivision regulations. This action is being taken pursuant to Section 16.110.060 of the City's Municipal Code.

FISCAL IMPACT

The City's maintenance costs will incrementally increase as a result of acceptance of these improvements.

STRATEGIC PLAN

Goal III: Invest in infrastructure to improve community livability.

C. Plan and maintain safe and attractive neighborhoods, streets, facilities, and public spaces with exciting programming that promotes active fun for everyone.

Prepared by:	Chuck Heffernan, P.E., Director of Public Works
Certified as to availability of Funds:	Keith Kang, Finance Manager
Approved by:	Ronda Perez, Interim City Manager
Approved as to form:	Christopher Beck, City Attorney

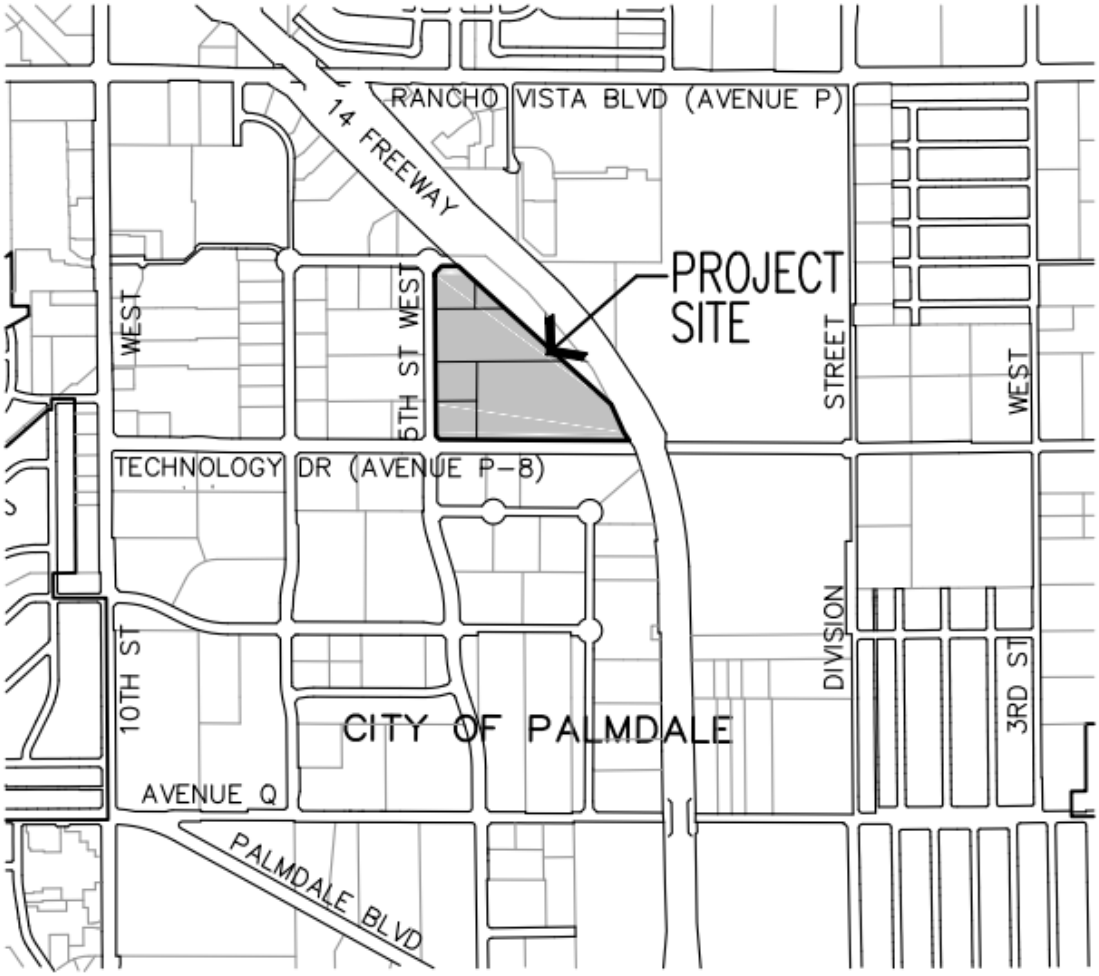
ATTACHMENTS

1. Exhibit A – List of Completed Public Improvements
2. Exhibit B – Site Map Location
3. Notice of Completion – CarMax Street Improvements

EXHIBIT A
LIST OF COMPLETED PUBLIC IMPROVEMENTS

Tract/Project	Plan #	Quantity	Security
CarMax	ST 15-26	185 LF	$263,400

EXHIBIT B
SITE MAP



VICINITY MAP
(NOT TO SCALE)

RECORDING REQUESTED BY:

CITY OF PALMDALE

WHEN RECORDED MAIL TO:

CITY OF PALMDALE
OFFICE OF THE CITY CLERK
38300 SIERRA HIGHWAY, SUITE C
PALMDALE, CA 93550

Space above this line is for Recorder's Use

NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, is hereby given that:

1. The undersigned is owner or corporate officer of the interest or estate stated below in the property hereinafter described.
2. The full name of the owner is City of Palmdale, a Municipal Corporation.
3. The full address of the owner is 38300 Sierra Highway, Palmdale, CA 93550.
4. The nature of interest or estate of the owner is: **Street Improvements-CarMax.**
5. A work of improvement on the property hereinafter described was completed on **February 15, 2022**
6. The work done was: "**Street Improvements-CarMax**",
7. The name of the Contractor for such work of improvement: **CarMax**
8. The property on which said work of improvement was completed is in the City of Palmdale, County of Los Angeles, State of California, and is described as follows: **Northeast corner of 5th Street West and Technology Drive**
9. The address of said property is: **405 Technology Drive**

Dated: April 06, 2022

CITY OF PALMDALE

Guillermo I. Padilla, City Engineer

VERIFICATION

I, the undersigned, say: I am the City Engineer, the declarant of the foregoing notice of completion; I have read the said notice of completion and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 06, 2022, in the City of Palmdale, California.

Guillermo I. Padilla, City Engineer

City Council Staff Report

DATE: **APRIL 6, 2022**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **PUBLIC WORKS DEPARTMENT**
CAPITAL IMPROVEMENT PROGRAM DIVISION

DISTRICT: **1 & 3**

SUBJECT: **AWARD CONSTRUCTION AGREEMENT WITH ALFARO COMMUNICATIONS CONSTRUCTION, INC. FOR PN 670, PALMDALE BLVD. AND 15TH ST. EAST INTERSECTION IMPROVEMENT PROJECT, IN THE AMOUNT OF $648,250.60, FOR A TERM OF 100 CALENDAR DAYS**

ISSUE

Award construction agreement with Alfaro Communications Construction, Inc. for PN 670, Palmdale Blvd. and 15th St. East Intersection Improvement Project, in the amount of $648,250.60.

RECOMMENDATION

Staff recommends that the City Council:

1. Award construction agreement with Alfaro Communications Construction, Inc. for PN 670, Palmdale Blvd. and 15th St. East Intersection Improvement Project, in the amount of $648,250.60.

2. Authorize the Interim City Manager or her designee to execute Agreement No. A-7853 with Alfaro Communications Construction, Inc. including minimal and/or non-substantive changes.

BACKGROUND

Project No. 670 includes procurement, construction and installation of a traffic signal and all associated supporting infrastructure at Palmdale Boulevard and 15th Street East. All work will be performed within the existing right of way. It is anticipated that construction will take approximately 100 calendar days and a 15-week lead time for material procurement from the date the City issues the Notice to Proceed. Work is anticipated to take place between May 2022 through December 2022.

DISCUSSION

Six bids were received for this project on February 16, 2022, and are summarized below:

Bidder	Location	Amount
1. Alfaro Communications Const., Inc.	Compton, CA	$658,120.60
2. Elecnor Belco Electric, Inc.	Chino, CA	$706,972.00
3. Crosstown Electrical & Data, Inc.	Irwindale, CA	$764,283.00
4. Comet Electric, Inc.	Chatsworth, CA	$846,356.00
5. Taft Electric Company	Ventura, CA	$914,822.00
6. MLC Constructors, Inc.	Corona, CA	$1,319,025.00

References have been checked and staff recommends that the City Council award Project No. 670 to Alfaro Communications Construction, Inc., in the amount of $658,120.60.

FISCAL IMPACT

Project No. 670 will be funded with LACMTA Prop C 25% Grant Funds, which have been allocated in Account No. T0027204-724525-3040. The account has a current balance of $807,970. The fiscal impact and remaining account balance can be seen in the following table:

SCOPE OF WORK	COST
Agreement No. A-7853	$658,120.60
Construction Contingency (10%)	$65,812
Administration and Inspection	$10,000
Material Testing	$10,000
Labor Compliance	$10,000
Total Cost:	**$753,933**

Account Number	Starting Balance	Remaining Balance
T0027	$807,970	$54,037

STRATEGIC PLAN

Goal III: Invest in infrastructure to improve community livability.

> C. Plan and maintain safe and attractive neighborhoods, streets, facilities, and public spaces with exciting programming that promotes active fund for everyone Seek innovative, cost effective, customer focused methods of service delivery.

Prepared by:	Chuck Heffernan, PE Director of Public Works
Certified as to availability of Funds:	Keith Kang, Finance Manager
Approved by:	Ronda Perez, Interim City Manager
Approved as to form:	Christopher Beck, City Attorney

City Council Staff Report

DATE: **APRIL 6, 2022**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **PUBLIC WORKS DEPARTMENT**
CAPITAL IMPROVEMENT PROGRAM DIVISION

DISTRICT: **3**

SUBJECT: **NOTICE OF COMPLETION – ACCEPT COMPLETED PROJECT WITH AMERICAN LANDSCAPE INC. FOR PN 758, AVENUE S LMD LANDSCAPE ENHANCEMENT**

ISSUE

Notice of Completion - Accept completed project with American Landscape Inc. for PN 758, Avenue S LMD Landscape Enhancement.

RECOMMENDATION

Staff recommends that the City Council:

1. Accept completed project with American Landscape Inc., for PN 758, Avenue S LMD Landscape Enhancement, and
2. Authorize the Interim City Manager or her designee to execute and file a Notice of Completion.

BACKGROUND

Project No. 758, Avenue S LMD Landscape Enhancement project, enhanced the Landscape Maintenance District (LMD) area from approximately 600 feet west of Pond Avenue to approximately 600 feet east of Dawson Drive. This project ties into the existing street and landscape improvements along Avenue S from 30th Street East to 45th Street East, which were completed in 2017. The new landscape improvements include the use of drought tolerant trees and shrubs to match the Avenue S planting, boulders, cobbles, and decomposed granite.

All construction work for this project has been completed. To release retention for Project No. 758 (five percent of each progress payment), it is necessary for the City Council to accept the project and for a Notice of Completion to be filed. Thirty-five days after filing the Notice of Completion, the retention may be released.

FISCAL IMPACT

This project was funded through Grant Funds (241) and Landscape Maintenance Funds (251) which have been allocated in Account No. L0012. The original construction budget for this project was $360,230 and the final construction cost was $376,683, which represents a 4.6% increase. This increase is due to an additional nine-month maintenance period. Thirty-five days after the Notice of Completion is filed, the retention for the project will be released.

STRATEGIC PLAN

Goal III: Invest in infrastructure to improve community livability.

A. Plan and maintain safe and attractive neighborhoods, streets, facilities, and public spaces with exciting programming that promotes active fun for everyone.

Prepared by:	Chuck Heffernan, Director of Public Works
Certified as to availability of Funds:	Keith Kang, Finance Manager
Approved by:	Ronda Perez, Interim City Manager
Approved as to form:	Christopher Beck, City Attorney

ATTACHMENTS

Notice of Completion

RECORDING REQUESTED BY:

CITY OF PALMDALE

WHEN RECORDED MAIL TO:

CITY OF PALMDALE
OFFICE OF THE CITY CLERK
38300 Sierra Highway, Suite C
Palmdale, CA 93550

Space Above This Line for Recorder's Use

NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, is hereby given that:

1. The undersigned is owner or corporate officer of the interest or estate stated below in the property hereinafter described.
2. The full name of the owner is City of Palmdale, a Municipal Corporation.
3. The full address of the owner is Avenue S, Palmdale, CA 93550.
4. The nature of interest or estate of the owner is: Fee (Avenue S LMD Landscape Enhancement)
5. A work of improvement on the property hereinafter described was completed on March 7, 2022
6. The work done was: "Avenue S LMD Landscape Enhancement, PN 758".
7. The name of the Contractor for such work of improvement: American Landscape, Inc.
8. The property on which said work of improvement was completed is in the City of Palmdale, State of California, and is described as Public Facility improvement.
9. The address of said property is: Avenue S, Palmdale, CA 93550

Dated: April 6, 2022

City of Palmdale

Charles Heffernan, Director of Public Works

VERIFICATION

I, the undersigned, say: I am the Director of Public Works, the declarant of the foregoing notice of completion; I have read the said notice of completion and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 6, 2022 in the City of Palmdale, California.

Charles Heffernan, Director of Public Works

City Council Staff Report

DATE: **APRIL 6, 2022**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **PUBLIC WORKS DEPARTMENT**
CAPITAL IMPROVEMENT PROGRAM DIVISION

DISTRICT: **1**

SUBJECT: **AWARD CONSTRUCTION AGREEMENT WITH ACCO ENGINEERED SYSTEMS FOR PN. 759, PALMDALE PLAYHOUSE HVAC REPLACEMENT PHASE 2, IN THE AMOUNT OF $369,007.49, FOR A TERM OF 7 MONTHS FROM THE DATE OF NOTICE TO PROCEED.**

ISSUE

Award construction agreement with ACCO Engineered Systems for PN. 759, Palmdale Playhouse HVAC Replacement Phase 2, in the amount of $369,007.49, for a term of 7 months from the date of Notice to Proceed.

RECOMMENDATION

Staff recommends that the City Council:

1. Award construction agreement with ACCO Engineered Systems for PN 759, Palmdale Playhouse HVAC Phase 2, in the amount of $369,007.49.

2. Authorize the City Manager or her designee to execute Agreement No. A-7850 with ACCO Engineered Systems, including minimal and/or non-substantive changes.

BACKGROUND

The existing Palmdale Playhouse HVAC system, installed in the mid 1990's, has lived past its recommended use and the units have reached obsolescence.

Phase 1 of the project provided for the removal and replacement of 3 HVAC units at the Palmdale Playhouse building. The 3 units included a 12.5-ton AC-2 unit, a 6-ton AC-4 unit, and a 7.5-ton AC-5 unit. The Energy Management System (EMS) was updated to be Automated Logic, which provides better uniformity with the City's preferred EMS. Notice of Completion for Phase 1 was filed on November 17, 2020.

Phase 2 of the project will provide for the removal and replacement of the remaining five (5) HVAC units at the Palmdale Playhouse. The units include a 12.5-ton AC-1, 6-ton AC-

3, 17.5-ton AC-6, 2.5-ton AC-8, and a 1-ton split system HP-1. The new units will comply with Title 24 energy requirements and will communicate with the Energy Management System (EMS) implemented in Phase 1.

Public Works staff worked with the Gordian Group to identify contractors that may be used for the construction of the project using the ezIQC procurement process and a cooperative purchasing network, Sourcewell. Sourcewell's ezIQC establishes local, competitively awarded prices upfront and eliminating the need to bid each project separately. The ezIQC solution complies with the guidance of the Uniform Municipal Contracting Law and can be used as a tool for expediting construction projects using localized construction cost data, software, and expert field personnel.

DISCUSSION

One bid was received for this project on February 7, 2022, and is summarized below:

BIDDER	LOCATION	AMOUNT
1. ACCO Engineered Systems	El Segundo, CA	$369,007.49

References have been checked and staff recommends that the City Council award Project No. 759 to the lowest bidder, ACCO Engineered Systems, in the amount of $369.007.49.

FISCAL IMPACT

The project will be funded through Park Development Funds (220) and Public Facility Funds (229), which have been allocated in Account No. F0052. The account has a current balance of $498,247. The fiscal impact and remaining account balance can be seen in the following table:

SCOPE OF WORK	COST
PN 759 Palmdale Playhouse HVAC Phase 2	$369,007.49
Construction Contingency (10%)	$36,901
Administration and Inspection	$20,000
Labor Compliance	$18,450
Total Cost:	**$444,358.49**

Account Number	Starting Balance	Remaining Balance
F0052	$498,247	$53,889

STRATEGIC PLAN

Goal III: Invest in infrastructure to improve community livability.

A. Seek innovative, cost effective, customer focused methods of service delivery.
B. Implement and administer environmentally sustainable programs.

Prepared by:	Chuck Heffernan, P.E., Director of Public Works
Certified as to availability of Funds:	Keith Kang, Finance Manager
Approved by:	Ronda Perez, Interim City Manager
Approved as to form:	Christopher Beck, City Attorney

City Council Staff Report

DATE: **APRIL 6, 2022**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **PUBLIC WORKS DEPARTMENT**
CAPITAL IMPROVEMENT PROGRAM DIVISION

DISTRICT: **4**

SUBJECT: **APPROVE AMENDMENT NO. 3 FOR PN 795, SAM YELLEN PARK, PHASE II, WITH KTUA IN THE AMOUNT OF $182,665**

ISSUE

Approve Amendment No. 3 for PN 795, Sam Yellen Park, Phase II, with KTUA in the amount of $182,665.

RECOMMENDATION

Staff recommends that the City Council:

1. Approve Amendment No. 3 to Agreement No. A-6824 for PN 795, Sam Yellen Park, Phase II with KTUA in the amount of $182,665.

2. Authorize the Interim City Manager or her designee to execute Amendment No. 3 to Agreement No. A-6824 with KTUA, including making minimal and/or non-substantive changes.

BACKGROUND

Project No. 795, Sam Yellen Park, Phase II, is a plan to expand Sam Yellen Park by building out the remaining 12-acre site.

Previous Amendments No. 1 and 2 were approved administratively and included costs for additional environmental and design work to address fiber connectivity, update utility plans and provide overall project coordination and subconsultant oversight. Working with KTUA, staff investigated multiple options to help reduce the project scope and budget including overall value engineering of the project, a reduction to the park program, and splitting the construction into phases. This caused another re-design of the project and prompted a reversion of the site layout to a modification of a previous design.

DISCUSSION

Amendment No. 3, if approved, would provide an updated and final design for this project along with correcting landscaping and irrigation deficiencies within the existing Phase I Yellen Park. The updated design includes modifications to the restroom and community room, upgrades to the electrical infrastructure to support EV charging stations, as well as

additional lighting to enhance safety along the pathways and in the existing dog park. The amendment would also provide necessary design support during the construction phase of the project. With this additional scope of work, the design phase of the project will be roughly 4.5% of the total project cost, still under the historical average for this type of project.

FISCAL IMPACT

This project is funded with Park Development funds which have been allocated in Account No. P0009220-724525, with a current balance of $5,006,863. The following is a summary of the design costs to date:

SCOPE OF WORK		COST
A-6059, KTUA Design		$476,781
Amendment No. 1 (approved administratively)		$27,995
Amendment No. 2 (approved administratively)		$6,879
Amendment No. 3		**$182,665**
Account Number	**Starting Balance**	**Remaining Balance**
P0009220-724525	$5,006, 863	$4,824,198

STRATEGIC PLAN

Goal III: Invest in infrastructure to improve community livability.

C. Plan and maintain safe and attractive neighborhoods, streets, facilities, and public spaces with exciting programming that promotes active fun for everyone.

Prepared by:	Chuck Heffernan, P.E., Public Works Director
Certified as to availability of Funds:	Keith Kang, Finance Manager
Approved by:	Ronda Perez, Interim City Manager
Approved as to form:	Christopher Beck, City Attorney

ATTACHMENTS

1. Amendment 3 to Agreement No. A-6824

3RD AMENDMENT TO AGREEMENT A-6824
BETWEEN THE CITY OF PALMDALE AND KTUA

This 3rd Amendment to Agreement No. A-6824 (“Agreement”) between the City of Palmdale and KTUA is made and entered into this 6th day of April, 2022 by and between the City of Palmdale (hereinafter called “CITY”) and KTUA (hereinafter called "CONSULTANT").

WHEREAS, the CITY and CONSULTANT entered into an agreement to provide: Technical and professional services, and to provide preliminary and construction plans for the development of Sam Yellen Park, Phase II Expansion project.

WHEREAS, CONSULTANT represents that CONSULTANT has the expertise and is qualified to perform the services described in the Contract, and if required, is duly registered under the laws of the State of California.

WHEREAS, it has become necessary and desirable to modify the scope of service in "Agreement", increase the total contract price, and increase the contract time to complete.

NOW THEREFORE, the parties agree as follows:

1) Section 1 - DESCRIPTION OF WORK shall be amended to include the additional services described in Exhibit "A", attached hereto, and incorporated herein.

2) Section 4 - COMMENCEMENT AND COMPLETION OF WORK shall be amended to read as follows:

" 'CONSULTANT' agrees to complete all work and submit final deliverables within One Thousand, Eight Hundred (1800) calendar days (by October 17, 2024) of the date this 'Agreement' is executed by CITY. 'CONSULTANT' shall have no claim for compensation for any services or work, which has not been authorized by 'CITY'."

This amendment extends the Notice to Proceed directing "CONSULTANT" to commence work on November 13, 2019 beyond the original five hundred twenty (520) calendar day completion period as set forth in "Agreement".

3) The compensation identified in Section 9 - COMPENSATION is amended to increase the total price of "Agreement" by One Hundred Eighty-Two Thousand, Six Hundred Sixty-Five Dollars ($182,665) as more specifically described in Exhibit "A", attached hereto, and incorporated herein. The new "Agreement" total is not to exceed the amount of Six Hundred Ninety-Four Thousand, Three Hundred Twenty Dollars ($694,320).

(REST OF PAGE INTENTIONALLY LEFT BLANK)

4) All other Terms and Conditions remain in full force and effect.

In Witness Whereof, the parties hereto have caused this Contract to be executed and attested by their respective officers thereunto duly authorized.

CITY OF PALMDALE:

Ronda Perez Date
Interim City Manager

ADDRESS FOR NOTICE:
CITY OF PALMDALE
38250 Sierra Highway
Palmdale, CA 93550

APPROVE AS TO FORM:

Christopher L. Beck
City Attorney

ATTEST:

Shanae S. Smith
City Clerk

KTUA:

Brooke Whalen Date
Principal

ADDRESS FOR NOTICE:
KTUA
3916 Normal Street
San Diego, CA 92103

ATTEST: If Corporation

Secretary

ktua

3916 Normal Street
San Diego, CA 92103

540 E. Betteravia Road, Suite D 122
Santa Maria, CA 93454

619-294-4477 www.ktua.com

March 8, 2022

City of Palmdale
Department of Public Works
38250 Sierra Highway
Palmdale, CA 93550

Attention: Seth Jenison, PE, TE, PTOE
Senior Civil Engineer

Regarding: Proposal for Landscape Architectural Services

Project: Sam Yellen Phase 2 – Phase 1 and Park Upgrades

Dear Seth:

Thank you for the opportunity to submit our professional services and fees to accommodate the upgrades to Sam Yellen Park Phase 1 and the reconfiguration and updates to Phase 2 based on a meeting with the City on January 11, 2022, Exhibit 'AA' attached.

Description of Services:

Based on the page turn meeting on January 11, 2022, the City has requested updates to the 90% construction documents. The following are considered additional services and will be included in the next milestone, 100% / Final Construction Document:

1. Expanded Prefabricated Restroom and Community Room Modifications
    a. Prefabricated Restroom
        i. Add one (1) additional All-Gender room (including sink, water closet). The 90% plans showed two All-Gender restrooms. There should be three total now.
        ii. Modify door with clearance from bottom to allow for surveillance and security.
        iii. Expand the storage area to be a total of 16' x 22' and include a roll up door at the storage area.
        iv. Coordinate will the structural engineer to provide an expanded foundation design.
    b. Community Room Modifications
        i. Remove any glass below building sign text / lower half of building (+/- 10' H). Consider re placing glazing with metal panels instead.
        ii. Add roll down shades at all glazed openings at top half of building.
        iii. No glass doors, provide metal doors instead.
        iv. Consider extra slip resistance for concrete floors in the building.
        v. Remove tile on the walls in bathroom for reasons to do with durability/vandalism.
        vi. Revise restroom design to include SS partitions and fixtures, and soap dispensers.
        vii. Remove mirrors and paper towel dispenser.
        viii. Toilets shall be Auto-Flush, hard-wired, and not battery.
        ix. Check codes and confirm the necessary number of toilets for the entire park (Phase I and II) and modify the plans as required.
        x. "Storage 2" - Replace Accordion doors in the rec space with double doors.
        xi. "Storage 1" - Provide floor to ceiling cabinetry next to kitchenette, remove doors (101A, 101B, C1).
2. Electrical Upgrades
    a. Provide Infrastructure for EV Charging Stations -Revise the drawings and specifications to include infrastructure and capacity to comply with the Calgreen requirements that require capacity and 'infrastructure' (underground conduits, etc.) for future EVSE. The installation of the actual EVSE equipment is not required.

   b. Revert back to 60% CD then proceed to 90% CD - Revise the drawings to revert back to the original futsal court configuration (6 courts). Revise drawings, specifications, circuiting, lighting calculations, Title 24 documentation and coordinate with Musco Lighting to continue to 90%CD from the original 60% CD information.
   c. Power receptacle at plaza and futsal courts- Revise drawings and specifications to include new power receptacles at the plaza and futsal courts.
   d. Additional Lighting at the Existing Dog Park - Revise drawings and specifications to include new lighting in the existing Dog Park area, including all necessary lighting calculations, circuiting, controls and Title 24 Compliance documentation.
   e. Expand Prefabricated Restroom - Revise drawings and specifications to include increased load requirements for the newly expanded prefabricated restroom building.
3. Planting and Irrigation at Phase 1
   a. Add additional irrigation and planting at Phase 1 per the grant exhibit provided by the City. Includes planting plans, irrigation plans, irrigation calculations, updates to the planting legend.
   b. Add additional sheets to accommodate the construction document set for Phase 1.
   c. Attend a site visit to confirm the existing irrigation system. Includes coordination with the maintenance staff. No as-builts for Phase 1 planting are available.
4. General Park Landscape and Civil Modifications per City's Direction
   a. Includes updating drawings, details, layouts, specifications, and a meeting with the playground manufacturer rep to accommodate a revised play area for ages 2–5, swings, and modified exercise equipment as well as eliminating the new area for ages 5-12.
   b. Includes revisions to drawings, details, layouts, specifications for the soccer field layouts that revert to the original design and the addition of storage boxes at the fields.
   c. Overall civil updates including general plans changes, CADD file updates, storm drain and utility changes, overall grading, and new earthwork analysis to accommodate changes.
   d. Drawings, details, layouts, to the parking lot, including changes to the grading to accommodate future EV stations and additional trees.
   e. ROW plans will be broken into three different sets: sewer, storm drain, and water. It is assumed that the City will be processing the water connection within right-of-way plans with the Palmdale Water District.
   f. All phasing will be removed from the plan sets.

5. Additional Phase 1 Survey
   a. Additional survey to accommodate the new lights at the existing dog park and for the new planting and irrigation at Phase 1.
6. Bid Services
   a. KTUA will provide assistance to the City by preparing RFI responses and bid addenda as needed.
7. Construction Administration
   a. KTUA will provide construction administration assistance to the City by attending a pre-construction meeting, reviewing submittals, RFI, attending 4 site meetings during construction, participating in a pre-maintenance punch walk, a pre-final punch walk, and a final punch walk, and preparing as-built drawings.

This additional service does not include phasing the project or efforts associated with future value engineering.

The existing utilities within the public ROW were extrapolated based on the information provided by the City. Should a pump for the sewer system be required to connect to the main in a different location, an additional service will be required by the design team.

Exhibit "A" - 3 of 3

Professional Fees:

The fee for this project will be billed on a time and materials basis, not to exceed, one hundred eighty-two thousand, six hundred sixty-five dollars ($182,665).

1. Expanded Prefabricated Restroom and Community Room Modifications - $15,557
2. Electrical Upgrades - $15,200
3. Planting and Irrigation at Phase 1 - $9,225
4. General Park Modifications per City's Direction and Markups - $25,835
5. Phase 1 Park Survey - $3,000
6. Bid Services- $8,868
7. Construction Administration - $101,780
8. Reimbursables (Task 3 and 7- 8 total site visits)- $3,200

Additional Services:

Additional Service costs may be billed as requested by the Client; any above and beyond this number, shall be paid for by the Client on an hourly basis at the following hourly rates:

Clerical/Administrative	$80.00/hour
Designer/Planner	$105.00/hour
Senior Designer	$120.00/hour
Associate	$135.00/hour
Senior Associate	$165.00/hour
Principal	$175.00/hour

We look forward to making this a successful project for the City. Please do not hesitate to call if you have any questions or need additional information.

Sincerely,

Brooke JP Whalen, ASLA
CA PLA 5175, NV PLA 849

Exhibit 'AA' - Yellen Park - Proposed Revisions - January 11th, 2022

LEGEND

1. ENTRY ROUND-A-B
2. VEHICULAR DROP-
3. OPEN-AIR PLAZA
4. TURF AMPHITHEATER SEATING
5. GRASS MOUND
6. 10’ WIDE MULTI-USE TRAIL
7. SHADED PICNIC AREA
8. EXISTING PLAYGROUND
9. EXPANDED PLAYGROUND
10. RESTROOM BUILDING
11. NEW TURF AREA
12. MULTI-USE TURF AREA
13. EXERCISE STATION (7 TOTAL)
14. PICNIC AREA
15. BIORETENTION BASIN
16. FUTSAL COURT
17. PROPOSED PARKING LOT (84 NEW PARKING SPACES)
18. COMMUNITY BUILDING WITH RESTROOMS
19. DECOMPOSED GRANITE WITH TREE PLANTINGS
20. SHRUBS/GROUNDCOVER

Building Revisions:

(1). Along all building sides, No glass below building sign text / lower half of building (+/- 10' H). Consider metal panels instead.

(2.) Add roll down shade for glass windows in top half.

(3.) No glass doors, metal doors instead.

(4.) Consider extra slip resistance for concrete floors in the building. Sealed concrete, per Steven. Steven to provide spec for sealant.

(5.) No tile on the walls in bathroom, for durability.

(6.) Partitions / fixtures shall be stainless steel. No mirrors in bathroom. No paper towel dispenser. Soap needed.

(7.) Toilets shall be Auto-Flush, hard-wired and not battery.

(8.) Confirm the necessary amount of toilets for a 12 acre park

(9.) 'Storage 2" - Replace Accordion doors in the rec space with double doors.

(10.) "Storage 1" - Floor to celing cabinetry next to kitchenette, remove doors (101A, 101B, C1).

(11.) Maintenance would like to see proposed color pallet for paint schedule, interior and exterior, pending changes and sink faucets need to include auto shutoff mechanism. When the complete sign package is available, staff would like to review.

(1.) Keep planting out of line of sight. Tree canopy shall not be below 6 feet

EAST AVENU

(2.) At picnic areas outside building, modify proposed tables to include acitivity or game tables or smaller conversion tables. Metal shade/umbrellas are desired but not required.

(3.) If there is excess dirt to remove on the project, the proposed raised berms can be taller than 4' tall, using the dirt.

(4.) Provide lockable power plugin receptacle at plaza

Playground Revisions:

(5.) Keep swings. Add 2-5 year play, city shall pick final equipment. Proposed 5-12 yr equipment shall be removed.

(6.) Playground should be Fibar mulch to match phase 1.

(7.) Preferred area for new 2-5 area would be north end of proposed location.

(8.) Place trees in DG along perimeter of multi-use field

(9.) Add shade structure to this picnic area. Same size as east side structure.

EXISTING PHASE 1

(10.) Phase 1 Planting

Add any planting to Phase 1? Seth to confirm permit issues. If any, add shrub material (shrub islands) underneath drip line of trees.

(11.) Consider designated DG walking path here

(12.) Avoid planting trees directly in lawn areas. Lawn within dripline should be avoided wherever possible.

Create planters for the threes, add shrub material.

(13.) Existing Phase 1 Dog Park

Add lighting to dog park area. Potentially same light fixtures as parking lot. Fixtures brighter than the pathway lighting. Preferably no poles within the dog park area. Jeff to evaluate lighting options

(14.) Confirm rubber surface requirement for all fitness areas. Use fiber mulch if possible. KTUA to confirm policy and send to city. KTUA to also send fitness line catalog for city to choose exact fitness EQT.

Planting Comments:

(15.) Limit use of Palo Verde Trees, due to failure.

(16.) Use Turf Hybrid species: "Pro sports field ultra"

(17.) Salvia does not perform well

(18.) Isolate trees from fertilizer injector?

(19.) As desired, boulders are acceptable solutions to fill in landscape planters/islands. Possibly as seats as well.

Irrigation Comments:

(20.) No recycled water on project.

(21.) No drip irrigation on the project.

(22.) Remove this picnic area.

Futstal Courts:

(23.) Original six count of large courts shall be used moving forward. Revise.

(24.) Court material shall be "Cool Play" synthetic turf.

(25.) Provide (1) lockable power outlet/access at futsal courts

(26.) Add equipment boxes (spec previously provided by city) for each futsal court.

Prefab Restroom:

(27.) Modify door with clearance from bottom to allow for surveilance and security.

(28.) Add additional toilets / stalls. Confirm number of users per city standard and CBC to determine amount needed. Numbers discussed below:

-10 users / active acres
- 5 users / passive acres

(29.) Add storage space for maintenance. Similar to Dominic Messari Park (roll up doors). Steven to confirm requirements.

(30.) Add planting along streetscape of East Avenue S and Hillcrest Dr.

(31.) Move fitness station closer to field

(32.) Isolate drinking fountain water supply from the restroom building (s)

(33.) Update trash receptacles to be Petoskey model from Landscape Forms. Green Color, Raised on center pole.

(34.) Move fitness station closer to field

LCRES

BUENA VISTA ELEMENTARY SCHOOL

ktua

SAM YELLEN PARK SITE PLAN

NORTH

0 25 50 100 150

SCALE: 1”= 50’

City Council Staff Report

DATE: **APRIL 6, 2022**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **PUBLIC WORKS DEPARTMENT**
CAPITAL IMPROVEMENT PROGRAM DIVISION

DISTRICT: **1**

SUBJECT: **AWARD CONSTRUCTION AGREEMENT WITH NEW ART CONSTRUCTION, INC., FOR PN 837, IT SERVER ROOM UNINTERRUPTED POWER SUPPLY, LOCATED AT 38300 SIERRA HIGHWAY, IN THE AMOUNT OF $208,000 FOR A TERM OF 18 WEEKS**

ISSUE

Award construction Agreement with New Art Construction, Inc., for PN 837, IT Server Room Uninterrupted Power Supply, located at 38300 Sierra Highway, in the amount of $208,000 for a term of 18 weeks.

RECOMMENDATION

Staff recommends that the City Council:

1. Award construction agreement with New Art Construction, Inc. for PN 837, IT Server Room UPS, located at 38300 Sierra Highway, in the amount of $208,000 for a term of 18 weeks.
2. Authorize the Interim City Manager or her designee to execute Agreement No. A-7855 with New Art Construction, Inc. including minimal and/or non-substantive changes.

BACKGROUND

Capital Improvement Project No. 837 will provide a centralized and redundant uninterruptible power supply (UPS) to the existing eight (8) server racks and an additional two (2) future planned server racks in the IT server room. This new system will replace all existing UPS units servicing the current racks and will interface with the existing power system servicing the facility.

DISCUSSION

A mandatory pre-bid meeting was held on Tuesday January 26, 2022, with seven (7) potential bidders attending.

One (1) bid for this project was received on February 15, 2022, and is summarized as follows:

Bidder	Location	Amount
1. New Art Construction, Inc.	Tujunga, CA	$208,000

Staff has reviewed the bid received and determined that it is competitive relevant to the current market.

FISCAL IMPACT

The project will be funded through Information Technology Account Number 15316001-774400, which has a current balance of $250,000.

The fiscal impact and remaining account balance can be seen in the following table:

SCOPE OF WORK	COST
PN837 – Construction	$208,000
Construction Contingency (10%)	$20,800
Administration and Inspection	$10,000
Total	**$238,800**

Account Number	Starting Balance	Remaining Balance
15316001	$250,000	$11,200

STRATEGIC PLAN

Goal I: Maintain effective public safety and protection for life, property and the environment.

B. Be prepared to protect life, property, and the environment in the event of catastrophic disasters and emergencies

Prepared by:	Chuck Heffernan, P.E., Public Works Director
Certified as to availability of Funds:	Keith Kang, Finance Manager
Approved by:	Ronda Perez, Interim City Manager
Approved as to form:	Christopher Beck, City Attorney

City Council Staff Report

DATE: **APRIL 6, 2022**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **PUBLIC WORKS DEPARTMENT**
ENGINEERING DIVISION

DISTRICT: **2**

SUBJECT: **ADOPT RESOLUTION NO. CC 2022-028, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE, APPROVING JOINT RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, THE BOARD OF DIRECTORS OF THE ANTELOPE VALLEY CEMETERY DISTRICT, THE BOARD OF TRUSTEES OF THE ANTELOPE VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT, THE BOARD OF DIRECTORS OF COUNTY SANITATION DISTRICT NO. 14 OF LOS ANGELES COUNTY, THE BOARD OF DIRECTORS OF THE ANTELOPE VALLEY RESOURCE CONSERVATION DISTRICT, THE CITY COUNCIL OF THE CITY OF PALMDALE, AND THE BOARD OF DIRECTORS OF THE ANTELOPE VALLEY-EAST KERN WATER AGENCY APPROVING AND ACCEPTING THE NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUES RESULTING FROM ANNEXATION OF PROPERTY DESIGNATED AS ANNEXATION 40-153 (34-44), LOCAL AGENCY FORMATION COMMISSION DESIGNATION 2021-02, TO THE LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40, ANTELOPE VALLEY**

ISSUE

Adopt Resolution No. CC 2022-028, a Resolution of the City Council of the City of Palmdale, approving joint resolution of the Board of Supervisors of the County of Los Angeles, the Board of Directors of the Antelope Valley Cemetery District, the Board of Trustees of the Antelope Valley Mosquito and Vector Control District, the Board of Directors of County Sanitation District No. 14 of Los Angeles County, the Board of Directors of the Antelope Valley Resource Conservation District, the City Council of the City of Palmdale, and the Board of Directors of the Antelope Valley-East Kern Water Agency approving and accepting the negotiated exchange of property tax revenues resulting from annexation of property designated as Annexation 40-153 (34-44), local agency Formation Commission Designation 2021-02, to the Los Angeles County Waterworks District No. 40, Antelope Valley

RECOMMENDATION

Staff recommends that the City Council:

1. Adopt Resolution No. CC 2022-028, accepting the Negotiated Exchange of property tax revenues resulting from Annexation of property designated as Annexation 40-153 (34-44), local agency Formation Commission Designation 2021-02, to the Los Angeles County Waterworks District No. 40, Antelope Valley.

2. Authorize the Mayor to execute the Joint Tax Sharing Resolution No. CC 2022-028, approving and accepting the Negotiated Exchange of property tax revenues resulting from Annexation of property designated as Annexation 40-153 (34-44), local agency Formation Commission Designation 2021-02, to the Los Angeles County Waterworks District No. 40, Antelope Valley.

3. Authorize the Mayor to execute the Los Angeles County Joint Resolution, approving and accepting the Negotiated Exchange of property tax revenues resulting from Annexation of property designated as Annexation 40-153 (34-44), local agency Formation Commission Designation 2021-02, to the Los Angeles County Waterworks District No. 40, Antelope Valley.

BACKGROUND

In the attached letter dated January 31, 2022, the Los Angeles County Waterworks District requested that the City of Palmdale execute the joint tax sharing resolution approving and accepting the Negotiated Exchange of Property Tax Revenues resulting from annexation of property designated as Annexation 40-153 (34-44), local agency formation commission designation 2021-02, to the Los Angeles County Waterworks District No. 40, Antelope Valley, located within the City of Palmdale.

The subject properties are located northwest corner of the intersection of Eliopulos Ranch Drive and Yianni Court, within the Joshua Ranch Development, in the City of Palmdale, known as Annexation 40-153 (34-44).

The execution of the attached joint resolutions will approve the tax sharing agreement by the City for the annexations of the subject properties into District boundaries. All public agencies and special districts that receive property tax increment revenues execute the same resolution.

FISCAL IMPACT

The current property tax share ratio for the City within these areas is 0.065664155. This Council's action will allocate 0.000340094 of the City's tax share to the Los Angeles

County Waterworks District No. 40 resulting in a net City tax share rate of 0.065324061. For example, a $10,000 increase in assessed value for a parcel will generate an additional $100 in property taxes, of which the City will receive $6.532 and the Los Angeles County Waterworks District No. 40 will receive $0.0340.

STRATEGIC PLAN

Goal II: Ensure long-term fiscal health of the City and maintain funding for services.

D. Pursue alternative financing opportunities for continued infrastructure improvements and quality community programs.

Prepared by:	Chuck Heffernan, P.E., Director of Public Works
Certified as to availability of Funds:	Keith Kang, Finance Manager
Approved by:	Ronda Perez, Acting City Manager
Approved as to form:	Christopher Beck, City Attorney

ATTACHMENT

1. Copy of Palmdale Resolution No. CC 2022-028
2. Los Angeles Department of Public Works Request Letter
3. Copy of Los Angeles County Resolution
4. Exhibits A-B (Property Tax Transfer Worksheets)
5. Annexation 2021-02 Legal Description
6. Annexation 2021-02 Location Map

CITY COUNCIL
CITY OF PALMDALE, CALIFORNIA
RESOLUTION NO. CC 2022-028

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE APPROVING JOINT RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, THE BOARD OF DIRECTORS OF THE ANTELOPE VALLEY CEMETERY DISTRICT, THE BOARD OF TRUSTEES OF THE ANTELOPE VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT, THE BOARD OF DIRECTORS OF COUNTY SANITATION DISTRICT NO. 14 OF LOS ANGELES COUNTY, THE BOARD OF DIRECTORS OF THE ANTELOPE VALLEY RESOURCE CONSERVATION DISTRICT, THE CITY COUNCIL OF THE CITY OF PALMDALE, AND THE BOARD OF DIRECTORS OF THE ANTELOPE VALLEY-EAST KERN WATER AGENCY APPROVING AND ACCEPTING THE NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUES RESULTING FROM ANNEXATION OF PROPERTY DESIGNATED AS ANNEXATION 40-153 (34-44), LOCAL AGENCY FORMATION COMMISSION DESIGNATION 2021-02, TO THE LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40, ANTELOPE VALLEY

WHEREAS, pursuant to Section 99.01 of the Revenue and Taxation Code, in the case of any jurisdictional change that will result in a special district providing one or more services to an area where those services have not previously been provided by any local agency, the special district and each local agency that receives an apportionment of property tax revenue from the area may negotiate an exchange of property tax revenue generated in the area subject to the jurisdictional change and attributable to those local agencies; and

WHEREAS, the Board of Supervisors of the County of Los Angeles, acting on behalf of the Los Angeles County Waterworks District No. 40, Antelope Valley; the Los Angeles County Library; and the Consolidated Fire Protection District of Los Angeles County; together with the Board of Directors of the Antelope Valley Cemetery District, the Board of Trustees of the Antelope Valley Mosquito and Vector Control District, the Board of Directors of County Sanitation District No. 14 of Los Angeles County, the Board of Directors of the Antelope Valley Resource Conservation District, the City Council of the City of Palmdale, and the Board of Directors of the Antelope Valley-East Kern Water Agency have determined that the amount of property tax revenue to be exchanged between their respective agencies as a result of the annexation proposal identified as Annexation 40-153 (34-44) to the Los Angeles County Waterworks District No. 40, Antelope Valley, is as set forth.

NOW THEREFORE, BE IT RESOLVED, THE CITY COUNCIL OF THE CITY OF PALMDALE DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

SECTION 1. The Los Angeles County Waterworks District No. 40, Antelope Valley; the Los Angeles County Library; the Consolidated Fire Protection District of Los Angeles County; the Antelope Valley Cemetery District; the Antelope Valley Mosquito and Vector Control District; the County Sanitation District No. 14 of Los Angeles County; the Antelope Valley Resource Conservation District; the City of Palmdale; and the Antelope Valley-East Kern Water Agency have determined that the amount of property tax revenue to be exchanged between their respective agencies as a result of the annexation proposal identified as Annexation 40-153 (34-44) is approved and accepted.

SECTION 2. For fiscal years commencing on or after July 1, 2022, or the July 1 after the effective date of this jurisdictional change, whichever is later, the property tax revenue increment generated from the area within Annexation 40-153 (34-44) shall be allocated to the affected agencies as indicated in the enclosed worksheets (Exhibits A to B).

SECTION 3. No transfer of property tax revenues other than those specified in paragraph 2 shall be made as a result of Annexation 40-153 (34-44).

SECTION 4. If at any time after the effective date of this resolution, the calculations used herein to determine initial property tax transfers or the data used to perform those calculations are found to be incorrect, thus producing an improper or inaccurate property tax transfer, the property tax transfer shall be recalculated and the corrected transfer shall be implemented for the next fiscal year.

SECTION 5. The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED and **ADOPTED** this 6th day of April, 2022.

_____
Steven D. Hofbauer, Mayor

Approved as to form:

ATTEST:

_____
Christopher L. Beck
City Attorney

_____
Shanae S. Smith, City Clerk

I, Shanae S. Smith, City Clerk of Palmdale, California, do hereby certify that the foregoing resolution was duly passed, approved, and adopted by the City Council of the City of Palmdale at a regular meeting of said Council held on the 6th day of April, 2022 by the following roll call vote:

AYES: _____

NOES:_____

ABSTAIN:_____ABSENT:_____

Date: _____ _____
Shanae S. Smith, City Clerk

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
http://dpw.lacounty.gov

MARK PESTRELLA, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

January 31, 2022

IN REPLY PLEASE
REFER TO FILE: WW-2

Mr. Chuck Heffernan
Director of Public Works
City of Palmdale
38250 Sierra Highway
Palmdale, CA 93550

Attention Ms. Maria Rios

Dear Mr. Heffernan:

ANNEXATION 40-153 (34-44), LOCAL AGENCY FORMATION COMMISSION DESIGNATION 2021-02
NEGOTIATED TAX EXCHANGE RESOLUTION RESULTING FROM ANNEXATION OF TERRITORY TO LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40, ANTELOPE VALLEY, LOCATED WITHIN THE CITY OF PALMDALE

This letter is to request that the City of Palmdale's City Council approve the exchange of ad valorem property tax in conjunction with the annexation of the territory located northeast of the intersection of Eliopulos Ranch Drive and Marina Court in the City of Palmdale, known as Annexation 40-153 (34-44) (see enclosed map), to the Los Angeles County Waterworks District No. 40, Antelope Valley (District).

Enclosed are three sets of the original Joint Tax Resolution for your Board's adoption. Attached to the Joint Tax Resolution are two worksheets (Exhibits A and B) for Annexation 40-153 (34-44) listing the share of the annual tax increments to be exchanged between the District and affected taxing agencies. The tax-sharing ratios listed in the worksheets were calculated using a formula approved by the County of Los Angeles Auditor-Controller and County Counsel. Column 5 of the exhibits identifies the portion of the current tax share each affected agency will have to transfer to the District as a result of the proposed annexation.

Please execute the three sets of the enclosed original Joint Tax Resolution and return them to:

Ms. Viki Yip
Los Angeles County Public Works
Waterworks Division
900 South Fremont Avenue
Alhambra, CA 91803-1331

Subsequent to the adoption of the Joint Tax Resolution by all affected agencies and the County of Los Angeles Board of Supervisors, a fully executed copy will be sent to you for your records.

If you have any questions, please contact Ms. Viki Yip, Waterworks Division, at (626) 300-4683 or vyip@pw.lacounty.gov.

Very truly yours,

MARK PESTRELLA, PE
Director of Public Works

RUSS BRYDEN
Assistant Deputy Director
Waterworks Division

VY:cg
H:\WWHOME\Admin\Letters\2022\LR407.doc

Enc.

JOINT RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, THE BOARD OF DIRECTORS OF THE ANTELOPE VALLEY CEMETERY DISTRICT, THE BOARD OF TRUSTEES OF THE ANTELOPE VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT, THE BOARD OF DIRECTORS OF THE COUNTY SANITATION DISTRICT NO. 14 OF LOS ANGELES COUNTY, THE BOARD OF DIRECTORS OF THE ANTELOPE VALLEY RESOURCE CONSERVATION DISTRICT, THE CITY COUNCIL OF THE CITY OF PALMDALE, AND THE BOARD OF DIRECTORS OF THE ANTELOPE VALLEY-EAST KERN WATER AGENCY APPROVING AND ACCEPTING THE NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUES RESULTING FROM ANNEXATION OF PROPERTY DESIGNATED AS ANNEXATION 40-153 (34-44), LOCAL AGENCY FORMATION COMMISSION DESIGNATION 2021-02, TO THE LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40, ANTELOPE VALLEY

WHEREAS, pursuant to Section 99.01 of the Revenue and Taxation Code, in the case of any jurisdictional change that will result in a special district providing one or more services to an area where those services have not previously been provided by any local agency, the special district and each local agency that receives an apportionment of property tax revenue from the area may negotiate an exchange of property tax revenue generated in the area subject to the jurisdictional change and attributable to those local agencies; and

WHEREAS, the Board of Supervisors of the County of Los Angeles, acting on behalf of the Los Angeles County Waterworks District No. 40, Antelope Valley; the Los Angeles County Library; and the Consolidated Fire Protection District of Los Angeles County; together with the Board of Directors of the Antelope Valley Cemetery District, the Board of Trustees of the Antelope Valley Mosquito and Vector Control District, the Board of Directors of County Sanitation District No. 14 of Los Angeles County, the Board of Directors of the Antelope Valley Resource Conservation District, the City Council of the City of Palmdale, and the Board of Directors of the Antelope Valley-East Kern Water Agency have determined that the amount of property tax revenue to be exchanged between their respective agencies as a result of the annexation proposal identified as Annexation 40-153 (34-44) to the Los Angeles County Waterworks District No. 40, Antelope Valley, is as set forth:

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Los Angeles County Waterworks District No. 40, Antelope Valley; the Los Angeles County Library; the Consolidated Fire Protection District of Los Angeles County; the Antelope Valley Cemetery District; the Antelope Valley Mosquito and Vector Control District; the County Sanitation District No. 14 of Los Angeles County; the Antelope Valley Resource Conservation District; the City of Palmdale; and the Antelope Valley-East Kern Water Agency have determined that the amount of property tax revenue to be exchanged between their respective agencies as a result of the annexation proposal identified as Annexation 40-153 (34-44) is approved and accepted.

2. For fiscal years commencing on or after July 1, 2022, or the July 1 after the effective date of this jurisdictional change, whichever is later, the property tax revenue increment generated from the area within Annexation 40-153 (34-44) shall be allocated to the affected agencies as indicated in the enclosed worksheets (Exhibits A and B).

3. No transfer of property tax revenues other than those specified in paragraph 2 shall be made as a result of Annexation 40-153 (34-44).

4. If at any time after the effective date of this Joint Resolution the calculations used herein to determine initial property tax transfers or the data used to perform those calculations are found to be incorrect, thus producing an improper or inaccurate property tax transfer, the property tax transfer shall be recalculated and the corrected transfer shall be implemented for the next fiscal year.

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PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Steven D. Hofbauer, Mayor
City of Palmdale

ATTEST:

_____
Secretary

Annexation To: Waterworks District # 40 ANTELOPE VALLEY
Account No. 047.04
TRA: 16225
Effective Date: July 1, 2023
Annexation Number: 40-153 (34-44)

Waterworks District # 40, ANTELOPE VALLEY **0.005179306**
Based on their 2021-22 Tax Sharing Ratios

ACCOUNT	Taxing Agency	(1) Current Tax Share	(2) = (1) / Total Percent	(3) Proposed Dist Share	(4) = (2) * (3) Alloc of Dist Share	(5) Allocation Adjustments	(6) = (1) + (5) New Net Share
1.05	LOS ANGELES COUNTY GENERAL	0.227972421	22.7972%	0.005179306	0.001180749	-0.001217082 (a)	0.226755339
1.20	L.A. COUNTY ACCUM CAP OUTLAY	0.000140209	0.0140%	0.005179306	0.000000726	**0.000000000**	0.000140209
7.30	CONSOL. FIRE PRO.DIST.OF L.A.CO.	0.176308732	17.6309%	0.005179306	0.000913156	-0.000913156	0.175395576
7.31	L A C FIRE-FFW	0.006875037	0.6875%	0.005179306	0.000035607	**0.000000000**	0.006875037
53.30	ANTELOPE VY CEMETERY DISTRICT	0.000352763	0.0353%	0.005179306	0.000001827	-0.000001827	0.000350936
61.05	ANTELOPE VLY MOSQ & VECTOR CONTR	0.000957311	0.0957%	0.005179306	0.000004958	-0.000004958	0.000952353
66.45	CO SANIT DIST NO 14 OPERATING	0.003500077	0.3500%	0.005179306	0.000018127	-0.000018127	0.003481950
68.05	ANTELOPE VY RESOURCE CONSER DIST	0.001150707	0.1151%	0.005179306	0.000005959	-0.000005959	0.001144748
225.01	CITY-PALMDALE TD #1	0.065664155	6.5664%	0.005179306	0.000340094	-0.000340094	0.065324061
300.10	ANTELOPE VY.-EAST KERN WATER AGY	0.023328476	2.3328%	0.005179306	0.000120825	-0.000120825	0.023207651
400.00	EDUCATIONAL REV AUGMENTATION FD	0.05746721	5.7467%	0.005179306	0.000297640	Exempt	0.057467210
400.01	EDUCATIONAL AUG FD IMPOUND	0.128611486	12.8611%	0.005179306	0.000666118	Exempt	0.128611486
400.15	COUNTY SCHOOL SERVICES	0.001738749	0.1739%	0.005179306	0.000009005	Exempt	0.001738749
400.21	CHILDREN'S INSTIL TUITION FUND	0.003450682	0.3451%	0.005179306	0.000017872	Exempt	0.003450682
689.01	WESTSIDE UNION SCHOOL DISTRICT	0.078698485	7.8698%	0.005179306	0.000407603	Exempt	0.078698485
689.06	CO.SCH.SERV.FD.- WESTSIDE UNION	0.010166841	1.0167%	0.005179306	0.000052657	Exempt	0.010166841
689.07	DEV CTR HDCPD MINOR WESTSIDE UN	0.001058194	0.1058%	0.005179306	0.000005480	Exempt	0.001058194
717.02	ANTELOPE VALLEY UNION HIGH SCH.	0.12000362	12.0004%	0.005179306	0.000621535	Exempt	0.120003620
717.06	CO.SCH.SERV.FD.- ANTELOPE VALLEY	0.000440914	0.0441%	0.005179306	0.000002283	Exempt	0.000440914
717.07	ANTELOPE VY.UN.HI.-ELEM SCH FD.	0.058792158	5.8792%	0.005179306	0.000304502	Exempt	0.058792158
792.04	ANTELOPE VY.JT. COMMUNITY COLL.	0.033321773	3.3322%	0.005179306	0.000172583	Exempt	0.033321773
047.04	**Waterworks Dist # 40 ANTELOPE VALLEY**	0.000000000	0.0000%	0.005179306	0.000000000	0.000000000	**0.002622028**
	Total	**1.000000000**	**100.0000%**		**0.005179306**	**-0.002622028**	**1.000000000**

(a) Need to add back the allocation adjustment of account 1.2 and 7.31
(1) Current share as reflected in the Auditor's ATI distribution in AF 49. Must total 1.000000000.
(2) Must total 100%.
(3) Weighted average waterworks district share as verified by Auditor.
(4) Must total share reflected in Column (3). 3/3/16 - truncated by 9 places after the decimal per LACO Auditor-Controller.
(5) Reflects exemption for school entities and County general fund obligation for debt service and FFW.
(6) Final share distributions to be reflected in tax transfer resolution.

EXHIBIT "A"
LEGAL DESCRIPTION
ANNEXATION 2021-02
LOS ANGELES COUNTY WATERWORKS
DISTRICT No. 40, ANTELOPE VALLEY

THE FOLLOWING REAL LAND SITUATED IN THE CITY OF PALMDALE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED AS:

LOTS 63 THROUGH 68 OF TRACT NO. 52200-3 IN THE CITY OF PALMDALE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 1337, PAGES 50 THROUGH 63, INCLUSIVE, IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY.

SAID LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 19, TOWNSHIP 6 NORTH, RANGE 12 WEST, SAN BERNARDINO BASE MERIDIAN; THENCE EASTERLY, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION, SOUTH 89°29'59" EAST A DISTANCE OF 446.14 FEET TO THE NORTHEAST CORNER OF LOT 70 OF SAID TRACT, ALSO BEING THE TRUE POINT OF BEGINNING; THENCE,

L1: ALONG THE EASTERLY LINE OF LOTS 70 AND 69 OF SAID TRACT, SOUTH 00°00'00" WEST A DISTANCE OF 241.29 FEET TO THE NORTHEAST CORNER OF SAID LOT 68; THENCE

L2: ALONG THE NORTHWESTERLY LINE OF SAID LOT 68, SOUTH 55°15'24" WEST A DISTANCE OF 253.49 FEET; TO

C1: THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 275.00 FEET, A RADIAL TO SAID BEGINNING POINT BEARS NORTH 55°14'14" EAST, THENCE SOUTHEASTERLY ALONG THE WESTERLY LINE OF SAID LOTS 68 AND 67 AND ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 42°41'13", AN ARC DISTANCE OF 204.88 FEET TO AN ANGLE POINT IN THE WEST LINE OF SAID LOT 67; THENCE

L3: ALONG THE WESTERLY LINE OF SAID LOT 67, SOUTH 38°28'36" EAST A DISTANCE OF 16.71 FEET; TO

C2: AN ANGLE POINT IN THE SOUTH LINE OF SAID LOT 67, SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 464.50 FEET, A RADIAL TO SAID BEGINNING POINT BEARS SOUTH 05°02'55" WEST; THENCE SOUTHEASTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 67 AND SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°10'46", AN ARC DISTANCE OF 9.56 FEET; THENCE

L4: CONTINUING ALONG THE SOUTHERLY LINE OF SAID LOTS 67 AND 66, SOUTH 86°07'51" EAST A DISTANCE OF 143.01 FEET; TO

C3: THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 535.50 FEET, THENCE CONTINUING SOUTHEASTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 66 AND ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°05'06",

AN ARC DISTANCE 103.60 FEET TO AN ANGLE POINT IN SAID SOUTHERLY LINE OF LOT 66; THENCE

L5: ALONG THE SOUTHEASTERLY LINE OF SAID LOT 66, NORTH 63°06'25" EAST A DISTANCE OF 14.68 FEET; TO

C4: AN ANGLE POINT IN SAID EAST LINE, SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 275.00 FEET, A RADIAL TO SAID BEGINNING POINT BEARS SOUTH 68°44'24" EAST, THENCE NORTHEASTERLY AND EASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOTS 64 THROUGH 66 AND THE SOUTHERLY LINE OF SAID LOT 63, THROUGH A CENTRAL ANGLE OF 79°55'56", AN ARC DISTANCE OF 383.65 FEET TO THE SOUTHEAST CORNER OF SAID LOT 63; THENCE

L6: ALONG THE EASTERLY LINE OF SAID LOT 63, NORTH 11°09'25" EAST A DISTANCE OF 407.33 FEET TO THE NORTHEAST CORNER OF SAID LOT 63; THENCE

L7: ALONG THE NORTHERLY LINE OF SAID LOT 63, NORTH 75°09'14" WEST A DISTANCE OF 77.64 FEET TO AN ANGLE POINT THEREIN; THENCE

L8: CONTINUING ALONG THE NORTHERLY LINE OF SAID LOT 63, NORTH 03°45'21" WEST A DISTANCE OF 20.94 FEET TO AN ANGLE POINT THEREIN; THENCE

L9: CONTINUING ALONG THE NORTHERLY LINE OF SAID LOT 63 AND THE NORTHERLY LINE OF SAID LOTS 64 AND 65, NORTH 89°29'59" WEST A DISTANCE OF 427.99 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 6.58 ACRES

PREPARED BY:

W.R. Gorman 5/20/2021

W.R. GORMAN
LS 8767



Annexation To: **Waterworks District # 40 ACO FUND**
Account No. **051.75**
TRA: **16225**
Effective Date: **July 1, 2023**
Annexation Number: **40-153 (34-44)**

Waterworks District # 40, ACO FUND **0.004893098**
Based on their 2021-22 Tax Sharing Ratios

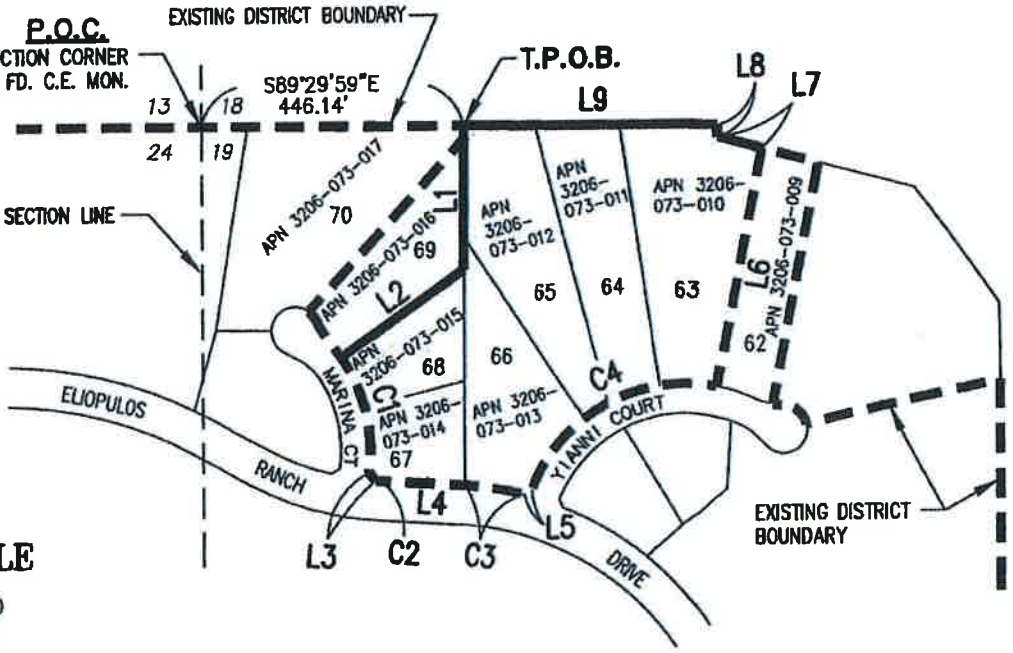
ACCOUNT # AGENCY NAME	(1) Current Tax Share	(2) = (1) / Total Percent	(3) Proposed Dist Share	(4) = (2) * (3) Alloc of Dist Share	(5) Allocation Adjustments	(6) = (1) + (5) New Net Share
1.05 LOS ANGELES COUNTY GENERAL	0.227972421	22.7972%	0.004893098	0.001115501	-0.001149827 (a)	0.226822594
1.2 LA. COUNTY ACCUM CAP OUTLAY	0.000140209	0.0140%	0.004893098	0.000000686	**0.000000000**	0.000140209
7.3 CONSOL. FIRE PRO.DIST.OF L.A.CO.	0.176308732	17.6309%	0.004893098	0.000862695	-0.000862695	0.175446037
7.31 L A C FIRE-FFW	0.006875037	0.6875%	0.004893098	0.000033640	**0.000000000**	0.006875037
53.3 ANTELOPE VY CEMETERY DISTRICT	0.000352763	0.0353%	0.004893098	0.000001726	-0.000001726	0.000351037
61.05 ANTELOPE VLY MOSQ & VECTOR CONTR	0.000957311	0.0957%	0.004893098	0.000004684	-0.000004684	0.000952627
66.45 CO SANIT DIST NO 14 OPERATING	0.003500077	0.3500%	0.004893098	0.000017126	-0.000017126	0.003482951
68.05 ANTELOPE VY RESOURCE CONSER DIST	0.001150707	0.1151%	0.004893098	0.000005630	-0.000005630	0.001145077
225.01 CITY-PALMDALE TD #1	0.065664155	6.5664%	0.004893098	0.000321301	-0.000321301	0.065342854
300.1 ANTELOPE VY.-EAST KERN WATER AGY	0.023328476	2.3328%	0.004893098	0.000114148	-0.000114148	0.023214328
400 EDUCATIONAL REV AUGMENTATION FD	0.05746721	5.7467%	0.004893098	0.000281192	Exempt	0.057467210
400.01 EDUCATIONAL AUG FD IMPOUND	0.128611486	12.8611%	0.004893098	0.000629308	Exempt	0.128611486
400.15 COUNTY SCHOOL SERVICES	0.001738749	0.1739%	0.004893098	0.000008507	Exempt	0.001738749
400.21 CHILDREN'S INSTIL TUITION FUND	0.003450682	0.3451%	0.004893098	0.000016884	Exempt	0.003450682
689.01 WESTSIDE UNION SCHOOL DISTRICT	0.078698485	7.8698%	0.004893098	0.000385079	Exempt	0.078698485
689.06 CO.SCH.SERV.FD.- WESTSIDE UNION	0.010166841	1.0167%	0.004893098	0.000049747	Exempt	0.010166841
689.07 DEV CTR HDCPD MINOR WESTSIDE UN	0.001058194	0.1058%	0.004893098	0.000005177	Exempt	0.001058194
717.02 ANTELOPE VALLEY UNION HIGH SCH.	0.12000362	12.0004%	0.004893098	0.000587189	Exempt	0.120003620
717.06 CO.SCH.SERV.FD.- ANTELOPE VALLEY	0.000440914	0.0441%	0.004893098	0.000002157	Exempt	0.000440914
717.07 ANTELOPE VY.UN.HI.-ELEM SCH FD.	0.058792158	5.8792%	0.004893098	0.000287675	Exempt	0.058792158
792.04 ANTELOPE VY.JT. COMMUNITY COLL	0.033321773	3.3322%	0.004893098	0.000163046	Exempt	0.033321773
051.75 Waterworks Dist # 40 ACO FUND	0.000000000	0.0000%	0.004893098	0.000000000	0.000000000	**0.002477137**
Total	**1.000000000**	**100.0000%**		**0.004893098**	**-0.002477137**	**1.000000000**

(a) Need to add back the allocation adjustment of account 1.2 and 7.31
(1) Current share as reflected in the Auditor's ATI distribution in AF 49. Must total 1.000000000.
(2) Must total 100%.
(3) Weighted average waterworks district share as verified by Auditor.
(4) Must total share reflected in Column (3). 3/3/16 - truncated by 9 places after the decimal per LACO Auditor-Controller.
(5) Reflects exemption for school entities and County general fund obligation for debt service and FFW.
(6) Final share distributions to be reflected in tax transfer resolution.

EXHIBIT "B"

ANNEXATION No. 2021-02
LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40, ANTELOPE VALLEY

LOTS 63 THROUGH 68 OF TRACT NO. 52200-03, MB 1337 PAGES 50-63



GRAPHIC SCALE

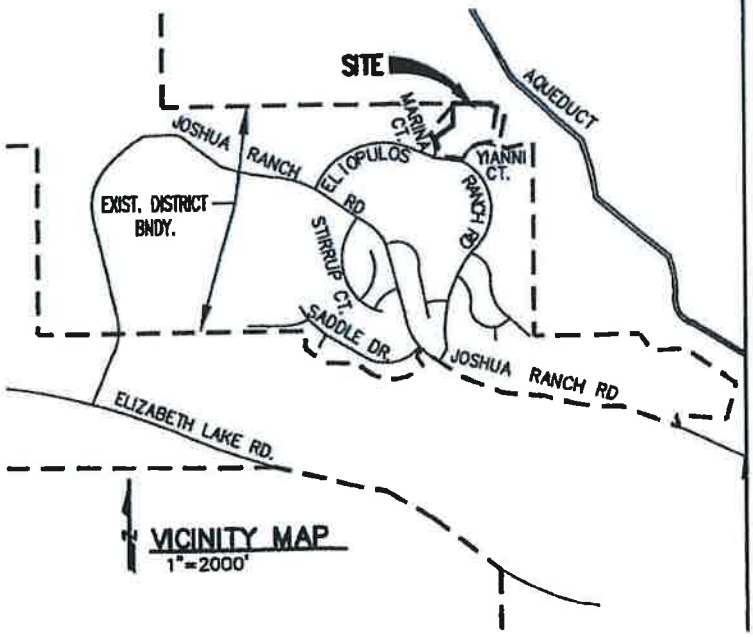
0 150 300

(IN FEET)

1 inch = 300 ft.

LINE TABLE		
COURSE	BEARING	DISTANCE
L1	S00°00'00"E	241.29'
L2	S55°15'24"W	253.49'
L3	S38°28'36"E	16.71'
L4	S86°07'51"E	143.01'
L5	N63°06'25"E	14.68'
L6	N11°09'25"E	407.33'
L7	N75°09'14"W	77.64'
L8	N03°45'21"W	20.94'
L9	N89°29'59"W	427.99'

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	RADIAL IN	RADIAL OUT
C1	42°41'13"	275.00'	204.88'	N55°14'14"E	N82°04'33"W
C2	01°10'46"	464.50'	9.56'	N05°02'55"E	N03°52'09"E
C3	11°05'06"	535.50'	103.60'	N03°52'09"E	N14°57'15"E
C4	79°55'56"	275.00'	383.65'	N68°44'24"W	N11°11'32"E



LEGEND

AREA TO BE ANNEXED CONTAINING 6.58 ACRES

EXISTING DISTRICT BOUNDARY

BASIS OF BEARINGS:
THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARING OF N89°29'59"W BEING THE NORTHERLY LINE OF SECTION 19, T6N, R12W, S.B.M., AS SHOWN ON TRACT MAP NO. 52200-03 FILED IN BOOK 1337, PAGES 50-63, IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY.

City Council Staff Report

DATE: **APRIL 6, 2022**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **PUBLIC WORKS DEPARTMENT**
CAPITAL IMPROVEMENT PROGRAM DIVISION

DISTRICT: **ALL**

SUBJECT: **ADOPT RESOLUTION NO. CC 2022-023, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE APPROVING THE APPLICATION FOR LOCAL STREETS AND ROADS FUNDS AUTHORIZED UNDER ARTICLE 8 OF THE TRANSPORTATION DEVELOPMENT ACT**

ISSUE

Adopt Resolution No. 2022-023, a Resolution of the City Council of the City of Palmdale approving the application for Local Streets and Roads Funds authorized under Article 8 of the Transportation Development Act.

RECOMMENDATION

Staff recommends that the City Council adopt Resolution No. CC 2022-023, a resolution for the purpose of approving the application for Local Streets and Roads Funds authorized under Article 8 of the Transportation Development Act.

BACKGROUND

Transportation Development Act (TDA) Article 8 funds are intended to fund unmet transit needs in areas outside the Metro service area, i.e., North Los Angeles County and Santa Catalina Island. However, if there are no unmet reasonable transit needs in these areas the Article 8 funds can be used for streets and roads expenditures. A public hearing must be held each year in each of the eligible areas to determine whether there are unmet transit needs and whether they can be met using an allocation of Article 8 funds. Since the City of Palmdale has met its unmet public transportation needs through an agreement with Antelope Valley Transit Authority (AVTA) to provide public transportation in the City of Palmdale, the allocation of Transportation Development Act funds will be used for minor street and road improvements.

Article 8 claims are filed by the Cities of Avalon, Lancaster, Palmdale, Santa Clarita and the County (for the unincorporated area in the North Los Angeles County and unincorporated Santa Catalina Island outside the Metro service area). In expending

Article 8 monies for Local Streets and Roads purposes, the State Controller's Guidelines on Gas Tax Expenditures (Sections 100-400) are used as general guidance for eligible use of funds.

DISCUSSION

The Los Angeles County Metropolitan Transportation Authority (Metro) adopted the FY 2021-22 TDA Article 8 allocations on June 24, 2021. To claim and receive funds the City must submit the claim forms and approved resolution no later than June 30, 2022. Staff recommends that the City Council approve Resolution No. 2022-023 approving the application for Local Streets and Roads Funds authorized under Article 8 of the Transportation Development Act.

FISCAL IMPACT

Annual allocation of TDA Article 8 revenue for FY 2021-22 in the amount of $6,761,056 and estimated interest income of $10,000 for a total of $6,771,056 is budgeted and will be used for local streets and roads projects. To ensure that TDA funds are spent in a timely manner and that interest earned on these funds are accrued, allocated and expended consistently with the original allocations, local jurisdictions can claim each year only the funds needed for expenditures anticipated within the fiscal year. In addition to the annual allocation and estimated interest income there was a balance remaining in the fund of $1,110,116 from prior year's allocation that was encumbered 6/30/2021, leaving an available balance of $6,771,056. The following expenditures are budgeted or will be encumbered for FY 2021-22:

*Note: $1,110,116 portion encumbered 6/30/2021 per Metro Audit report.

ACCOUNT NUMBER	PROJECT DESCRIPTION	TDA 8 AMOUNT
20732003	Traffic Signal Maintenance	1,893,600
20732004	Traffic Engineering	578,400
20716001	GIS Operations	379,200
2071500	Operating Expenditures - Transfers	90,000
S0025/S0058	*Street Resurfacing Project/Avenue R Complete Street	3,260,216
S0057	*Pearblossom Construction Project	69,640
S0062	County Payment Program – FY 2022	500,000
	TOTAL EXPENDITURES	$6,771,056

Metro's policy for all allocation funds claimed and received be spent or encumbered each year, any funds remaining in local jurisdictions accounts on June 30th of the fiscal year must be returned to Metro for placement on reserve and future drawdown by the jurisdiction.

STRATEGIC PLAN

Goal II: Ensure long-term fiscal health of the City and maintain funding for services.

A. Manage resources, costs and liabilities to ensure the City's long-term fiscal health.

Goal III: Invest in infrastructure to improve community livability.

C. Plan and maintain safe and attractive neighborhoods, streets, facilities, and public spaces with exciting programming that promotes active fun for everyone.

Prepared by:	Chuck Heffernan, P.E., Director of Public Works
Certified as to availability of Funds:	Keith Kang, Finance Manager
Approved by:	Ronda Perez, Interim City Manager
Approved as to form:	Christopher Beck, City Attorney

ATTACHMENTS

Resolution No. CC-2022-023

CITY COUNCIL
CITY OF PALMDALE, CALIFORNIA
RESOLUTION NO. CC 2022-023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE, CALIFORNIA, APPROVING THE APPLICATION FOR LOCAL STREETS AND ROADS FUNDS AUTHORIZED UNDER ARTICLE 8 OF THE TRANSPORTATION DEVELOPMENT ACT.

WHEREAS, Article 8 of the Transportation Development Act provides that cities can use eligible funds of the County's Local Transportation Fund for local streets and road expenditures when the City's unmet transportation needs have been satisfied; and

WHEREAS, the City of Palmdale has met its unmet public transportation needs through an agreement with Antelope Valley Transit Authority to provide public transportation in the City of Palmdale; and

WHEREAS, the City of Palmdale desires to use its portion of its allocation of Transportation Development Act funds for street and road improvements.

NOW THEREFORE, BE IT RESOLVED, THE CITY COUNCIL OF THE CITY OF PALMDALE DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

SECTION 1 To authorize Chuck Heffernan, Director of Public Works as the City's authorized signature and designated contact person.

SECTION 2 To apply for all funds available to the City of Palmdale allocated for street and road improvements.

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

PASSED, APPROVED and **ADOPTED** this 6nd day of April, 2022.

Approved as to form:

_____
Steven D. Hofbauer, Mayor

ATTEST:

_____
Christopher L. Beck
City Attorney

_____
Shanae S. Smith, City Clerk

I, Shanae S. Smith, City Clerk of Palmdale, California, do hereby certify that the foregoing resolution was duly passed, approved, and adopted by the City Council of the City of Palmdale at a regular meeting of said Council held on the 6th day of April, 2022 by the following roll call vote:

AYES: _____

NOES: _____

ABSTAIN: _____ ABSENT: _____

Date: _____ _____
Shanae S. Smith, City Clerk

City Council Staff Report

DATE: **APRIL 6, 2021**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **PUBLIC WORKS DEPARTMENT**
ENGINEERING DIVISION

DISTRICT: **2**

SUBJECT: **APPROVE FINAL TRACT MAP NO. 60431-01 (LOCATED AT THE SOUTHWEST CORNER OF AVENUE M-8 AND 70TH STREET WEST)**

ISSUE

Approve Final Tract Map No. 60431-01 (located at the southwest corner of Avenue M-8 and 70th Street West)

RECOMMENDATION

Staff recommends that the City Council approve Final Tract Map No. 60431-01 and authorize the City Clerk to execute City Clerk's Statement and Special Assessments Statement and authorize the Acting City Surveyor to execute the City Surveyor's Statement and file the map with the County Recorder.

BACKGROUND

Final Tract Map No. 60431-01 is a 25.32-acre subdivision, legally creating 51 single family residential lots. All proposed lot sizes and dimensions comply with the City's Zoning Ordinance. The subject property is located at the Southwest corner of Avenue M-8 and 70th Street West. The applicant for this Final Tract Map is Victorville Enterprises LLC, a California Limited Liability Company, et. al. The Tentative Tract Map was approved by the Planning Commission on February 10, 2011, by Resolution No. PC 2011-007. A major modification No. 1 to phase the Tentative Tract Map into 3 different phases was later approved by Planning Commission on August 13, 2020 through Resolution No. PC 2020-035.

This Final Tract Map is consistent with the Tentative Tract Map and all Final Map conditions of approval have been met. The Acting City Land Surveyor has reviewed the Final Map for technical accuracy and verifies it is in compliant with the Subdivision Map Act.

Staff recommends that the City Council approve Final Tract Map No. 60431-01.

FISCAL IMPACT

There is no fiscal impact associated with this action.

STRATEGIC PLAN

Goal III: Invest in infrastructure to improve community livability.

A. Plan and maintain safe and attractive neighborhoods, streets, facilities, and public spaces with exciting programming that promotes active fun for everyone.

Prepared by:	Chuck Heffernan P.E., Director of Public Works
Certified as to availability of Funds:	Keith Kang, Finance Manager
Approved by:	Ronda Perez, Interim City Manager
Approved as to form:	Christopher Beck, City Attorney

ATTACHMENTS

1. Final Tract Map No. 60431-01

PHASE ONE OF
THREE PHASES
OF T.T.M. 60431

TRACT NO. 60431-01

IN THE CITY OF PALMDALE
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
BEING A SUBDIVISION OF A PORTION OF THE NORTHEAST QUARTER SECTION 4, TOWNSHIP 6 NORTH, RANGE 13 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND,

PHASE 1 OF TENTATIVE MAP NO. 60431
TENTATIVE MAP EXPIRES FEBRUARY 22, 2022

BUCKEYE SURVEYING AND ENGINEERING
DENNIS HUNTER PLS 8539

51 LOTS

25.32 ACRES

OWNER'S STATEMENT

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

WE FURTHER STATE THAT, EXCEPT AS SHOWN ON THIS MAP, WE KNOW OF NO EASEMENTS OR STRUCTURES EXISTING WITHIN THE EASEMENTS HEREBY OFFERED FOR DEDICATION TO THE PUBLIC, OTHER THAN PUBLICLY OWNED WATER LINES, SEWERS, OR STORM DRAINS, THAT WE WILL GRANT NO RIGHT OR INTEREST WITHIN THE BOUNDARIES OF SAID EASEMENTS OFFERED TO THE PUBLIC, EXCEPT WHERE SUCH RIGHT OR INTEREST IS EXPRESSLY MADE SUBJECT TO SAID EASEMENTS.

AS A DEDICATION TO PUBLIC USE, WHILE ALL OF AVENUE M–8 AND 70TH STREET WEST WITHIN OR ADJACENT TO THIS SUBDIVISION REMAINS A PUBLIC STREET, WE HEREBY DEDICATE THE RIGHT TO RESTRICT DIRECT VEHICULAR INGRESS AND EGRESS FROM ABUTTING LOTS TO SAID STREETS. IF ANY PORTION OF SAID STREET WITHIN OR ADJACENT TO THIS SUBDIVISION IS VACATED, SUCH VACATION TERMINATES THE ABOVE DEDICATION AS TO THE PART VACATED.

AND WE HEREBY IRREVOCABLY OFFER TO DEDICATE REAL PROPERTY TO THE CITY OF PALMDALE:

AS EASEMENTS FOR PUBLIC PURPOSES ALL STREETS, HIGHWAYS, AND OTHER PUBLIC WAYS, SHOWN ON SAID MAP;

AND WE HEREBY OFFER TO DEDICATE AND GRANT REAL PROPERTY TO THE CITY OF PALMDALE:

IN FEE FOR PUBLIC PURPOSES FOR SANITARY SEWERS, STORM DRAIN SYSTEMS, APPURTENANT STRUCTURES, MANITENANCE, AND INGRESS AND EGRESS PURPOSES WITHIN AND WITHOUT SAID SUBDIVISION CONSTRUCTED AS PART OF THE IMPROVEMENT THEREOF.

EASEMENTS FOR PUBLIC PURPOSES FOR PUBLIC DRAINAGE, SANITARY SEWERS, LANDSCAPING, AND MAINTENANCE PURPOSES SO DESIGNATED ON SAID MAP AND ALL USES INCIDENT THERETO, INCLUDING THE RIGHT TO MAINTAIN THE IMPROVEMENTS AND MAKE CONNECTIONS THEREWITH FROM ANY ADJOINING PROPERTIES.

LANCASTER VILLAS, LLC A CALIFORNIA LIMITED LIABILITY COMPANY

_____
DANIEL SAPARZADEH, MANAGER

JJJM INVESTMENTS LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

_____
FARIBORZ MATIAN, MANAGER

FARZAD SEAN RAHBAR, TRUSTEE OF THE FEELEY FAMILY TRUST

_____
FARZAD SEAN RAHBAR, TRUSTEE

VICTORVILLE ENTERPRISES LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

_____
FARSHAD MATIAN, MANAGER

SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF LANCASTER VILLAS, LLC IN NOVEMBER 2017. I HEREBY STATE THAT THIS SUBDIVISION MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE TRACT MAP, IF ANY; THAT THE MONUMENTS OF THE CHARACTER AND LOCATIONS SHOWN HEREON ARE IN PLACE, OR WILL BE IN PLACE WITHIN TWENTY–FOUR MONTHS FROM THE FILING DATE OF THIS MAP; AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED AND THAT TIE NOTES TO ALL CENTERLINE MONUMENTS SHOWN AS 'TO BE SET' WILL BE ON FILE IN THE OFFICE OF THE CITY ENGINEER WITHIN TWENTY–FOUR MONTHS FROM THE FILING DATE SHOWN HEREON.

_____ _____
DENNIS HUNTER PLS 8539 DATE
LICENSE EXPIRES 12/31/2022

LICENSED LAND SURVEYOR
DENNIS HUNTER
No. 8539
STATE OF CALIFORNIA

CITY SURVEYOR'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP, THAT IT CONFORMS SUBSTANTIALLY TO THE APPROVED TENTATIVE MAP AND ALL APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF APPLICABLE STATE LAW AND SUBDIVISION ORDINANCES OF THE CITY OF PALMDALE APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

LICENSED LAND SURVEYOR
FREDERICK R. JONES
No. 5458
STATE OF CALIFORNIA

_____ _____
DATE ACTING CITY SURVEYOR CITY OF PALMDALE
FREDERICK R. JONES, JR.
P.L.S. 5458

CITY CLERK'S STATEMENT

I, SHANAE S. SMITH, CITY CLERK OF THE CITY OF PALMDALE, DO HEREBY STATE THAT THIS MAP WAS PRESENTED FOR APPROVAL TO THE CITY OF PALMDALE CITY COUNCIL AT A REGULAR MEETING THEREOF, HELD ON THE ___ DAY OF _____, 2022, AND THAT THEREUPON SAID COUNCIL DID, BY AND ORDER DULY PASSED AND ENTERED, APPROVE SAID MAP;
AND ON BEHALF OF THE PUBLIC, SAID COUNCIL DID:

ACCEPT THE OFFER OF DEDICATION THE RIGHT TO RESTRICT DIRECT VEHICULAR INGRESS AND EGRESS FROM ABUTTING LOTS TO 70TH STREET WEST AND AVENUE M–8, AS SHOWN ON SAID MAP.

ACCEPT THE OFFER OF DEDICATION AND GRANT IN FEE FOR PUBLIC PURPOSES FOR SANITARY SEWERS, STORM DRAIN SYSTEMS, APPURTENANT STRUCTURES, AND INGRESS AND EGRESS PURPOSES WITHIN AND WITHOUT SAID SUBDIVISION CONSTRUCTED AS PART OF THE IMPROVEMENT THEREOF.

ACCEPT THE OFFER OF DEDICATION AND GRANT OF THE EASEMENTS FOR PUBLIC PURPOSES EASEMENTS FOR DRAINAGE, SANITARY SEWERS, LANDSCAPING, AND MAINTENANCE PURPOSES SO DESIGNATED ON SAID MAP AND ALL USES INCIDENT THERETO, INCLUDING THE RIGHT TO MAINTAIN THE IMPROVEMENTS AND MAKE CONNECTIONS THEREWITH FROM ANY ADJOINING PROPERTIES.

REJECT THE IRREVOCABLE OFFER TO DEDICATE REAL PROPERTY AS EASEMENTS FOR PUBLIC PURPOSES ALL STREETS, HIGHWAYS, AND OTHER PUBLIC WAYS, AS SHOWN ON SAID MAP.

SPECIAL ASSESSMENTS

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

_____ _____
DATE SHANAE S. SMITH
CITY CLERK, CITY OF PALMDALE

BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 6 NORTH, RANGE 13 WEST, SAN BERNARDINO MERIDIAN SHOWN AS NORTH 89°47'55" EAST ON MAP OF TRACT NO. 44803 FILED IN BOOK 1145 PAGES 1 TO 15, INCLUSIVE, OF MAPS, RECORDS OF LOS ANGELES COUNTY.

MONUMENT NOTE

ALL 2" I.P. TAGGED PLS 8539 TO BE SET FLUSH AS NOTED ON THE MAP. ALL SPIKE AND WASHER TAGGED PLS 8539 TO BE SET DOWN 0.04' AS NOTED ON THE MAP. LEAD AND TAG PLS 8539 TO BE SET ON CURBS ON PROLONGATIONS OF ALL LOT LINES.

SOILS REPORT NOTE

IN ACCORDANCE WITH SECTION 66434.5 OF THE SUBDIVISION MAP ACT, A SOILS REPORT WAS PREPARED JANUARY 14, 2020 BY GOLD COAST GEOSERVICES, INC. (FILE NO. GC19–123039) AND IS ON FILE IN THE OFFICE OF THE CITY ENGINEER.

_____ _____
DATE SHANAE S. SMITH
CITY CLERK, CITY OF PALMDALE

PHASE ONE OF
THREE PHASES
OF T.T.M. 60431

TRACT NO. 60431-01

IN THE CITY OF PALMDALE
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BUCKEYE SURVEYING AND ENGINEERING
DENNIS HUNTER PLS 8539

51 LOTS

25.32 ACRES

LOS ANGELES COUNTY CERTIFICATIONS AND SEALS

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

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

BY _____ DATE _____
DEPUTY

I HEREBY CERTIFY THAT SECURITY IN THE AMOUNT OF $_____
HAS BEEN FILED WITH THE EXECUTIVE OFFICER, BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES AS SECURITY FOR THE PAYMENT OF TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES ON THE LAND SHOWN ON MAP OF TRACT NO. 60431–01 AS REQUIRED BY LAW.

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

BY _____ DATE _____
DEPUTY

SIGNATURE OMISSION NOTES

THE SIGNATURE OF THE CITY OF PALMDALE, SUCCESSOR IN INTEREST TO THE COUNTY OF LOS ANGELES, HOLDER OF AN EASEMENT AND RIGHT OF WAY FOR PUBLIC ROAD AND HIGHWAY PURPOSES BY DEED RECORDED APRIL 11, 1927 IN BOOK 6685, PAGE 337 OF OFFICIAL RECORDS HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(a)3A(i) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.

THE SIGNATURE OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, HOLDER OF AN EASEMENT AND RIGHT OF WAY FOR PUBLIC UTILITY PURPOSES BY DEED RECORDED JANUARY 29. 1969, AS INSTRUMENT NO. 1851 OF OFFICIAL RECORDS. HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(a)3A(i–viii) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.

THE SIGNATURE OF THE CITY OF PALMDALE, SUCCESSOR IN INTEREST TO THE COUNTY OF LOS ANGELES, HOLDER OF AN EASEMENT AND RIGHT OF WAY FOR PUBLIC ROAD AND HIGHWAY PURPOSES BY DEED RECORDED MARCH 17, 1972, AS INSTRUMENT NO. 4371 OF OFFICIAL RECORDS HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(a)3A(i) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.

THE SIGNATURE OF THE CITY OF PALMDALE, SUCCESSOR IN INTEREST TO THE COUNTY OF LOS ANGELES, HOLDER OF AN EASEMENT AND RIGHT OF WAY FOR PUBLIC ROAD AND HIGHWAY PURPOSES BY DEED RECORDED JANUARY 29, 1968, AS INSTRUMENT NO. 1573 OF OFFICIAL RECORDS HAS BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTION 66436(a)3A(i) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE.

THE SIGNATURE OF DRH ENERGY, INC., A COLORADO CORPORATION, LESSEE UNDER A SUBSURFACE OIL, GAS AND MINERALS LEASE RECORDED SEPTEMBER 18, 2006, AS INSTRUMENT NO. 06–2065031 OF OFFICIAL RECORDS HAVE BEEN OMITTED UNDER THE PROVISIONS OF SECTION 66436(a)(3)(c) OF THE SUBDIVISION MAP ACT.

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT TO THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

ON _____ BEFORE ME, _____ ,

NOTARY PUBLIC, PERSONALLY APPEARED _____
WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND.

SIGNATURE: _____
NAME OF NOTARY: _____
COUNTY IN WHICH COMMISSIONED: _____
DATE COMMISSION EXPIRES: _____
COMMISSION NUMBER: _____

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT TO THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

ON _____ BEFORE ME, _____ ,

NOTARY PUBLIC, PERSONALLY APPEARED _____
WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND.

SIGNATURE: _____
NAME OF NOTARY: _____
COUNTY IN WHICH COMMISSIONED: _____
DATE COMMISSION EXPIRES: _____
COMMISSION NUMBER: _____

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT TO THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

ON _____ BEFORE ME, _____ ,

NOTARY PUBLIC, PERSONALLY APPEARED _____
WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND.

SIGNATURE: _____
NAME OF NOTARY: _____
COUNTY IN WHICH COMMISSIONED: _____
DATE COMMISSION EXPIRES: _____
COMMISSION NUMBER: _____

SCALE: 1" = 200'

SHEET 3 OF 12 SHEETS

TRACT NO. 60431-01

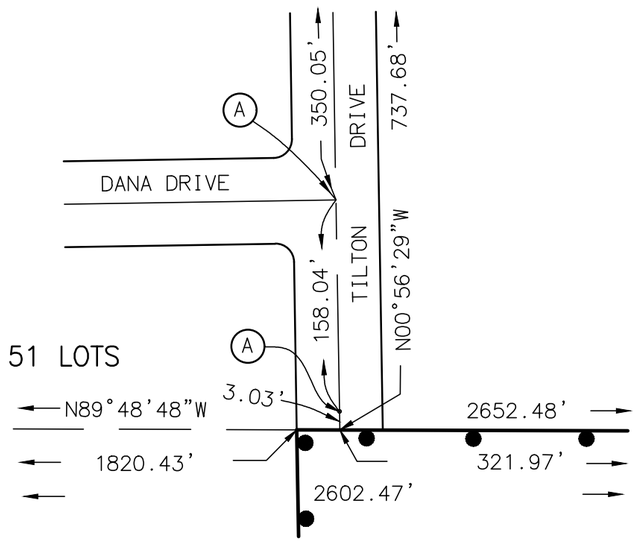
IN THE CITY OF PALMDALE
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BUCKEYE SURVEYING AND ENGINEERING
DENNIS HUNTER PLS 8539

51 LOTS

25.32 ACRES

BOUNDARY ESTABLISHMENT



DETAIL "A"
NOT TO SCALE

N'LY LINE NE 1/4 SECTION 4
T6N, R13W, S.B.M. & CENTERLINE
OF AVENUE M

N89°47'55"E 2649.73'

N 1/4 CORNER SECTION 4
FOUND C.S. BRASS CAP MON.
PER L.A. COUNTY ENGINEER
F.B. 2968-168

NE CORNER SECTION 4
FOUND C.S. BRASS CAP MON.
PER L.A. COUNTY ENGINEER
F.B. 2968-168

LINE DATA

LINE	BEARING	DISTANCE
L1	N 02°12'25" W	60.06'
L2	N 89°34'29" W	110.50'
L3	N 44°34'29" W	18.38'
L4	N 01°04'12" E	88.88'
L5	N 43°59'06" E	37.83'
L6	N 00°33'32" W	42.70'
L7	N 44°44'31" E	18.60'
L8	N 00°56'29" W	124.22'

1327.55'

TRACT NO. 44803
M.B. 1145-1-15

NOT A PART OF
THIS
SUBDIVISION

NOT A PART OF
THIS
SUBDIVISION

TRACT NO. 060209
M.B. 1322-87-90

1345.55'

2691.10'

2655.10'

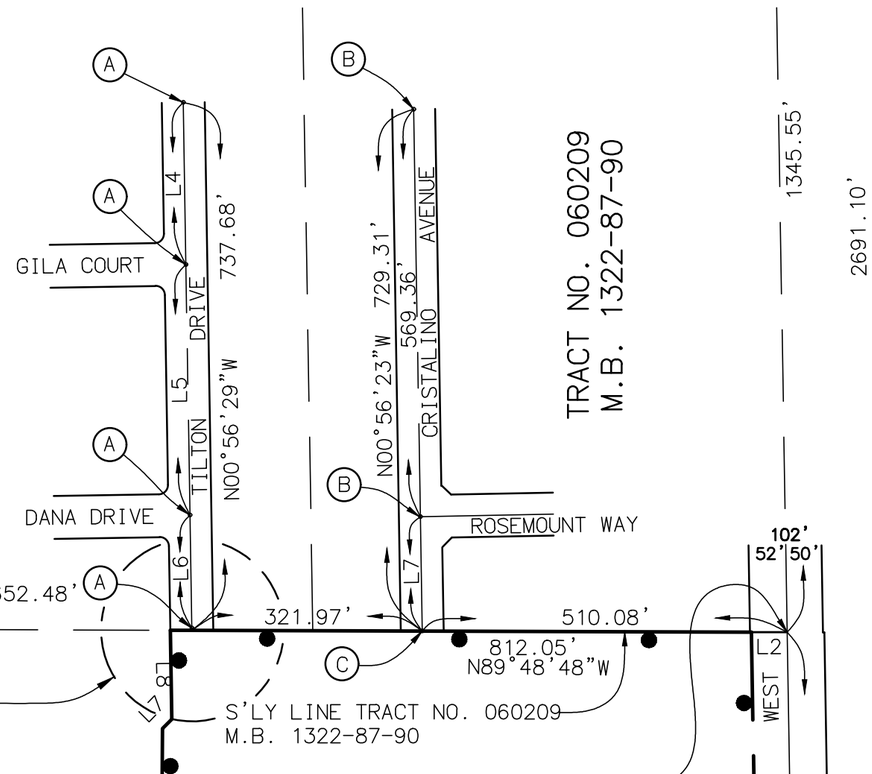
FOUND SPIKE AND WASHER TAGGED LS 6498
IN LIEU OF 2" I.P. TAGGED RCE 16362 PER
TRACT NO. 44803 M.B. 1145-1-15. ACCEPTED
AS SW COR. SAID TRACT NO. 44803.

N89°48'48"W 1820.43'

2602.47'

S'LY LINE TRACT NO. 44803
M.B. 1145-1-15

SEE DETAIL "A"
SHOWN HEREON



INSTUMENT NO. 04-0464192
RECORDED 2/27/2004

N00°51'36"W 1327.55' 1077.47'

W'LY LINE NE 1/4 SECTION 4
T6N, R13W, S.B.M. & CL OF 75TH
STREET WEST

NOT A PART OF THIS
SUBDIVISION

FOUND C.E. BRASS CAP MON.
MARKED COR. 1 RE 5869 PER
C.S.B. 2809

N89°25'33"W 490.15'

FOUND C.E. BRASS CAP MON.
MARKED COR. 2 RE 5869 PER
C.S.B. 2809

D

250.08'

NOT A PART OF
THIS
SUBDIVISION
490.15'

L3

2115.18'

1361.38'

N89°25'33"W

FOUND C.E. BRASS CAP MON.
MARKED COR. 3 RE 5869 PER
C.S.B. 2809

S'LY LINE NE 1/4 SECTION 4
T6N, R13W, S.B.M. & CL OF
AVENUE M-8

CENTER SECTION 4
FOUND C.E. BRASS CAP MON. MARKED
RE 5869 PER L.A. COUNTY ENGINEER
F.B. 2968-152

E 1/4 CORNER SECTION 4
FOUND C.S. BRASS CAP MON.
PER L.A. COUNTY ENGINEER
F.B. 2968-168

LINE TABLE

LINE	BEARING	DISTANCE
L1	N89°25'33"W	50.02'
L2	N89°48'48"W	50.01'
L3	N00°51'36"W	250.08'
L4	N00°56'29"W	226.56'
L5	N00°56'29"W	350.05'
L6	N00°56'29"W	158.04'
L7	N00°56'23"W	159.95'

LEGEND

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

(A) FOUND SPIKE AND WASHER TAGGED LS 6498
IN LIEU OF SPIKE AND WASHER TAGGED
RCE 16362 PER TRACT NO. 44803 M.B. 1145-1-15.

(B) FOUND CONCRETE NAIL IN LIEU OF SPIKE AND WASHER
TAGGED RCE 16844 PER TRACT NO. 060209
M.B. 1322-87-90. ACCEPTED AS POINT ON
CENTERLINE.

(C) FOUND 60D NAIL IN LIEU OF SPIKE AND WASHER TAGGED
RCE 16844 PER TRACT NO. 060209 M.B. 1322-87-90. ACCEPTED
AS POINT ON CENTERLINE.
(N0°56'23"W 0.07')

(D) LAND DESCRIBED IN QUITCLAIM DEED TO LOS ANGELES COUNTY
WATERWORKS DISTRICT NO. 4 RECORDED JULY 22, 1975 AS
INSTRUMENT NO. 2119, O.R.

N

200 100 0 100 200 400

GRAPHIC SCALE

SCALE: 1" = 150'

SHEET 4 OF 12 SHEETS

TRACT NO. 60431-01

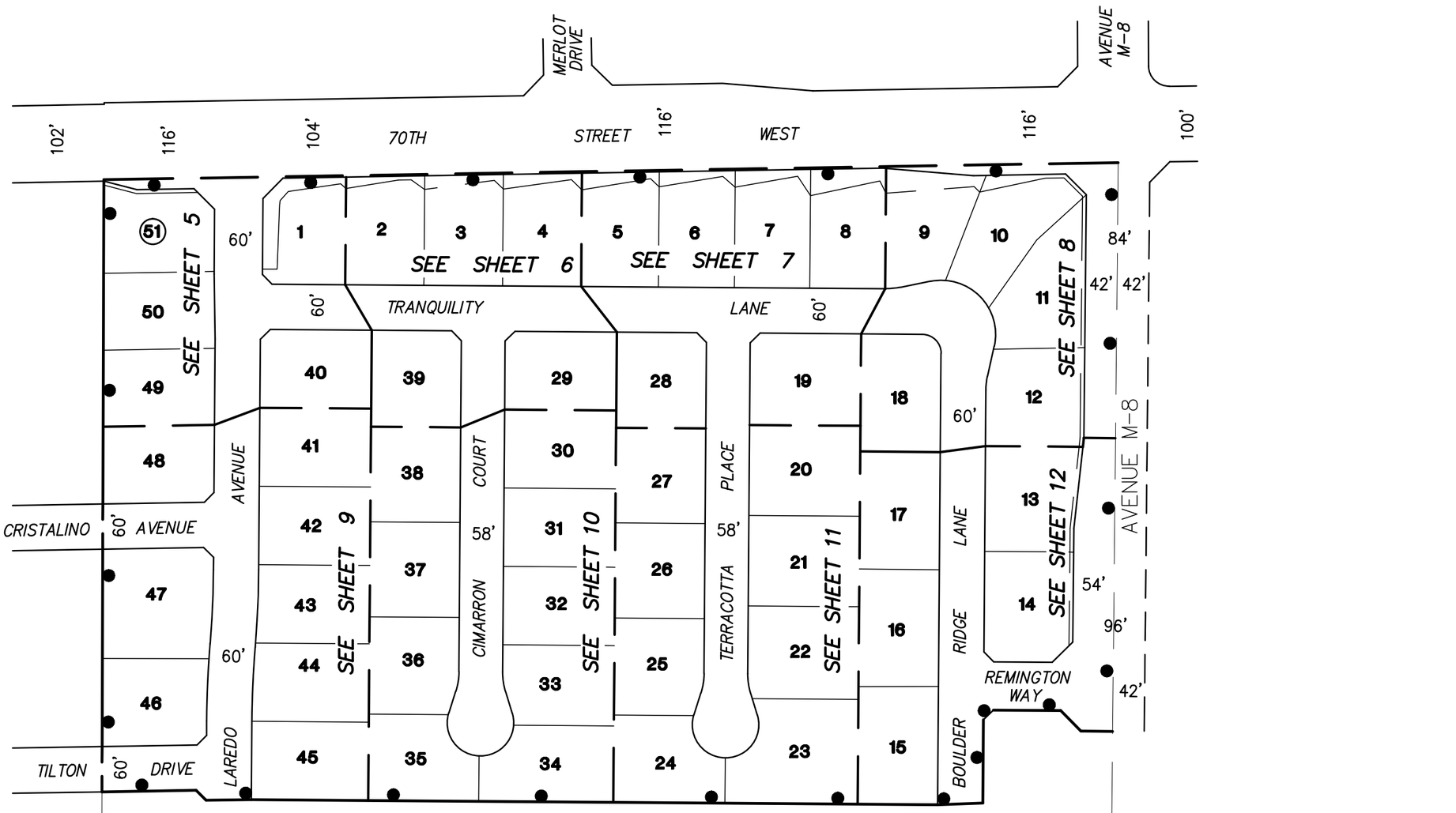
IN THE CITY OF PALMDALE
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BUCKEYE SURVEYING AND ENGINEERING
DENNIS HUNTER PLS 8539

51 LOTS

INDEX SHEET

25.32 ACRES



NOT A PART OF THIS
SUBDIVISION

LEGEND

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

150 75 0 150 300 450

SCALE: 1"=150'

SCALE: 1" = 40'

TRACT NO. 60431-01

SHEET 5 OF 12 SHEETS

IN THE CITY OF PALMDALE
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

PHASE 1 OF TENTATIVE MAP NO. 60431

TENTATIVE MAP EXPIRES FEBRUARY 22, 2022

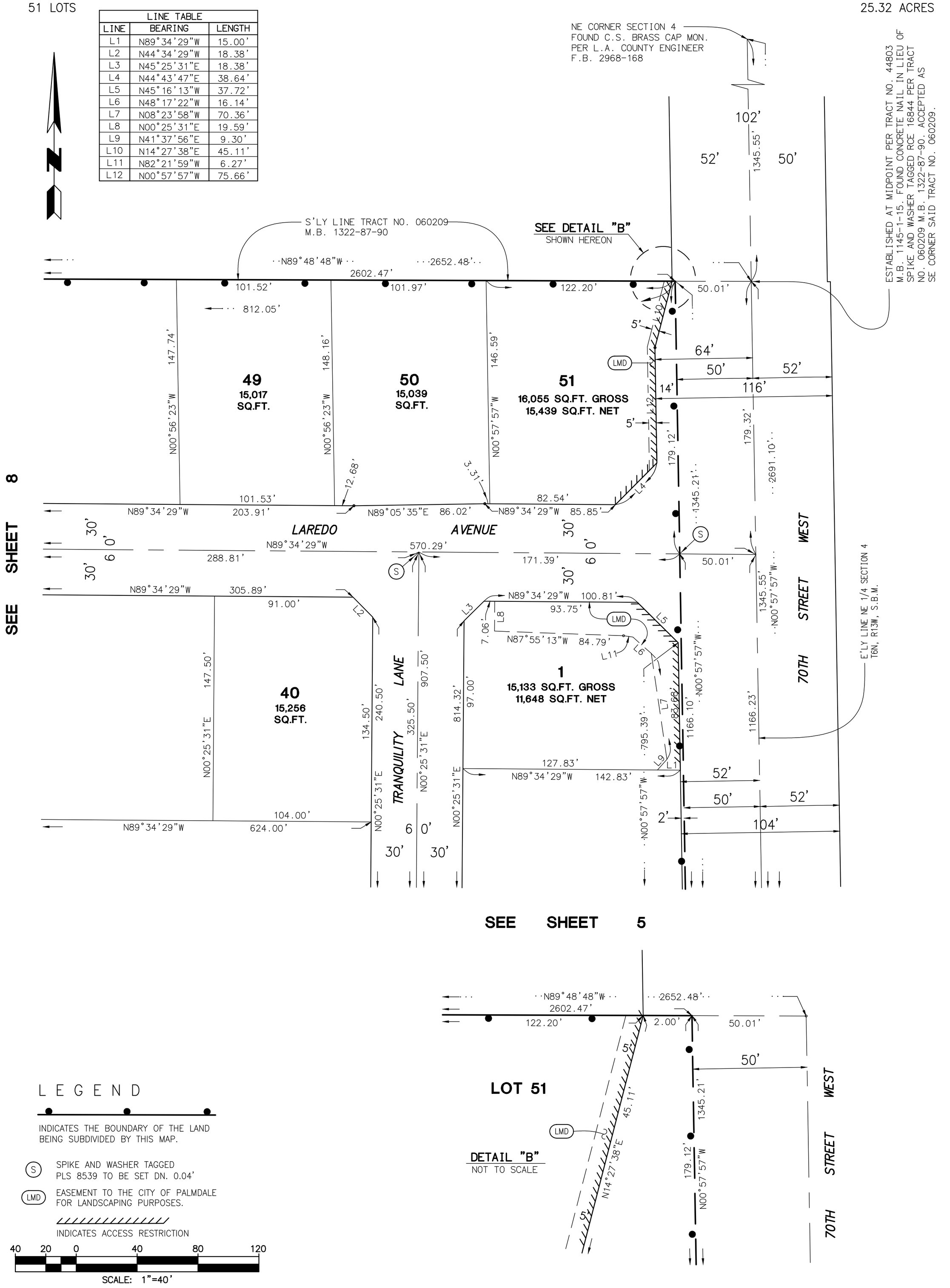
BUCKEYE SURVEYING AND ENGINEERING

DENNIS HUNTER PLS 8539

51 LOTS

25.32 ACRES

LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°34'29"W	15.00'
L2	N44°34'29"W	18.38'
L3	N45°25'31"E	18.38'
L4	N44°43'47"E	38.64'
L5	N45°16'13"W	37.72'
L6	N48°17'22"W	16.14'
L7	N08°23'58"W	70.36'
L8	N00°25'31"E	19.59'
L9	N41°37'56"E	9.30'
L10	N14°27'38"E	45.11'
L11	N82°21'59"W	6.27'
L12	N00°57'57"W	75.66'



LEGEND

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

(S) SPIKE AND WASHER TAGGED PLS 8539 TO BE SET DN. 0.04'

(LMD) EASEMENT TO THE CITY OF PALMDALE FOR LANDSCAPING PURPOSES.

INDICATES ACCESS RESTRICTION

40 20 0 40 80 120

SCALE: 1"=40'

SCALE: 1" = 40'

SHEET 6 OF 12 SHEETS

TRACT NO. 60431-01

IN THE CITY OF PALMDALE
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

PHASE 1 OF TENTATIVE MAP NO. 60431

TENTATIVE MAP EXPIRES FEBRUARY 22, 2022

BUCKEYE SURVEYING AND ENGINEERING
DENNIS HUNTER PLS 8539

51 LOTS

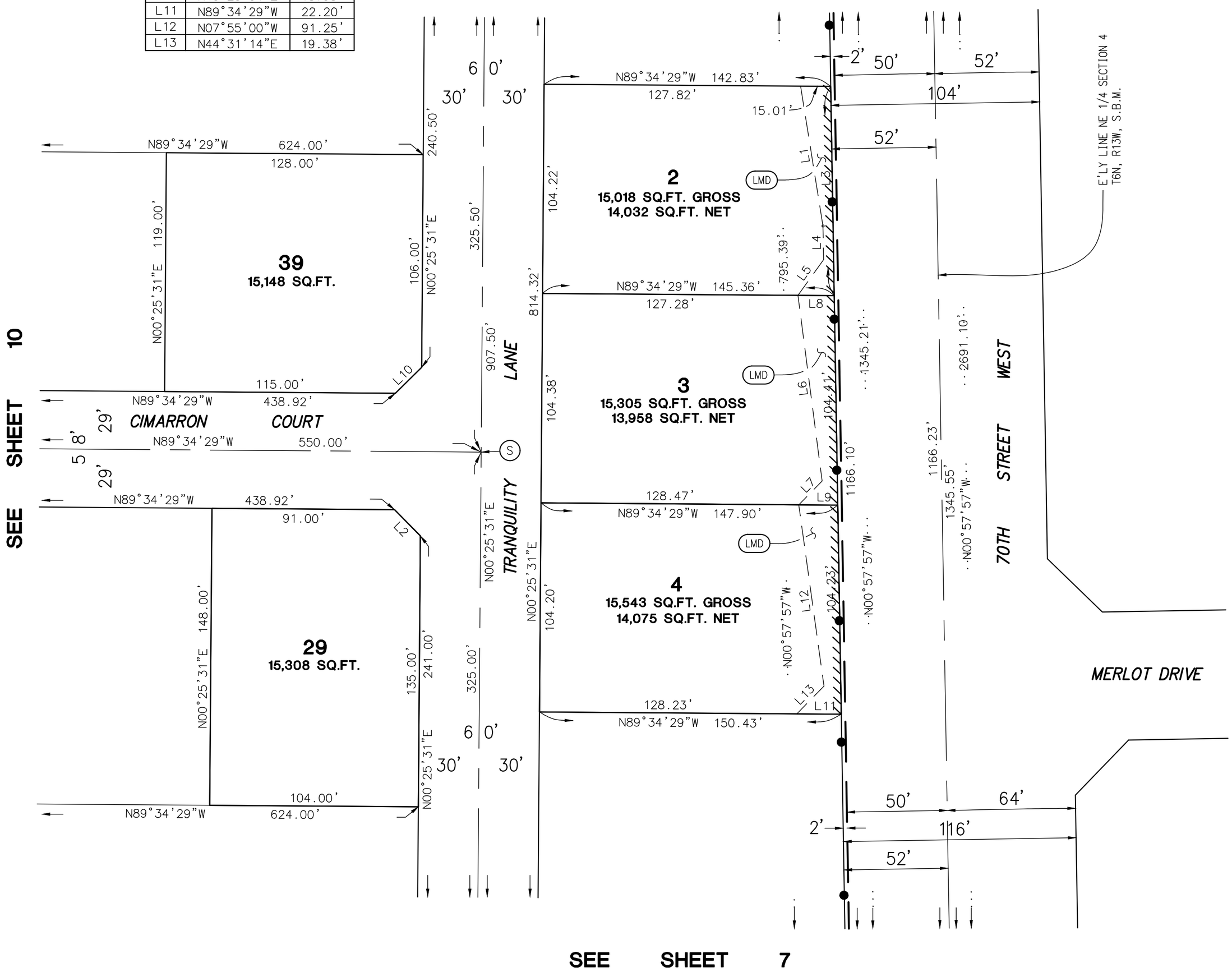
25.32 ACRES

LINE TABLE		
LINE	BEARING	LENGTH
L1	N09°06'57"W	70.56'
L2	N44°34'29"W	18.38'
L3	N00°57'57"W	104.25'
L4	N00°57'57"W	16.78'
L5	N35°43'15"E	21.88'
L6	N07°25'23"W	93.32'
L7	N44°30'32"E	16.62'
L8	N89°34'29"W	18.08'
L9	N89°34'29"W	19.43'
L10	N45°25'31"E	18.38'
L11	N89°34'29"W	22.20'
L12	N07°55'00"W	91.25'
L13	N44°31'14"E	19.38'

SEE SHEET 5

SEE SHEET 10

SEE SHEET 7



LEGEND

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

(S) SPIKE AND WASHER TAGGED PLS 8539 TO BE SET DN. 0.04'

(LMD) EASEMENT TO THE CITY OF PALMDALE FOR LANDSCAPING PURPOSES.

INDICATES ACCESS RESTRICTION

40 20 0 40 80 120

SCALE: 1"=40'

SCALE: 1" = 40'

TRACT NO. 60431-01

SHEET 7 OF 12 SHEETS

IN THE CITY OF PALMDALE
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

PHASE 1 OF TENTATIVE MAP NO. 60431

TENTATIVE MAP EXPIRES FEBRUARY 22, 2022

BUCKEYE SURVEYING AND ENGINEERING
DENNIS HUNTER PLS 8539

51 LOTS

25.32 ACRES

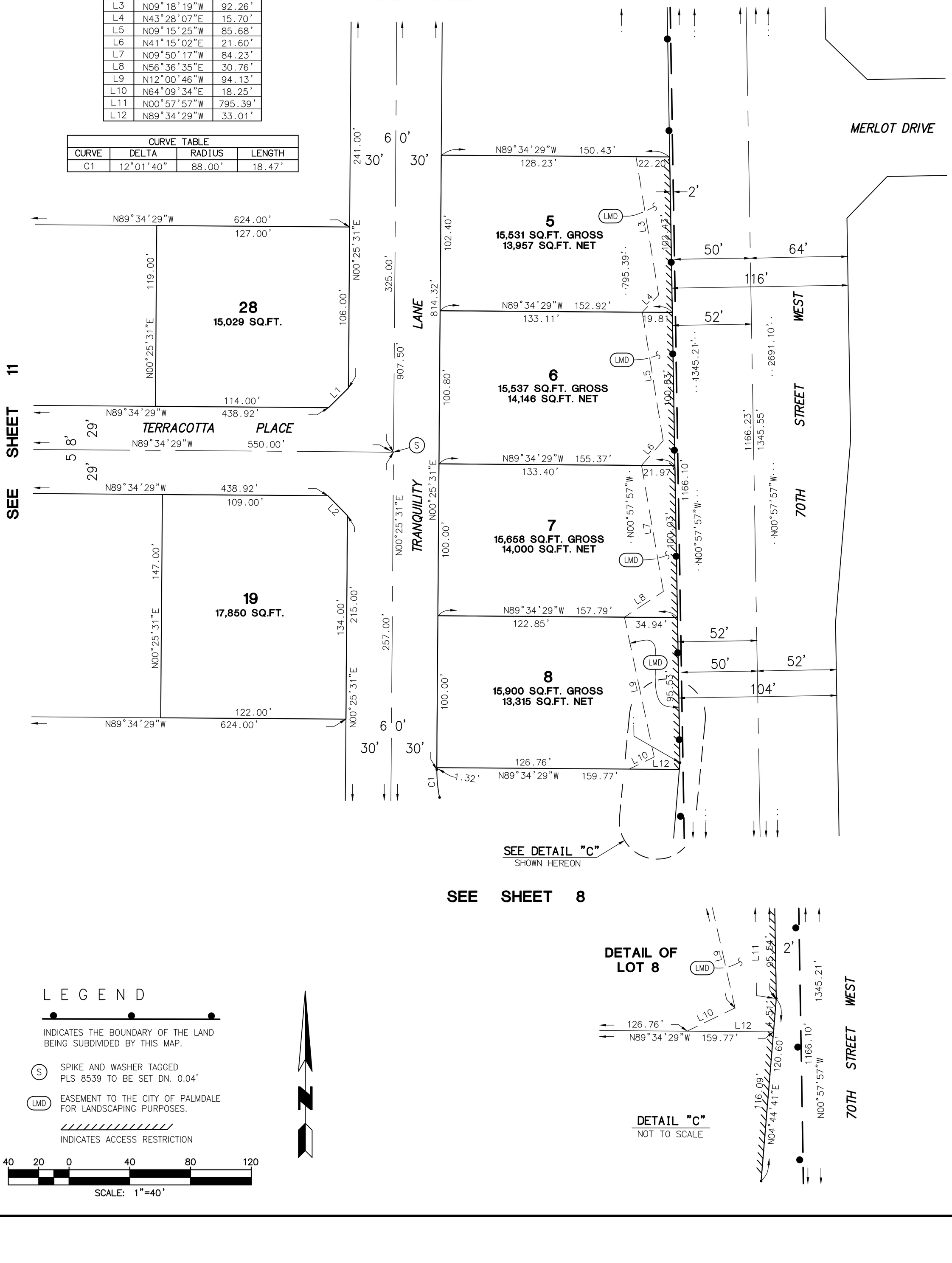
LINE TABLE		
LINE	BEARING	LENGTH
L1	N45°25'31"E	18.38'
L2	N44°34'29"W	18.38'
L3	N09°18'19"W	92.26'
L4	N43°28'07"E	15.70'
L5	N09°15'25"W	85.68'
L6	N41°15'02"E	21.60'
L7	N09°50'17"W	84.23'
L8	N56°36'35"E	30.76'
L9	N12°00'46"W	94.13'
L10	N64°09'34"E	18.25'
L11	N00°57'57"W	795.39'
L12	N89°34'29"W	33.01'

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	12°01'40"	88.00'	18.47'

SEE SHEET 6

SEE SHEET 11

SEE SHEET 8



DETAIL "C"
NOT TO SCALE

LEGEND

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

(S) SPIKE AND WASHER TAGGED PLS 8539 TO BE SET DN. 0.04'

(LMD) EASEMENT TO THE CITY OF PALMDALE FOR LANDSCAPING PURPOSES.

INDICATES ACCESS RESTRICTION

40 20 0 40 80 120

SCALE: 1"=40'

SCALE: 1" = 40'

SHEET 8 OF 12 SHEETS

TRACT NO. 60431-01

IN THE CITY OF PALMDALE
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

PHASE 1 OF TENTATIVE MAP NO. 60431
TENTATIVE MAP EXPIRES FEBRUARY 22, 2022
BUCKEYE SURVEYING AND ENGINEERING
DENNIS HUNTER PLS 8539

51 LOTS

25.32 ACRES

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	12°01'40"	88.00'	18.47'
C2	90°00'00"	55.00'	86.39'
C3	41°30'51"	72.00'	52.17'
C4	56°17'35"	72.00'	70.74'
C5	16°14'54"	72.00'	20.42'
C6	12°01'40"	88.00'	18.47'
C7	90°00'00"	25.00'	39.27'

LEGEND

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

(S) SPIKE AND WASHER TAGGED PLS 8539 TO BE SET DN. 0.04'

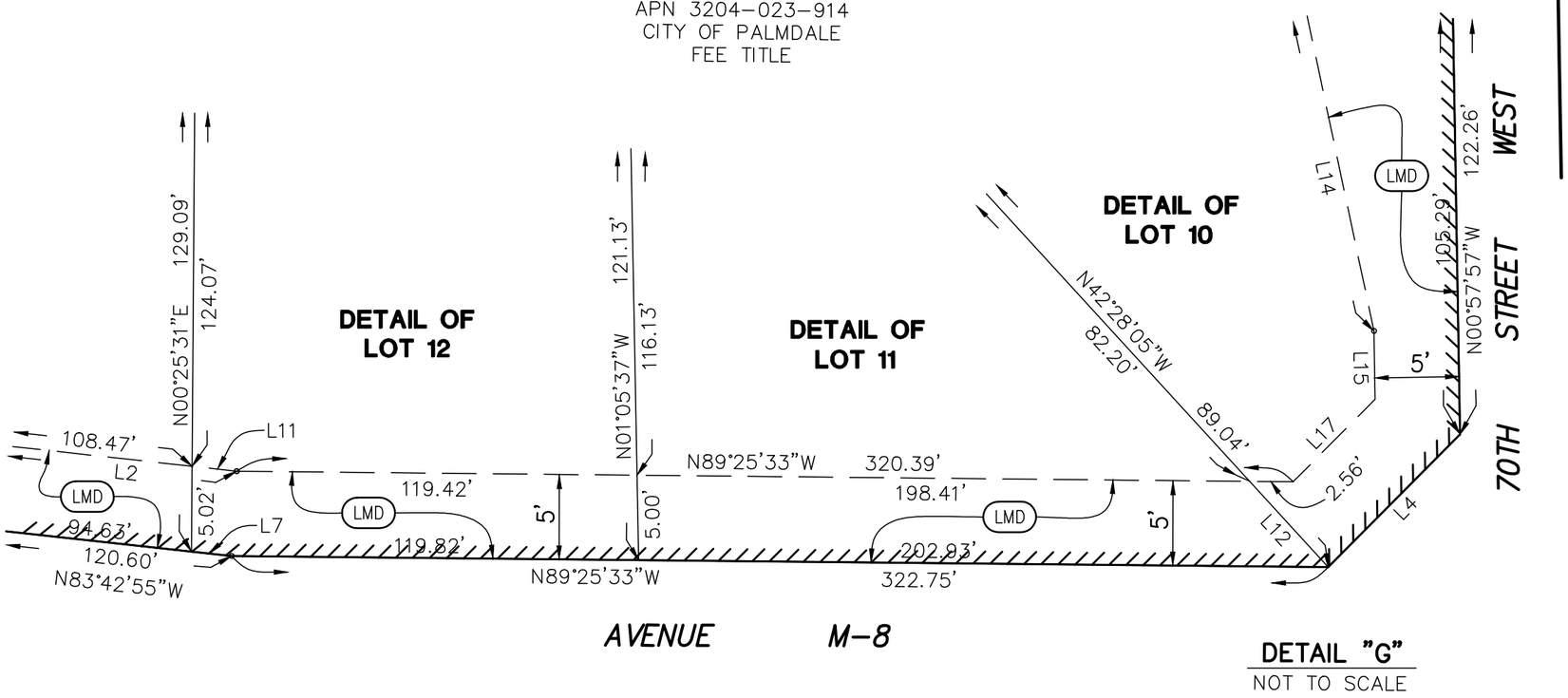
(LMD) EASEMENT TO THE CITY OF PALMDALE FOR LANDSCAPING PURPOSES.

INDICATES ACCESS RESTRICTION

SEE SHEET 7

SEE SHEET 12

INSTRUMENT NO. 20072330490
RECORDED 10/11/2007
APN 3204-023-914
CITY OF PALMDALE
FEE TITLE



DETAIL "G"
NOT TO SCALE

LINE TABLE		
LINE	BEARING	LENGTH
L1	N77°32'49"W	40.73'
L2	N83°42'55"W	120.60'
L3	N11°36'09"W	40.73'
L4	N44°48'15"E	38.69'
L5	N04°44'41"E	120.60'
L7	N83°42'55"W	11.87'
L9	N44°53'32"E	10.33'
L10	N68°48'52"W	23.77'
L11	N83°42'55"W	12.13'
L12	N42°28'05"W	6.84'
L13	N00°57'57"W	122.26'
L14	N11°58'18"W	89.13'
L15	N00°57'57"W	24.65'
L16	N42°28'05"W	89.04'
L17	N44°48'15"E	34.47'

SCALE: 1" = 50'

SHEET 9 OF 12 SHEETS

TRACT NO. 60431-01

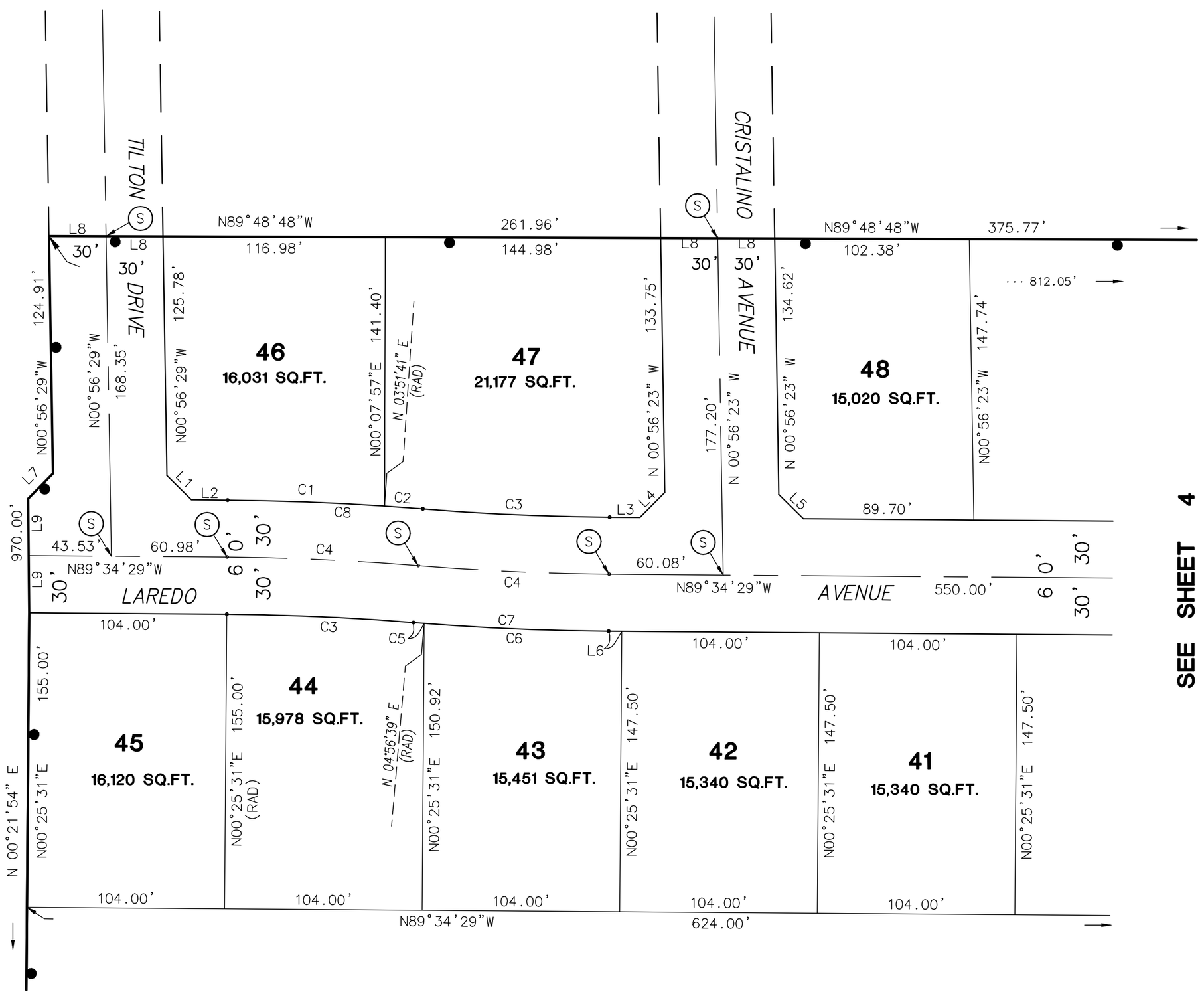
IN THE CITY OF PALMDALE
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

PHASE 1 OF TENTATIVE MAP NO. 60431
TENTATIVE MAP EXPIRES FEBRUARY 22, 2022

BUCKEYE SURVEYING AND ENGINEERING
DENNIS HUNTER PLS 8539

51 LOTS

25.32 ACRES



SEE SHEET 4

SEE SHEET 9

LEGEND

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

(S) SPIKE AND WASHER TAGGED PLS 8539 TO BE SET DN. 0.04'

50 25 0 50 100 150

SCALE: 1"=50'

LINE DATA

LINE	BEARING	DISTANCE
L1	N 45°15'29" W	18.16'
L2	N 89°34'29" W	19.00'
L3	N 89°34'29" W	16.05'
L4	N 44°44'34" E	18.60'
L5	N 45°15'26" W	18.16'
L6	N 89°34'29" W	6.89'
L7	N 45°07'17" E	18.58'
L8	N 89°48'48" W	30.01'
L9	N 00°33'02" W	30.00'

CURVE DATA

CURVE	DELTA	RADIUS	LENGTH	TANGENT
C1	03°26'10"	1380.00	82.76'	41.39'
C2	00°50'08"	1380.00	20.12'	10.06'
C3	04°16'18"	1320.00	98.41'	49.23'
C4	04°16'18"	1350.00	100.65'	50.35'
C5	00°14'11"	1380.00	5.70'	2.85'
C6	04°02'06"	1380.00	97.19'	48.61'
C7	04°16'19"	1380.00	102.89'	51.47'
C8	04°16'18"	1380.00	102.88'	51.47'

SCALE: 1" = 50'

SHEET 10 OF 12 SHEETS

TRACT NO. 60431-01

IN THE CITY OF PALMDALE
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

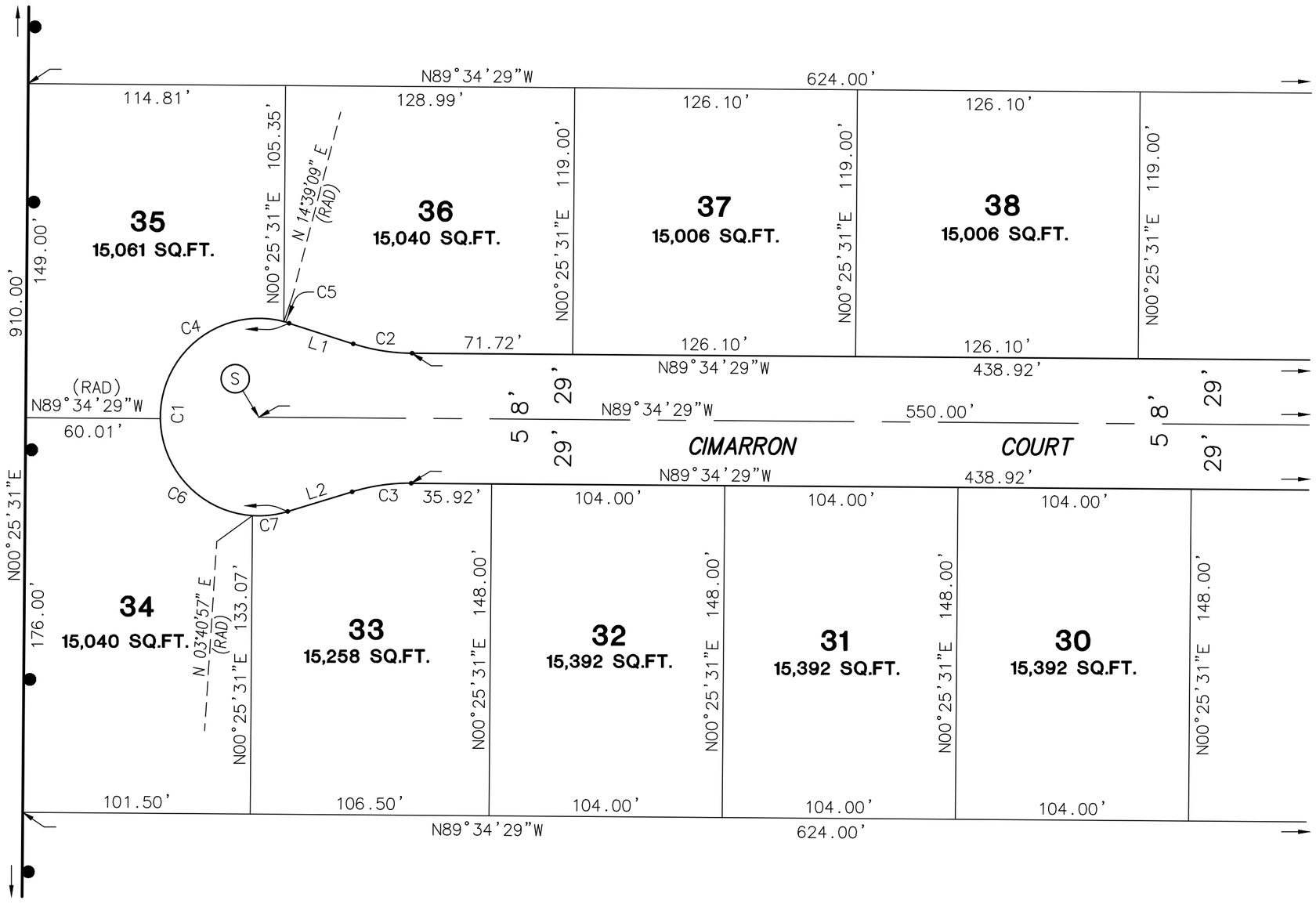
PHASE 1 OF TENTATIVE MAP NO. 60431
TENTATIVE MAP EXPIRES FEBRUARY 22, 2022

BUCKEYE SURVEYING AND ENGINEERING
DENNIS HUNTER PLS 8539

51 LOTS

25.32 ACRES

SEE SHEET 9



SEE SHEET 6

SEE SHEET 11

LINE TABLE		
LINE	BEARING	LENGTH
L1	N72°11'04"W	30.00'
L2	N73°02'06"E	30.00'

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	214°46'50"	44.00'	164.94'
C2	17°23'25"	88.00'	26.71'
C3	17°23'25"	88.00'	26.71'
C4	105°31'46"	44.00'	81.04'
C5	3°09'47"	44.00'	2.43'
C6	85°26'26"	44.00'	65.61'
C7	20°38'51"	44.00'	15.86'

LEGEND

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

(S) SPIKE AND WASHER TAGGED PLS 8539 TO BE SET DN. 0.04'

50 25 0 50 100 150

SCALE: 1"=50'

SCALE: 1" = 50'

SHEET 11 OF 12 SHEETS

TRACT NO. 60431-01

IN THE CITY OF PALMDALE
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

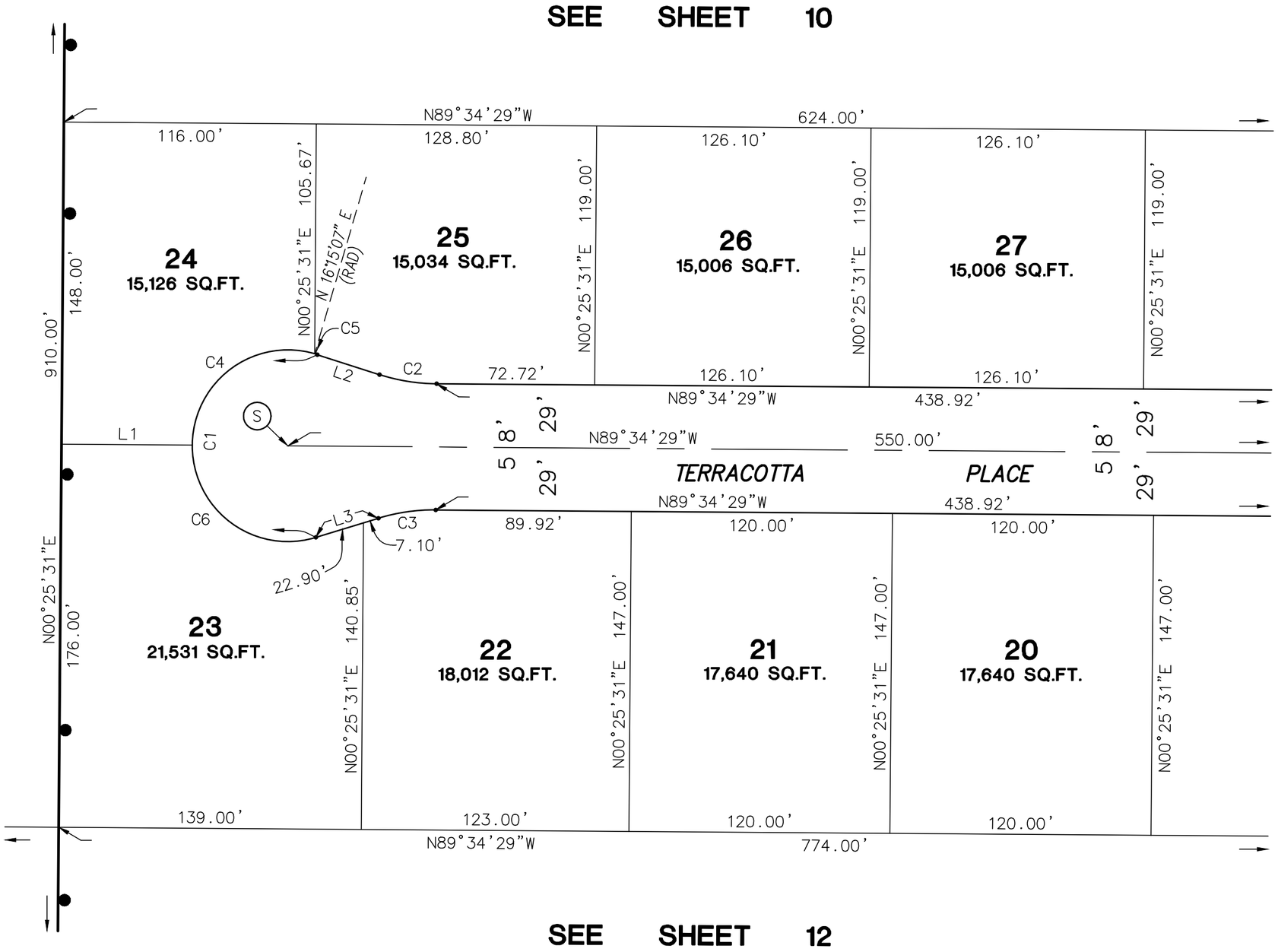
PHASE 1 OF TENTATIVE MAP NO. 60431
TENTATIVE MAP EXPIRES FEBRUARY 22, 2022

BUCKEYE SURVEYING AND ENGINEERING
DENNIS HUNTER PLS 8539

51 LOTS

25.32 ACRES

SEE SHEET 10



SEE SHEET 12

SEE SHEET 7

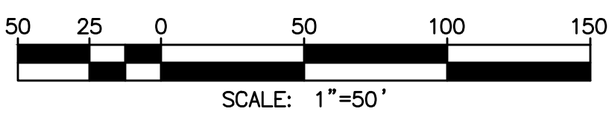
LINE TABLE			
LINE	BEARING	LENGTH	
L1	N89°34'29"W	60.00'	RADIAL
L2	N72°11'04"W	30.00'	
L3	N73°02'06"E	30.00'	

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	214°46'50"	44.00'	164.94'
C2	17°23'25"	88.00'	26.71'
C3	17°23'25"	88.00'	26.71'
C4	105°49'36"	44.00'	81.27'
C5	1°33'49"	44.00'	1.20'
C6	107°23'25"	44.00'	82.47'

LEGEND

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

(S) SPIKE AND WASHER TAGGED PLS 8539 TO BE SET DN. 0.04'



SCALE: 1" = 40'

SHEET 12 OF 12 SHEETS

TRACT NO. 60431-01

IN THE CITY OF PALMDALE
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

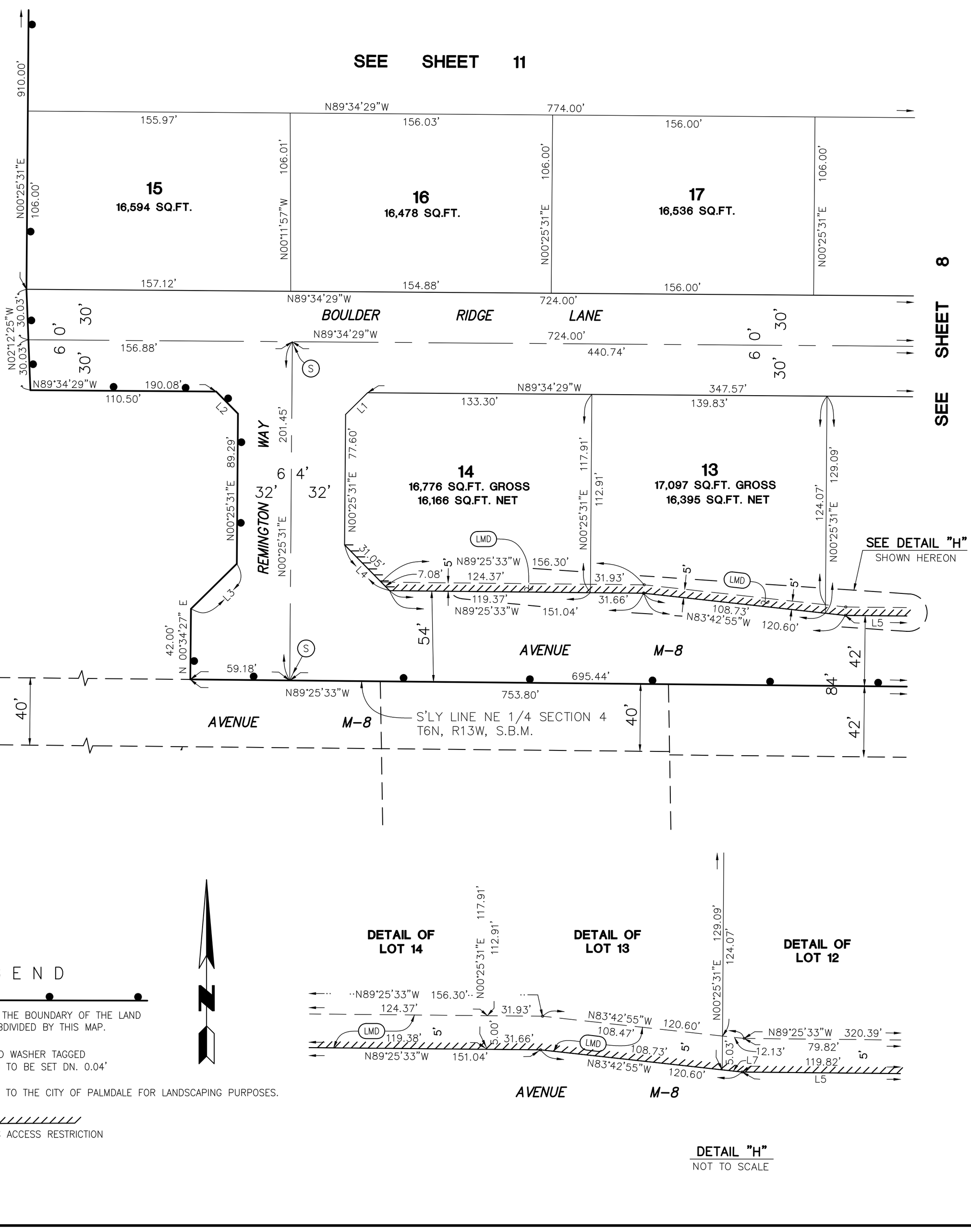
PHASE 1 OF TENTATIVE MAP NO. 60431
TENTATIVE MAP EXPIRES FEBRUARY 22, 2022

BUCKEYE SURVEYING AND ENGINEERING
DENNIS HUNTER PLS 8539

51 LOTS

25.32 ACRES

LINE TABLE		
LINE	BEARING	LENGTH
L1	N45°25'31"E	18.38'
L2	N44°34'29"W	18.38'
L3	N45°29'59"E	38.23'
L4	N44°30'01"W	38.13'
L5	N89°25'33"W	322.75'
L7	N83°42'55"W	11.87'



LEGEND

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

(S) SPIKE AND WASHER TAGGED PLS 8539 TO BE SET DN. 0.04'

(LMD) EASEMENT TO THE CITY OF PALMDALE FOR LANDSCAPING PURPOSES.

INDICATES ACCESS RESTRICTION

DETAIL "H"
NOT TO SCALE

MINUTES
CITY COUNCIL
CITY HALL COUNCIL CHAMBER
38300 SIERRA HIGHWAY, SUITE B
PALMDALE, CALIFORNIA
FEBRUARY 16, 2022

www.cityofpalmdale.org

3:30 P.M.

1) MAYOR TO CALL MEETINGS TO ORDER

Mayor Hofbauer called the meetings to order at 3:30 p.m.

2) ROLL CALL
MAYOR HOFBAUER, MAYOR PRO TEM LOA,
COUNCILMEMBERS CARRILLO, BISHOP, BETTENCOURT

PRESENT: Steven Hofbauer, Richard J. Loa, Juan Carrillo, Austin Bishop, Laura Bettencourt.

ABSENT: None.

3) PUBLIC COMMENTS

The following individuals provided public input:

Dave Bowman commented regarding the Palmdale Freedom Coalition and redistricting process.
The following individuals commented in support of City Manager Murphy: Timothy Schroder, Claudia Heredia-Clarke, Ben Berk; Woodrow Anthony Roeback, Pastor Mike Gonzalez, Kevin Sanders, Ruth Sanchez, Vladimir Gomez, Oscar Iraheta, Sky Jung, and Rick Ruiz.
Jason Zink commented regarding Amazon warehouse and City Manager Murphy.

4) PRESENTATION BY CITY ATTORNEY

City Attorney Beck confirmed the items would be heard as listed.

4.1) This closed session is being held pursuant to the authority of California Government Code Section 54957.

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Manager

4.2) CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case. Closed session is recommended because the City will assess the merits of this matter, and/or threat. Based on existing facts and circumstances, there is a significant exposure to litigation against the City

of Palmdale. The existing facts and circumstances that might result in litigation against the City of Palmdale are that the law firm of Shenkman & Hughes has sent a letter to the City of Palmdale regarding decennial redistricting process which could amount to a threat of litigation. The aforementioned facts and circumstances are stated as required by Government Code Section 54956.9 (e)(2). Based on the existing facts and circumstances, it is the opinion of the City Attorney that it would prejudice the position of the City of Palmdale to discuss this matter in public or to disclose further circumstances in this potential case. Further, such disclosure may harm any settlement attempts or other efforts to resolve the matter without litigation.

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
CV Communities v. AVEK Los Angeles County Superior Court Case No. BC66107

This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).

5) ANNOUNCEMENT BY CITY ATTORNEY

All members of the City Council were present and able to participate on all items.

Item 4.1 - On a 5 to 0 vote of the City Council, the Council has elected to dismiss the City Manager without cause pursuant to the employment agreement. The Council further directed the issuance of the 30-day noticing requirement in the Palmdale Municipal Code Section 2.04.100, and the separation would be effective 30 days after the delivery of said notice. The City Manager will remain on paid administrative leave until that time. Council further directed staff to return at the March 2, 2022, meeting of the City Council with an item appointing Ronda Perez as Interim City Manager, to take effect on the effective dismissal date of the City Manager. There was no further reportable action.

Items 4.2 and 4.3 were tabled until the March 2, 2022, meeting of the City Council.

Mayor Hofbauer announced that Item 13.1 would be tabled to March 2, 2022.

6) ADJOURN CLOSED SESSION MEETING

The Closed Session meeting was adjourned at 7:01 p.m.

7:00 P.M.

7) PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE IN HONOR OF OUR TROOPS

Resident Larissa led the pledge of allegiance.

8) WAIVER OF FULL READING OF RESOLUTION(S) and ORDINANCE(S)

Motion: Move to waive full reading of the Resolution (s) and/or Ordinance(s) to be considered and voted on at this meeting.
Moved by Richard J. Loa, seconded by Juan Carrillo.

Vote: Motion carried (5-0)
Yes: Steven Hofbauer, Richard J. Loa, Juan Carrillo, Austin Bishop, Laura

Bettencourt.

9) PUBLIC COMMENTS

The following individuals provided public input:

Alenna Schofield inquired about the status the employment application submitted for the Measure AV Oversight Committee and the Public Records Request submitted for fund allocations.

Dave Bowman commented regarding Council leadership.

Kai Keeble and Marina Centron expressed concerns regarding the dangers of secondhand smoke.

Mario Presents, Eric Shore, Jim Randall, and Erika Alverdi spoke in support of Item 10.1 and the adoption of Ordinance No. 1577.

Mario Presents commented in opposition to Item 10.2. Denize Verduzco spoke in opposition to Item 10.4.
Brian Uribe expressed concerns regarding lock downs and COVID-19 mandates. Eugene Hernandez commented in support of masks mandates.
Yul Gevargis spoke in support of removing COVID-19 mandates.

David Harris complimented and thanked Council for representing the City well.

The following individuals commented in support of adopting Ordinance No. 1577: Abraham Saucedo, Garlena Davis, Lorianna Guajardo, Katelyn Guajardo, Jennifer Guajardo, Jason Zink, Robert Enos, Mario Presents, Amanda Palmer, Martin Paulatino Carol Ross, Linda Enos.

Miguel Verduzco and Betsy Haslett commented on District Attorney Gascon and in support of adopting Ordinance No. 1577.

Alenna Schofield expressed her views regarding discrimination in the City of Palmdale and encouraged Council to adopt Item 11.3.

Mario Presents commented in opposition to the approval of Items 10.3 and 10.4.

Betsy Haslett spoke in opposition to the approval of Items 10.2 and 10.4, and in support of approving Item 10.1.

Residents Maline Medina, Estefania Rodriguez, Larissa Gomez, Hunter Gomez, and Andy, encouraged the City Council to adopt Item 11.3.

10) CONSENT CALENDAR

10.1) Adopt Resolution No. CC 2022-019, a Resolution of the City Council of the City of Palmdale Authorizing Remote Teleconference Meetings of the City Council and All City Subordinate Bodies for the Period of February 21, 2022, through March 23, 2022. (Staff Reference: City Attorney Beck)

10.2) Adopt Resolution No. CC 2022-021, a Resolution of the City Council of the City of Palmdale to approve the street name change of Avenue R-12, between 65th to 70th Street East, to be named Hawks Way. (Staff Reference: Director of Public Works Heffernan)

10.3) Adopt Resolution CC 2022-024, a Resolution of the City Council of the City of Palmdale to Support the Recall of Los Angeles County District Attorney George Gascon. (Staff Reference: City Attorney Beck)

10.4) Approve Legal Services Agreement Between the City of Palmdale and Bradley, Gmelich & Wellerstein in the amount of $250,000. (Staff Reference City Attorney Beck)

Mayor Pro Tem Loa pulled this item for discussion. City Attorney Beck provided clarification on the rates for legal services.

Motion: Approve Legal Services Agreement with Bradley, Gmelich & Wellerstein in the amount of $250,000.
Moved by Richard J. Loa, seconded by Juan Carrillo.

Vote: Motion carried (5-0)
Yes: Steven Hofbauer, Richard J. Loa, Juan Carrillo, Austin Bishop, Laura Bettencourt.

Motion: Approve all item listed on the Consent Calendar except for item 10.4.
Moved by Juan Carrillo, seconded by Richard J. Loa.

Vote: Motion carried (5-0)
Yes: Steven Hofbauer, Richard J. Loa, Juan Carrillo, Austin Bishop, Laura Bettencourt.

11) PUBLIC HEARING

11.1) Public Hearing to review and consider the redistricting draft maps recommended by the Advisory Redistricting Commission. (Staff Reference: Acting City Manager Perez)

Kristen Parks, National Demographics Corporation, presented an overview of the redistricting process timeline, State and Federal legal requirements related to council districts in relation to equal in population size, and that the total population deviation should be less than ten percent and that District boundaries cannot be drawn with race and ethnicity solely in mind. Ms. Parks provided clarification regarding the analysis of the Alianza Latina del Valle del Antilope ("ALVA") map. Mayor Pro Tem Loa inquired regarding the consideration of California rules of maintaining compactness, as well as requirements related to not favoring or discriminating against a political party. Ms. Parks clarified that political parties are not considered in a non-partisan municipal election and a proposed map is not allowed to discriminate against a political party. Discussion ensued.

Following discussion, Mayor Hofbauer opened the Public Hearing. The following individuals provided public input:

Kevin Shenkman provided legal advice to the Council related to adopting council district boundaries and the time requirements, which he opined were contrary to the April 17, 2022, deadline indicated in the staff report.
Dave Bowman commented regarding the history of districting in the City of Palmdale.

Alenna Schofield commented on the selection of the demographer and the timeframe for selecting a map.

Xavier Flores expressed concerns regarding the false allegations that the ALVA map was politically motivated and splitting communities of interest. Marcos Alvarez commented on the analysis of the ALVA map and encouraged the Council to do what is in the best interest of the community. Amanda Palmer encouraged Council to review the maps created and submitted by the community.

Ruth Sanchez spoke regarding equitable representation in the selection of districts.

Vladimir Gomez commented regarding bettering the community.
Jason Zink inquired when the maps would take effect and suggested equality of power in districts. Mario Presents encouraged Council not to select a map based on racial lines.

A motion was made and carried unanimously to close the Public Hearing.

Mayor Pro Tem Loa made a brief statement addressing comments made about him and clarified his tenure and service to the City of Palmdale since 2001. He has known the struggles of the Latino, Chicano and Mexican American community and that he was elected to represent all the people regardless of his experiences and his culture.

Councilmember Carrillo expressed his concerns about insults lobbed at Council and commented that the City Council has been insulted. Both he and Mayor Pro Tem Loa have advocated on behalf of Latino issues for education, affordable housing, and resources for businesses and that he was elected to make decisions best for the City of Palmdale and for District 4. Discussion ensued.

Motion: Move to adopt the pink map.
Moved by Richard J. Loa, seconded by Steven Hofbauer.

Vote: Motion carried (4-1)
Yes: Steven Hofbauer, Richard J. Loa, Austin Bishop, Laura Bettencourt.
No: Juan Carrillo.

11.2) Public Hearing and Review of Proposed Ordinance No. 1580 for adoption. (Staff Reference: City Attorney Beck)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE

CONTINUING A TEMPORARY SUSPENSION OF SECTION 5.04.670(H)(4) OF THE PALMDALE MUNICIPAL CODE PROHIBITING THE SALE OF FLAVORED ELECTRONIC CIGARETTE PRODUCTS

Mayor Hofbauer opened the Public Hearing.

Testimony: Mario Presents commented on the adoption of Ordinance No. 1580.

A motion was made and carried unanimously to close the Public Hearing.

City Attorney Beck read the title of Ordinance No. 1580.

A motion was made and carried unanimously to introduce Ordinance No. 1580.

Discussion ensued regarding the ban of flavored electronic cigarette products.

Motion: Move to continue discussion on item 11.2. Moved by Juan Carrillo, seconded by Richard J. Loa.

Vote: Motion carried (5-0)
Yes: Steven Hofbauer, Richard J. Loa, Juan Carrillo, Austin Bishop, Laura Bettencourt.

Ordinance No. 1580 was not voted on.

Mayor Pro Tem Loa instructed staff to bring back Ordinance No. 1577 to the March 2, 2022, meeting.

Motion: Move to hear item 11.3.
Moved by Richard J. Loa, seconded by Laura Bettencourt.

Vote: Motion carried (5-0)
Yes: Steven Hofbauer, Richard J. Loa, Juan Carrillo, Austin Bishop, Laura Bettencourt.

11.3) Public Hearing and Review of Proposed Ordinance No. 1571 for adoption. (Staff Reference: City Attorney Beck)

Staff read the title of Ordinance No. 1571.

ORDINANCE NO. 1571, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE AMENDING MUNICIPAL CODE SECTION 8.34 ET. SEQ.: REGULATION OF SMOKING AT PUBLIC PLACES AND PLACES OF EMPLOYMENT

A motion was made and carried unanimously to introduce Ordinance No. 1571.

Testimony: Xavier Flores, Pueblo Y Salud, commented regarding the youth

and tobacco products, and grant funds received for enforcement.

A motion was made and carried unanimously to close the Public Hearing.

Motion: Move to adopt Ordinance No. 1571
Moved by Richard J. Loa, seconded by Juan Carrillo.

Vote: Motion carried (5-0)
Yes: Steven Hofbauer, Richard J. Loa, Juan Carrillo, Austin Bishop, Laura Bettencourt.

12) APPOINTMENTS

12.1) Approve nomination for appointment of the Public Member to the board of directors for Visit Palmdale. (Staff Reference: Director of Economic and Community Development Garibay - Presented by Economic Development Coordinator Gonzalez)

12.2) Approve alternate member nomination for appointment to the Measure AV Oversight Committee. (Staff Reference: City Clerk Smith)

Mayor Hofbauer continued items 12.1, 12.2, and 13.1 to the March 2, 2022, meeting.

13) NEW BUSINESS

13.1) Discuss potential move to five Council districts and rotating mayor. (Staff Reference: City Attorney Beck)

14) ADJOURN

Mayor Hofbauer adjourned the meeting at 11:03 p.m. in memory of Glen Allen of Los Angeles City Fire Department.

PASSED, APPROVED, and ADOPTED this 6th day of April 2022.

_____
Steven D. Hofbauer, Mayor

ATTEST:

_____
Shanae S. Smith, City Clerk

MINUTES
CITY COUNCIL/SUCCESSOR AGENCY
CITY HALL COUNCIL CHAMBER
38300 SIERRA HIGHWAY, SUITE B
PALMDALE, CALIFORNIA
MARCH 2, 2022

www.cityofpalmdale.org

5:00 P.M.

1) MAYOR TO CALL MEETINGS TO ORDER

Mayor Hofbauer called the meeting to order at 5:02 p.m.

2) ROLLCALL MAYOR HOFBAUER, MAYOR PRO TEM LOA, COUNCILMEMBERS CARRILLO, BISHOP, BETTENCOURT

PRESENT: Steven Hofbauer, Richard J Loa, Juan Carrillo, Austin Bishop, Laura Bettencourt.

ABSENT: None.

3) PUBLIC COMMENTS

The following individual provided public input:

Corrina Hernandez, Palmdale Youth Soccer League, expressed her gratitude towards the City's efforts to maintain the Domenic Massari soccer field.

Dave Bowman commented regarding the addition of a fifth district.

4) PRESENTATION BY CITY ATTORNEY

City Attorney Beck confirmed the items would be heard as listed.

4.1) CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case. Closed session is recommended because the City will assess the merits of this matter, and/or threat. Based on existing facts and circumstances, there is a significant exposure to litigation against the City of Palmdale. The existing facts and circumstances that might result in litigation against the City of Palmdale are that the law firm of Shenkman & Hughes has sent letters to the City of Palmdale regarding decennial redistricting process which could amount to a threat of litigation. The aforementioned facts and circumstances are stated as required by Government Code Section 54956.9 (e)(2). Based on the existing facts and circumstances, it is the opinion of the City Attorney that it would prejudice the position of the City of Palmdale to discuss this matter in

public or to disclose further circumstances in this potential case. Further, such disclosure may harm any settlement attempts or other efforts to resolve the matter without litigation.

4.2) CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
The existing facts and circumstances that constitute a significant exposure to litigation are detailed in the following claim received by the City, which is available for public inspection pursuant to Government Code Section 54957.5:
Claimant: JJ Murphy
City Claim No.: 2022-007
Date Filed: 02/07/2022
Date of Loss: 2020-2022

4.3) This closed session is being held pursuant to California Government Code Section 54957.

APPOINTMENT OF PUBLIC EMPLOYEE
Position: Interim City Manager
Employee: Ronda Perez, Acting City Manager

5) ANNOUNCEMENT BY CITY ATTORNEY

All members of the City Council were present and able to participate in all matters.

Item 4.1 - Council was provided an update on this matter and has requested the item return. There was no further reportable action.

Item 4.2 - Council was provided an update on this matter. There was no further reportable action.

Item 4.3 - Council considered the Appointment of Public Employee to the position of Interim City Manager and on a vote of 5-0 appointed Acting City Manager, Ronda Perez. Council directed an item back as to compensation for the position at a later meeting date. There was no further reportable action.

6) ADJOURN CLOSED SESSION MEETING

Mayor Hofbauer adjourned the meeting at 7:01 p.m.

7) PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE IN HONOR OF OUR TROOPS

8) PRESENTATION

8.1) Public Safety Supervisor German presented the cute critters available for adoption at the Palmdale Animal Care Center.

8.2) Mayor Hofbauer presented a proclamation to Elise Levine, Executive Director of the American Red Cross Northern Valley Chapter, declaring March as American Red Cross Month in the City of

Palmdale.

8.3) Mayor Hofbauer presented a proclamation to Victoria Fisher, Daughters of the American Revolution, declaring March as National Women's History Month in the City of Palmdale.

8.4) Mayor Pro Tem Loa presented a commendation to Mrs. Woolbert naming Mr. Jack Woolbert City of Palmdale's Veteran of the Year.

9) WAIVER OF FULL READING OF RESOLUTION(S) and ORDINANCE(S)

Motion: Move to waive full reading of the Resolution (s) and/or Ordinance (s) to be considered and voted on at this meeting.
Moved by Austin Bishop, seconded by Steven
Hofbauer.

Vote: Motion carried (5-0)
Yes: Steven Hofbauer, Laura Bettencourt, Richard J Loa, Juan Carrillo, Austin Bishop.

10) PUBLIC COMMENTS

The following individuals provided public input:

Dave Bowman commented on redistricting and mask mandates.

Jason Zink shared concerns regarding landscaping and graffiti in the City of Palmdale.

Rich Gallego encouraged Council to pass Ordinance No. 1577.

Christine Parkinson and Jaylene Davidson expressed concerns regarding mask mandates and freedom.

Marcos Alvarez provided his views on what it means to be Chicano.

Eugene Hernandez commented on mask mandates combatting the 1918 Spanish Flu and Women's Month.

Mario Presents expressed his view on what it means to be an American.

11) CONSENT CALENDAR

11.1) Receive and file the Monthly Investment Activity Reports for January 2022. (Staff Reference: Finance Manager Kang)

11.2) Adopt Resolution No. CC 2022-025, a resolution of the City Council of the City of Palmdale authorizing California Choice Energy Authority (CalChoice) to enter into a long-term renewable energy agreement with Powerex Corporation on behalf of Energy for Palmdale's Independent Choice(EPIC). (Staff Reference: Finance Manager Kang - Presented by Energy Resource Manager Salt)

This item was pulled for discussion. Energy Resources Manager Salt

provided a brief overview of the staff report. Councilmember Bettencourt spoke in opposition to this item and inquired regarding the taxpayer saving. California Choice Energy Authority representative replied the projections are being finalized for the City of Palmdale. Discussion ensued.

The following individuals provided public input:

Mario Presents and Garlenia Davis commented in opposition to the approval of Item 11.2.

Motion: Move to table this item to the next earliest meeting, including explanation and financial modeling.
Moved by Juan Carrillo, seconded by Austin Bishop.

Vote: Motion carried (5-0)
Yes: Steven Hofbauer, Laura Bettencourt, Richard J Loa, Juan Carrillo, Austin Bishop.

11.3) Approve the First Amendment to Professional Services Agreement with Lance, Soll, & Lunghard, LLP for an additional amount of $135,000, not to exceed amount of $210,000 for a four (4) year term through March 30, 2026. (Staff Reference: Finance Manager Kang)

11.4) Approve the application with the California Department of General Services (DGS) to acquire federal and State surplus property. (Staff Reference: Director of Parks and Recreation Smith - presented by Deputy Director of Parks and Recreation Dombrowski)

11.5) Approve Legal Services Agreement Between the City of Palmdale and Burke, Williams & Sorensen, LLP in the Amount of $250,000. (Staff Reference: City Attorney Beck)

This item was pulled for discussion by Councilmember Bettencourt. City Attorney Beck provided clarification on the expiration date of the contract.

Motion: Approve Legal Services Agreement Between the City of Palmdale and Burke, Williams & Sorensen, LLP.
Moved by Steven Hofbauer, seconded by Austin Bishop.

Vote: Motion carried (5-0)
Yes: Steven Hofbauer, Laura Bettencourt, Richard J Loa, Juan Carrillo, Austin Bishop.

11.6) Adopt Resolution No. CC 2022-026, A Resolution of the City Council of the City of Palmdale Repealing and Restating the Conflict-of-Interest Code of the City of Palmdale (Staff Reference: City Attorney Beck)

11.7) Award Construction Agreement with MUSCO Sports Lighting, LLC.,

for PN 844, Domenic Massari New LED Baseball Field Lighting, at Domenic Massari Park in an amount not to exceed $723,183, for a term of 6 months from the date of Notice to Proceed. (Staff Reference: Director of Public Works Heffernan - Presented by Deputy Director of Public Works Glidden)

11.8) Accept grant funding from AVAQMD in the amount of $203,500.00; authorize appropriation of grant funds and $135,750.28 from Fleet Maintenance unappropriated fund balance; approve Purchase Order No. 20220393 with Terry Equipment, Inc. for new street sweeper with upgraded clean diesel engine technology in an amount not to exceed $339,250.28. (Staff Reference: Director of Public Works Heffernan)

11.9) Award Construction Agreement with Sully-Miller Contracting Co. for PN 698, Avenue R Complete Streets and Safe Routes Project, in the amount of $10,960,000 for a term of 400 working days from the date of Notice to Proceed. (Staff Reference: Director of Public Works Heffernan - Presented by Deputy Director of Public Works Glidden)

11.10) Approve the minutes from the previous meetings. (Staff Reference: City Clerk/Agency Secretary Smith)

CC/SA/PCA - February 2, 2022
CC - February 7, 2022

Motion: Approve all items listed on the Consent Calendar except Items 11.2 and 11.5.
Moved by Steven Hofbauer, seconded by Juan Carrillo.

Vote: Motion carried (5-0)
Yes: Steven Hofbauer, Laura Bettencourt, Richard J Loa, Juan Carrillo, Austin Bishop.

12) PUBLIC HEARING

12.1) Public Hearing and Review of Proposed Resolution No. CC 2022-022 and Ordinance No. 1581 for adoption. (Staff Reference: Director of Economic and Community Development Garibay)

Staff read the title of Resolution No. CC 2022-022 and Ordinance No. 1581.

RESOLUTION NO. CC 2022-022, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE APPROVING GENERAL PLAN AMENDMENT TO MODIFY THE GENERAL PLAN LAND USE DESIGNATION FROM LDR (LOW DENSITY RESIDENTIAL, MAXIMUM OF ONE DWELLING UNIT PER ACRE) TO PF (PUBLIC FACILITIES) FOR THREE CONTIGUOUS PARCELS TOTALING APPROXIMATELY 160 ACRES LOCATED APPROXIMATELY 2,500 FEET WEST OF TIERRA SUBIDA AVENUE AND 2,600 FEET SOUTH OF ELIZABETH LAKE ROAD (GPA 21-001)

ORDINANCE NO. 1581, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE APPROVING A ZONE CHANGE FROM R-1-1 (SINGLE-FAMILY RESIDENTIAL, MINIMUM LOT SIZE OF ONE ACRE) TO PF (PUBLIC FACILITIES) FOR THREE CONTIGUOUS PARCELS TOTALING APPROXIMATELY 160 ACRES LOCATED APPROXIMATELY 2,500 FEET WEST OF TIERRA SUBIDA AVENUE AND 2,600 FEET SOUTH OF ELIZABETH LAKE ROAD (ZC 21-001)

A motion was made and carried unanimously to introduce Ordinance No. 1581.

The following individuals provided public input:

Alenna Schofield commented on the Measure AV adopted fiscal year 2022 operating budget.
Jason Zink inquired regarding property details.

A motion was made and carried unanimously to close the Public Hearing.

Motion: Adopt Resolution No. CC 2022-022 and Ordinance No. 1581. Moved by Steven Hofbauer, seconded by Juan Carrillo.

Vote: Motion carried (5-0)
Yes: Steven Hofbauer, Laura Bettencourt, Richard J Loa, Juan Carrillo, Austin Bishop.

12.2) Public Hearing and Review of Proposed Ordinance No. U-1582 for adoption. (Staff Reference: Director of Economic and Community Development Garibay)

Staff read the title of Ordinance No. U-1582.

ORDINANCE NO. U-1582, AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE, AMENDING SECTION 16.40.120 OF THE MUNICIPAL CODE TO INCREASE THE INITIAL TERM OF TENTATIVE MAPS BY ONE YEAR, AND TO INCREASE THE TERM OF CERTAIN PHASED TENTATIVE MAPS BY ONE ADDITIONAL YEAR

A motion was made and carried unanimously to close the Public Hearing.

Jason Zink encouraged Council to be transparent.

Several emails were received in support of this item.

A motion was made and carried unanimously to close the Public Hearing.

Motion: Adopt Ordinance No. U-1582.
Moved by Steven Hofbauer, seconded by Austin Bishop.

Vote: Motion carried (5-0)
Yes: Steven Hofbauer, Laura Bettencourt, Richard J Loa, Juan Carrillo, Austin Bishop.

12.3) Public Hearing and Review of Proposed Ordinance No. 1579 for adoption. (Staff Reference: City Attorney Beck)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE ADOPTING A MAP DESCRIBING VOTING DISTRICT BOUNDARIES AND AMENDING CHAPTER 4.10 OF TITLE 4 OF THE PALMDALE MUNICIPAL CODE

Staff Recommendation: Adopt Ordinance No. 1579

Motion: Move to table this item to March 16, 2022 City Council meeting.
Moved by Juan Carrillo, seconded by Steven Hofbauer.

Vote: Motion carried (4-1)
Yes: Steven Hofbauer, Richard J Loa, Juan Carrillo, Austin Bishop.
No: Laura Bettencourt.

12.4) Public Hearing and Review of Proposed Ordinance No. 1577 for adoption. (Staff Reference: City Attorney Beck)

Staff read the title of Ordinance No. 1577.

ORDINANCE NO. 1577, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE TO PREVENT THE USE OF MANDATORY COVID-19 VACCINATIONS AND THE USE OF VACCINE PASSPORTS

A motion was made and carried unanimously to introduce Ordinance No. 1577.

The following individuals provided public input:

Alenna Schofield commented on public safety matters.
Dave Bowman and Yule Gevargis spoke regarding masks mandates and COVID.

The following individuals encouraged Council to adopt Ordinance No. 1577: Amanda Palmer, Teresa P., Tyler Gedvilis, Andre Garkanian, Mark Napolitano, Denize Verduzco, Miguel Verduzco, Betsy Haslett, Jason Zink, Daniel Mercuri, Melissa Chavez, Christine Parkinson, Jaylene Davidson, Carol Ross, Anabel Sacedo, and

Abraham Sacedo.

Jeff Pasquale commented regarding freedom.
Garlenia Davis shared information on the Genetic Information Nondiscrimination Act.

Mario Presents read the text of Ordinance No. 1577.
Christine Parkinson provided information for COVID 19 cases and vaccine information.

A motion was made and carried unanimously to close the Public Hearing.

Discussion ensued.

Motion: Adopt Ordinance No. 1577.
Moved by Austin Bishop, seconded by Juan Carrillo.

Vote: Motion carried (5-0)
Yes: Steven Hofbauer, Richard J Loa, Juan Carrillo, Austin Bishop, Laura Bettencourt.

13) APPOINTMENTS

13.1) Approve nomination for appointment of the Public Member to the board of directors for Visit Palmdale. (Staff Reference: Director of Economic and Community Development Garibay - Presented by Economic Development Coordinator Gonzalez)

Motion: Approve nomination for appointment of Don Hoperich as the Public Member to the board of directors for Visit Palmdale.
Moved by Juan Carrillo, seconded by Steven Hofbauer.

Vote: Motion carried (5-0)
Yes: Steven Hofbauer, Richard J Loa, Juan Carrillo, Austin Bishop, Laura Bettencourt.

Items 13.2 and 13.3 were tabled to the March 16, 2022 City Council meeting.

13.2) Approve District 4 Alternate Member nomination for appointment to the Measure AV Oversight Committee. (Staff Reference: City Clerk Smith)

13.3) Approve nominations for appointment of three Committee Members and one Alternate Committee Member to the Human Rights Advisory Committee. (Staff Reference: City Clerk Smith)

14) NEW BUSINESS

14.1) Discuss potential move to five Council districts and rotating mayor. (Staff Reference: City Attorney Beck)

Motion: Move to continue the meeting.

Moved by Juan Carrillo, seconded by Richard J Loa.

Vote: Motion carried (5-0)
Yes: Steven Hofbauer, Richard J Loa, Juan Carrillo, Austin Bishop, Laura Bettencourt.

The following individuals provided public input:

Kevin Shenkman commented on correspondence sent to the City regarding why it is appropriate for Palmdale to go to a five-district map. Furthermore, the appropriate direction from the Council should be to direct the City Manager to retain an appropriate demographer to develop a map based on public input, which has already occurred, one or more five-district maps for the Council consideration and public hearings, and the two public hearings should be scheduled, considered, and adopted by no later than April 17, 2022 so that a lawful fair election can be held that complies with the California Voter's Rights Act in November.

Dave Bowman commented on Mr. Shenkman's profession and accreditation and the addition of the fifth district.

Alenna Schofield expressed concerns regarding the delay of Council selecting the five-district map and the relationship with Council and R. Rex Parris.

Marcos Alvarez and Xavier Flores, representing ALVA, stated the following:

1) It is their opinion that the current at-large election for Mayor and the City of Palmdale is in violation of the Voting Rights Act of protected classes namely Latino's and African Americans. Racially polarized voting continues in the City of Palmdale keeping Latino's and African Americans from electing a Mayoral candidate of their choice; and
2) A lawsuit against the City of Palmdale would result in millions of tax dollars; and
3) Urged the Council to Direct the City Manager to retain an appropriate demographer, review public input from the redistricting process, prepare a few five-district maps for consideration by the Council, schedule the necessary public hearings, and adopt a five-district map by no later than April 17th; and
4) The National Demographic Corporation's pink map protected the current incumbent members; and
5) Implored Council to select a map of fair and equitable representation.

Amanda Palmer expressed views regarding the redistricting process, the adoption of the pink map, the influence that Lancaster has over

Palmdale, and adopting a legally compliant map.

A motion was made and carried unanimously to close the Public Comments.

Discussion ensued.

Motion: Move to direct Interim City Manager to contract with a new demographer to create several proposed maps, indicating five Council districts.
Moved by Juan Carrillo, seconded by Laura Bettencourt.

Vote: Motion carried (4-1)
Yes: Richard J Loa, Juan Carrillo, Austin Bishop, Laura Bettencourt.
No: Steven Hofbauer.

Items 15, 16, and 17 were not heard.

15) INFORMATIONAL REPORT FROM MAYOR AND/OR COUNCILMEMBERS ON THEIR VARIOUS COMMITTEE MEMBERSHIPS AND MEETINGS ATTENDED AT PUBLIC EXPENSE

15.1) COMMITTEE MEMBERSHIPS.

- ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
- ANTELOPE VALLEY TRANSIT AUTHORITY
- CALIFORNIA CONTRACT CITIES ASSOCIATION
- CITY OF PALMDALE AUDIT COMMITTEE
- CITY OF PALMDALE INVESTMENT OVERSIGHT COMMITTEE
- HIGH DESERT CORRIDOR JOINT POWERS AUTHORITY
- LEAGUE OF CALIFORNIA CITIES
- LOS ANGELES COUNTY SANITATION DISTRICT
- NORTH LOS ANGELES COUNTY TRANSPORTATION COALITION
- PALMDALE RECYCLED WATER AUTHORITY
- SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS REGIONAL COUNCIL
- UNITED STATES/MEXICO SISTER CITIES ASSOCIATION
- CALIFORNIA STATE PRISON – LOS ANGELES COUNTY, CITIZENS ADVISORY COMMITTEE

15.2) MEETINGS ATTENDED AT PUBLIC EXPENSE
City Manager's Office - City Clerk Department

16) CITY MANAGER’S REPORT

17) CITY COUNCIL REQUESTS FOR NEW AGENDA ITEMS

18) Adjourn

Mayor Pro Tem Loa adjourned the meeting at 11:03 p.m. to March 16, 2021, at 7:00 p.m. in the City Hall Council Chamber located at 38300 Sierra Highway, Suite B, Palmdale, California.

PASSED, APPROVED, and ADOPTED this 6th day of April 2022.

_____
Steven D. Hofbauer, Mayor

ATTEST:

_____
Shanae S. Smith, City Clerk

MINUTES
CITY COUNCIL
CITY HALL COUNCIL CHAMBER
38300 SIERRA HIGHWAY, SUITE B
PALMDALE, CALIFORNIA
MARCH 7, 2022

www.cityofpalmdale.org

3:00 P.M.

1) MAYOR TO CALL MEETING TO ORDER

Mayor Hofbauer called the meeting to order at 3:15 p.m.

2) ROLL CALL MAYOR HOFBAUER, MAYOR PRO TEM LOA, COUNCILMEMBERS CARRILLO, BISHOP, BETTENCOURT

PRESENT: Steven Hofbauer, Richard J. Loa, Austin Bishop, Laura Bettencourt.
ABSENT: Juan Carrillo.
Motion: Excuse the absence of Councilmember Carrillo.
Moved by Laura Bettencourt, seconded by Juan Carrillo.

Vote: Motion carried (3-1)
Yes: Richard J. Loa, Juan Carrillo, Laura Bettencourt.
No:
Steven Hofbauer.
Absent: Austin Bishop.

3) PUBLIC COMMENTS

None.

4) PRESENTATION BY CITY ATTORNEY

City Attorney Beck confirmed the items would be heard as listed.

4.1) CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
Jauregui v. City of Palmdale, et al.Los Angeles County Superior Court Case No. BC 483039

This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).

4.2) CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATIONSignificant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One case.

A point has been reached where, in the opinion of the City on the advice of the City Attorney, based on existing facts and circumstances, there is a

significant exposure to litigation against the City. The City believes that the facts and circumstances that might result in litigation against the City are not yet known to a potential plaintiff or plaintiffs.

5) ANNOUNCEMENT BY CITY ATTORNEY

Four members of the City Council were present, with Councilmember Carrillo absent.

Item 4.1 – Council was provided an update on this matter and took no action. There was no further reportable.

Item 4.2 - Council was provided an update on this matter and took no action. There was no further reportable.

6) ADJOURNMENT

Mayor Hofbauer adjourned the meeting at 5:30 p.m.

PASSED, APPROVED, and ADOPTED this 6th day of April, 2022.

_____
Steven D. Hofbauer, Mayor

ATTEST:

_____
Shanae S. Smith, City Clerk

City Council Staff Report

DATE: **APRIL 6, 2022**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT PLANNING DIVISION**

DISTRICT: **2**

SUBJECT: **ADOPT RESOLUTION NO. CC 2022-031 DENYING APPEAL 22-001 AND UPHOLDING PLANNING COMMISSION RESOLUTION NOS. PC-2022-005, PC-2022-006, PC-2022-007, PC-2022-008, PC-2022-009, AND PC-2022-010, APPROVING CONDITIONAL USE PERMIT 22-001 FOR THE IMPLEMENTATION OF PLANNED DEVELOPMENT 21-001 AND VESTING TENTATIVE TRACT MAPS 51604, 51605, 51606, 51607, 52093 AND 52116**

ISSUE

Adopt Resolution No. CC 2022-031 (Attachment 1) denying Appeal (APP) 22-001 and upholding Planning Commission Resolution Nos. PC-2022-005, PC-2022-006, PC-2022-007, PC-2022-008, PC-2022-009, and PC-2022-010, approving Conditional Use Permit (CUP) 22-001 for the implementation of Planned Development (PD) 21-001 and Vesting Tentative Tract Maps (VTTM) 51604, 51605, 51606, 51607, 52093, and 52116.

RECOMMENDATION

Staff recommends that the City Council adopt Resolution No. CC 2022-031 denying APP 22-001 and upholding Planning Commission Resolution Nos. PC-2022-005, PC-2022-006, PC-2022-007, PC-2022-008, PC-2022-009, and PC-2022-010, approving CUP 22-001 for the implementation of PD 21-001 and VTTM's 51604, 51605, 51606, 51607, 52093 and 52116.

BACKGROUND

On February 22, 2022, an appeal of the February 10, 2022, Planning Commission approval of the applications listed above was filed by the Leona Valley Town Council (LVTC) and Peggy Fuller, identified in the appeal as a resident of the Leona Valley community.

The applications approved by the Planning Commission provide for the development of 553 single family detached homes on approximately 115 acres, representing the first phase of development of the Ritter Ranch Specific Plan. The Ritter Ranch Specific Plan

is an approximately 10,625-acre project, approved in 1992. The Specific Plan provides for the ultimate development of approximately 7,200 single-family and multi-family homes.

The applications approved by the Planning Commission consist of several related actions to:

- Approve a Planned Development (PD 21-001) to establish development and design standards for the 115-acre Phase 1A portion of the Ritter Ranch Specific Plan; and,
- Approve six vesting tentative maps within PD 21-001 to subdivide the property and create 553 lots for the construction of single-family residences.

The Planning Commission's approval relied on the certified Final EIR (EIR 90-04) for the original approval of the Ritter Ranch Specific Plan to identify the environmental impacts of these approvals and apply mitigation measures to address significant impacts.

The appeal filed by the LVTC and Peggy Fuller (Attachment 2) cites lack of notice, violations of the California Environmental Quality Act (CEQA) and modifications to the project as originally approved as reasons for the City Council to overturn the Planning Commission approval.

DISCUSSION

In response to the claims specified in the letter provided by the appellants, staff obtained two letters, one from DKS Associates and one from T&B Planning, the consulting firms that prepared the detailed analysis related to traffic and the validity of EIR 90-04 that was relied upon by the Planning Commission in their February 10, 2022, approval. These letters (Attachments 3 and 4) provide detailed responses to the appellant's statements related to traffic and CEQA issues.

In addition to the attached response letters, staff provides the following responses to several topics, as indicated below:

- Lack of Timely Public Notice. The appellants claim that the City did not provide sufficient notice of the February 10, 2022, Planning Commission meeting. As required by Palmdale Municipal Code Section 17.20.020, a public hearing notice sign was posted in two locations, one on Elizabeth Lake Road and one on Avenue S, a minimum of 10 days prior to the public hearing. In addition, notices were mailed to surrounding property owners on January 20, 2022, notice was published in a newspaper of general local distribution on January 21, 2022, and the agenda was posted throughout the City Hall complex, on the City website and emailed to staff, decision-makers, and interested/affected agencies on February 3, 2022.

- 30-Day Notice to LVTC Required: The appellants indicate that the 1994 Agreement of Compromise, Settlement and Release between the City and the LVTC requires 30-day notice to the LVTC of public hearings. The appellants also suggest that the LVTC should have been included in the planning process. In response to the first issue, staff reviewed the 1994 Agreement and has not found a requirement for additional noticing to the LVTC. In response to the second issue, the project applicant informed staff that they had been in contact with the LVTC and at the February 10, 2022, Planning Commission meeting, the applicant reiterated this history of coordination and committed to continuing to do so as development of the Ritter Ranch project proceeds.

  In addition, the project applicant and City staff have coordinated with outside agencies, including the school districts serving the site, the Los Angeles County Fire Department and the Los Angeles Waterworks District No. 34 to discuss the project and obtain comments and conditions of approval, as necessary.

- CEQA Violations: The appellants indicate that the City improperly relied on EIR 90-04 for the approval of the current applications. The applicant provided a detailed analysis of the applicability of EIR 90-04 to the current approvals, which was included in Exhibit V of the February 10, 2022, Planning Commission staff report (Attachment 5). The applicant has also prepared a response to the appellant's letter, which is included as Attachment 3 to this report. The applicant's response reiterates the earlier conclusion that the City properly relied on EIR 90-04 for the current approvals, that EIR 90-04 remains valid, that no additional project impacts are anticipated, and that no new mitigation measures are necessary.

- Conditions of Approval Modified: The appellants indicate that the Planning Commission's action to approve the proposed project as amended included removing requirements imposed as part of the original approval of the Ritter Ranch Specific Plan to construct a new fire station and a public library. Although a memorandum was provided to the Planning Commission prior to consideration of the project (Attachment 6), modifications outlined within the memorandum did not include removal of the requirement to construct or contribute toward the construction of the future fire station or library as required by the Ritter Ranch Specific Plan.

FISCAL IMPACT

Upholding Planning Commission approval of the project and denial of APP 22-001 would lead to revenue from development fees and, ultimately, increased property tax and other revenues generated by the development of new residential neighborhoods in the Ritter Ranch Specific Plan.

STRATEGIC PLAN

The project relates to the following Strategic Plan goals and objectives:

Goal III: Invest in infrastructure to improve community livability

Objective C: Plan and maintain safe and attractive neighborhoods, streets, facilities, and public spaces with exciting programming that promotes active fun for everyone.

Objective E: Transform housing inventory to meet the changing lifestyle and market demands.

Prepared by:	Luis Garibay, Director of Economic and Community Development
Certified as to availability of Funds:	Keith Kang, Finance Manager
Approved by:	Ronda Perez, Interim City Manager
Approved as to form:	Christopher Beck, City Attorney

ATTACHMENTS

1. Resolution No. CC 2022-031
2. Appellant Grounds for Appeal
3. DKS Associates Traffic Impact Analysis response letter dated March 18, 2022
4. T&B Planning CEQA memorandum dated March 18, 2022
5. Planning Commission Staff Report dated February 10, 2022
6. Memorandum to the Planning Commission dated February 10, 2022

CITY COUNCIL
CITY OF PALMDALE, CALIFORNIA
RESOLUTION NO. CC 2022-031

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE DENYING APPEAL 22-001 AND UPHOLDING PLANNING COMMISSION RESOLUTION NOS. PC-2022-005, PC-2022-006, PC-2022-007, PC-2022-008, PC-2022-009, AND PC-2022-010, APPROVING CONDITIONAL USE PERMIT 22-001 FOR THE IMPLEMENTATION OF PLANNED DEVELOPMENT 21-001 AND VESTING TENTATIVE TRACT MAPS 51604, 51605, 51606, 51607, 52093 AND 52116

WHEREAS, the Leona Valley Town Council (LVTC) and Peggy Fuller have filed an Application (APP 22-001) requesting that the City Council overturn Planning Commission approval of several applications related to the first phase of development within the Ritter Ranch Specific Plan (SP), described herein (hereinafter referred to as "Application");

WHEREAS*,* The project that is the subject of the Application applies to approximately 115 acres of vacant land within the SP indicated on the County Assessor's roles as APN's 3206-027-002, 3206-027-010, 3206-027-006, 3206-027-004, 3206-027-005, 3206-027-008, 3206-027-009, 3206-027-007, 3206-026-007, 3206-026-005, and 3206-020-017, legally described on Exhibit I hereto and shown on the map attached hereto as Exhibit II;

WHEREAS*,* on February 10, 2022, the Planning Commission conducted a public hearing and approved Resolution Nos. PC-2022-005, PC-2022-006, PC-2022-007, PC-2022-008, PC-2022-009, and PC-2022-010, approving Conditional Use Permit (CUP) 22-001 for the implementation of Planned Development (PD) 21-001 and Vesting Tentative Tract Maps (VTTM) 51604, 51605, 51606, 51607, 52093 and 52116;

WHEREAS*,* on February 22, 2022, the LVTC and Peggy Fuller jointly filed the proposed Application;

WHEREAS*,* on April 6, 2022, the City Council of the City of Palmdale conducted a duly noticed public hearing on the Application and concluded said hearing on that date;

WHEREAS, Evidence, both written and oral, was duly presented and considered by the City Council at the aforesaid public hearing, including but not limited to, the staff report dated April 6, 2022; and,

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW THEREFORE, BE IT RESOLVED, THE CITY COUNCIL OF THE CITY OF PALMDALE DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

SECTION 1. The City Council hereby specifically finds that all of the facts set forth above are true and correct.

SECTION 2. Based upon substantial evidence presented to the City Council during the April 6, 2022, public hearing, including public testimony and written and oral staff report, and in compliance with Ritter Ranch Specific Plan Section 8.10, the City Council specifically finds as follows with regard to the approval of CUP 22-001 and PD 21-001:

(a) The proposed conditional use is consistent with the Ritter Ranch Specific Plan.

As specified within SP Section 8.10, a conditional use permit is the implementing tool for establishment of a planned development document. Implementing a planned development document within the SP, allows greater flexibility in design and encourages well-planned neighborhoods. The Application facilitates the development of 553 single-family residences on approximately 115 acres and includes open space, neighborhood and community parks, and interconnectivity. As required, the overall density specified within the SP is maintained while allowing for reconfiguration of the area to accommodate development of the well-planned community.

(b) The nature, condition and development of adjacent uses, buildings and structures shall be considered and no proposed conditional use shall be permitted where such use will adversely affect or be materially detrimental to said adjacent uses, buildings or structures.

The Application anticipates residential development and all infrastructure and amenities anticipated by the SP. Currently, there are no adjacent uses, buildings or structures as the Application proposes to implement the first phase of development (Phase 1A) of the SP. Given that the planned development document does not alter land use, but allows a cohesive and well-planned neighborhood, the Application will not adversely affect or be materially detrimental to any surrounding uses.

(c) The site for a proposed conditional use is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in the Specific

Plan, or as required as a condition of approval in order to integrate said use with the uses in the neighborhood.

The Application will be further implemented through approval of six individual Vesting Tentative Tract Maps, which have been designed to properly accommodate future residences, yards, fences, parking, etc. As required by the Conditions of Approval for the associated VTTM's, each subdivision will be required to obtain approval of the placement of each residence prior to issuance of permits. All individual structures will be checked for conformance with the Planned Development document, SP, and/or Palmdale Municipal Code to ensure that development is consistent with all applicable development standards.

(d) The site for a proposed conditional use is served by highways or streets adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate.

The major roadways serving the site, including Ranch Center Drive, City Ranch Road, and Westland Drive, have previously been constructed in conformance with the requirements of the SP. Internal roadways within the proposed subdivisions have been graded and will be paved and completed as development of each of the subdivisions occurs.

(e) The project is consistent with the Site Plan Review Findings of approval as identified in Section 8.9, Site Plan Review.

Implementing a planned development document within the SP, allows greater flexibility in design and encourages well-planned neighborhoods. The Application facilitates the development of 553 single-family residences on approximately 115 acres and includes open space, neighborhood and community parks, and interconnectivity. As required, the overall density specified within the SP is maintained while allowing for reconfiguration of the area to accommodate development of the well-planned community. In addition, the design of the development takes existing conditions, such as seismically restricted or flood plain areas into consideration and creates a cohesive design theme.

(f) The proposed Residential Planned Development provides an efficient use of open space areas, incorporating public, private and natural open space uses, to service the residents of said project substantially in excess of those which would be required in a standard subdivision.

The Application provides an efficient use of open space areas, incorporating public, private and natural open space uses, to service the residents of the project area. The type, location and number of open areas to be utilized for active and passive recreation is in excess of those which would be required in a standard subdivision, and incorporates the use of greenbelts, trails, open space areas and neighborhood recreation areas into the project design.

(g) The proposed Residential Planned Development utilizes creative site-planning techniques which may not typically be utilized in conventional development, and which result in higher levels of common open space and recreational amenities than what could be accomplished under traditional development and subdivision standards.

The Application utilizes creative site planning techniques, which may not typically be utilized in conventional development, and which result in higher levels of common open space and recreational amenities than what could be accomplished through traditional development. The proposed standards of development consider pedestrian circulation, adding visual interest to the streetscapes with enhanced landscaping, provision of trails, and incorporating neighborhood recreation areas.

(h) The proposed landscape plan, architectural design and materials, and site plan are designed to exceed the intent and desired effect of standards established in the Ritter Ranch Specific Plan.

The proposed landscape plan, architectural design and materials, and site plan are designed to exceed the intent and desired effect of the standards established in the SP as evidenced by the landscape treatments along the internal roadways and the architectural features described in the planned development document and supplemental Residential Design Guidelines.

(i) The proposed Residential Planned Development provides common recreational amenities which are not provided in typical residential developments within the City.

The Application implements a planned development document within the SP, which allows greater flexibility in design and encourages well-planned neighborhoods. The Application facilitates the development of 553 single-

family residences on approximately 115 acres and includes approximately 22 acres of open space, neighborhood and community parks.

SECTION 3. Based upon substantial evidence presented to the City Council during the April 6, 2022, public hearing, including public testimony and written and oral staff report, and in compliance with Ritter Ranch Specific Plan Section 8.12, the City Council specifically finds as follows with regard to the approval of VTTM's 51604, 51605, 51606, 51607, 52093, and 52116:

(a) For the proposed subdivision, each provision for its design and improvement and each proposed land use is consistent with the Ritter Ranch Specific Plan because it conforms to the density, design standards, design guidelines, and location given for the land use designation.

The proposed subdivision, each provision for its design and improvement and each proposed land use is consistent with the both the SP and the Planned Development (PD 21-001) document, which provides special development standards for the project, landscape standards, and thematic landscape features.

The subject site is within Planning Units 5W-3, 5V, 5D-2, 5D-1, 5W-2, and 5W-1 of the SP, which is designated for residential development. The proposed project is consistent with the policies and objectives of the SP, in that it provides the type of development and amenities envisioned in both residential dwelling type and quality, parks, and public improvements.

(b) The tentative map or tentative parcel map design provides for future passive or natural heating or cooling opportunities in the subdivision to the extent feasible.

The development is designed with adequate dimensions to maximize the opportunities for passive and natural heating and cooling. The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities. Based upon a review of the tentative tract maps, each lot meets or exceeds the minimum size, width, and depth requirements as specified within the Planned Development prepared for the portion of the Ritter Ranch Specific Plan that includes the proposed project.

(c) The tentative map or tentative parcel map does not propose to divide land which is subject to a contract entered into pursuant to the California Land

Conservation Act of 1964 in that the property in question has not been included in any such contract.

A review of the preliminary title report for the subject property revealed that the property in question has not been included in any such contract and therefore, the subdivisions do not propose to divide land, which is subject to such a contract.

(d) The discharge of waste from the proposed subdivision into an existing community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board.

No violation will be created because the applicant is required to comply with the Conditions of Approval for each subdivision as specified within Resolution Nos. PC-2022-005, PC-2022-006, PC-2022-007, PC-2022-008, PC-2022-009 and PC-2022-010, which require approval from the appropriate agencies for location of sanitary sewer trunk lines and preparation of a sewer area study to the satisfaction of the City Engineer and the Los Angeles County Sanitation District.

(e) The site is physically suitable for the type of development and density proposed.

In conjunction with the prior approved, expired tentative tract maps, the site has been previously graded and portions of major roadways constructed. An existing power line easement is located to the south of the site, but the subdivisions have been designed to avoid the easement.

(f) The design of the subdivision and the proposed improvements is not likely to cause serious public health or safety problems because they conform to the highest and best possible use of the subject property as determined.

The project will be required to install improvements such as streets, curbs and sidewalks in compliance with City standards. Also, the discharge of waste from the proposed subdivisions into an existing community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board because the applicant is required to dedicate a new sewer system to the City and install private laterals for each residential lot. In addition, the project is required to provide on- and off-site improvements as required by the water purveyor.

Furthermore, the public improvements required for the subdivisions are reasonable and proportional to the impacts caused by the proposed development and are necessary in order to provide access for future residents within the project, protect the subdivisions, and surrounding properties, and promote the safety of the general public.

(g) The design of the subdivision and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision because no such easements have been acquired.

The title report for the site revealed that the design of the subdivisions and the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivisions because the existing easements along the western portion of the project site will not be altered by the proposed project. In addition, the Conditions of Approval for each subdivision as specified within Resolution Nos. PC-2022-005, PC-2022-006, PC-2022-007, PC-2022-008, PC-2022-009 and PC-2022-010, require dedication and improvement of publicly owned rights-of-way, storm drains, and other drainage facility easements.

(h) The proposed tentative map or tentative parcel map is in conformance with the intent and requirements set forth in the Ritter Ranch Specific Plan.

As allowed within SP Section 8.10, the tentative maps meet the requirements of the proposed Planned Development document (PD 21-001), which includes special development standards of the project, landscape standards, and thematic landscape features. The lots created by the subdivisions comply with the standards of, and will be landscaped pursuant to, standards within the Planned Development.

(i) The proposed tentative map or tentative parcel map is in compliance with the California State Subdivision Map Act.

The subdivisions have been prepared in compliance with all requirements of the SP and the Subdivision Map Act. In addition, as specified within the Conditions of Approval for each subdivision as specified within Resolution Nos. PC-2022-005, PC-2022-006, PC-2022-007, PC-2022-008, PC-2022-009 and PC-2022-010, the applicant will be required to record a final map

prior to the expiration date in accordance with the provisions of the Subdivision Map Act.

SECTION 4. The City Council hereby finds as follows with respect to the environmental documentation prepared in connection with Conditional Use Permit 22-001, Planned Development document 21-001, and Vesting Tentative Tract Maps 51604, 51605, 51606, 51607, 52093, and 52116:

(a) In accordance with Public Resources Code Section 21166 and State of California Environmental Quality Act (CEQA) Guidelines Sections 15162, 15163 and 15164, the proposed project does not require the preparation of a subsequent, supplemental or addendum to the Environmental Impact Report (EIR) prepared for the SP (EIR 90-4) since: 1) the project will cause no substantial changes in any portion of the project which was described in EIR 90-4, which would require major revisions to EIR 90-4 due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects because the project is not modifying the scope or intent of the SP; 2) no substantial changes have occurred with respect to the circumstances under which the project is undertaken, which will require major revisions to said EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified environmental effects, because no significant development adjacent to the project area which impacts the infrastructure, services, or development potential within the City's boundaries has occurred; and 3) no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, has been provided with respect to the SP. Therefore, a memorandum of consistency was prepared for the Application.

(b) The custodian of records for all other materials which constitute the record of proceedings upon which the City Council’s decision is based, is the Planning Manager of the City of Palmdale. These documents are available for public review in the Planning Division of the City of Palmdale located at 38250 Sierra Highway, Palmdale, California 93550, telephone (661) 267-5200.

SECTION 5. Based on the findings and conclusions set forth in paragraphs 1, 2, 3 and 4 above, the City Council hereby adopts Resolution No. CC 2022-031, denying the Application and upholding Planning Commission Resolution Nos. PC-2022-005, PC-2022-006, PC-2022-007, PC-2022-008, PC-2022-009, and PC-2022-010, approving

Conditional Use Permit 22-001 for the implementation of Planned Development 21-001 and Vesting Tentative Tract Maps 51604, 51605, 51606, 51607, 52093 and 52116.

SECTION 6. The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED and **ADOPTED** this 6th day of April, 2022.

Approved as to form:

_____
Steven D. Hofbauer, Mayor

ATTEST:

_____
Christopher L. Beck, City Attorney

_____
Shanae S. Smith, City Clerk

I, Shanae S. Smith, City Clerk of Palmdale, California, do hereby certify that the foregoing resolution was duly passed, approved, and adopted by the City Council of the City of Palmdale at a regular meeting of said Council held on the 6th day of April, 2022, by the following roll call vote:

AYES: _____

NOES: _____

ABSTAIN: _____ ABSENT: _____

Date: _____

_____
Shanae S. Smith, City Clerk

EXHIBIT I

AERIAL MAP
FOR RESOLUTION NO. CC 2022-031



EXHIBIT II

LEGAL DESCRIPTION FOR RESOLUTION NO. CC 2022-031

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF PALMDALE, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

LOTS 3, 5, 6 (portion), 7, 9 AND 10 OF TRACT NO. 51508-01, IN THE CITY OF PALMDALE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1214, PAGES 28 THROUGH 36, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND;

LOTS 1, 2, 3 OF TRACT NO. 51508-02, IN THE CITY OF PALMDALE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1214 PAGES 37 THROUGH 40, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND;

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 6 NORTH, RANGE 12 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF PALMDALE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

APN’s: 3206-027-002, 3206-027-010, 3206-027-006, 3206-027-004, 3206-027-005, 3206-027-008, 3206-027-009, 3206-027-007, 3206-026-007, 3206-026-005, and 3206-020-017

The Leona Valley Town Council (LVTC), a California corporation, and Peggy Fuller, a Leona Valley resident, appeal the decision of the Palmdale Planning Commission on February 10, 2022, which approved CUP 22-001, PD 21-001, and Vesting Tentative Tract Maps 51604, 51605, 51606, 51607, 52093, and 52116, and the finding that the project is consistent with FEIR 90-04 for the Ritter Ranch Specific Plan, including all amendments. Both parties object to approval of this proposed project due to lack of public notice and violation of CEQA provisions.

INTRODUCTION

A brief overview of the Ritter Ranch Specific Plan reveals that it consists of over 7000 residences. The FEIR, which was certified in 1992, only projected impacts up to the year 2010. We are now 12 years past that point. It estimated that the traffic generated would be almost 90,000 Average Daily Trips. The current proposed Phase 1A project includes 553 houses built in the immediate vicinity of the San Andreas Fault and in a Very High Fire Hazard Severity Zone. Leona Valley contains approximately 600 homes. Just this first phase alone mirrors the entire current population of Leona Valley. The environmental impact of this will be substantially more than predicted in the FEIR. LVTC provided a comment letter for the Planning Commission hearing on February 10, identifying their concerns and requesting additional time to review documents. Comments were also made in person at the public hearing.

LACK OF PUBLIC NOTICE

In regard to the asserted lack of public notice, the Agenda for the Planning Commission Hearing was posted on February 7, only a few days prior to the hearing. According to statements made by staff at the hearing, there was an amendment regarding the elimination of requirements related to a fire station and library. This amendment was not included in the staff report. None of this information was posted to the City's website and does not appear on the Planning Commission Hearing Agenda. This was an important change in the project proposal and should have been adequately noticed to the public.

The lack of notice of the fire station elimination amendment was particularly critical, as revealed during discussions at the hearing. The Commissioners were concerned enough about the elimination of a fire station to inquire of the developer where the nearest fire station was located that could serve the proposed project. The developer misrepresented the facts by stating that there was a fire station in the Anaverde project, which is adjacent to Ritter. In fact, there is no fire station at Anaverde even though it was required. Eliminating the designated one in the proposed project subjects several thousand homes and their occupants to the danger of being unprotected in this Very High Fire Hazard Severity Zone.

The LVTC requested more time to review the Staff report which was almost 200 pages and included a lengthy Memorandum discussing the 30 year old FEIR and setting forth the opinion that "there is no new information and no changes in circumstances which would preclude the City's ability to rely on the Ritter Ranch FEIR". As stated in the comment letter quickly put together by LVTC, there are

major concerns about traffic, water, sewage, density, and trails as described for the project. There have been substantial changes for all these issues since the time of the original design.

As stakeholders pursuant to the Agreement of Compromise, Settlement and Release entered into by the City of Palmdale, LVTC and Ritter Park Associates in December, 1994 (RR Agreement), LVTC should have received at least 30 days notice and preferably been included in the planning process, as previously requested. Additional time to review the extensive documentation of the staff report and Traffic Impact Analysis was a reasonable request, especially in light of the magnitude of issues.

CEQA VIOLATIONS

In regard to violations of the California Environmental Quality Act (CEQA), LVTC objects to the approval of this small portion of the Ritter Ranch project. Specifically, a subsequent EIR is required pursuant to the provisions of CEQA, Public Resources Code section 21166. That section provides,

> When an environmental impact report has been prepared for a project pursuant to this division, no subsequent or supplemental environmental impact report shall be required by the lead agency or by any responsible agency, unless one or more of the following events occurs:
> (a) Substantial changes are proposed in the project which will require major revisions of the environmental impact report.
> (b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report.
> (c) New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

All three of the section 21166 subsections require preparation of a subsequent EIR for this proposed project. The claim that a 30-year-old FEIR suffices is a failure to proceed in the manner required by CEQA. There have been substantial changes in the project; there have been substantial changes with respect to the circumstances; and new information is available. For almost a half century, from *Friends of Mammoth v. Board of Supervisors* (1972) 8 Cal.3d 247, 259, to *Protecting Our Water and Environmental Resources v. County of Stanislaus* (2020) 10 Cal.5th 479, 496, the California Supreme Court has consistently held that CEQA must "be interpreted in such manner as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." That is the legal context in which to consider the developer's and City's absurd claim that an outdated 30 year old FEIR is sufficient to address the numerous adverse environmental impacts of this massive development project in 2022.

In their comment letter and in discussion at the hearing, LVTC referenced state legislative changes regarding building in Very High Fire Hazard Severity Zones and Earthquake Zones, as just two of the many reasons requiring a subsequent EIR. The proposed project is situated directly on the San Andreas Fault. It is in violation of both County and State laws and guidelines regarding the environmental hazards on the Ritter Ranch property. There have been additional changes to CEQA guidelines in the recent past, including AB 52, which requires consultation with California Native American tribes and consideration of tribal cultural resources.

The current recognition of climate change alone requires a reexamination of the FEIR. Climate change, which was not a universally recognized or well understood issue 30 years ago, is now a global emergency and has led to extreme storms, worsening droughts, and water shortages, and more frequent and more severe wildfires, all of which will continue to worsen in the years ahead. In *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova*, 40 Cal.4th 412, 430-431 (2007), the California Supreme Court held,

> First, CEQA's informational purposes are not satisfied by an EIR that simply ignores or assumes a solution to the problem of supplying water to a proposed land use project. Decision makers must, under the law, be presented with sufficient facts to "evaluate the pros and cons of supplying the amount of water that the [project] will need." (Santiago County Water Dist. v. County of Orange, supra, 118 Cal.App.3d at p. 829, 173 Cal.Rptr. 602.)
> Second, an adequate environmental impact analysis for a large project, to be built and occupied over a number of years, cannot be limited to the water supply for the first stage or the first few years.

So, a subsequent EIR is required to address supplying water, and the impacts of doing so, to the entire project including *all* of the phases. The California Supreme Court also held in *Vineyard Area Citizens,*

> Consistent with the foregoing, we emphasize that the burden of identifying likely water sources for a project varies with the stage of project approval involved; the necessary degree of confidence involved for approval of a conceptual plan is much lower than for issuance of building permits. The ultimate question under CEQA, moreover, is not whether an EIR establishes a likely source of water, but whether it adequately addresses the reasonably foreseeable *impacts* of supplying water to the project. (40 Cal.4th at 434) (Emphasis in original).

The main fault of the Memorandum is that it limits its investigation and conclusions to only that portion of the Ritter Ranch property that is included in the present Phase 1A proposal, which they attempt to describe as the "Project Site". Under CEQA, the Project Site must refer to the entire property encompassed by the Specific Plan. CEQA is very clear that it is not permissible to look at small portions of an entire project, known as piecemealing. For instance, the Memorandum claims that there are no ponded areas where threatened species could occur. This is not true for the entire project property, only for the area of the new proposal. There are several endangered species which were identified in the original FEIR. Also, the potential destruction of tribal cultural resources cannot be limited to the immediate area of Phase 1A while ignoring the rest of the property which has not even been fully researched.

In recognition of ever worsening environmental conditions resulting from climate change, water shortages, worsening drought, and worsening wildland fires, Appendix G of the CEQA Guidelines was amended in 2018 to include new sample questions for studies of environmental impacts. Sample questions now include:

> XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

(a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
(b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
(c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
(d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Recent wildland fires have resulted in evacuation traffic jams in parts of California and resulting deaths. The wildland fire situation has been greatly worsened during the past 30 years by climate change, including ever worsening droughts and changing wind patterns. It is imperative that a subsequent EIR be prepared to assess the increased fire risk danger posed to both the occupants of all phases of the Ritter Ranch development, as well as residents already living in the area, that would result from the Ritter Ranch development. The dangers posed by the three SCE high voltage transmission lines added since the original FEIR to firefighting efforts must be analyzed in light of the increased risks that have since been recognized.

New information is also available regarding flooding in Amargosa Creek, which is part of the project site. In 2015, the area experienced what was determined to be a 1000 year flood event. Amargosa Creek was substantially affected. The 1990 FEIR only required mitigation measures sufficient to accommodate a 50 year storm event. This is another example of how climate change has impacted the area and needs to be reconsidered in determining mitigation measures.

Although there are a plethora of environmental concerns, one which was a focus of the comment letter was the Traffic Impact Analysis (TIA). Again, it was provided to LVTC just 2 days before the hearing despite numerous requests and its availability for several months. It was prepared by the same firm that had done the TIA for the original EIR in 1990. While the original report addressed traffic impacts west of Ranch Center Drive by collecting data for the intersections of Elizabeth Lake Road with Bouquet and San Francisquito Canyons, the new report omitted that data. The only reference to west bound traffic is a speculative conclusion that only 5% of the traffic from the proposed project would be directed that way. According to the TIA, the geographic areas for study were restricted to eastbound traffic at the direction of the City. It states that trip distribution and assignment percentages were provided to the City for review prior to the analysis. It appears that the City actively sought to exclude traffic impacts to Leona Valley from the current study.

In the original 1990 TIA the projected land use for the year 2010 turned out to be substantially lower than actual housing numbers in existence by that date. Even with their lower estimate, the conclusion was that there would be a capacity deficiency west of the proposed project. That report did not include the completion of Ranch Center Drive and Avenue S, which are now used as a thoroughfare from the Antelope Valley Freeway to more easily access all points west of Palmdale. It did not foresee the actual increased use of Bouquet Canyon and San Francisquito Canyon roads by commuters looking for an easier route than the Antelope Valley Freeway.

Leona Valley has experienced a major increase in commuter based traffic in the past 10 years which was not contemplated or analyzed by the FEIR. Average Daily Trips in 1990 were estimated at 3000, as of 2020 they had more than doubled, to about 6500, even without any additional housing at Ritter Ranch. The proposed 553 houses will only worsen the situation. The City has already found it necessary to install a new stop sign at the intersection of Elizabeth Lake Road and Godde Hill Road due to the increased traffic. In the event of a disaster such as a major earthquake or wildland fire, evacuation efforts would be severely impeded by the addition of thousands of new residents.

CONCLUSION

The grounds for appeal set forth here are necessarily limited by the short time frame afforded LVTC to review the submitted materials in support the Proposed Project 1A. They are really only the tip of the iceberg of issues presented by this project. LVTC and the public require more time to adequately review and analyze all the documentation. The Memorandum which purports to analyze the 1990 FEIR engages in circular reasoning to arrive at their conclusion that no further analysis is required. It discusses many changes to the laws in the past 30 years and yet asserts that "there is no new information". Even while acknowledging all these changes, it says that those laws don't apply because they have been enacted since the 1990 FEIR. It was certainly not the intent of CEQA that a 30 year old FEIR could stand unchallenged while facts, circumstances and laws change.

Pursuant to CEQA and Public Resources Code Section 21166, the proposed project requires the preparation of a subsequent EIR. Substantial changes have taken place with respect to circumstances under which the project will be undertaken, which will require major revisions to the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified environmental effects, because significant development adjacent to the project area which impacts the infrastructure, services, or development potential within the City's boundaries has occurred. Also, new EIR analysis is required because new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time of the original EIR, has been provided.

The approval of CUP 22-001, PD 21-001, and Vesting Tentative Tract Maps 51604, 51605, 51606, 51607, 52093, and 52116, and the finding that the project is consistent with FEIR 90-04 for the Ritter Ranch Specific Plan, with all amendments, must be reversed and referred back to the Planning Commission for further consideration and preparation of a subsequent EIR.

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www.dksassociates.com

March 18, 2022

Megan Taggart
Planning Manager
City of Palmdale
38250 Sierra Highway
Palmdale, California 93550

Subject: Response to Appeal Letter, Ritter Ranch Traffic Impact Study, Palmdale, CA

Dear Ms. Taggart:

DKS Associates is pleased to provide these reponses to the Appeal Letter presented by the Leona Valley Town Council and Peggy Fuller. DKS prepared the traffic impact study for the Ritter Ranch Phase 1A & 1B dated January 18, 2022 (TIS). The TIS assesses impacts from Phase 1A's 553 residential units on the surrounding roadway network. The TIS also assesses the impacts of combined Phases 1A and 1B, which total approximately 1,180 residential units, on the surrounding roadway network. Our responses to traffic related issues rasied in the Appeal letter starts on its page 4.

Page 4, 3rd paragraph:

While the original report addressed traffic impacts west of Ranch Center Drive by collecting data for the intersections of Elizabeth Lake Road with Bouquet and San Francisquito Canyons, the new report omitted that data. The only reference to the west bound direction is a spdulcative conclusion that only 5% of the traffic from the proposed project would be directed that way. According to the TIA, the geographic areas for study were restricted to eastbound traffic at the direction of the City. It states that trip distribution and sssignment percentages were provided to the City for review prior to the analysis. It appears that the City actively sought to exclude traffic impacts to Leona Valley from the current study.

Response:

DKS and the City of Palmdale worked together to define the parameters and assumptions used in the preparation of the traffic impact study including the trip distribution percentages and trip assignment to the roadway network. As described in the study, the trip distribution percentages were developed based on three primary factors typically used as the industry standard to prepare traffic impact assessments similar to the Ritter Ranch TIA:

- Transportation facility characteristics that impact travel demand (i.e. the location of urban arterials, freeways, and interchanges)

- Location of major local attractions
- Existing traffic patterns.

Based on this industry accepted methodology, it is reasonable to conclude the majority of the trips, regional and local, that originate in the Ritter Ranch area, will travel to and from the east to reach to City of Palmdale and the SR-14 freeway. The study does assign 5% of the traffic generated by the project to and from the west on Elizabeth Lake Road. However, the major attractions, such as retail, commercial and services are primarily located to the east of the project site. Finally, the existing traffic patterns examined in the TIS provide evidence that the majority of traffic in the area travels to and from the east.

Page 4, 4th paragraph:

In the original 1990 TIA the projected land use for the year 2010 turned out to be substantially lower than actual housing numbers in existence by that date. Even with their lower estimate, the conclusion was that there would be a capacity deficiency west of the proposed project. That report did not include the completion of Ranch Center Drive and Avenue S, which are now used as thuroughfare from the Antelope Valley Freeway to more easily access all points west of Palmdale. It did not foresee the actual increased use of Bouquet Canyon and San Fancisquito Canyon roads by commuters looking for an easier route than the Antelope Valley Freeway.

Response:

The traffic study analyzed 18 intersections to assess impacts to the surrounding roadway network including Avenue S and Ranch Center Drive. The projected traffic volumes generated by Phase 1A of the Ritter Ranch project projected to travel to and from the west are approximately 19 vehicles during the morning peak hour and 25 vehicles during the evening peak hour. Based on the analysis presented, it is not anticipated that Ritter Ranch Phase 1A will generate any significant impacts on Elizabeth Lake Road to the west.

Page 5, 1st paragraph:

Leona Valley has experienced a major increase in commuter based traffic in the past 10 years which was not contemplated or analyzed by the FEIR. Average Daily Trips in 1990 were estimated at 3000, as of 2020, they had more than doubled to 6500, even without any additional housing at Ritter Ranch. The proposed 553 houses will only worsen the situation. The City has already found it necessary to install a new stop sign at the intersection of Elizabeth Lake Road and Godde Hill Road due to the increased traffic. In the event of a disaster such as a major earthquake or wildland fire, evacuation efforts would be severely impeded by the addition of thousands of new residents.

Response:

The planning level capacity of a typical two lane roadway such as Elizabeth Lake Road, Bouquet Canyon Road or San Francisquito Canyon Road is approximately 18,000 vehicles per day. While the increases in traffic on

Elizabeth Lake Road may have doubled to 6,500 vehicles per day, in our professional opinion, there is significant capacity available to projects such as Phase 1A of the Ritter Ranch project.

We appreciate the opportunity to provided these responses to the Appeal Letter. If you have any questions or would like additional information, please contact us in our office at (949) 872-8587. We look forward to hearing from you.

Sincerely,



Jeffrey B. Heald, PE
Principal

DKS Associates

Irvine, CA | San Diego, CA | Murrysville, PA
3200 El Camino Real, Suite 100 | Irvine, CA 92602 | p 714.505.6360

JN 1180-001

Sent By E-mail

March 18, 2022

Megan Taggart, Planning Manager
City of Palmdale
38250 Sierra Highway
Palmdale, CA 93550

RE: Response to the Leona Valley town Council Appeal of Palmdale Planning Commission Ritter Ranch Phase IA Approval

Dear Ms. Taggart:

Per the request of the City of Palmdale, the purpose of this letter is to address comments provided by the Leona Valley Town Council (LVTC) in its appeal of the February 10, 2022, decision by the City of Palmdale Planning Commission to approve the following actions associated with implementation of Phase 1A of the Ritter Ranch Specific Plan, which are collectively referred to herein as the "proposed Project": Vesting Tentative Tract Maps (VTTMS) 51604, 51605, 51606, 51607, 52093, & 52116; Planned Development (PD) 21-001; and Conditional Use Permit (CUP) 22-001. Specifically, this letter addresses comments raised pertaining to the analysis conducted pursuant to the California Environmental Quality Act (CEQA) and the incorrect assertion that a Subsequent Environmental Impact Report (EIR) to the 1992 *Ritter Ranch Specific Plan Final Program Environmental Impact Report* (Ritter Ranch FEIR) (State Clearinghouse [SCH] No. 90010124) should have been prepared.

In its appeal, the LVTC does not acknowledge CEQA Guidelines Section 15162, which identifies the provisions under which "substantial changes" and "new information of substantial importance" (should they exist) would involve major revisions to the Ritter Ranch FEIR and would require the preparation of a Subsequent EIR. As identified in the CEQA Review Memorandum prepared by T&B Planning dated January 26, 2022, pursuant to Section 15162 of the CEQA Guidelines, no subsequent EIR may be required for a project unless the City determines, on the basis of substantial evidence, that one or more of the following conditions are met:

A. When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

   (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

   (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(a) The project would have one or more significant effects not discussed in the previous EIR or negative declaration;

(b) Significant effects previously examined would be substantially more severe than shown in the previous EIR;

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

As outlined in the CEQA Review Memorandum, the proposed development, which implements a portion of the approved Ritter Ranch Specific Plan Planning Area (PA) 5 and would actually result in less units within the planning units (PUs) included as part of the proposed Project[1], does not require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Further, there is no new information of substantial importance that would require preparation of a Subsequent EIR. This conclusion is reached through consideration of each environmental topic in the current checklist included in Appendix G of the CEQA Guidelines, which was amended in December 2018. For each topic, as applicable, the CEQA Review Memorandum describes current conditions at the Project site and in surrounding areas; identifies changes in conditions compared to that described in the Ritter Ranch REIR; identifies current regulations and their applicability to the Project; and, compares the impacts of the proposed Project to those evaluated and disclosed in the Ritter Ranch FEIR.

The LVTC also incorrectly asserts that the environmental review Phase 1A provided in the CEQA Review Memorandum is "piecemealing" and that the entirety of the Ritter Ranch Specific Plan should be addressed. In compliance with the CEQA Guidelines Section 15168(c), the City has examined the potential impacts from the proposed Project, which implements Phase 1A of the Ritter Ranch Specific, in light of the Ritter Ranch FEIR, which was prepared at a programmatic level to appropriately evaluate the impacts resulting from implementation of the Ritter Ranch Specific Plan in its entirety. Future development actions implementing the remainder of the Ritter Ranch Specific Plan will be subject to similar review to determine if any of the requirements for preparation of a Subsequent EIR are met. Consistent with CEQA, and as outlined in the CEQA Review Memorandum Section 5.0, CEQA Requirements for Ritter Ranch Specific Plan Subsequent Project Submittals, Section 2.4 of the Ritter Ranch Specific Plan, identifies that "*[a]ll subsequent project submittals, such as site plans and tentative maps, shall be evaluated by the City to determine potential environmental impacts associated with the site-specific project submittal. For a …. finding of consistency, such proposed development must be consistent with the design, intent,*

[1] The proposed Project includes 553 units in the PUs associated with 51604, 51605, 51606, 51607, 52093, & 52116 compared to 809 units anticipated in the Ritter Ranch Specific Plan and evaluated in the Ritter Ranch Specific Plan Final EIR for these PUs.

density, use and development standards of the Ritter Ranch Specific Plan…". As discussed above, the proposed Project implements and is fully consistent with the Ritter Ranch Specific Plan.

While the LVTC appeal addresses the need for further analysis for various environmental topics, it fails to acknowledge that each of these topics has been addressed in the CEQA Review Memorandum. With the exception of traffic operations, which is no longer the metric for evaluating transportation impacts pursuant to CEQA and is separately being addressed by DKS, following are responses to comments raised regarding environmental analysis of the proposed Project:

- **Wildfire.** Consistent with the current environmental checklist included in Appendix G of the CEQA Guidelines, potential wildfire impacts are addressed in the CEQA Review Memorandum Section 6.18, Wildfire. Further, the potential for wildfire hazards was addressed in the Ritter Ranch FEIR (Section IV.K, Public Services and Utilities). The location of the Project site in a high fire hazard area, and near high voltage transmission lines, is not new information that would result in new or substantially more severe impacts. Additionally, the proposed development would be required to adhere to not only requirements outlined in the Ritter Ranch Specific Plan and Ritter Ranch FEIR related to fire protection, but also current local and State regulations addressing fire hazards and fire protection, which are more stringent than when the Ritter Ranch FEIR was prepared.

- **Earthquake Zones.** Potential impacts related to earthquakes and seismic hazards are addressed in the CEQA Review Memorandum Section 6.7, Geology and Soils. Further, these issues are addressed in the Ritter Ranch FEIR (Section IV.A, Earth Resources), which acknowledges the presence of earthquake fault zones within the Specific Plan area, including faults associated with the San Andreas fault zone. Therefore, the presence of earthquake fault zones is not new information that would result in new or substantially more severe impacts. Further, the proposed development would be subject to current local and state building regulations related to seismic safety, which are more stringent than when the Ritter Ranch FEIR was prepared.

- **Water Supply.** Potential impacts related to water supply are addressed in the CEQA Review Memorandum Section 6.17, Utilities and Service Systems. Further, this issue is addressed in the Ritter Ranch FEIR (Section IV.K, Public Services and Utilities). As discussed in the CEQA Review Memorandum, the proposed Project would result in a reduced number of dwelling units as compared to what was evaluated for the Project site in the Ritter Ranch FEIR; therefore, the proposed Project's demand for water would be less than what was assumed by the FEIR. Further, the proposed Project would be subject to current regulatory requirements related to water conservation, which are more stringent than when the FEIR was prepared and would further reduce water demands compared to what was assumed in the FEIR. Lastly, the Antelope Valley – East Kern Water Agency ("AVEK") has allocated water for the proposed Project, and the water demand for the proposed Project is included Los Angeles County Waterworks District No. 40 ("District 40") adopted 2020 Urban Water Management Plan.

- **Assembly Bill 52/Native American Consultation.** Potential impacts related to tribal cultural resources are addressed in CEQA Review Memorandum Section 6.5, Cultural Resources and Tribal Cultural Resources. Further, this issue is addressed in Ritter Ranch FEIR Section IV.J, Cultural Resources. The issue of Tribal Cultural Resources was added to the CEQA Guidelines in response to California Assembly Bill 52 (AB 52), which requires consultation with affected tribes regarding potential tribal cultural resources that may be

impacted by a development. However, the provisions of AB 52 apply only to projects that have a notice of preparation or a notice of negative declaration or mitigated negative declaration filed on or after July 1, 2015. Therefore, AB 52 requirements are not applicable to the currently proposed Project. Notwithstanding, all aspects of the proposed Project, including previous grading activities, have been conducted in cooperation with Native American representatives from the San Fernando Band of Mission Indians.

- **Flooding in Amargosa Creek.** Potential impacts related to flooding are addressed in the CEQA Review Memorandum Section 6.10, Hydrology and Water Quality. Further, hydrology and water quality impacts are addressed in the Ritter Ranch FEIR (Section IV.C, Water Resources). LVTC appears to be concerned about the 1,000-year flood event along Amargosa Creek, which is not the storm frequency by which potential impacts are evaluated (100-year flood hazards), or by which storm drainage systems are designed. Required drainage reports have been prepared for each of the proposed tract maps, and the storm drain infrastructure for the proposed Project has been designed in compliance with the City of Palmdale Design Manual for more storm events (10-year, 25-year, 50-year). Refer to the discussion of "Greenhouse Gas Emissions" for a discussion of the analysis of climate change.

- **Greenhouse Gas Emissions.** As identified in the CEQA Review Memorandum Section 6.8, Greenhouse Gas Emissions, greenhouse gas (GHG) emissions was added as an environmental topic in Appendix G of the CEQA Guidelines after the Ritter Ranch FEIR was certified. The courts have ruled that "Information on the effect of greenhouse gas emissions on climate change" does not constitute "new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time . . . the IS/MND was adopted". Therefore, because the courts have found that the issue of GHGs does not comprise "new information of substantial importance," and because information on this impact was readily available at the time the Ritter Ranch FEIR was certified, the conditions listed in CEQA Guidelines Section 15162 calling for the preparation of a Subsequent EIR would not be triggered by the proposed Project.

In summary, and as fully evaluated in the CEQA Review Memorandum, the proposed Project is consistent with the development assumptions outlined in the Ritter Ranch Specific Plan, which was evaluated in the Ritter Ranch FEIR. Based on the proposed Project, as well a review of the technical studies and other information provided, and the environmental assessment provided in the CEQA Review Memorandum, the proposed Project would not result in any new environmental effects or create a substantial increase in the severity of previously identified significant effects beyond what was evaluated and disclosed in the Ritter Ranch FEIR. None of the conditions requiring preparation of a Subsequent EIR or Supplemental EIR have not been met and no changes or additions to the Ritter Ranch FEIR are necessary.

Sincerely,

Tina Andersen

T&B PLANNING, INC.

Tina Andersen
Principal

PALMDALE

a place to call home

Staff Report to the Planning Commission

PROJECT NO: Conditional Use Permit 22-001, Planned Development 21-001, and Vesting Tentative Tract Maps 51604, 51605, 51606, 51607, 52093, and 52116

APPLICANT: RdR Development Holdings, LLC

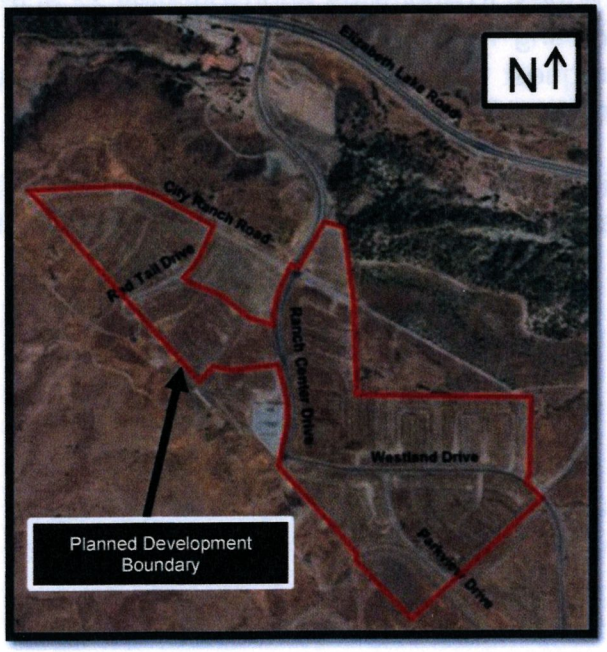
PLANNER: Eric Norris, Contract Planner

DATE: February 10, 2022

RECOMMENDATION

Adopt Resolution Nos. PC-2022-005, PC-2022-006, PC-2022-007, PC-2022-008, PC_2022-009, PC-2022-010 and PC-2022-011 approving Vesting Tentative Tract Maps (VTTM) 51604, 51605, 51606, 51607, 52093 and 52116, Conditional Use Permit (CUP) 22-001, Planned Development (PD) 21-001 and find that the project is consistent with Final Environmental Impact Report (EIR) 90-04 for the Ritter Ranch Specific Plan (SP).

FIGURE 1 – PLANNED DEVELOPMENT AERIAL MAP



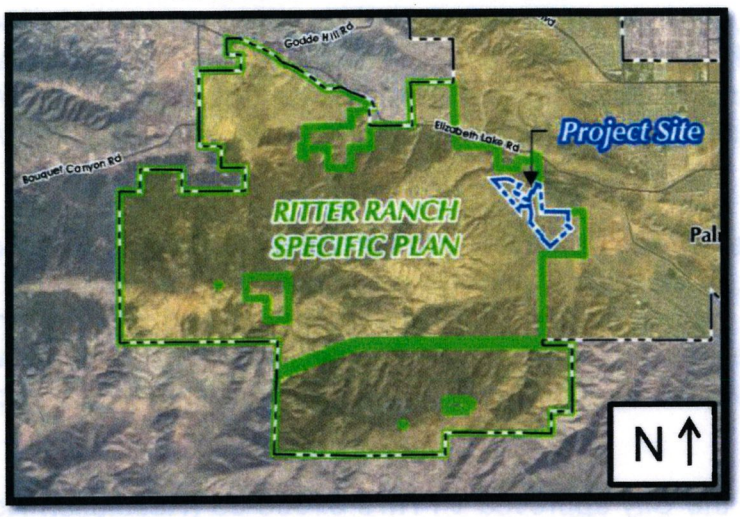
PROJECT DESCRIPTION

The proposed project is a request to implement a planned development document within the SP, which will allow greater flexibility in design and encourages well-planned neighborhoods. The applications facilitate the development of 553 single-family residences on approximately 115 acres and include open space, neighborhood and community parks, and interconnectivity within Phase 1A (Planning Area 5) of the SP. Each individual application requests the following:

- CUP 22-01: a request to implement a planned development document for Phase 1A of the SP as allowed within SP Section 8.10;
- PD 21-001: a request to approve a document specific to Phase 1A which will allow greater flexibility in design and ensure cohesiveness within this portion of the SP;
- VTTM 51604: a request to subdivide approximately 26 acres into 131 lots for the purpose of constructing 126 single-family residences;
- VTTM 51605: a request to subdivide approximately 24 acres into 130 lots for the purpose of constructing 124 single-family residences;
- VTTM 51606: a request to subdivide approximately 12 acres into 62 lots for the purpose of constructing 60 single-family residences;
- VTTM 51607: a request to subdivide approximately 21 acres into 86 lots for the purpose of constructing 84 single-family residences;
- VTTM 52093: a request to subdivide approximately 22 acres into 113 lots for the purpose of constructing 106 single-family residences; and,
- VTTM 52116: a request to subdivide approximately 10 acres into 57 lots for the purpose of constructing 53 single-family residences.

All proposed development is located within the boundaries of the approved SP, an approximately, 10,625-acre project in the western portion of the City, as indicated within Figures 1 and 2.

FIGURE 2 – SP AERIAL MAP



BACKGROUND

On February 27, 1992, EIR 90-4 (SCH #90010124) was certified by the City of Palmdale for the development of a 10,625-acre master-planned community consisting of 7,200 residences, 7,628-acres of open space and the necessary public facilities, recreational amenities, schools, and commercial uses to support the community. On March 3, 1992, the City adopted Ordinance No. 964, approving the SP. The approvals included: General Plan Amendment 91-3, Pre-zone 89-12, SP 89-02, and Development Agreement (DA) 92-1.

In 1995, DA 92-1 was amended to define the responsibility of the City and the applicant to fund and construct various infrastructure improvements and provided the applicant with assurance that the development standards within the SP would remain in place without change.

On October 11, 1995, the City approved Specific Plan Amendment 95-1-RR (Ordinance No. 1076), which amended the SP to reflect the provisions of the Agreement of Compromise, Settlement and Release between Ritter Park Associates, the Leona Valley Town Council and the City of Palmdale and amend and correct certain other portions of the SP. The changes included the phasing of various infrastructure and amenities, reductions in the number of dwelling units in portions of the project, restrictions on allowable commercial uses in some portions of the project, and various minor text changes.

In December 1995, the City approved six VTTMs (51604, 51605, 51606, 51607, 52093 and 52116) and although the maps were not recorded, the lots were graded and internal roadways were partially installed (final paving was not completed). After a series of automatic and discretionary extensions of time, all six VTTM's expired on January 20, 2017.

A revised DA for the SP was approved in 2004 (2004 DA), replacing the original DA 92-1. Similar to DA 92-1, 2004 DA defined the responsibility of the City and the applicant to fund and construct various infrastructure improvements and provided the applicant with assurance that the development standards specified within the SP would remain in applicable to the project. In June 2012, the 2004 DA subsequently expired by its own terms.

On March 2, 2006, the City approved VTTM's 51508-03 (Resolution No. PC-2006-018) and 63145 (Resolution No. PC-2006-019), respectively. VTTM 63145 was subsequently recorded and subdivided 92.32 acres into six lots. VTTM 51508-03, for the subdivision of 50.56 acres into 241 single-family residential lots, three open space lots and two park lots subsequently expired on August 23, 2019.

Subsequent to the expiration, mass grading consistent with VTTM 51808 was completed, and backbone roads (Westland Drive and Ranch Center Drive) were installed. These roadways are currently open to public travel. Portions of the required perimeter walls along these roadways were also installed.

TABLE 1: EXISTING LAND USE / ZONING / GENERAL PLAN

	Land Use	Zoning	General Plan
Subject Site	Vacant land	Single Family Attached	Ritter Ranch Specific Plan
North	Single family residences and vacant land, across Elizabeth Lake Road	A-1 (Light Agriculture) / unincorporated Los Angeles County jurisdiction	LDR (Low Density Residential, maximum one dwelling unit per acre) / unincorporated Los Angeles County jurisdiction
South	Vacant land	Unincorporated Los Angeles County jurisdiction / PZ R-1-1 (prezoned single-family residential, minimum lot size of one acre)	Unincorporated Los Angeles County jurisdiction / LDR (Low Density Residential, maximum one dwelling unit per acre)
East	Vacant land / existing residences	Anaverde Nuevo Specific Plan	Anaverde Nuevo Specific Plan
West	Vacant land / existing residences	Unincorporated Los Angeles County jurisdiction	Unincorporated Los Angeles County jurisdiction

NOTICING/AGENCY COMMENTS

TABLE 2: AFFECTED AGENCIES

	Agency	Comments
Public Safety:	Los Angeles County Fire Department	No comments received
School District(s):	Westside Union School District	School impact fees will be paid prior to building permit issuance
	Antelope Valley Union High School District	No comments received
Sanitation:	Los Angeles County District 20	No comments received
Other:	AT&T	No comments received

ANALYSIS

TABLE 3: SPECIFIC PLAN CONSISTENCY

Topic	Goal, Objective, or Policy	Standard Met?	Justification*
Land Use	Goal 1: *Create a comprehensively designed Specific Planned Community.*	Yes	The proposed tentative maps and amenities have been designed in a manner that is consistent with both the Planned Development document and the Ritter Ranch Specific Plan. The tentative maps are seamlessly integrated into surrounding development and incorporate a fully landscaped, connective residential community.
Circulation	Goal 1: *Provide a transportation system which allows for the safe and efficient movement of people, goods and services throughout Ritter Ranch*	Yes	The proposed roadway system is designed in the locations and to the dimensions as required by the circulation plan of the SP.
Housing	Goal 1: *Housing availability and opportunity for all citizens.*	Yes	The proposed tentative maps allow for varying lot sizes, which will ensure construction of housing for various income levels as envisioned by the SP.
Public Services and Utilities	Goal 1: *Provide adequate public and semi-public services to serve the needs of the Ritter Ranch development and the residents in an efficient and cost-effective manner.*	Yes	The proposed project will provide all improvements necessary to ensure that public and semi-public services are adequately provided. In addition, conditions of approval have been proposed that will require adequate financing mechanisms to ensure the provision of such services is cost-effective.
Design	Goal 2: *Provide public parkland for both passive and active use that is equally accessible to the community on a neighborhood, community and regional basis.*	Yes	The proposed tentative maps include dedicated open space lots for passive and active recreation, which will include a variety of amenities for use by future residents and the surrounding community.

**Justification is based on a review of the plan date stamped 'Received November 8, 2021,' by the case planner.*

Conditional Use Permit 22-001 and Planned Development 21-001

As allowed by SP Section 8.10, the applicant is requesting approval of a planned development document, which is implemented by the proposed conditional use permit and specifies the following requirements for Phase 1A of the SP:

- Special development standards related to lot size and minimum dimensions, which is reflected in each of the proposed VTTM's;
- Landscaping standards for public areas;
- Standards and guidelines for thematic landscape features and entry monuments; and,
- Implementation processes.

PD 21-001 for Phase 1A of the SP is being utilized to provide lot size and related development standards to allow the development of detached single-family residences on lots of 5,000 to 7,000 square feet. This is consistent with the intent of Planned Developments specified within the SP as outlined within Table 4.

TABLE 4: SPECIFIC PLAN STANDARDS

	Requirement	Standard Met?	Justification*
Area	The proposed development area shall include a parcel of land containing not less than five acres (SP Section 6.7.2.1)	Yes	The planned development area encompasses 133 acres; 115 of which is proposed for residential development.
Land Use	Dwelling units may be in single family detached or in multiple dwelling structures, depending upon adjacent development and the compensating features of the development plan. (SP Section 6.7.2.2)	Yes	The planned development area accommodates development of detached single-family residences

TABLE 4: SPECIFIC PLAN STANDARDS CONTINUED

Subdivision	A tentative map shall be filed when required by the appropriate subdivision ordinance. (SP Section 6.7.2.7)	Yes	Six VTTM's have been filed to accommodate development within the planned development document area.
Landscaping	A preliminary plan for the landscaping of all open areas, where appropriate, shall be submitted to and approved by the Planning Commission. (SP Section 6.7.2.8)	Yes	The proposed planned development document includes landscape guidelines within Section 3.4, which dictate minimum requirements for Phase 1A of the SP.

**Justification is based on a review of the planned development document date stamped 'Received December 23, 2021' by the case planner.*

In addition to the providing development standards for the proposed VTTMs, the planned development document area also includes specifications for three amenities, a recreation center, neighborhood park and partial community park as outlined within Table 5 and depicted within Figure 3.

TABLE 5: PHASE 1A AMENITIES

Planning Unit	Land Use	Site Acreage	Amenity Access
5C	Recreation Center	4.7	Private
5F	Neighborhood Park	5.0	Public
5T	Community Park (partial)	8.3	Public

Vesting Tentative Tract Maps

As indicated above, the applicant is seeking to reestablish previously expired VTTM's to develop Phase 1A of the SP. The acreage, number of lots, minimum lot sizes and open space is summarized within Table 5, below.

TABLE 6: VTTM SUBDIVISION SUMMARY

VTTM Number	Acreage	Number of Residential Lots	Minimum Lot Size	Open Space (Acreage)	
				Pedestrian, Landscape and Greenbelt	Neighborhood Recreation Areas
51604	26.3	126	6,000 SF	0.32	0.24
51605	23.7	124	5,000 SF	0.55	0.25
51606	12.1	60	5,000 SF	0.11	0.43
51607	20.9	84	7,000 SF	0.61	0
52093	21.9	106	5,000 SF	2.24	0.22
52116	9.9	53	5,000 SF	0.22	0
Totals:	**114.8**	**553**	**N/A**	**4.05**	**1.14**

The locations of the each of the proposed VTTMs within Phase 1A of the SP are shown in Figure 3, below.

FIGURE 3 – VESTING TENTATIVE MAP LOCATIONS

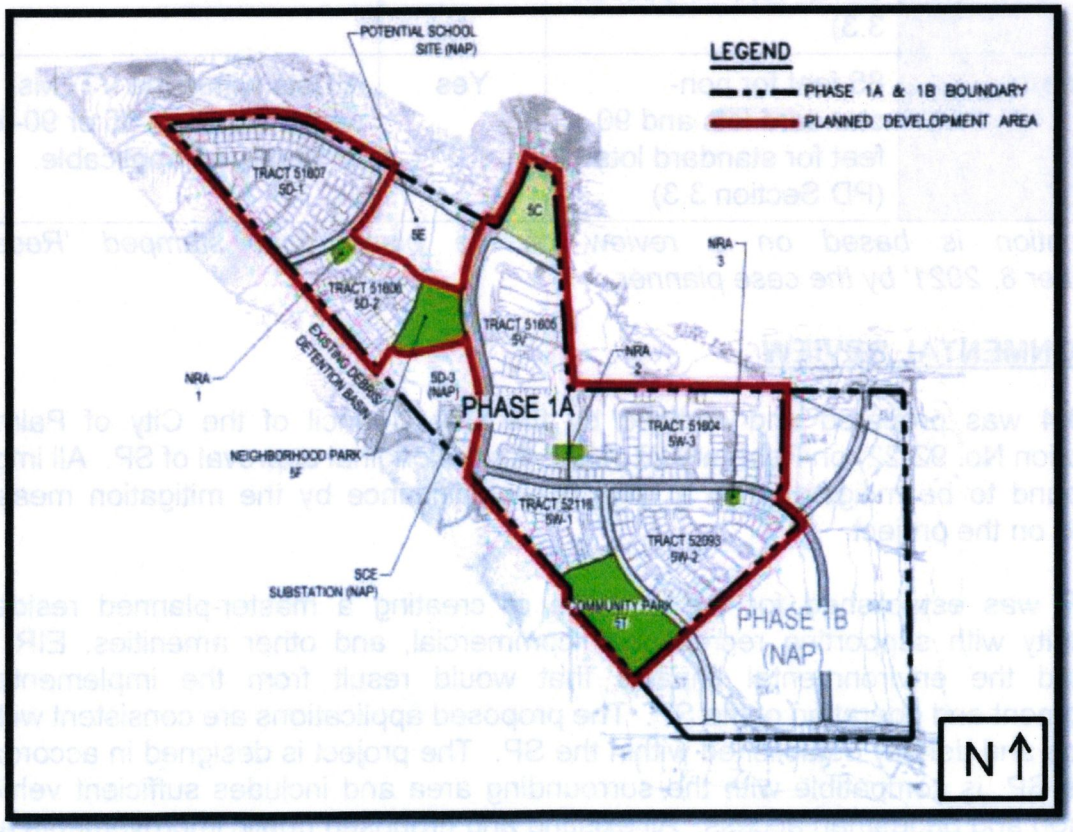


TABLE 7: PLANNED DEVELOPMENT DOCUMENT STANDARDS

	Standard	Standard Met?	Justification*
Lot Area	Minimum lot area of either 5,000, 6,000 or 7,000 square feet (Planned Development [PD] document Section 3.3)	Yes	The lots within the VTTMs range in size from 5,000 to 17,374 square feet.
Lot Width	Either 45 or 55 feet for a standard lot, 40 or 50 feet for a non-standard lot and 50, 55, or 60 feet for a corner lot (PD Section 3.3)	Yes	All lots within the VTTMs meet or exceed the minimum lot width for standard, non-standard and corner lots.
Lot Depth	85 feet for non-standard lots and 90 feet for standard lots (PD Section 3.3)	Yes	All lots within the VTTMs depict either an 85 or 90-foot lot depth, as applicable.

**Justification is based on a review of the plans date stamped 'Received November 8, 2021' by the case planner.*

ENVIRONMENTAL REVIEW

EIR 90-4 was prepared and certified by the City Council of the City of Palmdale (Resolution No. 92-22) on February 27, 1992, for the original approval of SP. All impacts were found to be mitigatable to a level of insignificance by the mitigation measures imposed on the project.

The SP was established for the purpose of creating a master-planned residential community with supporting recreational, commercial, and other amenities. EIR 90-4 evaluated the environmental impacts that would result from the implementation, development and operation of the SP. The proposed applications are consistent with the use, type and density established within the SP. The project is designed in accordance with the SP, is compatible with the surrounding area and includes sufficient vehicular circulation and pedestrian access. All existing and proposed public improvements are of

sufficient size and capacity to support the development, as determined by the City Engineer.

The applicant has submitted a memorandum (T&B, December 30, 2021), which reviewed the proposed project for consistency with the EIR prepared for the SP. The memorandum concluded that the proposed project is consistent with the SP, and within the scope of the analysis presented in the 1992 SP EIR (State Clearinghouse [SCH] No. 90010124). There is no new information and there are no changes in circumstances that would preclude the City's ability to rely on the SP EIR, and the conditions for requiring preparation of a Subsequent or Supplemental EIR, or an Addendum, are not met.

Staff has reviewed the memorandum and concurs with the conclusion that no new or updated environmental analysis is required, and that the proposed project is consistent with the SP EIR, per Section 15162 of the California Environmental Quality Act.

Therefore, in accordance with Public Resources Code Section 21166 and State California Environmental Quality Act (CEQA) Guidelines Sections 15162, 15163 and 15164, the proposed project does not require the preparation of a subsequent, supplemental or addendum to the Environmental Impact Report (EIR) prepared for the SP (EIR 90-4) since: 1) the project will cause no substantial changes in any portion of the project which was described in EIR 90-4, which would require major revisions to EIR 90-4 due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects because the project is not modifying the scope or intent of the SP; 2) no substantial changes have occurred with respect to the circumstances under which the project is undertaken, which will require major revisions to said EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified environmental effects, because no significant development adjacent to the project area which impacts the infrastructure, services, or development potential within the City's boundaries has occurred; and 3) no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, has been provided with respect to the SP.

OPTIONS

The Planning Commission has the following options:

1. Adopt Resolution Nos. PC-2022-005, PC-2022-006, PC-2022-007, PC-2022-008, PC-2022-009, PC-2022-010 and PC-2022-011 approving VTTMs 51604, 51605, 51606, 51607, 52093 and 52116, CUP 22-001, PD 21-001 and find that the project is consistent with EIR 90-04 for the SP.
2. Continue the project and direct staff to return with additional information.
3. Deny the project.

Option 1 is recommended.

Prepared by:

Eric Norris
Contract Planner

Reviewed by:

Megan Taggart
Planning Manager

Attachments:

1. Resolution No. PC-2022-005
2. Resolution No. PC-2022-006
3. Resolution No. PC-2022-007
4. Resolution No. PC 2022-008
5. Resolution No. PC 2022-009
6. Resolution No. PC 2022-010
7. Resolution No. PC-2022-011

ATTACHMENT 1

PLANNING COMMISSION
CITY OF PALMDALE, CALIFORNIA
RESOLUTION NO. PC-2022-005

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALMDALE, CALIFORNIA, APPROVING VESTING TENTATIVE TRACT MAP 51604; A REQUEST TO SUBDIVIDE APPROXIMATELY 26 ACRES INTO 131 LOTS FOR THE PURPOSE OF CONSTRUCTING 126 SINGLE-FAMILY RESIDENCES WITHIN PLANNING AREA FIVE OF THE RITTER RANCH SPECIFIC PLAN AND GENERALLY LOCATED NORTH OF WESTLAND DRIVE AND APPROXIMATELY 700 FEET EAST OF RANCH CENTER DRIVE (APN: 3206-027-006)

A. RECITALS

1. RdR Development Holdings, LLC, has filed an application requesting the approval of Vesting Tentative Tract Map (VTTM) 51604, described herein (hereinafter referred to as "Application").

2. The Application applies to an existing approximately 26-acre vacant parcel within the Ritter Ranch Specific Plan (SP) indicated on the County Assessor's roles as APN 3206-027-006, legally described on Exhibit I hereto and shown on the map attached hereto as Exhibit II.

3. On February 10, 2022, the Planning Commission of the City of Palmdale conducted a duly noticed public hearing on the Application and concluded said hearing on that date.

4. All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION

NOW THEREFORE, it is hereby found, determined, and resolved by the Planning Commission of the City of Palmdale, as follows:

1. The Planning Commission hereby specifically finds that all of the facts set forth in the Recitals, Part A of this Resolution, are true and correct.

2. Based upon substantial evidence presented to this Commission during the above-referenced February 10, 2022, public hearing, including public testimony, and written and oral staff report, and incompliance with SP Section 8.12, this Commission specifically finds as follows:

(a) For the proposed subdivision, each provision for its design and improvement and each proposed land use is consistent with the Ritter Ranch Specific Plan because it conforms to the density, design standards, design guidelines, and location given for the land use designation.

The proposed subdivision, each provision for its design and improvement and each proposed land use is consistent with the both the SP and the Planned Development (PD 21-001) document, which provides special development standards for the project, landscape standards, and thematic landscape features as outlined within Exhibits III and IV.

The subject site is within Planning Unit 5W-3 of the SP, which is designated for residential development. As described within Exhibits III and IV, the proposed project is consistent with the policies and objectives of the SP, in that it provides the type of development and amenities envisioned in both residential dwelling type and quality, parks, and public improvements.

(b) The tentative map or tentative parcel map design provides for future passive or natural heating or cooling opportunities in the subdivision to the extent feasible.

The development is designed with adequate dimensions to maximize the opportunities for passive and natural heating and cooling. The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities. Based upon a review of the tentative tract map, each lot meets or exceeds the minimum size, width, and depth requirements as specified within the Planned Development prepared for the portion of the Ritter Ranch Specific Plan that includes the proposed project.

(c) The tentative map or tentative parcel map does not propose to divide land which is subject to a contract entered into pursuant to the California Land Conservation Act of 1964 in that the property in question has not been included in any such contract.

A review of the preliminary title report for the subject property revealed that the property in question has not been included in any such contract and therefore, the Application does not propose to divide land, which is subject to such a contract.

(d) The discharge of waste from the proposed subdivision into an existing community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board.

No violation will be created because the applicant is required to comply with the Conditions of Approval, which require approval from the appropriate agencies for location of sanitary sewer trunk lines and preparation of a sewer area study to the satisfaction of the City Engineer and the Los Angeles County Sanitation District.

(e) The site is physically suitable for the type of development and density proposed.

In conjunction with the prior approved, expired tentative tract map, the site has been previously graded and portions of major roadways constructed. An existing power line easement is located to the south of the site, but the Application has been designed to avoid the easement.

(f) The design of the subdivision and the proposed improvements is not likely to cause serious public health or safety problems because they conform to the highest and best possible use of the subject property as determined.

The project will be required to install improvements such as streets, curbs and sidewalks in compliance with City standards. Also, the discharge of waste from the proposed subdivision into an existing community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board because the applicant is required to dedicate a new sewer system to the City and install private laterals for each residential lot. In addition, the project is required to provide on- and off-site improvements as required by the water purveyor. Furthermore, the public improvements required for this subdivision are reasonable and proportional to the impacts caused by the proposed development and are necessary in order to provide access for future residents within the project, protect the subdivision, and surrounding properties, and promote the safety of the general public.

(g) The design of the subdivisions and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision because no such easements have been acquired.

The title report for the site revealed that the design of the subdivision and the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision because the existing easements along the western portion of the project site will not be altered by the proposed project. In addition, the Conditions of Approval require dedication and improvement of publicly owned rights-of-way, storm drains, and other drainage facility easements.

(h) The proposed tentative map or tentative parcel map is in conformance with the intent and requirements set forth in the Ritter Ranch Specific Plan.

As allowed within SP Section 8.10, the tentative map meets the requirements of the proposed Planned Development document (PD 21-001), which includes special development standards of the project, landscape standards, and thematic landscape features. The lots created by the Application comply with the standards of, and will be landscaped pursuant to, standards within the Planned Development.

(i) The proposed tentative map or tentative parcel map is in compliance with the California State Subdivision Map Act.

The Application has been prepared in compliance with all requirements of the SP and the Subdivision Map Act. In addition, as specified within the Conditions of Approval for the Application, the applicant will be required to record a final map prior to the expiration date in accordance with the provisions of the Subdivision Map Act.

3. The Planning Commission hereby finds as follows with respect to the environmental document prepared for the project:

(a) In accordance with Public Resources Code Section 21166 and State California Environmental Quality Act (CEQA) Guidelines Sections 15162, 15163 and 15164, the proposed project does not require the preparation of a subsequent, supplemental or addendum to the

Environmental Impact Report (EIR) prepared for the SP (EIR 90-4) since: 1) the project will cause no substantial changes in any portion of the project which was described in EIR 90-4, which would require major revisions to EIR 90-4 due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects because the project is not modifying the scope or intent of the SP; 2) no substantial changes have occurred with respect to the circumstances under which the project is undertaken, which will require major revisions to said EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified environmental effects, because no significant development adjacent to the project area which impacts the infrastructure, services, or development potential within the City's boundaries has occurred; and 3) no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, has been provided with respect to the SP. Therefore, a memorandum of consistency was prepared for the Application (Exhibit V).

(b) The custodian of records for all other materials which constitute the record of proceedings upon which the Planning Commission's decision is based, is the Planning Manager of the City of Palmdale. These documents are available for public review in the Planning Division of the City of Palmdale located at 38250 Sierra Highway, Palmdale, California 93550, telephone (661) 267-5200.

4. Based on the findings and conclusions set forth in paragraphs 1, 2, and 3 above, this Commission hereby approves VTTM 51604 subject to the Conditions of Approval as set forth in Exhibit VI.

5. The Deputized Clerk shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED this 10th day of February, 2022.

AYES: _____

NOES: _____

ABSTAIN: _____ ABSENT: _____

_____
Stacia Nemeth, Chair
Planning Commission

ATTEST:

_____
Kathy Inman, Deputized Clerk

EXHIBIT I

LEGAL DESCRIPTION FOR VTTM 51604

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF PALMDALE, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

LOT 1 OF TRACT NO. 51508-02, IN THE CITY OF PALMDALE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1214 PAGES 37 THROUGH 40, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXHIBIT II

AERIAL MAP
FOR VTTM 51604

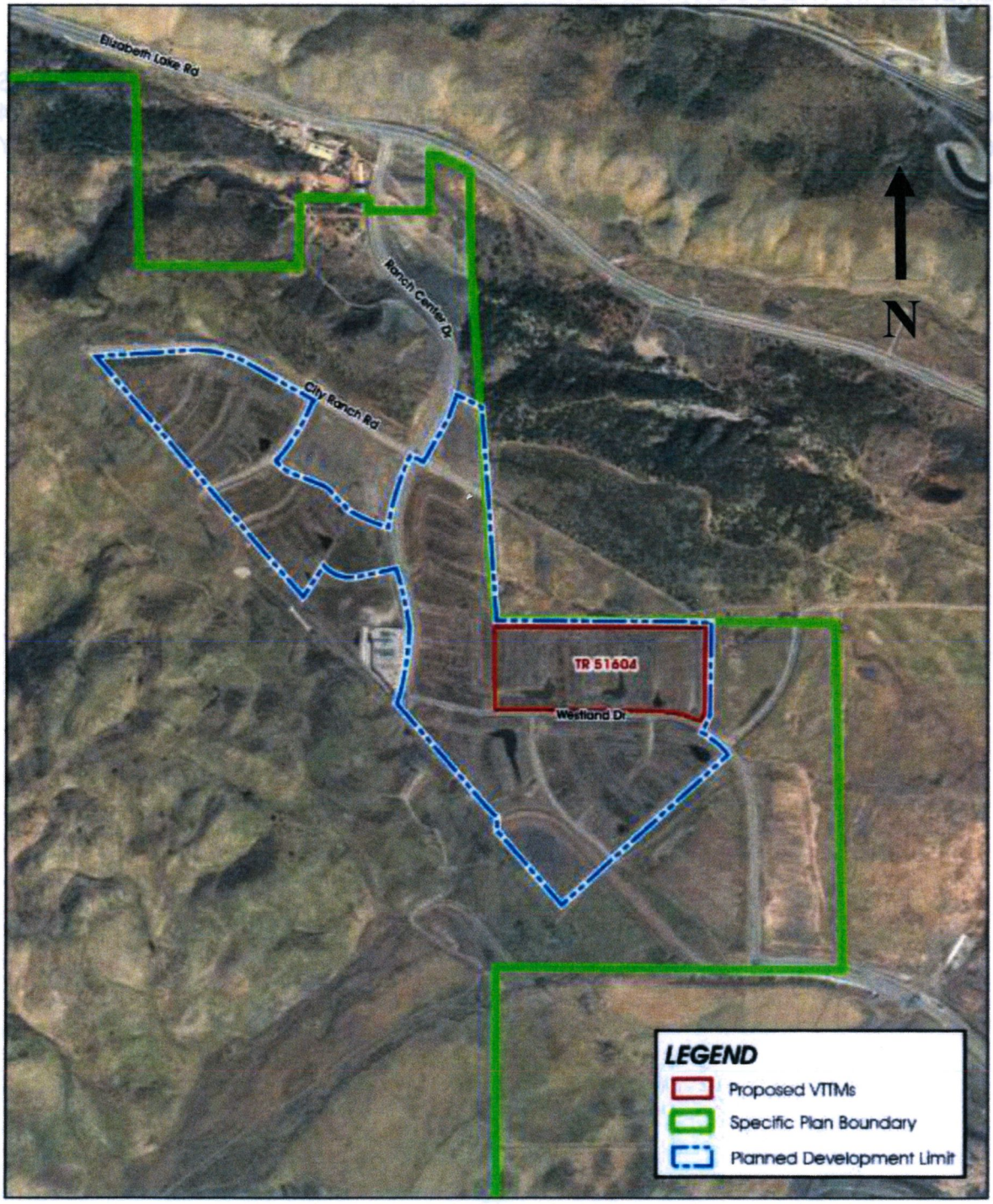


EXHIBIT III

SPECIFIC PLAN CONSISTENCY

Topic	Goal, Objective, or Policy	Standard Met?	Justification*
Land Use	Goal 1: *Create a comprehensively designed Specific Planned Community.*	Yes	The proposed tentative map and amenities have been designed in a manner that is consistent with both the Planned Development document and the Ritter Ranch Specific Plan. The tentative map is seamlessly integrated into surrounding development and incorporates a fully landscaped, connective residential community.
Circulation	Goal 1: *Provide a transportation system which allows for the safe and efficient movement of people, goods and services throughout Ritter Ranch*	Yes	The proposed roadway system is designed in the locations and to the dimensions as required by the circulation plan of the Ritter Ranch Specific Plan.
Housing	Goal 1: *Housing availability and opportunity for all citizens.*	Yes	The proposed tentative map allows for varying lot sizes, which will ensure construction of housing for various income levels as envisioned by the Specific Plan.
Public Services and Utilities	Goal 1: *Provide adequate public and semi-public services to serve the needs of the Ritter Ranch development and the residents in an efficient and cost-effective manner.*	Yes	The proposed project will provide all improvements necessary to ensure that public and semi-public services are adequately provided. In addition, conditions of approval have been proposed that will require adequate financing mechanisms to ensure the provision of such services is cost-effective.
Design	Goal 2: *Provide public parkland for both passive and active use that is equally accessible to the community on a neighborhood, community and regional basis.*	Yes	The proposed tentative map includes five parcels dedicated to open space, which will include a variety of amenities for use by future residents and the surrounding community.

**Justification is based on a review of the plan date stamped 'Received November 8, 2021,' by the case planner.*

EXHIBIT IV

PLANNED DEVELOPMENT DOCUMENT STANDARDS

	Standard	Standard Met?	Justification*
Lot Area	Minimum lot area of 6,000 square feet (Planned Development [PD] document Section 3.3)	Yes	The lots within VTTM 51604 range in size from 6,001 to 12,567 square feet.
Lot Width	55 feet for standard lots and 50 feet for cul-de-sac and knuckle lots (PD Section 3.3)	Yes	The lots within VTTM 51604 depict a minimum width of 55 feet for standard lots and 50 feet for non-standard lots.
Lot Depth	90 feet (PD Section 3.3)	Yes	The lots within VTTM 51604 depict a minimum depth of 90 feet.

**Justification is based on a review of the plans date stamped 'Received November 8, 2021' by the case planner.*

Irvine, CA | San Diego, CA | Murrysville, PA

3200 El Camino Real, Suite 100 | Irvine, CA 92602 | p 714.505.6360

JN 1180-001

MEMORANDUM

To: Megan Taggart, Planning Manager
City of Palmdale

From: Tina Andersen, Principal

Re: **RITTER RANCH SPECIFIC PLAN – ENVIRONMENTAL REVIEW FOR RITTER RANCH PHASE 1A, INCLUDING VTTMS 51604, 51605, 51606, 51607, 52093, & 52116, PLANNED DEVELOPMENT 21-001 AND CUP 22-001**

Date: January 26, 2022

1.0 Introduction

We understand that Ritter Holdings, LLC, is seeking approval of six Vesting Tentative Tract Maps (VTTMs), including VTTMs 51604, 51605, 51606, 51607, 52093, and 52116 (herein referred to as the "proposed VTTMs"), and a proposed Planned Development (PD) and an associated residential planned development conditional use permit (CUP) [1] to authorize alternative lot and subdivision design standards (together with the proposed VTTMs referred to as "proposed Project") in order to implement a portion of Planning Area (PA) 5 (Ranch Center) of the approved Ritter Ranch Specific Plan (i.e., Planning Units [PU] 5C, 5D, 5E, 5T, 5V, and 5W). These PUs collectively represent "Phase 1A" of the Ritter Ranch Specific Plan development.

The VTTMs and PD No. 05-02 were previously approved by the City of Palmdale. The VTTMs expired in 2017 and the PD expired at approximately the same time. The proposed Project (described in Section 4 of this memorandum) will require discretionary approval of the proposed VTTMs, PD and CUP, and as such the proposed Project is subject to compliance with the California Environmental Quality Act (CEQA). The purpose of this memo is to inform the appropriate form of CEQA-compliance documentation for the proposed Project.

As further addressed in Section 7.0 of this memorandum, it is our professional opinion that the proposed Project is consistent with the Ritter Ranch Specific Plan, and within the scope of the analysis presented in the 1992 *Ritter Ranch Specific Plan Final Program Environmental Impact Report* (Ritter Ranch FEIR) (State Clearinghouse [SCH] No. 90010124). There is no new information and there are no changes in circumstances that would preclude the City's ability to rely on the Ritter Ranch FEIR, and the conditions for requiring preparation of a Subsequent or Supplemental EIR, or an Addendum, are not met.

[1] The Ritter Ranch Specific Plan allows residential planned development as a conditionally approved use; however, the PD process under the City's zoning ordinance is being utilized by the City, as it did in 2005 when it approved PD No. 05-02, as it is a better fit for this development proposal.

2.0 Project Background

The City of Palmdale approved the Ritter Ranch Specific Plan and pre-zoning for other areas to be annexed into the City (Approved Project) and certified the associated FEIR in February 1992. The Ritter Ranch FEIR was prepared in accordance with CEQA (California Public Resources Code, Sections 21000, et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000, et seq.).As further described below, the Approved Project evaluated in the Ritter Ranch FEIR consists of the 10,625-acre Ritter Ranch Specific Plan and pre-zoning for approximately 449-acres on several adjacent parcels also proposed by the City of Palmdale for annexation (Other Annexation Areas) to avoid creating unincorporated "islands". Although the Other Annexation Areas were addressed in the Ritter Ranch FEIR, no development plans were proposed for that land. The Ritter Ranch Specific Plan area and Other Annexation Areas were subsequently annexed into the City of Palmdale, following approval of the Specific Plan and certification of the Ritter Ranch FEIR by the City in 1992.

The Ritter Ranch Specific Plan and Other Annexation Areas are located in the southwest foothills of the Antelope Valley, generally bound by Elizabeth Lake Road to the north, the Angeles National Forest and community of Leona Valley to the west, Sierra Pelona Ridge to the south, and the City Ranch Specific Plan area to the east. Figure 1 attached at the end of this memorandum, depicts the location of the Ritter Ranch Specific Plan area.

The Ritter Ranch Specific Plan, as defined in the Ritter Ranch FEIR, entails all actions associated with the implementation and development of the Ritter Ranch Specific Plan. "The Specific Plan serves as a means of managing the use of the land, establishes provisions for site development, and provides a comprehensive approach to infrastructure planning and financing. The Specific Plan provides project-wide land use, landscape, circulation and infrastructure plans and design regulations and guidelines." (Ritter Ranch FEIR, p. 2.) The Ritter Ranch Specific Plan allows for the development of up to 7,200 dwelling units, 692,125 square feet (sf) of neighborhood commercial development, 7,906.3 acres of open space/recreation use, 120.6 acres of school sites, and 148 acres of major roadways, in 8 planning areas.

Subsequent to approval of the Ritter Ranch Specific Plan in 1992, the City approved Specific Plan Amendment 95-1-RR, which amended the Specific Plan to:

(1) Reflect the provisions of the Agreement of Compromise, Settlement and Release between Ritter Park Associates, the Leona Valley Town Council and the City of Palmdale; and,

(2) Amend and correct certain other portions of the Specific Plan.

At that time, the City found that the proposed action is consistent with the project reviewed in the Ritter Ranch FEIR prepared for the Ritter Ranch Specific Plan.

The Specific Plan Amendment did not affect the density or intensity of land uses proposed and did not conflict with any General Plan policy.

To date, no homes have been built within Ritter Ranch. However, grading for certain areas where homes will be built within Phase 1A of PA 5, was completed in 2005/2006, and backbone roadways and infrastructure for these areas were installed (refer to the aerial photograph provided on Figure 2 and attached at the end of this memorandum). The backbone roadways are open to the public.

Phase 1A (approximately 138 acres) is the first phase for completion of construction for PA 5, and the entirety of the Ritter Ranch Specific Plan Area. PA 5 encompasses 656-acres and was approved in the Specific Plan to include 2,587 units. As with the remainder of the Ritter Ranch Specific Plan area, development of the remainder of PA 5 will be subject to subsequent entitlement approvals and CEQA review. Therefore, this memorandum focuses only on the proposed Phase 1A development, as described herein.

VTTMs 51604, 51605, 51606, 51607, 52093, and 52116 were granted discretionary extensions by the City of Palmdale on January 20, 2015, subject to various Conditions of Approval (COAs). The City determined the VTTMs were consistent with the Ritter Ranch Specific Plan and the Ritter Ranch FEIR (including implementation of identified mitigation measures).

As part of the City's discretionary extension of VTTMs 51604, 51605, 51606, 51607, 52093, and 52116 in 2015, the City relied upon the findings of the Ritter Ranch FEIR in determining that no further CEQA review was required. In approving a 2014 "Initial Study" for the discretionary extensions of these tract maps, the City stated as to the Ritter Ranch FEIR as follows:

> *"The analysis contained in the Final EIR for the Ritter Ranch Specific Plan was sufficiently detailed to analyze the potential impacts of subdividing the subject property for future residential, commercial, recreational, educational and open space uses. Therefore, this project is subject to the mitigation measures presented in the Final EIR for the Ritter Ranch Specific Plan."*

Additionally, PD No. 05-02 was approved by the City in July 2006 and provided for the lot sizes and other features included in the previously approved VTTMs. While the Planned Development (PD No. 05-02) has expired, the Specific Plan remains in effect.

3.0 Project Location and Setting

The proposed VTTMs 51604 (PU 5W-3), 51605 (PU 5V), 51606 (PU 5D-2), 51607 (PU 5D-1), 52093 (PU 5W-2), 52116 (PU 5W-1), Parks (PUs 5F and 5T), and recreation center (PU 5C) encompass approximately 132.8 acres and are located generally south of City Ranch Road, east and west of Ranch Center Drive, and east of the Southern California Edison (SCE) easement. The remaining PUs associated with Phase 1A are not part of the proposed Project, but include: 5D-3 (SCE substation) and 5E (future school site).

As shown in the aerial photograph provided on Figure 2 (attached at the end of this memorandum), the Project area has been disturbed by previously completed grading operations. The surrounding properties are vacant and undeveloped with the exception of the Lazy "T" Ranch located on the southwest corner of Elizabeth Lake Road

and Ranch Center Drive (which was present when the FEIR was prepared), the Southern California Edison (SCE) power lines and towers located on the northwest-southeast trending property boundary, and the SCE Ritter Substation located on the west side of Ranch Center Drive and Westland Drive "T" intersection, which receives power from the adjacent SCE transmission corridor. Development within the City Ranch Specific Plan area exists to the southeast. An offsite drainage basin is located west of the SCE Substation. Amargosa Creek flows from west to east adjacent to Elizabeth Lake Road.

Paved roadways have been constructed along Ranch Center Drive, City Ranch Road, Red Trail Drive, Park View Drive and Westland Drive. The interior tract roadways have been graded but not paved. Concrete block walls partly enclose each of the residential tracts along the exterior roadways. Backbone sewer and water lines have been installed along Ranch Center Drive, City Ranch Road, Westland Drive, Red Trail Drive, and Park View Drive. A portion of the sewer line was also placed along a utility easement located between proposed Tract 51604 and Tentative Tract 51508-3 at the end of a grouping of eight cul-de-sacs. Stockpiles of soils have been placed at the entrance to the residential tracts as a mechanism to block access to the interior of the tracts. Sandbags have been placed along streets to limit erosion.

4.0 Project Description

PD 21-001 and its associated CUP 22-001 include development of 553 single-family detached dwelling units on approximately 114.8 acres. Proposed public parks and a recreation center account for approximately 23.2 additional acres (refer to Figure 3 attached at the end of this memorandum).

Three residential lot types are proposed, with minimum sizes of 5,000, 6,000, and 7,000 square feet. Standards for these lot types are included in the proposed Planned Development document.

Neighborhood Recreation Areas will be provided in-tract to supplement the Neighborhood Park and Community Park, as well as a recreation center. Specifically, proposed parks occur in PU 5F (5.0-acre public Neighborhood Park) and 5T (8.3-acre partial public Community Park), and proposed recreation center occurs in PU 5C (4.7-acre private amenity). This PD includes the northerly portion of Community Park 5T to ensure timely delivery of the amenity program for Phase 1A, with the remainder to be completed with Phase 1B.

The proposed VTTMs 51604, 51605, 51606, 51607, 52093, and 52116 are consistent with the previously-approved VTTMs and, as previously described, are part of Phase 1A of Ritter Ranch Specific Plan PA 5. The Ritter Ranch Specific Plan allows for development of these particular planning areas with up to 809 dwelling units on 142.4 acres, for an overall density of approximately 5.7 dwelling units per acre (du/ac). As summarized in Table 1 and shown on Figures 4 through 9 attached at the end of this memorandum, the six proposed VTTMs involve 553 single-family detached residential units and approximately 5.19 acres of open space lots (for pedestrian, landscape/open space, and greenbelt uses, and neighborhood recreation areas) on approximately 114.8 acres. No non-residential uses are proposed in these VTTMs.

The proposed Project would allow for development of fewer residential units for the identified PUs than anticipated in the Specific Plan and evaluated in the Ritter Ranch FEIR.

The area covered by the proposed Project has a General Plan land use designation of Specific Plan (SP-Ritter Ranch) and is zoned Specific Plan. While the Ritter Ranch Specific Plan identifies a land use designation of SFA (single-family attached), in the prior PD approval, single-family detached homes were approved as provided in the Specific Plan, and that approval is being requested again in the current PD and CUP applications. The currently requested approvals do not include a General Plan Amendment, Specific Plan Amendment, or zone change.

The Specific Plan contemplates the use of the PD procedure and CUP to facilitate development of single-family detached lots within the SFA land use designation (refer to Specific Plan Sections 6.4.1.4, 6.5.1.4, 6.7.1 and 6.7.2.2.)

TABLE 1
SUMMARY OF PROPOSED VTTMS 51604, 51605, 51606, 51607, 52093, and 52116

VTTM No./PU	Acres	Residential Lots	Open Space Lots (ac)	
			Pedestrian, Landscape/OS and Greenbelt	Neighborhood Recreation Areas
51604/5W-3	26.3	126	0.32	0.24
51605/5V	23.7	124	0.55	0.25
51606/5D-2	12.1	60	0.11	0.43
51607/5D-1	20.9	84	0.61	0
52093/5W-2	21.9	106	2.24	0.22
52116/5W-1	9.9	53	0.22	0
Total	**114.8**	**553**	**4.05**	**1.14**

5.0 CEQA Requirements for Ritter Ranch Specific Plan Subsequent Project Submittals

While the Ritter Ranch FEIR is referred to as a "Master EIR" in Section 2.4, Environmental Documentation, of the Ritter Ranch Specific Plan, the Ritter Ranch FEIR cites the CEQA Guidelines sections that are the general EIR content sections and accordingly provides comprehensive analysis. Moreover, the portions of the CEQA statute which specify a type of EIR referenced as Master EIRs was added to CEQA in 1993, which is later in time than the Ritter Ranch EIR was certified. Likewise, the CEQA Guidelines section on Master EIRs was added in 1997 after certification of the Ritter Ranch EIR. Section 2.4 of the Specific Plan further identifies that:

> *"All subsequent project submittals, such as site plans and tentative maps, shall be evaluated by the City to determine potential environmental impacts associated with the site-specific project submittal. For a negative declaration, mitigated negative declaration or finding of consistency, such proposed development must be consistent with the design, intent, density, use and development standards of the*

Ritter Ranch Specific Plan; otherwise, a Subsequent EIR or Supplemental EIR will be required. A Subsequent or Supplemental EIR may be required as provided by CEQA."

As previously identified, when the City approved VTTMs 51604, 51605, 51606, 51607, 52093, and 52116 in 2015, the City relied upon the findings of the Ritter Ranch FEIR in determining that no further CEQA review was required. Pursuant to Section 15162 of the CEQA Guidelines, no subsequent EIR may be required for a project unless the City determines, on the basis of substantial evidence, that one or more of the following conditions are met:

A. When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(a) The project would have one or more significant effects not discussed in the previous EIR or negative declaration;

(b) Significant effects previously examined would be substantially more severe than shown in the previous EIR;

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

6.0 Environmental Assessment of the Proposed Project

Provided below is an environmental assessment of the proposed Project considering each of the environmental topics included in the checklist provided in Appendix G of the State CEQA Guidelines, as amended in December

2018. The purpose of this memo is to inform the appropriate form of CEQA-compliance documentation for the proposed Project. Notably, the proposed Project has been reviewed to determine if any of the conditions set forth in CEQA Guidelines Section 15162 requiring preparation of a Subsequent EIR or a Supplemental EIR have been met. The analysis and substantial evidence set forth in this memorandum demonstrates that none of the conditions described in CEQA Guidelines Section 15162 requiring preparation of a Subsequent EIR or a Supplemental EIR have occurred. Additionally, no changes or additions to the Ritter Ranch FEIR are necessary so an Addendum to the FEIR pursuant to CEQA Guidelines Section 15164 is not warranted. Consequently, the analysis below and its supporting evidence provides the basis for finding that the proposed Project, with the implementation of the identified FEIR mitigation measures, is consistent with the analysis and findings in the Ritter Ranch FEIR.

The proposed Project incorporates applicable mitigation measures from the Ritter Ranch FEIR, which are identified in the Mitigation Monitoring Program (MMP) included in Attachment A of this memorandum. The applicable mitigation measures identified in the MMP will be included in the proposed Project's conditions of approval.

6.1 Aesthetics

Potential aesthetic and light and glare impacts are addressed in Section IV.F of the Ritter Ranch FEIR. The FEIR concludes that the project design has substantially reduced aesthetic impacts through open space preservation; however, significant and unavoidable impacts would result associated with loss of open space and vegetation, and viewshed impacts from adjacent and surrounding areas.

The proposed Project would allow for development of portions of Ritter Ranch Specific Plan Planning Area 5 with 553 single-family detached residential units and associated open space and landscape areas. The Project site was previously graded in 2005/2006 consistent with the previously approved VTTMs and previously approved PD and construction of backbone improvements has commenced including roadways; therefore, the loss of open space, change to natural topography, and associated change in visual character addressed in the Ritter Ranch FEIR has already occurred. Remaining construction activities would result in temporary aesthetic impacts consistent with those identified in the FEIR (i.e., glare from machinery and dust during construction).

The proposed development, which would be visible from vantage points on- and off-site, as identified in the Ritter Ranch FEIR, would be subject to compliance with the residential Development Standards and Design Guidelines included in the Ritter Ranch Specific Plan, PD 21-001, and applicable mitigation measures outlined in the Ritter Ranch FEIR. The visual appearance of the proposed Project would be consistent with what was evaluated in the Ritter Ranch FEIR. The proposed Project also would be implemented in compliance with all applicable ordinances and requirements as set forth in the City of Palmdale Municipal Code related to light and glare.

Therefore, the proposed Project would not result in new significant environmental effects or a substantial increase in the severity of significant effects previously disclosed in the Ritter Ranch FEIR related to aesthetics.

6.2 Agricultural and Forestry Resources

Agricultural resources are addressed in Section IV.G, Land Use, of the Ritter Ranch FEIR. The FEIR concludes that the loss of agricultural area will not be significant, in consideration of substantial remaining areas in Leona Valley designated for heavy agriculture. Forestry resources was added as an environmental topic in the CEQA checklist after preparation of the Ritter Ranch FEIR. However, there are no forest lands on the Project site, which was previously graded.

Based on review of the most current California Department of Conservation (DOC) Office of Land Conservation Farmland Mapping and Monitoring Program (FFMP) for Los Angeles County (2018); the Project site and surrounding areas are not designated as containing important farmland (Prime Farmland, Unique Farmland, Farmland of Statewide Importance); the Project site and surrounding areas are designated Grazing Land and Other Land. Additionally, there are no lands subject to a Williamson Act Contract in the Project vicinity. Although there are lands zoned for "Light Agriculture (A-1)" to the north of the proposed Project, these areas are not designated as important farmland.

Therefore, the proposed Project would not result in new significant environmental effects or a substantial increase in the severity of significant effects previously disclosed in the Ritter Ranch FEIR related to agricultural and forestry resources.

6.3 Air Quality

Potential air quality impacts are addressed in Sections IV.B, Air Resources, of the Ritter Ranch FEIR. The FEIR concludes that even with implementation of the identified mitigation measures, implementation of the Ritter Ranch Specific Plan would result in significant and unavoidable air quality impacts associated with fugitive dust and particulates during construction, and emissions during operations. Cumulative air quality impacts were also determined to be significant and unavoidable. Local impacts (i.e., carbon monoxide "hot spots" were determined to be less than significant.

When the Ritter Ranch FEIR was prepared, the Specific Plan area was governed by the South Coast Air Quality Management District (SCAQMD). In July 1997, subsequent to approval of the Ritter Ranch Specific Plan and certification of the Ritter Ranch FEIR, the Antelope Valley Air Pollution Control District (AVAPCD) was formed, pursuant to statute. It had jurisdiction of the Los Angeles County portion of the SCAQMD that was not within the South Coast Air Basin (SCAB). The SCAQMD rules in effect in the AVAPCD remained in effect until the AVAPCD Governing Board superseded or amended them. On January 1, 2002, the Antelope Valley Air Quality Management District (AVAQMD) was formed pursuant to statute to replace the AVAPCD. The rules of the AVAPCD remained in effect until the AVAQMD Governing Board superseded or amended them. The AVAQMD has jurisdiction over the northern, desert portion of Los Angeles County, including the incorporated cities of Lancaster and Palmdale, Air Force Plant 42, and the southern portion of Edwards Air Force Base. The Kern County-Los Angeles County boundary forms the northern boundary of the AVAQMD; the San Bernardino-Los Angeles County boundary forms the eastern boundary of the AVAQMD.

The proposed Project would not change the type of use or increase the total amount of development anticipated by the Ritter Ranch Specific Plan, and as evaluated in the Ritter Ranch FEIR. The proposed Project includes 553 single-family residential units, which is well within the number of units (and associated trip generation) anticipated to be developed in the Ritter Ranch Specific Plan area (7,200 units) and evaluated in the Ritter Ranch FEIR, and less than anticipated in the Specific Plan for PUs 5D, 5V and 5W (805 units). Because the same types of uses would be developed with the previously approved Project and the proposed Project, the type of operations and associated types of pollutant emissions would also be the same.

Due to federal and State requirements for cleaner and more fuel-efficient cars and light trucks that have been adopted and enforced since the certification of the Ritter Ranch FEIR, emissions of vehicle pollutants (mobile emissions) can be expected to be less than those considered in the Ritter Ranch FEIR. Therefore, with the reduction in units proposed for PUs 5D, 5V and 5W, mobile source emissions from the proposed Project would be reduced compared to that anticipated in the Ritter Ranch FEIR.

The physical impact area for the proposed Project is entirely within the impact area for the Ritter Ranch Specific Plan and identified and evaluated in the Ritter Ranch FEIR; construction activities would be consistent with those previously analyzed in the Ritter Ranch FEIR.

Mass grading for the proposed Project, and associated construction-related emissions, have already occurred.

Construction equipment that would be used on the Project site would have less pollutant emissions than assumed in the Ritter Ranch FEIR analysis because of the continuing reduction in emission rates resulting from federal and State requirements for cleaner diesel engines. Applicable air quality mitigation measures identified in the Ritter Ranch FEIR would be incorporated into the proposed Project.

Although the amount of operational and construction emissions from the proposed Project would be less than the emissions forecasted in the Ritter Ranch FEIR for criteria pollutants, the emissions would remain cumulatively considerable, even with the implementation of mitigation measures. Therefore, the impacts would remain significant and unavoidable and cumulatively considerable.

A Statement of Overriding Considerations was adopted by the Palmdale City Council to address significant and unavoidable air quality impacts during construction and operation. As discussed above, the proposed Project would result in a reduction in the number of dwelling units anticipated in the Ritter Ranch Specific Plan for PUs 5D, 5V and 5W as compared to what was evaluated and disclosed in the Ritter Ranch FEIR. Therefore, the proposed Project would not conflict with any of the air quality attainment plans issued by the AVAQMD, which are based on buildout of the General Plans of the jurisdictions located within the AVAQMD jurisdictional area.

There are no components of the proposed Project, which includes residential and associated recreational uses, that would result in the exposure of sensitive receptors to substantial pollutant concentrations or that could lead to odors.

Based on the analysis above, the proposed Project would not result in new significant environmental effects or a substantial increase in the severity of significant effects previously disclosed in the Ritter Ranch FEIR related to air quality.

6.4 Biological Resources

Biological resources are addressed in Section IV.D of the Ritter Ranch FEIR. The FEIR concludes that although project design substantially reduced loss of sensitive habitat, development of the Ritter Ranch Specific Plan would result in the loss of over 3,000 acres of habitat with loss, displacement or disruption of associated wildlife, and the loss of wetland habitat and portions of various onsite drainages and associated habitat. These impacts are considered a significant and unavoidable impact even after implementation of the identified feasible mitigation measures. In addition, the FEIR concludes that implementation of the Ritter Ranch Specific Plan in combination with future development in the surrounding area would result in a significant and unavoidable cumulative loss of natural resources.

The Project site has been fully disturbed by previous grading activities and the physical impact area for the proposed Project is entirely within the impact area evaluated in the Ritter Ranch FEIR. Glenn Lukos Associates, Inc. (GLA) visited the Project site on November 17, 2021 to document current conditions. The Project site was previously mass graded in 2005/2006; however, the previously approved residential units were not constructed. The Project site has since passively recolonized with limited early succession native plant species. Native vegetation is limited on the Project site and consists primarily of rubber rabbitbrush (*Ericameria nauseosa*) scrub mixed with non-native ruderal vegetation, including non-native grasses. The native vegetation may support a limited number of low sensitivity non-listed special-status plant species such as Pierson's morning glory (*Calystegia peirsonii*). The site visit was not conducted during the typical blooming period for most special-status plant species; therefore, there is a limitation relative to detection and the presence/absence of special-status plant species could not be confirmed. However, no listed special-status plants were detected during focused botanical surveys supporting the Ritter Ranch FEIR. Therefore, based on these negative survey results during pre-disturbance conditions and due to the removal of native top soils resulting from the extensive grading to construct streets and residential pads, such listed species are not expected to occur. Notwithstanding, Mitigation Measure 47 from the Ritter Ranch FEIR remains applicable to address potential impacts to listed and non-listed special status plant species, although unexpected, and requires additional focused surveys during the appropriate blooming period. As required by Mitigation Measure 47, should sensitive species be present, applicable protective measures shall be implemented per applicable Federal, State and local regulations.

The Project site lacks large trees that would be considered suitable nesting habitat for species, such as the state Threatened Swainson's hawk (*Buteo swainsoni*) (CDFW State Threatened), or ponded areas for species such as the California red-legged frog (*Rana draytonii*) (CDFW State Threatened). Therefore, there is no potential for these species to occur within the Project site. Similarly, suitable habitat for additional State and Federally listed species is not supported within the Project site; therefore, listed species are not expected to occur. The Project site has potential to support non-listed special-status species; however, it is not expected that any listed or non-listed special-status wildlife species would occur within the Project site that were not previously addressed in the Ritter

Ranch FEIR. Impacts to these species were adequately analyzed in the Ritter Ranch FEIR. Although previous focused surveys did not detect burrowing owl (*Athene cunicularia*) (CDFW State Species of Special Concern), this species has potential to occur within the Project site. Mitigation Measure 47 of the Ritter Ranch FEIR would still be applicable and ensures that required focused surveys for sensitive species be conducted and protective measures be implemented, as required.

With implementation of Ritter Ranch FEIR Mitigation Measure 47, which would involve current botanical and pre-construction burrowing owl surveys prior to construction activities, potential impacts to sensitive plant and wildlife species would be less than significant.

There are no wetlands or aquatic features of any type (ditches, creeks, rivers, ponds, etc.) within the areas covered by the previously graded residential pads on the Project site. Previous impacts to potential jurisdictional drainage features in Phase 1A were addressed in the Regional Quality Board Waste Discharger Identification (WDID) No.6B190609004 and CDFW Streambed Alteration Agreement Number 1600-2004-0571-R5, obtained pursuant to Ritter Ranch FEIR Mitigation Measure 47. Mitigation Measures 40 and 47 of the Ritter Ranch FEIR, which require preparation and implementation of a wetlands restoration plan and obtaining requirement regulatory permits would still be applicable, and would adequately address impacts to jurisdictional features that previously occurred. There are currently two potential jurisdictional drainage features adjacent to the graded residential pads. Development of the previously graded pads would not impact these drainages since they are outside of the proposed development footprint. The existing drainages are entirely within the physical impact area evaluated in the Ritter Ranch FEIR. A jurisdictional delineation would need to be conducted to appropriately characterize and quantify the lateral extent of these aquatic features if they are proposed to be impacted by any future construction activities. Should any future grading activities impact the drainage features adjacent to the previously graded residential pads, implementation of Mitigation Measures 40 and 47 would remain applicable and would ensure that impacts are less than significant.

Therefore, the proposed Project would not result in new significant environmental effects or a substantial increase in the severity of significant effects previously disclosed in the Ritter Ranch FEIR related to biological resources.

6.5 Cultural Resources and Tribal Cultural Resources

Cultural resources are addressed in Section IV.J of the Ritter Ranch FEIR. The FEIR concludes that with implementation of required mitigation measures impacts to cultural resources would be reduced to a less than significant level, with the exception of potential impacts to the rock art at site CA-LAn-947. If this site cannot be avoided, mitigation to a less than significant level may not be feasible. However, CA-Lan-947 is not located within the limits of the Project site. The FEIR further identifies that even with implementation of mitigation, there may be a significant loss of cultural resources available for future study, which are located in their original place.

The Project site has been fully disturbed by previous grading activities. As required by the Ritter Ranch FEIR mitigation measures and COAs imposed by the City, these grading activities were monitored by Discovery Works, Inc. (Discovery Works), and the results of the monitoring are presented in *A Cultural Resources Mitigation*

Monitoring Report for Phase 1A of the Ritter Ranch Project (Phase 1A Cultural Monitoring Report), prepared by Brian F. Smith and Associates, Inc. (BFSA) in coordination with Discovery Works (April 2019).

Archaeological monitoring was conducted throughout the grubbing, clearing, and mass grading of the Project site. The monitoring and subsequent cultural resources evaluation and mitigation program for the proposed VTTMs were conducted in compliance with CEQA, the Ritter Ranch FEIR, and the City of Palmdale COAs. Notably, the Phase 1A Cultural Monitoring Report was prepared in response to Mitigation Measures 76 through 80 of the Ritter Ranch FEIR.

Discovery Works cleared all paleontological COAs (Mitigation Measures 81 through 89) for Phase 1A in a letter report submitted to the City of Palmdale in 2006, as no paleontological resources were identified during the monitoring program. No addition monitoring or reporting for paleontological resources is required for Phase 1A. Archaeological monitoring for Phase 1A was conducted between February 2005 and March 16, 2006. During grading, isolated prehistoric artifacts and one new prehistoric lithic production site were discovered Based on excavation data and laboratory analysis, it was determined that the site likely extends beyond the Phase 1A development area.

Once it was determined by Discovery Works that the site potentially contained significant deposits, the subsurface investigations shifted to mitigate project impacts to the portion of the resource within the Area of Potential Effect (APE). Artifacts within the Phase 1A (and Phase 1B) area were collected/recovered. In 2006, laboratory work on the cultural material collected during monitoring was initiated and the laboratory testing for the artifacts recovered in the Phase 1A area (the Project site) was completed by Discovery Works. In 2019, all cultural material collected during monitoring from Phase 1A and Phase 1B was transferred from Discovery Works to BFSA to complete the required laboratory analyses for resources discovered in the Phase 1B area. Required laboratory analysis and documentation for artifacts recovered in the Phase 1B area is ongoing.

The discussion of the recordation and evaluation of the discovered archaeological resources for Phase 1A is presented in Section 4.0 of the Phase 1A Cultural Monitoring Report. In general, all isolates encountered during the project are evaluated as not CEQA-significant. However, based on excavation data and the laboratory analysis, the site that was discovered is considered a CEQA-significant cultural resource under Criterion D.

The fieldwork, laboratory analysis, and documentation of the artifacts recovered in the Phase 1A area (Project site) has mitigated impacts to the portion of the site located within Phase 1A of the Ritter Ranch Specific Plan. Therefore, based on the findings of Phase 1A Cultural Monitoring Report, all mitigation requirements for both archaeology and paleontology associated with Phase 1A of the Ritter Ranch Specific Plan have been satisfied and no additional mitigation measures are required as part of the monitoring program. The San Fernando Band of Mission Indians has indicated that they would like to take final possession of the materials when they are available. Updated Department of Parks and Recreation (DPR) site record forms have been submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton (CSUF).

The issue of Tribal Cultural Resources was added to the CEQA Guidelines in response to California Assembly Bill 52 (AB 52), which requires consultation with affected tribes regarding potential tribal cultural resources that may be impacted by a development. However, the provisions of AB 52 apply only to projects that have a notice of preparation or a notice of negative declaration or mitigated negative declaration filed on or after July 1, 2015. All aspects of the proposed Project have been conducted in cooperation with Native American representatives from the San Fernando Band of Mission Indians.

Therefore, the proposed Project would not result in new significant environmental effects or a substantial increase in the severity of significant effects previously disclosed in the Ritter Ranch FEIR related to cultural resources, including paleontological resources.

6.6 Energy

The topic of energy was not evaluated in detail in CEQA documents prior to the 2018 updates to the CEQA Guidelines; however, regulatory changes do not constitute new information requiring subsequent or supplemental environmental review if the information about the underlying issue was known or should have been known at the time the original EIR was certified.

The Air Quality section of the Ritter Ranch FEIR addresses energy to the extent that project-related energy demand that is met by burning fossil fuel will contribute to air pollutant emissions. The Ritter Ranch FEIR (mitigation measure 28) requires that energy conservation practices required by the Subdivision Map Act, Building Energy Efficiency Standards, and state and local laws be incorporated into project design.

The proposed Project's single-family detached lots are contemplated by the Specific Plan through the use of the PD procedure within the SFA land use designation (refer to Ritter Ranch Specific Plan Sections 6.5.1.4, 6.7.1 and 6.7.2.2.) Thus, the land uses proposed are anticipated by the Ritter Ranch Specific Plan, and specifically PA 5, and consistent with the intensity of development contemplated within PA 5.

The proposed Project includes the development of up to 553 single-family residential units and associated open space and landscape areas. The construction and operational characteristics of the proposed residential uses would be the same as that anticipated in the Ritter Ranch FEIR.

Construction-related energy demand includes energy and fuel used by construction equipment, construction worker vehicles, and construction vendor/hauling vehicles, coupled with construction energy efficiency/conservation measures. The construction equipment, use of electricity, and fuel for the proposed Project would be typical for the type of construction proposed because there are no aspects of the proposed construction process that are unusually energy-intensive, and construction equipment would conform to applicable California Air Resources Board (CARB) emissions standards, which promote equipment fuel efficiencies.

Construction worker trips for construction of the proposed Project would result in comparable fuel consumption to the approved development. Gasoline and diesel fuel would be supplied by local and regional commercial

vendors. It should be noted that fuel efficiencies are improving for on- and off-road vehicle engines due to more stringent government requirements compared to when the Ritter Ranch FEIR was prepared.

Construction energy consumption would represent a "single-event" demand and would not require ongoing or permanent commitment of energy resources. The proposed Project would also not necessitate the use of construction equipment or processes that are less energy efficient than at comparable construction sites. Therefore, construction energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

Ritter Ranch FEIR Mitigation Measure 28 requires applicable energy conservation regulations be incorporated into development allowed by the proposed Project.

Energy standards, including California Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings and the Title 24 California Green Building Standards Code (CALGreen) have become more stringent since 1992. These regulations are regularly updated and were last updated in 2019 and became effective on January 1, 2020. CALGreen, which contains mandatory and voluntary requirements for new residential and nonresidential buildings, went into effect in 2009. CALGreen is updated on a regular basis, with the most recent approved update consisting of the 2019 CALGreen Standards that became effective January 1, 2020.

Residential uses allowed by the proposed Project would be constructed to achieve the building energy standards set forth in the Title 24 requirements in effect at the time of building permit issuance. Therefore, there would be additional reductions in energy consumption pursuant to the new and updated codes compared to those anticipated in the Ritter Ranch FEIR.

Energy consumption in support of or related to operations would also include transportation energy demands, which includes energy consumed by vehicles. The type of trips generated by the residential uses would be similar between the previously approved uses and those allowed by the proposed Project and would be consistent with other residential developments of similar scale and configuration. The Project proposes neither uses or operations that would inherently result in excessive and wasteful vehicle trips nor associated excess and wasteful vehicle energy consumption.

Based on the analysis above, the proposed Project would not result in any new or substantially more severe effects than the effects disclosed in the Ritter Ranch FEIR.

6.7 Geology and Soils

Geology and soils are addressed in Section IV.A, Earth Resources, of the Ritter Ranch FEIR. The FEIR concludes that ground shaking can be expected to occur in the project vicinity as a result of future seismic activity along known and undiscovered faults in the surrounding region. The FEIR identifies that compliance with applicable grading and building design requirements and adherence to the identified mitigation measures would reduce potential impacts to the extent feasible; however, significant and unavoidable impacts may still occur.

Grading activities were previously conducted under the observation and testing of AGI Geotechnical, Inc. Grading activities were conducted in conformance with the recommendations of an approved geotechnical study, mitigation requirements from the FEIR, and regulations in effect at the time grading was completed. PA 5 site conditions were evaluated by RMA GeoScience (RMA) in July 2021 and are documented in a letter from RMA (*Subject: Update Report, Ritter Ranch, Tracts 51508-1 & -2, Elizabeth Lake Road, Palmdale, CA)*, which is provided in Attachment B to this memorandum.

RMA concluded that the surfaces of the pads are generally well compacted at grade with local areas that are loose. The following are observations from the July 2021 site visit:

- Based on observations made by excavating with a rock pick, the upper one foot of compacted fill has dried out and exists in a condition that is below optimum moisture.
- Vertical cuts of four feet or less, between the pads and sidewalk and street have had the sand size and finer fraction eroded away.
- Limited animal burrows are scattered throughout the pads.
- Within Tract 51606, five- to six-foot dirt piles are located on the two end lots located on the north side of the street of the two cul-de-sacs adjacent to the SCE easement. These same lots have retaining walls with 2:1 gradient slopes that have experienced minor erosion.
- The surfaces of the interior streets are more disturbed than the pads and are loose and dry in the upper one- to two-feet.
- Mud cracks and vehicle ruts up to 18-inches deep are located at the end of the cul-de-sacs within Tract 51607 near Red Trail Drive, Tract 51606 on the south side, and Tracts 51604 and 52116 at some of the 90-degree street turns. Within these areas, the moisture content is slightly higher with an increase in fines at the surface.
- Some dirt piles are located at the end of the cul-de-sacs near the SCE easement within Tracts 51606 and 51607.
- Overall, the graded slopes within the development have performed well and appear to be in the same condition that existed at the completion of grading other than those described above within Tract 51606.
- City Ranch Road, Red Trail Drive, and Parkview Drive have cracks and separations with weeds and are in need of repair.

The RMA letter (July 2021) presents recommendations to address these conditions and restore the graded tracts to the condition that existed at the time grading was completed including, but not limited to removal of trash, debris and soil piles, removal of vegetation, rip and water the upper one-foot of the building pads and the street areas, recompaction, seal and resurface roadway surfaces, drainage improvement, and replacement of a missing manhole cover. Any additional grading needs to be performed in accordance with the general earthwork and grading specifications are presented in Appendix A of the July 2021 RMA letter.

The underlying geology and soils for the Project site has not changed from what is presented in the Ritter Ranch FEIR and potential impacts, including impacts related to seismic hazards, unstable soil conditions, etc., remain the same as presented in the FEIR.

In addition to adherence to recommendations in the July 2021 RMA letter, the proposed Project also would be subject to applicable mitigation measures outlined in the Ritter Ranch FEIR. Development would also be in compliance with local and state building regulations in effect at the time permits are issued.

Based on the analysis above, the proposed Project would not result in new significant environmental effects or a substantial increase in the severity of significant effects previously disclosed in the Ritter Ranch FEIR related to geology and soils.

6.8 Greenhouse Gas Emissions

Greenhouse gas (GHG) emissions was added as an environmental topic in Appendix G of the CEQA Guidelines after the Ritter Ranch FEIR was certified.

The courts have ruled that "Information on the effect of greenhouse gas emissions on climate change" does not constitute "new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time . . . the IS/MND was adopted" (*See Citizens for Responsible Equitable Environmental Development v. City of San Diego* [2011] 196 Cal. App. 4th 515, 531–532 [rejecting claim that such information triggered the need for a supplemental EIR, and explaining that such information was known "long before the City approved the 1994 EIR" at issue]; *see also Concerned Dublin Citizens v. City of Dublin*, [2013] 214 Cal. App. 4th 1301, 1319-1320).

Although GHG emissions were not explicitly addressed in the Ritter Ranch FEIR, the Ritter Ranch FEIR contained enough information about projected air quality emissions associated with buildout of the Ritter Ranch Specific Plan that with the exercise of reasonable diligence, information about the Ritter Ranch Specific Plan's potential effect due to GHG emissions was readily available to the public.

Therefore, because the courts have found that the issue of GHGs does not comprise "new information of substantial importance," and because information on this impact was readily available at the time the Ritter Ranch FEIR was certified, the conditions listed in CEQA Guidelines Section 15162 calling for the preparation of a Subsequent EIR would not be triggered by the proposed Project.

6.9 Hazards and Hazardous Materials

Hazards and hazardous materials are addressed in Section IV.H, Public Health and Safety, of the Ritter Ranch FEIR. The FEIR concludes that, although not expected, potentially unavoidable adverse impacts could occur following implementation of the required mitigation measures if conclusive evidence links the extremely low frequency electromagnetic fields associated with overhead power transmission lines to deleterious health effects. All other

impacts related to hazards and hazards materials, including hazards from the proposed uses, were determined to be less than significant.

The Project site has been previously graded and is not located on any of the areas identified in the Ritter Ranch FEIR as having a potential for hazardous materials due to the previous/historic use of the area. Therefore, no impact related to the previous uses as disclosed in the FEIR are applicable to the proposed Project.

As only residential, recreational, and open space land uses are proposed, the proposed Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Additionally, the proposed Project would not create a significant hazard to the public or the environment through reasonably foreseeable release of hazardous materials into the environment.

Although schools are proposed within one-quarter mile of the Project site, the residential and recreational uses proposed by the proposed Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

The Project site is not located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 56962.5. Additionally, the proposed Project is located more than 5.75 miles southwest of the nearest public airport (Palmdale Air Force Plant 42/Palmdale Regional Airport), indicating that the proposed Project would not be subject to hazards associated with aircraft operations.

With respect to extremely low frequency electromagnetic fields, the relationship of proposed residential uses to existing overhead transmission lines remains consistent with that disclosed and evaluated in the Ritter Ranch FEIR.

Based on the analysis above, the proposed Project would not result in new significant environmental effects or a substantial increase in the severity of significant effects previously disclosed in the Ritter Ranch FEIR related to public health and safety (hazards and hazardous materials).

6.10 Hydrology and Water Quality

Hydrology and water quality are addressed in Section IV.A, Earth Resources (groundwater), and Section IV.C, Water Resources (surface drainage, flooding, and water quality), of the Ritter Ranch FEIR. The FEIR concludes that increased groundwater recharge resulting from landscape irrigation may significantly affect local groundwater levels resulting in a significant and unavoidable impact related to destabilization of the underlying soils.

The Ritter Ranch FEIR also concluded that the alteration of drainage patterns would result in a significant and unavoidable impact, but impacts related to flooding and water quality would be reduced to a less than significant level with implementation of identified mitigation measures.

Implementation of the proposed residential, recreational, and open space uses would alter the drainage characteristics of the Project site. However, the change in overall drainage patterns already occurred when the

Project site was previously mass graded. Backbone infrastructure, including storm drains, has been installed and has been designed to accommodate the stormwater runoff from the Project site.

Water quality treatment would occur in two previously approved "master" treatment areas; a basin serving the Amargosa watershed and a swale treating the Anaverde watershed. Individual tract nuisance water would be directed to one of these facilities outside the tract boundary.

It is anticipated that with implementation of the previously approved water quality treatment facilities, water quality impacts would be reduced compared to what was disclosed in the FEIR since water quality management requirements are more stringent than when the FEIR was prepared. Implementation of the WQMP would preclude impacts associated with increased runoff (i.e., erosion hazards, exceeding capacity of existing storm drain facilities, etc.). The property is not within a 100-year flood plain, is not near the ocean, and not in proximity to an open water body. Therefore, the proposed uses are not subject to flood hazards, tsunamis, or seiche hazards.

Based on the analysis above, the proposed Project would not result in new significant environmental effects or a substantial increase in the severity of significant effects previously disclosed in the Ritter Ranch FEIR related to hydrology and water quality.

6.11 Land Use and Planning

Potential land use impacts are addressed in Section IV.G of the Ritter Ranch FEIR. The FEIR concludes that temporary impacts associated with grading operations (air quality and noise) and change in views would be significant and unavoidable (as described in the respective sections of the FEIR). The loss of open space, significant alteration of the natural terrain, and impacts to the Lazy T Ranch were also determined to be significant and unavoidable. Cumulative impacts associated with loss of open space, increased human activity, and increased traffic and noise were also determined to be significant and unavoidable.

The potential impacts associated with site grading have already occurred. The proposed Project would not physically divide an established community. The proposed Project implements the Ritter Ranch Specific Plan and the previously approved Project. The proposed Project is consistent with the Ritter Ranch Specific Plan and also will be, as revised by the PD, consistent with the City's General Plan and Municipal Code requirements. The proposed Project does not involve any land uses, construction or operations not anticipated by the Ritter Ranch FEIR and would not result in any adverse environmental effects due to a conflict with the Ritter Ranch Specific Plan, General Plan, or Municipal Code. Further, the implementation of proposed residential, recreational, and open space uses, consistent with the Ritter Ranch Specific Plan, would not result in any impacts to existing land uses that were not evaluated in the FEIR.

Therefore, the proposed Project would not result in new significant environmental effects or a substantial increase in the severity of significant effects previously disclosed in the Ritter Ranch FEIR related to land use.

6.12 Mineral Resources

Mineral resources are addressed in Section IV.A, Mineral Resources, of the Ritter Ranch FEIR. The FEIR identifies that mineral production within the Ritter Ranch Specific Plan area has been limited to areas within the Pelona Schist soil type at the higher elevations of the Specific Plan area. The FEIR did not identify any impacts related to loss of mineral resources.

The Project site is located within Mineral Resources Zone 3 (MRZ-3), which indicates the property does not contain any "known" mineral resources. The site and surrounding areas also are not designated as a locally-important mineral resource recovery site by the Ritter Ranch Specific Plan or City of Palmdale General Plan.

Therefore, the proposed Project would not result in new significant environmental effects or a substantial increase in the severity of significant effects previously disclosed in the Ritter Ranch FEIR related to mineral resources.

6.13 Noise

Potential noise impacts are addressed in Section IV.E of the Ritter Ranch FEIR. The FEIR determined that the increase in off-site traffic noise levels would be a function of traffic volumes generated and would, therefore gradually increase as the Ritter Ranch Specific Plan and surrounding areas are developed. Noise exposure would accordingly undergo a period of long-term increase during planned land use intensification.

According to the FEIR, project-related incremental traffic volume increases would result in a significant and unavoidable cumulative significant off-site project-related noise impact. The FEIR further concludes that on-site noise impacts, including from traffic-generated noise, are less than significant with implementation of identified mitigation measures.

Construction-related noise levels would be similar to what was evaluated in the Ritter Ranch FEIR. With respect to long-term operational noise, Urban Crossroads prepared the *Ritter Ranch Specific Plan Noise Assessment* (September 30, 2021) to review the Ritter Ranch FEIR with regard to noise impacts. The Noise Assessment is provided in Attachment C to this memorandum.

The Ritter Ranch FEIR noise analysis considered both the off-site traffic impacts on study area roadway segments from the project-related traffic and the on-site traffic noise levels impacting the planned Ritter Ranch residential dwelling units. The FEIR analysis relies on the Noise and Land Use Compatibility Standards established by the Department of Health Services Office of Noise Control. The FEIR describes the City of Palmdale General Plan Noise Element (which was in draft form at the time) target noise exposure level of 60 dBA CNEL for residential and other noise-sensitive land uses.

The City of Palmdale General Plan Noise Element was adopted on January 25, 1993, shortly after the approval of the Ritter Ranch FEIR. The updated Noise Element established policies to minimize the exposure of residents to excessive noise. Policy N1.1.2 restricts noise sensitive land uses near existing or future air, rail or highway transportation noise sources unless mitigation measures have been incorporated into the design of the project to

reduce the noise levels at the noise sensitive land use to less than 65 dBA CNEL (measured at all exterior living spaces including but not limited to, single-family yards and multi-family patios, balconies, pool areas, cook-out areas and related private recreation areas). The adopted exterior noise standard of 65 dBA CNEL represents an increase of 5 dBA CNEL over the Draft City of Palmdale General Plan Noise Element target noise exposure level of 60 dBA CNEL identified in the FEIR.

The FEIR acknowledges that the Ritter Ranch development plans were not yet sufficiently detailed as to allow for the specific identification of noise constraints or mandatory mitigation measures on any individual parcel. Therefore, the FEIR determined that site specific noise studies would be required as building permits are filed, in order to adequately protect each community from exterior traffic noise intrusion. The FEIR describes a variety of noise mitigation options for the primarily residential land uses including the use of perimeter noise walls or berms, placement of parking facilities for multi-family dwellings near the street as a barrier or locating commercial uses near the roadway to act as a barrier for residential uses away from the street. According to the FEIR, with implementation of the recommended noise mitigation measures, the on-site noise impacts of the previously Approved Project were anticipated to be less than significant.

A review of the Ritter Ranch FEIR shows that both the off-site and on-site traffic noise level impacts were fully considered for the Ritter Ranch Specific Plan, including the proposed Project. Due to the reduction in the number of dwelling units compared to what was anticipated in the FEIR for PUs 5D, 5V, and 5W, it can be demonstrated that the proposed Project would have reduced noise impacts as compared to what was evaluated and disclosed for the site in the Ritter Ranch FEIR. As identified in the FEIR and the attached MMRP (refer to Mitigation Measure 51), at the building permit stage, site-specific acoustic studies would be prepared to identify any specific measures to ensure that established noise standards are met. Therefore, no additional noise documentation pursuant to CEQA is needed to support the proposed Project.

Based on the analysis above, the proposed Project would not result in new significant environmental effects or a substantial increase in the severity of significant effects previously disclosed in the Ritter Ranch FEIR related to noise.

6.14 Population and Housing

The increase in population associated with implementation of the Ritter Ranch Specific Plan is addressed in Section V. C, Growth Inducing Impacts of the Proposed Action, of the Ritter Ranch FEIR. The FEIR determines that the introduction of residential units and associated population increase with implementation of the Ritter Ranch Specific Plan would result in significant growth inducing impacts.

Section IX, Effects Found Not to be Significant, identifies that the loss of one occupied ranch house would not represent a significant impact associated with displacement of people due to the large scope of the Specific Plan and number of proposed residential units.

The proposed Project occurs within Ritter Ranch Specific Plan PUs 5D, 5V, and 5W. The Ritter Ranch Specific Plan designates these PUs for the development of up to 805 dwelling units. The proposed Project includes the development of 553 dwelling units. Therefore, the total number of dwelling units proposed is less than what was assumed in the Ritter Ranch FEIR for the Project site. Further, using the population generation factor identified in the FEIR (2.7 person per unit), the proposed Project would potentially generate 1,493 new residents, compared to the 2,173 residents anticipated in the FEIR for the 805 units in PUs 5D, 5V, and 5W. As such, the proposed Project would not induce substantial unplanned population growth in the area, either directly or indirectly. Additionally, the site is vacant and undeveloped, so the proposed Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

Based on the analysis above, the proposed Project would not result in new significant environmental effects or a substantial increase in the severity of significant effects previously disclosed in the Ritter Ranch FEIR related to population and housing.

6.15 Public Services and Recreation

Public services and recreation facilities are addressed in Section IV.K, Public Services and Utilities, of the Ritter Ranch FEIR. The FEIR concludes that the Ritter Ranch Specific Plan could result in significant and unavoidable individual and cumulative impacts to police services (if a new police station is not constructed), schools (potentially), and library facilities. Impacts related to fire protection service are identified as less than significant with mitigation. Impacts related to parks and recreation are identified as less than significant with dedication and construction of parks and trails. Physical impacts associated with construction of the proposed on-site public facilities are addressed in the respective sections of the FEIR. The FEIR further concludes that significant cumulative impacts may result in the areas of water supply, sewage treatment capacity and solid waste disposal, due to associated regional issues and limited resources.

As indicated above, under the analysis of Population and Housing, the proposed Project would involve the development of fewer units than were evaluated in the Ritter Ranch FEIR for PUs 5D, 5V and 5W, and there would be an associated reduction in population generation. Therefore, the proposed Project's demand for public services, including fire protection, police protection, schools, parks/recreation, and libraries, would be reduced in comparison to the projected growth evaluated in the Ritter Ranch FEIR.

The proposed Project would incorporate applicable FEIR mitigation measures addressing impacts to public services, and the Project Applicant would pay applicable development impact fees to the City of Palmdale, subject to applicable credits for providing in-kind mitigation.

The Project Applicant would be required to comply with the provisions of any agreement between the Project Applicant and the City as well as any City regulatory requirements with respect to the provision of public services.

Based on the analysis above, the proposed Project would not result in new significant environmental effects or a substantial increase in the severity of significant effects previously disclosed in the Ritter Ranch FEIR related to public services.

6.16 Transportation

Traffic impacts are addressed in Section IV.I, Traffic and Circulation, of the Ritter Ranch FEIR. The FEIR concludes that if off-site circulation improvements are not constructed by the time the Ritter Ranch development begins, significant project and cumulative impacts could occur, even with implementation of the identified mitigation measures. This includes impacts along Elizabeth Lake Road and 10th Street West.

As previously identified, the proposed Project would result in fewer units than were anticipated for PUs 5D, 5V, and 5W in the Ritter Ranch Specific Plan and evaluated in the FEIR. With the reduction in units trip generation would also be reduced.

Although no longer required by CEQA, to evaluate the potential intersection deficiencies resulting from implementation of the proposed Project, taking into consideration existing traffic conditions, DKS prepared the *Ritter Ranch Phase One Project Traffic Impact Analysis* (TIA) (December 2021). The TIA evaluates traffic impacts resulting from development of Ritter Ranch Phase 1A (553 single-family units and associated parks and recreation areas) and Phase 1B (265 attached townhouses, 135 single family detached units, 227 single family attached units, an elementary school and associated parks). The number of units studied in the TIA is substantially more than the 553 single-family dwelling included within the proposed Project.

The TIA demonstrates that the larger project would not result in any deficiencies under Existing plus Project conditions. With implementation of Phase 1A, the intersections of Elizabeth Lake Road/Palmdale Boulevard and 10th Street West/Tierra Subida Avenue would operate at a deficient level of service (LOS) E under the Future Year (2024) with Phase 1A condition. This is consistent with the Ritter Ranch FEIR, which concludes that cumulative development is anticipated to exceed LOS D or worse on portions of Elizabeth Lake Road and 10th Street West. With implementation of identified improvements, this intersection would operate at an acceptable level of service. As required by Ritter Ranch FEIR Mitigation Measures 73 and 74 the Project Applicant would be required to pay applicable traffic impact fees, which provide the proposed Project's required pro-rata contribution towards offsite roadway improvements, or construct offsite roadway improvements in lieu of paying traffic impact fees. Therefore, it can be concluded that the proposed Project, which would generate less trips compared to that anticipated in the Ritter Ranch EIR, would not result in any significant traffic impacts.

VMT-based transportation impact requirements were applied to all lead agencies as of July 1, 2020. CEQA Guidelines Section 15064.3 states that its provisions "shall apply prospectively as described in Section 15007." Section 15007 provides that CEQA documents that meet requirements in effect when the document is sent out for public review do not need to be revised to include new requirements.

The proposed Project, which is designed to meet applicable roadway standards established by the Ritter Ranch Specific Plan and the City of Palmdale, would not substantially increase hazards due to a geometric design feature or incompatible uses, and would accommodate adequate emergency access.

Based on the analysis above, the proposed Project would not result in new significant environmental effects or a substantial increase in the severity of significant effects previously disclosed in the Ritter Ranch FEIR related to transportation.

6.17 Utilities and Service Systems

Utilities and service systems are addressed in Section IV.K, Public Services and Utilities, of the Ritter Ranch FEIR. The FEIR concludes that the previously approved project would result in significant individual and cumulative impacts related to solid waste and radio communications. Potential impacts related to other utilities (i.e., telephone, electric, water, and sewer) were determined to be less than significant with implementation of mitigation measures.

Backbone utility infrastructure needed to service the proposed Project have been installed in Elizabeth Lake Road and Ranch Center Drive as part of prior site grading activities, and only limited improvements to connect to the existing facilities would be required to serve the proposed Project.

The proposed Project would incorporate applicable mitigation measures identified in the FEIR. The proposed Project would result in a reduced number of dwelling units in PUs 5D, 5V, and 5W, as compared to what was evaluated for the Project site in the Ritter Ranch FEIR; therefore, the proposed Project's demand for water, wastewater treatment, solid waste disposal, electric power, natural gas, and telecommunications facilities would be less than what was assumed by the FEIR.

The proposed Project would be subject to current regulatory requirements related to water conservation, solid waste management, energy consumption, etc., which are more stringent than when the FEIR was prepared and would further reduce utility demands compared to what was assumed in the FEIR.

The water retailer that would serve the proposed Project is Los Angeles County Waterworks District No. 40 ("District 40"). District 40 adopted its 2020 Urban Water Management Plan dated July 2021 ("District 40 Plan") that includes within its anticipated demand 1,108-acre feet per year (AFY) attributed to Ritter Ranch (District 40 Plan, p. 4-3.). District 40 uses both purchased (imported) and groundwater as its supply sources. District 40's water wholesaler is the Antelope Valley – East Kern Water Agency ("AVEK"). As described in the District 40 Plan:

> "Developers may secure entitlements by working with the District to determine the volume of new water supply needed to meet their project's annual demand, AVEK then being paid to seek and secure the permanent new water supply. AVEK then designates this new water supply to the District for the developer, over and above the District's current supplies." (District 40 Plan, p. 6-1.)

District 40 has provided conditional will serve letters for the proposed Project dated July 21, 2021, and has indicated that AVEK has allocated water for the proposed Project (See also, Communication from District 40 dated July 22, 2021.). The will serve letters are subject to construction of identified tract and offsite improvements and the payment of a water fee to AVEK. District 40 has indicated that prior to permit issuance of the 321st dwelling unit, the following improvements, which will be included as conditions of approval for the proposed Project, are required: the completion of a 36-inch main on 25th Street West and a pump station turnout with AVEK. (*Id.*) A water tank is required by District 40 prior to providing service to the 322nd dwelling unit. (*Id.*) The required water tank, and associated physical impact area, is located with the Ritter Ranch Specific Plan area previously identified and evaluated in the Ritter Ranch FEIR.

Based on the analysis above, the proposed Project would not result in new significant environmental effects or a substantial increase in the severity of significant effects previously disclosed in the Ritter Ranch FEIR related to utilities and service systems.

6.18 Wildfire

Fire hazards are addressed under the "Fire" discussion in Section IV.K, Public Services and Utilities, of the Ritter Ranch FEIR. The FEIR concludes that fire hazards would increase with implementation of the Approved Project, but impacts would be reduced to a less than significant level with implementation of the identified mitigation measures.

The City of Palmdale General Plan Safety Element (1993) identifies that the Project site is in a wildfire hazard zone. Further, based on review of the California Department of Forestry & Fire Protection (Cal Fire) Fire & Resource Assessment Program (FRAP), the Project site is in a Very High Fire Hazard Severity Zone. The proposed Project would implement residential development anticipated in the Ritter Ranch Specific Plan. Development of the residential uses would be subject to compliance with Development Standards and Design Guidelines outlined in the Ritter Ranch Specific Plan and the PD, including requirements related to water supply and fuel management zones. The proposed Project would also implement applicable mitigation measures in the Ritter Ranch FEIR related to fire protection, including provision of a fire station, and would be subject to the fuel modification zone requirements of the Ritter Ranch Specific Plan, which would address hazards associated with wildland fires. Further, proposed buildings would be designed for compliance with the California Building Code Section 701A regulations on materials and construction methods for exterior wildfire exposure. All materials would comply with extended testing requirements and labelling where required for ignition-resistant construction as defined by Chapter 7A. Exterior building elements would be designed to comply with protection requirements listed in Sections 705A through 710A to protect against ignition and intrusion of embers.

Based on the analysis above, the proposed Project would not result in new significant environmental effects or a substantial increase in the severity of significant effects previously disclosed in the Ritter Ranch FEIR related to wildfire.

7.0 Environmental Review Conclusion

As demonstrated in the assessment provided above, the proposed Project is consistent with the development assumptions outlined in the Ritter Ranch Specific Plan, which was evaluated in the Ritter Ranch FEIR. Based on the proposed Project, as well a review of the technical studies and other information provided, and the environmental assessment provided in this memorandum, the proposed Project would not result in any new environmental effects or create a substantial increase in the severity of previously identified significant effects beyond what was evaluated and disclosed in the Ritter Ranch FEIR.

None of the conditions requiring preparation of a Subsequent EIR or Supplemental EIR have not been met and no changes or additions to the Ritter Ranch FEIR are necessary.

With regard to Section 15162 of the CEQA Guidelines:

- The proposed Project would allow for development of a portion of Ritter Ranch Specific Plan Planning Area 5. Specifically, the proposed Project occurs within PUs 5D, 5V, and 5W of the Ritter Ranch Specific Plan. The Ritter Ranch Specific Plan allows for development of these planning areas with up to 805 dwelling units on 142.4 acres, for an overall density of approximately 5.7 du/ac. The proposed Project would allow for 553 dwelling units on 114.8 acres, for an overall density of approximately 4.8 du/ac. Therefore, the proposed Project would allow for development of fewer residential units than identified in the Specific Plan and evaluated in the Ritter Ranch FEIR. Therefore, the proposed Project does not propose substantial changes which will require major revisions to the Ritter Ranch FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Accordingly, a Subsequent EIR would not be required for the proposed Project based on CEQA Guidelines Section 15162(a)(1).

- Since the Ritter Ranch FEIR was certified in 1992, there have been no substantial changes in the circumstances under which the currently proposed Project would be undertaken. Similar to the conditions that existed when the FEIR was certified in 1992, areas surrounding the Ritter Ranch Specific Plan are largely undeveloped, with exception of the eastern portions of the City Ranch Specific Plan, which was developed around 2005, and is now referred to as the Anaverde Nuevo Specific Plan. However, development of the City Ranch Specific Plan was discussed and anticipated as part of the Ritter Ranch FEIR; thus, the existing development within the Anaverde Nuevo Specific Plan does not comprise a "substantial change" that would warrant major revisions to the FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Therefore, a Subsequent EIR would not be required for the proposed Project based on CEQA Guidelines Section 15162(a)(2).

No new information of substantial importance was found that would:

(a) Create new significant effects;

(b) Increase the severity of previously examined effects;

(c) Determine that mitigation measures or alternatives previously found not to be feasible would in fact be feasible; or,

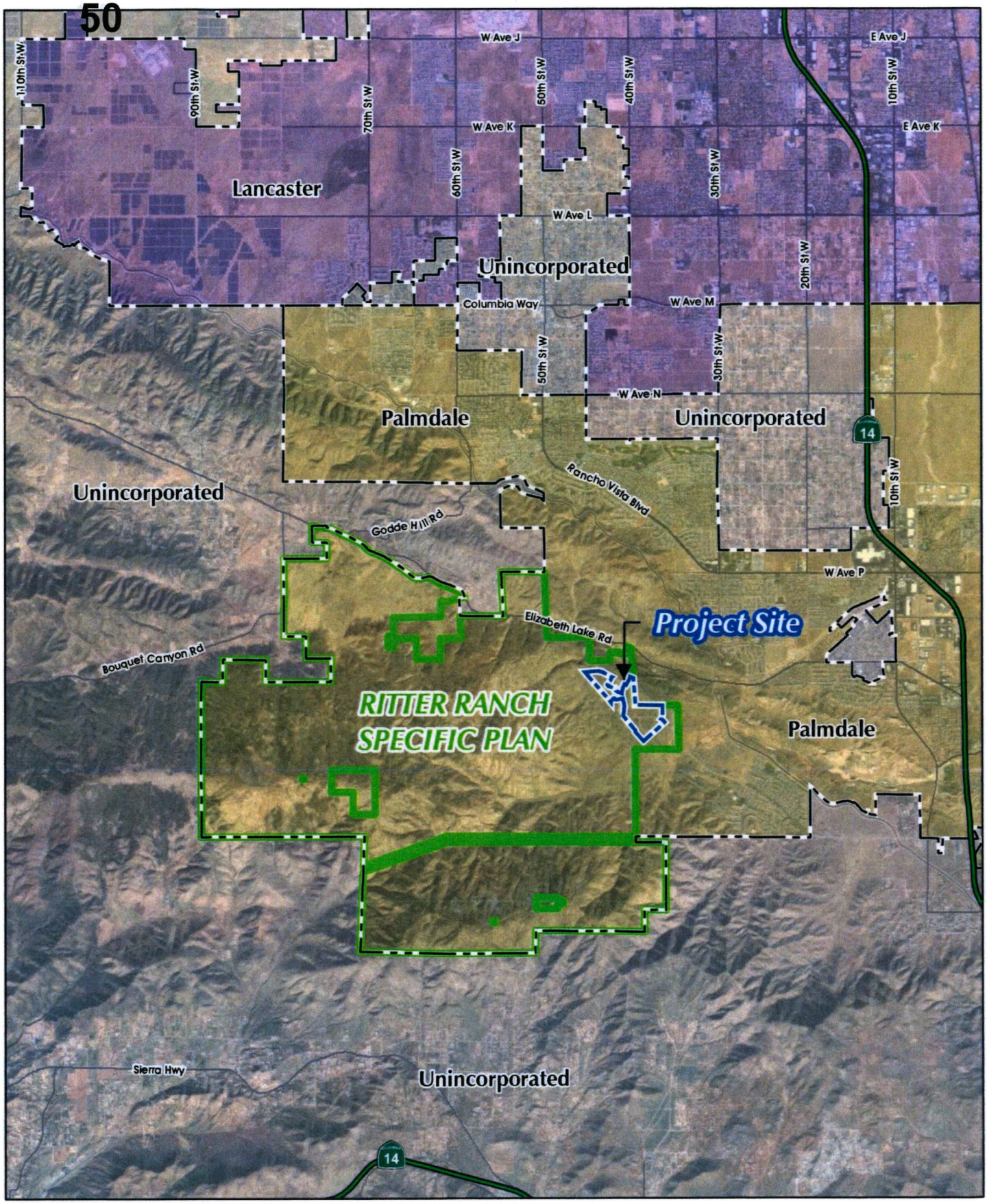
(d) Introduce mitigation measures or alternatives that are considerably different from those analyzed in the Ritter Ranch FEIR that would reduce significant impacts and the project proponent is not willing to adopt.

Therefore, neither a Subsequent EIR nor a Supplemental EIR is required for the proposed Project based on CEQA Guidelines Section 15162(a)(3).

Additionally, because no changes or additions to the FEIR are necessary, an Addendum to the FEIR pursuant to CEQA Guidelines Section 15164 is not warranted.

Therefore, the proposed Project will rely on the information and analysis in the Ritter Ranch FEIR and on implementation of its mitigation measures to satisfy the CEQA requirements for the review of the potential impacts of proposed VTTMs 51604, 51605, 51606, 51607, 52093, and 52116, PD 21-001 and CUP 22-001.

FIGURES



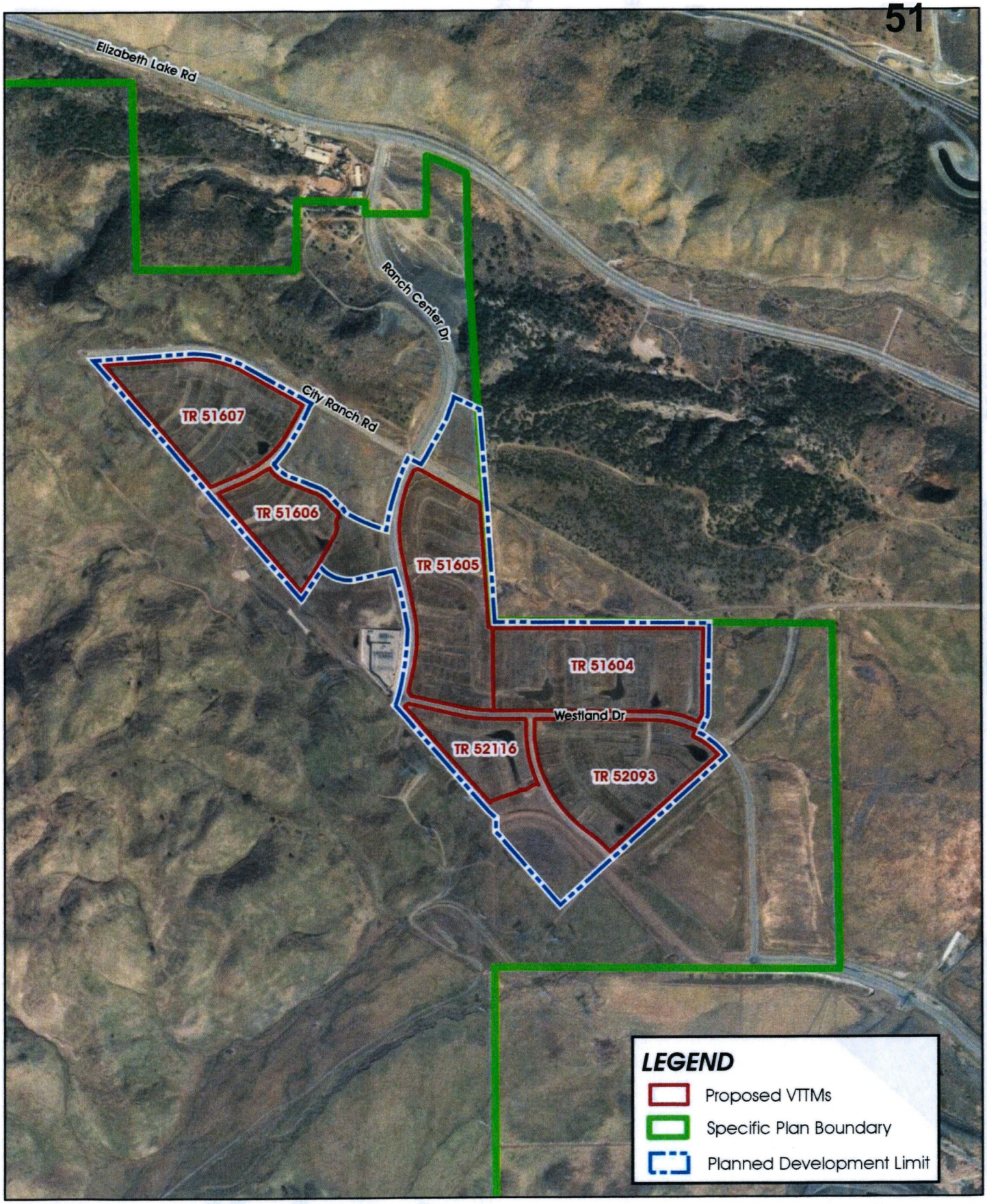
RITTER RANCH SPECIFIC PLAN

PLANNING

0 0.375 0.75 1.5 Miles

REGIONAL MAP

Figure 1



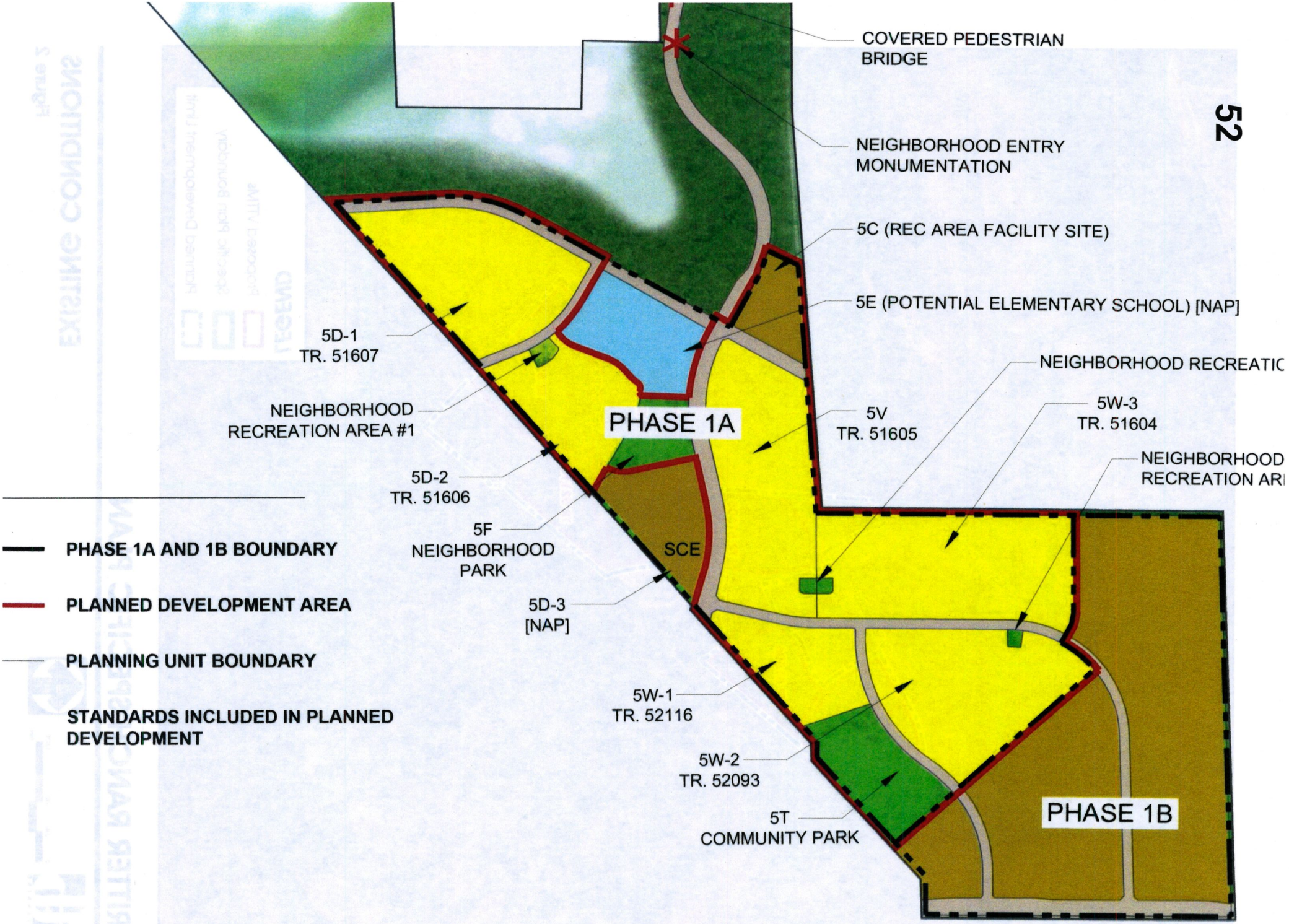
RITTER RANCH SPECIFIC PLAN

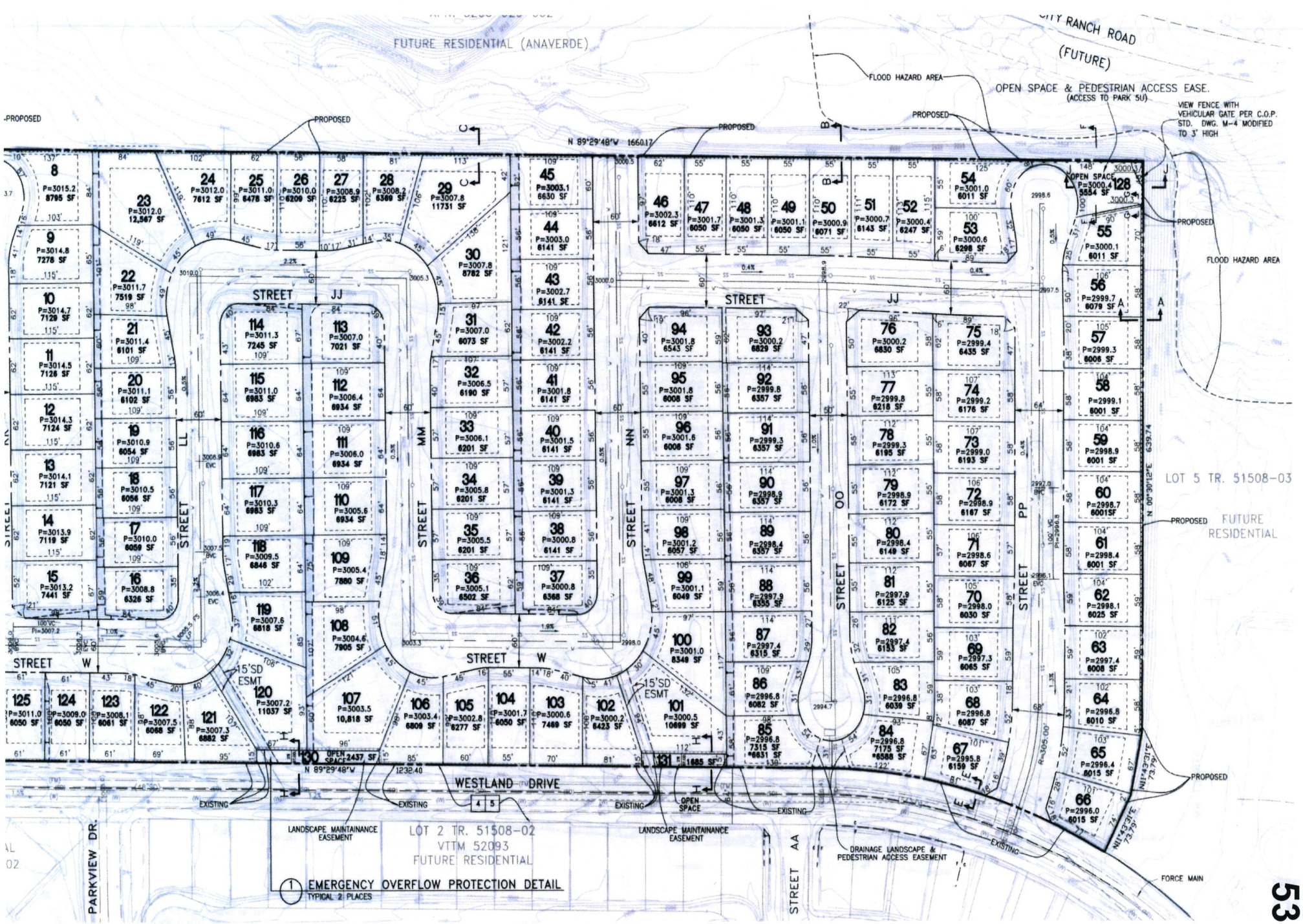
PLANNING

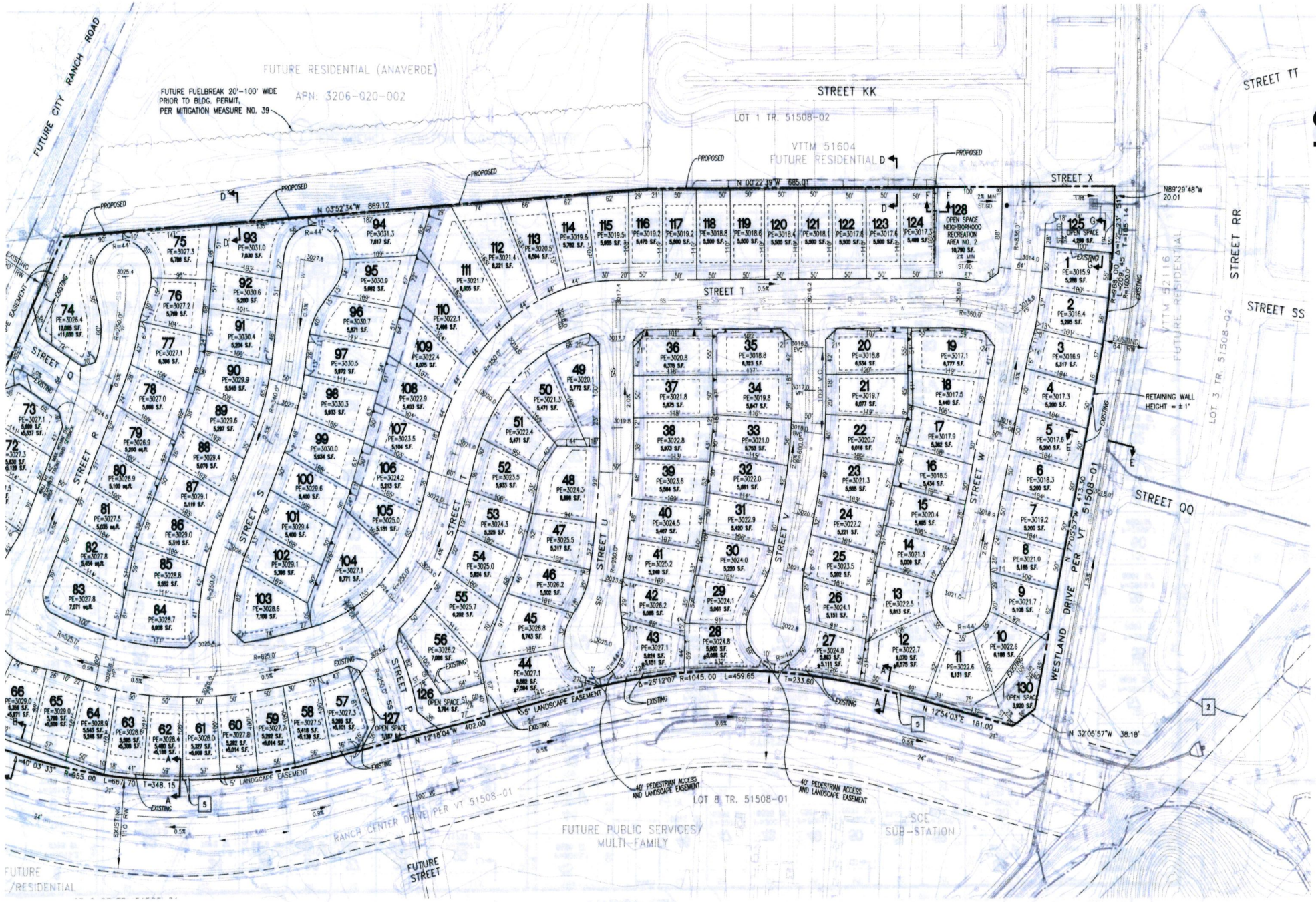
0 250 500 1,000 Feet

EXISTING CONDITIONS

Figure 2


COVERED PEDESTRIAN BRIDGE
NEIGHBORHOOD ENTRY MONUMENTATION
5C (REC AREA FACILITY SITE)
5E (POTENTIAL ELEMENTARY SCHOOL) [NAP]
5D-1 TR. 51607
NEIGHBORHOOD RECREATIC
NEIGHBORHOOD RECREATION AREA #1
PHASE 1A
5V TR. 51605
5W-3 TR. 51604
NEIGHBORHOOD RECREATION AR
5D-2 TR. 51606
5F NEIGHBORHOOD PARK
SCE
5D-3 [NAP]
PHASE 1A AND 1B BOUNDARY
PLANNED DEVELOPMENT AREA
PLANNING UNIT BOUNDARY
STANDARDS INCLUDED IN PLANNED DEVELOPMENT
5W-1 TR. 52116
5W-2 TR. 52093
5T COMMUNITY PARK
PHASE 1B

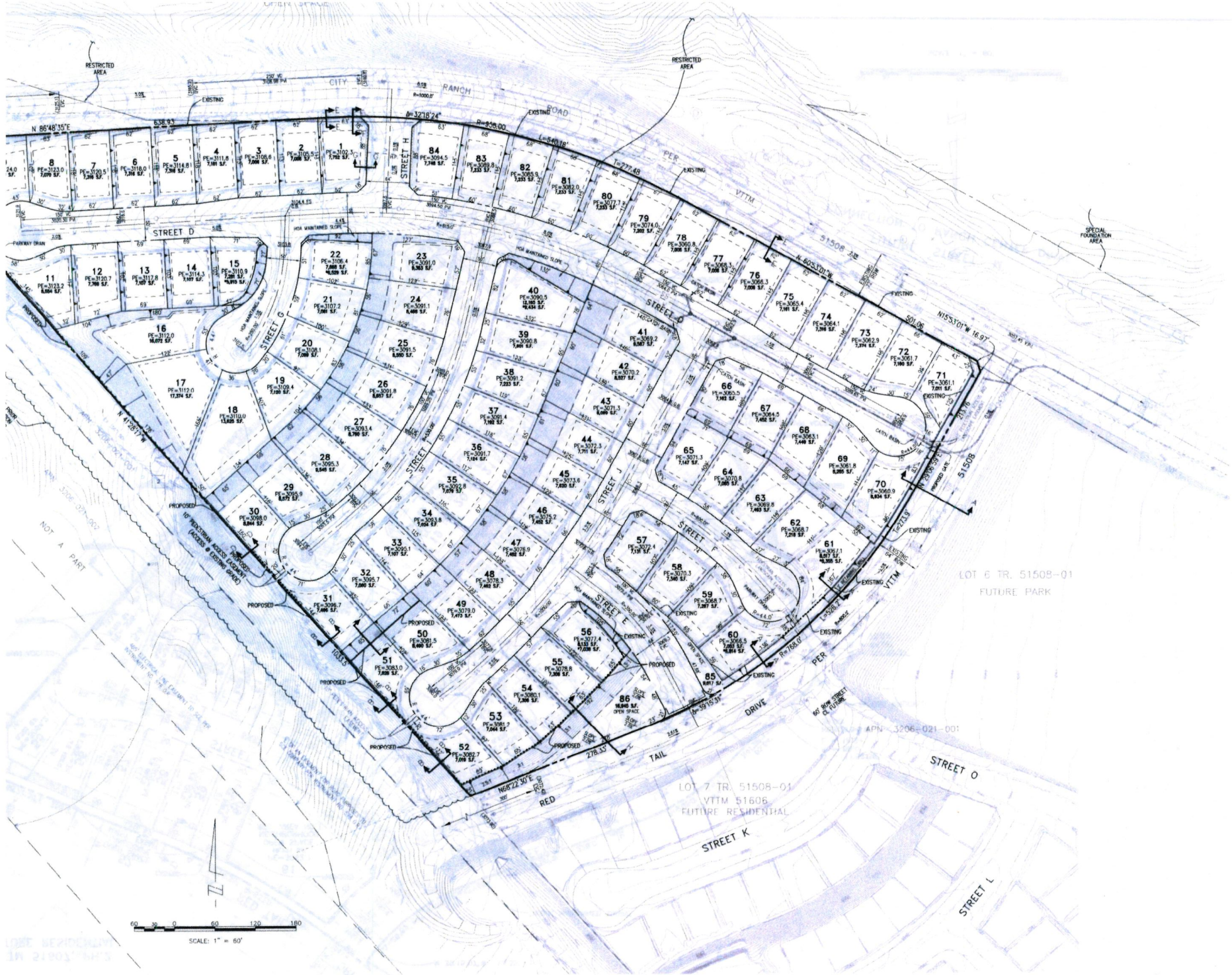

FUTURE RESIDENTIAL (ANAVERDE)
CITY RANCH ROAD (FUTURE)
FLOOD HAZARD AREA
OPEN SPACE & PEDESTRIAN ACCESS EASE. (ACCESS TO PARK 5U)
VIEW FENCE WITH VEHICULAR GATE PER C.O.P. STD. DWG. M-4 MODIFIED TO 3' HIGH
PROPOSED
N 89°29'48"W 1660.17
STREET JJ
STREET LL
STREET MM
STREET NN
STREET OO
STREET PP
STREET W
STREET AA
15'SD ESMT
OPEN SPACE 2437 SF
OPEN SPACE P=3000.4 5554 SF
WESTLAND DRIVE
EXISTING
LANDSCAPE MAINTAINANCE EASEMENT
OPEN SPACE
DRAINAGE LANDSCAPE & PEDESTRIAN ACCESS EASEMENT
FORCE MAIN
LOT 2 TR. 51508-02
VTTM 52093
FUTURE RESIDENTIAL
LOT 5 TR. 51508-03
FUTURE RESIDENTIAL
PARKVIEW DR.
1 EMERGENCY OVERFLOW PROTECTION DETAIL
TYPICAL 2 PLACES



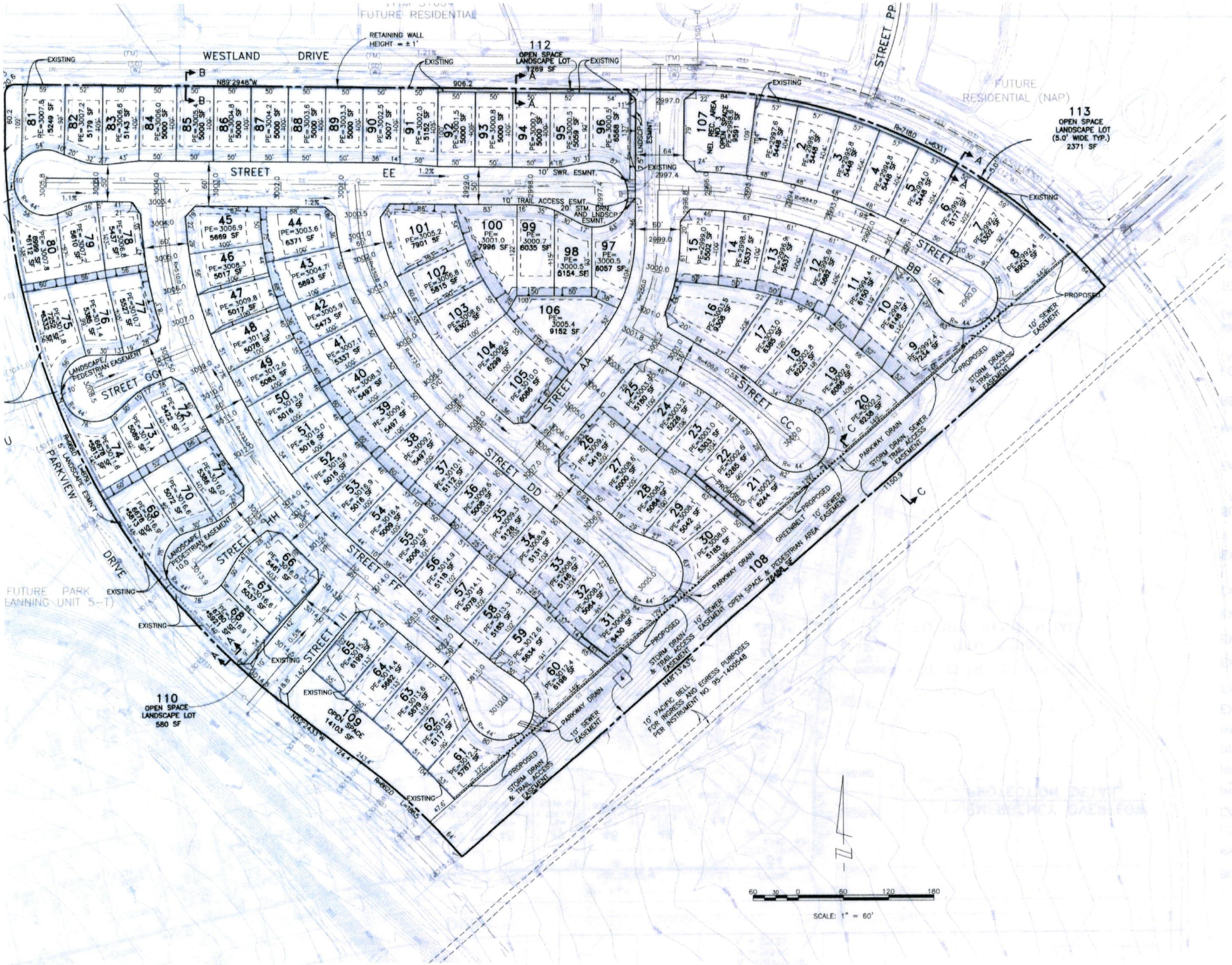
54

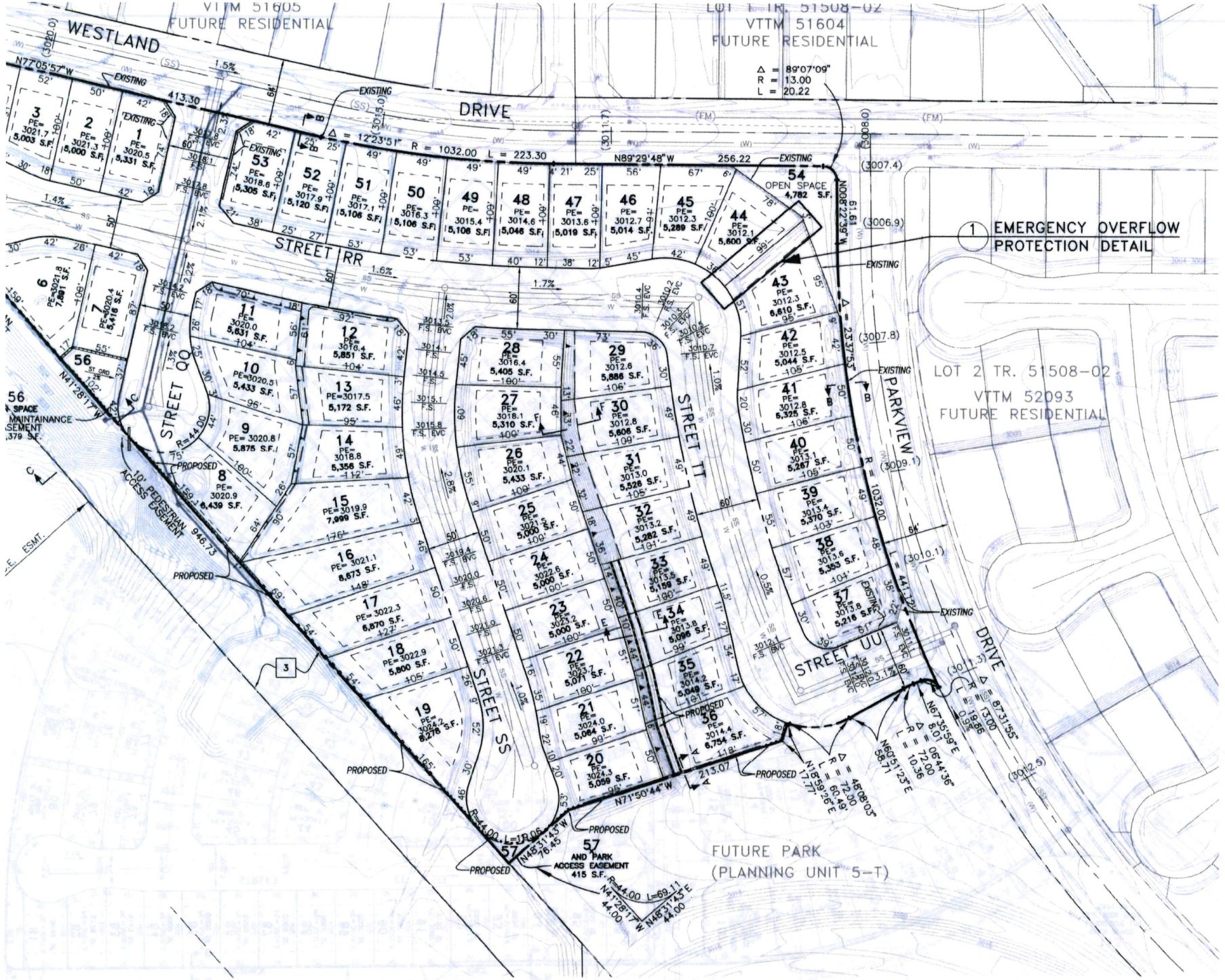
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STREET N
STREET O
STREET M
"H.O.A. MAINTAINED SLOPE"
FUTURE KNUCKLE
10' PEDESTRIAN ACCESS EASEMENT
STORM DRAIN EASEMENT PER VTTM 51508-01
FUTURE STREET M
CONNECTION TO RANCH CENTER DRIVE
LOT 8 TR. 51508-01
FUTURE PUBLIC SERVICES/
MULTI-FAMILY (NAP)
SCALE: 1" = 60'
BOUNDARY LINE
RIGHT OF WAY LINE
LOT LINE
EASEMENT LINE
PROPOSED SEWER
PROPOSED WATER
PROP. STORM DRAIN
NUISANCE WATER
PROP. CATCH BASIN
EXISTING SEWER
EXISTING WATER
EXIST. STORM DRAIN
EXIST. CATCH BASIN
EXISTING CONTOUR
EXIST. WALLS
SLOPE (2:1 UNLESS OTHERWISE SHOWN)
EASEMENT NUMBER
MASONRY TRACT WALL
RETAINING WALL
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HIGH VIEW FENCE (ALT. 3)
TOTAL LOT AREA
LOT AREA EXCLUDING LANDSCAPE/PEDESTRI ACCESS EASEMENT
LINE OF SIGHT (STOF SIGHT DISTANCE)
LINE OF SIGHT (DESI INTERSECTION SIGHT



BOUNDARY LINE
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LINE OF SIGHT (S SIGHT DISTANCE)
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WESTLAND DRIVE
STREET EE
STREET GG
STREET HH
STREET II
STREET FF
STREET AA
STREET DD
STREET CC
STREET BB
PARKVIEW DRIVE
112 OPEN SPACE LANDSCAPE LOT 17289 SF
113 OPEN SPACE LANDSCAPE LOT (5.0' WIDE TYP.) 2371 SF
110 OPEN SPACE LANDSCAPE LOT 580 SF
109 OPEN SPACE 14103 SF
108 OPEN SPACE & PEDESTRIAN AREA 76,826 SF
RETAINING WALL HEIGHT = ± 1'
10' SWR. ESMNT.
10' TRAIL ACCESS ESMT.
20' STM. DRN. AND LNDSCP. ESMNT.
10' SEWER EASEMENT
PARKWAY DRAIN
PROPOSED STORM DRAIN & TRAIL ACCESS EASEMENT
10' PACIFIC BELL EGRESS PURPOSES PER INSTRUMENT NO. 95-1400548
FUTURE RESIDENTIAL
FUTURE RESIDENTIAL (NAP)
FUTURE PARK PLANNING UNIT 5-T
EXISTING
PROPOSED
BOUNDARY LINE
RIGHT OF WAY LINE
LOT LINE
EASEMENT LINE
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LOT AREA EXCLUDI LANDSCAPE/PEDEST ACCESS EASEMENT
LINE OF SIGHT (ST SIGHT DISTANCE)
LINE OF SIGHT (DE INTERSECTION SIGH
SCALE: 1" = 60'



58

BOUNDARY LINE

RIGHT OF WAY LINE

LOT LINE

EASEMENT LINE

PROPOSED SEWER

PROPOSED WATER

PROP. STORM DRAIN

PROP. CATCH BASIN

EXISTING SEWER

EXIST. SEWER FORCE M

EXISTING WATER

EXIST. STORM DRAIN

EXIST. CATCH BASIN

EXISTING CONTOUR

EXIST. WALLS

SLOPE (2:1 UNLESS OTHERWISE SHOWN)

EASEMENT NUMBER

MASONRY TRACT WALL

RETAINING WALL

LOW VIEW FENCE (ALTS. 1 & 2)

HIGH VIEW FENCE (ALT. 3)

TOTAL LOT AREA

LINE OF SIGHT (STOPPI SIGHT DISTANCE)

LINE OF SIGHT (DESIGN INTERSECTION SIGHT DIS

ATTACHMENT A

MITIGATION MONITORING PROGRAM

MITIGATION MONITORING PROGRAM AND COMPLIANCE RECORD

Ritter Ranch Phase 1A, including PD 21-001 and VTTMs 51604, 51605, 51606, 51607, 52093, & 52116

Applicant: RdR Development Holdings, Ritter Ranch, LLC

January 5, 2022

MIT. MEAS.	DEPT	ACTION(S) REQUIRED	REQUIRE TIME OF COMPLIANCE	NOTES FOR 2022 APPROVAL
		EARTH RESOURCES		
1.	Engineering	Prior to approval of any Development Application, the applicant shall provide a detailed geotechnical investigation, including recommended design, construction, and maintenance of mitigation measures to reduce potential geologic constraints, to the satisfaction of the City Engineer (see Section IV.A for additional mitigation measure text).	Prior to Individual Development Application Approval	Applicable
2.	Engineering	All grading and landform modifications shall be conducted in conformance with state-of-the-practice design and construction parameters as set forth in Chapter 70 of the Uniform Building Code. All graded slopes should be constructed to be grossly and surficially stable, to the satisfaction of the City Engineer.	Prior to issuing a Grading Permit	Applicable
3.	Engineering	Reshaping of the natural terrain to permit access and construction shall be kept to a minimum. Where possible, improvements should be designed to conform to the terrain to the satisfaction of the City Engineer.	Prior to issuing a Grading Permit	Completed with original grading
4.	Engineering	Where grading is necessary on minor inclined or steep terrains; grading shall provide gradually adjusted slope angles, avoidance of angular forms and concealed exposed slopes to the extent feasible.	Prior to issuing a Grading Permit	Completed with original grading
5.	Engineering	Remedial grading within the sites to mitigate the effect of collapsible surficial soils shall be performed prior to site development.	Prior to issuing a Grading Permit	Applicable
6.	Engineering	Positive surface-water drainage control measures shall be undertaken by the project Applicant to reduce the creation of new springs or seeps to the satisfaction of the City Engineer, particularly in any high groundwater areas proposed for development.	Prior to Individual Development Application Approval	Applicable
7.	Engineering	Fill slopes should be constructed at a maximum slope of 2:1, unless other wise approved by City Engineer.	Prior to issuing a Grading Permit	Completed with original grading
8.	Engineering	To prevent erosion and subsequent downstream siltation, the Applicant shall comply with the conditions of an Erosion and Sedimentation Control Plan to be submitted for review by the Antelope Valley Resource Conservation District and review and approval by the City of Palmdale (see Section IV.A for additional mitigation measure text).	During and Following Construction	Applicable
9.	Planning	Each deed or other conveyance of Real Property shall include the following statement: "Ritter Ranch is traversed by major slays (branches) of the San Andreas Fault Zone, a very youthful geologic feature. Due to the proximity of the Ritter Ranch site to the San Andreas Fault, there is a high risk of experiencing strong ground shaking and possible surface fault rupture." Additionally, where applicable, each disclosure statement within the deed shall contain language which denotes the possibility of building restrictions on residential additions for human occupancy on those parcels which are located in Fault Hazard Restricted Use Zones.	A Condition of Approval for a Development Application	Applicable
10.	Engineering	The site shall be designed to accommodate City of Palmdale Engineering Design Standards and the Master Plan Drainage, except as otherwise approved by the City Engineer, for controlling flooding and debris flows within and adjacent to Anaverde Creek, Amargosa Creek, and other existing natural drainage courses.	Prior to issuing a Grading Permit	Applicable
11.	Planning	Areas noted on Exhibit 10A with an "SF" (Special Foundation Areas) or as identified in subsequent geotechnical studies are recommended for more heavily reinforced	A Condition of Approval for a Development Application	Applicable

MIT. MEAS.	DEPT	ACTION(S) REQUIRED	REQUIRE TIME OF COMPLIANCE	NOTES FOR 2022 APPROVAL
		foundations and such requirements shall be indicated on each deed for Real Property within the Special Foundation Areas relative to existing and potential additional foundations on the property.		
12.	Engineering	Due to possible adverse geologic conditions in the bedrock areas, detailed site-specific analyses relative to slope stability shall be performed for all proposed cut slopes prior to issuance of grading permit. Grading permit issuance will be subject to the grading plan demonstrating compliance with applicable recommended slope stability measures.	Prior to issuing a Grading Permit	Completed
13.	Engineering	Cut slopes within alluvial areas will be constructed at a maximum slope of 2¼:1 (unless otherwise approved by the City Engineer).	Prior to issuing a Grading Permit	Completed with original grading
14.	Engineering	Road fills proposed for any planned high cut slopes, and buttress fill shall be required to stabilize the cut and adjacent hillsides.	Prior to issuing a Grading Permit	Completed with original grading
15.	Planning	Prior to Development Application approval, the Applicant shall demonstrate to the satisfaction of the City Director of Planning and Engineer that all feasible mitigation measures have been implemented to minimize grading impacts. The Applicant may be required to submit complete geotechnical studies and/or reports to the satisfaction of the City Engineer. Consideration shall be given to use of "stepped" play fields for the school and park sites, particularly where a relatively level surface across the entire facility would require significant grading.	Prior to Development Application Approval.	Applicable
16.	Engineering	The project geotechnical consultant shall be responsible to perform confirmatory tests and observations during grading to assure that the geotechnical recommendations are being followed and shall certify that all grading complies with the provisions of all approved plans and specifications, pursuant to the Los Angeles County Uniform Building Code, Chapter 70.	During and Following Grading Activities	Applicable
17.	Engineering	Comprehensive geotechnical investigations including exploratory drilling, sampling, and laboratory testing shall be performed prior to issuance of grading permit. Grading permit issuance will be subject to grading plan compliance with applicable recommendations.	Prior to issuing a Grading Permit	Completed
18.	Engineering	Subsurface exploration shall be performed prior to issuance of grading permit. Grading permit issuance will be subject to grading plan compliance with applicable recommendations.	Prior to issuing a Grading Permit	Completed with original grading
19.	Engineering	In order to evaluate the potential for ground-surface rupture along the trace of an active fault within the San Andreas fault zone, and provide setback recommendations for proposed structures, exploratory fault trenching shall be performed prior to issuance of grading permit.	Prior to issuing a Grading Permit	Completed with original grading
20.	Building and Safety	Prior to issuance of building permits, the project applicant shall prepare an emergency spill response plan, which includes the following measures for review and approval by the City and County Sanitation District No. 20. • Measure detect early warning of a sewage trunk leak; • The installation of manual or automatic isolation valves; • Provisions for spilled sewage retention; • Spill response measures; • Clean-up and disinfection measures; and	Prior to issuing a Building Permit	Applicable

MIT. MEAS.	DEPT	ACTION(S) REQUIRED	REQUIRE TIME OF COMPLIANCE	NOTES FOR 2022 APPROVAL
		• Training and funding for implementation of the spill plan.		
		AIR RESOURCES		
21.	Planning	To mitigate potential dust generation impacts, the project will comply with State, County, and City dust control regulations. These regulations are intended to provide sufficient protection so as to prevent the soil from being eroded by wind, creating dust, or blowing onto a public road or roads or other public or private property.	During Construction	Applicable
22.	Planning	In addition to watering prior to and during grading (as discussed in SCAQMD Rule 403), the application of water and chemical dust retardation that solidify loose soils shall be implemented for construction vehicle access, as directed by the City Engineer.	During Construction	Applicable
23.	Planning	Grading activity shall be suspended when local winds exceed 30 miles per hour. To validate wind velocities and/or rainfall amounts, the installation of a minimum of two remote weather stations will be required at locations determined by the City Engineer.	During Construction	Applicable
24.	Planning	Heavy construction equipment shall use low sulfur fuel (0.05% by weight) and shall be properly tuned and maintained to reduce emissions.	During Construction	Applicable
25.	Planning	Construction activities shall be phased and scheduled to avoid high ozone days, to the extent feasible.	During Construction	Applicable
26.	Planning	Construction will be discontinued during second stage smog alerts.	During Construction	Applicable
27.	Planning	The Applicant shall, as required by the Planning Department and the City of Palmdale's proposed Air Quality Element, implement applicable Tier I Control Measures contained in the Final 1991 AQMP, as may be subsequently amended. Additionally, the Best Available Control Technology Guidelines, published by SCAMD, shall be used. As project build out will occur over a 20-year period, subsequent phases/approvals will be held To Tier II and Tier III measures which are implemented as mandatory AQMD Rules and Regulations applicable to the project phase (see Section IV.B for additional mitigation measure text, which includes requirement of construction and funding of a Park 'n' Ride facility at Avenue S/SR-14)	During Construction	Applicable
28.	Planning	Prior to subsequent approvals, energy conservation practices, as required by the Subdivision Map Act, Building Energy Efficiency Standards (California Energy Commission) and state and local laws, shall be incorporated into the design of the project to have the secondary effect of limiting stationary source pollutants both on and offsite.	Prior to issuing a Building Permit	Applicable
29.	Planning	Projects that exceed SCAQMD threshold levels shall contribute to traffic mitigation programs imposed on the development in effect at such time building permits are issued for the project, and each part thereof.	Payment due when obtaining a Building Permit	Applicable
		WATER RESOURCES		
30.	Engineering	All drainage facilities shall be designed and constructed in accordance with the City of Palmdale Drainage Master Plan and the Los Angeles County Hydrology Manual to the satisfaction of the City Engineer. Local facilities will be installed concurrently with or immediately after completion of grading activities, and in some cases as approved by the City Engineer, interim facilities may be provided. Each facility shall be completed prior to issuance of occupancy permits for a development application for the portion of the project which is served by the facility	Prior to issuing the Grading Permit and During Construction	Applicable

MITIGATION MONITORING PROGRAM AND COMPLIANCE RECORD

Ritter Ranch Phase 1A, including PD 21-001 and VTTMs 51604, 51605, 51606, 51607, 52093, & 52116

Applicant: RdR Development Holdings, Ritter Ranch, LLC

January 5, 2022

MIT. MEAS.	DEPT	ACTION(S) REQUIRED	REQUIRE TIME OF COMPLIANCE	NOTES FOR 2022 APPROVAL
31.	Engineering	All regional and major on-site facilities will be designed to accommodate a 50-year Los Angeles County Capital Flood with bulking and freeboard included as required by the City Engineer.	Prior to Approval of the Drainage and Hydrology Studies for Individual Project Development	Completed
32.	Engineering	All local drainage facilities shall be designed to accommodate a 25-year or a 10-year storm in accordance with the City Engineering Design Standards (see Section IV.C for additional mitigation measure text).	Prior to Approval of the Drainage and Hydrology Studies for Individual Project Development	Applicable
33.	Engineering	The lowest finish floor elevation of all habitable structures shall be a minimum of one-foot above the maximum water level resulting from the applicable capital flood.	Prior to approval of the Drainage and Hydrology Studies and obtaining a Grading Permit	Applicable
34.	Engineering	Flood Control basin design shall incorporate adequate peak attenuation and storage features and safety provisions (fencing, signage) to the satisfaction of the City Engineer.	Prior to obtaining a Grading Permit	Completed
35.	Engineering	The Applicant shall submit a water quality control plan for review and approval by the City Engineer and the Director of Planning, prior to issuance of grading permits. This plan shall be reviewed by the Regional Water Quality Control Board for their review and comment. The plan shall indicate specific means of reducing urban pollutants and sedimentation and shall comply with the provisions of any National Pollution Discharge Elimination System permit requirements that may be required by other regulatory agencies (see Section IV.C for additional mitigation measure text).	Prior to issuing a Grading Permit	Applicable
		BIOLOGICAL RESOURCES		
36.	Planning	Prior to Development Application approval, setbacks or other alternatives identified in a site-specific biological study, will be provided to reduce impacts to raptor nesting sites and other biological resources. However, actual setbacks for each resource may vary less or more than the recommended distance as determined by a site-specific biological report reviewed and approved by the Director of Planning (see section IV.D for additional mitigation measure text).	Prior to Development Application Approval	Applicable
37.	Planning and Engineering	At the time of construction of improvements, bridges or oversized culverts, as determined by a qualified biologist and reviewed and approved by the Director of Planning, shall be constructed within the canons of Rogers Creek, Pine Creek, and Ritter Canyon where development areas or access roads would isolate wildlife. This would allow wildlife movement across the site and into other portions of the region.	Prior to Development Application Approval	Not applicable
38.	Los Angeles County Fire Department	Fuel breaks shall be from 20 to 100 feet in width and shall be manually cleared to avoid exacerbation of erosion. The fuel break system must conform to fire code standards (see Section IV.D for additional mitigation measure text).	Los Angeles County Fire Department Approval	Applicable
39.	Planning	Prior to Development Application approval, portions of the site shall be designed for restoration, enhancement, or expansion of wetland habitat. Portions to be designated will be subject to Director of Planning approval but, at a minimum, the proposal shall equate to a 1:1 replacement of impacted wetlands. A Wetlands Restoration Plan, indicating specific guidelines and designation of areas suitable for mitigation, and an explanation of methods which will assure permanent preservation shall be submitted for review and approval by the City of Palmdale, California Department of Fish and Game, and U.S. Army Corps of Engineers (see Section IV.D for additional mitigation measure text).	Prior to Development Application Approval	Applicable

MITIGATION MONITORING PROGRAM AND COMPLIANCE RECORD

Ritter Ranch Phase 1A, including PD 21-001 and VTTMs 51604, 51605, 51606, 51607, 52093, & 52116

Applicant: RdR Development Holdings, Ritter Ranch, LLC

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MIT. MEAS.	DEPT	ACTION(S) REQUIRED	REQUIRE TIME OF COMPLIANCE	NOTES FOR 2022 APPROVAL
40.	Planning and Engineering	As directed by the City, the applicant shall conduct periodic removal of Tamarisk infestations and eradicate and infestations of Arundo donax (see IV.D for additional mitigation measure text).	On-Going Maintenance of Open Space Areas	Applicable
41.	Planning and Engineering	Plants such as Pampas grass, African Fountain grass, Tamarisk, Castor bean, Arundo donax, and exotic Fescues shall not be planted within the Specific Plan area (see Section IV.D for additional mitigation measure text).	Approval of Landscaping Plans	Applicable
42.	Planning	Trails within the natural open space areas shall prohibit the use of four-wheel and three-wheel vehicles, motorized dirt bikes and motor cross bicycles. Special gated and barriers shall be installed and maintained at trail access points to ensure that recreational vehicle access is prohibited.	Prior to Development Application Approval	Applicable
43.	Planning	The Applicant shall post signs along trail systems which designate trail boundaries for recreational uses, in order to minimize incidental disruption to open space, vegetation and wildlife.	Homeowners Association and On Going Maintenance of the Open Space and Recreational Areas	Applicable
44.	Engineering	Slopes at the edge of the development shall be revegetated with low combustible plant material as approved by the City Engineer.	Prior to issuing a Grading Permit and approval of the Landscaping Plan	Applicable
45.	Planning	The Specific Plan shall include a condition to either exclude the maintenance of horses on private property, due to too small lot size or to maintain such animals in corrals of specific size, as determined appropriate by the City. In large lots with adjacent natural areas, it is important to limit grouping of horses or other livestock to prevent destruction of native plants.	Prior to Development Application Approval	Applicable
46.	Engineering	The Applicant shall apply for and receive a 404 Permit from the Army Corps of Engineers and a 1603 Agreement from the California Department of Fish and Game prior to grading Plan approval in areas which include wetlands due to the project's impact on lands under to jurisdiction of these agencies.	Prior to issuing a Grading Permit	Not applicable - the Phase 1A area does not include any additional jurisdictional impacts
47.	Planning	Prior to Development Application approvals, focused surveys shall be conducted by a City approved biologist to establish the presence or absence of sensitive species (as defined by Federal, State, or Local laws) on the development site. Should sensitive species be present, applicable mitigation shall be implemented per Federal, State and Local Endangered Species Protection regulation as determined necessary by the City Planning Director.	Prior to Development Application Approval	Applicable
48.	Planning	The Joshua Tree Woodland area shall be protected by in situ preservation of the habitat or at the option of the City, acquisition of equivalent, offsite habitat within the Sphere of Influence of the City of Palmdale. Preservation is considered to include fencing of the site and dedication of an open space easement to the City of Palmdale. Areas adjacent to the woodland should have a 50 to 150-foot setback from the Joshua Trees, or other measures as recommended in a site-specific biological study (see Section IV.D for additional mitigation measure text).	Prior to Development Application Approval	Not applicable – there is no Joshua Tree Woodland area onsite.
49.	Planning	The Maple Canyon Spring shall be protected by ensuring that trails do not direct people to the vicinity of the spring. The McDill Loop trail depicted on Exhibit 24 of the Specific Plan shall be reviewed to determine its proximity to the Spring: The alignment of this trail will be modified if field inspections determine that the spring is visible from the trail.	Prior to Development Application Approval	Not applicable – the McDill Loop trail is not within or near Phase 1A

MIT. MEAS.	DEPT	ACTION(S) REQUIRED	REQUIRE TIME OF COMPLIANCE	NOTES FOR 2022 APPROVAL
		NOISE		
50.	Planning	All construction and general maintenance activities, except in an emergency, shall be limited by City of Palmdale Municipal Code Section 828.030 to the hours of 6:30 a.m. to 8 p.m. Monday through Saturday. The operation of any machine, mechanism, device, or contrivance during construction shall comply with noise limits in the City of Palmdale municipal noise ordinance.	During Construction	Applicable
51.	Planning	Development along internal and adjacent arterials will incorporate design measures or structural measures which will reduce noise levels to acceptable levels within the living or recreational portions (as defined by the City) of any lot. The measures that may be utilized to reduce noise impacts include placement of non-residential buildings adjacent to the arterial roadway, increasing the setbacks along the roadway, creation of landscaped berms, or other unobtrusive barriers. The acceptable noise level CNEL which will be applied to future projects will be that level which is in place, either by ordinance, resolution, or General Plan policy, at the time that future development applications are deemed complete.	Prior to Building Permit Issuance	Applicable
52.	Planning	Elementary school and neighborhood park development should avoid the most heavily traveled village roadways to minimize traffic noise intrusion on these uses requiring relative quiet for concentration or serenity. Where necessary, noise mitigation such as barriers or sound walls will be employed.	A Noise Study is Required for Each Development Application	Applicable
53.	Planning	The proposed amphitheater shall require a Conditional Use Permit. As part of the CUP review process, the Applicant shall provide City staff with sufficient detail to indicate that the amphitheater will not adversely affect off-site areas (as in orientation, screening, and permitted activities). Adverse noise impacts shall be determined based on City Noise Ordinance provisions (with respect to peak noise levels and nuisance noise). The Applicant shall also provide City staff with possible alternative locations more proximate to Town Center, but the alternative locations should not impact noise sensitive uses such as residential areas.	Prior to Development Application Approval for the Amphitheater	Not applicable - the prior PD advanced the amphitheater which is in Planning Area 4 but this PD includes only areas in Planning Area 5
		AESTHETICS/LIGHT AND GLARE		
54.	Engineering	During project construction, the Applicant shall be required to provide appropriate screening (as with temporary fencing with opaque material), dust control, restricted construction hours, and a traffic control plan.	During Construction Activities	Applicable
55.	Engineering	All required landscaping will be installed in accordance with City Standards in effect at the time of approval of the landscape plan, prior to issuance of occupancy permits for a particular area.	Approval of Landscaping Plans	Applicable
56.	Engineering	The Applicant shall be required to submit a detailed Landscape Plan, to the satisfaction of the Director of Planning and the City Engineer (see Section IV.F for additional mitigation measure text).	Approval of Landscaping Plans	Applicable
57.	Engineering	Landscaping will be consistent with the Specific Plan in order to maintain a cohesive theme across the project site, and in order to reduce aesthetic impacts of structures to adjacent roadways and residential properties.	Approval of Landscaping Plans	Applicable
58.	Planning	Any lights used to illuminate the parking areas, driveways, and other exterior or interior areas, shall be designed and located so that direct lighting is confined to the property. The	Approval of Photometric Lighting Plan	Applicable

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MIT. MEAS.	DEPT	ACTION(S) REQUIRED	REQUIRE TIME OF COMPLIANCE	NOTES FOR 2022 APPROVAL
		Applicant shall submit photometric lighting plans for commercial, multi-family, and recreational projects. In addition to directional lighting, lighting should not be of greater intensity (wattage) than otherwise necessary for public safety.		
59.	Planning	Project design shall incorporate additional techniques to reduce light and glare in high visibility areas (see Section IV.F for additional mitigation measure text).	Approval of Photometric Lighting Plan	Applicable
60.	Engineering	Flood control improvements shall utilize natural channels and/or be composed of natural materials with interspersed vegetation to maintain existing aesthetic qualities, where feasible, without jeopardizing the adequacy of flood control.	Approval of Drainage Plan	Applicable
61.	Engineering	Disturbed un-landscaped areas shall be replanted with vegetation compatible with the existing native vegetation, appropriate to the site, which will blend in with existing species.	Prior to issuing the Grading Plan	Applicable
62.	Engineering	The project will follow the grading plans approved by the City and avoid disturbance of adjacent areas where possible.	Prior to issuing the Grading Plan	Applicable
63.	Engineering	To the extent feasible, removal of existing native trees and vegetation shall be minimized during project construction and grading, particularly within existing natural channels (refer to Section IV.F for additional mitigation measure text).	Prior to issuing the Grading Plan	Completed with original grading and there are no natural channel remaining onsite
64.	Planning	The Applicant shall annually evaluate all design guidelines, development standards, and mitigation measures for the Ritter Ranch Specific Plan, submitting a Monitoring Report to the Director of Planning the first quarter of each year through buildout of the project. In addition, the applicant shall submit aerial photos of the project site taken on a monthly basis when grading is occurring. Monitoring and verification of compliance with adopted applicable Specific Plan development standards shall also be performed prior to subsequent approvals, to determine if the proposed measures are achieving their intended purpose. To the extent allowed by law, future discretionary approvals may include additional conditions of approval based upon City review of the Annual Monitoring Report. Nothing in this mitigation measure shall be construed to permit environmental review beyond the extent permitted by State law.	On-going Project Requirement	Applicable
65.	Engineering	In the areas where trash and debris have been dumped into stream channels within the property, near-surface soil samples and analysis of those samples for the identification of chemicals or contaminants shall be collected prior to removal operations to evaluate landfill class designations for the debris.	Prior to approval of the Grubbing, Grading and/or Stockpile Permit	Completed with original grading
66.	Engineering	Prior to issuance of grading permits for the area described below, further investigation shall be conducted for each area to ascertain the types and amounts of potential; hazardous materials associated with the following: the former turkey ranch area; partially and completely buried refuse; the Hunt Club area; surficial debris and a locked trailer marked "Lockheed Emergency Vehicle"; and existing structures with the potential of containing asbestos fibers.	Prior to issuing a grading permit	Not applicable as the areas identified are not currently or previously at the Project site.
67.	Engineering	If subsequent investigations of the site determine the presence of hazardous materials, the developer shall retain a licensed hazardous materials contractor to conduct clean up of the site using proper disposal procedures (see Section IV.G for additional mitigation measure text).	Prior to Development Application Approval	Applicable

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68.	Planning	Although the right-of-ways surrounding the power transmission lines traversing the project site appear to be sufficient to protect residents, specific guidelines including the City of Palmdale Undergrounding Ordinance shall be incorporated into the project plans and are subject to approval by the City Engineer and City Planning Department (see Section IV.H for additional mitigation measure text).	Prior to Development Application Approval	Applicable
69.	Planning	All project homeowners and tenants shall be advised of potential health risks associated with power transmission lines prior to close of escrow/execution of rental lease. Said notification shall be indicated in the applicable escrow, deed and/or lease documents in a format acceptable to the City Attorney.	Prior to the Close of Escrow Residential Development	Applicable
		TRAFFIC AND CIRCULATION		
70.	Engineering	All road improvements shall be designed in accordance with City of Palmdale Specific Plan roadway design standards as approved by the City Engineer.	Prior to Development Application Approval	Applicable
71.	Engineering	The applicant shall be required to submit a Traffic Control Plan for review and approval by the City Traffic Engineer, prior to issuance of grading permits, which incorporates state of the practice standards to minimize construction related traffic impacts. Said plan shall be consistent with traffic measures for the Amargosa Creek Improvement Project.	Prior to Development Application Approval	Applicable
72.	Engineering	The Ritter Ranch Specific Plan identifies ultimate onsite roadway cross-sections and lane configurations necessary to serve the project at buildout. Phasing of onsite roadway improvements shall be in accordance with the Ritter Ranch Specific Plan Phasing Plan as approved by the City Public Works Department.	Prior to Development Application Approval	Applicable
73.	Engineering	Prior to development application approval, the applicant shall pay appropriate traffic impact fees in accordance with City Ordinance 825, and all other traffic fees applied Citywide that may be in place at the time of issuance of Certificates of Occupancy. These traffic impact fees provide the project's required pro rata contribution towards offsite roadway improvements needed to service the development. Funds generated from the traffic impact fees shall be applied toward offsite improvements to Elizabeth Lake Road, Palmdale Boulevard, Avenue S, and 10th Street West/Tierra Subida Road, as approved by the City Public Works Department.	Prior to Development Application Approval	Applicable
74.	Engineering	The developer(s) of Ritter Ranch may construct offsite roadway improvements in lieu of Traffic Impact fees, as approved by the City Public Works Department.	Prior to Development Application Approval	Applicable
75.	Engineering	The developer shall comply with the provisions of the Congestion Management Plan adopted pursuant to State law.	Prior to Development Application Approval	Applicable
		CULTURAL RESOURCES		
76.	Engineering and Planning	Reports, maps, or figures with plotted site locations are considered confidential and are to be released only on a clearly defined "need to know" basis.	On-going Element of Development of the Project	Applicable
77.	Engineering	Prior to issuance of grading permits for each area of the Ritter Ranch Specific Plan, a qualified archeologist shall be retained at the expense of the developer to formulate and carry out an Archeological Monitoring Program for that particular area. The Archeological Monitoring Program as approved by the Director of Planning shall include but not be limited to measures identified in this EIR, the 1990 RMW Paleo Associates	Prior to issuing the Grading Permit	Completed as part of original grading

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MIT. MEAS.	DEPT	ACTION(S) REQUIRED	REQUIRE TIME OF COMPLIANCE	NOTES FOR 2022 APPROVAL
		report (Appendix 1), and the 1991 LSA Phase II Archeology Report (dated June 14, 1991).		
77a.	Engineering	The following additional work shall be performed by a qualified archeologist, retained by the Developer, and approved by the Planning Director. Because the introduction of residents into the area will result in the degradation of these archeological sites, the required testing specified below and preparation of the subregional report shall be completed, and reviewed and approved by the Planning Director, prior to recordation of the first parcel map or tract map prepared for the project. **Lan-947**: There is an additional petroglyph boulder that needs to be recorded. Since the site cannot be preserved in place as the project is currently designed, test units shall be excavated to determine whether subsurface deposits are present. If any are encountered, data recovery shall be conducted. Those sites, which contained surface artifacts but were only auger tested shall be tested with at least one standard test unit per site. The testing program shall be submitted to the City Planning Department for review and approval prior to commencement. In addition, untested cupule sites and hunting blinds shall also be tested in this manner. Any additional testing shall be required as a mitigation measure for the development application. A subregional analysis shall be prepared to provide a basis for significance determinations. It shall include a research design that would set standards for future work in the Ana Verde/Sierra Pelona subregion. Cupule boulders, which have to be relocated, must be done under the direction of a qualified archeologist who will give careful attention to orientation of the boulders. The boulders shall be moved prior to site disturbance in their immediate vicinity to a location approved by the Planning Director. Since context will be lost, some shall be relocated in an interpretive center where they can be used for educational purposes. Representative artifacts could be worked into some sort of display for an interpretive center as well.	On-going element of Development of the Project	Completed as part of original grading and report has been submitted to the City
78.	Planning	Required research, salvaging, and/or protection of known sites shall occur prior to approval of a grading permit within the affected area of resources (see Section IV.J for additional mitigation measure text).	On going Element of Development of the Project	Completed as part of original grading
79.	Planning	Monitoring during grading activities shall be accomplished by an archeologist approved by the City Planning Department (see Section IV.J for additional mitigation measure text).	On going Element of Development of the Project	Completed as part of original grading
80.	Planning	Areas to be disturbed by grading shall be reexamined for cultural resources following removal of the vegetation cover and during initial grading stages.	On going Element of Development of the Project	Completed as part of original grading
		PALEONTOLOGICAL RESOURCES		
81.	Planning	Reports, maps, or figures with plotted fossil localities are considered confidential, and are to be released only on a clearly defined "need to know" basis.	On going Element of Development of the Project	Applicable
82.	Planning	Prior to issuance of grading permits for each area of the Ritter Ranch Specific Plan, a qualified paleontologist shall be retained at the expense of the developer to formulate and carry out a Paleontological Monitoring Program for that particular area. The Paleontological Monitoring Program approved by the Planning Director shall include, but not be limited to, measures identified in this EIR.	Prior to issuing of a Grading Permit	Completed as part of original grading

MIT. MEAS.	DEPT	ACTION(S) REQUIRED	REQUIRE TIME OF COMPLIANCE	NOTES FOR 2022 APPROVAL
83.	Planning	A qualified paleontologist shall be retained to monitor and, if necessary, salvage scientifically significant fossil remains.	On going Element of Development of the Project	Completed as part of original grading
84.	Planning	The paleontologist shall have the power to temporarily divert or direct grading efforts to allow evaluation and, if necessary, salvage of exposed fossils.	On going Element of Development of the Project	Completed as part of original grading
85.	Planning	The matrix samples for microvertebrates shall be submitted for processing and identification at a facility such as the Los Angeles County Museum of Natural History.	On going Element of Development of the Project	Completed as part of original grading
86.	Planning	Paleontological monitoring efforts shall be based on the sensitivity of the geological units being excavated, the number of equipment in operation at one time, and the amount of material (in cubic yards) being moved (see Section IV.J for additional mitigation measure text).	On going Element of Development of the Project	Completed as part of original grading
87.	Planning	Matrix samples for microvertebrate screening shall be collected and processed during monitoring (see Section IV.J for additional mitigation measure text).	On going Element of Development of the Project	Completed as part of original grading
88.	Planning	All fossils collected need to be prepared to the point of identification. These remains should be donated to an institution with an educational and/or research interest in the materials and a retrievable storage system.	On going Element of Development of the Project	Completed as part of original grading
89.	Planning	A final report summarizing findings, including and itemized inventory, contextual stratigraphic data, and photographs shall accompany the fossils to the designated repository with an additional copy sent to the City of Palmdale Planning Department.	On going Element of Development of the Project	Completed as part of original grading
		PUBLIC SERVICES AND UTILITIES		
90.	Engineering	Adequate emergency access and circulation throughout and around the project shall be provided to the satisfaction of the Los Angeles County Sheriff's Department. Temporary emergency access shall be provided during project construction.	On going Element of Development of the Project	Applicable
91.	Planning	Adequate lighting shall be provided to enhance crime prevention and law enforcement efforts to the satisfaction of the Los Angeles County Sheriff's Department. However, lights shall be designed and located so that direct lighting is confined to the property, and lighting should not be of greater intensity (wattage) than otherwise necessary for public safety.	On going Element of Development of the Project	Applicable
92.	Planning	Proper address signs shall be provided for identification of locations during emergencies.	On going Element of Development of the Project	Applicable
93.	Engineering	The Applicant shall consult with the Los Angeles County Sheriff's Department regarding landscape standards to ensure that landscape features do not conceal potential criminal activity around buildings and in parking areas. This measure will be implemented to the satisfaction of the City of Palmdale Planning Director and City Engineer, prior to staff acceptance of Landscape Plan.	Prior to Approval of the Landscaping Plan	Applicable
	Public Services/Libraries	There are no feasible mitigation measures that can be placed on this project to alleviate significant project-related impacts to library services.	On going Element of Development of the Project	Subsequent to EIR certification, the City adopted a Public Facilities Fee that includes library costs. The applicant will be required to pay the Public

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				Facilities Fee in effect at the time Building Permits are issued.
94.	School Districts	All schools shall be required to implement safety programs (in accordance with State and City Guidelines). (See Section IV.K for additional mitigation measure text).	On going Element of Development of the Project	Not applicable since Phase 1A does not include a school
95.	School Districts	(A) Westside Union School District. The developer shall comply with the terms of the agreement, dated November 26, 1991, between the developer and Westside Union School District as mitigation for impacts caused by development of the project on the Westside Union School District (refer to Section IV.K for additional mitigation measure text). (B) Antelope Valley Union High School District. The Developer shall provide the mitigation to the District in order to provide its contribution toward the District's fifty (50) percent share of funding a new high school on the site, pursuant to Government Code Section 65995 and Education Code Section 17700 et. Seq. (School Facility Funding Law) (refer to Section IV.K for additional mitigation measure text).	On going Element of Development of the Project	Applicable
96.	Public Services	Onsite telephone facilities shall be provided by utilizing joint trenches.	On going Element of Development of the Project	Applicable
97.	Building and Safety	Developers of individual properties within the Specific Plan area will be responsible for payment of assessment fees and installation of required conduits prior to issuance of occupancy permits.	Prior to Issuance of the Certificate of Occupancy	Applicable
98.	Engineering	All permanent power lines shall be placed underground (consistent with the City's current Underground Ordinance) by the applicant prior to issuance of occupancy permits.	Prior to Development Application Approval	Applicable
99.	Engineering	The project applicant shall coordinate with SCE to ensure that adequate electrical service is provided to the proposed development and that service connection activities will be performed in cooperation with SCE to minimize any short-term impacts.	On going Element of Development of the Project	Applicable
100.	Planning	The applicant shall cause the project area to be annexed to the Los Angeles County Waterworks District #34 service area.	Prior to Annexation of Ritter Ranch Specific Plan	Completed
101.	Planning	As required by state law, water conservation measures will be incorporated into the project (see Section IV.K for additional mitigation measure text).	Prior to Development Application Approval	Applicable
102.	Building and Safety	Additional interior and exterior water conservation measures shall be implemented where applicable and feasible (see Section IV.K for additional mitigation measure text).	Prior to issuing a Building Permit	Applicable
103.	Building and Safety	Provision of water service to the proposed project will be required as a part of the project development and will occur to the satisfaction of the City of Palmdale prior to issuance of building permits. Project implementation will require mitigation in coordination with the City of Palmdale, Los Angeles County Waterworks District No. 34, and the Los Angeles County Fire Department.	Prior to issuing a Building Permit	Applicable
104.	Planning	Aboveground water storage tanks shall be designed with appropriate grading, color, and landscaping techniques to minimize visual impacts to be reflected in applicable Landscape Plans and Grading Plans.	Prior to Development Application Approval	Applicable
105.	Building and Safety	The project developer will be required to pay sewer assessment fees or provide adequate onsite wastewater conveyance facilities, and will conform with City Public Works Department and County Sanitation District No. 20 development standards pertaining to wastewater. All structures/facilities will connect to the sanitary sewer system. No septic	Prior to Issuance of a Building Permit	Applicable

MIT. MEAS.	DEPT	ACTION(S) REQUIRED	REQUIRE TIME OF COMPLIANCE	NOTES FOR 2022 APPROVAL
		systems will be allowed with the possible exception of restroom facilities located in the remote specialty parks. (refer to Section IV.K for additional mitigation measure text).		
105.a	Planning and Engineering	In the event that the Developer of the Ritter Ranch Specific Plan constructs offsite sewer lines within the San Andreas Fault zone, the developer shall cause the preparation of an emergency spill response plan. The plan shall include provisions for spilled sewage retention, spill response measures, clean up and disinfection measures, and training and funding for implementation of the spill plan. The plan shall be reviewed by the Lahontan Regional Water Quality Control Board and Sanitation District No. 20, and reviewed and approved by the Director of Public Works and the Director of Planning.	Prior to Approval of the Sewer Plans by the Sanitation District 20 and/or the Engineering Department	Completed – sewer plans have been approved
106.	Engineering	Any sewer proposed for incorporation into the Sanitation District's trunk sewer network for operation and maintenance, shall be reviewed and approved by the Sanitation District, prior to any construction.	Prior to Approval of the Sewer Plans	Applicable
107.	Engineering	Onsite local sewers shall be designed and approved by the City of Palmdale.	Prior to Approval of the Sewer Plans	Applicable
108.	Los Angeles County Fire Prevention Department	Site-specific development plans shall require review and approval by the Los Angeles County Fire Department with respect to adequate fire flows, emergency access and building construction standards.	Prior to Approval of Water Plans by the Water Provider	Applicable
109.	Planning	The applicant shall provide a pumper truck and patrol car prior to the issuance of the 250th Certificate of Occupancy, and provide a fully operational fire station of an acceptable size and location as determined by the Los Angeles County Fire Department Building and Safety by the 1,800 Certificate of Occupancy.	250th Certificate of Occupancy and 1,800th Certificate of Occupancy	Applicable
110.	Planning	If only one access is provided within Planning Area 3, the Applicant shall install fire sprinklers within all residential units, provide an additional 25 foot width on the access road, and provide a helipad for fire service access for approval by the Los Angeles County Fire Department prior to issuance of occupancy permits.	Prior to Approval of Development Permit Application	Not applicable since the Project is not within PA 3
111.	Planning	The applicant shall pay park fees or dedicate and construct the improvements for the proposed community, neighborhood, and specialty park facilities shown in the Specific Plan as approved by the Director of Parks and Recreation pursuant to Ordinance 789.	Prior to Approval of Development Permit Application	Applicable
112.	Planning	Prior to issuance of grading permits for each area of the Ritter Ranch Specific Plan, the applicant shall provide appropriate safety etiquette signs for all off-set trails, particularly at trail parking facilities and trail segments with limited sight distance, in order to minimize safety hazards to bicyclists, pedestrians, and equestrians (see Section IV.K for additional mitigation measure text).	On-going Element of Development of the Project	Applicable
113.	Planning	The applicant shall install lighting along pedestrian trails located within the urban areas to provide adequate public safety as determined appropriate by the City Traffic Engineer (see Section IV.K for additional mitigation measure text).	On-going Element of Development of the Project	Applicable
113a.	Planning	The trails plan for the Ritter Ranch Specific Plan shall be reviewed for consistency with any trails plan or recreation management plan that may be prepared for the portion of the Angeles National are inconsistent, the Ritter Ranch trails plan will be modified to conform with the Forest Service's plan.	Forest abutting the project area. Where the plans On-going Element of Development of the Project	Applicable

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114.	Planning	Information shall be provided as reviewed and approved by the City to business owners concerning the recycling services in the development area at the time of occupancy (see Section IV.K for additional mitigation measure text).	Prior to Receiving a Certificate of Occupancy for a Commercial Use	Not applicable since there are no "businesses" included in Phase 1A
115.	Planning	The applicant shall distribute an educational pamphlet to homeowners at the time of occupancy, describing the solid waste disposal problem and methods of reducing solid waste impacts that are available to project residents as reviewed and approved by the City.	On-going Element of Development of the Project	Applicable
116.	Planning	The applicant shall provide solid waste recycling center(s) onsite to serve commercial, active recreation, and residential areas, to the satisfaction of the City Director of Public Works (to be verified at design level review for each Development Application).	Prior Development Application Approval	Applicable
117.	Planning	Where applicable the applicant shall comply with the provisions of the City's Source Reduction and Recycling Element, and the City's Household Hazardous Waste Element, after those elements are adopted by the City Council.	Prior to Development Application Approval	Applicable

ATTACHMENT B

GEOTECHNICAL REVIEW

RMA GeoScience
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July 14, 2021 Project No. 21G-0324-0

RdR Development
1717 Main Street
Dallas, Texas 95201

Attention: Mr. John Dinan

Subject: Update Report
Ritter Ranch, Tracts 51508-1 & -2
Elizabeth Lake Road, Palmdale, CA

Gentlemen:

In order to prepare this report, our geologist completed a site reconnaissance on June 8, 2021 to make observations on the condition of the above referenced property. Tentative Tract 51508-1 (Lots 1, 3, 6, 8 and portions of Lot 12 adjacent to Ranch Center Drive), and Tracts 51605, 51606, 51607, 52093 and Tentative Tract 51508-2 (Tracts 51604, 52093 and 52116) were rough graded between April, 2005 and January, 2006 under the observation and testing of AGI Geotechnical Inc. The remainder of the site is ungraded with the exception of Westland Drive, a portion of Ritter Ranch Road, and the Channel Berm. Tentative Tract 51508-1 within Lots 1, 3, 6, 8 and portions of Lot 12 grading has not been completed.

The purpose of this report is to provide you with a description of our site observations and provide you with recommendations to restore the graded tracts to the condition that existed at the time grading was completed.

We appreciate the opportunity to be of service to you. If you have any questions regarding this report, please do not hesitate to contact us at your convenience.

Respectfully submitted,

RMA GeoScience

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SITE DESCRIPTION

The Ritter Ranch Planning Area 5 site consists of roughly 367.3 acres located approximately 4 miles west of the 14 freeway in the City of Palmdale, California, Figure 1 – Site Vicinity Map. The project site's Tentative Tracts (TTr) 51508-1 and -2 total approximately 266.8 acres. The planned development is situated south of Elizabeth Lake Road and includes undeveloped Tentative Tracts 51508-01, and rough graded Tracts 51604, 51605, 51606, 51607, 52093 and 52116 Figure 2 - Plot Plan. Within Tentative Tract 51508-01, two lots, Lot 1 (southeast corner Elizabeth Lake Road and Ranch Center Drive) and Lot 3 (east corner Ranch Center Drive and City Ranch Road) have been mass graded, Figure 2.

The surrounding properties are vacant and undeveloped with the exception of the Lazy "T" Ranch located on the southwest corner of Elizabeth Lake Road and Ranch Center Drive, the Southern California Edison power lines and towers located on the northwest-southeast trending property boundary and the Edison equipment enclosure located on the west side of Ranch Center Drive and Westland Drive "T" intersection. An offsite drainage basin is located west of the Edison Substation. Amargosa Creek flows from west to east across the northern portion of the property adjacent to Elizabeth Lake Road. A tributary creek flows from west to east across the northwestern most portion of the site within Tentative Tract 51508-1.

Paved roadways with curb and gutters have been constructed along Ranch Center Drive, City Ranch Road, Red Trail Drive, Park View Drive and Westland Drive. The interior tract roadways have not been paved. Concrete block walls partly encloses each of the residential tracts along the exterior roadways. The residential tracts acreage, number of lots and open spaces are summarized within Table I shown below.

TABLE I – Residential Tract Summary

Tract	Residential Acres	Residential Lots	Open Space Lots	Recreation Center
Tentative Tract 51508-1				
51605	23.74	125	5	
51606	12.10	60	1	1
51607	20.89	84	2	
Tentative Tract 51508-2				
51604	26.32	126	5	
52093	21.89	106	4	
52116	9.91	53	4	
Total	**114.85**	**554**	**21**	**1**

Rough grading for the site took place from April 2005 through February 2006 (AGI, 2006). Non residential grading occurred on Tentative Tract 51508-1 within Lot 1 (Information Center), a small portion of Lot 12 along the west side of Ranch Center Drive (Amphitheater) and Lot 3 (Recreation Center) from December 2005 through January 2007 (AGI, 2007). Within Tract 51508-3 along Ritter Ranch Road and Westland Drive, and the Channel Berm area rough grading was completed in the time interval of September 8 through October 1, 2014 (AGI, 2014). Typical cut/fill

grading techniques along with removal of unsuitable soils and replacement with compacted fill soils were employed during the rough grading process.

The backbone of the sewer and water lines have been installed along Ranch Center Drive, City Ranch Road, Westland Drive, Red Trail Drive, and Park View Drive. A portion of the sewer line was also placed along a utility easement located between Tract 51604 and Tentative Tract 51508-3 at the end of a grouping of eight cul-de-sacs.

SITE OBSERVATIONS

The surfaces of the graded pads and unpaved streets are covered with sparse to typically moderate growth of native grasses and brush. Stockpiles of soils have been placed at the entrance to the residential tracts as a means to block access to the interior of the tracts. Limited piles of trash have been dumped near some of the entrances of the residential tracts. Within the individual tracts, trash is limited to tires, minor construction and windblown debris with sporadic piles of house hold debris (Photo 1). Along City Ranch Road, concrete debris has been piled on the western end and along the north side (Photo 2). City Ranch Road, Red Trail Drive, and Parkview Drive have cracks and separations with weeds in need of repair (Photo 2). Graffiti covers various walls though out the two Tentative Tracts (Photo 3). Along Westland Drive in Tentative Tract 51508-2, some of the block walls are damaged with missing concrete blocks (Photo 4). Sand bags have been placed along streets to limit erosion.



***Photo 1**: Bags of house hold debris (TTr. 51508-2 Westside)*



***Photo 2**: Vegetation growing in street cracks and concrete debris, West end of City Ranch Road (TTr. 51508-1, (Tr. 51707).*



***Photo 3**: Graffiti on block walls (TTr. 51508-2, Westside)*

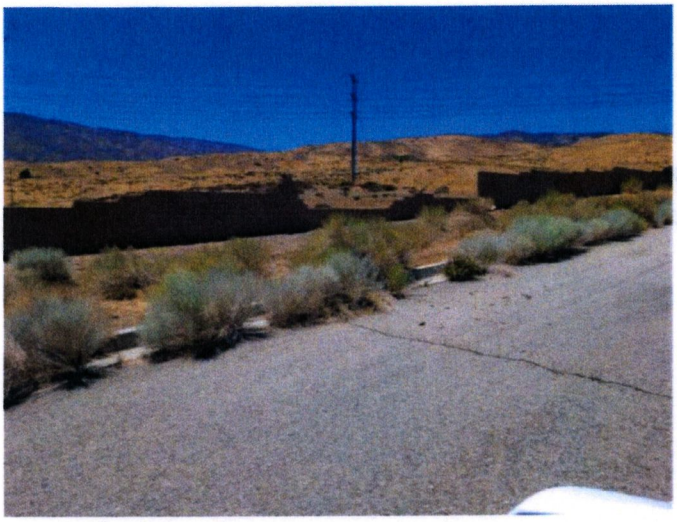


Photo 4: *Damaged block wall along western portion of City Ranch Road*



Photo 5: *Erosion along vertical cuts between pads and sidewalk area, Tentative Tract 51508-1 (Tract 51607) looking northeast.*

The surface of the pads are generally well compacted at grade with local areas that are loose. Based on observations made by excavating with a rock pick, the upper one foot of compacted fill has dried out and exists in a condition that is well below optimum moisture. Vertical cuts of four feet or less, between the pads and sidewalk and street have had the sand size and finer fraction eroded away (Photo 5). Limited animal burrows are scattered throughout the pads. Within Tentative Tract 51508-1, Tract 51606), five to six foot dirt piles are located on the two end lots located on the north side of the street of the two cul-de-sacs adjacent to the Edison easement. These same lots have retaining walls with planned 2:1 gradient slopes that have experienced minor erosion. It is emphasized that the planned 2:1 slopes need to be trimmed to achieve the planned 2:1 gradient (Photo 6 and 7). Overall the graded slopes within the development have performed well and appear to be in the same condition that existed at the completion of grading other than those described above within Tract 51606.



Photo 6: *Soil pile on left of photo and retaining walls on right.*



Photo 7: *Closer view of Photo 6 showing unfinished slope.*

The surfaces of the interior streets are more disturbed than the pads and are loose and dry in the upper one to two feet. Mud cracks and vehicle ruts up to 18 inches deep are located at the end of the cul-de-sacs within Tract 51607 near Red Trail Drive, Tract 51606 on the south side, and Tracts 51604 and 52116 at some of the 90 degree street turns. Within these areas, the moisture content is slightly higher with an increase in fines at the surface (Photo 8).



Photo 8: *Erosion along vertical cuts between pads and sidewalk area, Tentative Tract 51508-1 (Tract 51607) looking northeast*

North of Westland Drive on the east side of the TTr. 51508-2, concrete storm drain and clay sewer pipes are stored (Photo 9).

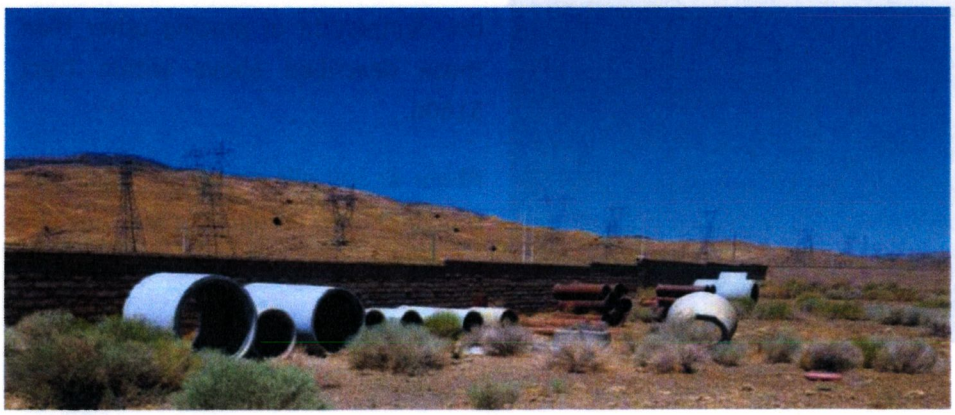


Photo 9: *Concrete and clay sewer pipes (TTr. 51508-2)*

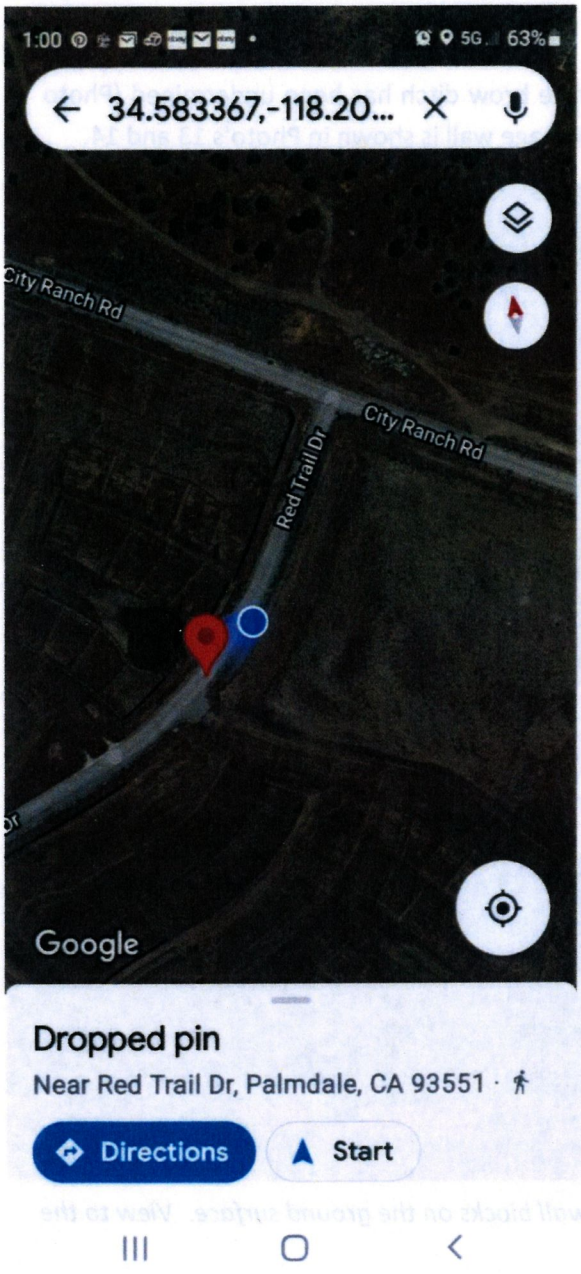


Photo 10: *Red dropped pin shows approximate location of open storm drain manhole (on left).*

On Red Trail Dr (TTr. 51508-1) a storm drain manhole cover and two sewer drain covers are missing. The storm drain manhole's approximate location is latitude 34.583367 and longitude -118. 205775 (Photo's 10, 11, and 12).

Photo 11: *Two sewer covers missing on Red Trial Road southwest of uncovered manhole (Below).*



Photo 12: *Storm drain manhole with missing cover (Below)*



Just south of the west end of City Ranch Road, the top of slope concrete brow ditch has been undermined (Photo 13). All other site brow ditches appear in good working order. Again, damage wall is shown in Photo's 13 and 14.

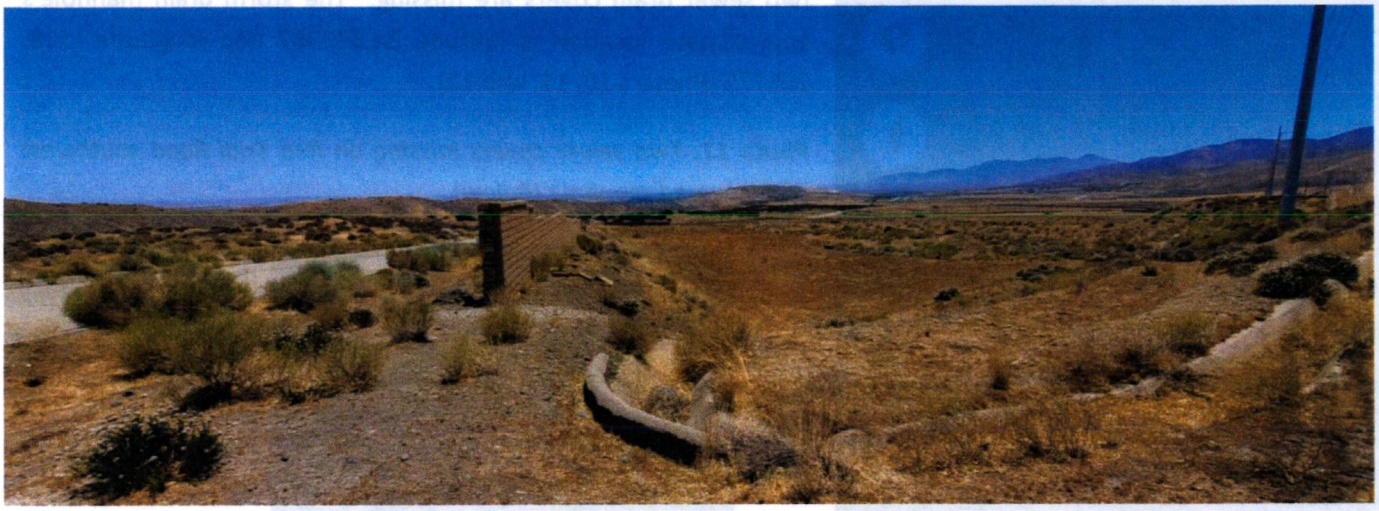


Photo 13: *West end of City Ranch Road on South side. View looking east. Note brow slight undermining of brow ditch and in med-ground block wall blocks lying on the right side of the wall.*

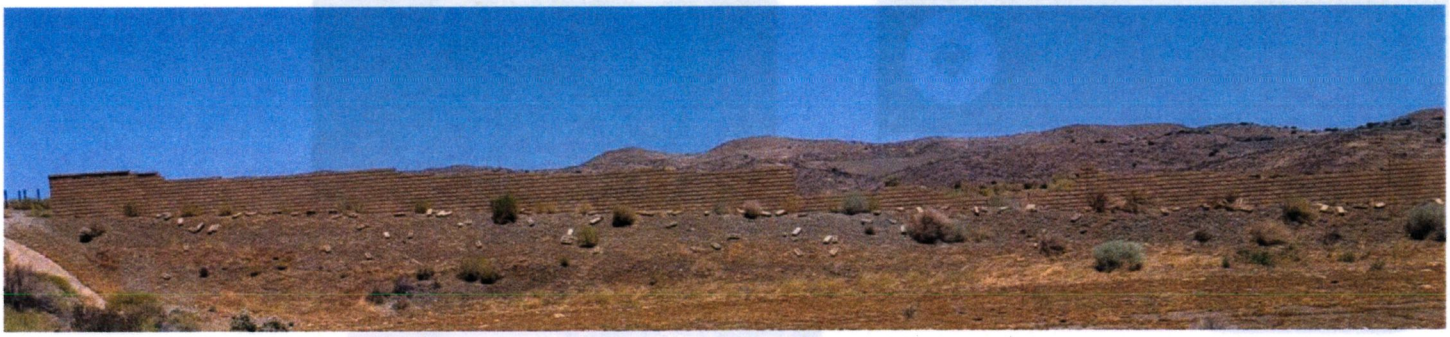


Photo 14: *West end of City Ranch Road on South side. Note concrete wall blocks on the ground surface. View to the north.*

On the northeastern most portion of TTr. 51508-1 (Lot 1), vegetation ranges in height of up to 4 feet (Photo 13). Concrete road barriers are stored near the toe of slope on the south side (Photo 14).



Photo 13: *Lot 1, TTr. 51508-1. Lake Elizabeth Road runs along the base of the lighter colored hill.*



Photo 14: *Lot 1, TTr. 51508-1, Concrete road barriers at south side of Lot.*

In summary the graded site has performed well.

Seismic Design Parameters

Mapped Spectral Accelerations were obtained by using the online ATC Calculator (ASCE 7-16 Standard) and a site class D-default was used for the project site based on seismic shear-wave survey results. Since the mapped risk-targeted maximum considered earthquake (MCE_R) spectral response acceleration parameter at a period of 1 second (S_1) is greater than 0.2, a ground motion hazard analysis is required per ACSE/SEI 7-16 to be performed in accordance with Section 21.2 for structures on Site Class D. However, instead of performing the ground motion hazard analysis, a long period coefficient (F_V) of 1.7 was used for calculation of S_{M1} and S_{D1}. The parameters generated for the subject site are presented in the following table:

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2019 California Building Code (CBC) Seismic Parameters

Parameter	Value
Site Location	Latitude = 34.58336 degrees
	Longitude = -118.20577 degrees
Site Class	Site Class = D-default
Mapped Spectral Accelerations	S_s (0.2- second period) = 2.489g
	S_1 (1-second period) = 1.061g
Site Coefficients (Site Class D-default)	Fa = 1.2
	Fv = 1.7
Maximum Considered Earthquake Spectral Accelerations (Site Class D-default)	S_{MS} (0.2- second period) = 2.987g
	S_{M1} (1-second period) = 1.804g
Design Earthquake Spectral Accelerations (Site Class D-default)	S_{DS} (0.2- second period) = 1.991g
	S_{D1} (1-second period) = 1.202g

For Risk Category II structures with mapped spectral response acceleration parameter at 1-s period (S_1) is greater than 0.75, the Seismic Design Category is E (ASCE 7-16 Section 11.6).

Peak earthquake ground acceleration adjusted for site class effects (PGA_M) has been determined in accordance with ASCE 7-16 Section 11.8.3 as follows: $PGA_M = F_{PGA} \times PGA = 1.2 \times 1.069g = 1.283g$.

RECOMMENDATIONS

All trash debris and soil piles should be removed from site. In order to restore the unpaved streets and building pads to the condition that existed at the completion of grading, it will be necessary to remove the native grasses and brush and rip and water the upper one foot of the building pads and the street areas. Once the soil has been watered to near optimum moisture content, the areas disturbed by ripping will need to be recompacted to 90% relative compaction.

In areas of the unpaved streets within the interior area of the site, where water has ponded and a more mature growth of vegetation has established itself, it will be necessary to remove the roots, moisture condition the soil and

restore compaction to 90%. The depth of removal is anticipated to be one to two feet in these localized areas.

The paved portion of the streets will require weed removed from existing separations and cracks. These cracks and separations should be sealed, and the roadways should be resurfaced.

Fine grading should be completed behind the retaining walls to establish the 2:1 (horizontal: vertical) slope gradient. Drainage swales should be completed to direct surface water to an approved drainage devise.

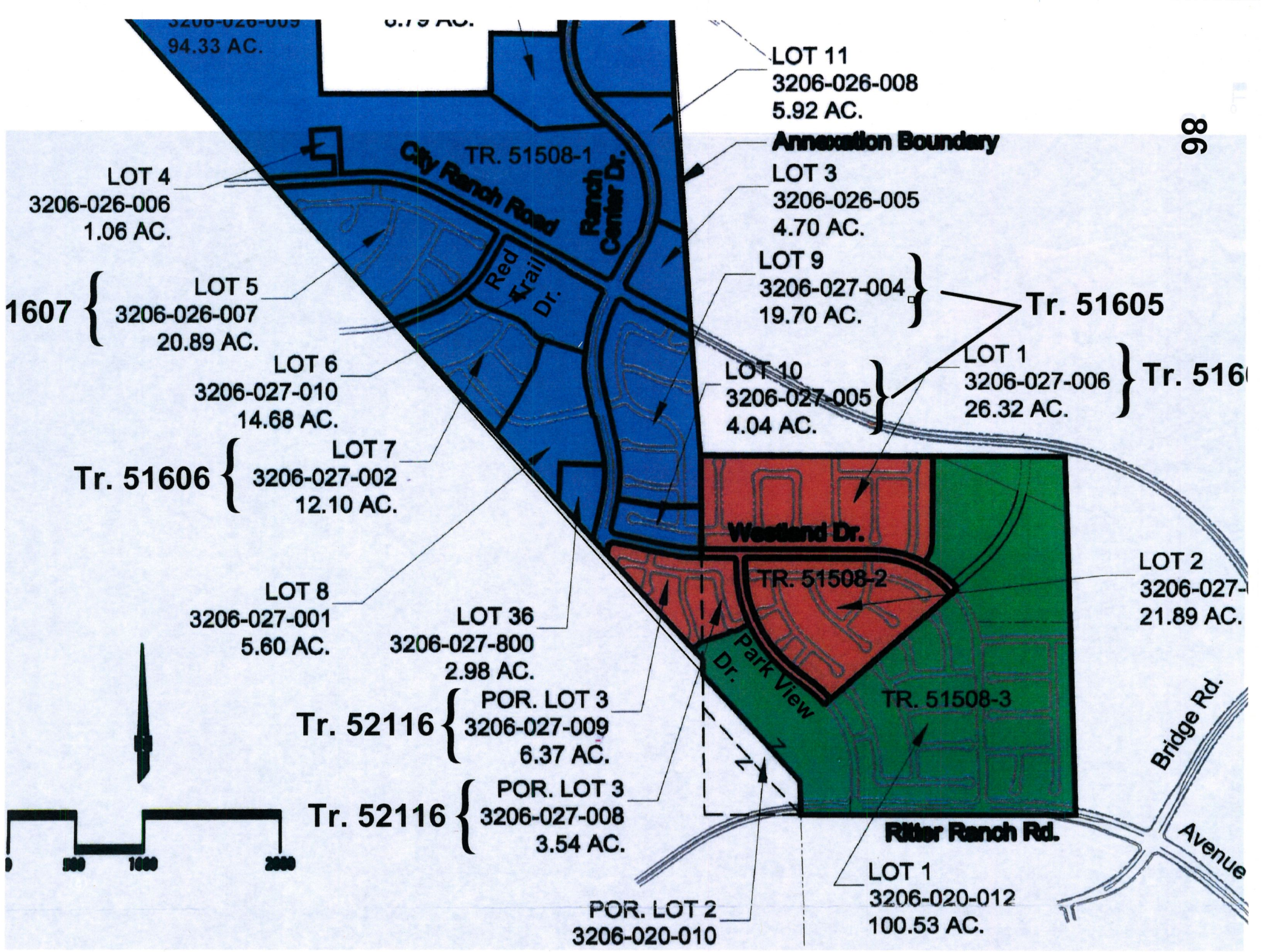
Of upmost urgency should be the replacement of the missing manhole cover followed by the two sewer caps.

All grading needs to be performed in accordance with the general earthwork and grading specifications presented in Appendix A.

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FIGURES


Elizabeth Lake Rd
Elizabeth Lake Rd
Elizabeth Lake Rd
Elizabeth Lake Rd
Elizabeth Lake Rd
Elizabeth Lake Rd
W Ave P 8
W Ave P 8
Ave P 8
Highland High School
Highland Ave
Highland Ave
Highland Ave
Summerwind Dr
Desert View Highlands
100th St W
Palmdale Regional Medical Center
Tierra Subida Ave
1
Tr. 51508-2
85


94.33 AC.
LOT 11
3206-026-008
5.92 AC.
Annexation Boundary
TR. 51508-1
City Ranch Road
Ranch Center Dr.
LOT 4
3206-026-006
1.06 AC.
LOT 3
3206-026-005
4.70 AC.
Red Trail Dr.
1607
LOT 5
3206-026-007
20.89 AC.
LOT 9
3206-027-004
19.70 AC.
Tr. 51605
LOT 6
3206-027-010
14.68 AC.
LOT 10
3206-027-005
4.04 AC.
LOT 1
3206-027-006
26.32 AC.
Tr. 516
Tr. 51606
LOT 7
3206-027-002
12.10 AC.
Westland Dr.
TR. 51508-2
LOT 2
3206-027-
21.89 AC.
LOT 8
3206-027-001
5.60 AC.
LOT 36
3206-027-800
2.98 AC.
Park View Dr.
TR. 51508-3
Tr. 52116
POR. LOT 3
3206-027-009
6.37 AC.
Tr. 52116
POR. LOT 3
3206-027-008
3.54 AC.
Bridge Rd.
Ritter Ranch Rd.
Avenue
LOT 1
3206-020-012
100.53 AC.
POR. LOT 2
3206-020-010
1000
2000
98

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APPENDIX A

General Earthwork

and

Grading Specifications

GENERAL EARTHWORK AND GRADING SPECIFICATIONS

A-1.00 GENERAL DESCRIPTION

A-1.01 Introduction

These specifications present our general recommendations for earthwork and grading as shown on the approved grading plans for the subject project. These specifications shall cover all clearing and grubbing, removal of existing structures, preparation of land to be filled, filling of the land, spreading, compaction and control of the fill, and all subsidiary work necessary to complete the grading of the filled areas to conform with the lines, grades and slopes as shown on the approved plans.

The recommendations contained in the geotechnical report of which these general specifications are a part of shall supersede the provisions contained hereinafter in case of conflict.

A-1.02 Laboratory Standard and Field Test Methods

The laboratory standard used to establish the maximum density and optimum moisture shall be ASTM D1557.

The insitu density of earth materials (field compaction tests) shall be determined by the sand cone method (ASTM D1556), direct transmission nuclear method (ASTM D2922) or other test methods as considered appropriate by the geotechnical consultant.

Relative compaction is defined, for purposes of these specifications, as the ratio of the in-place density to the maximum density as determined in the previously mentioned laboratory standard.

C-2.00 CLEARING

A-2.01 Surface Clearing

All structures marked for removal, timber, logs, trees, brush and other rubbish shall be removed and disposed of off the site. Any trees to be removed shall be pulled in such a manner so as to remove as much of the root system as possible.

A-2.02 Subsurface Removals

A thorough search should be made for possible underground storage tanks and/or septic tanks and cesspools. If found, tanks should be removed and cesspools pumped dry.

Any concrete irrigation lines shall be crushed in place and all metal underground lines shall be removed from the site.

A-2.03 Backfill of Cavities

All cavities created or exposed during clearing and grubbing operations or by previous use of the site shall be cleared of deleterious material and backfilled with native soils or other materials approved by the soil engineer. Said backfill shall be compacted to a minimum of 90% relative compaction.

A-3.00 Original Ground Preparation

A-3.01 Stripping of Vegetation

After the site has been properly cleared, all vegetation and topsoil containing the root systems of former vegetation shall be stripped from areas to be graded. Materials removed in this stripping process may be used as fill in areas designated by the soil engineer, provided the vegetation is mixed with a sufficient amount of soil to assure that no appreciable settlement or other detriment will occur due to decaying of the organic matter. Soil materials containing more than 3% organics shall not be used as structural fill.

A-3.02 Removals of Non-Engineered Fills

Any non-engineered fills encountered during grading shall be completely removed and the underlying ground shall be prepared in accordance to the recommendations for original ground preparation contained in this section. After cleansing of any organic matter the fill material may be used for engineered fill.

A-3.03 Overexcavation of Fill Areas

The existing ground in all areas determined to be satisfactory for the support of fills shall be scarified to a minimum depth of 6 inches. Scarification shall continue until the soils are broken down and free from lumps or clods and until the scarified zone is uniform. The moisture content of the scarified zone shall be adjusted to within 2% of optimum moisture. The scarified zone shall then be uniformly compacted to 90% relative compaction.

Where fill material is to be placed on ground with slopes steeper than 5:1 (H:V) the sloping ground shall be benched. The lowermost bench shall be a minimum of 15 feet wide, shall be a minimum of 2 feet deep, and shall expose firm material as determined by the geotechnical consultant. Other benches shall be excavated to firm material as determined by the geotechnical consultant and shall have a minimum width of 4 feet.

Existing ground that is determined to be unsatisfactory for the support of fills shall be overexcavated in accordance to the recommendations contained in the geotechnical report of which these general specifications are a part.

A-4.00 Fill Materials

A-4.01 General

Materials for the fill shall be free from vegetable matter and other deleterious substances, shall not contain rocks or lumps of a greater dimension than is recommended by the geotechnical consultant, and shall be approved by the geotechnical consultant. Soils of poor gradation, expansion, or strength properties shall be placed in areas designated by the geotechnical consultant or shall be mixed with other soils providing satisfactory fill material.

A-4.02 Oversize Material

Oversize material, rock or other irreducible material with a maximum dimension greater than 12 inches, shall not be

placed in fills, unless the location, materials, and disposal methods are specifically approved by the geotechnical consultant. Oversize material shall be placed in such a manner that nesting of oversize material does not occur and in such a manner that the oversize material is completely surrounded by fill material compacted to a minimum of 90% relative compaction. Oversize material shall not be placed within 10 feet of finished grade without the approval of the geotechnical consultant.

A-4.03 Import

Material imported to the site shall conform to the requirements of Section 4.01 of these specifications. Potential import material shall be approved by the geotechnical consultant prior to importation to the subject site.

A-5.00 Placing and Spreading of Fill

A-5.01 Fill Lifts

The selected fill material shall be placed in nearly horizontal layers which when compacted will not exceed approximately 6 inches in thickness. Thicker lifts may be placed if testing indicates the compaction procedures are such that the required compaction is being achieved and the geotechnical consultant approves their use.

Each layer shall be spread evenly and shall be thoroughly blade mixed during the spreading to insure uniformity of material in each layer.

A-5.02 Fill Moisture

When the moisture content of the fill material is below that recommended by the soils engineer, water shall then be added until he moisture content is as specified to assure thorough bonding during the compacting process.

When the moisture content of the fill material is above that recommended by the soils engineer, the fill material shall be aerated by blading or other satisfactory methods until the moisture content is as specified.

A-5.03 Fill Compaction

After each layer has been placed, mixed, and spread evenly, it shall be thoroughly compacted to not less than 90% relative compaction. Compaction shall be by sheepsfoot rollers, multiple-wheel pneumatic tired rollers, or other types approved by the soil engineer.

Rolling shall be accomplished while the fill material is at the specified moisture content. Rolling of each layer shall be continuous over its entire area and the roller shall make sufficient trips to insure that the desired density has been obtained.

A-5.04 Fill Slopes

Fill slopes shall be compacted by means of sheepsfoot rollers or other suitable equipment. Compacting of the slopes

may be done progressively in increments of 3 to 4 feet in fill height. At the completion of grading, the slope face shall be compacted to a minimum of 90% relative compaction. This may require track rolling or rolling with a grid roller attached to a tractor mounted side-boom.

Slopes may be over filled and cut back in such a manner that the exposed slope faces are compacted to a minimum of 90% relative compaction.

The fill operation shall be continued in six inch (6") compacted layers, or as specified above, until the fill has been brought to the finished slopes and grades as shown on the accepted plans.

A-5.05 Compaction Testing

Field density tests shall be made by the geotechnical consultant of the compaction of each layer of fill. Density tests shall be made at locations selected by the geotechnical consultant.

Frequency of field density tests shall be not less than one test for each 2.0 feet of fill height and at least every one thousand cubic yards of fill. Where fill slopes exceed four feet in height their finished faces shall be tested at a frequency of one test for each 1000 square feet of slope face.

Where sheepsfoot rollers are used, the soil may be disturbed to a depth of several inches. Density reading shall be taken in the compacted material below the disturbed surface. When these readings indicate that the density of any layer of fill or portion thereof is below the required density, the particular layer or portion shall be reworked until the required density has been obtained.

A-6.00 SUBDRAINS

A-6.01 Subdrain Material

Subdrains shall be constructed of a minimum 4-inch diameter pipe encased in a suitable filter material. The subdrain pipe shall be Schedule 40 Acrylonitrile Butadiene Styrene (ABS) or Schedule 40 Polyvinyl Chloride Plastic (PVC) pipe or approved equivalent. Subdrain pipe shall be installed with perforations down. Filter material shall consist of 3/4" to 1 1/2" clean gravel wrapped in an envelope of filter fabric consisting of Mirafi 140N or approved equivalent.

A-6.02 Subdrain Installation

Subdrain systems, if required, shall be installed in approved ground to conform the approximate alignment and details shown on the plans or herein. The subdrain locations shall not be changed or modified without the approval of the geotechnical consultant. The geotechnical consultant may recommend and direct changes in the subdrain line, grade or material upon approval by the design civil engineer and the appropriate governmental agencies.

C-7.00 Excavations

C-7.01 General

Excavations and cut slopes shall be examined by the geotechnical consultant. If determined necessary by the geotechnical consultant, further excavation or overexcavation and refilling of overexcavated areas shall be performed, and/or remedial grading of cut slopes shall be performed.

A-7.02 Fill-Over-Cut Slopes

Where fill-over-cut slopes are to be graded the cut portion of the slope shall be made and approved by the geotechnical consultant prior to placement of materials for construction of the fill portion of the slope.

A-8.00 Trench Backfill

A-.01 General

Trench backfill within street right of ways shall be compacted to 90% relative compaction as determined by the ASTM D1557 test method. Backfill may be jetted as a means of initial compaction; however, mechanical compaction will be required to obtain the required percentage of relative compaction. If trenches are jetted, there must be a suitable delay for drainage of excess water before mechanical compaction is applied.

A-9.00 Seasonal Limits

A-9.01 General

No fill material shall be placed, spread or rolled while it is frozen or thawing or during unfavorable weather conditions. When the work is interrupted by heavy rain, fill operations shall not be resumed until field tests by the soils engineer indicate that the moisture content and density of the fill are as previously specified.

A-10.00 Supervision

A-10.01 Prior to Grading

The site shall be observed by the geotechnical consultant upon completion of clearing and grubbing, prior to the preparation of any original ground for preparation of fill.

The supervisor of the grading contractor and the field representative of the geotechnical consultant shall have a meeting and discuss the geotechnical aspects of the earthwork prior to commencement of grading.

A-10.02 During Grading

Site preparation of all areas to receive fill shall be tested and approved by the geotechnical consultant prior to the placement of any fill.

The geotechnical consultant or his representative shall observe the fill and compaction operations so that he can provide an opinion regarding the conformance of the work to the recommendations.

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APPENDIX B

REFERENCES

REFERENCES

AGI Geotechnical, Inc., Rough Grade Compaction Report "Right of Ways, Medians, and Channel Berm, Tract: 51508-03, "Ritter Ranch", Palmdale, California, December 17, 2014

AGI Geotechnical, Inc., Rough Grade Compaction Report "Ritter Ranch" Tract 51508-01, Lot 1 – Information Center, Ranch Center Drive Amphitheater, Lot 3 – Recreation Center, Palmdale, California, April 12, 2007

AGI Geotechnical, Inc., Response to Review Comments, Tentative Tract 51508-03, Palmdale, California, March 14, 2007

AGI Geotechnical, Inc., Soils Compaction Report "Ritter Ranch" Tract 51508-01, 51508-02, Trench Backfill: Backbone- Water Mains, Palmdale, California, February 1, 2007

AGI Geotechnical, Inc., Response to Comments for Geotechnical Investigation, Tentative Tract 51508-03 Ritter Ranch, Palmdale, California, January 30, 2007

AGI Geotechnical, Inc., Soils Compaction Report "Ritter Ranch", Tract 51508-01, 51508-02, Trench Backfill: Backbone- Sewer Mains & Manholes-PC No. 94-16 & 94-21, Palmdale, California, January 12, 2007

AGI Geotechnical, Inc., Geotechnical Review Of Mass Grading Plans And Response To Comments For Geotechnical Investigation, Tentative Tract 51508-03, Ritter Ranch, Palmdale, California, September 12, 2006

AGI Geotechnical, Inc., Addendum Report, December 4, 2006

AGI Geotechnical, Inc., Rough Grade Compaction Report, Ritter Ranch Phase 1—Tentative Tract 51508, Tracts 51604, 51605, 51606, 51607, 52093, and 52116, Palmdale, California, April 24, 2006

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ATTACHMENT C

NOISE ASSESSMENT

URBAN CROSSROADS

urbanxroads.com

December 6, 2021

Mr. Fernando Dutra
RdR Development Holdings, LLC
1717 Main Street, Suite 3900
Dallas, TX 72501

SUBJECT: RITTER RANCH SPECIFIC PLAN PHASE 1A NOISE ASSESSMENT

Dear Mr. Fernando Dutra:

Urban Crossroads, Inc. is pleased to provide the following Noise Assessment for the Ritter Ranch Specific Plan Phase 1A (Project). The purpose of this work effort is to determine if the Project will create any new or more severe off-site traffic noise impacts on any nearby roadway segments than what were previously disclosed in the Ritter Ranch Specific Plan Final Environmental Impact Report (FEIR). To evaluate the Project noise impacts, this Noise Assessment describes the background of the previously adopted FEIR, outlines the current regulatory settings, reviews the potential noise impacts disclosed in the FEIR, and determines if the Project has a potential for new or substantially more severe impacts compared to what was previously identified.

BACKGROUND

The FEIR adopted in 1992 consists of the 10,625-acre Ritter Ranch Specific Plan area and approximately 449-acres on several adjacent parcels also proposed by the City of Palmdale for annexation (Other Annexation Areas). The Project study area is located in the southwest foothills of the Antelope Valley, generally bound by Elizabeth Lake Road to the north, the Angeles National Forest and community of Leona Valley to the west, Sierra Pelona Ridge to the south, and the City Ranch Specific Plan area to the east. RdR Development Holdings, LLC is currently requesting approval of Vesting Tentative Tract Maps (VTTMs) 51604, 51605, 51606, 51607, 52093 and 52116, which collectively encompass approximately 114.8 acres, and implement a portion of Planning Area 5 of the Ritter Ranch Specific Plan (Phase 1 Development). Up to 553 dwelling units are included on these VTTMs.

RITTER RANCH FEIR NOISE IMPACTS

The FEIR noise analysis considered both the off-site traffic impacts on study area roadway segments from the project related traffic and the on-site traffic noise levels impacting the planned Ritter Ranch residential dwelling units. The FEIR analysis relies on the Noise and Land Use Compatibility Standards established by the Department of Health Services Office of Noise Control. In addition, the FEIR describes the Draft City of Palmdale General Plan Noise Element target noise exposure level of 60 dBA CNEL for residential and other noise-sensitive land uses.

OFF-SITE TRAFFIC

The FEIR determined that the increase in off-site traffic noise levels will be a function of traffic volumes generated and will, therefore gradually increase as Ritter Ranch and surrounding areas are developed. Noise exposure will accordingly undergo a period of long-term transition during planned land use intensification. According to the FEIR, project-related incremental traffic volume increases will result in an ***unavoidable significant*** off-site project-related traffic impact. To minimize the potential off-site traffic noise impacts, the FEIR included the following noise mitigation measure.

- #52 The measures that may be utilized to reduce noise impacts include placement of non-residential buildings adjacent to the arterial roadway, increasing the setbacks along the roadway, creation of landscaped berms or other unobtrusive barriers. The acceptable noise level CNEL which will be applied to future projects will be that level which is in place, either by ordinance, resolutions, or General Plan policy, at the time that future development applications are deemed complete.

ONSITE TRAFFIC

The FEIR acknowledged that the Ritter Ranch development plans are not yet sufficiently detailed as to allow for the specific identification of noise constraints or mandatory mitigation measures on any individual parcel. Therefore, the FEIR determined that site specific noise study will, therefore be required as development applications are filed in order to adequately protect each community from exterior traffic noise intrusion.

The FEIR describes a variety of noise mitigation options for the primarily residential land uses including the use of perimeter noise walls or berms, placement of parking facility for multifamily dwellings near the street as a barrier or location commercial uses near the roadway to act as a barrier for residential uses away from the street. According to the FEIR, with implementation of the recommended noise mitigation measures, the on-site noise impacts of the Project are anticipated to be ***less than significant***.

REGULATORY SETTING

The City of Palmdale General Plan Noise Element was adopted on January 25, 1993 shortly after the approval of the Ritter Ranch FEIR. To control transportation-related noise sources such as arterial roads, freeways, airports, and railroads, the City of Palmdale established policies to minimize the exposure of residents to excessive noise.

Policy N1.1.2 restricts noise sensitive land uses near existing or future air, rail or highway transportation noise sources unless mitigation measures have been incorporated into the design of the project to reduce the noise levels at the noise sensitive land use to less than 65 dBA CNEL at all exterior living spaces including but not limited to, single-family yards and multi-family patios, balconies, pool areas, cook-out areas and related private recreation areas. The adopted exterior noise standard of 65 dBA

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CNEL represents an increase of 5 dBA CNEL over the Draft City of Palmdale General Plan Noise Element target noise exposure level of 60 dBA CNEL identified in the FEIR.

POTENTIAL NOISE IMPACTS

The FEIR recognized the development plans are not yet sufficiently detailed as to allow for the specific identification of noise constraints or mandatory mitigation measures on any individual parcel and recommended site-specific noise studies in order to adequately protect each community from exterior traffic noise. A review of the FEIR shows that both the off-site and on-site traffic noise level impacts were fully considered for Ritter Ranch. Therefore, no additional environmental traffic noise documentation pursuant to CEQA is needed to support the Project. This noise analysis demonstrates that the there is no potential for new or substantially more severe Project impacts compared to what was previously identified. If you have any questions, please contact me directly at (949) 336-5979.

Respectfully submitted,

URBAN CROSSROADS, INC.

Bill Lawson, P.E., INCE
Principal

EXHIBIT VI

DRAFT

CONDITIONS OF APPROVAL
VESTING TENTATIVE TRACT MAP NO. 51604

APPROVAL DATE: FEBRUARY 10, 2022
EFFECTIVE DATE: FEBRUARY 22, 2022
EXPIRATION DATE FOR VTTM 51604: FEBRUARY 22, 2025

These Conditions of Approval apply to Vesting Tentative Tract Map (VTTM) 51604; a request to subdivide approximately 26 acres into 131 lots for the purpose of constructing 126 single-family residences within Planning Area five of the Ritter Ranch Specific Plan. For the purpose of these conditions, the term "applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval. For the purposes of these conditions, an * indicates that the condition is a mitigation measure.

GENERAL CONDITIONS:

1 This approval shall become null and void if a final map has not been timely filed prior to the expiration date in accordance with provisions of the Subdivision Map Act. An extension of time may be granted by the Planning Commission upon submittal of a formal application, required exhibits and appropriate fees in accordance with the Palmdale Municipal Code (PMC). In granting any such time extension, the City of Palmdale may impose new conditions and standards on the tentative map, pursuant to Section 66452.6(e) of the Government Code. (P)(E)

2 This Vesting Tentative Tract Map is granted for all boundary lines, easements, rights-of-way, and construction of off-site improvements as shown on the map date stamped 'Received November 8, 2021', as modified by these Conditions of Approval. Final map(s) shall be in substantial compliance with the tentative map and these Conditions of Approval. (P)(E)

3 This approval shall not be final until an agreement (Agreement No. A-7796) has been executed between the City of Palmdale and the Applicant to replace the prior Development Agreement (Development Agreement 92-1, as amended in the First Amendment to Development Agreement 92-1) for the Ritter Ranch Specific Plan. This project shall be subject to all applicable provisions of the agreement. (P)

4 As provided in Section 66498.1(b) of the Subdivision Map Act, the applicant shall comply with all requirements of the PMC, all requirements of City of Palmdale ordinances, resolutions, and all standards and policies that were in effect at the time that the applicant's application for a vesting tentative map was deemed complete.

5 As provided in Government Code Section 66498.1(e), as amended, the City may impose conditions on subsequently required approvals and permits as authorized by the PMC, and other applicable ordinances, resolutions, engineering standards, and policies. (P)(E)

6 Pursuant to Section 66452.6(g), vested development rights conferred pursuant to Section 66498.1(b) shall last for not more than two years following recording of the final map, unless otherwise provided by law. (P)(E)

7 When exhibits and written conditions of approval are inconsistent, the written conditions shall prevail. Where the language of any condition of this approval conflicts with any mitigation measure in the Final Environmental Report, the language contained in the Environmental Report shall prevail. (P)(E)

8 Off-site public improvements (streets, drainage, sewers, etc.) may be necessary to adequately serve this subdivision. If off-site public improvements are required, said improvements shall be located within public easements. This tentative map approval is subject to the applicant's acceptance of the City of Palmdale's requirements for acquisition of said public easements, including the applicant's financial responsibility. The City Engineer shall have the authority to withhold approval of any affected improvement plans for failure to satisfy this condition. (E)

9 The applicant shall participate in such on-site and off-site water service improvements as may be required by the serving water purveyor. (E)

10 Coordination with utility companies by the applicant's engineer during design shall be required in order to ensure that required public improvements are not in conflict with existing or proposed utilities. (E)

11 * The applicant shall comply with the provisions of Chapter 3.40 (Traffic Impact Fee Requirements) of the PMC. The applicant shall pay the applicable traffic impact fees to the Building and Safety Division in the amount that is in effect at the time the vesting tentative map application was deemed complete (Mitigation Measure No. 77). (TE)

12 * The applicant shall comply with all provisions of PMC Chapter 14.05 (Mitigation Measure No. 106). (E)

13 The applicant shall use best efforts to coordinate all elements of design and planning of transportation facilities with the developer of the Anaverde Nuevo Specific Plan at the mutual project boundaries. (P)(E)(B&S)

14 The Specific Plan identifies various meandering facilities on the street sections. Such features shall be incorporated into the roadway designs, as approved by the City Engineer and Planning Manager. (P) (E)

15 Left-turn ingress and/or egress at all access locations is subject to approval of the City Traffic Engineer and may be restricted in the future due to traffic operational or safety concerns. Alternatives to such restrictions may be considered. (TE)

16 Any interim drainage basins, levee and channel improvements referenced in Conceptual Drainage Studies shall be the responsibility of the master subdivider to maintain in accordance with the subdivision improvement agreement for VTM 51508 or an entity acceptable to the City. (E)

17 The subdivider shall install all drainage improvements within the subdivision not installed by the CFD 93-1. (E)

18 If any "T" intersection does not have driveways that are suitable for use by the handicapped opposite the approach of the third leg of the intersection, then handicapped ramps shall be installed. (TE)

19 * All road improvements shall be designed in accordance with City of Palmdale and Ritter Ranch Specific Plan roadway design standards as approved by the City Engineer. (Mitigation Measure No. 72) (TE)

20 The final map shall include a trustee statement subordinating of the lien of the deed of trust to the map for rights-of-way and easements necessary to serve the surrounding areas. (E)

21 The subdivider has provided the City with notice of intent to file multiple final maps on this Vesting Tentative Tract Map. In the event that the applicant files a final map with respect to any phase or phases of the Vesting Tentative Tract Map less than one year from a previous filing of a final map for the project, the applicant shall be entitled to only one automatic extension pursuant to Government Code Section 66452.6(a) for those filings. (E)

22 The subdivider shall be responsible for providing all necessary infrastructure improvements to the satisfaction of the City Engineer, for each final map filed. This shall include but shall not be limited to providing sanitary sewer and potable water connections, providing adequate drainage facilities, and providing any additional roadway improvements deemed necessary by the City Engineer to provide adequate public and emergency access. Tract phasing is outlined on Vesting Tentative Phased Tract Maps, stamped 'Received November 8, 2021'. In the event that the subdivider wishes to modify the phase boundaries, or the order in which the phases are recorded, the subdivider shall process a Major Modification application to the approved Vesting Tentative Tract Map for review and approval by the Planning Commission. In the event that one phase is constructed before the other(s), the subdivider shall construct and/or bond for all public improvements necessary to ensure public health, safety and welfare, including but not limited to the following infrastructure improvements: (E)

22.1 Minimum required improvements for Phase 1 shall include infrastructure and roadway improvements within the phase boundary and include the following:

22.1.1 A temporary turn-around at the northerly Phase 1 boundary line on Street 'NN';

22.1.2 Acquire the necessary road easements to construct full street improvements, including all infrastructure shall be provided for Street 'X';

22.1.3 All infrastructure improvements including water, sewer, and drainage, shall be constructed to connect to existing mainline facilities.

22.2 If Phase 2 precedes Phase 1, all infrastructure and roadway improvements within the phase boundary and include the following:

22.2.1 A temporary turn-around at the southerly Phase 2 boundary line on Street 'NN';

22.2.2 Phase 1 shall be rough graded to approximate ultimate drainage patterns and to divert runoff from the tract shown as Phase 2.

22.2.3 Interim drainage facilities must be provided to outlet from Street 'NN' to Westland Drive;

22.2.4 All infrastructure improvements including water, sewer, and drainage, shall be constructed to connect to existing mainline facilities.

23 * Adequate emergency access and circulation throughout and around the project shall be provided to the satisfaction of the Los Angeles County Sheriff's Department and Los Angeles County Fire Department. Temporary emergency access shall be provided during project construction. (Mitigation Measure No. 92) (E)

24 * Prior to subsequent approvals, energy conservation practices, as required by the Subdivision Map Act, Building Energy Efficiency Standards (California Energy Commission), and state and local laws, shall be incorporated into the design of the project to have the secondary effect of limiting stationary source pollutants both on and offsite. (Mitigation Measure 28) (P)

25 * Projects that exceed AVAQMD threshold levels shall contribute to the Traffic mitigation programs imposed on the development in effect at such time building permits are issued for the project, and each part thereof. (Mitigation Measure 30) (P)

26 * Prior to Development Application approvals, focused surveys shall be conducted by a City-approved biologist to establish the presence or absence of sensitive species (as defined by Federal, State, or Local laws) on the development site. Should sensitive species be present, applicable mitigation shall be implemented per Federal, State and Local Endangered Species Protection regulations as determined necessary by the City Planning Manager. (Mitigation Measure 48) (P)

27 * Development along internal and adjacent arterials will incorporate design measures or structural measures which will reduce noise levels to acceptable levels within the living or recreational portions (as defined by the City) of any lot. The measures that may be utilized to reduce noise impacts include placement of non-residential buildings adjacent to the arterial roadway, increasing the setbacks along the roadway, creation of landscaped berms or other unobtrusive barriers. The acceptable noise level CNEL which will be applied to future projects will be that level which is in place, either by ordinance, resolution, or General Plan policy,

at the time that future development applications are deemed complete. (Mitigation Measure 52) (P)

28 * Where necessary, noise mitigation measures such as barriers or sound walls, shall be employed to ensure that acceptable noise levels at the proposed parks are not exceeded. (Mitigation Measure 53) (P)

29 * Any lights used to illuminate the parking areas, driveways, and other exterior or interior areas, shall be designed and located so that direct lighting is confined to the property. The applicant shall submit photometric lighting plans for commercial, multi-family and recreational projects. In addition to directional lighting, lighting should not be of greater intensity (wattage) than otherwise necessary for public safety. (Mitigation Measure 60) (P)

30 * The Applicant shall annually evaluate all design guidelines, development standards and mitigation measures for the Ritter Ranch Specific Plan, submitting a Monitoring Report to the Planning Manager the first quarter of each year through buildout of the project. In addition, the applicant shall submit aerial photos of the project site taken on monthly basis when grading is occurring. Monitoring and verification of compliance with adopted applicable Specific Plan development standards shall also be performed prior to subsequent approvals, to determine if the proposed measures are achieving their intended purpose. To the extent allowed by law, future discretionary approvals may include additional conditions of approval based upon City staff review of the Annual Monitoring Report. Nothing in this mitigation measure shall be construed to permit environmental review beyond the extent permitted by State law. (Mitigation Measure 66) (P)

31 * All project homeowners and tenants shall be advised of potential health risks associated with power transmission lines prior to close of escrow/execution of rental lease. The content and form of said notification shall be indicated in the applicable escrow, deed and/or lease documents in a format acceptable to the City Attorney. (Mitigation Measure 71)

32 * A final report summarizing findings, including an itemized inventory, contextual stratigraphic data, and photographs shall accompany any fossils collected onsite to the designated repository, with an additional copy sent to the City of Palmdale Planning Division. (Mitigation Measure 91) (P)

33 * Adequate lighting shall be provided to enhance crime prevention and law enforcement efforts to the satisfaction of the Los Angeles County Sheriff's

Department and the City Traffic Engineer, including along pedestrian trails. Lights shall be designed and located so that direct lighting is confined, and lighting should not be of greater intensity than necessary for public safety. (Mitigation Measures 93 and 117) (P)

34 * Onsite telephone facilities shall be provided by utilizing joint trenches. (Mitigation Measure 100) (P)(B&S)

35 * As required by state law, the following water conservation measures shall be incorporated into the project: (P)(B&S)

35.1 Low-flush toilets and urinals;
35.2 Low-flow showers and faucets;
35.3 Insulation of hot-water lines in water recirculating systems;
35.4 All fixtures shall be California Energy Commission (CEC) certified; and,
35.5 Public lavatory facilities must be equipped with self-closing valves. (Mitigation Measure 105)

36. * The following water conservation measures shall be implemented where applicable and feasible: (P)(B&S)

36.1 Interior

36.1.1 Supply line water pressure greater than 50 pounds per square inch (psi) shall be reduced to 50 psi or less by means of a pressure reducing valve.
36.1.2 Drinking fountains shall be equipped with self-closing valves.
36.1.3 Laundry facilities shall use water-conserving models of washers.
36.1.4 Ultra low-flush toilet (1-1/2 gallons per flush) shall be installed in all new construction.

36.2 Exterior

36.2.1 Landscape with low water-consuming plants wherever feasible.
36.2.2 Minimize use of lawn by limiting it to lawn-dependent uses, such as playing fields. When lawn is used, require warm season grasses.
36.2.3 Group plants of similar water use to reduce overirrigation of low-water-using landscaping.
36.2.4 Provide information to project residents and tenants regarding benefits of low-water using plants.

36.2.5 Use mulch extensively in all landscape areas. Mulch applied on top of soil will improve the water-holding capacity of the soil by reducing evaporation and soil compaction.

36.2.6 Preserve and protect existing trees and shrubs. Established plants are often adapted to low-water-using conditions and their use saves water needed to establish replacement vegetation.

36.2.7 Install efficient irrigation systems which minimize runoff and evaporation and maximize the water which will reach the plant roots. Drip irrigation, soil moisture sensors and automatic irrigation systems are a few methods to consider in increasing irrigation efficiency and may be feasible for the project.

36.2.8 Use pervious paving material whenever feasible to reduce surface water runoff. (Mitigation Measure 106)

37 * The applicant shall distribute an educational pamphlet to homeowners at the time of occupancy describing the solid waste disposal problem, and methods of reducing solid waste impacts that are available to protect residents as reviewed and approved by the City. (Mitigation Measure 119) (P)(B&S)

38 * Where applicable, the applicant shall comply with the provisions of the City's Source Reduction and Recycling Element and the City's Household Hazardous Waste Element after those elements are adopted by the City Council. (Mitigation Measure 122) (P)(B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE STAMPING OF THE TENTATIVE MAP FOR CONDITION COMPLIANCE:

39 All plans, specifications, studies, reports, calculations, maps, notes, legal documents, and designs shall be prepared and signed (and stamped where required) only by those individuals legally authorized to do so. Plans for public improvements shall be prepared, signed, and stamped by a California Registered Civil Engineer. (E)

40 The location of method of operation of any vehicle restricting gates shall be subject to the approval of the Los Angeles County Fire Department and the City Engineer. Residents shall not be required to pay additional costs to receive devices to open a security gate. (TE)(F)

41 Street 'PP' shall be widened to a curb-to-curb width of 44 feet on its approach to Westland Drive for a distance of 200 feet and transitioned to the normal street width. Design shall be subject to the approval of the City Engineer. (TE)

THE FOLLOWING CONDITIONS SHALL BE ADDRESSED WITH THE SUBMITTAL OF GRADING PLANS OR PRIOR TO ISSUANCE OF A GRADING PERMIT:

42 The applicant shall enter into a Subdivision Improvement Agreement and post securities for grading operations with the City and pay all applicable fees. Grading activities extending beyond phase boundaries shall require prior approval of the City Engineer and Planning Manager. Such grading activity shall be reflected in the subdivision improvement agreement of the phase which request such grading. (E)

43 Grading and wall plans shall be submitted for review and approval to the Engineering Division. Approval by both the City Engineer and Planning Manager shall be obtained prior to the issuance of a grading permit. Perimeter walls shall be consistent with the design and materials of any previously approved adjacent perimeter wall to provide continuity of the streetscape. Final grading and wall concepts shall be in substantial conformance with those shown on the tentative map, conceptual grading plan, Ritter Ranch Specific Plan, Planned Development document, and in accordance with the following: (P)(E)

43.1 All corner lots shall contain a decorative masonry block wall on the street side of the lot.

43.2 All interior property line walls, if proposed, shall be constructed of masonry, wrought iron, durable vinyl, or other similar durable materials as approved by the Planning Manager.

44 In all cases where a required wall is to be located adjacent to the top of a 2:1 or greater slope, the wall shall be set back a minimum of two and one-half feet from the crest of that slope on the level side. All slope and wall configurations shall meet the setback requirements of the City Building Code. (P)(E)(B&S)

45 The exterior face and footings of all project perimeter walls shall be located no more than two inches from the property line on the subject property. (P)(E)

46 Double boundary walls between developments are prohibited except as approved by the Planning Manager and City Engineer. (P)(E)

47 The final grading plan shall indicate that all rear and interior side yard slopes are up slopes to property lines as indicated on the tentative map. (P)(E)

48 All manufactured slopes on or adjacent to project boundaries shall meet the setback requirements of the current City Building Code and Planned Development. A recorded off-site Slope Acceptance Letter from all affected property owners shall be submitted to the City Engineer prior to approval of grading plans for any slope not meeting these requirements. In addition, slopes are required to meet City Standards with respect to erosion control. (E)(B&S)

48.1 Developer shall install all landscaping in rights-of-way, landscaping easements, in parks, in residential common areas and open spaces, and on slopes, the last in accordance with the provisions of the Specific Plan and Planned Development;

48.2 All slopes accessible from a public right-of-way shall be privately maintained until the City accepts maintenance or transferred to a private Homeowners Association entity;

48.3 The City, through a special district formed by the City, may elect to accept landscape maintenance responsibility for certain privately owned slopes abutting major arterials. Upon such election, the developer shall dedicate or cause to be dedicated to permit access to carry out such maintenance. The developer shall warrant all such landscaping for a period of one (1) year after the completion of the installation thereof.

49 The applicant shall submit a temporary erosion control and sedimentation plan for approval by the City Engineer prior to grading plan approval and grading permit issuance when grading activity will occur between October 1st and April 15th. (E)

50 * Disturbed and un-landscaped areas shall be replanted with native vegetation compatible with the existing native vegetation, appropriate to the site, which will blend in with existing species. (Mitigation Measure No. 63) (E)

51 * The project shall follow the grading plan approved by the City and avoid disturbance of adjacent areas where possible. (Mitigation Measure No. 64) (E)

52 * Slopes at the edge of the development shall be revegetated with low combustible plant material as approved by the City Engineer. (Mitigation Measure No. 45) (E)

53 The applicant shall incorporate into the project design all existing easements within the project boundaries or obtain abandonment of said easements from the affected easement holder(s). If this requirement cannot be accomplished, the project shall be redesigned accordingly to the satisfaction of the Planning Manager, City Engineer, or the Planning Commission. (P)(E)

54 This project shall be designed and constructed in accordance with the stormwater pollution control requirements of the Lahontan Region of the California Regional Water Quality Control Board. Prior to the issuance of a grading permit, the applicant shall file a Notice of Intent with the Lahontan Region of the California Regional Water Quality Control Board to comply with the applicable National Pollution Discharge Elimination System (NPDES) requirements. (E)

55 Three copies of final landscape and irrigation plans shall be submitted to the City Engineer for review and approval. Said plans shall include street tree and slope erosion control plans the following locations: On-site and off-site slopes, Homeowner's Association (HOA) maintained easement or recreation areas, bicycling and hiking trails, and open space lots, as determined necessary by the City Engineer. One copy of the approved plans shall be submitted to the Planning Division. (P)(E)

56 * Plants such as Pampasgrass, African Fountaingrass, Tamarisk, Castorbean, Arundo donax, and exotic Fescues shall not be planted within the Specific Plan area. A review of the landscape plan's plant selection shall be made by a qualified revegetation biologist approved by the City Engineer and Planning Manager prior to landscape plan approval. The applicant shall also require that residences exclude these plants from their landscaping (as through Covenants, Codes and Restrictions enforced by a HOA). (Mitigation Measure No. 42) (P)(E)

57 The applicant shall submit for review and approval by the City Engineer, three sets of landscaping and irrigation system plans for all areas designated as Landscape Maintenance Easements on the Vesting Tentative Tract Maps, which will be included in the Landscape Maintenance Assessment District (LMD). Plans shall include planting and irrigation plans and specifications (20 scale maximum) District Diagram of Improvements for the LMD Engineer's report; estimate of probable construction costs; and the notice to prospective homeowners. Tree species to meet Thematic Landscape Standards, outlined in the Ritter Ranch Phase 1A Planned Development (PD 21-001) document. (E)

58 * Landscaping shall be consistent with the Specific Plan in order to maintain a cohesive theme across the project site, and in order to reduce aesthetic impacts of structures to adjacent roadways and residential properties. (Mitigation Measure No. 59) (E)

59 * The Applicant shall consult with the Los Angeles County Sheriff's Department regarding landscape standards to ensure that landscape features do not conceal potential criminal activity around buildings and in parking areas. This measure will be implemented to the satisfaction of the Planning Manager and City Engineer, prior to staff acceptance of the landscape plan. (Mitigation Measure No. 95) (P)(E)

60 The applicant shall obtain off-site easements from affected property owner(s) for all proposed off-site improvements and grading activities (slopes, drainage, walls, etc.). If said easements cannot be obtained, the project shall be redesigned to incorporate said improvements and grading entirely within the project boundary, to the satisfaction of the Planning Manager and the City Engineer. The City Engineer shall have the authority to withhold approval of any affected improvement plans for failure to satisfy this condition. (P)(E)

61 A drainage acceptance letter from each affected property owner shall be submitted to the City Engineer when the pre-developed storm runoff onto any property is increased, concentrated, diverted, or changed in any form as required by State law. (E)

62 A final hydrology study and hydraulics report shall be prepared for this subdivision and approved by the City Engineer. The hydrology study and hydraulics report shall address on-site and off-site conditions and impacts. (E)

63 This subdivision shall be designed in accordance with the City's Floodplain Management Ordinance, Master Plan of Drainage, and related criteria within the Engineering Design Standards. (E)

64 * The applicant shall submit geotechnical reports, prepared in accordance with the City's Engineering Design Standards, to the City Engineer for review and approval prior to the issuance of a grading permit. Said report shall include recommended design, construction, and maintenance of mitigation measures to reduce potential geologic constraints, to the satisfaction of the City Engineer. At minimum, the report shall address slope stability, locations and setbacks for active/potentially active faults, excavation requirements for unsuitable surficial material, liquefaction potential and groundwater/seepage conditions. All future discretionary approvals

must comply with the applicable recommendations set forth in the required investigation. Typical mitigation for geologic hazards include excavation and/or stabilization (buttress/retaining walls) of landslides and excavation of undesirable materials (such as those subject to settlement, hydroconsolidation, expansion or liquefaction) and re-compaction, if necessary, with suitable material. Recommendations from the report shall be incorporated into final grading plans, to the satisfaction of the City Engineer. (Mitigation Measure No. 1) (E)

65 An off-site interim bioswale/drainage channel shall be required for this subdivision according to Nuisance Runoff Assessment Plan and the Conceptual Drainage Study for this vesting tentative tract map and VTM 51508. These drainage systems shall be maintained by the Master Developer to the satisfaction of the City Engineer. (E)

66 Provisions shall be made within the project to utilize recycled water to the extent that such provision is found to be in accordance with the Antelope Valley Recycled Water Master Plan and any City Standard/Ordinance enacted to facilitate its use. (E)

67 Prior to grading permit issuance, as outlined in the 'Phase 1 Interim Agreement – Ritter Ranch Development' (Agreement No. A-7796) the Master Developer shall enter into new subdivision improvement agreements for all Final Tract Maps or Tentative Tract Map items listed in Exhibit 5 of said interim agreement and replace all Lien Contracts with Surety Bonds. (E)

68 * Prior to issuance of grading permits for each area of the Ritter Ranch Specific Plan, the applicant shall provide appropriate safety and etiquette signs for all off-street trails, particularly at trail parking facilities and trail segments with limited sight distance, in order minimize safety hazards to bicyclists, pedestrians and equestrians. The nature, location and language for these signs shall be approved by the Planning Manager and the City Traffic Engineer. Said signs may also include other restrictions/warnings such as discouraging damage to natural resources. (Mitigation Measure No. 44 and 116) (E)(TE)(P)

69 * All construction and general maintenance activities, except in an emergency, shall be limited by City of Palmdale Municipal Code Section 828.030 to the hours of 6:30 a.m. to 8 p.m. Monday through Saturday. The operation of any machine, mechanism, device or contrivance during construction shall comply with noise limits in the PMC and General Plan. (Mitigation Measure No. 51) (E)

70 * Prior to issuance of grading permits for each area of the Ritter Specific Plan, qualified archeologist shall be retained at the expense of the developer to formulate and carry out an Archeological Monitoring Program for that particular area. The Archeological Monitoring Program as approved by the Planning Manager shall include, but not be limited to measures identified in the EIR, and the 1990 RMW Paleo Associates report (Appendix I), and the 1991 LSA Phase II Archaeology Report (dated June 14, 1991). (Mitigation Measure 79) (P)

71 * Monitoring during grading activities shall be accomplished by an archaeologist approved by the Planning Manager. Said archaeologist shall be present at any pre-grading conference and shall have the power to enforce required mitigation measures related to cultural resources. Mass grading activity shall be periodically monitored, particularly during initial site clearing, to ensure that any buried archaeological deposits which may exist on the property are detected. This monitoring shall be maintained until undisturbed bedrock is exposed. The monitoring archaeologist shall be prepared to document and recover any material which appears as quickly as is consistent with standard archaeological practice. If determined necessary, the archaeologist may halt grading to ensure adequate salvaging and/or protection of cultural resources (upon which the Planning Manager and Applicant shall be notified). (Mitigation Measure 81) (P)

THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO OR IN CONJUNCTION WITH RECORDATION OF THE FINAL MAP OR ANY PHASE THEREOF:

72 The applicant shall petition the City to form a Landscape Maintenance Assessment District for the maintenance of landscaping and appurtenant facilities. Such district shall be formed concurrently with, or prior to, recordation of the final map at the sole cost and expense of the applicant, and the applicant's deposit of the estimated costs thereof shall be required prior to such actions by the City. If the City is unsuccessful in the formation of the Landscape Maintenance Assessment District, the Developer shall propose an alternative maintenance entity and shall be responsible for the maintenance of the landscaping and appurtenant facilities until such time that an alternative maintenance entity assumes the maintenance. All costs associated with the formation of an alternative maintenance entity shall be paid by the Developer. (E)

73 The applicant shall provide written evidence to the Planning and Engineering Divisions that approval has been obtained from the Los Angeles County Fire Department. (F)(P)(E)

74 The applicant shall enter into a subdivision improvement agreement and post securities with the City and pay all applicable fees at the time of subdivision approval for those improvements necessary to support this subdivision, as determined by the City Engineer. If any transfer of ownership/title of land within this proposed subdivision takes place prior to release of all agreements and securities, the new applicant shall be required to enter into a separate Subdivision Improvement Agreement with the City and pay all applicable fees. Agreement and securities with the prior applicant will be released after the agreement and securities with the new applicant take effect. (E)

75 The applicant shall provide standard street improvements for Streets 'KK' and 'OO' within the project boundary, face of curb to face of curb width of 34 feet (50-foot right-of-way). These improvements shall consist of: (E)

75.1 Curb and gutter;

75.2 Sidewalk (width = 5 feet);

75.3 Roadway grading and paving, overlay and/or match-up, as directed by City Engineer;

75.4 Traffic control signs and devices as required by the City Engineer;

75.5 Pavement transition from the project boundaries to the satisfaction of the City Engineer;

75.6 Wheelchair ramp(s) at all walk returns;

75.7 Roadway drainage device(s); and,

75.8 Streetlights.

76 The applicant shall provide standard street improvements for Streets 'LL', 'JJ', 'MM', 'NN', 'W' (between Street 'KK and 'LL'), and 'PP' (north of Street 'JJ') within the project boundary, face of curb to face of curb width of 36 feet (60-foot right-of-way). These improvements shall consist of: (E)

76.1 Curb and gutter;

76.2 Sidewalk (width = 5 feet);

76.3 Roadway grading and paving, overlay and/or match-up, as directed by City Engineer;

76.4 Traffic control signs and devices as required by the City Engineer;

76.5 Pavement transition from the project boundaries to the satisfaction of the City Engineer;

76.6 Wheelchair ramp(s) at all walk returns;

76.7 Roadway drainage device(s); and,

76.8 Streetlights.

77 The applicant shall provide standard street improvements for Streets 'X', and 'PP' (south of Street 'JJ' to 200 feet north of Westland Drive) within the project boundary, face of curb to face of curb width of 40 feet (64-foot right-of-way). An alternative 64-foot right-of-way section of Street 'W' (west of Street 'KK') shall have a face of curb to face of curb width of 44 feet. These improvements shall consist of: (E)

77.1 Curb and gutter;

77.2 Sidewalk (width = 5 feet);

77.3 Roadway grading and paving, overlay and/or match-up, as directed by City Engineer;

77.4 Traffic control signs and devices as required by the City Engineer;

77.5 Pavement transition from the project boundaries to the satisfaction of the City Engineer;

77.6 Wheelchair ramp(s) at all walk returns;

77.7 Roadway drainage device(s); and,

77.8 Streetlights.

78 The applicant shall provide standard street improvements for Street 'PP' (200 feet north of Westland Drive) within the project boundary, face of curb to face of curb width of 44 feet (68-foot right-of-way). These improvements shall consist of: (E)

78.1 Curb and gutter;

78.2 Sidewalk (width = 5 feet);

78.3 Roadway grading and paving, overlay and/or match-up, as directed by City Engineer;

78.4 Traffic control signs and devices as required by the City Engineer;

78.5 Pavement transition from the project boundaries to the satisfaction of the City Engineer;

78.6 Wheelchair ramp(s) at all walk returns;

78.7 Roadway drainage device(s); and,

78.8 Streetlights.

79 The right to restrict access shall be dedicated along all lots abutting the following street: Westland Drive. (TE)

80 A striping and signing plan shall be prepared, subject to the approval of the City Engineer prior to the approval of the street improvement plans. The striping and signing plan shall be submitted with final street improvement plans. (TE)(E)

81 * Pedestrian and other non-motorized circulation and facilities shall be provided as set forth in the Ritter Ranch Specific Plan. Design shall be subject to the approval of the City Engineer. (Mitigation Measure No. 43) (TE)

82 All areas within the tract designated by the City Engineer as requiring a landscape easement shall be shown as an 'Easement for Landscaping Purposes' on the final map. (E)

83 A sanitary sewer-area study for this subdivision shall be prepared and submitted to the City Engineer for review and approval. A public sanitary sewer system is to

be dedicated to the City, with private laterals to each lot. The system shall be designed and installed as the only method of sewage disposal for this subdivision. The following coordination and clearance must be obtained prior to issuance of a sewer permit: (E)

83.1 * Any sewer proposed for incorporation into the Los Angeles County Sanitation Districts trunk sewer network for operation and maintenance, shall be reviewed and approved by the Sanitation District, prior to any construction. (Mitigation Measure No. 110)

84 The applicant shall obtain sufficient off-site sewer easements and design and construct an off-site outfall sewer with supplemental size, capacity, and length as required by the City Engineer. The City Engineer shall have the right to withhold approval of any affected improvement plans for failure to satisfy this condition. (E)

85 * The subdivision shall comply with all requirements of PMC Section 13.05. (Mitigation Measure No. 109) (E)

86 * Water mains shall be designed to meet or exceed the total flow requirements determined for domestic flow and fire flow for this development. Required domestic flow shall be calculated by the applicant's engineer. Fire flow shall be determined by the Los Angeles County Fire Chief. Site-specific development plans shall require review and approval by the Los Angeles County Fire Department with respect to adequate fire flows, emergency access and building construction standards. (Mitigation Measure No. 112) (E)(B&S)

87 The plans and specifications for the water delivery system shall be submitted for approval to the responsible water purveyor prior to final approval of this development by the City Engineer. In all cases where water system facilities have not been installed prior to filing this development with the City Engineer for final approval, the applicant shall submit a Labor and Materials bond in addition to one of the following: (E)

87.1 An Agreement and Faithful Performance bond in the amount approved by the City Engineer to be sufficient to guarantee installation of the improvements; or

87.2 An Agreement and evidence satisfactory to the City Engineer showing that the applicant has entered into a contract with the serving water utility for

establishing a security guaranteeing payment for the installation of the improvements.

88 Street lighting plans shall be reviewed and approved as part of the approval of the street improvement plans. Street lighting plans shall be submitted to the City Engineer for review and approval and to Southern California Edison Company for their use. (E)

89 The applicant shall petition the City to form a Streetlight Benefit Assessment District for the maintenance of streetlights and appurtenant facilities. Such district shall be formed concurrently with, or prior to, recordation of the final map at the sole cost and expense of the applicant, and the applicant's deposit of the estimated costs thereof shall be required prior to such actions by the City. If the City is unsuccessful in the formation of the district, the Developer shall propose an alternative maintenance entity and shall be responsible for the maintenance of the streetlights and appurtenant facilities until such time that an alternative maintenance entity assumes the maintenance. All costs associated with the formation of an alternative maintenance entity shall be paid by the Developer. (E)

90 The applicant shall provide a complete set of street improvement plans for review and comment to utility providers including but not limited to the following: (E)

90.1 Los Angeles County Waterworks

90.2 Southern California Edison

90.3 Southern California Gas Company

90.4 AT&T

90.5 Cable TV

91 Easements for all on-site utilities, public and private, shall be granted and recorded for maintenance and upkeep. Such easements may include, but are not limited to, sewer, water, electric, gas, telephone, storm drains, detention basins, and landscaping. (E)

92 The subdivider shall be required to install appropriate measures to protect the approved nuisance water system for Vesting Tract Map 51508-RR ('A' Map) from silt and debris during the grading operation and from any off-site flows from

undeveloped areas designed to flow through the subdivision. Developer shall be responsible for providing nuisance water catch basins and piping to the approved nuisance water mitigation system. The design for intercepting on-site nuisance flows shall be addressed with the submittal of grading plans. (E)

93 Will Serve letters will be required before the map is submitted to City Council for approval. The following is a list of the minimum Will Serve letters required: (E)

93.1 Los Angeles County Waterworks

93.2 Southern California Edison

93.3 Southern California Gas Company

93.4 Cable TV

93.5 School District

94 Prior to submitting the final map to the City Engineer for approval by the City Council pursuant to Section 66442 of the Government Code, the applicant shall obtain clearances from all departments, divisions and utility companies which have set conditions of approval on this subdivision and submit those items defined in PMC Chapter 16.20. (E)

95 A preliminary title report and subdivision guarantee is needed showing all fee interest holders, all interest holders whose interest could ripen into a fee, all trust deeds, together with the names of the trustee and all easement holders. The account for this title report shall remain open until the final tract map is filed with the County Recorder. No easements shall be granted and recorded until after the final map is recorded, unless approved by the City Engineer and subordinated to any City easements by a certification upon the title sheet of the final map, prior to the grant. (E)

96 This subdivision is within Community Facilities District 93-1. The applicant is responsible for any due to delinquent "Special Assessments" and shall obtain clearance from the City Engineer and Planning Manager prior to scheduling the final map for City Council. The applicant will certify that there are no liens against the subdivision for unpaid special assessments. Additionally, security for the current installment of principal and interest of all special assessments collected as taxes, which are recorded as a lien, but are not yet payable, shall be filed with the

Los Angeles County Clerk. The applicant shall bear all costs associated with the reapportionment/reassessment of "Special Assessments". (E)

97 An HOA shall be created for the project and shall be responsible for the maintenance of all common use areas, private streets, private drainage facilities and shared parking areas. The documents creating this entity shall be provided to the Planning Manager, City Engineer, and City Attorney for review and approval. (P)(E)

98 The applicant shall prepare Covenant's, Conditions, and Restrictions (CC&R's) for review and approval by the Planning Manager, City Engineer, and City Attorney. Such CC&R's shall include all elements deemed necessary by the City Attorney. The applicant shall be responsible for all City Attorney costs regarding review of said CC&R's prior to recordation of any phase. (P)(E)

99 In cases where the applicant indicates that multiple final maps will be filed, a Phasing Plan shall be submitted for review and approval by the Planning Manager and City Engineer. Pursuant to Government Code 66456.1, multiple final maps (phasing of tentative map) shall not be authorized for this tentative map until such time as the City of Palmdale has had the opportunity to evaluate the phasing and impose reasonable conditions, related to the phase. (E)

100 Three copies of interior tract street tree and front yard landscaping plans shall be submitted to the City Engineer for review and approval. (E)

101 A Landscape Maintenance Assessment District, or other maintenance entity acceptable to the City, shall be formed prior to recordation of the first 'B' Map within VTM 51508-RR 'A' Maps. Applicant shall fully execute a 'Consent and Waiver to Annexation to Landscape Maintenance Assessment District' form. (E)

102 The temporary sewer lift station (east of this vesting tentative tract map) shall be in operation (accepted by the City and Los Angeles County Health Department) prior to occupancy release of the first lot of this vesting tentative tract map. Said temporary sewer lift station shall be maintained at the expense of the Master Developer and approved by the City. (E)

103 * Each deed or other conveyance of Real Property shall include the following statement: "Ritter Ranch is traversed by major splays (branches) of the San Andres Fault Zone, a very youthful geologic feature. Due to the proximity of the Ritter Ranch site to the San Andreas Fault, there is a high risk of experiencing

strong ground shaking and possible surface fault rupture." Additionally, where applicable, each disclosure statement within the deed shall contain language which denotes the possibility of building restrictions on residential additions for human occupancy on those parcels which are located in Fault Hazard Restricted Use Zones. (Mitigation Measure No. 9) (E)(P)(B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR ANY PHASE OF THE SUBDIVISION:

104 The applicant shall pay all fees at the time fees are determined payable and comply with all requirements of the applicable Federal, State, and Local agencies including, but not limited to, the following as applicable:

104.1 Los Angeles County Sanitation District
104.2 Los Angeles County Department of Health Services
104.3 Los Angeles County Consolidated Fire District
104.4 Los Angeles County Waterworks/Palmdale Water Districts
104.5 Westside Union School District
104.6 Antelope Valley Air Quality Management District

The duty of inquiry as to such requirements shall be upon the applicant. Proof of payment shall be provided to the Building and Safety Division prior to issuance of any building permits. (P)(E)(B&S)

105 The applicant shall pay park fees or dedicate and construct the improvements for the proposed community, neighborhood and specialty park facilities shown in the Specific Plan as approved by the Director of Parks and Recreation pursuant to Ordinance 789. (Mitigation Measure 115) (P)(B&S)(Pk)

106 * Westside Union School District: The developer shall comply with the terms of the agreement, dated November 26, 1991, between the developer and the Westside Union School District as mitigation for impacts caused by development of the project on the Westside Union School District. The terms of that agreement are as follows:

106.1 Development Fees. Developer hereby agrees to pay to District fifty-one dollars and ninety-nine cents ($51.99) per square foot of habitable residential development prior to the issuance of the building permit on each unit. A fee of twenty-six cents ($.26) per square foot of industrial/commercial construction shall be paid to the District prior to the

issuance of each commercial building permit. All such amounts shall be subject to annual adjustment pursuant to increases or decreases in the School Construction Cost. Index of the Office of Local Assistance with January 1, 1992, as the base.

106.2 School Sites. In addition, Developer hereby agrees to sell to District three, eight-acre elementary school sites with each being adjacent to a park, two, five-acre school sites with each being adjacent to a park, and one 20-acre middle school site, designated in Exhibit B of said agreement.

106.3 The purchase price for the District shall be the fair market value of each site at the time escrow is opened, not to exceed $100 per acre plus annual adjustments based upon increases or decreases in the school construction cost index of the Office of Local Assistance with January 1, 1992 as the base. The fair market value shall include all offsite improvements and grading of the site.

106.4 In the event that the parties cannot agree on the fair market value, each party shall obtain an appraisal from an MAI certified appraiser. If the two appraisals are within $5,000 of each other, the FMV shall be the lowest value plus one-half of the difference. If the difference between the two appraisals is more than $5,000, the County Superintendent of Schools shall designate third appraiser who shall be independent of the parties and MAI certified and who shall conclusively establish the fair market value.

106.5 The cost of the third appraisal shall be borne equally by the parties.

106.6 Developer shall perform all offsite improvements such as roads, curbs, gutters, water (with a flow guaranteed to meet fire safety requirements) sewer, and utilities to the site for no cost to District except as provided above. Developer shall also provide rough grading of the site to District's reasonable specifications. Title to the site shall be transferred to District, free and clear of all monetary liens, assessments, taxes and encumbrances and easements or any restrictions which interfere with the District's plans to use the property for the development of the school sites prior to the filing of any final map on the tract. Onsite and offsite improvements shall be performed concurrently with improvements on the remainder of the tract.

106.7 The District may exercise its right to acquire the property by serving written notice on Developer and opening an escrow account. Developer shall

within 30 days of receipt of notice deposit a grant deed conveying title as referred to above. Notice by the District to purchase the property shall not be served earlier than the filing of a final subdivision map on any adjacent property. The District shall indicate its intent to purchase any particular school site no later than one year after the filling of final subdivision map on any adjacent property, District shall deposit the purchase price in escrow. Escrow shall close within 30 days of opening. (Mitigation Measure 99) (P)(B&S)

107 * Antelope Valley Union High School District. The Developer shall provide the following mitigation to the District in order to provide its contribution toward the District's fifty (50) percent share of funding a new high school on the site, pursuant to Government Code Section 65995 and Education Code Section 17700 et, seq. (School Facility Funding Law):

107.1 Developer Fees. Developer shall pay to the District one dollar and twenty cents ($1.20) per square foot of habitable residential development, including senior housing, prior to the issuance of the building permit on each unit. A fee of twenty-six cents ($.26) per gross leasable square foot of industrial/commercial construction shall be paid to the District prior to the issuance of each commercial building permit. All such amounts shall be subject to annual adjustment pursuant to increases or decreases in the School Construction Cost Index of the Office of Local Assistance with January 1, 1992, as the base.

107.2 School Sites. In addition, Developer hereby agrees to offer the District a site for purposes of constructing a high school thereon, with the terms for dedication as set forth herein. The Developer shall dedicate fifty (50) acres of land in Planning Area 3A for a school site to the District at no cost to the District. The specific 50 acres of the 76 acres in Planning Area 3A shall be at the election of the District. Title to the site shall be transferred to District free and clear of all monetary liens, assessments, taxes and encumbrances and easements or any restrictions which interfere with the District's plans to use the property for the development of the school site prior to the filing of any final map on a subdivision tract in the Specific Plan area. In the event that site preparation work on the school site, including provision of access to Elizabeth Lake Road and utilities, exceeds the amount of $4,300,000, the Developer shall pay 50 percent of the amount over that figure, not to exceed total of $350,000.

107.3 Transfer Procedures. The District may exercise its right to acquire the site specified above by serving written notice on Developer and opening an escrow. account. Developer shall within 30 days of receipt of notice deposit into the escrow a grant deed conveying title as referred to above. Escrow shall close within 30 days of opening. (Mitigation Measure 99) (P)(B&S)

108 The applicant shall submit full sized copies of the final recorded map in the form of one set of mylar and three sets of blueline to the City Engineer and shall also submit an 8-1/2 x 11-inch mylar copy of the final map to the City Engineer. The applicant shall provide a computerized .dwg format of the final recorded tract map which is compatible with the City's G.I.S. program to the City Engineer. The final map shall be projected in NAD 83 State Plane Zone (5 in feet). (E)(P)

109 Subdivision Development Plan applications shall be submitted, either for the entire tract or in complete submittals for each construction phase and shall include all documents and maps required by the Subdivision Development Plan Application. Subdivision Development Plans shall be in compliance with the Ritter Ranch Specific Plan and Planned Development document 21-001. (P)

110 A Temporary Use Permit for proposed on-site model homes and/or temporary sales/office trailers shall be filed with the Planning Division and shall include all documents and maps required in PMC Section 17.27.030.B.5 and by the Temporary Use Permit Application. (P)

111 Grading shall be designated "Engineered Grading" per City Building Code and shall be done in accordance with an approved grading plan. All grading work shall be performed according to the phasing plan approved by the Planning Manager and the City Engineer. (P)(E)

112 At completion of rough grading, the applicant shall submit appropriate reports and statements (Certifications) to the City Engineer, for review and approval, prior to release of rough grading. The City of Palmdale Building Code requires these reports and statements from the field or supervising grading engineer, the soils engineer, the geologist, and the grading contractor. (E)(B&S)

113 All sanitary sewer mains to be dedicated to the City are to be provided with as-built plans and have TV video inspection, as required by City Inspector, prior to final acceptance for maintenance. (E)

114 * The applicant shall obtain addresses established by the City Engineer, and pay applicable processing fees, for all lots of residential subdivisions. Commercial subdivisions are addressed by the Building and Safety Division upon application for a Building permit. Proper address signs shall be provided for identification of locations during emergencies. (Mitigation Measure No. 94) (E)

115 Prior to building permit issuance, milestone timeline requirements outlined in the 'Phase 1 Interim Agreement – Ritter Ranch Development' (Agreement No. A-7796) shall be met or projects identified are being completed, to the satisfaction of the City Engineer. Improvements that shall be completed by the Master Developer are as follows: (E)

115.1 Remaining Elizabeth Lake Road (ELR) Work;

115.2 Ranch Center Drive (RCD) and ELR Undergrounding and ELR Streetlight Improvements; and,

115.3 Westland Drive (WD) and Ritter Ranch Road (RRR) Streetlight Improvements.

116 Prior to issuance of the 250th building permit within the Phase 1A area, as defined by the Ritter Ranch Phase 1A Planned Development (PD 21-001), construction of Neighborhood Park 5F shall begin construction. (E)(B&S)

117 Prior to issuance of the 400th building permit within Phase 1A area, as defined by the Ritter Ranch Phase 1A Planned Development (PD 21-001), construction of Neighborhood Park 5T shall begin construction. (E)(B&S)

118 Prior to issuance of 50 percent of building permits within Vesting Tentative Tract Map 51604, as referenced in the Ritter Ranch Phase 1A Planned Development (PD 21-001), construction of Neighborhood Recreation Area 2 shall be completed and granted occupancy release by Building and Safety Division. (E)

119 * Prior to issuance of the 250th Certificate of Occupancy within Phase 1A, as defined by the Ritter Ranch Phase 1A Planned Development (PD 21-001), the Master Developer shall provide a pumper truck and patrol car. In addition, a fully operational fire station of an acceptable size and location as determined by the Los Angeles County Fire Department Building and Safety shall be provided by the 1,800th Certificate of Occupancy. (Mitigation Measure No. 113) (B&S)(P)

120 * Provision of water service to the proposed project will be required as part of the project development and will occur to the satisfaction of the City of Palmdale prior to issuance of building permits. Project implementation will require mitigation in coordination with the City of Palmdale, Los Angeles Waterworks District No. 34, and the Los Angeles County Fire Department. (Mitigation Measure No. 107) (B&S)

121 * Prior to issuance of building permits, the project applicant shall prepare an emergency spill response plan which includes the following measures for review and approval by the City of Palmdale and County Sanitation District No. 20: (Mitigation Measure 20A) (P)(F)(E)

121.1 Measures to detect early warning of a sewage trunk leak;
121.2 The installations of manual or automatic isolation valves;
121.3 Provisions for spilled sewage retention;
121.4 Spill response measures;
121.5 Clean-up and disinfection measures; and,
121.6 Training and funding for implementation of the spill plan.

THE FOLLOWING CONDITIONS SHALL BE MET WHILE CONSTRUCTION ACTIVITIES ARE ON-GOING:

122 From the beginning of the first ground disturbing activity until on hundred (100) percent of the lots for the entire subdivision have been released for occupancy, the following are required of the applicant: 1) have erosion control measures, per an approved Erosion Control and Sedimentation Plan, in place during the rainy season (October 15 - April 15); 2) provide appropriate dust control measures, per City and Antelope Valley Air Quality Management District (AVAQMD) Standards, to minimize nuisance from dust at all times. (E)(B&S)

123 * To mitigate potential dust generation impacts, the project will comply with State, County and City dust control regulations. These regulations are intended to provide sufficient protection so as to prevent the soil from being eroded by wind, creating dust, or blowing onto a public road or roads or other public or private property. (Mitigation Measure 21) (E)

124 * In addition to watering prior to and during grading (as discussed in AVAQMD Rule 403), the application of water and chemical dust retardants that solidify loose soils shall be implemented for construction vehicle access, as directed by the City Engineer. (Mitigation Measure 22) (E)

125 * Grading activity shall be suspended when local winds exceed 30 miles per hour. To validate wind velocities and/or rainfall amounts, the installation of a minimum of two remote weather stations will be required at locations determined by the City Engineer. (Mitigation Measure 23) (E)

126 * Heavy construction equipment shall use low sulfur fuel (0.05% by weight) and shall be properly tuned and maintained to reduce emissions. (Mitigation Measure 24) (B&S)

127 * Construction activities shall be phased and scheduled to avoid high ozone days, to the extent feasible, and shall be discontinued during second stage smog alerts. (Mitigation Measures 25 and 26) (E)(B&S)

128 * The applicant shall, as required by the Planning Division and the City of Palmdale's proposed Air Quality Element, implement applicable Tier I Control Measures contained in the Final 1989 AQMP, as may be subsequently amended. Additionally, the Best Available Control Technology Guidelines published by SCAQMD, shall be used. As project buildout will occur over 20-year period, subsequent phases/approvals will be held to Tier II and Tier III measures which are implemented is mandatory AVAQMD Rules and Regulations applicable to the project phase. General measures which shall be applied for the development include: (Mitigation Measure 27) (P)

128.1 Encourage the use of alternative transportation modes by promoting public transit usage and providing secure bicycle facilities. The applicant will implement the trails system indicated in the Specific Plan including pedestrian, bicycle, and equestrian facilities. The applicant shall distribute educational material at the time of occupancy to all businesses and homeowners regarding the availability of public transit, ridesharing and other alternative transit methods and the location of bicycle routes in the project vicinity. In addition, the educational material, as reviewed and approved by the City of Palmdale Planning Division shall describe the available methods for reducing energy consumption.

128.2 Provide mass transit accommodations such as bus turnout lanes and bus shelters if determined necessary by the City Traffic Engineer. As final plans are developed, these features should be considered.

128.3 The applicant shall contribute a pro-rata share toward acquisition and construction of: Park & Ride facility in the Avenue S/SR-14 vicinity. This shall include design and construction of one space per ten dwelling units (up to 400 total spaces). This mitigation measure shall be satisfied prior to occupancy of any fifty percent (50%) of the total dwelling units approved for the Ritter Ranch Specific Plan project as a whole.

128.4 Encourage the placement of dwelling units to take full advantage of solar energy for natural heating and cooling as recommended in Section 7.5.1.6 of the Specific Plan in order to reduce the use of electricity and natural gas within the project area.

128.5 The applicant shall utilize Best Available Control Technology to control volatile organic compounds and Toxic Air Contaminants as required by SCAQMD Rules and Regulations. The Best Available Control Technology Guidelines, published by SCAQMD, shall be used to assess compliance with this mitigation measure.

129 * During project construction, the applicant shall be required to provide appropriate screening (as with temporary fencing with opaque material), dust control (see Section IV.B. AIR RESOURCES), restricted construction hours, and a traffic control plan (Section IV.I. TRAFFIC AND CIRCULATION). (Mitigation Measures No. 56) (E)

130 * Transmission lines less than 50KV and all other utility lines, existing and proposed, shall be installed underground in accordance with the City's Underground Utilities Ordinance. (Mitigation Measure No. 102) (E)

131 Adequate sanitary disposal facilities shall be required on-site during all phases of construction. (E)(B&S)

132 If this tentative map is to be phased, the applicant shall have all drainage facilities (on-site and off-site), and any temporary grading or structures necessary to convey runoff to drainage facilities (on-site and off-site), in an operable condition prior to completion of rough grading of proposed streets for the first phase. (E)

133 Signing and striping shall be provided for all roadway improvements. (TE)

134 The applicant shall comply with City and State guidelines and requirements for traffic control during construction and prior to final project acceptance. (TE)

135 The applicant shall notify the City Engineer 60 days prior to anticipated opening of any street to public travel. (TE)

136 * The project applicant shall coordinate with SCE to ensure that adequate electrical service is provided to the proposed development and that service connection activities will be performed in cooperation with SCE to minimize any short-term impacts. (Mitigation Measure No. 103) (B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR EACH DWELLING UNIT:

137 The subdivision is located within the Anaverde Natural Drainage Area/Basin as defined by the City's Master Drainage Plan and approved by Resolution 89-75. The drainage area where this subdivision is located shall be shown on the cover sheet of the plans submitted for engineering and building permit applications. (E)(B&S)

138 * The applicant shall comply with the provisions of PMC Chapter 3.40 (Traffic Impact Fee Requirements). The applicant shall not be entitled to any such credits for costs reimbursed through the ELR Escrow, Improvement Fund, the Gap Road Escrow, and/or bond proceeds from the new CFD. Also, the applicant can only receive traffic impact fee credits in the amount not to exceed what the applicant pays towards this fee. The applicant shall pay the applicable traffic impact fees to the Building and Safety Division in the amount that is in effect at the time the vesting tentative map application was deemed complete ($1,740.84 per dwelling unit) plus any increases to that amount that are subsequently approved to reflect changes in the Consumer Price Index (CPI), All Urban Consumers, for the Los Angeles-Riverside-Orange County Area, as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor, as set forth in Palmdale City Council Resolution No. CC 2021-057. These traffic impact fees provide the project's required pro rata contribution towards offsite roadway improvements needed to service the development. Funds generated from the traffic impact fees shall be applied toward offsite improvements Elizabeth Lake Road, Palmdale Boulevard, Avenue S, and 10th Street West/Tierra Subida Road, as approved by the City Public Works Department. (Mitigation Measure No. 75) (TE)(E)(B&S)

139 Drainage fees or improvements shall be required pursuant to Subdivision Map Act Section 66498.1 and 66498.2. The following is the 2021 Fee Schedule for Anaverde Drainage Area, which shall be applicable to this project: (E)

139.1 Single Family Residential Development $2,372.44/dwelling unit;

139.2 Multi-Family Development $1,181.04/dwelling unit;

139.3 Commercial and Industrial Development $11,841.48/acre.

140 The applicant is responsible for protecting the in place, or repairing to the satisfaction of the City Engineer, all public improvements adjacent to the project. Such responsibility shall include revisions to the Landscaping As-Builts plans on file with the City Engineer as deemed necessary. (E)

141 The applicant shall comply with the provisions of Chapter 3.42 (Fire Facility Impact Fee Ordinance) of the Palmdale Municipal Code. The applicant shall pay the applicable fire facility impact fees to the Building and Safety Division in the amount that is in effect at the time the vesting tentative map application was deemed complete ($0.95 per building square-foot) plus any increases to that amount that are subsequently approved to reflect changes in the Consumer Price Index (CPI), All Urban Consumers, for the Los Angeles-Riverside-Orange County Area, as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor, as set forth in Palmdale City Council Resolution No. CC 2021-057. (E)(B&S)

142 The applicant shall comply with the provisions of PMC Chapter 3.45 (Public Facility Development Impact Fee Requirements). The applicant shall pay the applicable public facility impact fees to the Building and Safety Division in the amount that is in effect at the time such fees are to be collected. (E)(B&S)

143 All public improvements within, and necessary to support, a block or construction phase of any final map, must be completed within 60 days from issuance of the first Certificate of Occupancy within the block or construction phase, to the satisfaction of the City Engineer. In no case shall the total occupancy for a final map exceed 90 percent until all public improvements within the final map have been completed to the satisfaction of the City Engineer. (E)

144 Slope erosion control and street trees shall be installed to the satisfaction of the City Engineer. (E)

145 At completion of final grading, the applicant shall submit appropriate statements (Certifications) to the City Engineer prior to release of final grading. The City of Palmdale requires that these be submitted by the field or supervising grading engineer, and/or the landscape architect. (E)

146 The developer or builder shall provide full front yard and street side yard landscaping as approved by the City Engineer and the Planning Manager. (P)(E)

147 * Assessment fees and required conduits shall be installed prior to issuance of occupancy permits. (Mitigation Measure 101) (P)(B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY FOR ANY PHASE:

148 The subdivider shall comply with the provisions of PMC Chapter 3.38 (Drainage Fee Requirements). Pursuant to the Subdivision Map Act Sections 66498.1 and 66498.2, the subdivider may pay the applicable drainage fees in the amount that is in effect at the time of the original approval of VTTM 51604. Such fees are to be collected pursuant to the provisions of PMC Chapter 3.38. (E) (B&S)

149 The subdivision shall have been graded and constructed in accordance with all approved plans including but not limited to site plans, grading plans, wall plans, and landscape plans. (P)(E)

150 Any broken or damaged curb, gutter, sidewalk, and pavement on streets within or along the frontage of the development shall be repaired. Any existing driveways that are not to be used shall be replaced with standard curb, gutter, and sidewalk. (E)

151 Purchase and install street name signs in accordance with the Ritter Ranch Specific Plan, the Planned Development, and City of Palmdale standards. The number and location of signs shall be directed by the City Engineer. (TE)

152 A third westbound through lane at the intersection of Elizabeth Lake Road/Palmdale Boulevard and 10th Street West/Tierra Subida Avenue shall be constructed. Also, a third receiving lane (westbound) with the proper transition shall be constructed. (TE)

153 The fair-share cost of the construction of a Fire Station shall be included on each residence of this vesting tentative tract as part of the proposed Community Facilities District (CFD). (E)

154 The fair-share cost of the construction of a public library shall be included on each residence of this vesting tentative tract as part of the proposed CFD. (E)

Key to Departmental Conditions:

(P) Planning Division (267-5200)
(E) Engineering Division (267-5272)
(F) Los Angeles County Fire Department (723-4455)
(B&S) Building and Safety Division (267-5353)
(Pk) Parks and Recreation Department (267-5611)
(SCE) Southern California Edison Company (945-9317)
(TE) Traffic Engineer (267-5300)

ATTACHMENT 2

PLANNING COMMISSION
CITY OF PALMDALE, CALIFORNIA
RESOLUTION NO. PC-2022-006

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALMDALE, CALIFORNIA, APPROVING VESTING TENTATIVE TRACT MAP 51605; A REQUEST TO SUBDIVIDE APPROXIMATELY 24 ACRES INTO 130 LOTS FOR THE PURPOSE OF CONSTRUCTING 124 SINGLE-FAMILY RESIDENCES WITHIN PLANNING AREA FIVE OF THE RITTER RANCH SPECIFIC PLAN GENERALLY LOCATED NORTH OF WESTLAND DRIVE AND WEST OF RANCH CENTER DRIVE (APNS: 3206-027-004 AND -005)

A. RECITALS

1. RdR Development Holdings, LLC, has filed an application requesting the approval of Vesting Tentative Tract Map (TTM) 51605, described herein (hereinafter "Application").

2. The application applies to an existing approximately 24-acre vacant parcel within the Ritter Ranch Specific Plan (SP) indicated on the County Assessor's roles as APN's 3206-027-004 and 3206-027-005, legally described on Exhibit I hereto and shown on the map attached hereto as Exhibit II.

3. On February 10, 2022, the Planning Commission of the City of Palmdale conducted a duly noticed public hearing on the Application and concluded said hearing on that date.

4. All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION

NOW THEREFORE, it is hereby found, determined, and resolved by the Planning Commission of the City of Palmdale, as follows:

1. The Planning Commission hereby specifically finds that all of the facts set forth in the Recitals, Part A of this Resolution, are true and correct.

2. Based upon substantial evidence presented to this Commission during the above-referenced February 10, 2022, public hearing, including public testimony, and written and oral staff report, and incompliance with SP Section 8.12, this Commission specifically finds as follows:

(a) For the proposed subdivision, each provision for its design and improvement and each proposed land use is consistent with the Ritter Ranch Specific Plan because it conforms to the density, design standards, design guidelines, and location given for the land use designation.

The proposed subdivision, each provision for its design and improvement and each proposed land use is consistent with the both the SP and the Planned Development (PD 21-001) document, which provides special development standards for the project, landscape standards, and thematic landscape features as outlined within Exhibits III and IV.

The subject site is within Planning Unit 5V of the SP, which is designated for residential development. As described within Exhibits III and IV, the proposed project is consistent with the policies and objectives of the SP, in that it provides the type of development and amenities envisioned in both residential dwelling type and quality, parks, and public improvements.

(b) The tentative map or tentative parcel map design provides for future passive or natural heating or cooling opportunities in the subdivision to the extent feasible.

The development is designed with adequate dimensions to maximize the opportunities for passive and natural heating and cooling. The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities. Based upon a review of the tentative tract map, each lot meets or exceeds the minimum size, width, and depth requirements as specified within the Planned Development prepared for the portion of the Ritter Ranch Specific Plan that includes the proposed project.

(c) The tentative map or tentative parcel map does not propose to divide land which is subject to a contract entered into pursuant to the California Land Conservation Act of 1964 in that the property in question has not been included in any such contract.

A review of the preliminary title report for the subject property revealed that the property in question has not been included in any such contract and therefore, the Application does not propose to divide land, which is subject to such a contract.

(d) The discharge of waste from the proposed subdivision into an existing community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board.

No violation will be created because the applicant is required to comply with the Conditions of Approval, which require approval from the appropriate agencies for location of sanitary sewer trunk lines and preparation of a sewer area study to the satisfaction of the City Engineer and the Los Angeles County Sanitation District.

(e) The site is physically suitable for the type of development and density proposed.

In conjunction with the prior approved, expired tentative tract map, the site has been previously graded, and portions of major roadways constructed. An existing power line easement is located to the south of the site but the Application has been designed to avoid the easement.

(f) The design of the subdivision and the proposed improvements is not likely to cause serious public health or safety problems because they conform to the highest and best possible use of the subject property as determined.

The project will be required to install improvements such as streets, curbs and sidewalks in compliance with City standards. Also, the discharge of waste from the proposed subdivision into an existing community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board because the applicant is required to dedicate a new sewer system to the City and install private laterals for each residential lot. In addition, the project is required to provide on- and off-site improvements as required by the water purveyor. Furthermore, the public improvements required for this subdivision

are reasonable and proportional to the impacts caused by the proposed development and are necessary in order to provide access for future residents within the project, protect the subdivision, and surrounding properties, and promote the safety of the general public.

(g) The design of the subdivisions and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision because no such easements have been acquired.

The title report for the site revealed that the design of the subdivision and the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision because the existing easements along the western portion of the project site will not be altered by the proposed project. In addition, the Conditions of Approval require dedication and improvement of publicly owned rights-of-way, storm drains, and other drainage facility easements.

(h) The proposed tentative map or tentative parcel map is in conformance with the intent and requirements set forth in the Ritter Ranch Specific Plan.

As allowed within SP Section 8.10, the tentative map meets the requirements of the proposed Planned Development document (PD 21-001), which includes special development standards of the project, landscape standards, and thematic landscape features. The lots created by the Application comply with the standards of, and will be landscaped pursuant to, standards within the Planned Development.

(i) The proposed tentative map or tentative parcel map is in compliance with the California State Subdivision Map Act. (SP)

The Application has been prepared in compliance with all requirements of the SP and the Subdivision Map Act. In addition, as specified within the Conditions of Approval for the Application, the applicant will be required to record a final map prior to the expiration date in accordance with the provisions of the Subdivision Map Act.

3. The Planning Commission hereby finds as follows with respect to the environmental document prepared for the project:

   (a) In accordance with Public Resources Code Section 21166 and State California Environmental Quality Act (CEQA) Guidelines Sections 15162, 15163 and 15164, the proposed project does not require the preparation of a subsequent, supplemental or addendum to the Environmental Impact Report (EIR) prepared for the SP (EIR 90-4) since: 1) the project will cause no substantial changes in any portion of the project which was described in EIR 90-4, which would require major revisions to EIR 90-4 due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects because the project is not modifying the scope or intent of the SP; 2) no substantial changes have occurred with respect to the circumstances under which the project is undertaken, which will require major revisions to said EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified environmental effects, because no significant development adjacent to the project area which impacts the infrastructure, services, or development potential within the City's boundaries has occurred; and 3) no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, has been provided with respect to the SP. Therefore, a memorandum of consistency was prepared for the Application (Exhibit V of Resolution No. PC-2022-005).

   (b) The custodian of records for all other materials which constitute the record of proceedings upon which the Planning Commission's decision is based, is the Planning Manager of the City of Palmdale. These documents are available for public review in the Planning Division of the City of Palmdale located at 38250 Sierra Highway, Palmdale, California 93550, telephone (661) 267-5200.

4. Based on the findings and conclusions set forth in paragraphs 1, 2, and 3 above, this Commission hereby approves VTTM 51605 subject to the Conditions of Approval as set forth in Exhibit V.

5. The Deputized Clerk shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED this 10th day of February, 2022.

AYES: _____

NOES: _____

ABSTAIN: _____ ABSENT: _____

_____
Stacia Nemeth, Chair
Planning Commission

ATTEST:

_____
Kathy Inman, Deputized Clerk

EXHIBIT I

LEGAL DESCRIPTION FOR VTTM 51605

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF PALMDALE, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

LOTS 9 AND 10 OF TRACT NO. 51508-01, IN THE CITY OF PALMDALE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1214, PAGES 28 THROUGH 36, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. EXCEPT FROM THAT PORTION OF SAID LAND LYING WITHIN THE NORTH HALF OF THE NORTHEAST QUARTER, THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, AND THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 25, ALL OILS, MINERALS, GAS, PETROLEUM, NAPHTHA, OTHER HYDROCARBON SUBSTANCES AND MINERALS OF WHATSOEVER KIND AND NATURE IN, UPON OR UNDER SAID LAND, TOGETHER WITH THE RIGHT OF ENTRY, AS MAY BE NECESSARY FOR THE DEVELOPMENT. PRODUCTION AND REMOVAL OF ALL SUCH SUBSTANCES, AS RESERVED IN THE DEED FROM THE FARMERS AND MERCHANTS NATIONAL BANK OF LOS ANGELES, RECORDED JUNE 06, 1944 IN BOOK 21009, PAGE 66 OF OFFICIAL RECORDS.

ALSO EXCEPT FROM THAT PORTION OF SAID LAND LYING WITHIN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, THE NORTH HALF OF THE SOUTHEAST QUARTER, AND THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 25, ONE-HALF OF THE MINERAL RIGHTS TO GRANTORS, SHARE AND SHARE ALIKE, AND TO THEIR RESPECTIVE HEIRS AND ASSIGNS, IN ALL OIL, GAS OR MINERALS IN, ON OR UNDER THE SURFACE OF SAID LANDS, AND ALL THE RIGHTS OF OWNERSHIP THEREIN, AND ALSO RESERVING TO THEMSELVES, THEIR HEIRS AND ASSIGNS, THE RIGHT AND LICENSE OF EXPLORING, MINING, DEVELOPING OR OPERATING FOR ANY OR ALL OF THE SAID PRODUCTS UNDER SAID LANDS BY SO-CALLED SLANT WHIPSTOCK DRILLING THEREUNDER, ACCORDING TO ALL THE PRIVILEGES AND CONDITIONS OF THE FIELD THAT MAY BE DEVELOPED ABOUT SAID TRACT OF LAND WITH THE FURTHER RESERVATION THAT SHOULD THE OWNER IN FEE OF THE SURFACE OF SAID LANDS ERECT THEREON NECESSARY BUILDINGS, PIPE LINES, MACHINERY AND EQUIPMENT NECESSARY IN AND ABOUT SUCH MATTERS, GRANTORS, THEIR HEIRS AND ASSIGNS, SHALL BE GIVEN EQUAL RIGHTS TO USE AND LICENSE OR LEASE THE USE OF SUCH SURFACE IN CONNECTION WITH PRODUCTION OF OIL, GAS AND MINERALS TO THE EXTENT THEREIN RESERVED, AS RESERVED BY JOHN THOMAS TUTTLE, ALSO KNOWN AS JOHN JOUGHIN TUTTLE. A MARRIED MAN, AND ANDREW R. JOUGHIN, ALSO KNOWN AS ANDREW ROEDER JOUGHIN, A MARRIED MAN, IN DEED RECORDED JUNE 10, 1952 AS INSTRUMENT NO. 1498, IN BOOK 39123, PAGE 267 OF OFFICIAL RECORDS.

EXHIBIT II

AERIAL MAP
FOR VTTM 51605



EXHIBIT III

SPECIFIC PLAN CONSISTENCY

Topic	Goal, Objective, or Policy	Standard Met?	Justification*
Land Use	Goal 1: *Create a comprehensively designed Specific Planned Community.*	Yes	The proposed tentative map and amenities have been designed in a manner that is consistent with both the Planned Development document and the Ritter Ranch Specific Plan. The tentative map is seamlessly integrated into surrounding development and incorporates a fully landscaped, connective residential community.
Circulation	Goal 1: *Provide a transportation system which allows for the safe and efficient movement of people, goods and services throughout Ritter Ranch*	Yes	The proposed roadway system is designed in the locations and to the dimensions as required by the circulation plan of the Ritter Ranch Specific Plan.
Housing	Goal 1: *Housing availability and opportunity for all citizens.*	Yes	The proposed tentative map allows for varying lot sizes, which will ensure construction of housing for various income levels as envisioned by the Specific Plan.
Public Services and Utilities	Goal 1: *Provide adequate public and semi-public services to serve the needs of the Ritter Ranch development and the residents in an efficient and cost-effective manner.*	Yes	The proposed project will provide all improvements necessary to ensure that public and semi-public services are adequately provided. In addition, conditions of approval have been proposed that will require adequate financing mechanisms to ensure the provision of such services is cost-effective.
Design	Goal 2: *Provide public parkland for both passive and active use that is equally accessible to the community on a neighborhood, community and regional basis.*	Yes	The proposed tentative map includes six parcels dedicated to open space, which will include a variety of amenities for use by future residents and the surrounding community.

**Justification is based on a review of the plan date stamped 'Received November 8, 2021,' by the case planner.*

EXHIBIT IV

PLANNED DEVELOPMENT DOCUMENT STANDARDS

	Standard	Standard Met?	Justification*
Lot Area	Minimum lot area of 5,000 square feet (Planned Development [PD] document Section 3.3)	Yes	The lots within VTTM 51605 range in size from 5,009 to 12,065 square feet.
Lot Width	45 feet for standard lots, 50 feet for corner lots, and 40 feet for cul-de-sac and knuckle lots (PD Section 3.3)	Yes	The lots within VTTM 51605 depict a minimum width of 45 feet for standard lots, 50 feet for corner lots and 45 feet for non-standard lots.
Lot Depth	90 feet (PD Section 3.3)	Yes	The lots within VTTM 51605 depict a minimum depth of 90 feet.

**Justification is based on a review of the plan date stamped 'Received November 8, 2021,' by the case planner.*

EXHIBIT V

DRAFT

CONDITIONS OF APPROVAL
VESTING TENTATIVE TRACT MAP NO. 51605
APPROVAL DATE: FEBRUARY 10, 2022
EFFECTIVE DATE: FEBRUARY 22, 2022
EXPIRATION DATE FOR VTTM 51605: FEBRUARY 22, 2025

These Conditions of Approval apply to Vesting Tentative Tract Map (VTTM) 51605; a request to subdivide approximately 24 acres into 130 lots for the purpose of constructing 124 single-family residences within Planning Area five of the Ritter Ranch Specific Plan. For the purpose of these conditions, the term "applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval. For the purposes of these conditions, an * indicates that the condition is a mitigation measure.

GENERAL CONDITIONS:

1 This approval shall become null and void if a final map has not been timely filed prior to the expiration date in accordance with provisions of the Subdivision Map Act. An extension of time may be granted by the Planning Commission upon submittal of a formal application, required exhibits and appropriate fees in accordance with the Palmdale Municipal Code (PMC). In granting any such time extension, the City of Palmdale may impose new conditions and standards on the tentative map, pursuant to Section 66452.6(e) of the Government Code. (P)(E)

2 This Vesting Tentative Tract Map is granted for all boundary lines, easements, rights-of-way, and construction of off-site improvements as shown on the map date stamped 'Received November 8, 2021', as modified by these Conditions of Approval. Final map(s) shall be in substantial compliance with the tentative map and these Conditions of Approval. (P)(E)

3 This approval shall not be final until an agreement (Agreement No. A-7796) has been executed between the City of Palmdale and the Applicant to replace the prior Development Agreement (Development Agreement 92-1, as amended in the First Amendment to Development Agreement 92-1) for the Ritter Ranch Specific Plan. This project shall be subject to all applicable provisions of the agreement. (P)

4 As provided in Section 66498.1(b) of the Subdivision Map Act, the applicant shall comply with all requirements of the PMC, all requirements of City of Palmdale ordinances, resolutions, and all standards and policies that were in effect at the time that the applicant's application for a vesting tentative map was deemed complete.

5 As provided in Government Code Section 66498.1(e), as amended, the City may impose conditions on subsequently required approvals and permits as authorized by the PMC, and other applicable ordinances, resolutions, engineering standards, and policies. (P)(E)

6 Pursuant to Section 66452.6(g), vested development rights conferred pursuant to Section 66498.1(b) shall last for not more than two years following recording of the final map, unless otherwise provided by law. (P)(E)

7 When exhibits and written conditions of approval are inconsistent, the written conditions shall prevail. Where the language of any condition of this approval conflicts with any mitigation measure in the Final Environmental Report, the language contained in the Environmental Report shall prevail. (P)(E)

8 Off-site public improvements (streets, drainage, sewers, etc.) may be necessary to adequately serve this subdivision. If off-site public improvements are required, said improvements shall be located within public easements. This tentative map approval is subject to the applicant's acceptance of the City of Palmdale's requirements for acquisition of said public easements, including the applicant's financial responsibility. The City Engineer shall have the authority to withhold approval of any affected improvement plans for failure to satisfy this condition. (E)

9 The applicant shall participate in such on-site and off-site water service improvements as may be required by the serving water purveyor. (E)

10 Coordination with utility companies by the applicant's engineer during design shall be required in order to ensure that required public improvements are not in conflict with existing or proposed utilities. (E)

11 * The applicant shall comply with the provisions of Chapter 3.40 (Traffic Impact Fee Requirements) of the PMC. The applicant shall pay the applicable traffic impact fees to the Building and Safety Division in the amount that is in effect at the time the vesting tentative map application was deemed complete. (Mitigation Measure No. 77) (TE)

12 * The applicant shall comply with all provisions of PMC Chapter 14.05, Water Efficient Landscape Ordinance. (Mitigation Measure No. 106) (E)

13 The applicant shall use best efforts to coordinate all elements of design and planning of transportation facilities with the developer of the Anaverde Nuevo Specific Plan at the mutual project boundaries. (P)(E)(B&S)

14 The Specific Plan identifies various meandering facilities on the street sections. Such features shall be incorporated into the roadway designs, as approved by the City Engineer and Planning Manager. (P)(E)

15 Left-turn ingress and/or egress at all access locations is subject to approval of the City Traffic Engineer and may be restricted in the future due to traffic operational or safety concerns. Alternatives to such restrictions may be considered. (TE)

16 Any interim drainage basins, levee and channel improvements referenced in Conceptual Drainage Studies shall be the responsibility of the master subdivider to maintain in accordance with the subdivision improvement agreement for VTTM 51508 or an entity acceptable to the City. (E)

17 The subdivider shall install all drainage improvements within the subdivision not installed by the CFD 93-1. (E)

18 If any "T" intersection does not have driveways that are suitable for use by the handicapped opposite the approach of the third leg of the intersection, then handicapped ramps shall be installed. (TE)

19 * All road improvements shall be designed in accordance with City of Palmdale and Ritter Ranch Specific Plan roadway design standards as approved by the City Engineer. (Mitigation Measure No. 72) (TE)

20 The final map shall include a trustee statement subordinating of the lien of the deed of trust to the map for rights-of-way and easements necessary to serve the surrounding areas. (E)

21 The subdivider has provided the City with notice of intent to file multiple final maps on this Vesting Tentative Tract Map. In the event that the applicant files a final map with respect to any phase or phases of the Vesting Tentative Tract Map less than one year from a previous filing of a final map for the project, the applicant shall be entitled to only one automatic extension pursuant to Government Code Section 66452.6(a) for those filings. (E)

22 The subdivider shall be responsible for providing all necessary infrastructure improvements to the satisfaction of the City Engineer, for each final map filed. This shall include but shall not be limited to providing sanitary sewer and potable water connections, providing adequate drainage facilities, and providing any additional roadway improvements deemed necessary by the City Engineer to provide adequate public and emergency access. Tract phasing is outlined on Vesting Tentative Phased Tract Maps, stamped 'Received November 8, 2021'. In the event that the subdivider wishes to modify the phase boundaries, or the order in which the phases are recorded, the subdivider shall process a Major Modification application to the approved Vesting Tentative Tract Map for review and approval by the Planning Commission. In the event that one phase is constructed before the other(s), the subdivider shall construct and/or bond for all public improvements necessary to ensure public health, safety and welfare, including but not limited to the following infrastructure improvements: (E)

22.1 Minimum required improvements for Phase 1 shall include infrastructure and roadway improvements within the phase boundary and include the following:

22.1.1 A temporary turn-around at the southerly Phase 1 boundary line on Street 'T';

22.1.2 All infrastructure improvements including water, sewer, and drainage, shall be constructed to connect to existing mainline facilities; and,

22.1.3 Phase 2 shall be rough graded to approximate ultimate drainage patterns and to divert runoff from the tract shown as Phase 1.

22.2 If Phase 2 precedes Phase 1, all infrastructure and roadway improvements within the phase boundary and include the following:

22.2.1 A temporary turn-around at the northerly Phase 1 boundary line on Street 'T';

22.2.2 Acquire the necessary road easements to construct full street improvements, including all infrastructure shall be provided for Street 'X'; and,

22.2.3 All infrastructure improvements including water, sewer, and drainage, shall be constructed to connect to existing mainline facilities.

23 * Adequate emergency access and circulation throughout and around the project shall be provided to the satisfaction of the Los Angeles County Sheriff's Department and Los Angeles County Fire Department. Temporary emergency access shall be provided during project construction. (Mitigation Measure No. 92) (E)

24 * Prior to subsequent approvals, energy conservation practices, as required by the Subdivision Map Act, Building Energy Efficiency Standards (California Energy Commission), and state and local laws, shall be incorporated into the design of the project to have the secondary effect of limiting stationary source pollutants both on and offsite. (Mitigation Measure 28) (P)

25 * Projects that exceed SCAQMD threshold levels shall contribute to the Traffic mitigation programs imposed on the development in effect at such time building permits are issued for the project, and each part thereof. (Mitigation Measure 30) (P)

26 * Prior to Development Application approvals, focused surveys shall be conducted by a City-approved biologist to establish the presence or absence of sensitive species (as defined by Federal, State, or Local laws) on the development site. Should sensitive species be present, applicable mitigation shall be implemented per Federal, State and Local Endangered Species Protection regulations as determined necessary by the City Planning Manager. (Mitigation Measure 48) (P)

27 * Development along internal and adjacent arterials will incorporate design measures or structural measures which will reduce noise levels to acceptable levels within the living or recreational portions (as defined by the City) of any lot. The measures that may be utilized to reduce noise impacts include placement of non-residential buildings adjacent to the arterial roadway, increasing the setbacks along the roadway, creation of landscaped berms or other unobtrusive barriers. The acceptable noise level CNEL which will be applied to future projects will be that level which is in place, either by ordinance, resolution, or General Plan policy, at the time that future development applications are deemed complete. (Mitigation Measure 52) (P)

28 * Where necessary, noise mitigation measures such as barriers or sound walls, shall be employed to ensure that acceptable noise levels at the proposed parks are not exceeded. (Mitigation Measure 53) (P)

29 * Any lights used to illuminate the parking areas, driveways, and other exterior or interior areas, shall be designed and located so that direct lighting is confined to the property. The applicant shall submit photometric lighting plans for commercial, multi-family and recreational projects. In addition to directional lighting, lighting should not be of greater intensity (wattage) than otherwise necessary for public safety. (Mitigation Measure 60) (P)

30 * The Applicant shall annually evaluate all design guidelines, development standards and mitigation measures for the Ritter Ranch Specific Plan, submitting a Monitoring Report to the Planning Manager the first quarter of each year through buildout of the project. In addition, the applicant shall submit aerial photos of the project site taken on monthly basis when grading is occurring. Monitoring and verification of compliance with adopted applicable Specific Plan development standards shall also be performed prior to subsequent approvals, to determine if the proposed measures are achieving their intended purpose. To the extent allowed by law, future discretionary approvals may include additional conditions of approval based upon City staff review of the Annual Monitoring Report. Nothing in this mitigation measure shall be construed to permit environmental review beyond the extent permitted by State law. (Mitigation Measure 66) (P)

31 * All project homeowners and tenants shall be advised of potential health risks associated with power transmission lines prior to close of escrow/execution of rental lease. The content and form of said notification shall be indicated in the applicable escrow, deed and/or lease documents in a format acceptable to the City attorney. (Mitigation Measure 71)

32 * A final report summarizing findings, including an itemized inventory, contextual stratigraphic data, and photographs shall accompany any fossils collected onsite to the designated repository, with an additional copy sent to the City of Palmdale Planning Division. (Mitigation Measure 91) (P)

33 * Adequate lighting shall be provided to enhance crime prevention and law enforcement efforts to the satisfaction of the Los Angeles County Sheriff's Department and the City Traffic Engineer, including along pedestrian trails. Lights shall be designed and located so that direct lighting is confined, and lighting should

not be of greater intensity than necessary for public safety. (Mitigation Measures 93 and 117) (P)

34 * Onsite telephone facilities shall be provided by utilizing joint trenches. (Mitigation Measure 100) (P)(B&S)

35 * As required by state law, the following water conservation measures shall be incorporated into the project: (P)(B&S)

35.1 Low-flush toilets and urinals;
35.2 Low-flow showers and faucets;
35.3 Insulation of hot-water lines in water recirculating systems;
35.4 All fixtures shall be California Energy Commission (CEC) certified; and,
35.5 Public lavatory facilities must be equipped with self-closing valves. (Mitigation Measure 105)

36 * The following water conservation measures shall be implemented where applicable and feasible: (P)(B&S)

36.1 Interior

36.1.1 Supply line water pressure greater than 50 pounds per square inch (psi) shall be reduced to 50 psi or less by means of a pressure reducing valve.
36.1.2 Drinking fountains shall be equipped with self-closing valves.
36.1.3 Laundry facilities shall use water-conserving models of washers.
36.1.4 Ultra low-flush toilet (1-1/2 gallons per flush) shall be installed in all new construction.

36.2 Exterior

36.2.1 Landscape with low water-consuming plants wherever feasible.
36.2.2 Minimize use of lawn by limiting it to lawn-dependent uses, such as playing fields. When lawn is used, require warm season grasses.
36.2.3 Group plants of similar water use to reduce overirrigation of low-water-using landscaping.
36.2.4 Provide information to project residents and tenants regarding benefits of low-water using plants.

36.2.5 Use mulch extensively in all landscape areas. Mulch applied on top of soil will improve the water-holding capacity of the soil by reducing evaporation and soil compaction.

36.2.6 Preserve and protect existing trees and shrubs. Established plants are often adapted to low-water-using conditions and their use saves water needed to establish replacement vegetation.

36.2.7 Install efficient irrigation systems which minimize runoff and evaporation and maximize the water which will reach the plant roots. Drip irrigation, soil moisture sensors and automatic irrigation systems are a few methods to consider in increasing irrigation efficiency and may be feasible for the project.

36.2.8 Use pervious paving material whenever feasible to reduce surface water runoff. (Mitigation Measure 106)

37 * The applicant shall distribute an educational pamphlet to homeowners at the time of occupancy describing the solid waste disposal problem, and methods of reducing solid waste impacts that are available to protect residents as reviewed and approved by the City. (Mitigation Measure 119) (P)(B&S)

38 * Where applicable, the applicant shall comply with the provisions of the City's Source Reduction and Recycling Element and the City's Household Hazardous Waste Element after those elements are adopted by the City Council. (Mitigation Measure 122) (P)(B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE STAMPING OF THE TENTATIVE MAP FOR CONDITION COMPLIANCE:

39 All plans, specifications, studies, reports, calculations, maps, notes, legal documents, and designs shall be prepared and signed (and stamped where required) only by those individuals legally authorized to do so. Plans for public improvements shall be prepared, signed, and stamped by a California Registered Civil Engineer. (E)

40 The location of method of operation of any vehicle restricting gates shall be subject to the approval of the Los Angeles County Fire Department and the City Engineer. Residents shall not be required to pay additional costs to receive devices to open a security gate. (TE)(F)

41 Right-of-way and street construction shall include a provision of a bus turnout for eastbound City Ranch Road east of Ranch Center Drive. Design shall be subject

to the approval of the City Engineer. The actual date of construction may be deferred until bus service is provided. The bus turnout areas shall be constructed of Portland cement concrete. (TE)

42 The developer shall provide public transit shelters and/or benches at locations to be determined upon provision of public transit service to the area. (TE)

43 Appropriate right-of-way for right-turn lane(s) shall be provided at the intersection of City Ranch Road and Ranch Center Drive (250-foot lane, with a 120-foot transition). Each intersection approach shall include a total of three approach lanes. Design shall be subject to the approval of the City Engineer. (TE)

THE FOLLOWING CONDITIONS SHALL BE ADDRESSED WITH THE SUBMITTAL OF GRADING PLANS OR PRIOR TO ISSUANCE OF A GRADING PERMIT:

44 The applicant shall enter into a Subdivision Improvement Agreement and post securities for grading operations with the City and pay all applicable fees. Grading activities extending beyond phase boundaries shall require prior approval of the City Engineer and Planning Manager. Such grading activity shall be reflected in the subdivision improvement agreement of the phase which request such grading. (E)

45 Grading and wall plans shall be submitted for review and approval to the Engineering Division. Approval by both the City Engineer and Planning Manager shall be obtained prior to the issuance of a grading permit. Perimeter walls shall be consistent with the design and materials of any previously approved adjacent perimeter wall to provide continuity of the streetscape. Final grading and wall concepts shall be in substantial conformance with those shown on the tentative map, conceptual grading plan, Ritter Ranch Specific Plan, Planned Development document, and in accordance with the following: (P)(E)

45.1 All corner lots shall contain a decorative masonry block wall on the street side of the lot.

45.2 All interior property line walls, if proposed, shall be constructed of masonry, wrought iron, durable vinyl, or other similar durable materials as approved by the Planning Manager.

46 In all cases where a required wall is to be located adjacent to the top of a 2:1 or greater slope, the wall shall be set back a minimum of two and one-half feet from

the crest of that slope on the level side. All slope and wall configurations shall meet the setback requirements of the City Building Code. (P)(E)(B&S)

47 The exterior face and footings of all project perimeter walls shall be located no more than two inches from the property line on the subject property. (P)(E)

48 Double boundary walls between developments are prohibited except as approved by the Planning Manager and City Engineer. (P)(E)

49 The final grading plan shall indicate that all rear and interior side yard slopes are up slopes to property lines as indicated on the tentative map. (P)(E)

50 All manufactured slopes on or adjacent to project boundaries shall meet the setback requirements of the current City Building Code and Planned Development. A recorded off-site Slope Acceptance Letter from all affected property owners shall be submitted to the City Engineer prior to approval of grading plans for any slope not meeting these requirements. In addition, slopes are required to meet City Standards with respect to erosion control. (E)(B&S)

50.1 Developer shall install all landscaping in rights-of-way, landscaping easements, in parks, in residential common areas and open spaces, and on slopes, the last in accordance with the provisions of the Specific Plan and Planned Development;

50.2 All slopes accessible from a public right-of-way shall be privately maintained until the City accepts maintenance or transferred to a private Homeowners Association entity;

50.3 The City, through a special district formed by the City, may elect to accept landscape maintenance responsibility for certain privately owned slopes abutting major arterials. Upon such election, the developer shall dedicate or cause to be dedicated to permit access to carry out such maintenance. The developer shall warrant all such landscaping for a period of one (1) year after the completion of the installation thereof.

51 The applicant shall submit a temporary erosion control and sedimentation plan for approval by the City Engineer prior to grading plan approval and grading permit issuance when grading activity will occur between October 1st and April 15th. (E)

52 * Disturbed and un-landscaped areas shall be replanted with native vegetation compatible with the existing native vegetation, appropriate to the site, which will blend in with existing species. (Mitigation Measure No. 63) (E)

53 * The project shall follow the grading plan approved by the City and avoid disturbance of adjacent areas where possible. (Mitigation Measure No. 64) (E)

54 * Slopes at the edge of the development shall be revegetated with low combustible plant material as approved by the City Engineer. (Mitigation Measure No. 45) (E)

55 The applicant shall incorporate into the project design all existing easements within the project boundaries or obtain abandonment of said easements from the affected easement holder(s). If this requirement cannot be accomplished, the project shall be redesigned accordingly to the satisfaction of the Planning Manager, City Engineer, or the Planning Commission. (P)(E)

56 This project shall be designed and constructed in accordance with the stormwater pollution control requirements of the Lahontan Region of the California Regional Water Quality Control Board. Prior to the issuance of a grading permit, the applicant shall file a Notice of Intent with the Lahontan Region of the California Regional Water Quality Control Board to comply with the applicable National Pollution Discharge Elimination System (NPDES) requirements. (E)

57 Three copies of final landscape and irrigation plans shall be submitted to the City Engineer for review and approval. Said plans shall include street tree and slope erosion control plans the following locations: On-site and off-site slopes, Homeowner's Association (HOA) maintained easement or recreation areas, bicycling and hiking trails, and open space lots, as determined necessary by the City Engineer. One copy of the approved plans shall be submitted to the Planning Division. (P)(E)

58 * Plants such as Pampasgrass, African Fountaingrass, Tamarisk, Castorbean, Arundo donax, and exotic Fescues shall not be planted within the Specific Plan area. A review of the landscape plan's plant selection shall be made by a qualified revegetation biologist approved by the City Engineer and Planning Manager prior to landscape plan approval. The applicant shall also require that residences exclude these plants from their landscaping (as through Covenants, Codes and Restrictions enforced by a HOA). (Mitigation Measure No. 42) (P)(E)

59 The applicant shall submit for review and approval by the City Engineer, three sets of landscaping and irrigation system plans for all areas designated as Landscape Maintenance Easements on the Vesting Tentative Tract Maps, which will be included in the Landscape Maintenance Assessment District (LMD). Plans shall include planting and irrigation plans and specifications (20 scale maximum) District Diagram of Improvements for the LMD Engineer's report; estimate of probable construction costs; and the notice to prospective homeowners. Tree species to meet Thematic Landscape Standards, outlined in the Ritter Ranch Phase 1A Planned Development (PD 21-001) document. (E)

60 * Landscaping shall be consistent with the Specific Plan in order to maintain a cohesive theme across the project site, and in order to reduce aesthetic impacts of structures to adjacent roadways and residential properties. (Mitigation Measure No. 59) (E)

61 * The Applicant shall consult with the Los Angeles County Sheriff's Department regarding landscape standards to ensure that landscape features do not conceal potential criminal activity around buildings and in parking areas. This measure will be implemented to the satisfaction of the Planning Manager and City Engineer, prior to staff acceptance of the landscape plan. (Mitigation Measure No. 95) (P)(E)

62 The applicant shall incorporate into the project design all existing easements within the project boundaries or obtain abandonment of said easements from the affected easement holder(s). If this requirement cannot be accomplished, the project shall be redesigned accordingly to the satisfaction of the Planning Manager, City Engineer, or the Planning Commission. (P)(E)

63 The applicant shall obtain off-site easements from affected property owner(s) for all proposed off-site improvements and grading activities (slopes, drainage, walls, etc.). If said easements cannot be obtained, the project shall be redesigned to incorporate said improvements and grading entirely within the project boundary, to the satisfaction of the Planning Manager and the City Engineer. The City Engineer shall have the authority to withhold approval of any affected improvement plans for failure to satisfy this condition. (P)(E)

64 A drainage acceptance letter from each affected property owner shall be submitted to the City Engineer when the pre-developed storm runoff onto any property is increased, concentrated, diverted, or changed in any form as required by State law. (E)

65 A final hydrology study and hydraulics report shall be prepared for this subdivision and approved by the City Engineer. The hydrology study and hydraulics report shall address on-site and off-site conditions and impacts. (E)

66 This subdivision shall be designed in accordance with the City's Floodplain Management Ordinance, Master Plan of Drainage, and related criteria within the Engineering Design Standards. (E)

67 * The applicant shall submit geotechnical reports, prepared in accordance with the City's Engineering Design Standards, to the City Engineer for review and approval prior to the issuance of a grading permit. Said report shall include recommended design, construction, and maintenance of mitigation measures to reduce potential geologic constraints, to the satisfaction of the City Engineer. At minimum, the report shall address slope stability, locations and setbacks for active/potentially active faults, excavation requirements for unsuitable surficial material, liquefaction potential and groundwater/seepage conditions. All future discretionary approvals must comply with the applicable recommendations set forth in the required investigation. Typical mitigation for geologic hazards include excavation and/or stabilization (buttress/retaining walls) of landslides and excavation of undesirable materials (such as those subject to settlement, hydroconsolidation, expansion or liquefaction) and re-compaction, if necessary, with suitable material. Recommendations from the report shall be incorporated into final grading plans, to the satisfaction of the City Engineer. (Mitigation Measure No. 1) (E)

68 An off-site interim bioswale/drainage channel shall be required for this subdivision according to Nuisance Runoff Assessment Plan and the Conceptual Drainage Study for this vesting tentative tract map and VTTM 51508. These drainage systems shall be maintained by the Master Developer to the satisfaction of the City Engineer. (E)

69 Prior to grading permit issuance, as outlined in the 'Phase 1 Interim Agreement – Ritter Ranch Development' (Agreement No. A-7796) the Master Developer shall enter into new subdivision improvement agreements for all Final Tract Maps or Tentative Tract Map items listed in Exhibit 5 of said interim agreement and replace all Lien Contracts with Surety Bonds. (E)

70 Provisions shall be made within the project to utilize recycled water to the extent that such provision is found to be in accordance with the Antelope Valley Recycled Water Master Plan and any City Standard/Ordinance enacted to facilitate its use. (E)

71 * Prior to issuance of grading permits for each area of the Ritter Ranch Specific Plan, the applicant shall provide appropriate safety and etiquette signs for all off-street trails, particularly at trail parking facilities and trail segments with limited sight distance, in order minimize safety hazards to bicyclists, pedestrians and equestrians. The nature, location and language for these signs shall be approved by the Planning Manager and the City Traffic Engineer. Said signs may also include other restrictions/warnings such as discouraging damage to natural resources. (Mitigation Measure No. 44 and 116) (E)(TE)(P)

72 * All construction and general maintenance activities, except in an emergency, shall be limited by City of Palmdale Municipal Code Section 828.030 to the hours of 6:30 a.m. to 8 p.m. Monday through Saturday. The operation of any machine, mechanism, device or contrivance during construction shall comply with noise limits in the PMC and General Plan. (Mitigation Measure No. 51) (E)

73 * Prior to issuance of grading permits for each area of the Ritter Specific Plan, qualified archeologist shall be retained at the expense of the developer to formulate and carry out an Archeological Monitoring Program for that particular area. The Archeological Monitoring Program as approved by the Planning Manager shall include, but not be limited to measures identified in the EIR, and the 1990 RMW Paleo Associates report (Appendix I), and the 1991 LSA Phase II Archaeology Report (dated June 14, 1991). (Mitigation Measure 79) (P)

74 * Monitoring during grading activities shall be accomplished by an archaeologist approved by the Planning Manager. Said archaeologist shall be present at any pre-grading conference and shall have the power to enforce required mitigation measures related to cultural resources. Mass grading activity shall be periodically monitored, particularly during initial site clearing, to ensure that any buried archaeological deposits which may exist on the property are detected. This monitoring shall be maintained until undisturbed bedrock is exposed. The monitoring archaeologist shall be prepared to document and recover any material which appears as quickly as is consistent with standard archaeological practice. If determined necessary, the archaeologist may halt grading to ensure adequate salvaging and/or protection of cultural resources (upon which the Planning Manager and Applicant shall be notified). (Mitigation Measure 81) (P)

THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO OR IN CONJUNCTION WITH RECORDATION OF THE FINAL MAP OR ANY PHASE THEREOF:

75 The applicant shall petition the City to form a Landscape Maintenance Assessment District for the maintenance of landscaping and appurtenant facilities. Such district shall be formed concurrently with, or prior to, recordation of the final map at the sole cost and expense of the applicant, and the applicant's deposit of the estimated costs thereof shall be required prior to such actions by the City. If the City is unsuccessful in the formation of the Landscape Maintenance Assessment District, the Developer shall propose an alternative maintenance entity and shall be responsible for the maintenance of the landscaping and appurtenant facilities until such time that an alternative maintenance entity assumes the maintenance. All costs associated with the formation of an alternative maintenance entity shall be paid by the Developer. (E)

76 The applicant shall provide written evidence to the Planning and Engineering Divisions that approval has been obtained from the Los Angeles County Fire Department. (F)(P)(E)

77 The applicant shall enter into a subdivision improvement agreement and post securities with the City and pay all applicable fees at the time of subdivision approval for those improvements necessary to support this subdivision, as determined by the City Engineer. If any transfer of ownership/title of land within this proposed subdivision takes place prior to release of all agreements and securities, the new applicant shall be required to enter into a separate Subdivision Improvement Agreement with the City and pay all applicable fees. Agreement and securities with the prior applicant will be released after the agreement and securities with the new applicant take effect. (E)

78 The applicant shall provide standard street improvements for Streets 'S', 'U', 'V, 'R' (east of Street 'Q'), and 'W' (west of Street 'T') within the project boundary, face of curb to face of curb width of 34 feet (50-foot right-of-way). These improvements shall consist of: (E)

78.1 Curb and gutter;

78.2 Sidewalk (width = 5 feet);

78.3 Roadway grading and paving, overlay and/or match-up, as directed by City Engineer;

78.4 Traffic control signs and devices as required by the City Engineer;

78.5 Pavement transition from the project boundaries to the satisfaction of the City Engineer;

78.6 Wheelchair ramp(s) at all walk returns;

78.7 Roadway drainage device(s); and,

78.8 Streetlights.

79 The applicant shall provide standard street improvements for Streets 'T' and 'R' (west of Street 'Q') within the project boundary, face of curb to face of curb width of 36 feet (60-foot right-of-way). These improvements shall consist of: (E)

79.1 Curb and gutter;

79.2 Sidewalk (width = 5 feet);

79.3 Roadway grading and paving, overlay and/or match-up, as directed by City Engineer;

79.4 Traffic control signs and devices as required by the City Engineer;

79.5 Pavement transition from the project boundaries to the satisfaction of the City Engineer;

79.6 Wheelchair ramp(s) at all walk returns;

79.7 Roadway drainage device(s); and,

79.8 Streetlights.

80 The applicant shall provide standard street improvements for Streets 'P', 'Q', and 'X' within the project boundary, face of curb to face of curb width of 40 feet (64-foot right-of-way). An alternative 64-foot right-of-way section of Street 'W' (east of Street

'T') shall have a face of curb to face of curb width of 44 feet. These improvements shall consist of: (E)

80.1 Curb and gutter;

80.2 Sidewalk (width = 5 feet);

80.3 Roadway grading and paving, overlay and/or match-up, as directed by City Engineer;

80.4 Traffic control signs and devices as required by the City Engineer;

80.5 Pavement transition from the project boundaries to the satisfaction of the City Engineer;

80.6 Wheelchair ramp(s) at all walk returns;

80.7 Roadway drainage device(s); and,

80.8 Streetlights.

81 Additional pavement shall be constructed to provide for left-turn lanes at City Ranch Road and Ranch Center Drive. (TE)

82 Additional pavement shall be constructed to provide for right-turn lanes at all approaches of the intersection of City Ranch Road and Ranch Center Drive (250-foot lane, with a 120-foot transition). (TE)

83 The right to restrict access shall be dedicated along all lots abutting the following street: Westland Drive. (TE)

84 A striping and signing plan shall be provided, subject to the approval of the City Engineer prior to the approval of the street improvement plans. The striping and signing plan shall be submitted with final street improvement plans. (TE)(E)

85 The provision for adequate sight distances shall be demonstrated and be subject to the approval of the City Engineer. (TE)

86 * Pedestrian and other non-motorized circulation and facilities shall be provided as set forth in the Ritter Ranch Specific Plan. Design shall be subject to the approval of the City Engineer. (Mitigation Measure No. 43) (TE)

87 All areas within the tract designated by the City Engineer as requiring a landscape easement shall be shown as an 'Easement for Landscaping Purposes' on the final map. (E)

88 A sanitary sewer-area study for this subdivision shall be prepared and submitted to the City Engineer for review and approval. A public sanitary sewer system is to be dedicated to the City, with private laterals to each lot. The system shall be designed and installed as the only method of sewage disposal for this subdivision. The following coordination and clearance must be obtained prior to issuance of a sewer permit: (E)

88.1 * Any sewer proposed for incorporation into the Los Angeles County Sanitation Districts trunk sewer network for operation and maintenance, shall be reviewed and approved by the Sanitation District, prior to any construction. (Mitigation Measure No. 110)

89 The applicant shall obtain sufficient off-site sewer easements and design and construct an off-site outfall sewer with supplemental size, capacity, and length as required by the City Engineer. The City Engineer shall have the right to withhold approval of any affected improvement plans for failure to satisfy this condition. (E)

90 * The subdivision shall comply with all requirements of PMC Section 13.05. (Mitigation Measure No. 109) (E)

91 * Water mains shall be designed to meet or exceed the total flow requirements determined for domestic flow and fire flow for this development. Required domestic flow shall be calculated by the applicant's engineer. Fire flow shall be determined by the Los Angeles County Fire Chief. Site-specific development plans shall require review and approval by the Los Angeles County Fire Department with respect to adequate fire flows, emergency access and building construction standards. (Mitigation Measure No. 112) (E)(B&S)

92 The plans and specifications for the water delivery system shall be submitted for approval to the responsible water purveyor prior to final approval of this development by the City Engineer. In all cases where water system facilities have not been installed prior to filing this development with the City Engineer for final

approval, the applicant shall submit a Labor and Materials bond in addition to one of the following: (E)

92.1 An Agreement and Faithful Performance bond in the amount approved by the City Engineer to be sufficient to guarantee installation of the improvements; or

92.2 An Agreement and evidence satisfactory to the City Engineer showing that the applicant has entered into a contract with the serving water utility for establishing a security guaranteeing payment for the installation of the improvements.

93 Street lighting plans shall be reviewed and approved as part of the approval of the street improvement plans. Street lighting plans shall be submitted to the City Engineer for review and approval and to Southern California Edison Company for their use. (E)

94 The applicant shall petition the City to form a Streetlight Benefit Assessment District for the maintenance of streetlights and appurtenant facilities. Such district shall be formed concurrently with, or prior to, recordation of the final map at the sole cost and expense of the applicant, and the applicant's deposit of the estimated costs thereof shall be required prior to such actions by the City. If the City is unsuccessful in the formation of the district, the Developer shall propose an alternative maintenance entity and shall be responsible for the maintenance of the streetlights and appurtenant facilities until such time that an alternative maintenance entity assumes the maintenance. All costs associated with the formation of an alternative maintenance entity shall be paid by the Developer. (E)

95 The applicant shall provide a complete set of street improvement plans for review and comment to utility providers including but not limited to the following: (E)

95.1 Los Angeles County Waterworks

95.2 Southern California Edison

95.3 Southern California Gas Company

95.4 AT&T

95.5 Cable TV

96 Easements for all on-site utilities, public and private, shall be granted and recorded for maintenance and upkeep. Such easements may include, but are not limited to, sewer, water, electric, gas, telephone, storm drains, detention basins, and landscaping. (E)

97 The subdivider shall be required to install appropriate measures to protect the approved nuisance water system for Vesting Tract Map 51508-RR ('A' Map) from silt and debris during the grading operation and from any off-site flows from undeveloped areas designed to flow through the subdivision. Developer shall be responsible for providing nuisance water catch basins and piping to the approved nuisance water mitigation system. The design for intercepting on-site nuisance flows shall be addressed with the submittal of grading plans. (E)

98 Will Serve letters will be required before the map is submitted to City Council for approval. The following is a list of the minimum Will Serve letters required: (E)

98.1 Los Angeles County Waterworks

98.2 Southern California Edison

98.3 Southern California Gas Company

98.4 Cable TV

98.5 School District

99 Prior to submitting the final map to the City Engineer for approval by the City Council pursuant to Section 66442 of the Government Code, the applicant shall obtain clearances from all departments, divisions and utility companies which have set conditions of approval on this subdivision and submit those items defined in PMC Chapter 16.20. (E)

100 A preliminary title report and subdivision guarantee is needed showing all fee interest holders, all interest holders whose interest could ripen into a fee, all trust deeds, together with the names of the trustee and all easement holders. The account for this title report shall remain open until the final tract map is filed with the County Recorder. No easements shall be granted and recorded until after the final map is recorded, unless approved by the City Engineer and subordinated to

any City easements by a certification upon the title sheet of the final map, prior to the grant. (E)

101 This subdivision is within Community Facilities District 93-1. The applicant is responsible for any due to delinquent "Special Assessments" and shall obtain clearance from the City Engineer and Planning Manager prior to scheduling the final map for City Council. The applicant will certify that there are no liens against the subdivision for unpaid special assessments. Additionally, security for the current installment of principal and interest of all special assessments collected as taxes, which are recorded as a lien, but are not yet payable, shall be filed with the Los Angeles County Clerk. The applicant shall bear all costs associated with the reapportionment/reassessment of "Special Assessments". (E)

102 An HOA shall be created for the project and shall be responsible for the maintenance of all common use areas, private streets, private drainage facilities and shared parking areas. The documents creating this entity shall be provided to the Planning Manager, City Engineer, and City Attorney for review and approval. (P)(E)

103 The applicant shall prepare Covenant's, Conditions, and Restrictions (CC&R's) for review and approval by the Planning Manager, City Engineer, and City Attorney. Such CC&R's shall include all elements deemed necessary by the City Attorney. The applicant shall be responsible for all City Attorney costs regarding review of said CC&R's prior to recordation of any phase. (P)(E)

104 In cases where the applicant indicates that multiple final maps will be filed, a Phasing Plan shall be submitted for review and approval by the Planning Manager and City Engineer. Pursuant to Government Code 66456.1, multiple final maps (phasing of tentative map) shall not be authorized for this tentative map until such time as the City of Palmdale has had the opportunity to evaluate the phasing and impose reasonable conditions, related to the phase. (E)

105 Three copies of interior tract street tree and front yard landscaping plans shall be submitted to the City Engineer for review and approval. (E)

106 A Landscape Maintenance Assessment District, or other maintenance entity acceptable to the City, shall be formed prior to recordation of the first 'B' Map within VTM 51508-RR 'A' Maps. Applicant shall fully execute a 'Consent and Waiver to Annexation to Landscape Maintenance Assessment District' form. (E)

107 The temporary sewer lift station (east of this vesting tentative tract map) shall be in operation (accepted by the City and Los Angeles County Health Department) prior to occupancy release of the first lot of this vesting tentative tract map. Said temporary sewer lift station shall be maintained at the expense of the Master Developer and approved by the City. (E)

108 * Each deed or other conveyance of Real Property shall include the following statement: "Ritter Ranch is traversed by major splays (branches) of the San Andres Fault Zone, a very youthful geologic feature. Due to the proximity of the Ritter Ranch site to the San Andreas Fault, there is a high risk of experiencing strong ground shaking and possible surface fault rupture." Additionally, where applicable, each disclosure statement within the deed shall contain language which denotes the possibility of building restrictions on residential additions for human occupancy on those parcels which are located in Fault Hazard Restricted Use Zones. (Mitigation Measure No. 9) (E)(P)(B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR ANY PHASE OF THE SUBDIVISION:

109 The applicant shall pay all fees at the time fees are determined payable and comply with all requirements of the applicable Federal, State, and Local agencies including, but not limited to, the following as applicable:

109.1 Los Angeles County Sanitation District
109.2 Los Angeles County Department of Health Services
109.3 Los Angeles County Consolidated Fire District
109.4 Los Angeles County Waterworks/Palmdale Water Districts
109.5 Westside Union School District
109.6 Antelope Valley Air Quality Management District

The duty of inquiry as to such requirements shall be upon the applicant. Proof of payment shall be provided to the Building and Safety Division prior to issuance of any building permits. (P)(E)(B&S)

110 The applicant shall pay park fees or dedicate and construct the improvements for the proposed community, neighborhood and specialty park facilities shown in the Specific Plan as approved by the Director of Parks and Recreation pursuant to Ordinance 789. (Mitigation Measure 115) (P)(B&S)(Pk)

111 * Westside Union School District: The developer shall comply with the terms of the agreement, dated November 26, 1991, between the developer and the Westside Union School District as mitigation for impacts caused by development of the project on the Westside Union School District. The terms of that agreement are as follows:

111.1 Development Fees. Developer hereby agrees to pay to District fifty-one dollars and ninety-nine cents ($51.99) per square foot of habitable residential development prior to the issuance of the building permit on each unit. A fee of twenty-six cents ($.26) per square foot of industrial/commercial construction shall be paid to the District prior to the issuance of each commercial building permit. All such amounts shall be subject to annual adjustment pursuant to increases or decreases in the School Construction Cost. Index of the Office of Local Assistance with January 1, 1992, as the base.

111.2 School Sites. In addition, Developer hereby agrees to sell to District three, eight-acre elementary school sites with each being adjacent to a park, two, five-acre school sites with each being adjacent to a park, and one 20-acre middle school site, designated in Exhibit B of said agreement.

111.3 The purchase price for the District shall be the fair market value of each site at the time escrow is opened, not to exceed $100 per acre plus annual adjustments based upon increases or decreases in the school construction cost index of the Office of Local Assistance with January 1, 1992 as the base. The fair market value shall include all offsite improvements and grading of the site.

111.4 In the event that the parties cannot agree on the fair market value, each party shall obtain an appraisal from an MAI certified appraiser. If the two appraisals are within $5,000 of each other, the FMV shall be the lowest value plus one-half of the difference. If the difference between the two appraisals is more than $5,000, the County Superintendent of Schools shall designate third appraiser who shall be independent of the parties and MAI certified and who shall conclusively establish the fair market value.

111.5 The cost of the third appraisal shall be borne equally by the parties.

111.6 Developer shall perform all offsite improvements such as roads, curbs, gutters, water (with a flow guaranteed to meet fire safety requirements)

sewer, and utilities to the site for no cost to District except as provided above. Developer shall also provide rough grading of the site to District's reasonable specifications. Title to the site shall be transferred to District, free and clear of all monetary liens, assessments, taxes and encumbrances and easements or any restrictions which interfere with the District's plans to use the property for the development of the school sites prior to the filing of any final map on the tract. Onsite and offsite improvements shall be performed concurrently with improvements on the remainder of the tract.

111.7 The District may exercise its right to acquire the property by serving written notice on Developer and opening an escrow account. Developer shall within 30 days of receipt of notice deposit a grant deed conveying title as referred to above. Notice by the District to purchase the property shall not be served earlier than the filing of a final subdivision map on any adjacent property. The District shall indicate its intent to purchase any particular school site no later than one year after the filling of final subdivision map on any adjacent property, District shall deposit the purchase price in escrow. Escrow shall close within thirty days of opening. (Mitigation Measure 99) (P)(B&S)

112 * Antelope Valley Union High School District. The Developer shall provide the following mitigation to the District in order to provide its contribution toward the District's fifty (50) percent share of funding a new high school on the site, pursuant to Government Code Section 65995 and Education Code Section 17700 et, seq. (School Facility Funding Law):

112.1 Developer Fees. Developer shall pay to the District one dollar and twenty cents ($1.20) per square foot of habitable residential development, including senior housing, prior to the issuance of the building permit on each unit. A fee of twenty-six cents ($.26) per gross leasable square foot of industrial/commercial construction shall be paid to the District prior to the issuance of each commercial building permit. All such amounts shall be subject to annual adjustment pursuant to increases or decreases in the School Construction Cost Index of the Office of Local Assistance with January 1, 1992, as the base.

112.2 School Sites. In addition, Developer hereby agrees to offer the District a site for purposes of constructing a high school thereon, with the terms for dedication as set forth herein. The Developer shall dedicate fifty (50) acres of land in Planning Area 3A for a school site to the District at no cost to the District. The specific 50 acres of the 76 acres in Planning Area 3A shall be

at the election of the District. Title to the site shall be transferred to District free and clear of all monetary liens, assessments, taxes and encumbrances and easements or any restrictions which interfere with the District's plans to use the property for the development of the school site prior to the filing of any final map on a subdivision tract in the Specific Plan area. In the event that site preparation work on the school site, including provision of access to Elizabeth Lake Road and utilities, exceeds the amount of $4,300,000, the Developer shall pay 50 percent of the amount over that figure, not to exceed total of $350,000.

112.3 Transfer Procedures. The District may exercise its right to acquire the site specified above by serving written notice on Developer and opening an escrow. account. Developer shall within 30 days of receipt of notice deposit into the escrow a grant deed conveying title as referred to above. Escrow shall close within 30 days of opening. (Mitigation Measure 99) (P)(B&S)

113 The applicant shall submit full sized copies of the final recorded map in the form of one set of mylar and three sets of blueline to the City Engineer and shall also submit an 8-1/2 x 11-inch mylar copy of the final map to the City Engineer. The applicant shall provide a computerized .dwg format of the final recorded tract map which is compatible with the City's G.I.S. program to the City Engineer. The final map shall be projected in NAD 83 State Plane Zone (5 in feet). (E)(P)

114 Subdivision Development Plan applications shall be submitted, either for the entire tract or in complete submittals for each construction phase and shall include all documents and maps required by the Subdivision Development Plan Application. Subdivision Development Plans shall be in compliance with the Ritter Ranch Specific Plan and Planned Development document 21-001. (P)

115 A Temporary Use Permit for proposed on-site model homes and/or temporary sales/office trailers shall be filed with the Planning Division and shall include all documents and maps required in PMC Section 17.27.030.B.5 and by the Temporary Use Permit Application. (P)

116 Grading shall be designated "Engineered Grading" per City Building Code and shall be done in accordance with an approved grading plan. All grading work shall be performed according to the phasing plan approved by the Planning Manager and the City Engineer. (P)(E)

117 At completion of rough grading, the applicant shall submit appropriate reports and statements (Certifications) to the City Engineer, for review and approval, prior to release of rough grading. The City of Palmdale Building Code requires these reports and statements from the field or supervising grading engineer, the soils engineer, the geologist, and the grading contractor. (E)(B&S)

118 All sanitary sewer mains to be dedicated to the City are to be provided with as-built plans and have TV video inspection, as required by City Inspector, prior to final acceptance for maintenance. (E)

119 * The applicant shall obtain addresses established by the City Engineer, and pay applicable processing fees, for all lots of residential subdivisions. Commercial subdivisions are addressed by the Building and Safety Division upon application for a Building permit. Proper address signs shall be provided for identification of locations during emergencies. (Mitigation Measure No. 94) (E)

120 Prior to building permit issuance, milestone timeline requirements outlined in the 'Phase 1 Interim Agreement – Ritter Ranch Development' (Agreement No. A-7796) shall be met or projects identified are being completed, to the satisfaction of the City Engineer. Improvements that shall be completed by the Master Developer are as follows: (E)

120.1 Remaining Elizabeth Lake Road (ELR) Work;

120.2 Ranch Center Drive (RCD) and ELR Undergrounding and ELR Streetlight Improvements; and,

120.3 Westland Drive (WD) and Ritter Ranch Road (RRR) Streetlight Improvements.

121 Prior to issuance of the 250th building permit within the Phase 1A, as defined by the Ritter Ranch Phase 1A Planned Development (PD 21-001), construction of Neighborhood Park 5F shall begin construction. (E)(B&S)

122 Prior to issuance of the 400th building permit within Phase 1A, as defined by the Ritter Ranch Phase 1A Planned Development (PD 21-001), construction of Neighborhood Park 5T shall begin construction. (E)(B&S)

123 Prior to issuance of 50 percent of building permits within Vesting Tentative Tract Map 51604, as referenced in the Ritter Ranch Phase 1A Planned Development

(PD 21-001), construction of Neighborhood Recreation Area 2 shall be completed and granted occupancy release by Building and Safety Division. (E)

124 * Prior to issuance of the 250th Certificate of Occupancy within Phase 1A, as defined by the Ritter Ranch Phase 1A Planned Development (PD 21-001), the Master Developer shall provide a pumper truck and patrol car. In addition, a fully operational fire station of an acceptable size and location as determined by the Los Angeles County Fire Department Building and Safety shall be provided by the 1,800th Certificate of Occupancy. (Mitigation Measure No. 113) (B&S)(P)

125 * Provision of water service to the proposed project will be required as part of the project development and will occur to the satisfaction of the City of Palmdale prior to issuance of building permits. Project implementation will require mitigation in coordination with the City of Palmdale, Los Angeles Waterworks District No. 34, and the Los Angeles County Fire Department. (Mitigation Measure No. 107) (B&S)

126 * Prior to issuance of building permits, the project applicant shall prepare an emergency spill response plan which includes the following measures for review and approval by the City of Palmdale and County Sanitation District No. 20: (Mitigation Measure 20A) (P)(F)(E)

126.1 Measures to detect early warning of a sewage trunk leak;
126.2 The installations of manual or automatic isolation valves;
126.3 Provisions for spilled sewage retention;
126.4 Spill response measures;
126.5 Clean-up and disinfection measures; and,
126.6 Training and funding for implementation of the spill plan.

THE FOLLOWING CONDITIONS SHALL BE MET WHILE CONSTRUCTION ACTIVITIES ARE ON-GOING:

127 From the beginning of the first ground disturbing activity until on hundred (100) percent of the lots for the entire subdivision have been released for occupancy, the following are required of the applicant: 1) have erosion control measures, per an approved Erosion Control and Sedimentation Plan, in place during the rainy season (October 15 - April 15); 2) provide appropriate dust control measures, per City and Antelope Valley Air Quality Management District (AVAQMD) Standards, to minimize nuisance from dust at all times. (E)(B&S)

128 * To mitigate potential dust generation impacts, the project will comply with State, County and City dust control regulations. These regulations are intended to provide sufficient protection so as to prevent the soil from being eroded by wind, creating dust, or blowing onto a public road or roads or other public or private property. (Mitigation Measure 21) (E)

129 * In addition to watering prior to and during grading (as discussed in AVAQMD Rule 403), the application of water and chemical dust retardants that solidify loose soils shall be implemented for construction vehicle access, as directed by the City Engineer. (Mitigation Measure 22) (E)

130 * Grading activity shall be suspended when local winds exceed 30 miles per hour. To validate wind velocities and/or rainfall amounts, the installation of a minimum of two remote weather stations will be required at locations determined by the City Engineer. (Mitigation Measure 23) (E)

131 * Heavy construction equipment shall use low sulfur fuel (0.05% by weight) and shall be properly tuned and maintained to reduce emissions. (Mitigation Measure 24) (B&S)

132 * Construction activities shall be phased and scheduled to avoid high ozone days, to the extent feasible, and shall be discontinued during second stage smog alerts. (Mitigation Measures 25 and 26) (E)(B&S)

133 * The applicant shall, as required by the Planning Division and the City of Palmdale's proposed Air Quality Element, implement applicable Tier I Control Measures contained in the Final 1989 AQMP, as may be subsequently amended. Additionally, the Best Available Control Technology Guidelines published by SCAQMD, shall be used. As project buildout will occur over 20-year period, subsequent phases/approvals will be held to Tier II and Tier III measures which are implemented is mandatory AVAQMD Rules and Regulations applicable to the project phase. General measures which shall be applied for the development include: (Mitigation Measure 27) (P)

133.1 Encourage the use of alternative transportation modes by promoting public transit usage and providing secure bicycle facilities. The applicant will implement the trails system indicated in the Specific Plan including pedestrian, bicycle and equestrian facilities. The applicant shall distribute educational material at the time of occupancy to all businesses and homeowners regarding the availability of public transit, ridesharing and

other alternative transit methods and the location of bicycle routes in the project vicinity. In addition, the educational material, as reviewed and approved by the City of Palmdale Planning Division shall describe the available methods for reducing energy consumption.

133.2 Provide mass transit accommodations such as bus turnout lanes and bus shelters if determined necessary by the City Traffic Engineer. As final plans are developed, these features should be considered.

133.3 The applicant shall contribute a pro-rata share toward acquisition and construction of: Park & Ride facility in the Avenue S/SR-14 vicinity. This shall include design and construction of one space per ten dwelling units (up to 400 total spaces). This mitigation measure shall be satisfied prior to occupancy of any fifty percent (50%) of the total dwelling units approved for the Ritter Ranch Specific Plan project as a whole.

133.4 Encourage the placement of dwelling units to take full advantage of solar energy for natural heating and cooling as recommended in Section 7.5.1.6 of the Specific Plan in order to reduce the use of electricity and natural gas within the project area.

133.5 The applicant shall utilize Best Available Control Technology to control volatile organic compounds and Toxic Air Contaminants as required by SCAQMD Rules and Regulations. The Best Available Control Technology Guidelines, published by SCAQMD, shall be used to assess compliance with this mitigation measure.

134 * During project construction, the applicant shall be required to provide appropriate screening (as with temporary fencing with opaque material), dust control (see Section IV.B. AIR RESOURCES), restricted construction hours, and a traffic control plan (Section IV.I. TRAFFIC AND CIRCULATION). (Mitigation Measures No. 56) (E)

135 * Transmission lines less than 50KV and all other utility lines, existing and proposed, shall be installed underground in accordance with the City's Underground Utilities Ordinance. (Mitigation Measure No. 102) (E)

136 Adequate sanitary disposal facilities shall be required on-site during all phases of construction. (E)(B&S)

137 If this tentative map is to be phased, the applicant shall have all drainage facilities (on-site and off-site), and any temporary grading or structures necessary to convey runoff to drainage facilities (on-site and off-site), in an operable condition prior to completion of rough grading of proposed streets for the first phase. (E)

138 Signing and striping shall be provided for all roadway improvements. (TE)

139 The applicant shall comply with City and State guidelines and requirements for traffic control during construction and prior to final project acceptance. (TE)

140 The applicant shall notify the City Engineer 60 days prior to anticipated opening of any street to public travel. (TE)

141 * The project applicant shall coordinate with SCE to ensure that adequate electrical service is provided to the proposed development and that service connection activities will be performed in cooperation with SCE to minimize any short-term impacts. (Mitigation Measure No. 103) (B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR EACH DWELLING UNIT:

142 The subdivision is located within the Anaverde Natural Drainage Area/Basin as defined by the City's Master Drainage Plan and approved by Resolution 89-75. The drainage area where this subdivision is located shall be shown on the cover sheet of the plans submitted for engineering and building permit applications. (E)(B&S)

143 * The applicant shall comply with the provisions of PMC Chapter 3.40 (Traffic Impact Fee Requirements). The applicant shall not be entitled to any such credits for costs reimbursed through the ELR Escrow, Improvement Fund, the Gap Road Escrow, and/or bond proceeds from the new CFD. Also, the applicant can only receive traffic impact fee credits in the amount not to exceed what the applicant pays towards this fee. The applicant shall pay the applicable traffic impact fees to the Building and Safety Division in the amount that is in effect at the time the vesting tentative map application was deemed complete ($1,740.84 per dwelling unit) plus any increases to that amount that are subsequently approved to reflect changes in the Consumer Price Index (CPI), All Urban Consumers, for the Los Angeles-Riverside-Orange County Area, as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor, as set forth in Palmdale City Council Resolution No. CC 2021-057. These traffic impact fees

provide the project's required pro rata contribution towards offsite roadway improvements needed to service the development. Funds generated from the traffic impact fees shall be applied toward offsite improvements Elizabeth Lake Road, Palmdale Boulevard, Avenue S, and 10th Street West/Tierra Subida Road, as approved by the City Public Works Department. (Mitigation Measure No. 75) (TE)(E)(B&S)

144 Drainage fees or improvements shall be required pursuant to Subdivision Map Act Section 66498.1 and 66498.2. The following is the 2021 Fee Schedule for Anaverde Drainage Area, which shall be applicable to this project: (E)

144.1 Single Family Residential Development $2,372.44/dwelling unit;

144.2 Multi-Family Development $1,181.04/dwelling unit;

144.3 Commercial and Industrial Development $11,841.48/acre.

145 The applicant is responsible for protecting the in place, or repairing to the satisfaction of the City Engineer, all public improvements adjacent to the project. Such responsibility shall include revisions to the Landscaping As-Builts plans on file with the City Engineer as deemed necessary. (E)

146 The applicant shall comply with the provisions of Chapter 3.42 (Fire Facility Impact Fee Ordinance) of the Palmdale Municipal Code. The applicant shall pay the applicable fire facility impact fees to the Building and Safety Division in the amount that is in effect at the time the vesting tentative map application was deemed complete ($0.95 per building square-foot) plus any increases to that amount that are subsequently approved to reflect changes in the Consumer Price Index (CPI), All Urban Consumers, for the Los Angeles-Riverside-Orange County Area, as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor, as set forth in Palmdale City Council Resolution No. CC 2021-057. (E)(B&S)

147 The applicant shall comply with the provisions of PMC Chapter 3.45 (Public Facility Development Impact Fee Requirements). The applicant shall pay the applicable public facility impact fees to the Building and Safety Division in the amount that is in effect at the time such fees are to be collected. (E)(B&S)

148 All public improvements within, and necessary to support, a block or construction phase of any final map, must be completed within 60 days from issuance of the

first Certificate of Occupancy within the block or construction phase, to the satisfaction of the City Engineer. In no case shall the total occupancy for a final map exceed 90 percent until all public improvements within the final map have been completed to the satisfaction of the City Engineer. (E)

149 Slope erosion control and street trees shall be installed to the satisfaction of the City Engineer. (E)

150 At completion of final grading, the applicant shall submit appropriate statements (Certifications) to the City Engineer prior to release of final grading. The City of Palmdale requires that these be submitted by the field or supervising grading engineer, and/or the landscape architect. (E)

151 The developer or builder shall provide full front yard and street side yard landscaping as approved by the City Engineer and the Planning Manager. (P)(E)

152 * Assessment fees and required conduits shall be installed prior to issuance of occupancy permits. (Mitigation Measure 101) (P)(B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY FOR ANY PHASE:

153 The subdivider shall comply with the provisions of PMC Chapter 3.38 (Drainage Fee Requirements). Pursuant to the Subdivision Map Act Sections 66498.1 and 66498.2, the subdivider may pay the applicable drainage fees in the amount that is in effect at the time of the original approval of VTTM 51605. Such fees are to be collected pursuant to the provisions of PMC Chapter 3.38. (E)(B&S)

154 The subdivision shall have been graded and constructed in accordance with all approved plans including but not limited to site plans, grading plans, wall plans, and landscape plans. (P)(E)

155 Any broken or damaged curb, gutter, sidewalk, and pavement on streets within or along the frontage of the development shall be repaired. Any existing driveways that are not to be used shall be replaced with standard curb, gutter, and sidewalk. (E)

156 Purchase and install street name signs in accordance with the Ritter Ranch Specific Plan, the Planned Development, and City of Palmdale standards. The number and location of signs shall be directed by the City Engineer. (TE)

157 A third westbound through lane at the intersection of Elizabeth Lake Road/Palmdale Boulevard and 10th Street West/Tierra Subida Avenue shall be constructed. Also, a third receiving lane (westbound) with the proper transition shall be constructed. (TE)

158 The fair-share cost of the construction of a Fire Station shall be included on each residence of this vesting tentative tract as part of the proposed Community Facilities District (CFD). (E)

159 The fair-share cost of the construction of a public library shall be included on each residence of this vesting tentative tract as part of the proposed CFD. (E)

Key to Departmental Conditions:

(P) Planning Division (267-5200)
(E) Engineering Division (267-5272)
(F) Los Angeles County Fire Department (723-4455)
(B&S) Building and Safety Division (267-5353)
(Pk) Parks and Recreation Department (267-5611)
(SCE) Southern California Edison Company (945-9317)
(TE) Traffic/Transportation Engineer (267-5300)

ATTACHMENT 3

PLANNING COMMISSION
CITY OF PALMDALE, CALIFORNIA
RESOLUTION NO. PC-2022-007

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALMDALE, CALIFORNIA, APPROVING VESTING TENTATIVE TRACT MAP 51606; A REQUEST TO SUBDIVIDE APPROXIMATELY 12 ACRES INTO 62 LOTS FOR THE PURPOSE OF CONSTRUCTING 60 SINGLE-FAMILY RESIDENCES WITHIN PLANNING AREA FIVE OF THE RITTER RANCH SPECIFIC PLAN GENERALLY LOCATED APPROXIMATELY 700 FEET SOUTH OF CITY RANCH ROAD AND APPROXIMATELY 400 FEET WEST OF RANCH CENTER DRIVE (APN: 3206-027-002)

A. RECITALS

1. RdR Development Holdings, LLC, has filed an application requesting the approval of Vesting Tentative Tract Map (VTTM) 51606, described herein (hereinafter referred to as "Application").

2. The application applies to an existing approximately 12-acre parcel within the Ritter Ranch Specific Plan (SP) indicated on the County Assessor's roles as APN 3206-027-002, legally described on Exhibit I hereto and shown on the map attached hereto as Exhibit II.

3. On February 10, 2022, the Planning Commission of the City of Palmdale conducted a duly noticed public hearing on the Application and concluded said hearing on that date.

4. All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION

NOW THEREFORE, it is hereby found, determined, and resolved by the Planning Commission of the City of Palmdale, as follows:

1. The Planning Commission hereby specifically finds that all the facts set forth in the Recitals, Part A of this Resolution, are true and correct.

2. Based upon substantial evidence presented to this Commission during the above-referenced February 10, 2022 public hearing, including public testimony, and written and oral staff report, and incompliance with SP Section 8.12, this Commission specifically finds as follows:

(a) For the proposed subdivision, each provision for its design and improvement and each proposed land use is consistent with the Ritter Ranch Specific Plan because it conforms to the density, design standards, design guidelines, and location given for the land use designation.

The proposed subdivision, each provision for its design and improvement and each proposed land use is consistent with the both the SP and the Planned Development (PD 21-001) document, which provides special development standards for the project, landscape standards, and thematic landscape features as outlined within Exhibits III and IV.

The subject site is within Planning Unit 5D-2 of the SP, which is designated for residential development. As described within Exhibits III and IV, the proposed project is consistent with the policies and objectives of the SP, in that it provides the type of development and amenities envisioned in both residential dwelling type and quality, parks, and public improvements.

(b) The tentative map or tentative parcel map design provides for future passive or natural heating or cooling opportunities in the subdivision to the extent feasible.

The development is designed with adequate dimensions to maximize the opportunities for passive and natural heating and cooling. The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities. Based upon a review of the tentative tract map, each lot meets or exceeds the minimum size, width, and depth requirements as specified within the Planned Development prepared for the portion of the Ritter Ranch Specific Plan that includes the proposed project.

(c) The tentative map or tentative parcel map does not propose to divide land which is subject to a contract entered into pursuant to the California Land Conservation Act of 1964 in that the property in question has not been included in any such contract.

A review of the preliminary title report for the subject property revealed that the property in question has not been included in any

such contract and therefore, the Application does not propose to divide land, which is subject to such a contract.

(d) The discharge of waste from the proposed subdivision into an existing community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board.

No violation will be created because the applicant is required to comply with the Conditions of Approval, which require approval from the appropriate agencies for location of sanitary sewer trunk lines and preparation of a sewer area study to the satisfaction of the City Engineer and the Los Angeles County Sanitation District.

(e) The site is physically suitable for the type of development and density proposed.

In conjunction with the prior approved, expired tentative tract map, the site has been previously graded, and portions of major roadways constructed. An existing power line easement is located to the south of the site, but the Application has been designed to avoid the easement.

(f) The design of the subdivision and the proposed improvements is not likely to cause serious public health or safety problems because they conform to the highest and best possible use of the subject property as determined.

The project will be required to install improvements such as streets, curbs, and sidewalks in compliance with City standards. Also, the discharge of waste from the proposed subdivision into an existing community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board because the applicant is required to dedicate a new sewer system to the City and install private laterals for each residential lot. In addition, the project is required to provide on- and off-site improvements as required by the water purveyor. Furthermore, the public improvements required for this subdivision are reasonable and proportional to the impacts caused by the proposed development and are necessary in order to provide access

for future residents within the project, protect the subdivision, and surrounding properties, and promote the safety of the general public.

(g) The design of the subdivisions and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision because no such easements have been acquired.

The title report for the site revealed that the design of the subdivision and the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision because the existing easements along the western portion of the project site will not be altered by the proposed project. In addition, the Conditions of Approval require dedication and improvement of publicly owned rights-of-way, storm drains, and other drainage facility easements.

(h) The proposed tentative map or tentative parcel map is in conformance with the intent and requirements set forth in the Ritter Ranch Specific Plan.

As allowed within SP Section 8.10, the tentative map meets the requirements of the proposed Planned Development document (PD 21-001), which includes special development standards of the project, landscape standards, and thematic landscape features. The lots created by the Application comply with the standards of, and will be landscaped pursuant to, standards within the Planned Development.

(i) The proposed tentative map or tentative parcel map is in compliance with the California State Subdivision Map Act. (SP)

The Application has been prepared in compliance with all requirements of the SP and the Subdivision Map Act. In addition, as specified within the Conditions of Approval for the Application, the applicant will be required to record a final map prior to the expiration date in accordance with the provisions of the Subdivision Map Act.

3. The Planning Commission hereby finds as follows with respect to the environmental document prepared for the project:

(a) In accordance with Public Resources Code Section 21166 and State California Environmental Quality Act (CEQA) Guidelines Sections 15162, 15163 and 15164, the proposed project does not require the preparation of a subsequent, supplemental or addendum to the Environmental Impact Report (EIR) prepared for the SP (EIR 90-4) since: 1) the project will cause no substantial changes in any portion of the project which was described in EIR 90-4, which would require major revisions to EIR 90-4 due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects because the project is not modifying the scope or intent of the SP; 2) no substantial changes have occurred with respect to the circumstances under which the project is undertaken, which will require major revisions to said EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified environmental effects, because no significant development adjacent to the project area which impacts the infrastructure, services, or development potential within the City's boundaries has occurred; and 3) no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, has been provided with respect to the SP. Therefore, a memorandum of consistency was prepared for the Application (Exhibit V of Resolution No. PC-2022-005).

(b) The custodian of records for all other materials which constitute the record of proceedings upon which the Planning Commission's decision is based, is the Planning Manager of the City of Palmdale. These documents are available for public review in the Planning Division of the City of Palmdale located at 38250 Sierra Highway, Palmdale, California 93550, telephone (661) 267-5200.

4. Based on the findings and conclusions set forth in paragraphs 1, 2, and 3 above, this Commission hereby approves VTTM 51606 subject to the Conditions of Approval as set forth in Exhibit V.

5. The Deputized Clerk shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED this 10th day of February, 2022.

AYES: _____

NOES: _____

ABSTAIN: _____ ABSENT: _____

_____
Stacia Nemeth, Chair
Planning Commission

ATTEST:

_____
Kathy Inman, Deputized Clerk

EXHIBIT I

LEGAL DESCRIPTION FOR VTTM 51606

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF PALMDALE, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

LOT 7 OF TRACT NO. 51508-01, IN THE CITY OF PALMDALE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1214 PAGES 28 THROUGH 36, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. EXCEPT FROM THAT PORTION OF SAID LAND LYING WITHIN THE NORTH HALF OF THE NORTHEAST QUARTER. THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, AND THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 25, ALL OILS, MINERALS, GAS, PETROLEUM, NAPHTHA, OTHER HYDROCARBON SUBSTANCES, AND MINERALS OF WHATSOEVER KIND AND NATURE IN, UPON, OR UNDER SAID LAND, TOGETHER WITH THE RIGHT OF ENTRY, AS MAY BE NECESSARY FOR THE DEVELOPMENT, PRODUCTION, AND REMOVAL OF ALL SUCH SUBSTANCES, AS RESERVED IN THE DEED FROM THE FARMERS AND MERCHANTS NATIONAL BANK OF LOS ANGELES, RECORDED JUNE 6, 1944 IN BOOK 21009 PAGE 66, OFFICIAL RECORDS.

ALSO EXCEPT FROM THAT PORTION OF SAID LAND LYING WITHIN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, THE NORTH HALF OF THE SOUTHEAST QUARTER, AND THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 25, ONE-HALF OF THE MINERAL RIGHTS TO GRANTORS, SHARE AND SHARE ALIKE, AND TO THEIR RESPECTIVE HEIRS AND ASSIGNS, IN ALL OIL, GAS, MINERALS IN, ON, OR UNDER THE SURFACE OF SAID LANDS, AND ALL THE RIGHTS OF OWNERSHIP THEREIN, AND ALSO RESERVING TO THEMSELVES, THEIR HEIRS AND ASSIGNS, THE RIGHT AND LICENSE OF EXPLORING, MINING, DEVELOPING OR OPERATING, FOR ANY OR ALL OF THE SAID PRODUCTS UNDER SAID LANDS BY SO-CALLED SLANT WHIPSTOCK DRILLING THEREUNDER, ACCORDING TO ALL THE PRIVILEGES AND CONDITIONS OF THE FIELD THAT MAY BE DEVELOPED ABOUT SAID TRACT OF LAND WITH THE FURTHER RESERVATION THAT SHOULD THE OWNER IN FEE OF THE SURFACE OF SAID LANDS ERECT THEREON NECESSARY BUILDINGS, PIPE LINES, MACHINERY AND EQUIPMENT NECESSARY IN AND ABOUT SUCH MATTERS, GRANTORS, THEIR HEIRS AND ASSIGNS, SHALL BE GIVEN EQUAL RIGHTS TO USE AND LICENSE OR LEASE THE USE OF SUCH SURFACE IN CONNECTION WITH PRODUCTION OF OIL, GAS, AND MINERALS TO THE EXTENT THEREIN RESERVED, AS RESERVED BY JOHN THOMAS TUTTLE, ALSO KNOWN AS JOHN JOUGHIN TITTLE, A MARRIED MAN, AND ANDREW R. JOUGHIN, ALSO KNOWN AS ANDREW ROEDER JOUGHIN, A MARRIED MAN, IN DEED RECORDED JUNE 10, 1952 AS INSTRUMENT NO. 1498 IN BOOK 39123 PAGE 267, OFFICIAL RECORDS.

EXHIBIT II

AERIAL MAP
FOR VTTM 51606

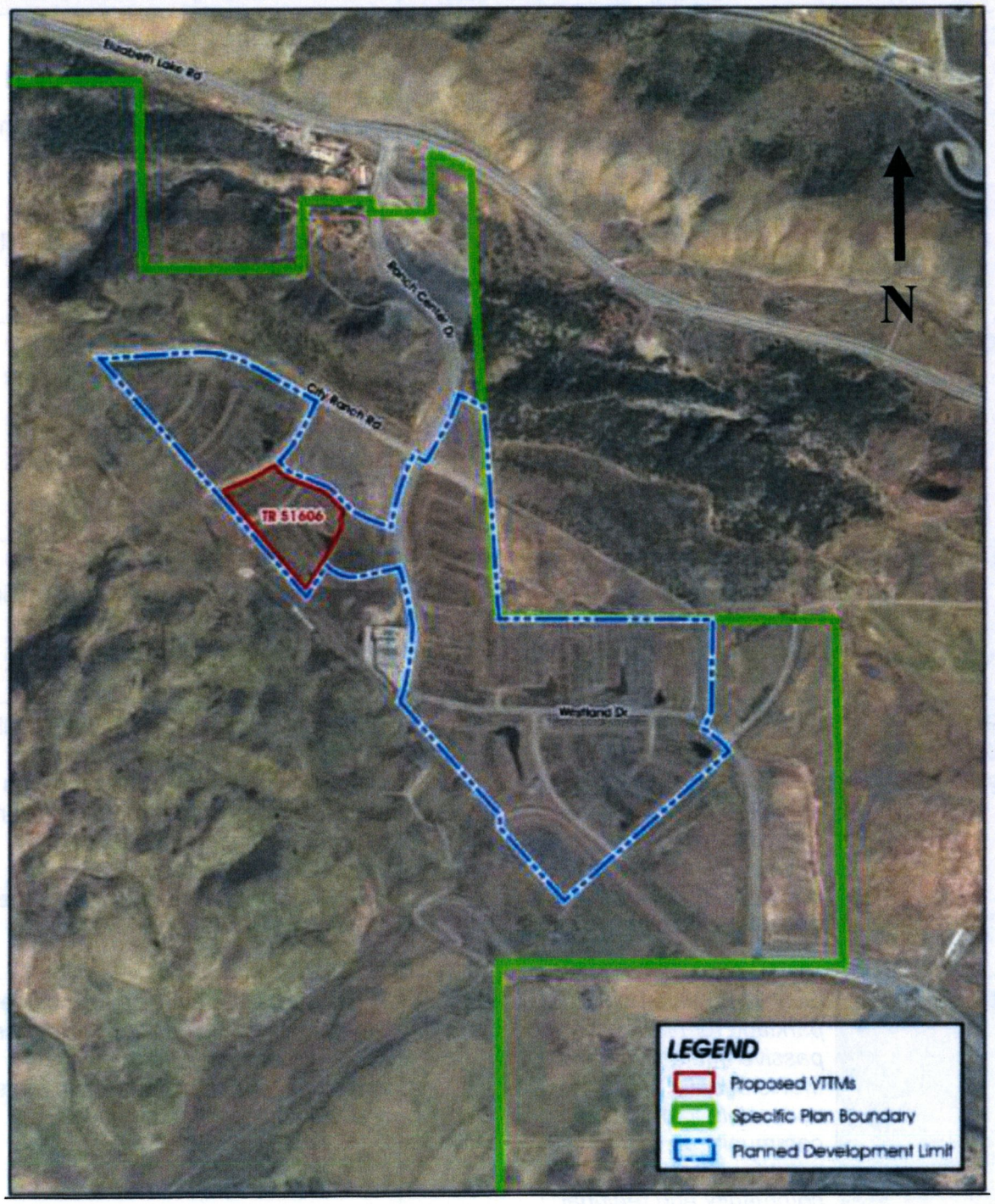


EXHIBIT III

SPECIFIC PLAN CONSISTENCY

Topic	Goal, Objective, or Policy	Standard Met?	Justification*
Land Use	Goal 1: *Create a comprehensively designed Specific Planned Community.*	Yes	The proposed tentative map and amenities have been designed in a manner that is consistent with both the Planned Development document and the Ritter Ranch Specific Plan. The tentative map is seamlessly integrated into surrounding development and incorporates a fully landscaped, connective residential community.
Circulation	Goal 1: *Provide a transportation system which allows for the safe and efficient movement of people, goods and services throughout Ritter Ranch*	Yes	The proposed roadway system is designed in the locations and to the dimensions as required by the circulation plan of the Ritter Ranch Specific Plan.
Housing	Goal 1: *Housing availability and opportunity for all citizens.*	Yes	The proposed tentative map allows for varying lot sizes, which will ensure construction of housing for various income levels as envisioned by the Specific Plan.
Public Services and Utilities	Goal 1: *Provide adequate public and semi-public services to serve the needs of the Ritter Ranch development and the residents in an efficient and cost-effective manner.*	Yes	The proposed project will provide all improvements necessary to ensure that public and semi-public services are adequately provided. In addition, conditions of approval have been proposed that will require adequate financing mechanisms to ensure the provision of such services is cost-effective.
Design	Goal 2: *Provide public parkland for both passive and active use that is equally accessible to the community on a neighborhood, community and regional basis.*	Yes	The proposed tentative map includes two parcels dedicated to open space, which will include a variety of amenities for use by future residents and the surrounding community.

**Justification is based on a review of the plan date stamped 'Received November 8, 2021,' by the case planner.*

EXHIBIT IV

PLANNED DEVELOPMENT DOCUMENT STANDARDS

	Standard	Standard Met?	Justification*
Lot Area	Minimum lot area of 5,000 square feet (Planned Development [PD] document Section 3.3)	Yes	The lots within VTTM 51606 range in size from 5,000 to 9,424 square feet.
Lot Width	45 feet for standard lots, 50 feet for corner lots, and 40 feet for cul-de-sac and knuckle lots (PD Section 3.3)	Yes	The lots within VTTM 51606 depict a minimum width of 45 feet for standard lots, 50 feet for corner lots and 45 feet for non-standard lots.
Lot Depth	90 feet (PD Section 3.3)	Yes	The lots within VTTM 51606 depict a minimum depth of 90 feet.

**Justification is based on a review of the plans date stamped 'Received November 8, 2021' by the case planner.*

EXHIBIT V

DRAFT

CONDITIONS OF APPROVAL
VESTING TENTATIVE TRACT MAP 51606

APPROVAL DATE: FEBRUARY 10, 2022
EFFECTIVE DATE: FEBRUARY 22, 2022
EXPIRATION DATE FOR VTTM 51606: FEBRUARY 22, 2025

These Conditions of Approval apply to Vesting Tentative Tract Map (VTTM) 51606; a request to subdivide approximately 12 acres into 62 lots for the purpose of constructing 60 single-family residences within Planning Area five of the Ritter Ranch Specific Plan. For the purpose of these conditions, the term "applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval. For the purposes of these conditions, an * indicates that the condition is a mitigation measure.

GENERAL CONDITIONS:

1 This approval shall become null and void if a final map has not been timely filed prior to the expiration date in accordance with provisions of the Subdivision Map Act. An extension of time may be granted by the Planning Commission upon submittal of a formal application, required exhibits and appropriate fees in accordance with the Palmdale Municipal Code (PMC). In granting any such time extension, the City of Palmdale may impose new conditions and standards on the tentative map, pursuant to Section 66452.6(e) of the Government Code. (P)(E)

2 This Vesting Tentative Tract Map is granted for all boundary lines, easements, rights-of-way, and construction of off-site improvements as shown on the map date stamped 'Received November 8, 2021', as modified by these Conditions of Approval. Final map(s) shall be in substantial compliance with the tentative map and these Conditions of Approval. (P)(E)

3 This approval shall not be final until an agreement (Agreement No. A-7796) has been executed between the City of Palmdale and the Applicant to replace the prior Development Agreement (Development Agreement 92-1, as amended in the First Amendment to Development Agreement 92-1) for the Ritter Ranch Specific Plan. This project shall be subject to all applicable provisions of the agreement. (P)

4 As provided in Section 66498.1(b) of the Subdivision Map Act, the applicant shall comply with all requirements of the PMC, all requirements of City of Palmdale ordinances, resolutions, and all standards and policies that were in effect at the time that the applicant's application for a vesting tentative map was deemed complete.

5 As provided in Government Code Section 66498.1(e), as amended, the City may impose conditions on subsequently required approvals and permits as authorized by the PMC, and other applicable ordinances, resolutions, engineering standards, and policies. (P)(E)

6 Pursuant to Section 66452.6(g), vested development rights conferred pursuant to Section 66498.1(b) shall last for not more than two years following recording of the final map, unless otherwise provided by law. (P)(E)

7 When exhibits and written conditions of approval are inconsistent, the written conditions shall prevail. Where the language of any condition of this approval conflicts with any mitigation measure in the Final Environmental Report, the language contained in the Environmental Report shall prevail. (P)(E)

8 Off-site public improvements (streets, drainage, sewers, etc.) may be necessary to adequately serve this subdivision. If off-site public improvements are required, said improvements shall be located within public easements. This tentative map approval is subject to the applicant's acceptance of the City of Palmdale's requirements for acquisition of said public easements, including the applicant's financial responsibility. The City Engineer shall have the authority to withhold approval of any affected improvement plans for failure to satisfy this condition. (E)

9 The applicant shall participate in such on-site and off-site water service improvements as may be required by the serving water purveyor. (E)

10 Coordination with utility companies by the applicant's engineer during design shall be required in order to ensure that required public improvements are not in conflict with existing or proposed utilities. (E)

11 * The applicant shall comply with the provisions of Chapter 3.40 (Traffic Impact Fee Requirements) of the PMC. The applicant shall pay the applicable traffic impact fees to the Building and Safety Division in the amount that is in effect at the time the vesting tentative map application was deemed complete. (Mitigation Measure No. 77) (TE)

12 * The applicant shall comply with all provisions of PMC Chapter 14.05. (Mitigation Measure No. 106) (E)

13 The applicant shall use best efforts to coordinate all elements of design and planning of transportation facilities with the developer of the Anaverde Nuevo Specific Plan at the mutual project boundaries. (P)(E)(B&S)

14 The Specific Plan identifies various meandering facilities on the street sections. Such features shall be incorporated into the roadway designs, as approved by the City Engineer and Planning Manager. (P) (E)

15 Left-turn ingress and/or egress at all access locations is subject to approval of the City Traffic Engineer and may be restricted in the future due to traffic operational or safety concerns. Alternatives to such restrictions may be considered. (TE)

16 Any interim drainage basins, levee and channel improvements referenced in Conceptual Drainage Studies shall be the responsibility of the master subdivider to maintain in accordance with the subdivision improvement agreement for VTM 51508 or an entity acceptable to the City. (E)

17 The subdivider shall install all drainage improvements within the subdivision not installed by the CFD 93-1. (E)

18 If any "T" intersection does not have driveways that are suitable for use by the handicapped opposite the approach of the third leg of the intersection, then handicapped ramps shall be installed. (TE)

19 * All road improvements shall be designed in accordance with City of Palmdale and Ritter Ranch Specific Plan roadway design standards as approved by the City Engineer. (Mitigation Measure No. 72) (TE)

20 The final map shall include a trustee statement subordinating of the lien of the deed of trust to the map for rights-of-way and easements necessary to serve the surrounding areas. (E)

21 * Adequate emergency access and circulation throughout and around the project shall be provided to the satisfaction of the Los Angeles County Sheriff's Department and Los Angeles County Fire Department. Temporary emergency access shall be provided during project construction. (Mitigation Measure No. 92) (E)

22 * Prior to subsequent approvals, energy conservation practices, as required by the Subdivision Map Act, Building Energy Efficiency Standards (California Energy

Commission), and state and local laws, shall be incorporated into the design of the project to have the secondary effect of limiting stationary source pollutants both on and offsite. (Mitigation Measure 28) (P)

23 * Projects that exceed SCAQMD threshold levels shall contribute to & the Traffic mitigation programs imposed on the development in effect at such time building permits are issued for the project, and each part thereof. (Mitigation Measure 30) (P)

24 * Prior to Development Application approvals, focused surveys shall be conducted by a City-approved biologist to establish the presence or absence of sensitive species (as defined by Federal, State, or Local laws) on the development site. Should sensitive species be present, applicable mitigation shall be implemented per Federal, State and Local Endangered Species Protection regulations as determined necessary by the City Planning Manager. (Mitigation Measure 48) (P)

25 * Development along internal and adjacent arterials will incorporate design measures or structural measures which will reduce noise levels to acceptable levels within the living or recreational portions (as defined by the City) of any lot. The measures that may be utilized to reduce noise impacts include placement of non-residential buildings adjacent to the arterial roadway, increasing the setbacks along the roadway, creation of landscaped berms or other unobtrusive barriers. The acceptable noise level CNEL which will be applied to future projects will be that level which is in place, either by ordinance, resolution, or General Plan policy, at the time that future development applications are deemed complete. (Mitigation Measure 52) (P)

26 * Where necessary, noise mitigation measures such as barriers or sound walls, shall be employed to ensure that acceptable noise levels at the proposed parks are not exceeded. (Mitigation Measure 53) (P)

27 * Any lights used to illuminate the parking areas, driveways, and other exterior or interior areas, shall be designed and located so that direct lighting is confined to the property. The applicant shall submit photometric lighting plans for commercial, multi-family and recreational projects. In addition to directional lighting, lighting should not be of greater intensity (wattage) than otherwise necessary for public safety. (Mitigation Measure 60) (P)

28 * The Applicant shall annually evaluate all design guidelines, development standards and mitigation measures for the Ritter Ranch Specific Plan, submitting

a Monitoring Report to the Planning Manager the first quarter of each year through buildout of the project. In addition, the applicant shall submit aerial photos of the project site taken on monthly basis when grading is occurring. Monitoring and verification of compliance with adopted applicable Specific Plan development standards shall also be performed prior to subsequent approvals, to determine if the proposed measures are achieving their intended purpose. To the extent allowed by law, future discretionary approvals may include additional conditions of approval based upon City staff review of the Annual Monitoring Report. Nothing in this mitigation measure shall be construed to permit environmental review beyond the extent permitted by State law. (Mitigation Measure 66) (P)

29 * All project homeowners and tenants shall be advised of potential health risks associated with power transmission lines prior to close of escrow/execution of rental lease. The content and form of said notification shall be indicated in the applicable escrow, deed and/or lease documents in a format acceptable to the City Attorney. (Mitigation Measure 71)

30 * A final report summarizing findings, including an itemized inventory, contextual stratigraphic data, and photographs shall accompany any fossils collected onsite to the designated repository, with an additional copy sent to the City of Palmdale Planning Division. (Mitigation Measure 91) (P)

31 * Adequate lighting shall be provided to enhance crime prevention and law enforcement efforts to the satisfaction of the Los Angeles County Sheriff's Department and the City Traffic Engineer, including along pedestrian trails. Lights shall be designed and located so that direct lighting is confined, and lighting should not be of greater intensity than necessary for public safety. (Mitigation Measures 93 and 117) (P)

32 * Onsite telephone facilities shall be provided by utilizing joint trenches. (Mitigation Measure 100) (P)(B&S)

33 * As required by state law, the following water conservation measures shall be incorporated into the project: (P)(B&S)

33.1 Low-flush toilets and urinals;
33.2 Low-flow showers and faucets;
33.3 Insulation of hot-water lines in water recirculating systems;
33.4 All fixtures shall be California Energy Commission (CEC) certified; and,

33.5 Public lavatory facilities must be equipped with self-closing valves. (Mitigation Measure 105)

34 * The following water conservation measures shall be implemented where applicable and feasible: (P)(B&S)

34.1 Interior

34.1.1 Supply line water pressure greater than 50 pounds per square inch (psi) shall be reduced to 50 psi or less by means of a pressure reducing valve.

34.1.2 Drinking fountains shall be equipped with self-closing valves.

34.1.3 Laundry facilities shall use water-conserving models of washers.

34.1.4 Ultra low-flush toilet (1-1/2 gallons per flush) shall be installed in all new construction.

34.2 Exterior

34.2.1 Landscape with low water-consuming plants wherever feasible.

34.2.2 Minimize use of lawn by limiting it to lawn-dependent uses, such as playing fields. When lawn is used, require warm season grasses.

34.2.3 Group plants of similar water use to reduce overirrigation of low-water-using landscaping.

34.2.4 Provide information to project residents and tenants regarding benefits of low-water using plants.

34.2.5 Use mulch extensively in all landscape areas. Mulch applied on top of soil will improve the water-holding capacity of the soil by reducing evaporation and soil compaction.

34.2.6 Preserve and protect existing trees and shrubs. Established plants are often adapted to low-water-using conditions and their use saves water needed to establish replacement vegetation.

34.2.7 Install efficient irrigation systems which minimize runoff and evaporation and maximize the water which will reach the plant roots. Drip irrigation, soil moisture sensors and automatic irrigation systems are a few methods to consider in increasing irrigation efficiency and may be feasible for the project.

34.2.8 Use pervious paving material whenever feasible to reduce surface water runoff. (Mitigation Measure 106)

35 * The applicant shall distribute an educational pamphlet to homeowners at the time of occupancy describing the solid waste disposal problem, and methods of reducing solid waste impacts that are available to protect residents as reviewed and approved by the City. (Mitigation Measure 119) (P)(B&S)

36 * Where applicable, the applicant shall comply with the provisions of the City's Source Reduction and Recycling Element and the City's Household Hazardous Waste Element after those elements are adopted by the City Council. (Mitigation Measure 122) (P)(B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE STAMPING OF THE TENTATIVE MAP FOR CONDITION COMPLIANCE:

37 All plans, specifications, studies, reports, calculations, maps, notes, legal documents, and designs shall be prepared and signed (and stamped where required) only by those individuals legally authorized to do so. Plans for public improvements shall be prepared, signed, and stamped by a California Registered Civil Engineer. (E)

38 The location of method of operation of any vehicle restricting gates shall be subject to the approval of the Los Angeles County Fire Department and the City Engineer. Residents shall not be required to pay additional costs to receive devices to open a security gate. (TE)(F)

THE FOLLOWING CONDITIONS SHALL BE ADDRESSED WITH THE SUBMITTAL OF GRADING PLANS OR PRIOR TO ISSUANCE OF A GRADING PERMIT:

39 The applicant shall enter into a Subdivision Improvement Agreement and post securities for grading operations with the City and pay all applicable fees. Grading activities extending beyond phase boundaries shall require prior approval of the City Engineer and Planning Manager. Such grading activity shall be reflected in the subdivision improvement agreement of the phase which request such grading. (E)

40 Grading and wall plans shall be submitted for review and approval to the Engineering Division. Approval by both the City Engineer and Planning Manager shall be obtained prior to the issuance of a grading permit. Perimeter walls shall be consistent with the design and materials of any previously approved adjacent perimeter wall to provide continuity of the streetscape. Final grading and wall concepts shall be in substantial conformance with those shown on the tentative

map, conceptual grading plan, Ritter Ranch Specific Plan, Planned Development document, and in accordance with the following: (P)(E)

40.1 All corner lots shall contain a decorative masonry block wall on the street side of the lot.

40.2 All interior property line walls, if proposed, shall be constructed of masonry, wrought iron, durable vinyl, or other similar durable materials as approved by the Planning Manager.

41 In all cases where a required wall is to be located adjacent to the top of a 2:1 or greater slope, the wall shall be set back a minimum of two and one-half feet from the crest of that slope on the level side. All slope and wall configurations shall meet the setback requirements of the City Building Code. (P)(E)(B&S)

42 The exterior face and footings of all project perimeter walls shall be located no more than two inches from the property line on the subject property. (P)(E)

43 Double boundary walls between developments are prohibited except as approved by the Planning Manager and City Engineer. (P)(E)

44 The final grading plan shall indicate that all rear and interior side yard slopes are up slopes to property lines as indicated on the tentative map. (P)(E)

45 All manufactured slopes on or adjacent to project boundaries shall meet the setback requirements of the current City Building Code and Planned Development. A recorded off-site Slope Acceptance Letter from all affected property owners shall be submitted to the City Engineer prior to approval of grading plans for any slope not meeting these requirements. In addition, slopes are required to meet City Standards with respect to erosion control. (E)(B&S)

45.1 Developer shall install all landscaping in rights-of-way, landscaping easements, in parks, in residential common areas and open spaces, and on slopes, the last in accordance with the provisions of the Specific Plan and Planned Development;

45.2 All slopes accessible from a public right-of-way shall be privately maintained until the City accepts maintenance or transferred to a private Homeowners Association entity;

45.3 The City, through a special district formed by the City, may elect to accept landscape maintenance responsibility for certain privately owned slopes abutting major arterials. Upon such election, the developer shall dedicate or cause to be dedicated to permit access to carry out such maintenance. The developer shall warrant all such landscaping for a period of one (1) year after the completion of the installation thereof.

46 The applicant shall submit a temporary erosion control and sedimentation plan for approval by the City Engineer prior to grading plan approval and grading permit issuance when grading activity will occur between October 1st and April 15th. (E)

47 * Disturbed and un-landscaped areas shall be replanted with native vegetation compatible with the existing native vegetation, appropriate to the site, which will blend in with existing species. (Mitigation Measure No. 63) (E)

48 * The project shall follow the grading plan approved by the City and avoid disturbance of adjacent areas where possible. (Mitigation Measure No. 64) (E)

49 * Slopes at the edge of the development shall be revegetated with low combustible plant material as approved by the City Engineer. (Mitigation Measure No. 45) (E)

50 The applicant shall incorporate into the project design all existing easements within the project boundaries or obtain abandonment of said easements from the affected easement holder(s). If this requirement cannot be accomplished, the project shall be redesigned accordingly to the satisfaction of the Planning Manager, City Engineer, or the Planning Commission. (P)(E)

51 This project shall be designed and constructed in accordance with the stormwater pollution control requirements of the Lahontan Region of the California Regional Water Quality Control Board. Prior to the issuance of a grading permit, the applicant shall file a Notice of Intent with the Lahontan Region of the California Regional Water Quality Control Board to comply with the applicable National Pollution Discharge Elimination System (NPDES) requirements. (E)

52 Three copies of final landscape and irrigation plans shall be submitted to the City Engineer for review and approval. Said plans shall include street tree and slope erosion control plans the following locations: On-site and off-site slopes, Homeowner's Association (HOA) maintained easement or recreation areas, bicycling and hiking trails, and open space lots, as determined necessary by the

City Engineer. One copy of the approved plans shall be submitted to the Planning Division. (P)(E)

53 * Plants such as Pampasgrass, African Fountaingrass, Tamarisk, Castorbean, Arundo donax, and exotic Fescues shall not be planted within the Specific Plan area. A review of the landscape plan's plant selection shall be made by a qualified revegetation biologist approved by the City Engineer and Planning Manager prior to landscape plan approval. The applicant shall also require that residences exclude these plants from their landscaping (as through Covenants, Codes and Restrictions enforced by a HOA). (Mitigation Measure No. 42) (P)(E)

54 The applicant shall submit for review and approval by the City Engineer, three sets of landscaping and irrigation system plans for all areas designated as Landscape Maintenance Easements on the Vesting Tentative Tract Maps, which will be included in the Landscape Maintenance Assessment District (LMD). Plans shall include planting and irrigation plans and specifications (20 scale maximum) District Diagram of Improvements for the LMD Engineer's report; estimate of probable construction costs; and the notice to prospective homeowners. Tree species to meet Thematic Landscape Standards, outlined in the Ritter Ranch Phase 1A Planned Development (PD 21-001) document. (E)

55 * Landscaping shall be consistent with the Specific Plan in order to maintain a cohesive theme across the project site, and in order to reduce aesthetic impacts of structures to adjacent roadways and residential properties. (Mitigation Measure No. 59) (E)

56 * The Applicant shall consult with the Los Angeles County Sheriff's Department regarding landscape standards to ensure that landscape features do not conceal potential criminal activity around buildings and in parking areas. This measure will be implemented to the satisfaction of the Planning Manager and City Engineer, prior to staff acceptance of the landscape plan. (Mitigation Measure No. 95) (P)(E)

57 The applicant shall obtain off-site easements from affected property owner(s) for all proposed off-site improvements and grading activities (slopes, drainage, walls, etc.). If said easements cannot be obtained, the project shall be redesigned to incorporate said improvements and grading entirely within the project boundary, to the satisfaction of the Planning Manager and the City Engineer. The City Engineer shall have the authority to withhold approval of any affected improvement plans for failure to satisfy this condition. (P)(E)

58 The applicant shall incorporate into the project design all existing easements within the project boundaries, or obtain abandonment of said easements from the affected easement holder(s). If this requirement cannot be accomplished, the project shall be redesigned accordingly to the satisfaction of the Planning Manager, City Engineer, or the Planning Commission. (P)(E)

59 A drainage acceptance letter from each affected property owner shall be submitted to the City Engineer when the pre-developed storm runoff onto any property is increased, concentrated, diverted, or changed in any form as required by State law. (E)

60 A final hydrology study and hydraulics report shall be prepared for this subdivision and approved by the City Engineer. The hydrology study and hydraulics report shall address on-site and off-site conditions and impacts. (E)

61 This subdivision shall be designed in accordance with the City's Floodplain Management Ordinance, Master Plan of Drainage, and related criteria within the Engineering Design Standards. (E)

62 * The applicant shall submit geotechnical reports, prepared in accordance with the City's Engineering Design Standards, to the City Engineer for review and approval prior to the issuance of a grading permit. Said report shall include recommended design, construction, and maintenance of mitigation measures to reduce potential geologic constraints, to the satisfaction of the City Engineer. At minimum, the report shall address slope stability, locations and setbacks for active/potentially active faults, excavation requirements for unsuitable surficial material, liquefaction potential and groundwater/seepage conditions. All future discretionary approvals must comply with the applicable recommendations set forth in the required investigation. Typical mitigation for geologic hazards include excavation and/or stabilization (buttress/retaining walls) of landslides and excavation of undesirable materials (such as those subject to settlement, hydroconsolidation, expansion or liquefaction) and re-compaction, if necessary, with suitable material. Recommendations from the report shall be incorporated into final grading plans, to the satisfaction of the City Engineer. (Mitigation Measure No. 1) (E)

63 An off-site interim bioswale/drainage channel shall be required for this subdivision according to Nuisance Runoff Assessment Plan and the Conceptual Drainage Study for this vesting tentative tract map and VTM 51508. These drainage systems shall be maintained by the Master Developer to the satisfaction of the City Engineer. (E)

64 Provisions shall be made within the project to utilize recycled water to the extent that such provision is found to be in accordance with the Antelope Valley Recycled Water Master Plan and any City Standard/Ordinance enacted to facilitate its use. (E)

65 Prior to grading permit issuance, as outlined in the 'Phase 1 Interim Agreement – Ritter Ranch Development' (Agreement No. A-7796) the Master Developer shall enter into new subdivision improvement agreements for all Final Tract Maps or Tentative Tract Map items listed in Exhibit 5 of said interim agreement and replace all Lien Contracts with Surety Bonds. (E)

66 * Prior to issuance of grading permits for each area of the Ritter Ranch Specific Plan, the applicant shall provide appropriate safety and etiquette signs for all off-street trails, particularly at trail parking facilities and trail segments with limited sight distance, in order minimize safety hazards to bicyclists, pedestrians and equestrians. The nature, location and language for these signs shall be approved by the Planning Manager and the City Traffic Engineer. Said signs may also include other restrictions/warnings such as discouraging damage to natural resources. (Mitigation Measure No. 44 and 116) (E)(TE)(P)

67 * All construction and general maintenance activities, except in an emergency, shall be limited by City of Palmdale Municipal Code Section 828.030 to the hours of 6:30 a.m. to 8 p.m. Monday through Saturday. The operation of any machine, mechanism, device or contrivance during construction shall comply with noise limits in the PMC and General Plan. (Mitigation Measure No. 51) (E)

68 * Prior to issuance of grading permits for each area of the Ritter Specific Plan, qualified archeologist shall be retained at the expense of the developer to formulate and carry out an Archeological Monitoring Program for that particular area. The Archeological Monitoring Program as approved by the Planning Manager shall include, but not be limited to measures identified in the EIR, and the 1990 RMW Paleo Associates report (Appendix I), and the 1991 LSA Phase II Archaeology Report (dated June 14, 1991). (Mitigation Measure 79) (P)

69 * Monitoring during grading activities shall be accomplished by an archaeologist approved by the Planning Manager. Said archaeologist shall be present at any pre-grading conference and shall have the power to enforce required mitigation measures related to cultural resources. Mass grading activity shall be periodically monitored, particularly during initial site clearing, to ensure that any buried

archaeological deposits which may exist on the property are detected. This monitoring shall be maintained until undisturbed bedrock is exposed. The monitoring archaeologist shall be prepared to document and recover any material which appears as quickly as is consistent with standard archaeological practice. If determined necessary, the archaeologist may halt grading to ensure adequate salvaging and/or protection of cultural resources (upon which the Planning Manager and Applicant shall be notified). (Mitigation Measure 81) (P)

THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO OR IN CONJUNCTION WITH RECORDATION OF THE FINAL MAP OR ANY PHASE THEREOF:

70 The applicant shall petition the City to form a Landscape Maintenance Assessment District for the maintenance of landscaping and appurtenant facilities. Such district shall be formed concurrently with, or prior to, recordation of the final map at the sole cost and expense of the applicant, and the applicant's deposit of the estimated costs thereof shall be required prior to such actions by the City. If the City is unsuccessful in the formation of the Landscape Maintenance Assessment District, the Developer shall propose an alternative maintenance entity and shall be responsible for the maintenance of the landscaping and appurtenant facilities until such time that an alternative maintenance entity assumes the maintenance. All costs associated with the formation of an alternative maintenance entity shall be paid by the Developer. (E)

71 The applicant shall provide written evidence to the Planning and Engineering Divisions that approval has been obtained from the Los Angeles County Fire Department. (F)(P)(E)

72 The applicant shall enter into a subdivision improvement agreement and post securities with the City and pay all applicable fees at the time of subdivision approval for those improvements necessary to support this subdivision, as determined by the City Engineer. If any transfer of ownership/title of land within this proposed subdivision takes place prior to release of all agreements and securities, the new applicant shall be required to enter into a separate Subdivision Improvement Agreement with the City and pay all applicable fees. Agreement and securities with the prior applicant will be released after the agreement and securities with the new applicant take effect. (E)

73 The applicant shall provide standard street improvements for Streets 'K' and 'N' within the project boundary, face of curb to face of curb width of 34 feet (50-foot right-of-way). These improvements shall consist of: (E)

73.1 Curb and gutter;

73.2 Sidewalk (width = 5 feet);

73.3 Roadway grading and paving, overlay and/or match-up, as directed by City Engineer;

73.4 Traffic control signs and devices as required by the City Engineer;

73.5 Pavement transition from the project boundaries to the satisfaction of the City Engineer;

73.6 Wheelchair ramp(s) at all walk returns;

73.7 Roadway drainage device(s); and,

73.8 Streetlights.

74 The applicant shall provide standard street improvements for Street 'L' (west of Street 'M') within the project boundary, face of curb to face of curb width of 34 feet (58-foot right-of-way). These improvements shall consist of: (E)

74.1 Curb and gutter;

74.2 Sidewalk (width = 5 feet);

74.3 Roadway grading and paving, overlay and/or match-up, as directed by City Engineer;

74.4 Traffic control signs and devices as required by the City Engineer;

74.5 Pavement transition from the project boundaries to the satisfaction of the City Engineer;

74.6 Wheelchair ramp(s) at all walk returns;

74.7 Roadway drainage device(s); and,

74.8 Streetlights.

75 The applicant shall provide standard street improvements for Street 'L' (east of Street 'M') within the project boundary, face of curb to face of curb width of 36 feet (60-foot right-of-way). These improvements shall consist of: (E)

75.1 Curb and gutter;

75.2 Sidewalk (width = 5 feet);

75.3 Roadway grading and paving, overlay and/or match-up, as directed by City Engineer;

75.4 Traffic control signs and devices as required by the City Engineer;

75.5 Pavement transition from the project boundaries to the satisfaction of the City Engineer;

75.6 Wheelchair ramp(s) at all walk returns;

75.7 Roadway drainage device(s); and,

75.8 Streetlights.

76 The applicant shall provide standard street improvements for Street 'M' within the project boundary, face of curb to face of curb width of 40 feet (64-foot right-of-way). An alternative 64-foot right-of-way section of Street 'O' shall have a face of curb to face of curb width of 44 feet. These improvements shall consist of: (E)

76.1 Curb and gutter;

76.2 Sidewalk (width = 5 feet);

76.3 Roadway grading and paving, overlay and/or match-up, as directed by City Engineer;

76.4 Traffic control signs and devices as required by the City Engineer;

76.5 Pavement transition from the project boundaries to the satisfaction of the City Engineer;

76.6 Wheelchair ramp(s) at all walk returns;

76.7 Roadway drainage device(s); and,

76.8 Streetlights.

77 The right to restrict access shall be dedicated along all lots abutting the following street: Red Tail Drive. (TE)

78 A striping and signing plan shall be provided, subject to the approval of the City Traffic Engineer prior to the approval of the street improvement plans. Striping and signing plan shall be submitted with final street improvement plans. (TE)(E)

79 Provision for adequate sight distances shall be demonstrated and be subject to the approval of the City Traffic Engineer. (TE)

80 * Pedestrian and other non-motorized circulation and facilities shall be provided as set forth in the Ritter Ranch Specific Plan. Design shall be subject to the approval of the City Engineer. (Mitigation Measure No. 43) (TE)

81 All areas within the tract designated by the City Engineer as requiring a landscape easement shall be shown as an 'Easement for Landscaping Purposes' on the final map. (E)

82 A sanitary sewer-area study for this subdivision shall be prepared and submitted to the City Engineer for review and approval. A public sanitary sewer system is to be dedicated to the City, with private laterals to each lot. The system shall be designed and installed as the only method of sewage disposal for this subdivision. The following coordination and clearance must be obtained prior to issuance of a sewer permit: (E)

82.1 * Any sewer proposed for incorporation into the Los Angeles County Sanitation Districts trunk sewer network for operation and maintenance, shall be reviewed and approved by the Sanitation District, prior to any construction. (Mitigation Measure No. 110)

83 The applicant shall obtain sufficient off-site sewer easements and design and construct an off-site outfall sewer with supplemental size, capacity, and length as required by the City Engineer. The City Engineer shall have the right to withhold approval of any affected improvement plans for failure to satisfy this condition. (E)

84 * The subdivision shall comply with all requirements of PMC Section 13.05. (Mitigation Measure No. 109) (E)

85 * Water mains shall be designed to meet or exceed the total flow requirements determined for domestic flow and fire flow for this development. Required domestic flow shall be calculated by the applicant's engineer. Fire flow shall be determined by the Los Angeles County Fire Chief. Site-specific development plans shall require review and approval by the Los Angeles County Fire Department with respect to adequate fire flows, emergency access and building construction standards. (Mitigation Measure No. 112) (E)(B&S)

86 The plans and specifications for the water delivery system shall be submitted for approval to the responsible water purveyor prior to final approval of this development by the City Engineer. In all cases where water system facilities have not been installed prior to filing this development with the City Engineer for final approval, the applicant shall submit a Labor and Materials bond in addition to one of the following: (E)

86.1 An Agreement and Faithful Performance bond in the amount approved by the City Engineer to be sufficient to guarantee installation of the improvements; or

86.2 An Agreement and evidence satisfactory to the City Engineer showing that the applicant has entered into a contract with the serving water utility for establishing a security guaranteeing payment for the installation of the improvements.

87 Street lighting plans shall be reviewed and approved as part of the approval of the street improvement plans. Street lighting plans shall be submitted to the City Engineer for review and approval and to Southern California Edison Company for their use. (E)

88 The applicant shall petition the City to form a Streetlight Benefit Assessment District for the maintenance of streetlights and appurtenant facilities. Such district shall be formed concurrently with, or prior to, recordation of the final map at the

sole cost and expense of the applicant, and the applicant's deposit of the estimated costs thereof shall be required prior to such actions by the City. If the City is unsuccessful in the formation of the district, the Developer shall propose an alternative maintenance entity and shall be responsible for the maintenance of the streetlights and appurtenant facilities until such time that an alternative maintenance entity assumes the maintenance. All costs associated with the formation of an alternative maintenance entity shall be paid by the Developer. (E)

89 The applicant shall provide a complete set of street improvement plans for review and comment to utility providers including but not limited to the following: (E)

89.1 Los Angeles County Waterworks

89.2 Southern California Edison

89.3 Southern California Gas Company

89.4 AT&T

89.5 Cable TV

90 Easements for all on-site utilities, public and private, shall be granted and recorded for maintenance and upkeep. Such easements may include, but are not limited to, sewer, water, electric, gas, telephone, storm drains, detention basins, and landscaping. (E)

91 The subdivider shall be required to install appropriate measures to protect the approved nuisance water system for Vesting Tract Map 51508-RR ('A' Map) from silt and debris during the grading operation and from any off-site flows from undeveloped areas designed to flow through the subdivision. Developer shall be responsible for providing nuisance water catch basins and piping to the approved nuisance water mitigation system. The design for intercepting on-site nuisance flows shall be addressed with the submittal of grading plans. (E)

92 Will Serve letters will be required before the map is submitted to City Council for approval. The following is a list of the minimum Will Serve letters required: (E)

92.1 Los Angeles County Waterworks

92.2 Southern California Edison

92.3 Southern California Gas Company

92.4 Cable TV

92.5 School District

93 Prior to submitting the final map to the City Engineer for approval by the City Council pursuant to Section 66442 of the Government Code, the applicant shall obtain clearances from all departments, divisions and utility companies which have set conditions of approval on this subdivision and submit those items defined in PMC Chapter 16.20. (E)

94 A preliminary title report and subdivision guarantee is needed showing all fee interest holders, all interest holders whose interest could ripen into a fee, all trust deeds, together with the names of the trustee and all easement holders. The account for this title report shall remain open until the final tract map is filed with the County Recorder. No easements shall be granted and recorded until after the final map is recorded, unless approved by the City Engineer and subordinated to any City easements by a certification upon the title sheet of the final map, prior to the grant. (E)

95 This subdivision is within Community Facilities District 93-1. The applicant is responsible for any due to delinquent "Special Assessments" and shall obtain clearance from the City Engineer and Planning Manager prior to scheduling the final map for City Council. The applicant will certify that there are no liens against the subdivision for unpaid special assessments. Additionally, security for the current installment of principal and interest of all special assessments collected as taxes, which are recorded as a lien, but are not yet payable, shall be filed with the Los Angeles County Clerk. The applicant shall bear all costs associated with the reapportionment/reassessment of "Special Assessments". (E)

96 An HOA shall be created for the project and shall be responsible for the maintenance of all common use areas, private streets, private drainage facilities and shared parking areas. The documents creating this entity shall be provided to the Planning Manager, City Engineer, and City Attorney for review and approval. (P)(E)

97 The applicant shall prepare Covenant's, Conditions, and Restrictions (CC&R's) for review and approval by the Planning Manager, City Engineer, and City Attorney.

Such CC&R's shall include all elements deemed necessary by the City Attorney. The applicant shall be responsible for all City Attorney costs regarding review of said CC&R's prior to recordation of any phase. (P)(E)

98 Three copies of interior tract street tree and front yard landscaping plans shall be submitted to the City Engineer for review and approval. (E)

99 A Landscape Maintenance Assessment District, or other maintenance entity acceptable to the City, shall be formed prior to recordation of the first 'B' Map within VTM 51508-RR 'A' Maps. Applicant shall fully execute a 'Consent and Waiver to Annexation to Landscape Maintenance Assessment District' form. (E)

100 * Each deed or other conveyance of Real Property shall include the following statement: "Ritter Ranch is traversed by major splays (branches) of the San Andres Fault Zone, a very youthful geologic feature. Due to the proximity of the Ritter Ranch site to the San Andreas Fault, there is a high risk of experiencing strong ground shaking and possible surface fault rupture." Additionally, where applicable, each disclosure statement within the deed shall contain language which denotes the possibility of building restrictions on residential additions for human occupancy on those parcels which are located in Fault Hazard Restricted Use Zones. (Mitigation Measure No. 9) (E)(P)(B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR ANY PHASE OF THE SUBDIVISION:

101 The applicant shall pay all fees at the time fees are determined payable and comply with all requirements of the applicable Federal, State, and Local agencies including, but not limited to, the following as applicable:

101.1 Los Angeles County Sanitation District
101.2 Los Angeles County Department of Health Services
101.3 Los Angeles County Consolidated Fire District
101.4 Los Angeles County Waterworks/Palmdale Water Districts
101.5 Westside Union School District
101.6 Antelope Valley Air Quality Management District

The duty of inquiry as to such requirements shall be upon the applicant. Proof of payment shall be provided to the Building and Safety Division prior to issuance of any building permits. (P)(E)(B&S)

102 The applicant shall pay park fees or dedicate and construct the improvements for the proposed community, neighborhood and specialty park facilities shown in the Specific Plan as approved by the Director of Parks and Recreation pursuant to Ordinance 789. (Mitigation Measure 115) (P)(B&S)(Pk)

103 * Westside Union School District: The developer shall comply with the terms of the agreement, dated November 26, 1991, between the developer and the Westside Union School District as mitigation for impacts caused by development of the project on the Westside Union School District. The terms of that agreement are as follows:

103.1 Development Fees. Developer hereby agrees to pay to District fifty-one dollars and ninety-nine cents ($51.99) per square foot of habitable residential development prior to the issuance of the building permit on each unit. A fee of twenty-six cents ($.26) per square foot of industrial/commercial construction shall be paid to the District prior to the issuance of each commercial building permit. All such amounts shall be subject to annual adjustment pursuant to increases or decreases in the School Construction Cost. Index of the Office of Local Assistance with January 1, 1992, as the base.

103.2 School Sites. In addition, Developer hereby agrees to sell to District three, eight-acre elementary school sites with each being adjacent to a park, two, five-acre school sites with each being adjacent to a park, and one 20-acre middle school site, designated in Exhibit B of said agreement.

103.3 The purchase price for the District shall be the fair market value of each site at the time escrow is opened, not to exceed $100 per acre plus annual adjustments based upon increases or decreases in the school construction cost index of the Office of Local Assistance with January 1, 1992 as the base. The fair market value shall include all offsite improvements and grading of the site.

103.4 In the event that the parties cannot agree on the fair market value, each party shall obtain an appraisal from an MAI certified appraiser. If the two appraisals are within $5,000 of each other, the FMV shall be the lowest value plus one-half of the difference. If the difference between the two appraisals is more than $5,000, the County Superintendent of Schools shall designate third appraiser who shall be independent of the parties and MAI certified and who shall conclusively establish the fair market value.

103.5 The cost of the third appraisal shall be borne equally by the parties.

103.6 Developer shall perform all offsite improvements such as roads, curbs, gutters, water (with a flow guaranteed to meet fire safety requirements) sewer, and utilities to the site for no cost to District except as provided above. Developer shall also provide rough grading of the site to District's reasonable specifications. Title to the site shall be transferred to District, free and clear of all monetary liens, assessments, taxes and encumbrances and easements or any restrictions which interfere with the District's plans to use the property for the development of the school sites prior to the filing of any final map on the tract. Onsite and offsite improvements shall be performed concurrently with improvements on the remainder of the tract.

103.7 The District may exercise its right to acquire the property by serving written notice on Developer and opening an escrow account. Developer shall within 30 days of receipt of notice deposit a grant deed conveying title as referred to above. Notice by the District to purchase the property shall not be served earlier than the filing of a final subdivision map on any adjacent property. The District shall indicate its intent to purchase any particular school site no later than one year after the filling of final subdivision map on any adjacent property, District shall deposit the purchase price in escrow. Escrow shall close within 30 days of opening. (Mitigation Measure 99) (P)(B&S)

104 * Antelope Valley Union High School District. The Developer shall provide the following mitigation to the District in order to provide its contribution toward the District's fifty (50) percent share of funding a new high school on the site, pursuant to Government Code Section 65995 and Education Code Section 17700 et, seq. (School Facility Funding Law):

104.1 Developer Fees. Developer shall pay to the District one dollar and twenty cents ($1.20) per square foot of habitable residential development, including senior housing, prior to the issuance of the building permit on each unit. A fee of twenty-six cents ($.26) per gross leasable square foot of industrial/commercial construction shall be paid to the District prior to the issuance of each commercial building permit. All such amounts shall be subject to annual adjustment pursuant to increases or decreases in the School Construction Cost Index of the Office of Local Assistance with January 1, 1992, as the base.

104.2 School Sites. In addition, Developer hereby agrees to offer the District a site for purposes of constructing a high school thereon, with the terms for dedication as set forth herein. The Developer shall dedicate fifty (50) acres of land in Planning Area 3A for a school site to the District at no cost to the District. The specific 50 acres of the 76 acres in Planning Area 3A shall be at the election of the District. Title to the site shall be transferred to District free and clear of all monetary liens, assessments, taxes and encumbrances and easements or any restrictions which interfere with the District's plans to use the property for the development of the school site prior to the filing of any final map on a subdivision tract in the Specific Plan area. In the event that site preparation work on the school site, including provision of access to Elizabeth Lake Road and utilities, exceeds the amount of $4,300,000, the Developer shall pay 50 percent of the amount over that figure, not to exceed total of $350,000.

104.3 Transfer Procedures. The District may exercise its right to acquire the site specified above by serving written notice on Developer and opening an escrow. account. Developer shall within 30 days of receipt of notice deposit into the escrow a grant deed conveying title as referred to above. Escrow shall close within 30 days of opening. (Mitigation Measure 99) (P)(B&S)

105 The applicant shall submit full sized copies of the final recorded map in the form of one set of mylar and three sets of blueline to the City Engineer and shall also submit an 8-1/2 x 11-inch mylar copy of the final map to the City Engineer. The applicant shall provide a computerized .dwg format of the final recorded tract map which is compatible with the City's G.I.S. program to the City Engineer. The final map shall be projected in NAD 83 State Plane Zone (5 in feet). (E)(P)

106 Subdivision Development Plan applications shall be submitted, either for the entire tract or in complete submittals for each construction phase and shall include all documents and maps required by the Subdivision Development Plan Application. Subdivision Development Plans shall be in compliance with the Ritter Ranch Specific Plan and Planned Development document 21-001. (P)

107 A Temporary Use Permit for proposed on-site model homes and/or temporary sales/office trailers shall be filed with the Planning Division and shall include all documents and maps required in PMC Section 17.27.030.B.5 and by the Temporary Use Permit Application. (P)

108 Grading shall be designated "Engineered Grading" per City Building Code and shall be done in accordance with an approved grading plan. All grading work shall be performed according to the phasing plan approved by the Planning Manager and the City Engineer. (P)(E)

109 At completion of rough grading, the applicant shall submit appropriate reports and statements (Certifications) to the City Engineer, for review and approval, prior to release of rough grading. The City of Palmdale Building Code requires these reports and statements from the field or supervising grading engineer, the soils engineer, the geologist, and the grading contractor. (E)(B&S)

110 All sanitary sewer mains to be dedicated to the City are to be provided with as-built plans and have TV video inspection, as required by City Inspector, prior to final acceptance for maintenance. (E)

111 * The applicant shall obtain addresses established by the City Engineer, and pay applicable processing fees, for all lots of residential subdivisions. Commercial subdivisions are addressed by the Building and Safety Division upon application for a Building permit. Proper address signs shall be provided for identification of locations during emergencies. (Mitigation Measure No. 94) (E)

112 Prior to building permit issuance, milestone timeline requirements outlined in the 'Phase 1 Interim Agreement – Ritter Ranch Development' (Agreement No. A-7796) shall be met or projects identified are being completed, to the satisfaction of the City Engineer. Improvements that shall be completed by the Master Developer are as follows: (E)

112.1 Remaining Elizabeth Lake Road (ELR) Work;

112.2 Ranch Center Drive (RCD) and ELR Undergrounding and ELR Streetlight Improvements; and,

112.3 Westland Drive (WD) and Ritter Ranch Road (RRR) Streetlight Improvements.

113 Prior to issuance of the 250th building permit within the Phase 1A area, as defined by the Ritter Ranch Phase 1A Planned Development (PD 21-001), construction of Neighborhood Park 5F shall begin construction. (E)(B&S)

114 Prior to issuance of the 400th building permit within Phase 1A area, as defined by the Ritter Ranch Phase 1A Planned Development (PD 21-001), construction of Neighborhood Park 5T shall begin construction. (E)(B&S)

115 Prior to issuance of 50 percent of building permits within Vesting Tentative Tract Map 51604, as referenced in the Ritter Ranch Phase 1A Planned Development (PD 21-001), construction of Neighborhood Recreation Area 2 shall be completed and granted occupancy release by Building and Safety Division. (E)

116 * Prior to issuance of the 250th Certificate of Occupancy within Phase 1A, as defined by the Ritter Ranch Phase 1A Planned Development (PD 21-001), the Master Developer shall provide a pumper truck and patrol car. In addition, a fully operational fire station of an acceptable size and location as determined by the Los Angeles County Fire Department Building and Safety shall be provided by the 1,800th Certificate of Occupancy. (Mitigation Measure No. 113) (B&S)(P)

117 * Provision of water service to the proposed project will be required as part of the project development and will occur to the satisfaction of the City of Palmdale prior to issuance of building permits. Project implementation will require mitigation in coordination with the City of Palmdale, Los Angeles Waterworks District No. 34, and the Los Angeles County Fire Department. (Mitigation Measure No. 107) (B&S)

118 * Prior to issuance of building permits, the project applicant shall prepare an emergency spill response plan which includes the following measures for review and approval by the City of Palmdale and County Sanitation District No. 20: (Mitigation Measure 20A) (P)(F)(E)

118.1 Measures to detect early warning of a sewage trunk leak;
118.2 The installations of manual or automatic isolation valves;
118.3 Provisions for spilled sewage retention;
118.4 Spill response measures;
118.5 Clean-up and disinfection measures; and,
118.6 Training and funding for implementation of the spill plan.

THE FOLLOWING CONDITIONS SHALL BE MET WHILE CONSTRUCTION ACTIVITIES ARE ON-GOING:

119 From the beginning of the first ground disturbing activity until on hundred (100) percent of the lots for the entire subdivision have been released for occupancy, the

following are required of the applicant: 1) have erosion control measures, per an approved Erosion Control and Sedimentation Plan, in place during the rainy season (October 15 - April 15); 2) provide appropriate dust control measures, per City and Antelope Valley Air Quality Management District (AVAQMD) Standards, to minimize nuisance from dust at all times. (E)(B&S)

120 * To mitigate potential dust generation impacts, the project will comply with State, County and City dust control regulations. These regulations are intended to provide sufficient protection so as to prevent the soil from being eroded by wind, creating dust, or blowing onto a public road or roads or other public or private property. (Mitigation Measure 21) (E)

121 * In addition to watering prior to and during grading (as discussed in AVAQMD Rule 403), the application of water and chemical dust retardants that solidify loose soils shall be implemented for construction vehicle access, as directed by the City Engineer. (Mitigation Measure 22) (E)

122 * Grading activity shall be suspended when local winds exceed 30 miles per hour. To validate wind velocities and/or rainfall amounts, the installation of a minimum of two remote weather stations will be required at locations determined by the City Engineer. (Mitigation Measure 23) (E)

123 * Heavy construction equipment shall use low sulfur fuel (0.05% by weight) and shall be properly tuned and maintained to reduce emissions. (Mitigation Measure 24) (B&S)

124 * Construction activities shall be phased and scheduled to avoid high ozone days, to the extent feasible, and shall be discontinued during second stage smog alerts. (Mitigation Measures 25 and 26) (E)(B&S)

125 * The applicant shall, as required by the Planning Division and the City of Palmdale's proposed Air Quality Element, implement applicable Tier I Control Measures contained in the Final 1989 AQMP, as may be subsequently amended. Additionally, the Best Available Control Technology Guidelines published by SCAQMD, shall be used. As project buildout will occur over 20-year period, subsequent phases/approvals will be held to Tier II and Tier III measures which are implemented is mandatory AVAQMD Rules and Regulations applicable to the project phase. General measures which shall be applied for the development include: (Mitigation Measure 27) (P)

125.1 Encourage the use of alternative transportation modes by promoting public transit usage and providing secure bicycle facilities. The applicant will implement the trails system indicated in the Specific Plan including pedestrian, bicycle, and equestrian facilities. The applicant shall distribute educational material at the time of occupancy to all businesses and homeowners regarding the availability of public transit, ridesharing and other alternative transit methods and the location of bicycle routes in the project vicinity. In addition, the educational material, as reviewed and approved by the City of Palmdale Planning Division shall describe the available methods for reducing energy consumption.

125.2 Provide mass transit accommodations such as bus turnout lanes and bus shelters if determined necessary by the City Traffic Engineer. As final plans are developed, these features should be considered.

125.3 The applicant shall contribute a pro-rata share toward acquisition and construction of: Park & Ride facility in the Avenue S/SR-14 vicinity. This shall include design and construction of one space per ten dwelling units (up to 400 total spaces). This mitigation measure shall be satisfied prior to occupancy of any fifty percent (50%) of the total dwelling units approved for the Ritter Ranch Specific Plan project as a whole.

125.4 Encourage the placement of dwelling units to take full advantage of solar energy for natural heating and cooling as recommended in Section 7.5.1.6 of the Specific Plan in order to reduce the use of electricity and natural gas within the project area.

125.5 The applicant shall utilize Best Available Control Technology to control volatile organic compounds and Toxic Air Contaminants as required by SCAQMD Rules and Regulations. The Best Available Control Technology Guidelines, published by SCAQMD, shall be used to assess compliance with this mitigation measure.

126 * During project construction, the applicant shall be required to provide appropriate screening (as with temporary fencing with opaque material), dust control (see Section IV.B. AIR RESOURCES), restricted construction hours, and a traffic control plan (Section IV.I. TRAFFIC AND CIRCULATION). (Mitigation Measures No. 56) (E)

127 * Transmission lines less than 50KV and all other utility lines, existing and proposed, shall be installed underground in accordance with the City's Underground Utilities Ordinance. (Mitigation Measure No. 102) (E)

128 Adequate sanitary disposal facilities shall be required on-site during all phases of construction. (E)(B&S)

129 If this tentative map is to be phased, the applicant shall have all drainage facilities (on-site and off-site), and any temporary grading or structures necessary to convey runoff to drainage facilities (on-site and off-site), in an operable condition prior to completion of rough grading of proposed streets for the first phase. (E)

130 Signing and striping shall be provided for all roadway improvements. (TE)

131 The applicant shall comply with City and State guidelines and requirements for traffic control during construction and prior to final project acceptance. (TE)

132 The applicant shall notify the City Engineer 60 days prior to anticipated opening of any street to public travel. (TE)

133 * The project applicant shall coordinate with SCE to ensure that adequate electrical service is provided to the proposed development and that service connection activities will be performed in cooperation with SCE to minimize any short-term impacts. (Mitigation Measure No. 103) (B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR EACH DWELLING UNIT:

134 The subdivision is located within the Anaverde Natural Drainage Area/Basin as defined by the City's Master Drainage Plan and approved by Resolution 89-75. The drainage area where this subdivision is located shall be shown on the cover sheet of the plans submitted for engineering and building permit applications. (E)(B&S)

135 * The applicant shall comply with the provisions of PMC Chapter 3.40 (Traffic Impact Fee Requirements). The applicant shall not be entitled to any such credits for costs reimbursed through the ELR Escrow, Improvement Fund, the Gap Road Escrow, and/or bond proceeds from the new CFD. Also, the applicant can only receive traffic impact fee credits in the amount not to exceed what the applicant pays towards this fee. The applicant shall pay the applicable traffic impact fees to

the Building and Safety Division in the amount that is in effect at the time the vesting tentative map application was deemed complete ($1,740.84 per dwelling unit) plus any increases to that amount that are subsequently approved to reflect changes in the Consumer Price Index (CPI), All Urban Consumers, for the Los Angeles-Riverside-Orange County Area, as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor, as set forth in Palmdale City Council Resolution No. CC 2021-057. These traffic impact fees provide the project's required pro rata contribution towards offsite roadway improvements needed to service the development. Funds generated from the traffic impact fees shall be applied toward offsite improvements Elizabeth Lake Road, Palmdale Boulevard, Avenue S, and 10th Street West/Tierra Subida Road, as approved by the City Public Works Department. (Mitigation Measure No. 75) (TE)(E)(B&S)

136 Drainage fees or improvements shall be required pursuant to Subdivision Map Act Section 66498.1 and 66498.2. The following is the 2021 Fee Schedule for Anaverde Drainage Area, which shall be applicable to this project: (E)

136.1 Single Family Residential Development $2,372.44/dwelling unit;

136.2 Multi-Family Development $1,181.04/dwelling unit;

136.3 Commercial and Industrial Development $11,841.48/acre.

137 The applicant is responsible for protecting the in place, or repairing to the satisfaction of the City Engineer, all public improvements adjacent to the project. Such responsibility shall include revisions to the Landscaping As-Builts plans on file with the City Engineer as deemed necessary. (E)

138 The applicant shall comply with the provisions of Chapter 3.42 (Fire Facility Impact Fee Ordinance) of the Palmdale Municipal Code. The applicant shall pay the applicable fire facility impact fees to the Building and Safety Division in the amount that is in effect at the time the vesting tentative map application was deemed complete ($0.95 per building square-foot) plus any increases to that amount that are subsequently approved to reflect changes in the Consumer Price Index (CPI), All Urban Consumers, for the Los Angeles-Riverside-Orange County Area, as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor, as set forth in Palmdale City Council Resolution No. CC 2021-057. (E)(B&S)

139 The applicant shall comply with the provisions of PMC Chapter 3.45 (Public Facility Development Impact Fee Requirements). The applicant shall pay the applicable public facility impact fees to the Building and Safety Division in the amount that is in effect at the time such fees are to be collected. (E)(B&S)

140 All public improvements within, and necessary to support, a block or construction phase of any final map, must be completed within 60 days from issuance of the first Certificate of Occupancy within the block or construction phase, to the satisfaction of the City Engineer. In no case shall the total occupancy for a final map exceed 90 percent until all public improvements within the final map have been completed to the satisfaction of the City Engineer. (E)

141 Slope erosion control and street trees shall be installed to the satisfaction of the City Engineer. (E)

142 At completion of final grading, the applicant shall submit appropriate statements (Certifications) to the City Engineer prior to release of final grading. The City of Palmdale requires that these be submitted by the field or supervising grading engineer, and/or the landscape architect. (E)

143 The developer or builder shall provide full front yard and street side yard landscaping as approved by the City Engineer and the Planning Manager. (P)(E)

144 * Assessment fees and required conduits shall be installed prior to issuance of occupancy permits. (Mitigation Measure 101) (P)(B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY FOR ANY PHASE:

145 The subdivider shall comply with the provisions of PMC Chapter 3.38 (Drainage Fee Requirements). Pursuant to the Subdivision Map Act Sections 66498.1 and 66498.2, the subdivider may pay the applicable drainage fees in the amount that is in effect at the time of the original approval of VTTM 51606. Such fees are to be collected pursuant to the provisions of PMC Chapter 3.38. (E)(B&S)

146 The subdivision shall have been graded and constructed in accordance with all approved plans including but not limited to site plans, grading plans, wall plans, and landscape plans. (P)(E)

147 Any broken or damaged curb, gutter, sidewalk, and pavement on streets within or along the frontage of the development shall be repaired. Any existing driveways that are not to be used shall be replaced with standard curb, gutter, and sidewalk. (E)

148 Purchase and install street name signs in accordance with the Ritter Ranch Specific Plan, the Planned Development, and City of Palmdale standards. The number and location of signs shall be directed by the City Engineer. (TE)

149 A third westbound through lane at the intersection of Elizabeth Lake Road/Palmdale Boulevard and 10th Street West/Tierra Subida Avenue shall be constructed. Also, a third receiving lane (westbound) with the proper transition shall be constructed. (TE)

150 The fair-share cost of the construction of a Fire Station shall be included on each residence of this vesting tentative tract as part of the proposed Community Facilities District (CFD). (E)

151 The fair-share cost of the construction of a public library shall be included on each residence of this vesting tentative tract as part of the proposed CFD. (E)

Key to Departmental Conditions:

(P) Planning Division (267-5200)
(E) Engineering Division (267-5272)
(F) Los Angeles County Fire Department (723-4455)
(B&S) Building and Safety Division (267-5353)
(Pk) Parks and Recreation Department (267-5611)
(SCE) Southern California Edison Company (945-9317)
(TE) Traffic/Transportation Engineer (267-5300)

ATTACHMENT 4

PLANNING COMMISSION
CITY OF PALMDALE, CALIFORNIA
RESOLUTION NO. PC-2022-008

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALMDALE, CALIFORNIA, APPROVING VESTING TENTATIVE TRACT MAP 51607; A REQUEST TO SUBDIVIDE APPROXIMATELY 21 ACRES INTO 86 LOTS FOR THE PURPOSE OF CONSTRUCTING 84 SINGLE-FAMILY RESIDENCES WITHIN PLANNING AREA FIVE OF THE RITTER RANCH SPECIFIC PLAN AND GENERALLY LOCATED SOUTH OF CITY RANCH ROAD AND APPROXIMATELY WEST OF RED TAIL DRIVE (APN: 3206-026-007)

A. RECITALS

1. RdR Development Holdings, LLC, has filed an application requesting the approval of Vesting Tentative Tract Map (VTTM) 51607, described herein (hereinafter referred to as "Application").

2. The application applies to an existing approximately 21-acre vacant parcel within the Ritter Ranch Specific Plan (SP) indicated on the County Assessor's roles as APN 3206-026-007 and legally described on Exhibit I hereto and shown on the map attached hereto as Exhibit II.

3. On February 10, 2022, the Planning Commission of the City of Palmdale conducted a duly noticed public hearing on the Application and concluded said hearing on that date.

4. All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION

NOW THEREFORE, it is hereby found, determined, and resolved by the Planning Commission of the City of Palmdale, as follows:

1. The Planning Commission hereby specifically finds that all of the facts set forth in the Recitals, Part A of this Resolution, are true and correct.

2. Based upon substantial evidence presented to this Commission during the above-referenced February 10, 2022, public hearing, including public testimony, and written and oral staff report, and incompliance with SP Section 8.12, this Commission specifically finds as follows:

(a) For the proposed subdivision, each provision for its design and improvement and each proposed land use is consistent with the Ritter Ranch Specific Plan because it conforms to the density, design standards, design guidelines, and location given for the land use designation.

The proposed subdivision, each provision for its design and improvement and each proposed land use is consistent with the both the SP and the Planned Development (PD 21-001) document, which provides special development standards for the project, landscape standards, and thematic landscape features as outlined within Exhibits III and IV.

The subject site is within Planning Unit 5D-1 of the SP, which is designated for residential development. As described within Exhibits III and IV, the proposed project is consistent with the policies and objectives of the SP, in that it provides the type of development and amenities envisioned in both residential dwelling type and quality, parks, and public improvements.

(b) The tentative map or tentative parcel map design provides for future passive or natural heating or cooling opportunities in the subdivision to the extent feasible.

The development is designed with adequate dimensions to maximize the opportunities for passive and natural heating and cooling. The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities. Based upon a review of the tentative tract map, each lot meets or exceeds the minimum size, width, and depth requirements as specified within the Planned Development prepared for the portion of the Ritter Ranch Specific Plan that includes the proposed project.

(c) The tentative map or tentative parcel map does not propose to divide land which is subject to a contract entered into pursuant to the California Land Conservation Act of 1964 in that the property in question has not been included in any such contract.

A review of the preliminary title report for the subject property revealed that the property in question has not been included in any

such contract and therefore, the Application does not propose to divide land, which is subject to such a contract.

(d) The discharge of waste from the proposed subdivision into an existing community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board.

No violation will be created because the applicant is required to comply with the Conditions of Approval, which require approval from the appropriate agencies for location of sanitary sewer trunk lines and preparation of a sewer area study to the satisfaction of the City Engineer and the Los Angeles County Sanitation District.

(e) The site is physically suitable for the type of development and density proposed.

In conjunction with the prior approved, expired tentative tract map, the site has been previously graded and portions of major roadways constructed. An existing power line easement is located to the south of the site, but the Application has been designed to avoid the easement.

(f) The design of the subdivision and the proposed improvements is not likely to cause serious public health or safety problems because they conform to the highest and best possible use of the subject property as determined.

The project will be required to install improvements such as streets, curbs and sidewalks in compliance with City standards. Also, the discharge of waste from the proposed subdivision into an existing community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board because the applicant is required to dedicate a new sewer system to the City and install private laterals for each residential lot. In addition, the project is required to provide on- and off-site improvements as required by the water purveyor. Furthermore, the public improvements required for this subdivision are reasonable and proportional to the impacts caused by the proposed development and are necessary in order to provide access

for future residents within the project, protect the subdivision, and surrounding properties, and promote the safety of the general public.

(g) The design of the subdivisions and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision because no such easements have been acquired.

The title report for the site revealed that the design of the subdivision and the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision because the existing easements along the western portion of the project site will not be altered by the proposed project. In addition, the Conditions of Approval require dedication and improvement of publicly owned rights-of-way, storm drains, and other drainage facility easements.

(h) The proposed tentative map or tentative parcel map is in conformance with the intent and requirements set forth in the Ritter Ranch Specific Plan.

As allowed within SP Section 8.10, the tentative map meets the requirements of the proposed Planned Development document (PD 21-001), which includes special development standards of the project, landscape standards, and thematic landscape features. The lots created by the Application comply with the standards of, and will be landscaped pursuant to, standards within the Planned Development.

(i) The proposed tentative map or tentative parcel map is in compliance with the California State Subdivision Map Act.

The Application has been prepared in compliance with all requirements of the SP and the Subdivision Map Act. In addition, as specified within the Conditions of Approval for the Application, the applicant will be required to record a final map prior to the expiration date in accordance with the provisions of the Subdivision Map Act.

3. The Planning Commission hereby finds as follows with respect to the environmental document prepared for the project:

(a) In accordance with Public Resources Code Section 21166 and State California Environmental Quality Act (CEQA) Guidelines Sections 15162, 15163 and 15164, the proposed project does not require the preparation of a subsequent, supplemental or addendum to the Environmental Impact Report (EIR) prepared for the SP (EIR 90-4) since: 1) the project will cause no substantial changes in any portion of the project which was described in EIR 90-4, which would require major revisions to EIR 90-4 due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects because the project is not modifying the scope or intent of the SP; 2) no substantial changes have occurred with respect to the circumstances under which the project is undertaken, which will require major revisions to said EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified environmental effects, because no significant development adjacent to the project area which impacts the infrastructure, services, or development potential within the City's boundaries has occurred; and 3) no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, has been provided with respect to the SP. Therefore, a memorandum of consistency was prepared for the Application (Exhibit V of Resolution No. PC-2022-005).

(b) The custodian of records for all other materials which constitute the record of proceedings upon which the Planning Commission's decision is based, is the Planning Manager of the City of Palmdale. These documents are available for public review in the Planning Division of the City of Palmdale located at 38250 Sierra Highway, Palmdale, California 93550, telephone (661) 267-5200.

4. Based on the findings and conclusions set forth in paragraphs 1, 2, and 3 above, this Commission hereby approves VTTM 51607 subject to the Conditions of Approval as set forth in Exhibit V.

5. The Deputized Clerk shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED this 10th day of February, 2022.

AYES: _____

NOES: _____

ABSTAIN: _____ ABSENT: _____

_____
Stacia Nemeth, Chair
Planning Commission

ATTEST:

_____
Kathy Inman, Deputized Clerk

EXHIBIT I

LEGAL DESCRIPTION FOR VTTM 51607

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF PALMDALE, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

LOT 5 OF TRACT NO. 51508-01, IN THE CITY OF PALMDALE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1214 PAGES 28 THROUGH 36, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT FROM THAT PORTION OF SAID LAND LYING WITHIN THE NORTH HALF OF THE NORTHEAST QUARTER, THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, AND THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 25, ALL OILS, MINERALS, GAS, PETROLEUM, NAPHTHA, OTHER HYDROCARBON SUBSTANCES, AND MINERALS OF WHATSOEVER KIND AND NATURE IN, UPON, OR UNDER SAID LAND, TOGETHER WITH THE RIGHT OF ENTRY. AS MAY BE NECESSARY FOR THE DEVELOPMENT, PRODUCTION, AND REMOVAL OF ALL SUCH SUBSTANCES, AS RESERVED IN THE DEED FROM THE FARMERS AND MERCHANTS NATIONAL BANK OF LOS ANGELES, RECORDED JUNE 6, 1944, IN BOOK 21009 PAGE 66, OFFICIAL RECORDS.

ALSO EXCEPT FROM THAT PORTION OF SAID LAND LYING WITHIN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, THE NORTH HALF OF THE SOUTHEAST QUARTER, AND THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 25, ONE-HALF OF THE MINERAL RIGHTS TO GRANTORS, SHARE AND SHARE ALIKE, AND TO THEIR RESPECTIVE HEIRS AND ASSIGNS, IN ALL OIL, GAS, MINERALS IN, ON, OR UNDER THE SURFACE OF SAID LANDS, AND ALL THE RIGHTS OF OWNERSHIP THEREIN, AND ALSO RESERVING TO THEMSELVES, THEIR HEIRS AND ASSIGNS, THE RIGHT AND LICENSE OF EXPLORING, MINING, DEVELOPING OR OPERATING, FOR ANY OR ALL OF THE SAID PRODUCTS UNDER SAID LANDS BY SO-CALLED SLANT WHIPSTOCK DRILLING THEREUNDER, ACCORDING TO ALL THE PRIVILEGES AND CONDITIONS OF THE FIELD THAT MAY BE DEVELOPED ABOUT SAID TRACT OF LAND WITH THE FURTHER RESERVATION THAT SHOULD THE OWNER IN FEE OF THE SURFACE OF SAID LANDS ERECT THEREON NECESSARY BUILDINGS, PIPE LINES, MACHINERY AND EQUIPMENT NECESSARY IN AND ABOUT SUCH MATTERS, GRANTORS, THEIR HEIRS AND ASSIGNS, SHALL BE GIVEN EQUAL RIGHTS TO USE AND LICENSE OR LEASE THE USE OF SUCH SURFACE IN CONNECTION WITH PRODUCTION OF OIL, GAS, AND MINERALS TO THE EXTENT THEREIN RESERVED, AS RESERVED BY JOHN THOMAS TUTTLE, ALSO KNOWN AS JOHN JOUGHIN TITTLE, A MARRIED MAN, AND ANDREW R. JOUGHIN, ALSO KNOWN AS ANDREW ROEDER JOUGHIN, A MARRIED MAN, IN DEED RECORDED JUNE 10, 1952 AS INSTRUMENT NO. 1498 IN BOOK 39123 PAGE 267. OFFICIAL RECORDS.

EXHIBIT II

AERIAL MAP
FOR VTTM 51607

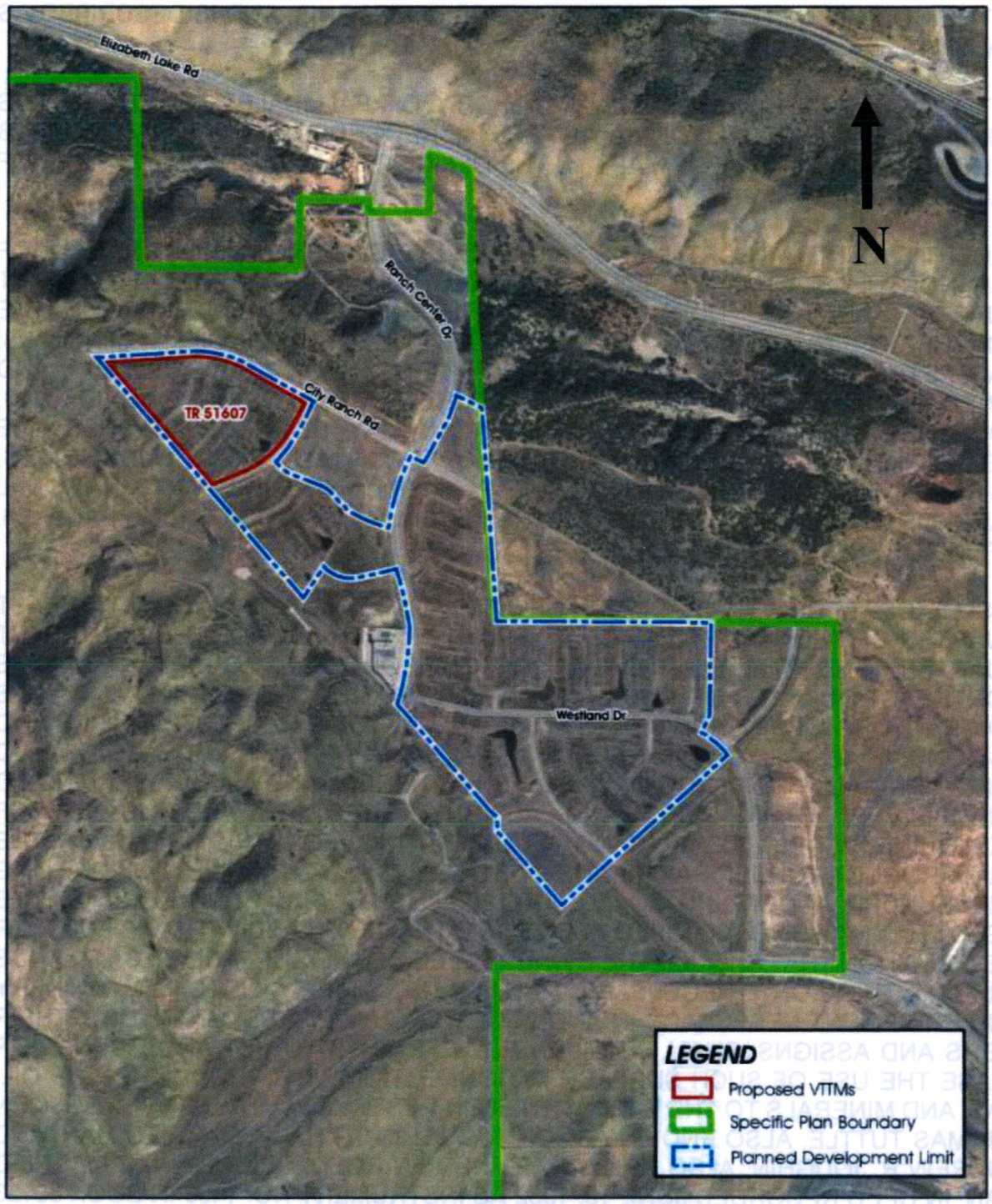


EXHIBIT III

SPECIFIC PLAN CONSISTENCY

Topic	Goal, Objective, or Policy	Standard Met?	Justification*
Land Use	Goal 1: *Create a comprehensively designed Specific Planned Community.*	Yes	The proposed tentative map and amenities have been designed in a manner that is consistent with both the Planned Development document and the Ritter Ranch Specific Plan. The tentative map is seamlessly integrated into surrounding development and incorporates a fully landscaped, connective residential community.
Circulation	Goal 1: *Provide a transportation system which allows for the safe and efficient movement of people, goods and services throughout Ritter Ranch*	Yes	The proposed roadway system is designed in the locations and to the dimensions as required by the circulation plan of the Ritter Ranch Specific Plan.
Housing	Goal 1: *Housing availability and opportunity for all citizens.*	Yes	The proposed tentative map allows for varying lot sizes, which will ensure construction of housing for various income levels as envisioned by the Specific Plan.
Public Services and Utilities	Goal 1: *Provide adequate public and semi-public services to serve the needs of the Ritter Ranch development and the residents in an efficient and cost-effective manner.*	Yes	The proposed project will provide all improvements necessary to ensure that public and semi-public services are adequately provided. In addition, conditions of approval have been proposed that will require adequate financing mechanisms to ensure the provision of such services is cost-effective.
Design	Goal 2: *Provide public parkland for both passive and active use that is equally accessible to the community on a neighborhood, community and regional basis.*	Yes	The proposed tentative map includes two parcels dedicated to open space, which will include a variety of amenities for use by future residents and the surrounding community.

**Justification is based on a review of the plan date stamped 'Received November 8, 2021,' by the case planner.*

EXHIBIT IV

PLANNED DEVELOPMENT DOCUMENT STANDARDS

	Standard	Standard Met?	Justification*
Lot Area	Minimum lot area of 7,000 square feet (Planned Development [PD] document Section 3.3)	Yes	The lots within VTTM 51607 range in size from 7,006 to 17,374 square feet.
Lot Width	55 feet for standard lots, 60 feet for corner lots, and 50 feet for cul-de-sac and knuckle lots (PD Section 3.3)	Yes	The lots within VTTM 51607 depict a minimum width of 55 feet for standard lots, 60 feet for corner lots and 50 feet for non-standard lots.
Lot Depth	90 feet (PD Section 3.3)	Yes	The lots within VTTM 51607 depict a minimum depth of 90 feet.

**Justification is based on a review of the plans date stamped 'Received November 8, 2021' by the case planner.*

EXHIBIT V

DRAFT

CONDITIONS OF APPROVAL
VESTING TENTATIVE TRACT MAP NO. 51607
APPROVAL DATE: FEBRUARY 10, 2022
EFFECTIVE DATE: FEBRUARY 22, 2022
EXPIRATION DATE FOR VTTM 51607: FEBRUARY 22, 2025

These Conditions of Approval apply to Vesting Tentative Tract Map (VTTM) 51607, a request to subdivide approximately 21 acres into 86 lots for the purpose of constructing 84 single-family residences within Planning Area five of the Ritter Ranch Specific Plan. For the purpose of these conditions, the term "applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval. For the purposes of these conditions, an * indicates that the condition is a mitigation measure.

GENERAL CONDITIONS:

1 This approval shall become null and void if a final map has not been timely filed prior to the expiration date in accordance with provisions of the Subdivision Map Act. An extension of time may be granted by the Planning Commission upon submittal of a formal application, required exhibits and appropriate fees in accordance with the Palmdale Municipal Code (PMC). In granting any such time extension, the City of Palmdale may impose new conditions and standards on the tentative map, pursuant to Section 66452.6(e) of the Government Code. (P)(E)

2 This Vesting Tentative Tract Map is granted for all boundary lines, easements, rights-of-way, and construction of off-site improvements as shown on the map date stamped 'Received November 8, 2021', as modified by these Conditions of Approval. Final map(s) shall be in substantial compliance with the tentative map and these Conditions of Approval. (P)(E)

3 This approval shall not be final until an agreement (Agreement No. A-7796) has been executed between the City of Palmdale and the Applicant to replace the prior Development Agreement (Development Agreement 92-1, as amended in the First Amendment to Development Agreement 92-1) for the Ritter Ranch Specific Plan. This project shall be subject to all applicable provisions of the agreement. (P)

4 As provided in Section 66498.1(b) of the Subdivision Map Act, the applicant shall comply with all requirements of the PMC, all requirements of City of Palmdale ordinances, resolutions, and all standards and policies that were in effect at the time that the applicant's application for a vesting tentative map was deemed complete.

5 As provided in Government Code Section 66498.1(e), as amended, the City may impose conditions on subsequently required approvals and permits as authorized by the PMC, and other applicable ordinances, resolutions, engineering standards, and policies. (P)(E)

6 Pursuant to Section 66452.6(g), vested development rights conferred pursuant to Section 66498.1(b) shall last for not more than two years following recording of the final map, unless otherwise provided by law. (P)(E)

7 When exhibits and written conditions of approval are inconsistent, the written conditions shall prevail. Where the language of any condition of this approval conflicts with any mitigation measure in the Final Environmental Report, the language contained in the Environmental Report shall prevail. (P)(E)

8 Off-site public improvements (streets, drainage, sewers, etc.) may be necessary to adequately serve this subdivision. If off-site public improvements are required, said improvements shall be located within public easements. This tentative map approval is subject to the applicant's acceptance of the City of Palmdale's requirements for acquisition of said public easements, including the applicant's financial responsibility. The City Engineer shall have the authority to withhold approval of any affected improvement plans for failure to satisfy this condition. (E)

9 The applicant shall participate in such on-site and off-site water service improvements as may be required by the serving water purveyor. (E)

10 Coordination with utility companies by the applicant's engineer during design shall be required in order to ensure that required public improvements are not in conflict with existing or proposed utilities. (E)

11 * The applicant shall comply with the provisions of Chapter 3.40 (Traffic Impact Fee Requirements) of the PMC. The applicant shall pay the applicable traffic impact fees to the Building and Safety Division in the amount that is in effect at the time the vesting tentative map application was deemed complete. (Mitigation Measure No. 77) (TE)

12 * The applicant shall comply with all provisions of PMC Chapter 14.05, Water Efficient Landscape Ordinance. (Mitigation Measure No. 106) (E)

13 The applicant shall use best efforts to coordinate all elements of design and planning of transportation facilities with the developer of the Anaverde Nuevo Specific Plan at the mutual project boundaries. (P)(E)(B&S)

14 The Specific Plan identifies various meandering facilities on the street sections. Such features shall be incorporated into the roadway designs, as approved by the City Engineer and Planning Manager. (P)(E)

15 Left-turn ingress and/or egress at all access locations is subject to approval of the City Traffic Engineer and may be restricted in the future due to traffic operational or safety concerns. Alternatives to such restrictions may be considered. (TE)

16 Any interim drainage basins, levee and channel improvements referenced in Conceptual Drainage Studies shall be the responsibility of the master subdivider to maintain in accordance with the subdivision improvement agreement for VTM 51508 or an entity acceptable to the City. (E)

17 The subdivider shall install all drainage improvements within the subdivision not installed by the CFD 93-1. (E)

18 If any "T" intersection does not have driveways that are suitable for use by the handicapped opposite the approach of the third leg of the intersection, then handicapped ramps shall be installed. (TE)

19 * All road improvements shall be designed in accordance with City of Palmdale and Ritter Ranch Specific Plan roadway design standards as approved by the City Engineer. (Mitigation Measure No. 72) (TE)

20 The final map shall include a trustee statement subordinating of the lien of the deed of trust to the map for rights-of-way and easements necessary to serve the surrounding areas. (E)

21 The subdivider has provided the City with notice of intent to file multiple final maps on this Vesting Tentative Tract Map. In the event that the applicant files a final map with respect to any phase or phases of the Vesting Tentative Tract Map less than one year from a previous filing of a final map for the project, the applicant shall be entitled to only one automatic extension pursuant to Government Code Section 66452.6(a) for those filings. (E)

22 The subdivider shall be responsible for providing all necessary infrastructure improvements to the satisfaction of the City Engineer, for each final map filed. This shall include but shall not be limited to providing sanitary sewer and potable water connections, providing adequate drainage facilities, and providing any additional roadway improvements deemed necessary by the City Engineer to provide adequate public and emergency access. Tract phasing is outlined on Vesting Tentative Phased Tract Maps, stamped 'Received November 8, 2021'. In the event that the subdivider wishes to modify the phase boundaries, or the order in which the phases are recorded, the subdivider shall process a Major Modification application to the approved Vesting Tentative Tract Map for review and approval by the Planning Commission. In the event that one phase is constructed before the other(s), the subdivider shall construct and/or bond for all public improvements necessary to ensure public health, safety and welfare, including but not limited to the following infrastructure improvements: (E)

22.1 Minimum required improvements for Phase 1 shall include infrastructure and roadway improvements within the phase boundary and include the following:

22.1.1 Acquire the necessary road easements to construct full street improvements, including all infrastructure shall be provided for Street 'H';

22.1.2 All infrastructure improvements including water, sewer, and drainage, shall be constructed to connect to existing mainline facilities.

22.2 If Phase 2 precedes Phase 1, all infrastructure and roadway improvements within the phase boundary and include the following:

22.2.1 Acquire the necessary road easements to construct full street improvements, including all infrastructure shall be provided for Street 'H' and Street 'D' to the extension of easterly property line of Lot 40;

22.2.2 A temporary turn-around at the extension of easterly property line of Lot 40 on Street 'D';

22.2.3 Phase 1 shall be rough graded to approximate ultimate drainage patterns and to divert runoff from the tract shown as Phase 2.

22.2.4 Interim drainage facilities must be provided to outlet from Street 'D' to City Ranch Road;

22.2.5 All infrastructure improvements including water, sewer, and drainage, shall be constructed to connect to existing mainline facilities.

23 * Adequate emergency access and circulation throughout and around the project shall be provided to the satisfaction of the Los Angeles County Sheriff's Department and Los Angeles County Fire Department. Temporary emergency access shall be provided during project construction. (Mitigation Measure No. 92) (E)

24 * Prior to subsequent approvals, energy conservation practices, as required by the Subdivision Map Act, Building Energy Efficiency Standards (California Energy Commission), and state and local laws, shall be incorporated into the design of the project to have the secondary effect of limiting stationary source pollutants both on and offsite. (Mitigation Measure 28) (P)

25 * Projects that exceed AVAQMD threshold levels shall contribute to the Traffic mitigation programs imposed on the development in effect at such time building permits are issued for the project, and each part thereof. (Mitigation Measure 30) (P)

26 * Prior to Development Application approvals, focused surveys shall be conducted by a City-approved biologist to establish the presence or absence of sensitive species (as defined by Federal, State, or Local laws) on the development site. Should sensitive species be present, applicable mitigation shall be implemented per Federal, State and Local Endangered Species Protection regulations as determined necessary by the City Planning Manager. (Mitigation Measure 48) (P)

27 * Development along internal and adjacent arterials will incorporate design measures or structural measures which will reduce noise levels to acceptable levels within the living or recreational portions (as defined by the City) of any lot. The measures that may be utilized to reduce noise impacts include placement of non-residential buildings adjacent to the arterial roadway, increasing the setbacks along the roadway, creation of landscaped berms or other unobtrusive barriers. The acceptable noise level CNEL which will be applied to future projects will be that level which is in place, either by ordinance, resolution, or General Plan policy,

at the time that future development applications are deemed complete. (Mitigation Measure 52) (P)

28 * Where necessary, noise mitigation measures such as barriers or sound walls, shall be employed to ensure that acceptable noise levels at the proposed parks are not exceeded. (Mitigation Measure 53) (P)

29 * Any lights used to illuminate the parking areas, driveways, and other exterior or interior areas, shall be designed and located so that direct lighting is confined to the property. The applicant shall submit photometric lighting plans for commercial, multi-family and recreational projects. In addition to directional lighting, lighting should not be of greater intensity (wattage) than otherwise necessary for public safety. (Mitigation Measure 60) (P)

30 * The Applicant shall annually evaluate all design guidelines, development standards and mitigation measures for the Ritter Ranch Specific Plan, submitting a Monitoring Report to the Planning Manager the first quarter of each year through buildout of the project. In addition, the applicant shall submit aerial photos of the project site taken on monthly basis when grading is occurring. Monitoring and verification of compliance with adopted applicable Specific Plan development standards shall also be performed prior to subsequent approvals, to determine if the proposed measures are achieving their intended purpose. To the extent allowed by law, future discretionary approvals may include additional conditions of approval based upon City staff review of the Annual Monitoring Report. Nothing in this mitigation measure shall be construed to permit environmental review beyond the extent permitted by State law. (Mitigation Measure 66) (P)

31 * All project homeowners and tenants shall be advised of potential health risks associated with power transmission lines prior to close of escrow/execution of rental lease. The content and form of said notification shall be indicated in the applicable escrow, deed and/or lease documents in a format acceptable to the City Attorney. (Mitigation Measure 71)

32 * A final report summarizing findings, including an itemized inventory, contextual stratigraphic data, and photographs shall accompany any fossils collected onsite to the designated repository, with an additional copy sent to the City of Palmdale Planning Division. (Mitigation Measure 91) (P)

33 * Adequate lighting shall be provided to enhance crime prevention and law enforcement efforts to the satisfaction of the Los Angeles County Sheriff's

Department and the City Traffic Engineer, including along pedestrian trails. Lights shall be designed and located so that direct lighting is confined, and lighting should not be of greater intensity than necessary for public safety. (Mitigation Measures 93 and 117) (P)

34 * Onsite telephone facilities shall be provided by utilizing joint trenches. (Mitigation Measure 100) (P)(B&S)

35 * As required by state law, the following water conservation measures shall be incorporated into the project: (P)(B&S)

35.1 Low-flush toilets and urinals;
35.2 Low-flow showers and faucets;
35.3 Insulation of hot-water lines in water recirculating systems;
35.4 All fixtures shall be California Energy Commission (CEC) certified; and,
35.5 Public lavatory facilities must be equipped with self-closing valves. (Mitigation Measure 105)

36 * The following water conservation measures shall be implemented where applicable and feasible: (P)(B&S)

36.1 Interior

36.1.1 Supply line water pressure greater than 50 pounds per square inch (psi) shall be reduced to 50 psi or less by means of a pressure reducing valve.
36.1.2 Drinking fountains shall be equipped with self-closing valves.
36.1.3 Laundry facilities shall use water-conserving models of washers.
36.1.4 Ultra low-flush toilet (1-1/2 gallons per flush) shall be installed in all new construction.

36.2 Exterior

36.2.1 Landscape with low water-consuming plants wherever feasible.
36.2.2 Minimize use of lawn by limiting it to lawn-dependent uses, such as playing fields. When lawn is used, require warm season grasses.
36.2.3 Group plants of similar water use to reduce overirrigation of low-water-using landscaping.
36.2.4 Provide information to project residents and tenants regarding benefits of low-water using plants.

36.2.5 Use mulch extensively in all landscape areas. Mulch applied on top of soil will improve the water-holding capacity of the soil by reducing evaporation and soil compaction.

36.2.6 Preserve and protect existing trees and shrubs. Established plants are often adapted to low-water-using conditions and their use saves water needed to establish replacement vegetation.

36.2.7 Install efficient irrigation systems which minimize runoff and evaporation and maximize the water which will reach the plant roots. Drip irrigation, soil moisture sensors and automatic irrigation systems are a few methods to consider in increasing irrigation efficiency and may be feasible for the project.

36.2.8 Use pervious paving material whenever feasible to reduce surface water runoff. (Mitigation Measure 106)

37 * The applicant shall distribute an educational pamphlet to homeowners at the time of occupancy describing the solid waste disposal problem, and methods of reducing solid waste impacts that are available to protect residents as reviewed and approved by the City. (Mitigation Measure 119) (P)(B&S)

38 * Where applicable, the applicant shall comply with the provisions of the City's Source Reduction and Recycling Element and the City's Household Hazardous Waste Element after those elements are adopted by the City Council. (Mitigation Measure 122) (P)(B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE STAMPING OF THE TENTATIVE MAP FOR CONDITION COMPLIANCE:

39 All plans, specifications, studies, reports, calculations, maps, notes, legal documents, and designs shall be prepared and signed (and stamped where required) only by those individuals legally authorized to do so. Plans for public improvements shall be prepared, signed, and stamped by a California Registered Civil Engineer. (E)

40 The location of method of operation of any vehicle restricting gates shall be subject to the approval of the Los Angeles County Fire Department and the City Engineer. Residents shall not be required to pay additional costs to receive devices to open a security gate. (TE)(F)

THE FOLLOWING CONDITIONS SHALL BE ADDRESSED WITH THE SUBMITTAL OF GRADING PLANS OR PRIOR TO ISSUANCE OF A GRADING PERMIT:

41 The applicant shall enter into a Subdivision Improvement Agreement and post securities for grading operations with the City and pay all applicable fees. Grading activities extending beyond phase boundaries shall require prior approval of the City Engineer and Planning Manager. Such grading activity shall be reflected in the subdivision improvement agreement of the phase which request such grading. (E)

42 Grading and wall plans shall be submitted for review and approval to the Engineering Division. Approval by both the City Engineer and Planning Manager shall be obtained prior to the issuance of a grading permit. Perimeter walls shall be consistent with the design and materials of any previously approved adjacent perimeter wall to provide continuity of the streetscape. Final grading and wall concepts shall be in substantial conformance with those shown on the tentative map, conceptual grading plan, Ritter Ranch Specific Plan, Planned Development document, and in accordance with the following: (P)(E)

42.1 All corner lots shall contain a decorative masonry block wall on the street side of the lot.

42.2 All interior property line walls, if proposed, shall be constructed of masonry, wrought iron, durable vinyl, or other similar durable materials as approved by the Planning Manager.

43 In all cases where a required wall is to be located adjacent to the top of a 2:1 or greater slope, the wall shall be set back a minimum of two and one-half feet from the crest of that slope on the level side. All slope and wall configurations shall meet the setback requirements of the City Building Code. (P)(E)(B&S)

44 The exterior face and footings of all project perimeter walls shall be located no more than two inches from the property line on the subject property. (P)(E)

45 Double boundary walls between developments are prohibited except as approved by the Planning Manager and City Engineer. (P)(E)

46 The final grading plan shall indicate that all rear and interior side yard slopes are up slopes to property lines as indicated on the tentative map. (P)(E)

47 All manufactured slopes on or adjacent to project boundaries shall meet the setback requirements of the current City Building Code and Planned Development. A recorded off-site Slope Acceptance Letter from all affected property owners shall be submitted to the City Engineer prior to approval of grading plans for any slope not meeting these requirements. In addition, slopes are required to meet City Standards with respect to erosion control. (E)(B&S)

47.1 Developer shall install all landscaping in rights-of-way, landscaping easements, in parks, in residential common areas and open spaces, and on slopes, the last in accordance with the provisions of the Specific Plan and Planned Development;

47.2 All slopes accessible from a public right-of-way shall be privately maintained until the City accepts maintenance or transferred to a private Homeowners Association entity;

47.3 The City, through a special district formed by the City, may elect to accept landscape maintenance responsibility for certain privately owned slopes abutting major arterials. Upon such election, the developer shall dedicate or cause to be dedicated to permit access to carry out such maintenance. The developer shall warrant all such landscaping for a period of one (1) year after the completion of the installation thereof.

48 The applicant shall submit a temporary erosion control and sedimentation plan for approval by the City Engineer prior to grading plan approval and grading permit issuance when grading activity will occur between October 1st and April 15th. (E)

49 * Disturbed and un-landscaped areas shall be replanted with native vegetation compatible with the existing native vegetation, appropriate to the site, which will blend in with existing species. (Mitigation Measure No. 63) (E)

50 * The project shall follow the grading plan approved by the City and avoid disturbance of adjacent areas where possible. (Mitigation Measure No. 64) (E)

51 * Slopes at the edge of the development shall be revegetated with low combustible plant material as approved by the City Engineer. (Mitigation Measure No. 45) (E)

52 The applicant shall incorporate into the project design all existing easements within the project boundaries or obtain abandonment of said easements from the affected

easement holder(s). If this requirement cannot be accomplished, the project shall be redesigned accordingly to the satisfaction of the Planning Manager, City Engineer, or the Planning Commission. (P)(E)

53 This project shall be designed and constructed in accordance with the stormwater pollution control requirements of the Lahontan Region of the California Regional Water Quality Control Board. Prior to the issuance of a grading permit, the applicant shall file a Notice of Intent with the Lahontan Region of the California Regional Water Quality Control Board to comply with the applicable National Pollution Discharge Elimination System (NPDES) requirements. (E)

54 Three copies of final landscape and irrigation plans shall be submitted to the City Engineer for review and approval. Said plans shall include street tree and slope erosion control plans the following locations: On-site and off-site slopes, Homeowner's Association (HOA) maintained easement or recreation areas, bicycling and hiking trails, and open space lots, as determined necessary by the City Engineer. One copy of the approved plans shall be submitted to the Planning Division. (P)(E)

55 * Plants such as Pampasgrass, African Fountaingrass, Tamarisk, Castorbean, Arundo donax, and exotic Fescues shall not be planted within the Specific Plan area. A review of the landscape plan's plant selection shall be made by a qualified revegetation biologist approved by the City Engineer and Planning Manager prior to landscape plan approval. The applicant shall also require that residences exclude these plants from their landscaping (as through Covenants, Codes and Restrictions enforced by a HOA). (Mitigation Measure No. 42) (P)(E)

56 The applicant shall submit for review and approval by the City Engineer, three sets of landscaping and irrigation system plans for all areas designated as Landscape Maintenance Easements on the Vesting Tentative Tract Maps, which will be included in the Landscape Maintenance Assessment District (LMD). Plans shall include planting and irrigation plans and specifications (20 scale maximum) District Diagram of Improvements for the LMD Engineer's report; estimate of probable construction costs; and the notice to prospective homeowners. Tree species shall meet the Thematic Landscape Standards, outlined in the Ritter Ranch Phase 1A Planned Development (PD 21-001). The following areas shall be included for LMD landscaping plans: (E)

56.1 Ten-foot Pedestrian Access easement at the east end of Streets 'F' and 'D';

56.2 Re-design of CFD related landscaping at the intersection of Street 'H' and City Ranch Road;

56.3 Re-design of CFD related landscaping adjacent to the 10-foot trail easement at the west end of Street 'J' and at the east end of Streets 'F' and 'D';

56.4 Open Space Lot Nos. 85 and 86;

56.5 Six and one-half foot of right-of-way landscaping adjacent to the tract boundary wall of Lot No. 1 and 84 feet at Street 'H' and at the corner cut-off area at the intersection of Street 'H' and City Ranch Road.

57 * Landscaping shall be consistent with the Specific Plan in order to maintain a cohesive theme across the project site, and in order to reduce aesthetic impacts of structures to adjacent roadways and residential properties. (Mitigation Measure No. 59) (E)

58 * The Applicant shall consult with the Los Angeles County Sheriff's Department regarding landscape standards to ensure that landscape features do not conceal potential criminal activity around buildings and in parking areas. This measure will be implemented to the satisfaction of the Planning Manager and City Engineer, prior to staff acceptance of the landscape plan. (Mitigation Measure No. 95) (P)(E)

59 The applicant shall incorporate into the project design all existing easements within the project boundaries or obtain abandonment of said easements from the affected easement holder(s). If this requirement cannot be accomplished, the project shall be redesigned accordingly to the satisfaction of the Planning Manager, City Engineer, or the Planning Commission. (P)(E)

60 The applicant shall obtain off-site easements from affected property owner(s) for all proposed off-site improvements and grading activities (slopes, drainage, walls, etc.). If said easements cannot be obtained, the project shall be redesigned to incorporate said improvements and grading entirely within the project boundary, to the satisfaction of the Planning Manager and the City Engineer. The City Engineer shall have the authority to withhold approval of any affected improvement plans for failure to satisfy this condition. (P)(E)

61 A drainage acceptance letter from each affected property owner shall be submitted to the City Engineer when the pre-developed storm runoff onto any property is increased, concentrated, diverted, or changed in any form as required by State law. (E)

62 A final hydrology study and hydraulics report shall be prepared for this subdivision and approved by the City Engineer. The hydrology study and hydraulics report shall address on-site and off-site conditions and impacts. (E)

63 This subdivision shall be designed in accordance with the City's Floodplain Management Ordinance, Master Plan of Drainage, and related criteria within the Engineering Design Standards. (E)

64 * The applicant shall submit geotechnical reports, prepared in accordance with the City's Engineering Design Standards, to the City Engineer for review and approval prior to the issuance of a grading permit. Said report shall include recommended design, construction, and maintenance of mitigation measures to reduce potential geologic constraints, to the satisfaction of the City Engineer. At minimum, the report shall address slope stability, locations and setbacks for active/potentially active faults, excavation requirements for unsuitable surficial material, liquefaction potential and groundwater/seepage conditions. All future discretionary approvals must comply with the applicable recommendations set forth in the required investigation. Typical mitigation for geologic hazards include excavation and/or stabilization (buttress/retaining walls) of landslides and excavation of undesirable materials (such as those subject to settlement, hydroconsolidation, expansion or liquefaction) and re-compaction, if necessary, with suitable material. Recommendations from the report shall be incorporated into final grading plans, to the satisfaction of the City Engineer. (Mitigation Measure No. 1) (E)

65 An off-site interim bioswale/drainage channel shall be required for this subdivision according to Nuisance Runoff Assessment Plan and the Conceptual Drainage Study for this vesting tentative tract map and VTM 51508. These drainage systems shall be maintained by the Master Developer to the satisfaction of the City Engineer. (E)

66 Provisions shall be made within the project to utilize recycled water to the extent that such provision is found to be in accordance with the Antelope Valley Recycled Water Master Plan and any City Standard/Ordinance enacted to facilitate its use. (E)

67 Prior to grading permit issuance, as outlined in the 'Phase 1 Interim Agreement – Ritter Ranch Development' (Agreement No. A-7796) the Master Developer shall enter into new subdivision improvement agreements for all Final Tract Maps or Tentative Tract Map items listed in Exhibit 5 of said interim agreement and replace all Lien Contracts with Surety Bonds. (E)

68 * Prior to issuance of grading permits for each area of the Ritter Ranch Specific Plan, the applicant shall provide appropriate safety and etiquette signs for all off-street trails, particularly at trail parking facilities and trail segments with limited sight distance, in order minimize safety hazards to bicyclists, pedestrians and equestrians. The nature, location and language for these signs shall be approved by the Planning Manager and the City Traffic Engineer. Said signs may also include other restrictions/warnings such as discouraging damage to natural resources. (Mitigation Measure No. 44 and 116) (E)(TE)(P)

69 * All construction and general maintenance activities, except in an emergency, shall be limited by City of Palmdale Municipal Code Section 828.030 to the hours of 6:30 a.m. to 8 p.m. Monday through Saturday. The operation of any machine, mechanism, device or contrivance during construction shall comply with noise limits in the PMC and General Plan. (Mitigation Measure No. 51) (E)

70 * Prior to issuance of grading permits for each area of the Ritter Specific Plan, qualified archeologist shall be retained at the expense of the developer to formulate and carry out an Archeological Monitoring Program for that particular area. The Archeological Monitoring Program as approved by the Planning Manager shall include, but not be limited to measures identified in the EIR, and the 1990 RMW Paleo Associates report (Appendix I), and the 1991 LSA Phase II Archaeology Report (dated June 14, 1991). (Mitigation Measure 79) (P)

71 * Monitoring during grading activities shall be accomplished by an archaeologist approved by the Planning Manager. Said archaeologist shall be present at any pre-grading conference and shall have the power to enforce required mitigation measures related to cultural resources. Mass grading activity shall be periodically monitored, particularly during initial site clearing, to ensure that any buried archaeological deposits which may exist on the property are detected. This monitoring shall be maintained until undisturbed bedrock is exposed. The monitoring archaeologist shall be prepared to document and recover any material which appears as quickly as is consistent with standard archaeological practice. If determined necessary, the archaeologist may halt grading to ensure adequate

salvaging and/or protection of cultural resources (upon which the Planning Manager and Applicant shall be notified). (Mitigation Measure 81) (P)

THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO OR IN CONJUNCTION WITH RECORDATION OF THE FINAL MAP OR ANY PHASE THEREOF:

72 The applicant shall petition the City to form a Landscape Maintenance Assessment District for the maintenance of landscaping and appurtenant facilities. Such district shall be formed concurrently with, or prior to, recordation of the final map at the sole cost and expense of the applicant, and the applicant's deposit of the estimated costs thereof shall be required prior to such actions by the City. If the City is unsuccessful in the formation of the Landscape Maintenance Assessment District, the Developer shall propose an alternative maintenance entity and shall be responsible for the maintenance of the landscaping and appurtenant facilities until such time that an alternative maintenance entity assumes the maintenance. All costs associated with the formation of an alternative maintenance entity shall be paid by the Developer. (E)

73 The applicant shall provide written evidence to the Planning and Engineering Divisions that approval has been obtained from the Los Angeles County Fire Department. (F)(P)(E)

74 The applicant shall enter into a subdivision improvement agreement and post securities with the City and pay all applicable fees at the time of subdivision approval for those improvements necessary to support this subdivision, as determined by the City Engineer. If any transfer of ownership/title of land within this proposed subdivision takes place prior to release of all agreements and securities, the new applicant shall be required to enter into a separate Subdivision Improvement Agreement with the City and pay all applicable fees. Agreement and securities with the prior applicant will be released after the agreement and securities with the new applicant take effect. (E)

75 The applicant shall provide standard street improvements for Streets 'G', 'I', 'F', 'D' (west of Street 'G'), 'J' (west of Street 'E'), and 'D' (east of Street 'J') within the project boundary, face of curb to face of curb width of 34 feet (50-foot right-of-way). These improvements shall consist of: (E)

75.1 Curb and gutter;

75.2 Sidewalk (width = 5 feet);

75.3 Roadway grading and paving, overlay and/or match-up, as directed by City Engineer;

75.4 Traffic control signs and devices as required by the City Engineer;

75.5 Pavement transition from the project boundaries to the satisfaction of the City Engineer;

75.6 Wheelchair ramp(s) at all walk returns;

75.7 Roadway drainage device(s); and

75.8 Streetlights.

76 The applicant shall provide standard street improvements for Streets 'D' and 'J' within the project boundary, face of curb to face of curb width of 36 feet (60-foot right-of-way). These improvements shall consist of: (E)

76.1 Curb and gutter;

76.2 Sidewalk (width = 5 feet);

76.3 Roadway grading and paving, overlay and/or match-up, as directed by City Engineer;

76.4 Traffic control signs and devices as required by the City Engineer;

76.5 Pavement transition from the project boundaries to the satisfaction of the City Engineer;

76.6 Wheelchair ramp(s) at all walk returns;

76.7 Roadway drainage device(s); and

76.8 Streetlights.

77 The applicant shall provide standard street improvements for Streets 'H' and 'E' within the project boundary, face of curb to face of curb width of 40 feet (64-foot right-of-way). These improvements shall consist of: (E)

77.1 Curb and gutter;

77.2 Sidewalk (width = 5 feet);

77.3 Roadway grading and paving, overlay and/or match-up, as directed by City Engineer;

77.4 Traffic control signs and devices as required by the City Engineer;

77.5 Pavement transition from the project boundaries to the satisfaction of the City Engineer;

77.6 Wheelchair ramp(s) at all walk returns;

77.7 Roadway drainage device(s); and,

77.8 Streetlights.

78 The right to restrict access shall be dedicated along all lots abutting the following streets: Red Tail Drive and City Ranch Road. (TE)

79 A striping and signing plan shall be prepared, subject to the approval of the City Engineer prior to the approval of the street improvement plans. The striping and signing plan shall be submitted with final street improvement plans. (TE)(E)

80 * Pedestrian and other non-motorized circulation and facilities shall be provided as set forth in the Ritter Ranch Specific Plan. Design shall be subject to the approval of the City Engineer. (Mitigation Measure No. 43) (TE)

81 All areas within the tract designated by the City Engineer as requiring a landscape easement shall be shown as an 'Easement for Landscaping Purposes' on the final map. (E)

82 A sanitary sewer-area study for this subdivision shall be prepared and submitted to the City Engineer for review and approval. A public sanitary sewer system is to be dedicated to the City, with private laterals to each lot. The system shall be

designed and installed as the only method of sewage disposal for this subdivision. The following coordination and clearance must be obtained prior to issuance of a sewer permit: (E)

82.1 * Any sewer proposed for incorporation into the Los Angeles County Sanitation Districts trunk sewer network for operation and maintenance, shall be reviewed and approved by the Sanitation District, prior to any construction. (Mitigation Measure No. 110)

83 The applicant shall obtain sufficient off-site sewer easements and design and construct an off-site outfall sewer with supplemental size, capacity, and length as required by the City Engineer. The City Engineer shall have the right to withhold approval of any affected improvement plans for failure to satisfy this condition. (E)

84 * The subdivision shall comply with all requirements of PMC Section 13.05. (Mitigation Measure No. 109) (E)

85 * Water mains shall be designed to meet or exceed the total flow requirements determined for domestic flow and fire flow for this development. Required domestic flow shall be calculated by the applicant's engineer. Fire flow shall be determined by the Los Angeles County Fire Chief. Site-specific development plans shall require review and approval by the Los Angeles County Fire Department with respect to adequate fire flows, emergency access and building construction standards. (Mitigation Measure No. 112) (E)(B&S)

86 The plans and specifications for the water delivery system shall be submitted for approval to the responsible water purveyor prior to final approval of this development by the City Engineer. In all cases where water system facilities have not been installed prior to filing this development with the City Engineer for final approval, the applicant shall submit a Labor and Materials bond in addition to one of the following: (E)

86.1 An Agreement and Faithful Performance bond in the amount approved by the City Engineer to be sufficient to guarantee installation of the improvements; or

86.2 An Agreement and evidence satisfactory to the City Engineer showing that the applicant has entered into a contract with the serving water utility for establishing a security guaranteeing payment for the installation of the improvements.

87 Street lighting plans shall be reviewed and approved as part of the approval of the street improvement plans. Street lighting plans shall be submitted to the City Engineer for review and approval and to Southern California Edison Company for their use. (E)

88 The applicant shall petition the City to form a Streetlight Benefit Assessment District for the maintenance of streetlights and appurtenant facilities. Such district shall be formed concurrently with, or prior to, recordation of the final map at the sole cost and expense of the applicant, and the applicant's deposit of the estimated costs thereof shall be required prior to such actions by the City. If the City is unsuccessful in the formation of the district, the Developer shall propose an alternative maintenance entity and shall be responsible for the maintenance of the streetlights and appurtenant facilities until such time that an alternative maintenance entity assumes the maintenance. All costs associated with the formation of an alternative maintenance entity shall be paid by the Developer. (E)

89 The applicant shall provide a complete set of street improvement plans for review and comment to utility providers including but not limited to the following: (E)

89.1 Los Angeles County Waterworks

89.2 Southern California Edison

89.3 Southern California Gas Company

89.4 AT&T

89.5 Cable TV

90 Easements for all on-site utilities, public and private, shall be granted and recorded for maintenance and upkeep. Such easements may include, but are not limited to, sewer, water, electric, gas, telephone, storm drains, detention basins, and landscaping. (E)

91 The subdivider shall be required to install appropriate measures to protect the approved nuisance water system for Vesting Tract Map 51508-RR ('A' Map) from silt and debris during the grading operation and from any off-site flows from undeveloped areas designed to flow through the subdivision. Developer shall be responsible for providing nuisance water catch basins and piping to the approved

nuisance water mitigation system. The design for intercepting on-site nuisance flows shall be addressed with the submittal of grading plans. (E)

92 Will Serve letters will be required before the map is submitted to City Council for approval. The following is a list of the minimum Will Serve letters required: (E)

92.1 Los Angeles County Waterworks

92.2 Southern California Edison

92.3 Southern California Gas Company

92.4 Cable TV

92.5 School District

93 Prior to submitting the final map to the City Engineer for approval by the City Council pursuant to Section 66442 of the Government Code, the applicant shall obtain clearances from all departments, divisions and utility companies which have set conditions of approval on this subdivision and submit those items defined in PMC Chapter 16.20. (E)

94 A preliminary title report and subdivision guarantee is needed showing all fee interest holders, all interest holders whose interest could ripen into a fee, all trust deeds, together with the names of the trustee and all easement holders. The account for this title report shall remain open until the final tract map is filed with the County Recorder. No easements shall be granted and recorded until after the final map is recorded, unless approved by the City Engineer and subordinated to any City easements by a certification upon the title sheet of the final map, prior to the grant. (E)

95 This subdivision is within Community Facilities District 93-1. The applicant is responsible for any due to delinquent "Special Assessments" and shall obtain clearance from the City Engineer and Planning Manager prior to scheduling the final map for City Council. The applicant will certify that there are no liens against the subdivision for unpaid special assessments. Additionally, security for the current installment of principal and interest of all special assessments collected as taxes, which are recorded as a lien, but are not yet payable, shall be filed with the Los Angeles County Clerk. The applicant shall bear all costs associated with the reapportionment/reassessment of "Special Assessments". (E)

96 An HOA shall be created for the project and shall be responsible for the maintenance of all common use areas, private streets, private drainage facilities and shared parking areas. The documents creating this entity shall be provided to the Planning Manager, City Engineer, and City Attorney for review and approval. (P)(E)

97 The applicant shall prepare Covenant's, Conditions, and Restrictions (CC&R's) for review and approval by the Planning Manager, City Engineer, and City Attorney. Such CC&R's shall include all elements deemed necessary by the City Attorney. The applicant shall be responsible for all City Attorney costs regarding review of said CC&R's prior to recordation of any phase. (P)(E)

98 In cases where the applicant indicates that multiple final maps will be filed, a Phasing Plan shall be submitted for review and approval by the Planning Manager and City Engineer. Pursuant to Government Code 66456.1, multiple final maps (phasing of tentative map) shall not be authorized for this tentative map until such time as the City of Palmdale has had the opportunity to evaluate the phasing and impose reasonable conditions, related to the phase. (E)

99 Three copies of interior tract street tree and front yard landscaping plans shall be submitted to the City Engineer for review and approval. (E)

100 A Landscape Maintenance Assessment District, or other maintenance entity acceptable to the City, shall be formed prior to recordation of the first 'B' Map within VTM 51508-RR 'A' Maps. Applicant shall fully execute a 'Consent and Waiver to Annexation to Landscape Maintenance Assessment District' form. (E)

101 * Each deed or other conveyance of Real Property shall include the following statement: "Ritter Ranch is traversed by major splays (branches) of the San Andres Fault Zone, a very youthful geologic feature. Due to the proximity of the Ritter Ranch site to the San Andreas Fault, there is a high risk of experiencing strong ground shaking and possible surface fault rupture." Additionally, where applicable, each disclosure statement within the deed shall contain language which denotes the possibility of building restrictions on residential additions for human occupancy on those parcels which are located in Fault Hazard Restricted Use Zones. (Mitigation Measure No. 9) (E)(P)(B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR ANY PHASE OF THE SUBDIVISION:

102 The applicant shall pay all fees at the time fees are determined payable and comply with all requirements of the applicable Federal, State, and Local agencies including, but not limited to, the following as applicable:

102.1 Los Angeles County Sanitation District
102.2 Los Angeles County Department of Health Services
102.3 Los Angeles County Consolidated Fire District
102.4 Los Angeles County Waterworks/Palmdale Water Districts
102.5 Westside Union School District
102.6 Antelope Valley Air Quality Management District

The duty of inquiry as to such requirements shall be upon the applicant. Proof of payment shall be provided to the Building and Safety Division prior to issuance of any building permits. (P)(E)(B&S)

103 The applicant shall pay park fees or dedicate and construct the improvements for the proposed community, neighborhood and specialty park facilities shown in the Specific Plan as approved by the Director of Parks and Recreation pursuant to Ordinance 789. (Mitigation Measure 115) (P)(B&S)(Pk)

104 * Westside Union School District: The developer shall comply with the terms of the agreement, dated November 26, 1991, between the developer and the Westside Union School District as mitigation for impacts caused by development of the project on the Westside Union School District. The terms of that agreement are as follows:

104.1 Development Fees. Developer hereby agrees to pay to District fifty-one dollars and ninety-nine cents ($51.99) per square foot of habitable residential development prior to the issuance of the building permit on each unit. A fee of twenty-six cents ($.26) per square foot of industrial/commercial construction shall be paid to the District prior to the issuance of each commercial building permit. All such amounts shall be subject to annual adjustment pursuant to increases or decreases in the School Construction Cost. Index of the Office of Local Assistance with January 1, 1992, as the base.

104.2 School Sites. In addition, Developer hereby agrees to sell to District three, eight-acre elementary school sites with each being adjacent to a park, two, five-acre school sites with each being adjacent to a park, and one 20-acre middle school site, designated in Exhibit B of said agreement.

104.3 The purchase price for the District shall be the fair market value of each site at the time escrow is opened, not to exceed $100 per acre plus annual adjustments based upon increases or decreases in the school construction cost index of the Office of Local Assistance with January 1, 1992 as the base. The fair market value shall include all offsite improvements and grading of the site.

104.4 In the event that the parties cannot agree on the fair market value, each party shall obtain an appraisal from an MAI certified appraiser. If the two appraisals are within $5,000 of each other, the FMV shall be the lowest value plus one-half of the difference. If the difference between the two appraisals is more than $5,000, the County Superintendent of Schools shall designate third appraiser who shall be independent of the parties and MAI certified and who shall conclusively establish the fair market value.

104.5 The cost of the third appraisal shall be borne equally by the parties.

104.6 Developer shall perform all offsite improvements such as roads, curbs, gutters, water (with a flow guaranteed to meet fire safety requirements) sewer, and utilities to the site for no cost to District except as provided above. Developer shall also provide rough grading of the site to District's reasonable specifications. Title to the site shall be transferred to District, free and clear of all monetary liens, assessments, taxes and encumbrances and easements or any restrictions which interfere with the District's plans to use the property for the development of the school sites prior to the filing of any final map on the tract. Onsite and offsite improvements shall be performed concurrently with improvements on the remainder of the tract.

104.7 The District may exercise its right to acquire the property by serving written notice on Developer and opening an escrow account. Developer shall within 30 days of receipt of notice deposit a grant deed conveying title as referred to above. Notice by the District to purchase the property shall not be served earlier than the filing of a final subdivision map on any adjacent property. The District shall indicate its intent to purchase any particular school site no later than one year after the filling of final subdivision map on

any adjacent property, District shall deposit the purchase price in escrow. Escrow shall close within 30 days of opening. (Mitigation Measure 99) (P)(B&S)

105 * Antelope Valley Union High School District. The Developer shall provide the following mitigation to the District in order to provide its contribution toward the District's fifty (50) percent share of funding a new high school on the site, pursuant to Government Code Section 65995 and Education Code Section 17700 et, seq. (School Facility Funding Law):

105.1 Developer Fees. Developer shall pay to the District one dollar and twenty cents ($1.20) per square foot of habitable residential development, including senior housing, prior to the issuance of the building permit on each unit. A fee of twenty-six cents ($.26) per gross leasable square foot of industrial/commercial construction shall be paid to the District prior to the issuance of each commercial building permit. All such amounts shall be subject to annual adjustment pursuant to increases or decreases in the School Construction Cost Index of the Office of Local Assistance with January 1, 1992, as the base.

105.2 School Sites. In addition, Developer hereby agrees to offer the District a site for purposes of constructing a high school thereon, with the terms for dedication as set forth herein. The Developer shall dedicate fifty (50) acres of land in Planning Area 3A for a school site to the District at no cost to the District. The specific 50 acres of the 76 acres in Planning Area 3A shall be at the election of the District. Title to the site shall be transferred to District free and clear of all monetary liens, assessments, taxes and encumbrances and easements or any restrictions which interfere with the District's plans to use the property for the development of the school site prior to the filing of any final map on a subdivision tract in the Specific Plan area. In the event that site preparation work on the school site, including provision of access to Elizabeth Lake Road and utilities, exceeds the amount of $4,300,000, the Developer shall pay 50 percent of the amount over that figure, not to exceed total of $350,000.

105.3 Transfer Procedures. The District may exercise its right to acquire the site specified above by serving written notice on Developer and opening an escrow. account. Developer shall within 30 days of receipt of notice deposit into the escrow a grant deed conveying title as referred to above. Escrow shall close within 30 days of opening. (Mitigation Measure 99) (P)(B&S)

106 The applicant shall submit full sized copies of the final recorded map in the form of one set of mylar and three sets of blueline to the City Engineer and shall also submit an 8-1/2 x 11-inch mylar copy of the final map to the City Engineer. The applicant shall provide a computerized .dwg format of the final recorded tract map which is compatible with the City's G.I.S. program to the City Engineer. The final map shall be projected in NAD 83 State Plane Zone (5 in feet). (E)(P)

107 Subdivision Development Plan applications shall be submitted, either for the entire tract or in complete submittals for each construction phase and shall include all documents and maps required by the Subdivision Development Plan Application. Subdivision Development Plans shall be in compliance with the Ritter Ranch Specific Plan and Planned Development document 21-001. (P)

108 A Temporary Use Permit for proposed on-site model homes and/or temporary sales/office trailers shall be filed with the Planning Division and shall include all documents and maps required in PMC Section 17.27.030.B.5 and by the Temporary Use Permit Application. (P)

109 Grading shall be designated "Engineered Grading" per City Building Code and shall be done in accordance with an approved grading plan. All grading work shall be performed according to the phasing plan approved by the Planning Manager and the City Engineer. (P)(E)

110 At completion of rough grading, the applicant shall submit appropriate reports and statements (Certifications) to the City Engineer, for review and approval, prior to release of rough grading. The City of Palmdale Building Code requires these reports and statements from the field or supervising grading engineer, the soils engineer, the geologist, and the grading contractor. (E)(B&S)

111 All sanitary sewer mains to be dedicated to the City are to be provided with as-built plans and have TV video inspection, as required by City Inspector, prior to final acceptance for maintenance. (E)

112 * The applicant shall obtain addresses established by the City Engineer, and pay applicable processing fees, for all lots of residential subdivisions. Commercial subdivisions are addressed by the Building and Safety Division upon application for a Building permit. Proper address signs shall be provided for identification of locations during emergencies. (Mitigation Measure No. 94) (E)

113 Prior to building permit issuance, milestone timeline requirements outlined in the 'Phase 1 Interim Agreement – Ritter Ranch Development' (Agreement No. A-7796) shall be met or projects identified are being completed, to the satisfaction of the City Engineer. Improvements that shall be completed by the Master Developer are as follows: (E)

113.1 Remaining Elizabeth Lake Road (ELR) Work;

113.2 Ranch Center Drive (RCD) and ELR Undergrounding and ELR Streetlight Improvements; and,

113.3 Westland Drive (WD) and Ritter Ranch Road (RRR) Streetlight Improvements.

114 Prior to issuance of the 250th building permit within the Phase 1A area, as defined by the Ritter Ranch Phase 1A Planned Development (PD 21-001), construction of Neighborhood Park 5F shall begin construction. (E)(B&S)

115 Prior to issuance of the 400th building permit within Phase 1A area, as defined by the Ritter Ranch Phase 1A Planned Development (PD 21-001), construction of Neighborhood Park 5T shall begin construction. (E)(B&S)

116 Prior to issuance of 50 percent of building permits within Vesting Tentative Tract Map 51604, as referenced in the Ritter Ranch Phase 1A Planned Development (PD 21-001), construction of Neighborhood Recreation Area 2 shall be completed and granted occupancy release by Building and Safety Division. (E)

117 * Prior to issuance of the 250th Certificate of Occupancy within Phase 1A, as defined by the Ritter Ranch Phase 1A Planned Development (PD 21-001), the Master Developer shall provide a pumper truck and patrol car. In addition, a fully operational fire station of an acceptable size and location as determined by the Los Angeles County Fire Department Building and Safety shall be provided by the 1,800th Certificate of Occupancy. (Mitigation Measure No. 113) (B&S)(P)

118 * Provision of water service to the proposed project will be required as part of the project development and will occur to the satisfaction of the City of Palmdale prior to issuance of building permits. Project implementation will require mitigation in coordination with the City of Palmdale, Los Angeles Waterworks District No. 34, and the Los Angeles County Fire Department. (Mitigation Measure No. 107) (B&S)

119 * Prior to issuance of building permits, the project applicant shall prepare an emergency spill response plan which includes the following measures for review and approval by the City of Palmdale and County Sanitation District No. 20: (Mitigation Measure 20A) (P)(F)(E)

119.1 Measures to detect early warning of a sewage trunk leak;
119.2 The installations of manual or automatic isolation valves;
119.3 Provisions for spilled sewage retention;
119.4 Spill response measures;
119.5 Clean-up and disinfection measures; and,
119.6 Training and funding for implementation of the spill plan.

THE FOLLOWING CONDITIONS SHALL BE MET WHILE CONSTRUCTION ACTIVITIES ARE ON-GOING:

120 From the beginning of the first ground disturbing activity until on hundred (100) percent of the lots for the entire subdivision have been released for occupancy, the following are required of the applicant: 1) have erosion control measures, per an approved Erosion Control and Sedimentation Plan, in place during the rainy season (October 15 - April 15); 2) provide appropriate dust control measures, per City and Antelope Valley Air Quality Management District (AVAQMD) Standards, to minimize nuisance from dust at all times. (E)(B&S)

121 * To mitigate potential dust generation impacts, the project will comply with State, County and City dust control regulations. These regulations are intended to provide sufficient protection so as to prevent the soil from being eroded by wind, creating dust, or blowing onto a public road or roads or other public or private property. (Mitigation Measure 21) (E)

122 * In addition to watering prior to and during grading (as discussed in AVAQMD Rule 403), the application of water and chemical dust retardants that solidify loose soils shall be implemented for construction vehicle access, as directed by the City Engineer. (Mitigation Measure 22) (E)

123 * Grading activity shall be suspended when local winds exceed 30 miles per hour. To validate wind velocities and/or rainfall amounts, the installation of a minimum of two remote weather stations will be required at locations determined by the City Engineer. (Mitigation Measure 23) (E)

124 * Heavy construction equipment shall use low sulfur fuel (0.05% by weight) and shall be properly tuned and maintained to reduce emissions. (Mitigation Measure 24) (B&S)

125 * Construction activities shall be phased and scheduled to avoid high ozone days, to the extent feasible, and shall be discontinued during second stage smog alerts. (Mitigation Measures 25 and 26) (E)(B&S)

126 * The applicant shall, as required by the Planning Division and the City of Palmdale's proposed Air Quality Element, implement applicable Tier I Control Measures contained in the Final 1989 AQMP, as may be subsequently amended. Additionally, the Best Available Control Technology Guidelines published by SCAQMD, shall be used. As project buildout will occur over 20-year period, subsequent phases/approvals will be held to Tier II and Tier III measures which are implemented is mandatory AVAQMD Rules and Regulations applicable to the project phase. General measures which shall be applied for the development include: (Mitigation Measure 27) (P)

126.1 Encourage the use of alternative transportation modes by promoting public transit usage and providing secure bicycle facilities. The applicant will implement the trails system indicated in the Specific Plan including pedestrian, bicycle, and equestrian facilities. The applicant shall distribute educational material at the time of occupancy to all businesses and homeowners regarding the availability of public transit, ridesharing and other alternative transit methods and the location of bicycle routes in the project vicinity. In addition, the educational material, as reviewed and approved by the City of Palmdale Planning Division shall describe the available methods for reducing energy consumption.

126.2 Provide mass transit accommodations such as bus turnout lanes and bus shelters if determined necessary by the City Traffic Engineer. As final plans are developed, these features should be considered.

126.3 The applicant shall contribute a pro-rata share toward acquisition and construction of: Park & Ride facility in the Avenue S/SR-14 vicinity. This shall include design and construction of one space per ten dwelling units (up to 400 total spaces). This mitigation measure shall be satisfied prior to occupancy of any fifty percent (50%) of the total dwelling units approved for the Ritter Ranch Specific Plan project as a whole.

126.4 Encourage the placement of dwelling units to take full advantage of solar energy for natural heating and cooling as recommended in Section 7.5.1.6 of the Specific Plan in order to reduce the use of electricity and natural gas within the project area.

126.5 The applicant shall utilize Best Available Control Technology to control volatile organic compounds and Toxic Air Contaminants as required by SCAQMD Rules and Regulations. The Best Available Control Technology Guidelines, published by SCAQMD, shall be used to assess compliance with this mitigation measure.

127 * During project construction, the applicant shall be required to provide appropriate screening (as with temporary fencing with opaque material), dust control (see Section IV.B. AIR RESOURCES), restricted construction hours, and a traffic control plan (Section IV.I. TRAFFIC AND CIRCULATION). (Mitigation Measures No. 56) (E)

128 * Transmission lines less than 50KV and all other utility lines, existing and proposed, shall be installed underground in accordance with the City's Underground Utilities Ordinance. (Mitigation Measure No. 102) (E)

129 Adequate sanitary disposal facilities shall be required on-site during all phases of construction. (E)(B&S)

130 If this tentative map is to be phased, the applicant shall have all drainage facilities (on-site and off-site), and any temporary grading or structures necessary to convey runoff to drainage facilities (on-site and off-site), in an operable condition prior to completion of rough grading of proposed streets for the first phase. (E)

131 Signing and striping shall be provided for all roadway improvements. (TE)

132 The applicant shall comply with City and State guidelines and requirements for traffic control during construction and prior to final project acceptance. (TE)

133 The applicant shall notify the City Engineer 60 days prior to anticipated opening of any street to public travel. (TE)

134 * The project applicant shall coordinate with SCE to ensure that adequate electrical service is provided to the proposed development and that service connection

activities will be performed in cooperation with SCE to minimize any short-term impacts. (Mitigation Measure No. 103) (B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR EACH DWELLING UNIT:

135 The subdivision is located within the Anaverde Natural Drainage Area/Basin as defined by the City's Master Drainage Plan and approved by Resolution 89-75. The drainage area where this subdivision is located shall be shown on the cover sheet of the plans submitted for engineering and building permit applications. (E)(B&S)

136 * The applicant shall comply with the provisions of PMC Chapter 3.40 (Traffic Impact Fee Requirements). The applicant shall not be entitled to any such credits for costs reimbursed through the ELR Escrow, Improvement Fund, the Gap Road Escrow, and/or bond proceeds from the new CFD. Also, the applicant can only receive traffic impact fee credits in the amount not to exceed what the applicant pays towards this fee. The applicant shall pay the applicable traffic impact fees to the Building and Safety Division in the amount that is in effect at the time the vesting tentative map application was deemed complete ($1,740.84 per dwelling unit) plus any increases to that amount that are subsequently approved to reflect changes in the Consumer Price Index (CPI), All Urban Consumers, for the Los Angeles-Riverside-Orange County Area, as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor, as set forth in Palmdale City Council Resolution No. CC 2021-057. These traffic impact fees provide the project's required pro rata contribution towards offsite roadway improvements needed to service the development. Funds generated from the traffic impact fees shall be applied toward offsite improvements Elizabeth Lake Road, Palmdale Boulevard, Avenue S, and 10th Street West/Tierra Subida Road, as approved by the City Public Works Department. (Mitigation Measure No. 75) (TE)(E)(B&S)

137 Drainage fees or improvements shall be required pursuant to Subdivision Map Act Section 66498.1 and 66498.2. The following is the 2021 Fee Schedule for Anaverde Drainage Area, which shall be applicable to this project: (E)

137.1 Single Family Residential Development $2,372.44/dwelling unit;

137.2 Multi-Family Development $1,181.04/dwelling unit;

137.3 Commercial and Industrial Development $11,841.48/acre.

138 The applicant is responsible for protecting the in place, or repairing to the satisfaction of the City Engineer, all public improvements adjacent to the project. Such responsibility shall include revisions to the Landscaping As-Builts plans on file with the City Engineer as deemed necessary. (E)

139 The applicant shall comply with the provisions of Chapter 3.42 (Fire Facility Impact Fee Ordinance) of the Palmdale Municipal Code. The applicant shall pay the applicable fire facility impact fees to the Building and Safety Division in the amount that is in effect at the time the vesting tentative map application was deemed complete ($0.95 per building square-foot) plus any increases to that amount that are subsequently approved to reflect changes in the Consumer Price Index (CPI), All Urban Consumers, for the Los Angeles-Riverside-Orange County Area, as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor, as set forth in Palmdale City Council Resolution No. CC 2021-057. (E)(B&S)

140 The applicant shall comply with the provisions of PMC Chapter 3.45 (Public Facility Development Impact Fee Requirements). The applicant shall pay the applicable public facility impact fees to the Building and Safety Division in the amount that is in effect at the time such fees are to be collected. (E)(B&S)

141 All public improvements within, and necessary to support, a block or construction phase of any final map, must be completed within 60 days from issuance of the first Certificate of Occupancy within the block or construction phase, to the satisfaction of the City Engineer. In no case shall the total occupancy for a final map exceed 90 percent until all public improvements within the final map have been completed to the satisfaction of the City Engineer. (E)

142 Slope erosion control and street trees shall be installed to the satisfaction of the City Engineer. (E)

143 At completion of final grading, the applicant shall submit appropriate statements (Certifications) to the City Engineer prior to release of final grading. The City of Palmdale requires that these be submitted by the field or supervising grading engineer, and/or the landscape architect. (E)

144 The developer or builder shall provide full front yard and street side yard landscaping as approved by the City Engineer and the Planning Manager. (P)(E)

145 * Assessment fees and required conduits shall be installed prior to issuance of occupancy permits. (Mitigation Measure 101) (P)(B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY FOR ANY PHASE:

146 The subdivider shall comply with the provisions of PMC Chapter 3.38 (Drainage Fee Requirements). Pursuant to the Subdivision Map Act Sections 66498.1 and 66498.2, the subdivider may pay the applicable drainage fees in the amount that is in effect at the time of the original approval of VTTM 51607. Such fees are to be collected pursuant to the provisions of PMC Chapter 3.38. (E)(B&S)

147 The subdivision shall have been graded and constructed in accordance with all approved plans including but not limited to site plans, grading plans, wall plans, and landscape plans. (P)(E)

148 Any broken or damaged curb, gutter, sidewalk, and pavement on streets within or along the frontage of the development shall be repaired. Any existing driveways that are not to be used shall be replaced with standard curb, gutter, and sidewalk. (E)

149 Purchase and install street name signs in accordance with the Ritter Ranch Specific Plan, the Planned Development, and City of Palmdale standards. The number and location of signs shall be directed by the City Engineer. (TE)

150 A third westbound through lane at the intersection of Elizabeth Lake Road/Palmdale Boulevard and 10th Street West/Tierra Subida Avenue shall be constructed. Also, a third receiving lane (westbound) with the proper transition shall be constructed. (TE)

151 The fair-share cost of the construction of a Fire Station shall be included on each residence of this vesting tentative tract as part of the proposed Community Facilities District (CFD). (E)

152 The fair-share cost of the construction of a public library shall be included on each residence of this vesting tentative tract as part of the proposed CFD. (E)

Key to Departmental Conditions:

(P) Planning Division (267-5200)
(E) Engineering Division (267-5272)
(F) Los Angeles County Fire Department (723-4455)
(B&S) Building and Safety Division (267-5353)
(Pk) Parks and Recreation Department (267-5611)
(SCE) Southern California Edison Company (945-9317)
(TE) Traffic/Transportation Engineer (267-5300)

ATTACHMENT 5

PLANNING COMMISSION
CITY OF PALMDALE, CALIFORNIA
RESOLUTION NO. PC-2022-010

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALMDALE, CALIFORNIA, APPROVING VESTING TENTATIVE TRACT MAP 52093; A REQUEST TO SUBDIVIDE APPROXIMATELY 22 ACRES INTO 113 LOTS FOR THE PURPOSE OF CONSTRUCTING 106 SINGLE-FAMILY RESIDENCES WITHIN PLANNING AREA FIVE OF THE RITTER RANCH SPECIFIC PLAN AND GENERALLY LOCATED SOUTH OF WESTLAND DRIVE AND EAST OF PARKVIEW DRIVE (APN: 3206-027-007)

A. RECITALS

1. RdR Development Holdings, LLC, has filed an application requesting the approval of Vesting Tentative Tract Map (VTTM) 52093, described herein (hereinafter referred to as "Application").

2. The application applies to an existing approximately 22-acre vacant parcel within the Ritter Ranch Specific Plan (SP) indicated on the County Assessor's roles as APN 3206-027-007, legally described on Exhibit I hereto and shown on the map attached hereto as Exhibit II.

3. On February 10, 2022, the Planning Commission of the City of Palmdale conducted a duly noticed public hearing on the Application and concluded said hearing on that date.

4. All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION

NOW THEREFORE, it is hereby found, determined, and resolved by the Planning Commission of the City of Palmdale, as follows:

1. The Planning Commission hereby specifically finds that all of the facts set forth in the Recitals, Part A of this Resolution, are true and correct.

2. Based upon substantial evidence presented to this Commission during the above-referenced February 10, 2022 public hearing, including public testimony, and written and oral staff report, and incompliance with SP Section 8.12, this Commission specifically finds as follows:

(a) For the proposed subdivision, each provision for its design and improvement and each proposed land use is consistent with the Ritter Ranch Specific Plan because it conforms to the density, design standards, design guidelines, and location given for the land use designation.

The proposed subdivision, each provision for its design and improvement and each proposed land use is consistent with the both the SP and the Planned Development (PD 21-001) document, which provides special development standards for the project, landscape standards, and thematic landscape features as outlined within Exhibits III and IV.

The subject site is within Planning Unit 5W-2 of the SP, which is designated for residential development. As described within Exhibits III and IV, the proposed project is consistent with the policies and objectives of the SP, in that it provides the type of development and amenities envisioned in both residential dwelling type and quality, parks, and public improvements.

(b) The tentative map or tentative parcel map design provides for future passive or natural heating or cooling opportunities in the subdivision to the extent feasible.

The development is designed with adequate dimensions to maximize the opportunities for passive and natural heating and cooling. The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities. Based upon a review of the tentative tract map, each lot meets or exceeds the minimum size, width, and depth requirements as specified within the Planned Development prepared for the portion of the Ritter Ranch Specific Plan that includes the proposed project.

(c) The tentative map or tentative parcel map does not propose to divide land which is subject to a contract entered into pursuant to the California Land Conservation Act of 1964 in that the property in question has not been included in any such contract.

A review of the preliminary title report for the subject property revealed that the property in question has not been included in any

such contract and therefore, the Application does not propose to divide land, which is subject to such a contract.

(d) The discharge of waste from the proposed subdivision into an existing community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board.

No violation will be created because the applicant is required to comply with the Conditions of Approval, which require approval from the appropriate agencies for location of sanitary sewer trunk lines and preparation of a sewer area study to the satisfaction of the City Engineer and the Los Angeles County Sanitation District.

(e) The site is physically suitable for the type of development and density proposed.

In conjunction with the prior approved, expired tentative tract map, the site has been previously graded and portions of major roadways constructed. An existing power line easement is located to the south of the site, but the Application has been designed to avoid the easement.

(f) The design of the subdivision and the proposed improvements is not likely to cause serious public health or safety problems because they conform to the highest and best possible use of the subject property as determined.

The project will be required to install improvements such as streets, curbs and sidewalks in compliance with City standards. Also, the discharge of waste from the proposed subdivision into an existing community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board because the applicant is required to dedicate a new sewer system to the City and install private laterals for each residential lot. In addition, the project is required to provide on- and off-site improvements as required by the water purveyor. Furthermore, the public improvements required for this subdivision are reasonable and proportional to the impacts caused by the proposed development and are necessary in order to provide access

for future residents within the project, protect the subdivision, and surrounding properties, and promote the safety of the general public.

(g) The design of the subdivisions and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision because no such easements have been acquired.

The title report for the site revealed that the design of the subdivision and the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision because the existing easements along the western portion of the project site will not be altered by the proposed project. In addition, the Conditions of Approval require dedication and improvement of publicly owned rights-of-way, storm drains, and other drainage facility easements.

(h) The proposed tentative map or tentative parcel map is in conformance with the intent and requirements set forth in the Ritter Ranch Specific Plan.

As allowed within SP Section 8.10, the tentative map meets the requirements of the proposed Planned Development document (PD 21-001), which includes special development standards of the project, landscape standards, and thematic landscape features. The lots created by the Application comply with the standards of, and will be landscaped pursuant to, standards within the Planned Development.

(i) The proposed tentative map or tentative parcel map is in compliance with the California State Subdivision Map Act.

The Application has been prepared in compliance with all requirements of the SP and the Subdivision Map Act. In addition, as specified within the Conditions of Approval for the Application, the applicant will be required to record a final map prior to the expiration date in accordance with the provisions of the Subdivision Map Act.

3. The Planning Commission hereby finds as follows with respect to the environmental document prepared for the project:

(a) In accordance with Public Resources Code Section 21166 and State California Environmental Quality Act (CEQA) Guidelines Sections 15162, 15163 and 15164, the proposed project does not require the preparation of a subsequent, supplemental or addendum to the Environmental Impact Report (EIR) prepared for the SP (EIR 90-4) since: 1) the project will cause no substantial changes in any portion of the project which was described in EIR 90-4, which would require major revisions to EIR 90-4 due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects because the project is not modifying the scope or intent of the SP; 2) no substantial changes have occurred with respect to the circumstances under which the project is undertaken, which will require major revisions to said EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified environmental effects, because no significant development adjacent to the project area which impacts the infrastructure, services, or development potential within the City's boundaries has occurred; and 3) no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, has been provided with respect to the SP. Therefore, a memorandum of consistency was prepared for the Application (Exhibit V of Resolution No. PC-2022-005).

(b) The custodian of records for all other materials which constitute the record of proceedings upon which the Planning Commission's decision is based, is the Planning Manager of the City of Palmdale. These documents are available for public review in the Planning Division of the City of Palmdale located at 38250 Sierra Highway, Palmdale, California 93550, telephone (661) 267-5200.

4. Based on the findings and conclusions set forth in paragraphs 1, 2, and 3 above, this Commission hereby approves TTM 52093 subject to the Conditions of Approval as set forth in Exhibit V.

5. The Deputized Clerk shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED this 10th day of February, 2022.

AYES: _____

NOES: _____

ABSTAIN: _____ ABSENT: _____

_____
Stacia Nemeth, Chair
Planning Commission

ATTEST:

_____
Kathy Inman, Deputized Clerk

EXHIBIT I

LEGAL DESCRIPTION FOR VTTM 52093

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF PALMDALE, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

LOT 2 OF TRACT NO. 51508-02, IN THE CITY OF PALMDALE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1214 PAGES 37 THROUGH 40, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY

EXHIBIT II

AERIAL MAP
FOR VTTM 52093

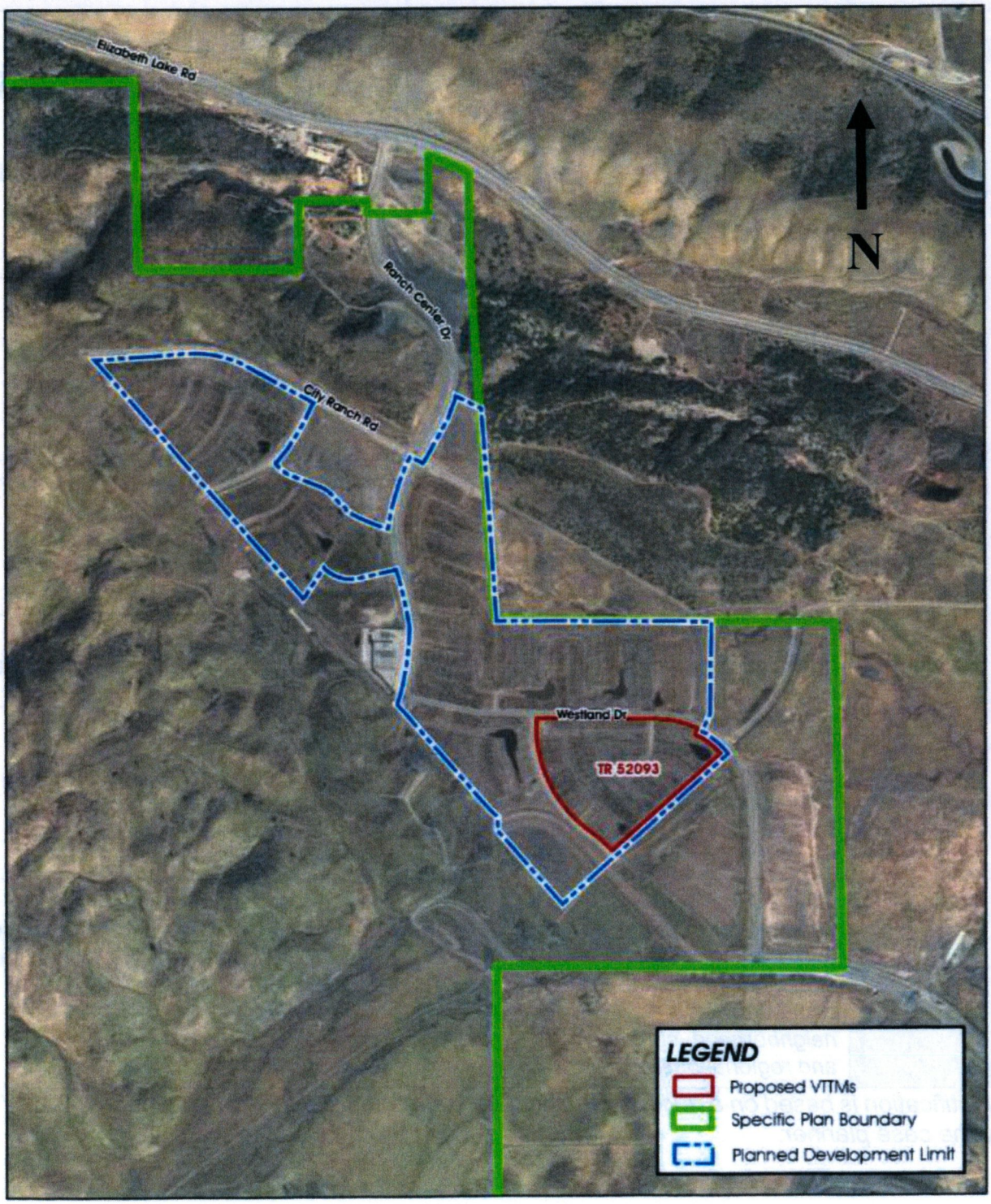


EXHIBIT III

SPECIFIC PLAN CONSISTENCY

Topic	Goal, Objective, or Policy	Standard Met?	Justification*
Land Use	Goal 1: *Create a comprehensively designed Specific Planned Community.*	Yes	The proposed tentative map and amenities have been designed in a manner that is consistent with both the Planned Development document and the Ritter Ranch Specific Plan. The tentative map is seamlessly integrated into surrounding development and incorporates a fully landscaped, connective residential community.
Circulation	Goal 1: *Provide a transportation system which allows for the safe and efficient movement of people, goods and services throughout Ritter Ranch*	Yes	The proposed roadway system is designed in the locations and to the dimensions as required by the circulation plan of the Ritter Ranch Specific Plan.
Housing	Goal 1: *Housing availability and opportunity for all citizens.*	Yes	The proposed tentative map allows for varying lot sizes, which will ensure construction of housing for various income levels as envisioned by the Specific Plan.
Public Services and Utilities	Goal 1: *Provide adequate public and semi-public services to serve the needs of the Ritter Ranch development and the residents in an efficient and cost-effective manner.*	Yes	The proposed project will provide all improvements necessary to ensure that public and semi-public services are adequately provided. In addition, conditions of approval have been proposed that will require adequate financing mechanisms to ensure the provision of such services is cost-effective.
Design	Goal 2: *Provide public parkland for both passive and active use that is equally accessible to the community on a neighborhood, community and regional basis.*	Yes	The proposed tentative map includes seven parcels dedicated to open space, which will include a variety of amenities for use by future residents and the surrounding community.

**Justification is based on a review of the plan date stamped 'Received November 8, 2021,' by the case planner.*

EXHIBIT IV

PLANNED DEVELOPMENT DOCUMENT STANDARDS

	Standard	Standard Met?	Justification*
Lot Area	Minimum lot area of 5,000 square feet (Planned Development [PD] document Section 3.3)	Yes	The lots within VTTM 52093 range in size from 5,000 to 9,152 square feet.
Lot Width	45 feet for standard lots, 50 feet for corner lots, and 40 feet for cul-de-sac and knuckle lots (PD Section 3.3)	Yes	The lots within VTTM 52093 depict a minimum width of 45 feet for standard lots, 50 feet for corner lots and 45 feet for non-standard lots.
Lot Depth	90 feet (PD Section 3.3)	Yes	The lots within VTTM 52093 depict a minimum depth of 90 feet.

**Justification is based on a review of the plans date stamped 'Received November 8, 2021' by the case planner.*

EXHIBIT V

DRAFT

CONDITIONS OF APPROVAL
VESTING TENTATIVE TRACT MAP NO. 52093
APPROVAL DATE: FEBRUARY 10, 2022
EFFECTIVE DATE: FEBRUARY 22, 2022
EXPIRATION DATE FOR VTTM 52093: FEBRUARY 22, 2025

These Conditions of Approval apply to Vesting Tentative Tract Map (VTTM) 52093; a request to subdivide approximately 22 acres into 113 lots for the purpose of constructing 106 single-family residences within Planning Area five of the Ritter Ranch Specific Plan. For the purpose of these conditions, the term "applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval. For the purposes of these conditions, an * indicates that the condition is a mitigation measure.

GENERAL CONDITIONS:

1 This approval shall become null and void if a final map has not been timely filed prior to the expiration date in accordance with provisions of the Subdivision Map Act. An extension of time may be granted by the Planning Commission upon submittal of a formal application, required exhibits and appropriate fees in accordance with the Palmdale Municipal Code (PMC). In granting any such time extension, the City of Palmdale may impose new conditions and standards on the tentative map, pursuant to Section 66452.6(e) of the Government Code. (P)(E)

2 This Vesting Tentative Tract Map is granted for all boundary lines, easements, rights-of-way, and construction of off-site improvements as shown on the map date stamped 'Received November 8, 2021', as modified by these Conditions of Approval. Final map(s) shall be in substantial compliance with the tentative map and these Conditions of Approval. (P)(E)

3 This approval shall not be final until an agreement (Agreement No. A-7796) has been executed between the City of Palmdale and the Applicant to replace the prior Development Agreement (Development Agreement 92-1, as amended in the First Amendment to Development Agreement 92-1) for the Ritter Ranch Specific Plan. This project shall be subject to all applicable provisions of the agreement. (P)

4 As provided in Section 66498.1(b) of the Subdivision Map Act, the applicant shall comply with all requirements of the PMC, all requirements of City of Palmdale ordinances, resolutions, and all standards and policies that were in effect at the time that the applicant's application for a vesting tentative map was deemed complete.

5 As provided in Government Code Section 66498.1(e), as amended, the City may impose conditions on subsequently required approvals and permits as authorized by the PMC, and other applicable ordinances, resolutions, engineering standards, and policies. (P)(E)

6 Pursuant to Section 66452.6(g), vested development rights conferred pursuant to Section 66498.1(b) shall last for not more than two years following recording of the final map, unless otherwise provided by law. (P)(E)

7 When exhibits and written conditions of approval are inconsistent, the written conditions shall prevail. Where the language of any condition of this approval conflicts with any mitigation measure in the Final Environmental Report, the language contained in the Environmental Report shall prevail. (P)(E)

8 Off-site public improvements (streets, drainage, sewers, etc.) may be necessary to adequately serve this subdivision. If off-site public improvements are required, said improvements shall be located within public easements. This tentative map approval is subject to the applicant's acceptance of the City of Palmdale's requirements for acquisition of said public easements, including the applicant's financial responsibility. The City Engineer shall have the authority to withhold approval of any affected improvement plans for failure to satisfy this condition. (E)

9 The applicant shall participate in such on-site and off-site water service improvements as may be required by the serving water purveyor. (E)

10 Coordination with utility companies by the applicant's engineer during design shall be required in order to ensure that required public improvements are not in conflict with existing or proposed utilities. (E)

11 * The applicant shall comply with the provisions of Chapter 3.40 (Traffic Impact Fee Requirements) of the PMC. The applicant shall pay the applicable traffic impact fees to the Building and Safety Division in the amount that is in effect at the time the vesting tentative map application was deemed complete. (Mitigation Measure No. 77) (TE)

12 * The applicant shall comply with all provisions of PMC Chapter 14.05. (Mitigation Measure No. 106) (E)

13 The applicant shall use best efforts to coordinate all elements of design and planning of transportation facilities with the developer of the Anaverde Nuevo Specific Plan at the mutual project boundaries. (P)(E)(B&S)

14 The Specific Plan identifies various meandering facilities on the street sections. Such features shall be incorporated into the roadway designs, as approved by the City Engineer and Planning Manager. (P) (E)

15 Left-turn ingress and/or egress at all access locations is subject to approval of the City Traffic Engineer and may be restricted in the future due to traffic operational or safety concerns. Alternatives to such restrictions may be considered. (TE)

16 Any interim drainage basins, levee and channel improvements referenced in Conceptual Drainage Studies shall be the responsibility of the master subdivider to maintain in accordance with the subdivision improvement agreement for VTM 51508 or an entity acceptable to the City. (E)

17 The subdivider shall install all drainage improvements within the subdivision not installed by the CFD 93-1. (E)

18 If any "T" intersection does not have driveways that are suitable for use by the handicapped opposite the approach of the third leg of the intersection, then handicapped ramps shall be installed. (TE)

19 * All road improvements shall be designed in accordance with City of Palmdale and Ritter Ranch Specific Plan roadway design standards as approved by the City Engineer. (Mitigation Measure No. 72) (TE)

20 The final map shall include a trustee statement subordinating of the lien of the deed of trust to the map for rights-of-way and easements necessary to serve the surrounding areas. (E)

21 The subdivider has provided the City with notice of intent to file multiple final maps on this Vesting Tentative Tract Map. In the event that the applicant files a final map with respect to any phase or phases of the Vesting Tentative Tract Map less than one year from a previous filing of a final map for the project, the applicant shall be entitled to only one automatic extension pursuant to Government Code Section 66452.6(a) for those filings. (E)

22 The subdivider shall be responsible for providing all necessary infrastructure improvements to the satisfaction of the City Engineer, for each final map filed. This shall include but shall not be limited to providing sanitary sewer and potable water connections, providing adequate drainage facilities, and providing any additional roadway improvements deemed necessary by the City Engineer to provide adequate public and emergency access. Tract phasing is outlined on Vesting Tentative Phased Tract Maps stamped 'Received November 8, 2021'. In the event that the subdivider wishes to modify the phase boundaries, or the order in which the phases are recorded, the subdivider shall process a Major Modification application to the approved Vesting Tentative Tract Map for review and approval by the Planning Commission. In the event that one phase is constructed before the other(s), the subdivider shall construct and/or bond for all public improvements necessary to ensure public health, safety and welfare, including but not limited to the following infrastructure improvements: (E)

22.1 Minimum required improvements for Phase 1 shall include infrastructure and roadway improvements within the phase boundary and include the following:

22.1.1 A temporary turn-around at the easterly Phase 1 boundary line on Street 'BB';

22.1.2 All infrastructure improvements including water, sewer, and drainage, shall be constructed to connect to existing mainline facilities;

22.1.3 Obtain easement for infrastructure improvement, through Phase 2;

22.1.4 Phase 2 shall be rough graded to approximate ultimate drainage patterns and to divert runoff from the tract shown as Phase 1.

22.2 If Phase 2 precedes Phase 1, all infrastructure and roadway improvements within the phase boundary and include the following:

22.2.1 Acquire the necessary road easements to construct full street improvements, including all infrastructure shall be provided for Street 'AA', 'II', and 'BB';

22.2.2 Phase 1 shall be rough graded to approximate ultimate drainage patterns and to divert runoff from the tract shown as Phase 2.

22.2.3 All infrastructure improvements including water, sewer, and drainage, shall be constructed to connect to existing mainline facilities.

23 * Adequate emergency access and circulation throughout and around the project shall be provided to the satisfaction of the Los Angeles County Sheriff's Department and Los Angeles County Fire Department. Temporary emergency access shall be provided during project construction. (Mitigation Measure No. 92) (E)

24 * Prior to subsequent approvals, energy conservation practices, as required by the Subdivision Map Act, Building Energy Efficiency Standards (California Energy Commission), and state and local laws, shall be incorporated into the design of the project to have the secondary effect of limiting stationary source pollutants both on and offsite. (Mitigation Measure 28) (P)

25 * Projects that exceed AVAQMD threshold levels shall contribute to the Traffic mitigation programs imposed on the development in effect at such time building permits are issued for the project, and each part thereof. (Mitigation Measure 30) (P)

26 * Prior to Development Application approvals, focused surveys shall be conducted by a City-approved biologist to establish the presence or absence of sensitive species (as defined by Federal, State, or Local laws) on the development site. Should sensitive species be present, applicable mitigation shall be implemented per Federal, State and Local Endangered Species Protection regulations as determined necessary by the City Planning Manager. (Mitigation Measure 48) (P)

27 * Development along internal and adjacent arterials will incorporate design measures or structural measures which will reduce noise levels to acceptable levels within the living or recreational portions (as defined by the City) of any lot. The measures that may be utilized to reduce noise impacts include placement of non-residential buildings adjacent to the arterial roadway, increasing the setbacks along the roadway, creation of landscaped berms or other unobtrusive barriers. The acceptable noise level CNEL which will be applied to future projects will be that level which is in place, either by ordinance, resolution, or General Plan policy, at the time that future development applications are deemed complete. (Mitigation Measure 52) (P)

28 * Where necessary, noise mitigation measures such as barriers or sound walls, shall be employed to ensure that acceptable noise levels at the proposed parks are not exceeded. (Mitigation Measure 53) (P)

29 * Any lights used to illuminate the parking areas, driveways, and other exterior or interior areas, shall be designed and located so that direct lighting is confined to the property. The applicant shall submit photometric lighting plans for commercial, multi-family and recreational projects. In addition to directional lighting, lighting should not be of greater intensity (wattage) than otherwise necessary for public safety. (Mitigation Measure 60) (P)

30 * The Applicant shall annually evaluate all design guidelines, development standards and mitigation measures for the Ritter Ranch Specific Plan, submitting a Monitoring Report to the Planning Manager the first quarter of each year through buildout of the project. In addition, the applicant shall submit aerial photos of the project site taken on monthly basis when grading is occurring. Monitoring and verification of compliance with adopted applicable Specific Plan development standards shall also be performed prior to subsequent approvals, to determine if the proposed measures are achieving their intended purpose. To the extent allowed by law, future discretionary approvals may include additional conditions of approval based upon City staff review of the Annual Monitoring Report. Nothing in this mitigation measure shall be construed to permit environmental review beyond the extent permitted by State law. (Mitigation Measure 66) (P)

31 * All project homeowners and tenants shall be advised of potential health risks associated with power transmission lines prior to close of escrow/execution of rental lease. The content and form of said notification shall be indicated in the applicable escrow, deed and/or lease documents in a format acceptable to the City Attorney. (Mitigation Measure 71)

32 * A final report summarizing findings, including an itemized inventory, contextual stratigraphic data, and photographs shall accompany any fossils collected onsite to the designated repository, with an additional copy sent to the City of Palmdale Planning Division. (Mitigation Measure 91) (P)

33 * Adequate lighting shall be provided to enhance crime prevention and law enforcement efforts to the satisfaction of the Los Angeles County Sheriff's Department and the City Traffic Engineer, including along pedestrian trails. Lights shall be designed and located so that direct lighting is confined, and lighting should

not be of greater intensity than necessary for public safety. (Mitigation Measures 93 and 117) (P)

34 * Onsite telephone facilities shall be provided by utilizing joint trenches. (Mitigation Measure 100) (P)(B&S)

35 * As required by state law, the following water conservation measures shall be incorporated into the project: (P)(B&S)

35.1 Low-flush toilets and urinals;
35.2 Low-flow showers and faucets;
35.3 Insulation of hot-water lines in water recirculating systems;
35.4 All fixtures shall be California Energy Commission (CEC) certified; and,
35.5 Public lavatory facilities must be equipped with self-closing valves. (Mitigation Measure 105)

36 * The following water conservation measures shall be implemented where applicable and feasible: (P)(B&S)

36.1 Interior

36.1.1 Supply line water pressure greater than 50 pounds per square inch (psi) shall be reduced to 50 psi or less by means of a pressure reducing valve.
36.1.2 Drinking fountains shall be equipped with self-closing valves.
36.1.3 Laundry facilities shall use water-conserving models of washers.
36.1.4 Ultra low-flush toilet (1-1/2 gallons per flush) shall be installed in all new construction.

36.2 Exterior

36.2.1 Landscape with low water-consuming plants wherever feasible.
36.2.2 Minimize use of lawn by limiting it to lawn-dependent uses, such as playing fields. When lawn is used, require warm season grasses.
36.2.3 Group plants of similar water use to reduce overirrigation of low-water-using landscaping.
36.2.4 Provide information to project residents and tenants regarding benefits of low-water using plants.

36.2.5 Use mulch extensively in all landscape areas. Mulch applied on top of soil will improve the water-holding capacity of the soil by reducing evaporation and soil compaction.

36.2.6 Preserve and protect existing trees and shrubs. Established plants are often adapted to low-water-using conditions and their use saves water needed to establish replacement vegetation.

36.2.7 Install efficient irrigation systems which minimize runoff and evaporation and maximize the water which will reach the plant roots. Drip irrigation, soil moisture sensors and automatic irrigation systems are a few methods to consider in increasing irrigation efficiency and may be feasible for the project.

36.2.8 Use pervious paving material whenever feasible to reduce surface water runoff. (Mitigation Measure 106)

37 * The applicant shall distribute an educational pamphlet to homeowners at the time of occupancy describing the solid waste disposal problem, and methods of reducing solid waste impacts that are available to protect residents as reviewed and approved by the City. (Mitigation Measure 119) (P)(B&S)

38 * Where applicable, the applicant shall comply with the provisions of the City's Source Reduction and Recycling Element and the City's Household Hazardous Waste Element after those elements are adopted by the City Council. (Mitigation Measure 122) (P)(B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE STAMPING OF THE TENTATIVE MAP FOR CONDITION COMPLIANCE:

39 All plans, specifications, studies, reports, calculations, maps, notes, legal documents, and designs shall be prepared and signed (and stamped where required) only by those individuals legally authorized to do so. Plans for public improvements shall be prepared, signed, and stamped by a California Registered Civil Engineer. (E)

40 The location of method of operation of any vehicle restricting gates shall be subject to the approval of the Los Angeles County Fire Department and the City Engineer. Residents shall not be required to pay additional costs to receive devices to open a security gate. (TE)(F)

THE FOLLOWING CONDITIONS SHALL BE ADDRESSED WITH THE SUBMITTAL OF GRADING PLANS OR PRIOR TO ISSUANCE OF A GRADING PERMIT:

41 The applicant shall enter into a Subdivision Improvement Agreement and post securities for grading operations with the City and pay all applicable fees. Grading activities extending beyond phase boundaries shall require prior approval of the City Engineer and Planning Manager. Such grading activity shall be reflected in the subdivision improvement agreement of the phase which request such grading. (E)

42 Grading and wall plans shall be submitted for review and approval to the Engineering Division. Approval by both the City Engineer and Planning Manager shall be obtained prior to the issuance of a grading permit. Perimeter walls shall be consistent with the design and materials of any previously approved adjacent perimeter wall to provide continuity of the streetscape. Final grading and wall concepts shall be in substantial conformance with those shown on the tentative map, conceptual grading plan, Ritter Ranch Specific Plan, Planned Development document, and in accordance with the following: (P)(E)

42.1 All corner lots shall contain a decorative masonry block wall on the street side of the lot.

42.2 All interior property line walls, if proposed, shall be constructed of masonry, wrought iron, durable vinyl, or other similar durable materials as approved by the Planning Manager.

43 In all cases where a required wall is to be located adjacent to the top of a 2:1 or greater slope, the wall shall be set back a minimum of two and one-half feet from the crest of that slope on the level side. All slope and wall configurations shall meet the setback requirements of the City Building Code. (P)(E)(B&S)

44 The exterior face and footings of all project perimeter walls shall be located no more than two inches from the property line on the subject property. (P)(E)

45 Double boundary walls between developments are prohibited except as approved by the Planning Manager and City Engineer. (P)(E)

46 The final grading plan shall indicate that all rear and interior side yard slopes are up slopes to property lines as indicated on the tentative map. (P)(E)

47 All manufactured slopes on or adjacent to project boundaries shall meet the setback requirements of the current City Building Code and Planned Development. A recorded off-site Slope Acceptance Letter from all affected property owners shall be submitted to the City Engineer prior to approval of grading plans for any slope not meeting these requirements. In addition, slopes are required to meet City Standards with respect to erosion control. (E)(B&S)

47.1 Developer shall install all landscaping in rights-of-way, landscaping easements, in parks, in residential common areas and open spaces, and on slopes, the last in accordance with the provisions of the Specific Plan and Planned Development;

47.2 All slopes accessible from a public right-of-way shall be privately maintained until the City accepts maintenance or transferred to a private Homeowners Association entity;

47.3 The City, through a special district formed by the City, may elect to accept landscape maintenance responsibility for certain privately owned slopes abutting major arterials. Upon such election, the developer shall dedicate or cause to be dedicated to permit access to carry out such maintenance. The developer shall warrant all such landscaping for a period of one (1) year after the completion of the installation thereof.

48 The applicant shall submit a temporary erosion control and sedimentation plan for approval by the City Engineer prior to grading plan approval and grading permit issuance when grading activity will occur between October 1st and April 15th. (E)

49 * Disturbed and un-landscaped areas shall be replanted with native vegetation compatible with the existing native vegetation, appropriate to the site, which will blend in with existing species. (Mitigation Measure No. 63) (E)

50 * The project shall follow the grading plan approved by the City and avoid disturbance of adjacent areas where possible. (Mitigation Measure No. 64) (E)

51 * Slopes at the edge of the development shall be revegetated with low combustible plant material as approved by the City Engineer. (Mitigation Measure No. 45) (E)

52 The applicant shall incorporate into the project design all existing easements within the project boundaries or obtain abandonment of said easements from the affected easement holder(s). If this requirement cannot be accomplished, the project shall

be redesigned accordingly to the satisfaction of the Planning Manager, City Engineer, or the Planning Commission. (P)(E)

53 This project shall be designed and constructed in accordance with the stormwater pollution control requirements of the Lahontan Region of the California Regional Water Quality Control Board. Prior to the issuance of a grading permit, the applicant shall file a Notice of Intent with the Lahontan Region of the California Regional Water Quality Control Board to comply with the applicable National Pollution Discharge Elimination System (NPDES) requirements. (E)

54 Three copies of final landscape and irrigation plans shall be submitted to the City Engineer for review and approval. Said plans shall include street tree and slope erosion control plans the following locations: On-site and off-site slopes, Homeowner's Association (HOA) maintained easement or recreation areas, bicycling and hiking trails, and open space lots, as determined necessary by the City Engineer. One copy of the approved plans shall be submitted to the Planning Division. (P)(E)

55 * Plants such as Pampasgrass, African Fountaingrass, Tamarisk, Castorbean, Arundo donax, and exotic Fescues shall not be planted within the Specific Plan area. A review of the landscape plan's plant selection shall be made by a qualified revegetation biologist approved by the City Engineer and Planning Manager prior to landscape plan approval. The applicant shall also require that residences exclude these plants from their landscaping (as through Covenants, Codes and Restrictions enforced by a HOA). (Mitigation Measure No. 42) (P)(E)

56 The applicant shall submit for review and approval by the City Engineer, three sets of landscaping and irrigation system plans for all areas designated as Landscape Maintenance Easements on the Vesting Tentative Tract Maps, which will be included in the Landscape Maintenance Assessment District (LMD). Plans shall include planting and irrigation plans and specifications (20 scale maximum) District Diagram of Improvements for the LMD Engineer's report; estimate of probable construction costs; and the notice to prospective homeowners. Tree species to meet Thematic Landscape Standards, outlined in the Ritter Ranch Phase 1A Planned Development (PD 21-001) document. (E)

56.1 Open space Lot Nos. 108, 109, 110, 111, and 112;

56.2 Right-of-way and landscape easement at the east property line of Lot Nos. 96 and 97 (Along Street 'AA');

56.3 Re-design of CFD related landscaping at the intersection of Parkview Drive and Street 'II' and Westland Drive and Street 'AA';

56.4 Variable width landscape easements at the west end of Street 'GG' and Street 'HH';

57 * Landscaping shall be consistent with the Specific Plan in order to maintain a cohesive theme across the project site, and in order to reduce aesthetic impacts of structures to adjacent roadways and residential properties. (Mitigation Measure No. 59) (E)

58 * The Applicant shall consult with the Los Angeles County Sheriff's Department regarding landscape standards to ensure that landscape features do not conceal potential criminal activity around buildings and in parking areas. This measure will be implemented to the satisfaction of the Planning Manager and City Engineer, prior to staff acceptance of the landscape plan. (Mitigation Measure No. 95) (P)(E)

59 The applicant shall incorporate into the project design all existing easements within the project boundaries or obtain abandonment of said easements from the affected easement holder(s). If this requirement cannot be accomplished, the project shall be redesigned accordingly to the satisfaction of the Planning Manager, City Engineer, or the Planning Commission. (P)(E)

60 The applicant shall obtain off-site easements from affected property owner(s) for all proposed off-site improvements and grading activities (slopes, drainage, walls, etc.). If said easements cannot be obtained, the project shall be redesigned to incorporate said improvements and grading entirely within the project boundary, to the satisfaction of the Planning Manager and the City Engineer. The City Engineer shall have the authority to withhold approval of any affected improvement plans for failure to satisfy this condition. (P)(E)

61 A drainage acceptance letter from each affected property owner shall be submitted to the City Engineer when the pre-developed storm runoff onto any property is increased, concentrated, diverted, or changed in any form as required by State law. (E)

62 A final hydrology study and hydraulics report shall be prepared for this subdivision and approved by the City Engineer. The hydrology study and hydraulics report shall address on-site and off-site conditions and impacts. (E)

63 This subdivision shall be designed in accordance with the City's Floodplain Management Ordinance, Master Plan of Drainage, and related criteria within the Engineering Design Standards. (E)

64 * The applicant shall submit geotechnical reports, prepared in accordance with the City's Engineering Design Standards, to the City Engineer for review and approval prior to the issuance of a grading permit. Said report shall include recommended design, construction, and maintenance of mitigation measures to reduce potential geologic constraints, to the satisfaction of the City Engineer. At minimum, the report shall address slope stability, locations and setbacks for active/potentially active faults, excavation requirements for unsuitable surficial material, liquefaction potential and groundwater/seepage conditions. All future discretionary approvals must comply with the applicable recommendations set forth in the required investigation. Typical mitigation for geologic hazards include excavation and/or stabilization (buttress/retaining walls) of landslides and excavation of undesirable materials (such as those subject to settlement, hydroconsolidation, expansion or liquefaction) and re-compaction, if necessary, with suitable material. Recommendations from the report shall be incorporated into final grading plans, to the satisfaction of the City Engineer. (Mitigation Measure No. 1) (E)

65 An off-site interim bioswale/drainage channel shall be required for this subdivision according to Nuisance Runoff Assessment Plan and the Conceptual Drainage Study for this vesting tentative tract map and VTM 51508. These drainage systems shall be maintained by the Master Developer to the satisfaction of the City Engineer. (E)

66 Provisions shall be made within the project to utilize recycled water to the extent that such provision is found to be in accordance with the Antelope Valley Recycled Water Master Plan and any City Standard/Ordinance enacted to facilitate its use. (E)

67 Prior to grading permit issuance, as outlined in the 'Phase 1 Interim Agreement – Ritter Ranch Development' (Agreement No. A-7796) the Master Developer shall enter into new subdivision improvement agreements for all Final Tract Maps or Tentative Tract Map items listed in Exhibit 5 of said interim agreement and replace all Lien Contracts with Surety Bonds. (E)

68 * Prior to issuance of grading permits for each area of the Ritter Ranch Specific Plan, the applicant shall provide appropriate safety and etiquette signs for all off-

street trails, particularly at trail parking facilities and trail segments with limited sight distance, in order minimize safety hazards to bicyclists, pedestrians and equestrians. The nature, location and language for these signs shall be approved by the Planning Manager and the City Traffic Engineer. Said signs may also include other restrictions/warnings such as discouraging damage to natural resources. (Mitigation Measure No. 44 and 116) (E)(TE)(P)

69 * All construction and general maintenance activities, except in an emergency, shall be limited by City of Palmdale Municipal Code Section 828.030 to the hours of 6:30 a.m. to 8 p.m. Monday through Saturday. The operation of any machine, mechanism, device or contrivance during construction shall comply with noise limits in the PMC and General Plan. (Mitigation Measure No. 51) (E)

70 * Prior to issuance of grading permits for each area of the Ritter Specific Plan, qualified archeologist shall be retained at the expense of the developer to formulate and carry out an Archeological Monitoring Program for that particular area. The Archeological Monitoring Program as approved by the Planning Manager shall include, but not be limited to measures identified in the EIR, and the 1990 RMW Paleo Associates report (Appendix I), and the 1991 LSA Phase II Archaeology Report (dated June 14, 1991). (Mitigation Measure 79) (P)

71 * Monitoring during grading activities shall be accomplished by an archaeologist approved by the Planning Manager. Said archaeologist shall be present at any pre-grading conference and shall have the power to enforce required mitigation measures related to cultural resources. Mass grading activity shall be periodically monitored, particularly during initial site clearing, to ensure that any buried archaeological deposits which may exist on the property are detected. This monitoring shall be maintained until undisturbed bedrock is exposed. The monitoring archaeologist shall be prepared to document and recover any material which appears as quickly as is consistent with standard archaeological practice. If determined necessary, the archaeologist may halt grading to ensure adequate salvaging and/or protection of cultural resources (upon which the Planning Manager and Applicant shall be notified). (Mitigation Measure 81) (P)

THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO OR IN CONJUNCTION WITH RECORDATION OF THE FINAL MAP OR ANY PHASE THEREOF:

72 The applicant shall petition the City to form a Landscape Maintenance Assessment District for the maintenance of landscaping and appurtenant facilities. Such district

shall be formed concurrently with, or prior to, recordation of the final map at the sole cost and expense of the applicant, and the applicant's deposit of the estimated costs thereof shall be required prior to such actions by the City. If the City is unsuccessful in the formation of the Landscape Maintenance Assessment District, the Developer shall propose an alternative maintenance entity and shall be responsible for the maintenance of the landscaping and appurtenant facilities until such time that an alternative maintenance entity assumes the maintenance. All costs associated with the formation of an alternative maintenance entity shall be paid by the Developer. (E)

73 The applicant shall provide written evidence to the Planning and Engineering Divisions that approval has been obtained from the Los Angeles County Fire Department. (F)(P)(E)

74 The applicant shall enter into a subdivision improvement agreement and post securities with the City and pay all applicable fees at the time of subdivision approval for those improvements necessary to support this subdivision, as determined by the City Engineer. If any transfer of ownership/title of land within this proposed subdivision takes place prior to release of all agreements and securities, the new applicant shall be required to enter into a separate Subdivision Improvement Agreement with the City and pay all applicable fees. Agreement and securities with the prior applicant will be released after the agreement and securities with the new applicant take effect. (E)

75 The applicant shall provide standard street improvements for Streets 'BB', 'CC', 'GG', 'HH', 'DD' (east of Street 'AA'), 'EE' (east of Street 'DD' and west of Street 'FF'), and 'FF' (east of Street 'II') within the project boundary, face of curb to face of curb width of 34 feet (50-foot right-of-way). These improvements shall consist of: (E)

75.1 Curb and gutter;

75.2 Sidewalk (width = 5 feet);

75.3 Roadway grading and paving, overlay and/or match-up, as directed by City Engineer;

75.4 Traffic control signs and devices as required by the City Engineer;

75.5 Pavement transition from the project boundaries to the satisfaction of the City Engineer;

75.6 Wheelchair ramp(s) at all walk returns;

75.7 Roadway drainage device(s); and,

75.8 Streetlights.

76 The applicant shall provide standard street improvements for Streets 'AA' (south of Street 'BB'), 'DD' (west of Street 'AA'), 'FF' (west of Street 'II'), and 'EE' (between Street 'DD' and Street 'FF') within the project boundary, face of curb to face of curb width of 36 feet (60-foot right-of-way). These improvements shall consist of: (E)

76.1 Curb and gutter;

76.2 Sidewalk (width = 5 feet);

76.3 Roadway grading and paving, overlay and/or match-up, as directed by City Engineer;

76.4 Traffic control signs and devices as required by the City Engineer;

76.5 Pavement transition from the project boundaries to the satisfaction of the City Engineer;

76.6 Wheelchair ramp(s) at all walk returns;

76.7 Roadway drainage device(s); and,

76.8 Streetlights.

77 The applicant shall provide standard street improvements for Street 'II' within the project boundary, face of curb to face of curb width of 40 feet (64-foot right-of-way). An alternative 64-foot right-of-way section of Street 'AA' (north of Street 'BB') shall have a face of curb to face of curb width of 44 feet. These improvements shall consist of: (E)

77.1 Curb and gutter;

77.2 Sidewalk (width = 5 feet);

77.3 Roadway grading and paving, overlay and/or match-up, as directed by City Engineer;

77.4 Traffic control signs and devices as required by the City Engineer;

77.5 Pavement transition from the project boundaries to the satisfaction of the City Engineer;

77.6 Wheelchair ramp(s) at all walk returns;

77.7 Roadway drainage device(s); and,

77.8 Streetlights.

78 The right to restrict access shall be dedicated along all lots abutting Westland Drive and Parkview Drive. (TE)

79 A striping and signing plan shall be prepared, subject to the approval of the City Engineer prior to the approval of the street improvement plans. The striping and signing plan shall be submitted with final street improvement plans. (TE)(E)

80 * Pedestrian and other non-motorized circulation and facilities shall be provided as set forth in the Ritter Ranch Specific Plan. Design shall be subject to the approval of the City Engineer. (Mitigation Measure No. 43) (TE)

81 All areas within the tract designated by the City Engineer as requiring a landscape easement shall be shown as an 'Easement for Landscaping Purposes' on the final map. (E)

82 A sanitary sewer-area study for this subdivision shall be prepared and submitted to the City Engineer for review and approval. A public sanitary sewer system is to be dedicated to the City, with private laterals to each lot. The system shall be designed and installed as the only method of sewage disposal for this subdivision. The following coordination and clearance must be obtained prior to issuance of a sewer permit: (E)

82.1 * Any sewer proposed for incorporation into the Los Angeles County Sanitation Districts trunk sewer network for operation and maintenance,

shall be reviewed and approved by the Sanitation District, prior to any construction. (Mitigation Measure No. 110)

83 The applicant shall obtain sufficient off-site sewer easements and design and construct an off-site outfall sewer with supplemental size, capacity, and length as required by the City Engineer. The City Engineer shall have the right to withhold approval of any affected improvement plans for failure to satisfy this condition. (E)

84 * The subdivision shall comply with all requirements of PMC Section 13.05. (Mitigation Measure No. 109) (E)

85 * Water mains shall be designed to meet or exceed the total flow requirements determined for domestic flow and fire flow for this development. Required domestic flow shall be calculated by the applicant's engineer. Fire flow shall be determined by the Los Angeles County Fire Chief. Site-specific development plans shall require review and approval by the Los Angeles County Fire Department with respect to adequate fire flows, emergency access and building construction standards. (Mitigation Measure No. 112) (E)(B&S)

86 The plans and specifications for the water delivery system shall be submitted for approval to the responsible water purveyor prior to final approval of this development by the City Engineer. In all cases where water system facilities have not been installed prior to filing this development with the City Engineer for final approval, the applicant shall submit a Labor and Materials bond in addition to one of the following: (E)

86.1 An Agreement and Faithful Performance bond in the amount approved by the City Engineer to be sufficient to guarantee installation of the improvements; or

86.2 An Agreement and evidence satisfactory to the City Engineer showing that the applicant has entered into a contract with the serving water utility for establishing a security guaranteeing payment for the installation of the improvements.

87 Street lighting plans shall be reviewed and approved as part of the approval of the street improvement plans. Street lighting plans shall be submitted to the City Engineer for review and approval and to Southern California Edison Company for their use. (E)

88 The applicant shall petition the City to form a Streetlight Benefit Assessment District for the maintenance of streetlights and appurtenant facilities. Such district shall be formed concurrently with, or prior to, recordation of the final map at the sole cost and expense of the applicant, and the applicant's deposit of the estimated costs thereof shall be required prior to such actions by the City. If the City is unsuccessful in the formation of the district, the Developer shall propose an alternative maintenance entity and shall be responsible for the maintenance of the streetlights and appurtenant facilities until such time that an alternative maintenance entity assumes the maintenance. All costs associated with the formation of an alternative maintenance entity shall be paid by the Developer. (E)

89 The applicant shall provide a complete set of street improvement plans for review and comment to utility providers including but not limited to the following: (E)

89.1 Los Angeles County Waterworks

89.2 Southern California Edison

89.3 Southern California Gas Company

89.4 AT&T

89.5 Cable TV

90 Easements for all on-site utilities, public and private, shall be granted and recorded for maintenance and upkeep. Such easements may include, but are not limited to, sewer, water, electric, gas, telephone, storm drains, detention basins, and landscaping. (E)

91 The subdivider shall be required to install appropriate measures to protect the approved nuisance water system for Vesting Tract Map 51508-RR ('A' Map) from silt and debris during the grading operation and from any off-site flows from undeveloped areas designed to flow through the subdivision. Developer shall be responsible for providing nuisance water catch basins and piping to the approved nuisance water mitigation system. The design for intercepting on-site nuisance flows shall be addressed with the submittal of grading plans. (E)

92 Will Serve letters will be required before the map is submitted to City Council for approval. The following is a list of the minimum Will Serve letters required: (E)

92.1 Los Angeles County Waterworks

92.2 Southern California Edison

92.3 Southern California Gas Company

92.4 Cable TV

92.5 School District

93 Prior to submitting the final map to the City Engineer for approval by the City Council pursuant to Section 66442 of the Government Code, the applicant shall obtain clearances from all departments, divisions and utility companies which have set conditions of approval on this subdivision and submit those items defined in PMC Chapter 16.20. (E)

94 A preliminary title report and subdivision guarantee is needed showing all fee interest holders, all interest holders whose interest could ripen into a fee, all trust deeds, together with the names of the trustee and all easement holders. The account for this title report shall remain open until the final tract map is filed with the County Recorder. No easements shall be granted and recorded until after the final map is recorded, unless approved by the City Engineer and subordinated to any City easements by a certification upon the title sheet of the final map, prior to the grant. (E)

95 This subdivision is within Community Facilities District 93-1. The applicant is responsible for any due to delinquent "Special Assessments" and shall obtain clearance from the City Engineer and Planning Manager prior to scheduling the final map for City Council. The applicant will certify that there are no liens against the subdivision for unpaid special assessments. Additionally, security for the current installment of principal and interest of all special assessments collected as taxes, which are recorded as a lien, but are not yet payable, shall be filed with the Los Angeles County Clerk. The applicant shall bear all costs associated with the reapportionment/reassessment of "Special Assessments". (E)

96 An HOA shall be created for the project and shall be responsible for the maintenance of all common use areas, private streets, private drainage facilities and shared parking areas. The documents creating this entity shall be provided to the Planning Manager, City Engineer, and City Attorney for review and approval. (P)(E)

97 The applicant shall prepare Covenant's, Conditions, and Restrictions (CC&R's) for review and approval by the Planning Manager, City Engineer, and City Attorney. Such CC&R's shall include all elements deemed necessary by the City Attorney. The applicant shall be responsible for all City Attorney costs regarding review of said CC&R's prior to recordation of any phase. (P)(E)

98 In cases where the applicant indicates that multiple final maps will be filed, a Phasing Plan shall be submitted for review and approval by the Planning Manager and City Engineer. Pursuant to Government Code 66456.1, multiple final maps (phasing of tentative map) shall not be authorized for this tentative map until such time as the City of Palmdale has had the opportunity to evaluate the phasing and impose reasonable conditions, related to the phase. (E)

99 Three copies of interior tract street tree and front yard landscaping plans shall be submitted to the City Engineer for review and approval. (E)

100 A Landscape Maintenance Assessment District, or other maintenance entity acceptable to the City, shall be formed prior to recordation of the first 'B' Map within VTM 51508-RR 'A' Maps. Applicant shall fully execute a 'Consent and Waiver to Annexation to Landscape Maintenance Assessment District' form. (E)

101 The temporary sewer lift station (east of this vesting tentative tract map) shall be in operation (accepted by the City and Los Angeles County Health Department) prior to occupancy release of the first lot of this vesting tentative tract map. Said temporary sewer lift station shall be maintained at the expense of the Master Developer and approved by the City. (E)

102 * Each deed or other conveyance of Real Property shall include the following statement: "Ritter Ranch is traversed by major splays (branches) of the San Andres Fault Zone, a very youthful geologic feature. Due to the proximity of the Ritter Ranch site to the San Andreas Fault, there is a high risk of experiencing strong ground shaking and possible surface fault rupture." Additionally, where applicable, each disclosure statement within the deed shall contain language which denotes the possibility of building restrictions on residential additions for human occupancy on those parcels which are located in Fault Hazard Restricted Use Zones. (Mitigation Measure No. 9) (E)(P)(B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR ANY PHASE OF THE SUBDIVISION:

103 The applicant shall pay all fees at the time fees are determined payable and comply with all requirements of the applicable Federal, State, and Local agencies including, but not limited to, the following as applicable:

103.1 Los Angeles County Sanitation District
103.2 Los Angeles County Department of Health Services
103.3 Los Angeles County Consolidated Fire District
103.4 Los Angeles County Waterworks/Palmdale Water Districts
103.5 Westside Union School District
103.6 Antelope Valley Air Quality Management District

The duty of inquiry as to such requirements shall be upon the applicant. Proof of payment shall be provided to the Building and Safety Division prior to issuance of any building permits. (P)(E)(B&S)

104 The applicant shall pay park fees or dedicate and construct the improvements for the proposed community, neighborhood and specialty park facilities shown in the Specific Plan as approved by the Director of Parks and Recreation pursuant to Ordinance 789. (Mitigation Measure 115) (P)(B&S)(Pk)

105 * Westside Union School District: The developer shall comply with the terms of the agreement, dated November 26, 1991, between the developer and the Westside Union School District as mitigation for impacts caused by development of the project on the Westside Union School District. The terms of that agreement are as follows:

105.1 Development Fees. Developer hereby agrees to pay to District fifty-one dollars and ninety-nine cents ($51.99) per square foot of habitable residential development prior to the issuance of the building permit on each unit. A fee of twenty-six cents ($.26) per square foot of industrial/commercial construction shall be paid to the District prior to the issuance of each commercial building permit. All such amounts shall be subject to annual adjustment pursuant to increases or decreases in the School Construction Cost. Index of the Office of Local Assistance with January 1, 1992, as the base.

105.2 School Sites. In addition, Developer hereby agrees to sell to District three, eight-acre elementary school sites with each being adjacent to a park, two, five-acre school sites with each being adjacent to a park, and one 20-acre middle school site, designated in Exhibit B of said agreement.

105.3 The purchase price for the District shall be the fair market value of each site at the time escrow is opened, not to exceed $100 per acre plus annual adjustments based upon increases or decreases in the school construction cost index of the Office of Local Assistance with January 1, 1992 as the base. The fair market value shall include all offsite improvements and grading of the site.

105.4 In the event that the parties cannot agree on the fair market value, each party shall obtain an appraisal from an MAI certified appraiser. If the two appraisals are within $5,000 of each other, the FMV shall be the lowest value plus one-half of the difference. If the difference between the two appraisals is more than $5,000, the County Superintendent of Schools shall designate third appraiser who shall be independent of the parties and MAI certified and who shall conclusively establish the fair market value.

105.5 The cost of the third appraisal shall be borne equally by the parties.

105.6 Developer shall perform all offsite improvements such as roads, curbs, gutters, water (with a flow guaranteed to meet fire safety requirements) sewer, and utilities to the site for no cost to District except as provided above. Developer shall also provide rough grading of the site to District's reasonable specifications. Title to the site shall be transferred to District, free and clear of all monetary liens, assessments, taxes and encumbrances and easements or any restrictions which interfere with the District's plans to use the property for the development of the school sites prior to the filing of any final map on the tract. Onsite and offsite improvements shall be performed concurrently with improvements on the remainder of the tract.

105.7 The District may exercise its right to acquire the property by serving written notice on Developer and opening an escrow account. Developer shall within 30 days of receipt of notice deposit a grant deed conveying title as referred to above. Notice by the District to purchase the property shall not be served earlier than the filing of a final subdivision map on any adjacent property. The District shall indicate its intent to purchase any particular school site no later than one year after the filling of final subdivision map on

any adjacent property, District shall deposit the purchase price in escrow. Escrow shall close within 30 days of opening. (Mitigation Measure 99) (P)(B&S)

106 * Antelope Valley Union High School District. The Developer shall provide the following mitigation to the District in order to provide its contribution toward the District's fifty (50) percent share of funding a new high school on the site, pursuant to Government Code Section 65995 and Education Code Section 17700 et, seq. (School Facility Funding Law):

106.1 Developer Fees. Developer shall pay to the District one dollar and twenty cents ($1.20) per square foot of habitable residential development, including senior housing, prior to the issuance of the building permit on each unit. A fee of twenty-six cents ($.26) per gross leasable square foot of industrial/commercial construction shall be paid to the District prior to the issuance of each commercial building permit. All such amounts shall be subject to annual adjustment pursuant to increases or decreases in the School Construction Cost Index of the Office of Local Assistance with January 1, 1992, as the base.

106.2 School Sites. In addition, Developer hereby agrees to offer the District a site for purposes of constructing a high school thereon, with the terms for dedication as set forth herein. The Developer shall dedicate fifty (50) acres of land in Planning Area 3A for a school site to the District at no cost to the District. The specific 50 acres of the 76 acres in Planning Area 3A shall be at the election of the District. Title to the site shall be transferred to District free and clear of all monetary liens, assessments, taxes and encumbrances and easements or any restrictions which interfere with the District's plans to use the property for the development of the school site prior to the filing of any final map on a subdivision tract in the Specific Plan area. In the event that site preparation work on the school site, including provision of access to Elizabeth Lake Road and utilities, exceeds the amount of $4,300,000, the Developer shall pay 50 percent of the amount over that figure, not to exceed total of $350,000.

106.3 Transfer Procedures. The District may exercise its right to acquire the site specified above by serving written notice on Developer and opening an escrow. account. Developer shall within 30 days of receipt of notice deposit into the escrow a grant deed conveying title as referred to above. Escrow shall close within 30 days of opening. (Mitigation Measure 99) (P)(B&S)

107 The applicant shall submit full sized copies of the final recorded map in the form of one set of mylar and three sets of blueline to the City Engineer and shall also submit an 8-1/2 x 11-inch mylar copy of the final map to the City Engineer. The applicant shall provide a computerized .dwg format of the final recorded tract map which is compatible with the City's G.I.S. program to the City Engineer. The final map shall be projected in NAD 83 State Plane Zone (5 in feet). (E)(P)

108 Subdivision Development Plan applications shall be submitted, either for the entire tract or in complete submittals for each construction phase and shall include all documents and maps required by the Subdivision Development Plan Application. Subdivision Development Plans shall be in compliance with the Ritter Ranch Specific Plan and Planned Development document 21-001. (P)

109 A Temporary Use Permit for proposed on-site model homes and/or temporary sales/office trailers shall be filed with the Planning Division and shall include all documents and maps required in PMC Section 17.27.030.B.5 and by the Temporary Use Permit Application. (P)

110 Grading shall be designated "Engineered Grading" per City Building Code and shall be done in accordance with an approved grading plan. All grading work shall be performed according to the phasing plan approved by the Planning Manager and the City Engineer. (P)(E)

111 At completion of rough grading, the applicant shall submit appropriate reports and statements (Certifications) to the City Engineer, for review and approval, prior to release of rough grading. The City of Palmdale Building Code requires these reports and statements from the field or supervising grading engineer, the soils engineer, the geologist, and the grading contractor. (E)(B&S)

112 All sanitary sewer mains to be dedicated to the City are to be provided with as-built plans and have TV video inspection, as required by City Inspector, prior to final acceptance for maintenance. (E)

113 * The applicant shall obtain addresses established by the City Engineer, and pay applicable processing fees, for all lots of residential subdivisions. Commercial subdivisions are addressed by the Building and Safety Division upon application for a Building permit. Proper address signs shall be provided for identification of locations during emergencies. (Mitigation Measure No. 94) (E)

114 Prior to building permit issuance, milestone timeline requirements outlined in the 'Phase 1 Interim Agreement – Ritter Ranch Development' (Agreement No. A-7796) shall be met or projects identified are being completed, to the satisfaction of the City Engineer. Improvements that shall be completed by the Master Developer are as follows: (E)

114.1 Remaining Elizabeth Lake Road (ELR) Work;

114.2 Ranch Center Drive (RCD) and ELR Undergrounding and ELR Streetlight Improvements; and,

114.3 Westland Drive (WD) and Ritter Ranch Road (RRR) Streetlight Improvements.

115 Prior to issuance of the 250th building permit within the Phase 1A area, as defined by the Ritter Ranch Phase 1A Planned Development (PD 21-001), construction of Neighborhood Park 5F shall begin construction. (E)(B&S)

116 Prior to issuance of the 400th building permit within Phase 1A area, as defined by the Ritter Ranch Phase 1A Planned Development (PD 21-001), construction of Neighborhood Park 5T shall begin construction. (E)(B&S)

117 Prior to issuance of 50 percent of building permits within Vesting Tentative Tract Map 51604, as referenced in the Ritter Ranch Phase 1A Planned Development (PD 21-001), construction of Neighborhood Recreation Area 2 shall be completed and granted occupancy release by Building and Safety Division. (E)

118 * Prior to issuance of the 250th Certificate of Occupancy within Phase 1A, as defined by the Ritter Ranch Phase 1A Planned Development (PD 21-001), the Master Developer shall provide a pumper truck and patrol car. In addition, a fully operational fire station of an acceptable size and location as determined by the Los Angeles County Fire Department Building and Safety shall be provided by the 1,800th Certificate of Occupancy. (Mitigation Measure No. 113) (B&S)(P)

119 * Provision of water service to the proposed project will be required as part of the project development and will occur to the satisfaction of the City of Palmdale prior to issuance of building permits. Project implementation will require mitigation in coordination with the City of Palmdale, Los Angeles Waterworks District No. 34, and the Los Angeles County Fire Department. (Mitigation Measure No. 107) (B&S)

120 * Prior to issuance of building permits, the project applicant shall prepare an emergency spill response plan which includes the following measures for review and approval by the City of Palmdale and County Sanitation District No. 20: (Mitigation Measure 20A) (P)(F)(E)

120.1 Measures to detect early warning of a sewage trunk leak;
120.2 The installations of manual or automatic isolation valves;
120.3 Provisions for spilled sewage retention;
120.4 Spill response measures;
120.5 Clean-up and disinfection measures; and,
120.6 Training and funding for implementation of the spill plan.

THE FOLLOWING CONDITIONS SHALL BE MET WHILE CONSTRUCTION ACTIVITIES ARE ON-GOING:

121 From the beginning of the first ground disturbing activity until on hundred (100) percent of the lots for the entire subdivision have been released for occupancy, the following are required of the applicant: 1) have erosion control measures, per an approved Erosion Control and Sedimentation Plan, in place during the rainy season (October 15 - April 15); 2) provide appropriate dust control measures, per City and Antelope Valley Air Quality Management District (AVAQMD) Standards, to minimize nuisance from dust at all times. (E)(B&S)

122 * To mitigate potential dust generation impacts, the project will comply with State, County and City dust control regulations. These regulations are intended to provide sufficient protection so as to prevent the soil from being eroded by wind, creating dust, or blowing onto a public road or roads or other public or private property. (Mitigation Measure 21) (E)

123 * In addition to watering prior to and during grading (as discussed in AVAQMD Rule 403), the application of water and chemical dust retardants that solidify loose soils shall be implemented for construction vehicle access, as directed by the City Engineer. (Mitigation Measure 22) (E)

124 * Grading activity shall be suspended when local winds exceed 30 miles per hour. To validate wind velocities and/or rainfall amounts, the installation of a minimum of two remote weather stations will be required at locations determined by the City Engineer. (Mitigation Measure 23) (E)

125 * Heavy construction equipment shall use low sulfur fuel (0.05% by weight) and shall be properly tuned and maintained to reduce emissions. (Mitigation Measure 24) (B&S)

126 * Construction activities shall be phased and scheduled to avoid high ozone days, to the extent feasible, and shall be discontinued during second stage smog alerts. (Mitigation Measures 25 and 26) (E)(B&S)

127 * The applicant shall, as required by the Planning Division and the City of Palmdale's proposed Air Quality Element, implement applicable Tier I Control Measures contained in the Final 1989 AQMP, as may be subsequently amended. Additionally, the Best Available Control Technology Guidelines published by SCAQMD, shall be used. As project buildout will occur over 20-year period, subsequent phases/approvals will be held to Tier II and Tier III measures which are implemented is mandatory AVAQMD Rules and Regulations applicable to the project phase. General measures which shall be applied for the development include: (Mitigation Measure 27) (P)

127.1 Encourage the use of alternative transportation modes by promoting public transit usage and providing secure bicycle facilities. The applicant will implement the trails system indicated in the Specific Plan including pedestrian, bicycle, and equestrian facilities. The applicant shall distribute educational material at the time of occupancy to all businesses and homeowners regarding the availability of public transit, ridesharing and other alternative transit methods and the location of bicycle routes in the project vicinity. In addition, the educational material, as reviewed and approved by the City of Palmdale Planning Division shall describe the available methods for reducing energy consumption.

127.2 Provide mass transit accommodations such as bus turnout lanes and bus shelters if determined necessary by the City Traffic Engineer. As final plans are developed, these features should be considered.

127.3 The applicant shall contribute a pro-rata share toward acquisition and construction of: Park & Ride facility in the Avenue S/SR-14 vicinity. This shall include design and construction of one space per ten dwelling units (up to 400 total spaces). This mitigation measure shall be satisfied prior to occupancy of any fifty percent (50%) of the total dwelling units approved for the Ritter Ranch Specific Plan project as a whole.

127.4 Encourage the placement of dwelling units to take full advantage of solar energy for natural heating and cooling as recommended in Section 7.5.1.6 of the Specific Plan in order to reduce the use of electricity and natural gas within the project area.

127.5 The applicant shall utilize Best Available Control Technology to control volatile organic compounds and Toxic Air Contaminants as required by SCAQMD Rules and Regulations. The Best Available Control Technology Guidelines, published by SCAQMD, shall be used to assess compliance with this mitigation measure.

128 * During project construction, the applicant shall be required to provide appropriate screening (as with temporary fencing with opaque material), dust control (see Section IV.B. AIR RESOURCES), restricted construction hours, and a traffic control plan (Section IV.I. TRAFFIC AND CIRCULATION). (Mitigation Measures No. 56) (E)

129 * Transmission lines less than 50KV and all other utility lines, existing and proposed, shall be installed underground in accordance with the City's Underground Utilities Ordinance. (Mitigation Measure No. 102) (E)

130 Adequate sanitary disposal facilities shall be required on-site during all phases of construction. (E)(B&S)

131 If this tentative map is to be phased, the applicant shall have all drainage facilities (on-site and off-site), and any temporary grading or structures necessary to convey runoff to drainage facilities (on-site and off-site), in an operable condition prior to completion of rough grading of proposed streets for the first phase. (E)

132 Signing and striping shall be provided for all roadway improvements. (TE)

133 The applicant shall comply with City and State guidelines and requirements for traffic control during construction and prior to final project acceptance. (TE)

134 The applicant shall notify the City Engineer 60 days prior to anticipated opening of any street to public travel. (TE)

135 * The project applicant shall coordinate with SCE to ensure that adequate electrical service is provided to the proposed development and that service connection

activities will be performed in cooperation with SCE to minimize any short-term impacts. (Mitigation Measure No. 103) (B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR EACH DWELLING UNIT:

136 The subdivision is located within the Anaverde Natural Drainage Area/Basin as defined by the City's Master Drainage Plan and approved by Resolution 89-75. The drainage area where this subdivision is located shall be shown on the cover sheet of the plans submitted for engineering and building permit applications. (E)(B&S)

137 * The applicant shall comply with the provisions of PMC Chapter 3.40 (Traffic Impact Fee Requirements). The applicant shall not be entitled to any such credits for costs reimbursed through the ELR Escrow, Improvement Fund, the Gap Road Escrow, and/or bond proceeds from the new CFD. Also, the applicant can only receive traffic impact fee credits in the amount not to exceed what the applicant pays towards this fee. The applicant shall pay the applicable traffic impact fees to the Building and Safety Division in the amount that is in effect at the time the vesting tentative map application was deemed complete ($1,740.84 per dwelling unit) plus any increases to that amount that are subsequently approved to reflect changes in the Consumer Price Index (CPI), All Urban Consumers, for the Los Angeles-Riverside-Orange County Area, as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor, as set forth in Palmdale City Council Resolution No. CC 2021-057. These traffic impact fees provide the project's required pro rata contribution towards offsite roadway improvements needed to service the development. Funds generated from the traffic impact fees shall be applied toward offsite improvements Elizabeth Lake Road, Palmdale Boulevard, Avenue S, and 10th Street West/Tierra Subida Road, as approved by the City Public Works Department. (Mitigation Measure No. 75) (TE)(E)(B&S)

138 Drainage fees or improvements shall be required pursuant to Subdivision Map Act Section 66498.1 and 66498.2. The following is the 2021 Fee Schedule for Anaverde Drainage Area, which shall be applicable to this project: (E)

138.1 Single Family Residential Development $2,372.44/dwelling unit;

138.2 Multi-Family Development $1,181.04/dwelling unit;

138.3 Commercial and Industrial Development $11,841.48/acre.

139 The applicant is responsible for protecting the in place, or repairing to the satisfaction of the City Engineer, all public improvements adjacent to the project. Such responsibility shall include revisions to the Landscaping As-Builts plans on file with the City Engineer as deemed necessary. (E)

140 The applicant shall comply with the provisions of Chapter 3.42 (Fire Facility Impact Fee Ordinance) of the Palmdale Municipal Code. The applicant shall pay the applicable fire facility impact fees to the Building and Safety Division in the amount that is in effect at the time the vesting tentative map application was deemed complete ($0.95 per building square-foot) plus any increases to that amount that are subsequently approved to reflect changes in the Consumer Price Index (CPI), All Urban Consumers, for the Los Angeles-Riverside-Orange County Area, as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor, as set forth in Palmdale City Council Resolution No. CC 2021-057. (E)(B&S)

141 The applicant shall comply with the provisions of PMC Chapter 3.45 (Public Facility Development Impact Fee Requirements). The applicant shall pay the applicable public facility impact fees to the Building and Safety Division in the amount that is in effect at the time such fees are to be collected. (E)(B&S)

142 All public improvements within, and necessary to support, a block or construction phase of any final map, must be completed within 60 days from issuance of the first Certificate of Occupancy within the block or construction phase, to the satisfaction of the City Engineer. In no case shall the total occupancy for a final map exceed 90 percent until all public improvements within the final map have been completed to the satisfaction of the City Engineer. (E)

143 Slope erosion control and street trees shall be installed to the satisfaction of the City Engineer. (E)

144 At completion of final grading, the applicant shall submit appropriate statements (Certifications) to the City Engineer prior to release of final grading. The City of Palmdale requires that these be submitted by the field or supervising grading engineer, and/or the landscape architect. (E)

145 The developer or builder shall provide full front yard and street side yard landscaping as approved by the City Engineer and the Planning Manager. (P)(E)

146 * Assessment fees and required conduits shall be installed prior to issuance of occupancy permits. (Mitigation Measure 101) (P)(B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY FOR ANY PHASE:

147 The subdivider shall comply with the provisions of PMC Chapter 3.38 (Drainage Fee Requirements). Pursuant to the Subdivision Map Act Sections 66498.1 and 66498.2, the subdivider may pay the applicable drainage fees in the amount that is in effect at the time of the original approval of VTTM 51604. Such fees are to be collected pursuant to the provisions of PMC Chapter 3.38. (E) (B&S)

148 The subdivision shall have been graded and constructed in accordance with all approved plans including but not limited to site plans, grading plans, wall plans, and landscape plans. (P)(E)

149 Any broken or damaged curb, gutter, sidewalk, and pavement on streets within or along the frontage of the development shall be repaired. Any existing driveways that are not to be used shall be replaced with standard curb, gutter, and sidewalk. (E)

150 Purchase and install street name signs in accordance with the Ritter Ranch Specific Plan, the Planned Development, and City of Palmdale standards. The number and location of signs shall be directed by the City Engineer. (TE)

151 A third westbound through lane at the intersection of Elizabeth Lake Road/Palmdale Boulevard and 10th Street West/Tierra Subida Avenue shall be constructed. Also, a third receiving lane (westbound) with the proper transition shall be constructed. (TE)

152 The fair-share cost of the construction of a Fire Station shall be included on each residence of this vesting tentative tract as part of the proposed Community Facilities District (CFD). (E)

153 The fair-share cost of the construction of a public library shall be included on each residence of this vesting tentative tract as part of the proposed CFD. (E)

Key to Departmental Conditions:

(P) Planning Division (267-5200)
(E) Engineering Division (267-5272)
(F) Los Angeles County Fire Department (723-4455)
(B&S) Building and Safety Division (267-5353)
(Pk) Parks and Recreation Department (267-5611)
(SCE) Southern California Edison Company (945-9317)
(TE) Traffic/Transportation Engineer (267-5300)

ATTACHMENT 6

PLANNING COMMISSION
CITY OF PALMDALE, CALIFORNIA
RESOLUTION NO. PC-2022-009

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALMDALE, CALIFORNIA, APPROVING VESTING TENTATIVE TRACT MAP 52116; A REQUEST TO SUBDIVIDE APPROXIMATELY 10 ACRES INTO 57 LOTS FOR THE PURPOSE OF CONSTRUCTING 53 SINGLE-FAMILY RESIDENCES WITHIN PLANNING AREA FIVE OF THE RITTER RANCH SPECIFIC PLAN GENERALLY LOCATED NORTH OF WESTLAND DRIVE AND EAST OF PARKVIEW DRIVE (APNS: 3206-027-008 AND 3206-027-009)

A. RECITALS

1. RdR Development Holdings, LLC, has filed an application requesting the approval of Vesting Tentative Tract Map (VTTM) 52116, described herein (hereinafter referred to as "Application").

2. The application applies to an existing approximately 10-acre vacant parcel within the Ritter Ranch Specific Plan (SP) indicated on the County Assessor's roles as APNs 3206-027-008 and 3206-027-009, legally described on Exhibit I hereto and shown on the map attached hereto as Exhibit II.

3. On February 10, 2022, the Planning Commission of the City of Palmdale conducted a duly noticed public hearing on the Application and concluded said hearing on that date.

4. All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION

NOW THEREFORE, it is hereby found, determined, and resolved by the Planning Commission of the City of Palmdale, as follows:

1. The Planning Commission hereby specifically finds that all of the facts set forth in the Recitals, Part A of this Resolution, are true and correct.

2. Based upon substantial evidence presented to this Commission during the above-referenced February 10, 2022 public hearing, including public testimony, and written and oral staff report, and incompliance with SP Section 8.12, this Commission specifically finds as follows:

(a) For the proposed subdivision, each provision for its design and improvement and each proposed land use is consistent with the Ritter Ranch Specific Plan because it conforms to the density, design standards, design guidelines, and location given for the land use designation.

The proposed subdivision, each provision for its design and improvement and each proposed land use is consistent with the both the SP and the Planned Development (PD 21-001) document, which provides special development standards for the project, landscape standards, and thematic landscape features as outlined within Exhibits III and IV.

The subject site is within Planning Unit 5W-1 of the SP, which is designated for residential development. As described within Exhibits III and IV, the proposed project is consistent with the policies and objectives of the SP, in that it provides the type of development and amenities envisioned in both residential dwelling type and quality, parks, and public improvements.

(b) The tentative map or tentative parcel map design provides for future passive or natural heating or cooling opportunities in the subdivision to the extent feasible.

The development is designed with adequate dimensions to maximize the opportunities for passive and natural heating and cooling. The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities. Based upon a review of the tentative tract map, each lot meets or exceeds the minimum size, width, and depth requirements as specified within the Planned Development prepared for the portion of the Ritter Ranch Specific Plan that includes the proposed project.

(c) The tentative map or tentative parcel map does not propose to divide land which is subject to a contract entered into pursuant to the California Land Conservation Act of 1964 in that the property in question has not been included in any such contract.

A review of the preliminary title report for the subject property revealed that the property in question has not been included in any

such contract and therefore, the Application does not propose to divide land, which is subject to such a contract.

(d) The discharge of waste from the proposed subdivision into an existing community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board.

No violation will be created because the applicant is required to comply with the Conditions of Approval, which require approval from the appropriate agencies for location of sanitary sewer trunk lines and preparation of a sewer area study to the satisfaction of the City Engineer and the Los Angeles County Sanitation District.

(e) The site is physically suitable for the type of development and density proposed.

In conjunction with the prior approved, expired tentative tract map, the site has been previously graded and portions of major roadways constructed. An existing power line easement is located to the south of the site, but the Application has been designed to avoid the easement.

(f) The design of the subdivision and the proposed improvements is not likely to cause serious public health or safety problems because they conform to the highest and best possible use of the subject property as determined.

The project will be required to install improvements such as streets, curbs and sidewalks in compliance with City standards. Also, the discharge of waste from the proposed subdivision into an existing community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board because the applicant is required to dedicate a new sewer system to the City and install private laterals for each residential lot. In addition, the project is required to provide on- and off-site improvements as required by the water purveyor. Furthermore, the public improvements required for this subdivision are reasonable and proportional to the impacts caused by the proposed development and are necessary in order to provide access

for future residents within the project, protect the subdivision, and surrounding properties, and promote the safety of the general public.

(g) The design of the subdivisions and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision because no such easements have been acquired.

The title report for the site revealed that the design of the subdivision and the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision because the existing easements along the western portion of the project site will not be altered by the proposed project. In addition, the Conditions of Approval require dedication and improvement of publicly owned rights-of-way, storm drains, and other drainage facility easements.

(h) The proposed tentative map or tentative parcel map is in conformance with the intent and requirements set forth in the Ritter Ranch Specific Plan.

As allowed within SP Section 8.10, the tentative map meets the requirements of the proposed Planned Development document (PD 21-001), which includes special development standards of the project, landscape standards, and thematic landscape features. The lots created by the Application comply with the standards of, and will be landscaped pursuant to, standards within the Planned Development.

(i) The proposed tentative map or tentative parcel map is in compliance with the California State Subdivision Map Act.

The Application has been prepared in compliance with all requirements of the SP and the Subdivision Map Act. In addition, as specified within the Conditions of Approval for the Application, the applicant will be required to record a final map prior to the expiration date in accordance with the provisions of the Subdivision Map Act.

3. The Planning Commission hereby finds as follows with respect to the environmental document prepared for the project:

(a) In accordance with Public Resources Code Section 21166 and State California Environmental Quality Act (CEQA) Guidelines Sections 15162, 15163 and 15164, the proposed project does not require the preparation of a subsequent, supplemental or addendum to the Environmental Impact Report (EIR) prepared for the SP (EIR 90-4) since: 1) the project will cause no substantial changes in any portion of the project which was described in EIR 90-4, which would require major revisions to EIR 90-4 due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects because the project is not modifying the scope or intent of the SP; 2) no substantial changes have occurred with respect to the circumstances under which the project is undertaken, which will require major revisions to said EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified environmental effects, because no significant development adjacent to the project area which impacts the infrastructure, services, or development potential within the City's boundaries has occurred; and 3) no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, has been provided with respect to the SP. Therefore, a memorandum of consistency was prepared for the Application (Exhibit V of Resolution No. PC-2022-005).

(b) The custodian of records for all other materials which constitute the record of proceedings upon which the Planning Commission's decision is based, is the Planning Manager of the City of Palmdale. These documents are available for public review in the Planning Division of the City of Palmdale located at 38250 Sierra Highway, Palmdale, California 93550, telephone (661) 267-5200.

4. Based on the findings and conclusions set forth in paragraphs 1, 2, and 3 above, this Commission hereby approves VTTM 52116 subject to the Conditions of Approval as set forth in Exhibit V.

5. The Deputized Clerk shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED this 10th day of February, 2022.

AYES: _____

NOES: _____

ABSTAIN: _____ ABSENT: _____

_____
Stacia Nemeth, Chair
Planning Commission

ATTEST:

_____
Kathy Inman, Deputized Clerk

EXHIBIT I

LEGAL DESCRIPTION FOR VTTM 52116

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF PALMDALE, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

LOT 3 OF TRACT NO. 51508-02, IN THE CITY OF PALMDALE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1214 PAGES 37 THROUGH 40, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXHIBIT II

AERIAL MAP
FOR VTTM 52116

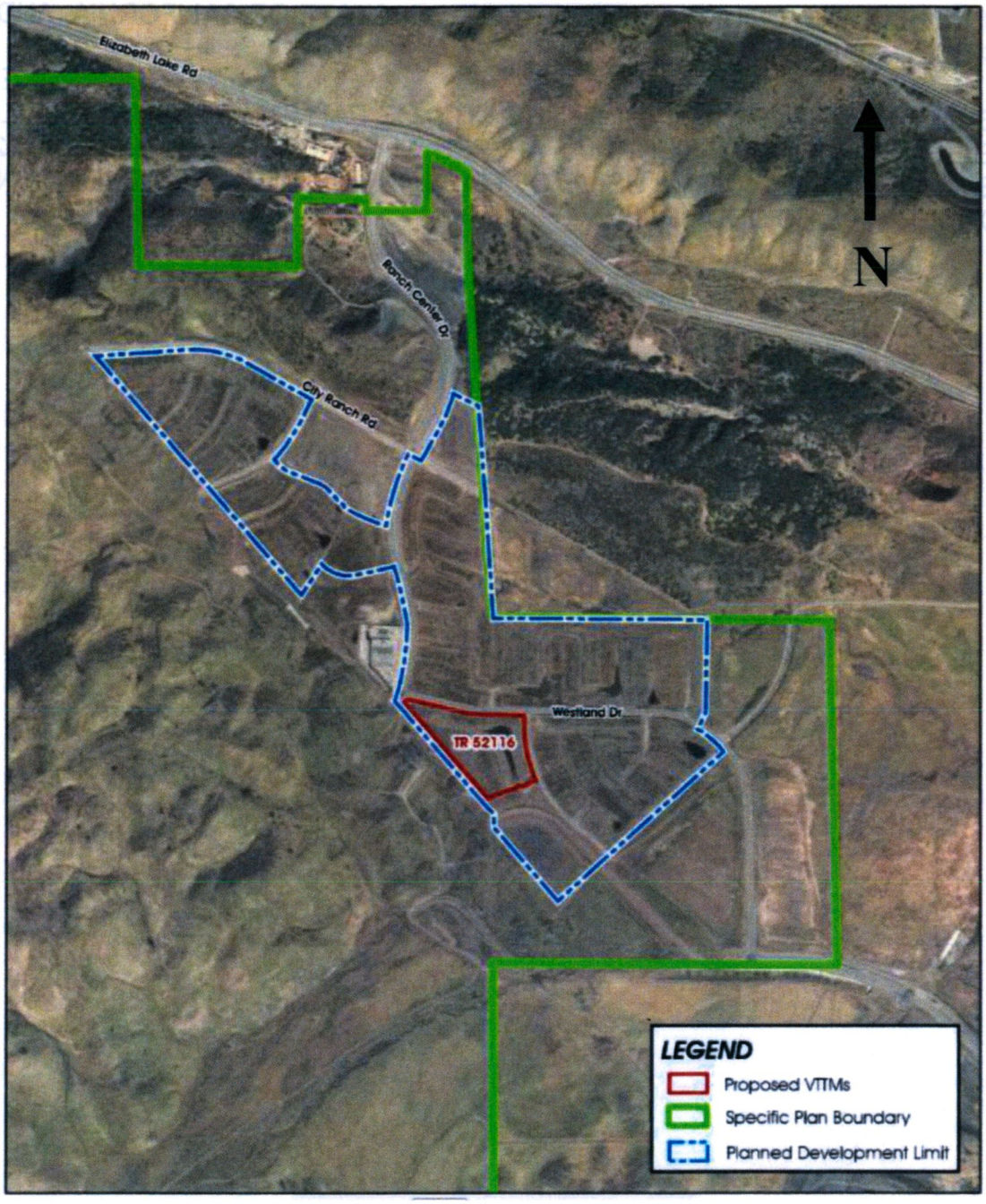


EXHIBIT III

SPECIFIC PLAN CONSISTENCY

Topic	Goal, Objective, or Policy	Standard Met?	Justification*
Land Use	Goal 1: *Create a comprehensively designed Specific Planned Community.*	Yes	The proposed tentative map and amenities have been designed in a manner that is consistent with both the Planned Development document and the Ritter Ranch Specific Plan. The tentative map is seamlessly integrated into surrounding development and incorporates a fully landscaped, connective residential community.
Circulation	Goal 1: *Provide a transportation system which allows for the safe and efficient movement of people, goods and services throughout Ritter Ranch*	Yes	The proposed roadway system is designed in the locations and to the dimensions as required by the circulation plan of the Ritter Ranch Specific Plan.
Housing	Goal 1: *Housing availability and opportunity for all citizens.*	Yes	The proposed tentative map allows for varying lot sizes, which will ensure construction of housing for various income levels as envisioned by the Specific Plan.
Public Services and Utilities	Goal 1: *Provide adequate public and semi-public services to serve the needs of the Ritter Ranch development and the residents in an efficient and cost-effective manner.*	Yes	The proposed project will provide all improvements necessary to ensure that public and semi-public services are adequately provided. In addition, conditions of approval have been proposed that will require adequate financing mechanisms to ensure the provision of such services is cost-effective.
Design	Goal 2: *Provide public parkland for both passive and active use that is equally accessible to the community on a neighborhood, community and regional basis.*	Yes	The proposed tentative map includes four parcels dedicated to open space, which will include a variety of amenities for use by future residents and the surrounding community.

**Justification is based on a review of the plan date stamped 'Received November 8, 2021,' by the case planner.*

EXHIBIT IV

PLANNED DEVELOPMENT DOCUMENT STANDARDS

	Standard	Standard Met?	Justification*
Lot Area	Minimum lot area of 5,000 square feet (Planned Development [PD] document Section 3.3)	Yes	The lots within VTTM 52116 range in size from 5,000 to 8,278 square feet.
Lot Width	45 feet for standard lots, 50 feet for corner lots, and 40 feet for cul-de-sac and knuckle lots (PD Section 3.3)	Yes	The lots within VTTM 52116 depict a minimum width of 45 feet for standard lots, 50 feet for corner lots and 45 feet for non-standard lots.
Lot Depth	90 feet (PD Section 3.3)	Yes	The lots within VTTM 52116 depict a minimum depth of 90 feet.

**Justification is based on a review of the plans date stamped 'Received November 8, 2021' by the case planner.*

EXHIBIT V

DRAFT

CONDITIONS OF APPROVAL
VESTING TENTATIVE TRACT MAP NO. 52116
APPROVAL DATE: FEBRUARY 10, 2022
EFFECTIVE DATE: FEBRUARY 22, 2022
EXPIRATION DATE FOR VTTM 52116: FEBRUARY 22, 2025

These Conditions of Approval apply to Vesting Tentative Tract Map (VTTM) 52116; a request to subdivide approximately 10 acres into 57 lots for the purpose of constructing 53 single-family residences within Planning Area five of the Ritter Ranch Specific Plan. For the purpose of these conditions, the term "applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval. For the purposes of these conditions, an * indicates that the condition is a mitigation measure.

GENERAL CONDITIONS:

1 This approval shall become null and void if a final map has not been timely filed prior to the expiration date in accordance with provisions of the Subdivision Map Act. An extension of time may be granted by the Planning Commission upon submittal of a formal application, required exhibits and appropriate fees in accordance with the Palmdale Municipal Code (PMC). In granting any such time extension, the City of Palmdale may impose new conditions and standards on the tentative map, pursuant to Section 66452.6(e) of the Government Code. (P)(E)

2 This Vesting Tentative Tract Map is granted for all boundary lines, easements, rights-of-way, and construction of off-site improvements as shown on the map date stamped 'Received November 8, 2021', as modified by these Conditions of Approval. Final map(s) shall be in substantial compliance with the tentative map and these Conditions of Approval. (P)(E)

3 This approval shall not be final until an agreement (Agreement No. A-7796) has been executed between the City of Palmdale and the Applicant to replace the prior Development Agreement (Development Agreement 92-1, as amended in the First Amendment to Development Agreement 92-1) for the Ritter Ranch Specific Plan. This project shall be subject to all applicable provisions of the agreement. (P)

4 As provided in Section 66498.1(b) of the Subdivision Map Act, the applicant shall comply with all requirements of the PMC, all requirements of City of Palmdale ordinances, resolutions, and all standards and policies that were in effect at the time that the applicant's application for a vesting tentative map was deemed complete.

5 As provided in Government Code Section 66498.1(e), as amended, the City may impose conditions on subsequently required approvals and permits as authorized by the PMC, and other applicable ordinances, resolutions, engineering standards, and policies. (P)(E)

6 Pursuant to Section 66452.6(g), vested development rights conferred pursuant to Section 66498.1(b) shall last for not more than two years following recording of the final map, unless otherwise provided by law. (P)(E)

7 When exhibits and written conditions of approval are inconsistent, the written conditions shall prevail. Where the language of any condition of this approval conflicts with any mitigation measure in the Final Environmental Report, the language contained in the Environmental Report shall prevail. (P)(E)

8 Off-site public improvements (streets, drainage, sewers, etc.) may be necessary to adequately serve this subdivision. If off-site public improvements are required, said improvements shall be located within public easements. This tentative map approval is subject to the applicant's acceptance of the City of Palmdale's requirements for acquisition of said public easements, including the applicant's financial responsibility. The City Engineer shall have the authority to withhold approval of any affected improvement plans for failure to satisfy this condition. (E)

9 The applicant shall participate in such on-site and off-site water service improvements as may be required by the serving water purveyor. (E)

10 Coordination with utility companies by the applicant's engineer during design shall be required in order to ensure that required public improvements are not in conflict with existing or proposed utilities. (E)

11 * The applicant shall comply with the provisions of Chapter 3.40 (Traffic Impact Fee Requirements) of the PMC. The applicant shall pay the applicable traffic impact fees to the Building and Safety Division in the amount that is in effect at the time the vesting tentative map application was deemed complete. (Mitigation Measure No. 77) (TE)

12 * The applicant shall comply with all provisions of PMC Chapter 14.05. (Mitigation Measure No. 106) (E)

13 The applicant shall use best efforts to coordinate all elements of design and planning of transportation facilities with the developer of the Anaverde Nuevo Specific Plan at the mutual project boundaries. (P)(E)(B&S)

14 The Specific Plan identifies various meandering facilities on the street sections. Such features shall be incorporated into the roadway designs, as approved by the City Engineer and Planning Manager. (P)(E)

15 Left-turn ingress and/or egress at all access locations is subject to approval of the City Traffic Engineer and may be restricted in the future due to traffic operational or safety concerns. Alternatives to such restrictions may be considered. (TE)

16 Any interim drainage basins, levee and channel improvements referenced in Conceptual Drainage Studies shall be the responsibility of the master subdivider to maintain in accordance with the subdivision improvement agreement for VTM 51508 or an entity acceptable to the City. (E)

17 The subdivider shall install all drainage improvements within the subdivision not installed by the CFD 93-1. (E)

18 If any "T" intersection does not have driveways that are suitable for use by the handicapped opposite the approach of the third leg of the intersection, then handicapped ramps shall be installed. (TE)

19 * All road improvements shall be designed in accordance with City of Palmdale and Ritter Ranch Specific Plan roadway design standards as approved by the City Engineer. (Mitigation Measure No. 72) (TE)

20 The final map shall include a trustee statement subordinating of the lien of the deed of trust to the map for rights-of-way and easements necessary to serve the surrounding areas. (E)

21 * Adequate emergency access and circulation throughout and around the project shall be provided to the satisfaction of the Los Angeles County Sheriff's Department and Los Angeles County Fire Department. Temporary emergency access shall be provided during project construction. (Mitigation Measure No. 92) (E)

22 * Prior to subsequent approvals, energy conservation practices, as required by the Subdivision Map Act, Building Energy Efficiency Standards (California Energy

Commission), and state and local laws, shall be incorporated into the design of the project to have the secondary effect of limiting stationary source pollutants both on and offsite. (Mitigation Measure 28) (P)

23 * Projects that exceed SCAQMD threshold levels shall contribute to the Traffic mitigation programs imposed on the development in effect at such time building permits are issued for the project, and each part thereof. (Mitigation Measure 30) (P)

24 * Prior to Development Application approvals, focused surveys shall be conducted by a City-approved biologist to establish the presence or absence of sensitive species (as defined by Federal, State, or Local laws) on the development site. Should sensitive species be present, applicable mitigation shall be implemented per Federal, State and Local Endangered Species Protection regulations as determined necessary by the City Planning Manager. (Mitigation Measure 48) (P)

25 * Development along internal and adjacent arterials will incorporate design measures or structural measures which will reduce noise levels to acceptable levels within the living or recreational portions (as defined by the City) of any lot. The measures that may be utilized to reduce noise impacts include placement of non-residential buildings adjacent to the arterial roadway, increasing the setbacks along the roadway, creation of landscaped berms or other unobtrusive barriers. The acceptable noise level CNEL which will be applied to future projects will be that level which is in place, either by ordinance, resolution, or General Plan policy, at the time that future development applications are deemed complete. (Mitigation Measure 52) (P)

26 * Where necessary, noise mitigation measures such as barriers or sound walls, shall be employed to ensure that acceptable noise levels at the proposed parks are not exceeded. (Mitigation Measure 53) (P)

27 * Any lights used to illuminate the parking areas, driveways, and other exterior or interior areas, shall be designed and located so that direct lighting is confined to the property. The applicant shall submit photometric lighting plans for commercial, multi-family and recreational projects. In addition to directional lighting, lighting should not be of greater intensity (wattage) than otherwise necessary for public safety. (Mitigation Measure 60) (P)

28 * The Applicant shall annually evaluate all design guidelines, development standards and mitigation measures for the Ritter Ranch Specific Plan, submitting

a Monitoring Report to the Planning Manager the first quarter of each year through buildout of the project. In addition, the applicant shall submit aerial photos of the project site taken on monthly basis when grading is occurring. Monitoring and verification of compliance with adopted applicable Specific Plan development standards shall also be performed prior to subsequent approvals, to determine if the proposed measures are achieving their intended purpose. To the extent allowed by law, future discretionary approvals may include additional conditions of approval based upon City staff review of the Annual Monitoring Report. Nothing in this mitigation measure shall be construed to permit environmental review beyond the extent permitted by State law. (Mitigation Measure 66) (P)

29 * All project homeowners and tenants shall be advised of potential health risks associated with power transmission lines prior to close of escrow/execution of rental lease. The content and form of said notification shall be indicated in the applicable escrow, deed and/or lease documents in a format acceptable to the City Attorney. (Mitigation Measure 71)

30 * A final report summarizing findings, including an itemized inventory, contextual stratigraphic data, and photographs shall accompany any fossils collected onsite to the designated repository, with an additional copy sent to the City of Palmdale Planning Division. (Mitigation Measure 91) (P)

31 * Adequate lighting shall be provided to enhance crime prevention and law enforcement efforts to the satisfaction of the Los Angeles County Sheriff's Department and the City Traffic Engineer, including along pedestrian trails. Lights shall be designed and located so that direct lighting is confined, and lighting should not be of greater intensity than necessary for public safety. (Mitigation Measures 93 and 117) (P)

32 * Onsite telephone facilities shall be provided by utilizing joint trenches. (Mitigation Measure 100) (P)(B&S)

33 * As required by state law, the following water conservation measures shall be incorporated into the project: (P)(B&S)

33.1 Low-flush toilets and urinals;
33.2 Low-flow showers and faucets;
33.3 Insulation of hot-water lines in water recirculating systems;
33.4 All fixtures shall be California Energy Commission (CEC) certified; and,

33.5 Public lavatory facilities must be equipped with self-closing valves. (Mitigation Measure 105)

34 * The following water conservation measures shall be implemented where applicable and feasible: (P)(B&S)

34.1 Interior

34.1.1 Supply line water pressure greater than 50 pounds per square inch (psi) shall be reduced to 50 psi or less by means of a pressure reducing valve.

34.1.2 Drinking fountains shall be equipped with self-closing valves.

34.1.3 Laundry facilities shall use water-conserving models of washers.

34.1.4 Ultra low-flush toilet (1-1/2 gallons per flush) shall be installed in all new construction.

34.2 Exterior

34.2.1 Landscape with low water-consuming plants wherever feasible.

34.2.2 Minimize use of lawn by limiting it to lawn-dependent uses, such as playing fields. When lawn is used, require warm season grasses.

34.2.3 Group plants of similar water use to reduce overirrigation of low-water-using landscaping.

34.2.4 Provide information to project residents and tenants regarding benefits of low-water using plants.

34.2.5 Use mulch extensively in all landscape areas. Mulch applied on top of soil will improve the water-holding capacity of the soil by reducing evaporation and soil compaction.

34.2.6 Preserve and protect existing trees and shrubs. Established plants are often adapted to low-water-using conditions and their use saves water needed to establish replacement vegetation.

34.2.7 Install efficient irrigation systems which minimize runoff and evaporation and maximize the water which will reach the plant roots. Drip irrigation, soil moisture sensors and automatic irrigation systems are a few methods to consider in increasing irrigation efficiency and may be feasible for the project.

34.2.8 Use pervious paving material whenever feasible to reduce surface water runoff. (Mitigation Measure 106)

35 * The applicant shall distribute an educational pamphlet to homeowners at the time of occupancy describing the solid waste disposal problem, and methods of reducing solid waste impacts that are available to project residents as reviewed and approved by the City. (Mitigation Measure 119) (P)(B&S)

36 * Where applicable, the applicant shall comply with the provisions of the City's Source Reduction and Recycling Element and the City's Household Hazardous Waste Element after those elements are adopted by the City Council. (Mitigation Measure 122) (P)(B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE STAMPING OF THE TENTATIVE MAP FOR CONDITION COMPLIANCE:

37 All plans, specifications, studies, reports, calculations, maps, notes, legal documents, and designs shall be prepared and signed (and stamped where required) only by those individuals legally authorized to do so. Plans for public improvements shall be prepared, signed, and stamped by a California Registered Civil Engineer. (E)

38 The location of method of operation of any vehicle restricting gates shall be subject to the approval of the Los Angeles County Fire Department and the City Engineer. Residents shall not be required to pay additional costs to receive devices to open a security gate. (TE)(F)

THE FOLLOWING CONDITIONS SHALL BE ADDRESSED WITH THE SUBMITTAL OF GRADING PLANS OR PRIOR TO ISSUANCE OF A GRADING PERMIT:

39 The applicant shall enter into a Subdivision Improvement Agreement and post securities for grading operations with the City and pay all applicable fees. Grading activities extending beyond phase boundaries shall require prior approval of the City Engineer and Planning Manager. Such grading activity shall be reflected in the subdivision improvement agreement of the phase which request such grading. (E)

40 Grading and wall plans shall be submitted for review and approval to the Engineering Division. Approval by both the City Engineer and Planning Manager shall be obtained prior to the issuance of a grading permit. Perimeter walls shall be consistent with the design and materials of any previously approved adjacent perimeter wall to provide continuity of the streetscape. Final grading and wall concepts shall be in substantial conformance with those shown on the tentative

map, conceptual grading plan, Ritter Ranch Specific Plan, Planned Development document, and in accordance with the following: (P)(E)

40.1 All corner lots shall contain a decorative masonry block wall on the street side of the lot.

40.2 All interior property line walls, if proposed, shall be constructed of masonry, wrought iron, durable vinyl, or other similar durable materials as approved by the Planning Manager.

41 In all cases where a required wall is to be located adjacent to the top of a 2:1 or greater slope, the wall shall be set back a minimum of two and one-half feet from the crest of that slope on the level side. All slope and wall configurations shall meet the setback requirements of the City Building Code. (P)(E)(B&S)

42 The exterior face and footings of all project perimeter walls shall be located no more than two inches from the property line on the subject property. (P)(E)

43 Double boundary walls between developments are prohibited except as approved by the Planning Manager and City Engineer. (P)(E)

44 The final grading plan shall indicate that all rear and interior side yard slopes are up slopes to property lines as indicated on the tentative map. (P)(E)

45 All manufactured slopes on or adjacent to project boundaries shall meet the setback requirements of the current City Building Code and Planned Development. A recorded off-site Slope Acceptance Letter from all affected property owners shall be submitted to the City Engineer prior to approval of grading plans for any slope not meeting these requirements. In addition, slopes are required to meet City Standards with respect to erosion control. (E)(B&S)

45.1 Developer shall install all landscaping in rights-of-way, landscaping easements, in parks, in residential common areas and open spaces, and on slopes, the last in accordance with the provisions of the Specific Plan and Planned Development;

45.2 All slopes accessible from a public right-of-way shall be privately maintained until the City accepts maintenance or transferred to a private Homeowners Association entity;

45.3 The City, through a special district formed by the City, may elect to accept landscape maintenance responsibility for certain privately owned slopes abutting major arterials. Upon such election, the developer shall dedicate or cause to be dedicated to permit access to carry out such maintenance. The developer shall warrant all such landscaping for a period of one (1) year after the completion of the installation thereof.

46 The applicant shall submit a temporary erosion control and sedimentation plan for approval by the City Engineer prior to grading plan approval and grading permit issuance when grading activity will occur between October 1st and April 15th. (E)

47 * Disturbed and un-landscaped areas shall be replanted with native vegetation compatible with the existing native vegetation, appropriate to the site, which will blend in with existing species. (Mitigation Measure No. 63) (E)

48 * The project shall follow the grading plan approved by the City and avoid disturbance of adjacent areas where possible. (Mitigation Measure No. 64) (E)

49 * Slopes at the edge of the development shall be revegetated with low combustible plant material as approved by the City Engineer. (Mitigation Measure No. 45) (E)

50 The applicant shall incorporate into the project design all existing easements within the project boundaries or obtain abandonment of said easements from the affected easement holder(s). If this requirement cannot be accomplished, the project shall be redesigned accordingly to the satisfaction of the Planning Manager, City Engineer, or the Planning Commission. (P)(E)

51 This project shall be designed and constructed in accordance with the stormwater pollution control requirements of the Lahontan Region of the California Regional Water Quality Control Board. Prior to the issuance of a grading permit, the applicant shall file a Notice of Intent with the Lahontan Region of the California Regional Water Quality Control Board to comply with the applicable National Pollution Discharge Elimination System (NPDES) requirements. (E)

52 Three copies of final landscape and irrigation plans shall be submitted to the City Engineer for review and approval. Said plans shall include street tree and slope erosion control plans the following locations: On-site and off-site slopes, Homeowner's Association (HOA) maintained easement or recreation areas, bicycling and hiking trails, and open space lots, as determined necessary by the

City Engineer. One copy of the approved plans shall be submitted to the Planning Division. (P)(E)

53 * Plants such as Pampasgrass, African Fountaingrass, Tamarisk, Castorbean, Arundo donax, and exotic Fescues shall not be planted within the Specific Plan area. A review of the landscape plan's plant selection shall be made by a qualified revegetation biologist approved by the City Engineer and Planning Manager prior to landscape plan approval. The applicant shall also require that residences exclude these plants from their landscaping (as through Covenants, Codes and Restrictions enforced by a HOA). (Mitigation Measure No. 42) (P)(E)

54 The applicant shall submit for review and approval by the City Engineer, three sets of landscaping and irrigation system plans for all areas designated as Landscape Maintenance Easements on the Vesting Tentative Tract Maps, which will be included in the Landscape Maintenance Assessment District (LMD). Plans shall include planting and irrigation plans and specifications (20 scale maximum) District Diagram of Improvements for the LMD Engineer's report; estimate of probable construction costs; and the notice to prospective homeowners. Tree species to meet Thematic Landscape Standards, outlined in the Ritter Ranch Phase 1A Planned Development (PD 21-001) document. (E)

54.1 Re-design of CFD related landscaping at the intersections of Street 'QQ' and Westland Drive, Westland Drive and Parkview Drive;

54.2 Six and one-half (6.5) foot right-of-way landscaping adjacent to the tract boundary wall at Street 'QQ' at the intersection of Westland Drive and Street 'UU' at the intersection of Parkview Drive;

54.3 Open Space Lot Nos. 54, 55, 56.

55 * Landscaping shall be consistent with the Specific Plan in order to maintain a cohesive theme across the project site, and in order to reduce aesthetic impacts of structures to adjacent roadways and residential properties. (Mitigation Measure No. 59) (E)

56 * The Applicant shall consult with the Los Angeles County Sheriff's Department regarding landscape standards to ensure that landscape features do not conceal potential criminal activity around buildings and in parking areas. This measure will be implemented to the satisfaction of the Planning Manager and City Engineer, prior to staff acceptance of the landscape plan. (Mitigation Measure No. 95) (P)(E)

57 The applicant shall obtain off-site easements from affected property owner(s) for all proposed off-site improvements and grading activities (slopes, drainage, walls, etc.). If said easements cannot be obtained, the project shall be redesigned to incorporate said improvements and grading entirely within the project boundary, to the satisfaction of the Planning Manager and the City Engineer. The City Engineer shall have the authority to withhold approval of any affected improvement plans for failure to satisfy this condition. (P)(E)

58 The applicant shall incorporate into the project design all existing easements within the project boundaries or obtain abandonment of said easements from the affected easement holder(s). If this requirement cannot be accomplished, the project shall be redesigned accordingly to the satisfaction of the Planning Manager, City Engineer, or the Planning Commission. (P)(E)

59 A drainage acceptance letter from each affected property owner shall be submitted to the City Engineer when the pre-developed storm runoff onto any property is increased, concentrated, diverted, or changed in any form as required by State law. (E)

60 A final hydrology study and hydraulics report shall be prepared for this subdivision and approved by the City Engineer. The hydrology study and hydraulics report shall address on-site and off-site conditions and impacts. (E)

61 This subdivision shall be designed in accordance with the City's Floodplain Management Ordinance, Master Plan of Drainage, and related criteria within the Engineering Design Standards. (E)

62 * The applicant shall submit geotechnical reports, prepared in accordance with the City's Engineering Design Standards, to the City Engineer for review and approval prior to the issuance of a grading permit. Said report shall include recommended design, construction, and maintenance of mitigation measures to reduce potential geologic constraints, to the satisfaction of the City Engineer. At minimum, the report shall address slope stability, locations and setbacks for active/potentially active faults, excavation requirements for unsuitable surficial material, liquefaction potential and groundwater/seepage conditions. All future discretionary approvals must comply with the applicable recommendations set forth in the required investigation. Typical mitigation for geologic hazards include excavation and/or stabilization (buttress/retaining walls) of landslides and excavation of undesirable materials (such as those subject to settlement, hydroconsolidation, expansion or

liquefaction) and re-compaction, if necessary, with suitable material. Recommendations from the report shall be incorporated into final grading plans, to the satisfaction of the City Engineer. (Mitigation Measure No. 1) (E)

63 An off-site interim bioswale/drainage channel shall be required for this subdivision according to Nuisance Runoff Assessment Plan and the Conceptual Drainage Study for this vesting tentative tract map and VTM 51508. These drainage systems shall be maintained by the Master Developer to the satisfaction of the City Engineer. (E)

64 Provisions shall be made within the project to utilize recycled water to the extent that such provision is found to be in accordance with the Antelope Valley Recycled Water Master Plan and any City Standard/Ordinance enacted to facilitate its use. (E)

65 Prior to grading permit issuance, as outlined in the 'Phase 1 Interim Agreement – Ritter Ranch Development' (Agreement No. A-7796) the Master Developer shall enter into new subdivision improvement agreements for all Final Tract Maps or Tentative Tract Map items listed in Exhibit 5 of said interim agreement and replace all Lien Contracts with Surety Bonds. (E)

66 * Prior to issuance of grading permits for each area of the Ritter Ranch Specific Plan, the applicant shall provide appropriate safety and etiquette signs for all off-street trails, particularly at trail parking facilities and trail segments with limited sight distance, in order minimize safety hazards to bicyclists, pedestrians and equestrians. The nature, location and language for these signs shall be approved by the Planning Manager and the City Traffic Engineer. Said signs may also include other restrictions/warnings such as discouraging damage to natural resources. (Mitigation Measure No. 44 and 116) (E)(TE)(P)

67 * All construction and general maintenance activities, except in an emergency, shall be limited by City of Palmdale Municipal Code Section 828.030 to the hours of 6:30 a.m. to 8 p.m. Monday through Saturday. The operation of any machine, mechanism, device, or contrivance during construction shall comply with noise limits in the PMC and General Plan. (Mitigation Measure No. 51) (E)

68 * Prior to issuance of grading permits for each area of the Ritter Specific Plan, qualified archeologist shall be retained at the expense of the developer to formulate and carry out an Archeological Monitoring Program for that particular area. The Archeological Monitoring Program as approved by the Planning

Manager shall include, but not be limited to measures identified in the EIR, and the 1990 RMW Paleo Associates report (Appendix I), and the 1991 LSA Phase II Archaeology Report (dated June 14, 1991). (Mitigation Measure 79) (P)

69 * Monitoring during grading activities shall be accomplished by an archaeologist approved by the Planning Manager. Said archaeologist shall be present at any pre-grading conference and shall have the power to enforce required mitigation measures related to cultural resources. Mass grading activity shall be periodically monitored, particularly during initial site clearing, to ensure that any buried archaeological deposits which may exist on the property are detected. This monitoring shall be maintained until undisturbed bedrock is exposed. The monitoring archaeologist shall be prepared to document and recover any material which appears as quickly as is consistent with standard archaeological practice. If determined necessary, the archaeologist may halt grading to ensure adequate salvaging and/or protection of cultural resources (upon which the Planning Manager and Applicant shall be notified). (Mitigation Measure 81) (P)

THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO OR IN CONJUNCTION WITH RECORDATION OF THE FINAL MAP OR ANY PHASE THEREOF:

70 The applicant shall petition the City to form a Landscape Maintenance Assessment District for the maintenance of landscaping and appurtenant facilities. Such district shall be formed concurrently with, or prior to, recordation of the final map at the sole cost and expense of the applicant, and the applicant's deposit of the estimated costs thereof shall be required prior to such actions by the City. If the City is unsuccessful in the formation of the Landscape Maintenance Assessment District, the Developer shall propose an alternative maintenance entity and shall be responsible for the maintenance of the landscaping and appurtenant facilities until such time that an alternative maintenance entity assumes the maintenance. All costs associated with the formation of an alternative maintenance entity shall be paid by the Developer. (E)

71 The applicant shall provide written evidence to the Planning and Engineering Divisions that approval has been obtained from the Los Angeles County Fire Department. (F)(P)(E)

72 The applicant shall enter into a subdivision improvement agreement and post securities with the City and pay all applicable fees at the time of subdivision approval for those improvements necessary to support this subdivision, as

determined by the City Engineer. If any transfer of ownership/title of land within this proposed subdivision takes place prior to release of all agreements and securities, the new applicant shall be required to enter into a separate Subdivision Improvement Agreement with the City and pay all applicable fees. Agreement and securities with the prior applicant will be released after the agreement and securities with the new applicant take effect. (E)

73 The applicant shall provide standard street improvements for Streets 'SS', 'QQ' (south of Street 'RR'), and 'RR' (west of Street 'QQ') within the project boundary, face of curb to face of curb width of 34 feet (50-foot right-of-way). These improvements shall consist of: (E)

73.1 Curb and gutter;

73.2 Sidewalk (width = 5 feet);

73.3 Roadway grading and paving, overlay and/or match-up, as directed by City Engineer;

73.4 Traffic control signs and devices as required by the City Engineer;

73.5 Pavement transition from the project boundaries to the satisfaction of the City Engineer;

73.6 Wheelchair ramp(s) at all walk returns;

73.7 Roadway drainage device(s); and,

73.8 Streetlights.

74 The applicant shall provide standard street improvements for Streets 'TT' and 'RR' (east of Street 'QQ') within the project boundary, face of curb to face of curb width of 36 feet (60-foot right-of-way). These improvements shall consist of: (E)

74.1 Curb and gutter;

74.2 Sidewalk (width = 5 feet);

74.3 Roadway grading and paving, overlay and/or match-up, as directed by City Engineer;

74.4 Traffic control signs and devices as required by the City Engineer;

74.5 Pavement transition from the project boundaries to the satisfaction of the City Engineer;

74.6 Wheelchair ramp(s) at all walk returns;

74.7 Roadway drainage device(s); and,

74.8 Streetlights.

75 The applicant shall provide standard street improvements for Streets 'UU' and 'QQ' (north of Street 'RR') within the project boundary, face of curb to face of curb width of 40 feet (64-foot right-of-way). These improvements shall consist of: (E)

75.1 Curb and gutter;

75.2 Sidewalk (width = 5 feet);

75.3 Roadway grading and paving, overlay and/or match-up, as directed by City Engineer;

75.4 Traffic control signs and devices as required by the City Engineer;

75.5 Pavement transition from the project boundaries to the satisfaction of the City Engineer;

75.6 Wheelchair ramp(s) at all walk returns;

75.7 Roadway drainage device(s); and,

75.8 Streetlights.

76 The right to restrict access shall be dedicated along all lots abutting Ritter Ranch Road, Westland Drive, and Parkview Drive. (TE)

77 A striping and signing plan shall be provided, subject to the approval of the City Traffic Engineer prior to the approval of the street improvement plans. Striping and signing plan shall be submitted with final street improvement plans. (TE)(E)

78 Provision for adequate sight distances shall be demonstrated and be subject to the approval of the City Traffic Engineer. (TE)

79 * Pedestrian and other non-motorized circulation and facilities shall be provided as set forth in the Ritter Ranch Specific Plan. Design shall be subject to the approval of the City Engineer. (Mitigation Measure No. 43) (TE)

80 All areas within the tract designated by the City Engineer as requiring a landscape easement shall be shown as an 'Easement for Landscaping Purposes' on the final map. (E)

81 A sanitary sewer-area study for this subdivision shall be prepared and submitted to the City Engineer for review and approval. A public sanitary sewer system is to be dedicated to the City, with private laterals to each lot. The system shall be designed and installed as the only method of sewage disposal for this subdivision. The following coordination and clearance must be obtained prior to issuance of a sewer permit: (E)

81.1 * Any sewer proposed for incorporation into the Los Angeles County Sanitation Districts trunk sewer network for operation and maintenance, shall be reviewed and approved by the Sanitation District, prior to any construction. (Mitigation Measure No. 110)

82 The applicant shall obtain sufficient off-site sewer easements and design and construct an off-site outfall sewer with supplemental size, capacity, and length as required by the City Engineer. The City Engineer shall have the right to withhold approval of any affected improvement plans for failure to satisfy this condition. (E)

83 * The subdivision shall comply with all requirements of PMC Section 13.05. (Mitigation Measure No. 109) (E)

84 * Water mains shall be designed to meet or exceed the total flow requirements determined for domestic flow and fire flow for this development. Required domestic flow shall be calculated by the applicant's engineer. Fire flow shall be determined by the Los Angeles County Fire Chief. Site-specific development plans shall require review and approval by the Los Angeles County Fire Department with respect to adequate fire flows, emergency access and building construction standards. (Mitigation Measure No. 112) (E)(B&S)

85 The plans and specifications for the water delivery system shall be submitted for approval to the responsible water purveyor prior to final approval of this development by the City Engineer. In all cases where water system facilities have not been installed prior to filing this development with the City Engineer for final approval, the applicant shall submit a Labor and Materials bond in addition to one of the following: (E)

85.1 An Agreement and Faithful Performance bond in the amount approved by the City Engineer to be sufficient to guarantee installation of the improvements; or

85.2 An Agreement and evidence satisfactory to the City Engineer showing that the applicant has entered into a contract with the serving water utility for establishing a security guaranteeing payment for the installation of the improvements.

86 Street lighting plans shall be reviewed and approved as part of the approval of the street improvement plans. Street lighting plans shall be submitted to the City Engineer for review and approval and to Southern California Edison Company for their use. (E)

87 The applicant shall petition the City to form a Streetlight Benefit Assessment District for the maintenance of streetlights and appurtenant facilities. Such district shall be formed concurrently with, or prior to, recordation of the final map at the sole cost and expense of the applicant, and the applicant's deposit of the estimated costs thereof shall be required prior to such actions by the City. If the City is unsuccessful in the formation of the district, the Developer shall propose an alternative maintenance entity and shall be responsible for the maintenance of the streetlights and appurtenant facilities until such time that an alternative maintenance entity assumes the maintenance. All costs associated with the formation of an alternative maintenance entity shall be paid by the Developer. (E)

88 The applicant shall provide a complete set of street improvement plans for review and comment to utility providers including but not limited to the following: (E)

88.1 Los Angeles County Waterworks

88.2 Southern California Edison

88.3 Southern California Gas Company

88.4 AT&T

88.5 Cable TV

89 Easements for all on-site utilities, public and private, shall be granted and recorded for maintenance and upkeep. Such easements may include, but are not limited to, sewer, water, electric, gas, telephone, storm drains, detention basins, and landscaping. (E)

90 The subdivider shall be required to install appropriate measures to protect the approved nuisance water system for Vesting Tract Map 51508-RR ('A' Map) from silt and debris during the grading operation and from any off-site flows from undeveloped areas designed to flow through the subdivision. Developer shall be responsible for providing nuisance water catch basins and piping to the approved nuisance water mitigation system. The design for intercepting on-site nuisance flows shall be addressed with the submittal of grading plans. (E)

91 Will Serve letters will be required before the map is submitted to City Council for approval. The following is a list of the minimum Will Serve letters required: (E)

91.1 Los Angeles County Waterworks

91.2 Southern California Edison

91.3 Southern California Gas Company

91.4 Cable TV

91.5 School District

92 Prior to submitting the final map to the City Engineer for approval by the City Council pursuant to Section 66442 of the Government Code, the applicant shall obtain clearances from all departments, divisions and utility companies which have set conditions of approval on this subdivision and submit those items defined in PMC Chapter 16.20. (E)

93 A preliminary title report and subdivision guarantee is needed showing all fee interest holders, all interest holders whose interest could ripen into a fee, all trust deeds, together with the names of the trustee and all easement holders. The

account for this title report shall remain open until the final tract map is filed with the County Recorder. No easements shall be granted and recorded until after the final map is recorded, unless approved by the City Engineer and subordinated to any City easements by a certification upon the title sheet of the final map, prior to the grant. (E)

94 This subdivision is within Community Facilities District 93-1. The applicant is responsible for any due to delinquent "Special Assessments" and shall obtain clearance from the City Engineer and Planning Manager prior to scheduling the final map for City Council. The applicant will certify that there are no liens against the subdivision for unpaid special assessments. Additionally, security for the current installment of principal and interest of all special assessments collected as taxes, which are recorded as a lien, but are not yet payable, shall be filed with the Los Angeles County Clerk. The applicant shall bear all costs associated with the reapportionment/reassessment of "Special Assessments". (E)

95 An HOA shall be created for the project and shall be responsible for the maintenance of all common use areas, private streets, private drainage facilities and shared parking areas. The documents creating this entity shall be provided to the Planning Manager, City Engineer, and City Attorney for review and approval. (P)(E)

96 The applicant shall prepare Covenant's, Conditions, and Restrictions (CC&R's) for review and approval by the Planning Manager, City Engineer, and City Attorney. Such CC&R's shall include all elements deemed necessary by the City Attorney. The applicant shall be responsible for all City Attorney costs regarding review of said CC&R's prior to recordation of any phase. (P)(E)

97 Three copies of interior tract street tree and front yard landscaping plans shall be submitted to the City Engineer for review and approval. (E)

98 A Landscape Maintenance Assessment District, or other maintenance entity acceptable to the City, shall be formed prior to recordation of the first 'B' Map within VTM 51508-RR 'A' Maps. Applicant shall fully execute a 'Consent and Waiver to Annexation to Landscape Maintenance Assessment District' form. (E)

99 The temporary sewer lift station (east of this vesting tentative tract map) shall be in operation (accepted by the City and Los Angeles County Health Department) prior to occupancy release of the first lot of this vesting tentative tract map. Said

temporary sewer lift station shall be maintained at the expense of the Master Developer and approved by the City. (E)

100 * Each deed or other conveyance of Real Property shall include the following statement: "Ritter Ranch is traversed by major splays (branches) of the San Andres Fault Zone, a very youthful geologic feature. Due to the proximity of the Ritter Ranch site to the San Andreas Fault, there is a high risk of experiencing strong ground shaking and possible surface fault rupture." Additionally, where applicable, each disclosure statement within the deed shall contain language which denotes the possibility of building restrictions on residential additions for human occupancy on those parcels which are located in Fault Hazard Restricted Use Zones. (Mitigation Measure No. 9) (E)(P)(B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR ANY PHASE OF THE SUBDIVISION:

101 The applicant shall pay all fees at the time fees are determined payable and comply with all requirements of the applicable Federal, State, and Local agencies including, but not limited to, the following as applicable:

101.1 Los Angeles County Sanitation District
101.2 Los Angeles County Department of Health Services
101.3 Los Angeles County Consolidated Fire District
101.4 Los Angeles County Waterworks/Palmdale Water Districts
101.5 Westside Union School District
101.6 Antelope Valley Air Quality Management District

The duty of inquiry as to such requirements shall be upon the applicant. Proof of payment shall be provided to the Building and Safety Division prior to issuance of any building permits. (P)(E)(B&S)

102 The applicant shall pay park fees or dedicate and construct the improvements for the proposed community, neighborhood and specialty park facilities shown in the Specific Plan as approved by the Director of Parks and Recreation pursuant to Ordinance 789. (Mitigation Measure 115) (P)(B&S)(Pk)

103 * Westside Union School District: The developer shall comply with the terms of the agreement dated November 26, 1991, between the developer and the Westside Union School District as mitigation for impacts caused by development of the

project on the Westside Union School District. The terms of that agreement are as follows:

103.1 Development Fees. Developer hereby agrees to pay to District fifty-one dollars and ninety-nine cents ($51.99) per square foot of habitable residential development prior to the issuance of the building permit on each unit. A fee of twenty-six cents ($.26) per square foot of industrial/commercial construction shall be paid to the District prior to the issuance of each commercial building permit. All such amounts shall be subject to annual adjustment pursuant to increases or decreases in the School Construction Cost. Index of the Office of Local Assistance with January 1, 1992, as the base.

103.2 School Sites. In addition, Developer hereby agrees to sell to District three, eight-acre elementary school sites with each being adjacent to a park, two, five-acre school sites with each being adjacent to a park, and one 20-acre middle school site, designated in Exhibit B of said agreement.

103.3 The purchase price for the District shall be the fair market value of each site at the time escrow is opened, not to exceed $100 per acre plus annual adjustments based upon increases or decreases in the school construction cost index of the Office of Local Assistance with January 1, 1992 as the base. The fair market value shall include all offsite improvements and grading of the site.

103.4 In the event that the parties cannot agree on the fair market value, each party shall obtain an appraisal from an MAI certified appraiser. If the two appraisals are within $5,000 of each other, the FMV shall be the lowest value plus one-half of the difference. If the difference between the two appraisals is more than $5,000, the County Superintendent of Schools shall designate third appraiser who shall be independent of the parties and MAI certified and who shall conclusively establish the fair market value.

103.5 The cost of the third appraisal shall be borne equally by the parties.

103.6 Developer shall perform all offsite improvements such as roads, curbs, gutters, water (with a flow guaranteed to meet fire safety requirements) sewer, and utilities to the site for no cost to District except as provided above. Developer shall also provide rough grading of the site to District's reasonable specifications. Title to the site shall be transferred to District,

free and clear of all monetary liens, assessments, taxes and encumbrances and easements or any restrictions which interfere with the District's plans to use the property for the development of the school sites prior to the filing of any final map on the tract. Onsite and offsite improvements shall be performed concurrently with improvements on the remainder of the tract.

103.7 The District may exercise its right to acquire the property by serving written notice on Developer and opening an escrow account. Developer shall within 30 days of receipt of notice deposit a grant deed conveying title as referred to above. Notice by the District to purchase the property shall not be served earlier than the filing of a final subdivision map on any adjacent property. The District shall indicate its intent to purchase any particular school site no later than one year after the filling of final subdivision map on any adjacent property, District shall deposit the purchase price in escrow. Escrow shall close within 30 days of opening. (Mitigation Measure 99) (P)(B&S)

104 * Antelope Valley Union High School District. The Developer shall provide the following mitigation to the District in order to provide its contribution toward the District's fifty (50) percent share of funding a new high school on the site, pursuant to Government Code Section 65995 and Education Code Section 17700 et, seq. (School Facility Funding Law):

104.1 Developer Fees. Developer shall pay to the District one dollar and twenty cents ($1.20) per square foot of habitable residential development, including senior housing, prior to the issuance of the building permit on each unit. A fee of twenty-six cents ($.26) per gross leasable square foot of industrial/commercial construction shall be paid to the District prior to the issuance of each commercial building permit. All such amounts shall be subject to annual adjustment pursuant to increases or decreases in the School Construction Cost Index of the Office of Local Assistance with January 1, 1992, as the base.

104.2 School Sites. In addition, Developer hereby agrees to offer the District a site for purposes of constructing a high school thereon, with the terms for dedication as set forth herein. The Developer shall dedicate fifty (50) acres of land in Planning Area 3A for a school site to the District at no cost to the District. The specific 50 acres of the 76 acres in Planning Area 3A shall be at the election of the District. Title to the site shall be transferred to District free and clear of all monetary liens, assessments, taxes and encumbrances

and easements or any restrictions which interfere with the District's plans to use the property for the development of the school site prior to the filing of any final map on a subdivision tract in the Specific Plan area. In the event that site preparation work on the school site, including provision of access to Elizabeth Lake Road and utilities, exceeds the amount of $4,300,000, the Developer shall pay 50 percent of the amount over that figure, not to exceed total of $350,000.

104.3 Transfer Procedures. The District may exercise its right to acquire the site specified above by serving written notice on Developer and opening an escrow. account. Developer shall within 30 days of receipt of notice deposit into the escrow a grant deed conveying title as referred to above. Escrow shall close within 30 days of opening. (Mitigation Measure 99) (P)(B&S)

105 The applicant shall submit full sized copies of the final recorded map in the form of one set of mylar and three sets of blueline to the City Engineer and shall also submit an 8-1/2 x 11-inch mylar copy of the final map to the City Engineer. The applicant shall provide a computerized .dwg format of the final recorded tract map which is compatible with the City's G.I.S. program to the City Engineer. The final map shall be projected in NAD 83 State Plane Zone (5 in feet). (E)(P)

106 Subdivision Development Plan applications shall be submitted, either for the entire tract or in complete submittals for each construction phase and shall include all documents and maps required by the Subdivision Development Plan Application. Subdivision Development Plans shall be in compliance with the Ritter Ranch Specific Plan and Planned Development document 21-001. (P)

107 A Temporary Use Permit for proposed on-site model homes and/or temporary sales/office trailers shall be filed with the Planning Division and shall include all documents and maps required in PMC Section 17.27.030.B.5 and by the Temporary Use Permit Application. (P)

108 Grading shall be designated "Engineered Grading" per City Building Code and shall be done in accordance with an approved grading plan. All grading work shall be performed according to the phasing plan approved by the Planning Manager and the City Engineer. (P)(E)

109 At completion of rough grading, the applicant shall submit appropriate reports and statements (Certifications) to the City Engineer, for review and approval, prior to release of rough grading. The City of Palmdale Building Code requires these

reports and statements from the field or supervising grading engineer, the soils engineer, the geologist, and the grading contractor. (E)(B&S)

110 All sanitary sewer mains to be dedicated to the City are to be provided with as-built plans and have TV video inspection, as required by City Inspector, prior to final acceptance for maintenance. (E)

111 * The applicant shall obtain addresses established by the City Engineer, and pay applicable processing fees, for all lots of residential subdivisions. Commercial subdivisions are addressed by the Building and Safety Division upon application for a Building permit. Proper address signs shall be provided for identification of locations during emergencies. (Mitigation Measure No. 94) (E)

112 Prior to building permit issuance, milestone timeline requirements outlined in the 'Phase 1 Interim Agreement – Ritter Ranch Development' (Agreement No. A-7796) shall be met or projects identified are being completed, to the satisfaction of the City Engineer. Improvements that shall be completed by the Master Developer are as follows: (E)

112.1 Remaining Elizabeth Lake Road (ELR) Work;

112.2 Ranch Center Drive (RCD) and ELR Undergrounding and ELR Streetlight Improvements; and,

112.3 Westland Drive (WD) and Ritter Ranch Road (RRR) Streetlight Improvements.

113 Prior to issuance of the 250th building permit within the Phase 1A area, as defined by the Ritter Ranch Phase 1A Planned Development (PD 21-001), construction of Neighborhood Park 5F shall begin construction. (E)(B&S)

114 Prior to issuance of the 400th building permit within Phase 1A area, as defined by the Ritter Ranch Phase 1A Planned Development (PD 21-001), construction of Neighborhood Park 5T shall begin construction. (E)(B&S)

115 Prior to issuance of 50 percent of building permits within Vesting Tentative Tract Map 51604, as referenced in the Ritter Ranch Phase 1A Planned Development (PD 21-001), construction of Neighborhood Recreation Area 2 shall be completed and granted occupancy release by Building and Safety Division. (E)

116 * Prior to issuance of the 250th Certificate of Occupancy within Phase 1A, as defined by the Ritter Ranch Phase 1A Planned Development (PD 21-001), the Master Developer shall provide a pumper truck and patrol car. In addition, a fully operational fire station of an acceptable size and location as determined by the Los Angeles County Fire Department Building and Safety shall be provided by the 1,800th Certificate of Occupancy. (Mitigation Measure No. 113) (B&S)(P)

117 * Provision of water service to the proposed project will be required as part of the project development and will occur to the satisfaction of the City of Palmdale prior to issuance of building permits. Project implementation will require mitigation in coordination with the City of Palmdale, Los Angeles Waterworks District No. 34, and the Los Angeles County Fire Department. (Mitigation Measure No. 107) (B&S)

118 * Prior to issuance of building permits, the project applicant shall prepare an emergency spill response plan which includes the following measures for review and approval by the City of Palmdale and County Sanitation District No. 20: (Mitigation Measure 20A) (P)(F)(E)

118.1 Measures to detect early warning of a sewage trunk leak;
118.2 The installations of manual or automatic isolation valves;
118.3 Provisions for spilled sewage retention;
118.4 Spill response measures;
118.5 Clean-up and disinfection measures; and,
118.6 Training and funding for implementation of the spill plan.

THE FOLLOWING CONDITIONS SHALL BE MET WHILE CONSTRUCTION ACTIVITIES ARE ON-GOING:

119 From the beginning of the first ground disturbing activity until on hundred (100) percent of the lots for the entire subdivision have been released for occupancy, the following are required of the applicant: 1) have erosion control measures, per an approved Erosion Control and Sedimentation Plan, in place during the rainy season (October 15 - April 15); 2) provide appropriate dust control measures, per City and Antelope Valley Air Quality Management District (AVAQMD) Standards, to minimize nuisance from dust at all times. (E)(B&S)

120 * To mitigate potential dust generation impacts, the project will comply with State, County and City dust control regulations. These regulations are intended to provide sufficient protection so as to prevent the soil from being eroded by wind,

creating dust, or blowing onto a public road or roads or other public or private property. (Mitigation Measure 21) (E)

121 * In addition to watering prior to and during grading (as discussed in AVAQMD Rule 403), the application of water and chemical dust retardants that solidify loose soils shall be implemented for construction vehicle access, as directed by the City Engineer. (Mitigation Measure 22) (E)

122 * Grading activity shall be suspended when local winds exceed 30 miles per hour. To validate wind velocities and/or rainfall amounts, the installation of a minimum of two remote weather stations will be required at locations determined by the City Engineer. (Mitigation Measure 23) (E)

123 * Heavy construction equipment shall use low sulfur fuel (0.05% by weight) and shall be properly tuned and maintained to reduce emissions. (Mitigation Measure 24) (B&S)

124 * Construction activities shall be phased and scheduled to avoid high ozone days, to the extent feasible, and shall be discontinued during second stage smog alerts. (Mitigation Measures 25 and 26) (E)(B&S)

125 * The applicant shall, as required by the Planning Division and the City of Palmdale's proposed Air Quality Element, implement applicable Tier I Control Measures contained in the Final 1989 AQMP, as may be subsequently amended. Additionally, the Best Available Control Technology Guidelines published by SCAQMD, shall be used. As project buildout will occur over 20-year period, subsequent phases/approvals will be held to Tier II and Tier III measures which are implemented is mandatory AVAQMD Rules and Regulations applicable to the project phase. General measures which shall be applied for the development include: (Mitigation Measure 27) (P)

125.1 Encourage the use of alternative transportation modes by promoting public transit usage and providing secure bicycle facilities. The applicant will implement the trails system indicated in the Specific Plan including pedestrian, bicycle, and equestrian facilities. The applicant shall distribute educational material at the time of occupancy to all businesses and homeowners regarding the availability of public transit, ridesharing and other alternative transit methods and the location of bicycle routes in the project vicinity. In addition, the educational material, as reviewed and

approved by the City of Palmdale Planning Division shall describe the available methods for reducing energy consumption.

125.2 Provide mass transit accommodations such as bus turnout lanes and bus shelters if determined necessary by the City Traffic Engineer. As final plans are developed, these features should be considered.

125.3 The applicant shall contribute a pro-rata share toward acquisition and construction of: Park & Ride facility in the Avenue S/SR-14 vicinity. This shall include design and construction of one space per ten dwelling units (up to 400 total spaces). This mitigation measure shall be satisfied prior to occupancy of any fifty percent (50%) of the total dwelling units approved for the Ritter Ranch Specific Plan project as a whole.

125.4 Encourage the placement of dwelling units to take full advantage of solar energy for natural heating and cooling as recommended in Section 7.5.1.6 of the Specific Plan in order to reduce the use of electricity and natural gas within the project area.

125.5 The applicant shall utilize Best Available Control Technology to control volatile organic compounds and Toxic Air Contaminants as required by SCAQMD Rules and Regulations. The Best Available Control Technology Guidelines, published by SCAQMD, shall be used to assess compliance with this mitigation measure.

126 * During project construction, the applicant shall be required to provide appropriate screening (as with temporary fencing with opaque material), dust control (see Section IV.B. AIR RESOURCES), restricted construction hours, and a traffic control plan (Section IV.I. TRAFFIC AND CIRCULATION). (Mitigation Measures No. 56) (E)

127 * Transmission lines less than 50KV and all other utility lines, existing and proposed, shall be installed underground in accordance with the City's Underground Utilities Ordinance. (Mitigation Measure No. 102) (E)

128 Adequate sanitary disposal facilities shall be required on-site during all phases of construction. (E)(B&S)

129 If this tentative map is to be phased, the applicant shall have all drainage facilities (on-site and off-site), and any temporary grading or structures necessary to convey

runoff to drainage facilities (on-site and off-site), in an operable condition prior to completion of rough grading of proposed streets for the first phase. (E)

130 Signing and striping shall be provided for all roadway improvements. (TE)

131 The applicant shall comply with City and State guidelines and requirements for traffic control during construction and prior to final project acceptance. (TE)

132 The applicant shall notify the City Engineer 60 days prior to anticipated opening of any street to public travel. (TE)

133 * The project applicant shall coordinate with SCE to ensure that adequate electrical service is provided to the proposed development and that service connection activities will be performed in cooperation with SCE to minimize any short-term impacts. (Mitigation Measure No. 103) (B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR EACH DWELLING UNIT:

134 The subdivision is located within the Anaverde Natural Drainage Area/Basin as defined by the City's Master Drainage Plan and approved by Resolution 89-75. The drainage area where this subdivision is located shall be shown on the cover sheet of the plans submitted for engineering and building permit applications. (E)(B&S)

135 * The applicant shall comply with the provisions of PMC Chapter 3.40 (Traffic Impact Fee Requirements). The applicant shall not be entitled to any such credits for costs reimbursed through the ELR Escrow, Improvement Fund, the Gap Road Escrow, and/or bond proceeds from the new CFD. Also, the applicant can only receive traffic impact fee credits in the amount not to exceed what the applicant pays towards this fee. The applicant shall pay the applicable traffic impact fees to the Building and Safety Division in the amount that is in effect at the time the vesting tentative map application was deemed complete ($1,740.84 per dwelling unit) plus any increases to that amount that are subsequently approved to reflect changes in the Consumer Price Index (CPI), All Urban Consumers, for the Los Angeles-Riverside-Orange County Area, as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor, as set forth in Palmdale City Council Resolution No. CC 2021-057. These traffic impact fees provide the project's required pro rata contribution towards offsite roadway improvements needed to service the development. Funds generated from the

traffic impact fees shall be applied toward offsite improvements Elizabeth Lake Road, Palmdale Boulevard, Avenue S, and 10th Street West/Tierra Subida Road, as approved by the City Public Works Department. (Mitigation Measure No. 75) (TE)(E)(B&S)

136 Drainage fees or improvements shall be required pursuant to Subdivision Map Act Section 66498.1 and 66498.2. The following is the 2021 Fee Schedule for Anaverde Drainage Area, which shall be applicable to this project: (E)

136.1 Single Family Residential Development $2,372.44/dwelling unit;

136.2 Multi-Family Development $1,181.04/dwelling unit;

136.3 Commercial and Industrial Development $11,841.48/acre.

137 The applicant is responsible for protecting the in place, or repairing to the satisfaction of the City Engineer, all public improvements adjacent to the project. Such responsibility shall include revisions to the Landscaping As-Builts plans on file with the City Engineer as deemed necessary. (E)

138 The applicant shall comply with the provisions of Chapter 3.42 (Fire Facility Impact Fee Ordinance) of the Palmdale Municipal Code. The applicant shall pay the applicable fire facility impact fees to the Building and Safety Division in the amount that is in effect at the time the vesting tentative map application was deemed complete ($0.95 per building square-foot) plus any increases to that amount that are subsequently approved to reflect changes in the Consumer Price Index (CPI), All Urban Consumers, for the Los Angeles-Riverside-Orange County Area, as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor, as set forth in Palmdale City Council Resolution No. CC 2021-057. (E)(B&S)

139 The applicant shall comply with the provisions of PMC Chapter 3.45 (Public Facility Development Impact Fee Requirements). The applicant shall pay the applicable public facility impact fees to the Building and Safety Division in the amount that is in effect at the time such fees are to be collected. (E)(B&S)

140 All public improvements within, and necessary to support, a block or construction phase of any final map, must be completed within 60 days from issuance of the first Certificate of Occupancy within the block or construction phase, to the satisfaction of the City Engineer. In no case shall the total occupancy for a final

map exceed 90 percent until all public improvements within the final map have been completed to the satisfaction of the City Engineer. (E)

141 Slope erosion control and street trees shall be installed to the satisfaction of the City Engineer. (E)

142 At completion of final grading, the applicant shall submit appropriate statements (Certifications) to the City Engineer prior to release of final grading. The City of Palmdale requires that these be submitted by the field or supervising grading engineer, and/or the landscape architect. (E)

143 The developer or builder shall provide full front yard and street side yard landscaping as approved by the City Engineer and the Planning Manager. (P)(E)

144 * Assessment fees and required conduits shall be installed prior to issuance of occupancy permits. (Mitigation Measure 101) (P)(B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY FOR ANY PHASE:

145 The subdivider shall comply with the provisions of PMC Chapter 3.38 (Drainage Fee Requirements). Pursuant to the Subdivision Map Act Sections 66498.1 and 66498.2, the subdivider may pay the applicable drainage fees in the amount that is in effect at the time of the original approval of VTTM 52116. Such fees are to be collected pursuant to the provisions of PMC Chapter 3.38. (E)(B&S)

146 The subdivision shall have been graded and constructed in accordance with all approved plans including but not limited to site plans, grading plans, wall plans, and landscape plans. (P)(E)

147 Any broken or damaged curb, gutter, sidewalk, and pavement on streets within or along the frontage of the development shall be repaired. Any existing driveways that are not to be used shall be replaced with standard curb, gutter, and sidewalk. (E)

148 Purchase and install street name signs in accordance with the Ritter Ranch Specific Plan, the Planned Development, and City of Palmdale standards. The number and location of signs shall be directed by the City Engineer. (TE)

149 A third westbound through lane at the intersection of Elizabeth Lake Road/Palmdale Boulevard and 10th Street West/Tierra Subida Avenue shall be constructed. Also, a third receiving lane (westbound) with the proper transition shall be constructed. (TE)

150 The fair-share cost of the construction of a Fire Station shall be included on each residence of this vesting tentative tract as part of the proposed Community Facilities District (CFD). (E)

151 The fair-share cost of the construction of a public library shall be included on each residence of this vesting tentative tract as part of the proposed CFD. (E)

Key to Departmental Conditions:

(P) Planning Division (267-5200)
(E) Engineering Division (267-5272)
(F) Los Angeles County Fire Department (723-4455)
(B&S) Building and Safety Division (267-5353)
(Pk) Parks and Recreation Department (267-5611)
(SCE) Southern California Edison Company (945-9317)
(TE) Traffic/Transportation Engineer (267-5300)

ATTACHMENT 7

PLANNING COMMISSION
CITY OF PALMDALE, CALIFORNIA
RESOLUTION NO. PC-2022-011

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALMDALE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT 22-001 FOR THE IMPLEMENTATION OF A PLANNED DEVELOPMENT DOCUMENT ON APPROXIMATELY 115 ACRES GENERALLY LOCATED TO THE NORTH AND SOUTH OF WESTLAND DRIVE AND RANCH CENTER DRIVE AND SOUTH OF CITY RANCH ROAD (PHASE 1A – RITTER RANCH SPECIFIC PLAN)

A. RECITALS

1. RdR Development Holdings, LLC, has filed an application requesting the approval of Conditional Use Permit (CUP) 22-001 for implementation of Planned Development document (PD) 21-001, described herein (hereinafter referred to as "Application").

2. The Application applies to approximately 115 acres of vacant land within the Ritter Ranch Specific Plan (SP) indicated on the County Assessor's roles as APN's 3206-027-002, 3206-027-010, 3206-027-006, 3206-027-004, 3206-027-005, 3206-027-008, 3206-027-009, 3206-027-007, 3206-026-007, 3206-026-005, and 3206-020-017, legally described on Exhibit I hereto and shown on the map attached hereto as Exhibit II.

3. On February 10, 2022, the Planning Commission of the City of Palmdale conducted a duly noticed public hearing on the Application and concluded said hearing on that date.

4. All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION

NOW THEREFORE, it is hereby found, determined, and resolved by the Planning Commission of the City of Palmdale, as follows:

1. The Planning Commission hereby specifically finds that all of the facts set forth in the Recitals, Part A of this Resolution, are true and correct.

2. Based upon substantial evidence presented to this Commission during the above-referenced February 10, 2022, public hearing, including public testimony, and written and oral staff report, and incompliance with SP Section 8.10, this Commission specifically finds as follows:

(a) The proposed conditional use is consistent with the Ritter Ranch Specific Plan.

As specified within SP Section 8.10, a conditional use permit is the implementing tool for establishment of a planned development document. Implementing a planned development document within the SP, allows greater flexibility in design and encourages well-planned neighborhoods. The Application facilitates the development of 553 single-family residences on approximately 115 acres and includes open space, neighborhood and community parks, and interconnectivity. As required, the overall density specified within the SP is maintained while allowing for reconfiguration of the area to accommodate development of the well-planned community.

(b) The nature, condition and development of adjacent uses, buildings and structures shall be considered and no proposed conditional use shall be permitted where such use will adversely affect or be materially detrimental to said adjacent uses, buildings or structures.

The Application anticipates residential development and all infrastructure and amenities anticipated by the SP. Currently, there are no adjacent uses, buildings or structures as the Application proposes to implement the first phase of development (Phase 1A) of the SP. Given that the planned development document does not alter land use, but allows a cohesive and well-planned neighborhood, the Application will not adversely affect or be materially detrimental to any surrounding uses.

(c) The site for a proposed conditional use is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in the Specific Plan, or as required by the Planning Commission as a condition in order to integrate said use with the uses in the neighborhood.

The Application will be further implemented through approval of six individual Vesting Tentative Tract Maps, which have been designed to properly accommodate future residences, yards, fences, parking, etc. As required by the Conditions of Approval for the associated

VTTM's, each subdivision will be required to obtain approval of the placement of each residence prior to issuance of permits. All individual structures will be checked for conformance with the Planned Development document, SP, and/or Palmdale Municipal Code to ensure that development is consistent with all applicable development standards.

(d) The site for a proposed conditional use is served by highways or streets adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate.

The major roadways serving the site, including Ranch Center Drive, City Ranch Road, and Westland Drive, have previously been constructed in conformance with the requirements of the SP. Internal roadways within the proposed subdivisions have been graded and will be paved and completed as development of each of the subdivisions occurs.

(e) The project is consistent with the Site Plan Review Findings of approval as identified in Section 8.9, Site Plan Review.

Implementing a planned development document within the SP, allows greater flexibility in design and encourages well-planned neighborhoods. The Application facilitates the development of 553 single-family residences on approximately 115 acres and includes open space, neighborhood and community parks, and interconnectivity. As required, the overall density specified within the SP is maintained while allowing for reconfiguration of the area to accommodate development of the well-planned community. In addition, the design of the development takes existing conditions, such as seismically restricted or flood plain areas into consideration and creates a cohesive design theme.

(f) The proposed Residential Planned Development provides an efficient use of open space areas, incorporating public, private and natural open space uses, to service the residents of said project substantially in excess of those which would be required in a standard subdivision.

The Application provides an efficient use of open space areas, incorporating public, private and natural open space uses, to service the residents of the project area. The type, location and number of open areas to be utilized for active and passive recreation is in excess of those which would be required in a standard subdivision, and incorporates the use of greenbelts, trails, open space areas and neighborhood recreation areas into the project design.

(g) The proposed Residential Planned Development utilizes creative site-planning techniques which may not typically be utilized in conventional development, and which result in higher levels of common open space and recreational amenities than what could be accomplished under traditional development and subdivision standards.

The Application utilizes creative site planning techniques, which may not typically be utilized in conventional development, and which result in higher levels of common open space and recreational amenities than what could be accomplished through traditional development. The proposed standards of development consider pedestrian circulation, adding visual interest to the streetscapes with enhanced landscaping, provision of trails, and incorporating neighborhood recreation areas.

(h) The proposed landscape plan, architectural design and materials, and site plan are designed to exceed the intent and desired effect of standards established in the Ritter Ranch Specific Plan.

The proposed landscape plan, architectural design and materials, and site plan are designed to exceed the intent and desired effect of the standards established in the SP as evidenced by the landscape treatments along the internal roadways and the architectural features described in the planned development document and supplemental Residential Design Guidelines.

(i) The proposed Residential Planned Development provides common recreational amenities which are not provided in typical residential developments within the City.

The Application implements a planned development document within the SP, which allows greater flexibility in design and encourages well-planned neighborhoods. The Application facilitates the development of 553 single-family residences on approximately 115 acres and includes approximately 22 acres of open space, neighborhood and community parks.

3. The Planning Commission hereby finds as follows with respect to the environmental document prepared for the project:

(a) In accordance with Public Resources Code Section 21166 and State California Environmental Quality Act (CEQA) Guidelines Sections 15162, 15163 and 15164, the proposed project does not require the preparation of a subsequent, supplemental or addendum to the Environmental Impact Report (EIR) prepared for the SP (EIR 90-4) since: 1) the project will cause no substantial changes in any portion of the project which was described in EIR 90-4, which would require major revisions to EIR 90-4 due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects because the project is not modifying the scope or intent of the SP; 2) no substantial changes have occurred with respect to the circumstances under which the project is undertaken, which will require major revisions to said EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified environmental effects, because no significant development adjacent to the project area which impacts the infrastructure, services, or development potential within the City's boundaries has occurred; and 3) no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, has been provided with respect to the SP. Therefore, a memorandum of consistency was prepared for the Application (Exhibit V of Resolution No. PC-2022-005).

(b) The custodian of records for all other materials which constitute the record of proceedings upon which the Planning Commission's decision is based, is the Planning Manager of the City of Palmdale. These documents are available for public review in the

Planning Division of the City of Palmdale located at 38250 Sierra Highway, Palmdale, California 93550, telephone (661) 267-5200.

4. Based on the findings and conclusions set forth in paragraphs 1, 2, and 3 above, this Commission hereby approves CUP 22-001, implementing PD 21-001 as provided in Exhibit IV.

5. The Deputized Clerk shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED this 10th day of February, 2022.

AYES: _____

NOES: _____

ABSTAIN: _____ ABSENT: _____

_____
Stacia Nemeth, Chair
Planning Commission

ATTEST:

_____
Kathy Inman, Deputized Clerk

EXHIBIT I

LEGAL DESCRIPTION FOR CUP 22-001 AND PD 21-001

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF PALMDALE, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

LOTS 3, 5, 6 (portion), 7, 9 AND 10 OF TRACT NO. 51508-01, IN THE CITY OF PALMDALE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1214, PAGES 28 THROUGH 36, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND;

LOTS 1, 2, 3 OF TRACT NO. 51508-02, IN THE CITY OF PALMDALE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1214 PAGES 37 THROUGH 40, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND;

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 6 NORTH, RANGE 12 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF PALMDALE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

APN's: 3206-027-002, 3206-027-010, 3206-027-006, 3206-027-004, 3206-027-005, 3206-027-008, 3206-027-009, 3206-027-007, 3206-026-007, 3206-026-005, and 3206-020-017

EXHIBIT II

AERIAL MAP
FOR CUP 22-001 AND PD 21-001



EXHIBIT III

SPECIFIC PLAN CONSISTENCY

Topic	Goal, Objective, or Policy	Standard Met?	Justification*
Land Use	Goal 1: *Create a comprehensively designed Specific Planned Community.*	Yes	The proposed planned development document amenities have been designed in a manner that is consistent with the Ritter Ranch Specific Plan. The planned development document ensures that each subdivision is seamlessly integrated into surrounding development and incorporates a fully landscaped, connective residential community.
Circulation	Goal 1: *Provide a transportation system which allows for the safe and efficient movement of people, goods and services throughout Ritter Ranch*	Yes	The proposed roadway system is designed in the locations and to the dimensions as required by the circulation plan of the Ritter Ranch Specific Plan.
Housing	Goal 1: *Housing availability and opportunity for all citizens.*	Yes	The proposed planned development document allows for varying lot sizes, which will ensure construction of housing for various income levels as envisioned by the Specific Plan.
Public Services and Utilities	Goal 1: *Provide adequate public and semi-public services to serve the needs of the Ritter Ranch development and the residents in an efficient and cost-effective manner.*	Yes	The proposed subdivisions within the planned development document area will provide all improvements necessary to ensure that public and semi-public services are adequately provided.
Design	Goal 2: *Provide public parkland for both passive and active use that is equally accessible to the community on a neighborhood, community and regional basis.*	Yes	The proposed planned development document includes approximately 22 acres dedicated to open space, which will include a variety of amenities for use by future residents and the surrounding community.

**Justification is based on a review of the plan date stamped 'Received December 23, 2021,' by the case planner.*

Stantec

RITTER RANCH PHASE 1A
PLANNED DEVELOPMENT
PD 21-001

December 23, 2021

Prepared for:

RdR Development Holdings, LLC
1717 Main St #3900
Dallas, TX 75201
214-389-0833

Prepared by:

Stantec Consulting Services, Inc.
300 N Lake Ave #400
Pasadena, CA 91101
213-269-4192

356

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APPENDIX A INFRASTRUCTURE PLAN **A.1**

1.0 PURPOSE

The Ritter Ranch Specific Plan (SP) Section 6.7.1 provides for conditionally permitted Planned Developments (PD) within designated areas "to achieve greater flexibility in design; to encourage well-planned neighborhoods through creative and imaginative planning" and to "promote residential amenities beyond those expected under conventional development." In addition, the Planned Development process provides a mechanism to approve lotting concept alternatives within a planning area.

Planned Development Application PD 21-001 (the PD) addresses PUs 5C, 5D-1, 5D-2, 5F, 5T (partial), 5V, 5W-1, 5W-2 and 5W-3. This Planned Development provides the following:

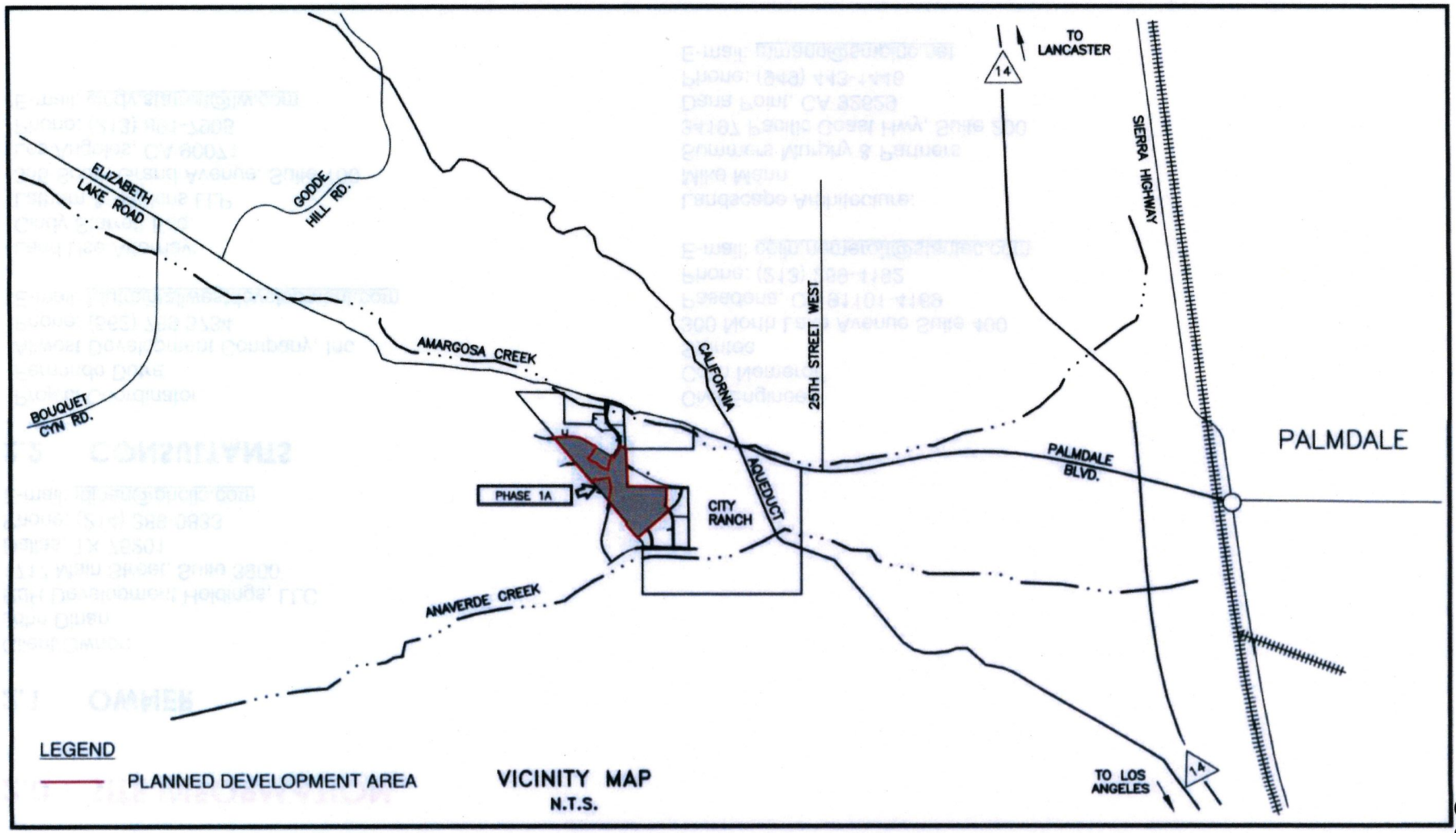
- Lot size standards for 5,000, 6,000 and 7,000 square foot lots.
- Design Standards for community entry facilities, including facilities which are located outside the boundaries of this Planned Development.
- Conceptual Designs for public and private parks.
- Cul-De-Sac roadway standards.

Development standards not addressed in this Planned Development shall defer to the Ritter Ranch Specific Plan.

PLANNED DEVELOPMENT

Purpose

Exhibit A Location Map



2.0 SITE INFORMATION

2.1 OWNER

Client/Owner:
John Dinan
RdR Development Holdings, LLC
1717 Main Street, Suite 3900
Dallas, TX 75201
Phone: (214) 389-0833
E-mail: jdinan@phcllc.com

2.2 CONSULTANTS

Project Coordinator:
Fernando Dutra
Allwest Development Company, Inc
Phone: (562) 789.3734
E-mail: fdutra@allwestdevelopment.com

Land Use Attorney:
Cindy Starrett Esq.
Latham & Watkins LLP
355 South Grand Avenue, Suite 100
Los Angeles, CA 90071
Phone: (213) 891-7905
E-mail: cindy.starrett@lw.com

Civil Engineer:
Colin Nemeroff
Stantec
300 North Lake Avenue Suite 400
Pasadena, CA 91101-4169
Phone: (213) 269-4192
E-mail: colin.nemeroff@stantec.com

Landscape Architecture:
Mike Mann
Summers Murphy & Partners
34197 Pacific Coast Hwy, Suite 200
Dana Point, CA 92629
Phone: (949) 443-1446
E-mail: mmann@smpinc.net

2.3 LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF PALMDALE, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

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2.4 RECORD OWNER

RdR Development Holdings, LLC, a Delaware limited liability company

2.5 PROJECT DATA

Flood Zone – X
General Plan: Ritter Ranch Specific Plan
Zoning: Ritter Ranch Specific Plan

2.6 EXISTING CONDITIONS

The site is currently vacant, with backbone infrastructure constructed per Final Tract Maps 51508-1 and 51508-2 'A' Maps as Phase 1 of Ritter Ranch. Roadways portions including Ranch Center Drive, City Ranch Road, Red Tail Drive, Parkview Drive and Westland Drive have been constructed, along with graded pads for 553 homes as shown in Exhibit B.

2.7 OPPORTUNITIES & CONSTRAINTS

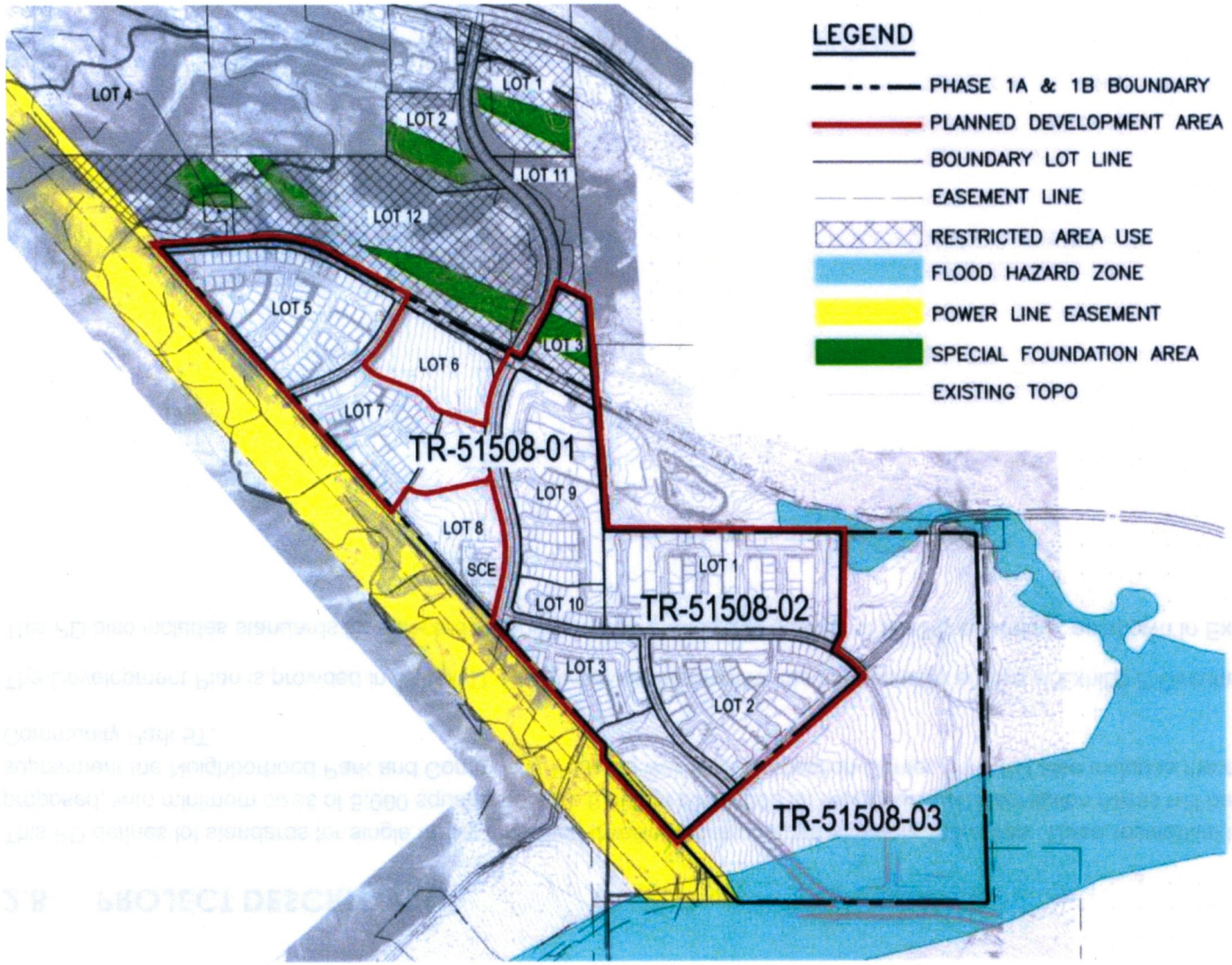
The development constraints are mapped on Exhibit C. As shown, there is an existing power line easement south of the site. Also, a Special Foundation Zone is shown over Tract 51508-1 Lot 3 (PU 5C) which pertains to geological conditions in that area, that may be addressed in the detailed design for that site. Flood Hazard Zones are present close to, but outside of the Phase 1A area and will not impact the project.

The PD Development Plan is provided in Exhibit D, and the project Infrastructure Plan is provided for reference in Appendix A.

Exhibit B Existing Conditions



Exhibit C Development Feasibility Map



2.8 PROJECT DESCRIPTION

This PD defines lot standards for single family detached dwelling units on approximately 115 acres. Three residential lot types are proposed, with minimum sizes of 5,000 square feet (sf), 6,000 sf and 7,000 sf. Neighborhood Recreation Areas will be provided in-tract to supplement the Neighborhood Park and Community Park, as well as a Recreation Center. This PD also includes the northerly portion of Community Park 5T.

The Development Plan is provided in Exhibit D. Roadways will be provided as conceptually shown in Exhibit E Circulation Plan.

This PD also includes standards for selected amenities which are located outside of the PD boundary, as shown in Exhibit D.

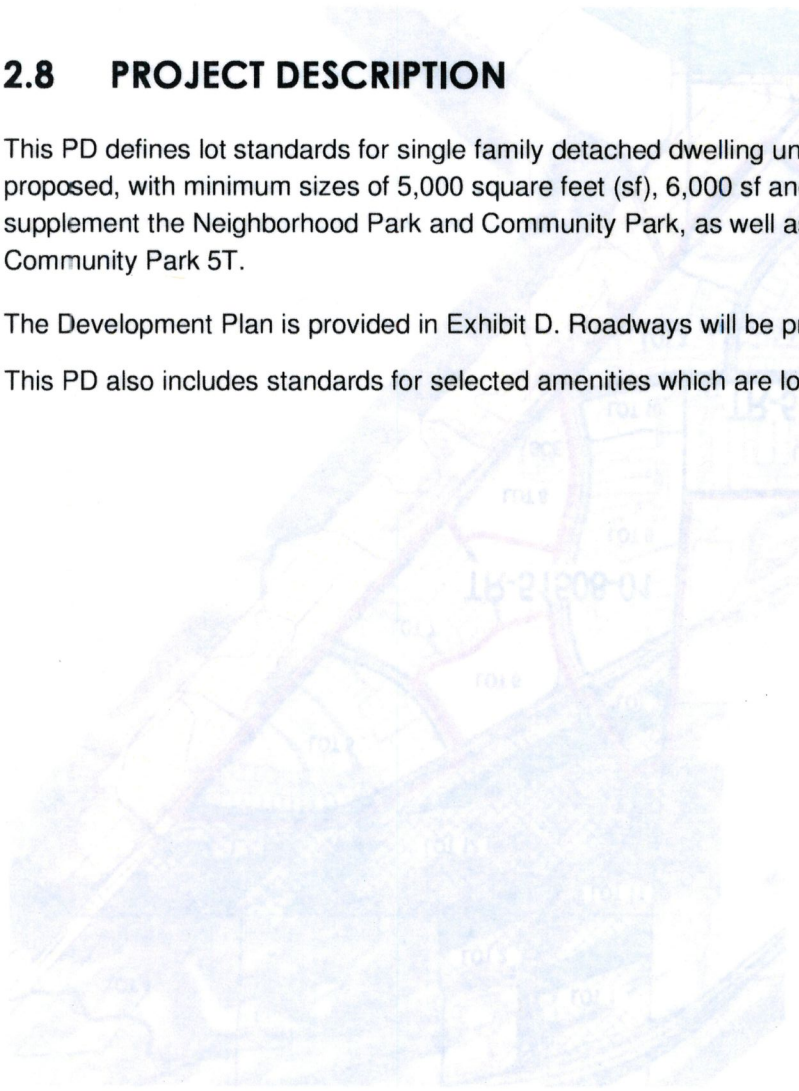


Exhibit D Development Plan

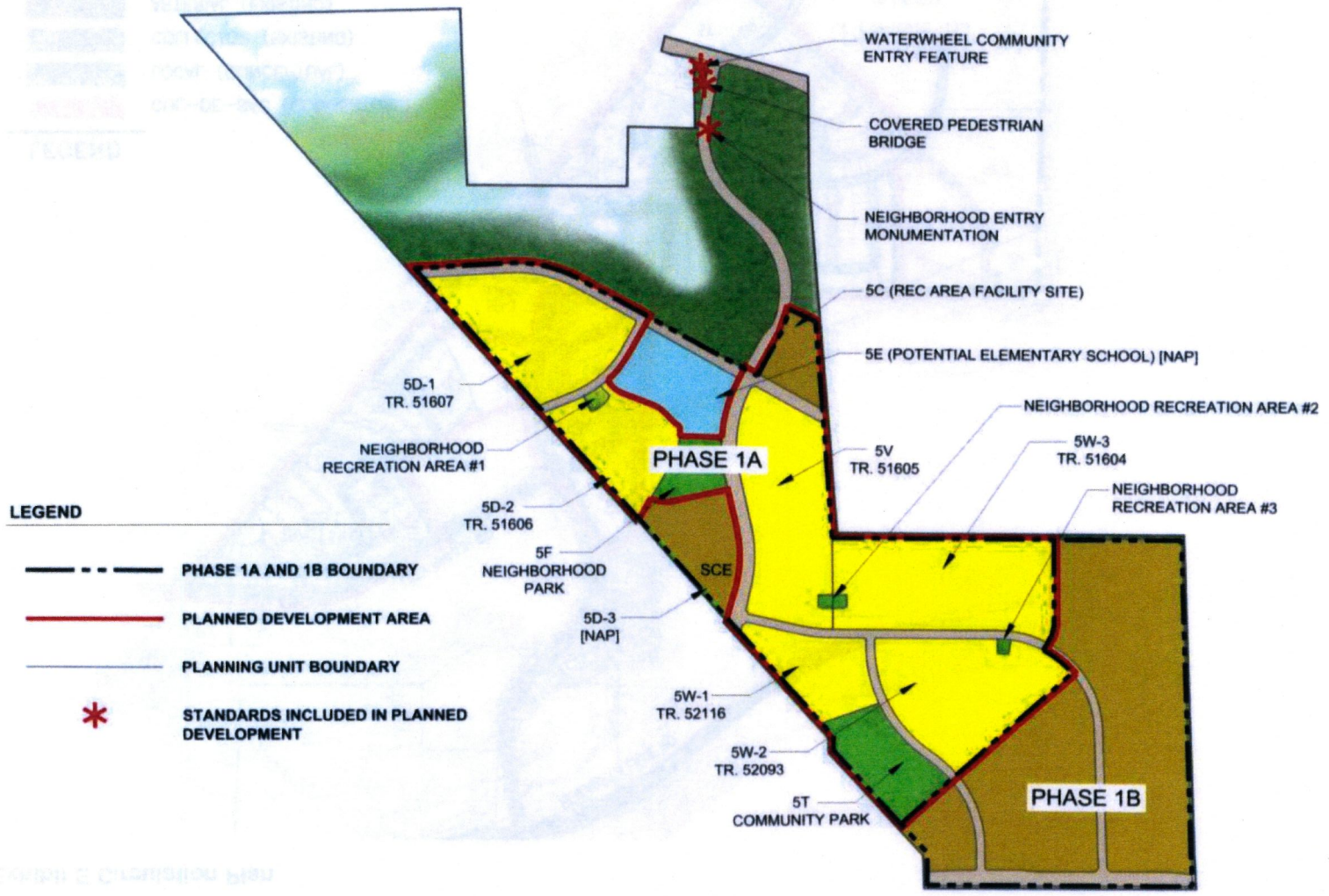
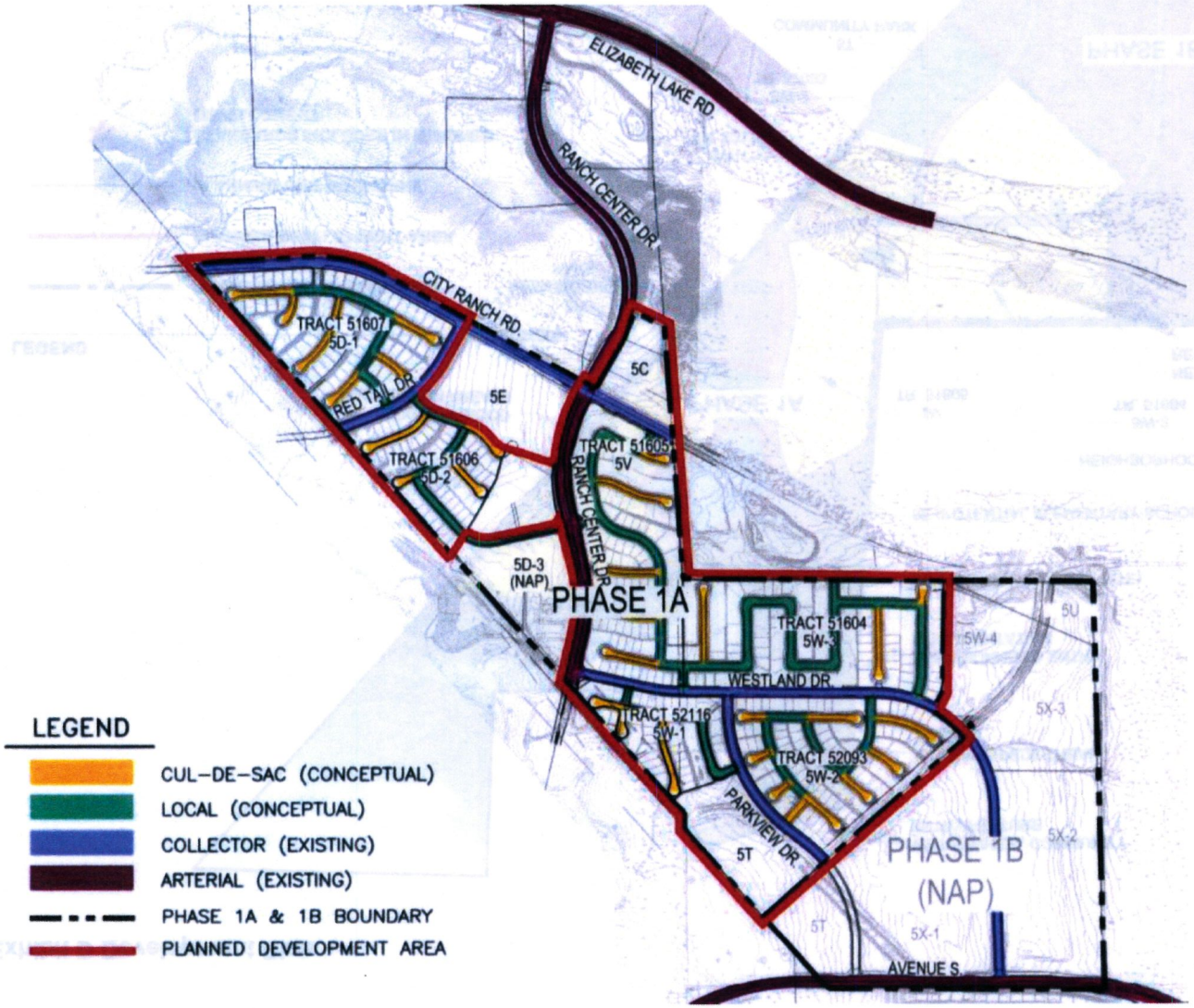


Exhibit E Circulation Plan



2.9 LAND USE

The PD is comprised primarily of residential units, with supporting amenities. The proposed land uses for PUs within the PD are divided into Residential and Non-Residential. Please refer to Table 1 and 2 for the respective Land Use Statistics tables.

Table 1: Residential Land Use Statistics

Planning Unit	Land Use	Dwelling Units	Acres	Neighborhood Recreation Area Number	Neighborhood Recreation Area Acreage	Pedestrian, Landscape/OS, Greenbelt Acreage
5D-1	Single Family Detached	84	20.9			0.61
5D-2	Single Family Detached	60	12.1	1	0.43	0.11
5V	Single Family Detached	124	23.7	2 (partial)	0.25	0.55
5W-1	Single Family Detached	53	9.9			0.22
5W-2	Single Family Detached	106	21.9	3	0.22	2.24
5W-3	Single Family Detached	126	26.3	2 (partial)	0.24	0.32
Residential Area Totals		553	114.8 AC		1.14 AC	4.05 AC
Residential Density		4.82 DU/AC				

Table 2: Non-Residential Land Use Statistics

Planning Unit	Land Use	Site Acreage	Amenity Access
5C	Recreation Center	4.7	Private
5F	Neighborhood Park	5.0	Public
5T	Community Park (partial)	8.3	Public

2.10 RESIDENTIAL DENSITY

The SP provides flexibility in the distribution of dwelling units in each Planning Area by allowing dwelling units to be transferred between planning units in accordance with SP Section 8.17.

Within the PD area, only one planning area (Planning Unit 5V) exceeds the Specific Plan dwelling unit (DU) allocation (100 DU. allowed vs. 124 proposed). A Specific Plan Amendment (SPA 95-1) was previously approved that increased the base density of Planning Unit 5V to 104 DU, which would support 124 DU with the 20% density increase allowed per SP Section 8.17.2.3. This PD proposes the transfer of 20 dwelling units from surplus units in an unspecified Planning Unit in PA5 to Planning Unit 5V.

Table 3 has been prepared to assist in the tracking of density-transferred units.

Table 3: Dwelling Unit Density Transfer

Planning Unit	Base DU Allowed in PU*	Maximum DU with Density Transfer	PD Proposed DU Breakdown	Total PD DU	Remaining DU Capacity in Planning Unit
5D	269	323	5D-1: 84 5D-2: 60	144	125
5V	104**	124	124	124	-20
5W	436	523	5W-1: 53 5W-2: 106 5W-3: 126	285	151
Total	805			553	256

* From SP Section 8.0 Transfer of Dwelling Units Table: Planning Area 5, in accordance with SP Section 8.17.2.3

**Base DU allowed increased to 104 per SPA 95-1

3.0 SPECIAL DEVELOPMENT STANDARDS

This PD establishes the following development standards. Development Standards not altered by this PD will default to Specific Plan Section 6.4.

3.1 PERMITTED USES

In lieu of Single Family Attached (SFA) housing product this PD allows for Single Family Detached (SFD) housing products as defined by the Specific Plan.

3.1.1 The permitted land uses in Phase 1A by Planning Unit are:

a) 5D, 5V & 5W: SFD
b) All other Planning Units: Land uses to remain consistent with Specific Plan unless modified in the future through Specific Plan Amendments, Planned Development documents, or Conditional Use Permits

3.1.2 All residential buildings shall comply with the Residential Architectural Designs listed in Specific Plan Section 7.3.

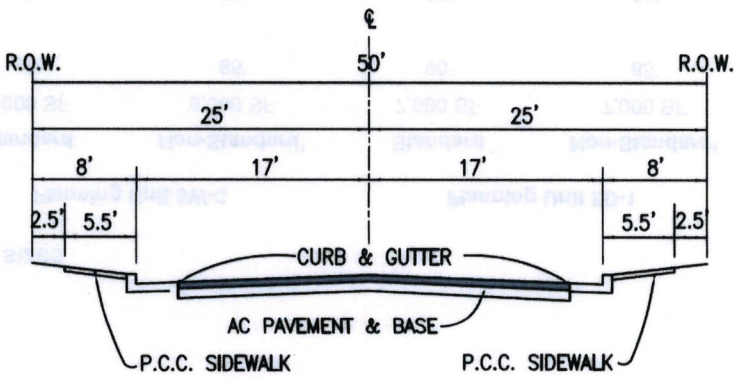
3.2 CIRCULATION

3.2.1 Local Residential Streets ending in cul-de-sacs shall be designed with 50-foot-wide rights-of-way, as shown in Exhibit F.

3.2.2 Roadway design shall otherwise be consistent with standards in Specific Plan Section 4.8.1 and 4.8.2.

3.2.3 All streets within the PD shall be public streets.

Exhibit F Cul-De-Sac Roadway Standards



3.3 DEVELOPMENT STANDARDS

Refer to Exhibit G for locations of Planning Units and associated minimum lot sizes

		Planning Units 5D-2, 5V, 5W-1 & 5W-2		Planning Unit 5W-3		Planning Unit 5D-1	
		Standard	**Non-Standard[1]**	**Standard**	**Non-Standard[1]**	**Standard**	**Non-Standard[1]**
3.3.1	Minimum lot size	5,000 SF	5,000 SF	6,000 SF	6,000 SF	7,000 SF	7,000 SF
3.3.2	Minimum lot depth	90'	85'	90'	85'	90'	85'
3.3.3	Minimum lot width[2]						
A.	Single-frontage lot[2]	45'	40'	55'	50'	55'	50'
B.	Corner lot width[2]	50'	50'	55'	55'	60'	60'
3.3.4	Minimum usable pad						
A.	Depth	80'	80'	85'	80'	85'	80'
B.	Width[2]	40'	35'	45'	40'	50'	45'
3.3.5	Setbacks						
A.	Principal Structure						
	1. Front yard[3]	18'-0" minimum (20'-0" to garage) 22'-0" minimum where lot fronts 50' ROW cul-de-sac	18'-0" minimum (20'-0" to garage) 22'-0" minimum where lot fronts 50' ROW cul-de-sac	18'-0" minimum (20'-0" to garage) 22'-0" minimum where lot fronts 50' ROW cul-de-sac	18'-0" minimum (20'-0" to garage) 22'-0" minimum where lot fronts 50' ROW cul-de-sac	18'-0" minimum (20'-0" to garage) 22'-0" minimum where lot fronts 50' ROW cul-de-sac	18'-0" minimum (20'-0" to garage) 22'-0" minimum where lot fronts 50' ROW cul-de-sac
	2. Rear yard	20'-0" minimum from property line or 15'-0" from foot of slope or retaining wall	20'-0" minimum from property line or 15'-0" from foot of slope or retaining wall	20'-0" minimum from property line or 15'-0" from foot of slope or retaining wall	20'-0" minimum from property line or 15'-0" from foot of slope or retaining wall	20'-0" minimum from property line or 15'-0" from foot of slope or retaining wall	20'-0" minimum from property line or 15'-0" from foot of slope or retaining wall
	3. Side yard	Greater of 5'-0" from property line or 3'-0" from foot of slope	Greater of 5'-0" from property line or 3'-0" from foot of slope	Greater of 5'-0" from property line or 3'-0" from foot of slope	Greater of 5'-0" from property line or 3'-0" from foot of slope	Greater of 5'-0" from property line or 3'-0" from foot of slope	Greater of 5'-0" from property line or 3'-0" from foot of slope
	4. Side yard adjacent to street	10'-0"	10'-0"	10'-0"	10'-0"	10'-0"	10'-0"
B.	Attached open accessory structure (rear yard only)						
	1. Side yard	5'-0"	5'-0"	5'-0"	5'-0"	5'-0"	5'-0"

Special Development Standards

		Planning Units 5D-2, 5V, 5W-1 & 5W-2		Planning Unit 5W-3		Planning Unit 5D-1	
		Standard	**Non-Standard[1]**	**Standard**	**Non-Standard[1]**	**Standard**	**Non-Standard[1]**
	2. Rear yard	10'-0"	10'-0"	10'-0"	10'-0"	10'-0"	10'-0"
C.	Detached accessory structures (rear yard only)						
	1. Side yard	5'-0"	5'-0"	5'-0"	5'-0"	5'-0"	5'-0"
	2. Rear yard	5'-0"	5'-0"	5'-0"	5'-0"	5'-0"	5'-0"
3.3.6	Minimum usable rear yard	600 sq. ft.	525 sq. ft.	675 sq. ft.	600 sq. ft.	750 sq. ft.	675 sq. ft.
3.3.7	Building height[4]						
A.	Principal Structure	35'; maximum two (2) stories	35'; maximum two (2) stories	35'; maximum two (2) stories	35'; maximum two (2) stories	35'; maximum two (2) stories	35'; maximum two (2) stories
B.	Accessory Structures	18'-0"	18'-0"	18'-0"	18'-0"	18'-0"	18'-0"
3.3.8	Maximum fence height[5]						
A.	Front yard	3'-6"	3'-6"	3'-6"	3'-6"	3'-6"	3'-6"
B.	Side and rear yards	7'-0"	7'-0"	7'-0"	7'-0"	7'-0"	7'-0"
3.3.9	Covered off-street parking[6]	2 car enclosed garage	2 car enclosed garage	2 car enclosed garage	2 car enclosed garage	2 car enclosed garage	2 car enclosed garage
3.3.10	Sign	Refer to SP Section 6.12	Refer to SP Section 6.12	Refer to SP Section 6.12	Refer to SP Section 6.12	Refer to SP Section 6.12	Refer to SP Section 6.12

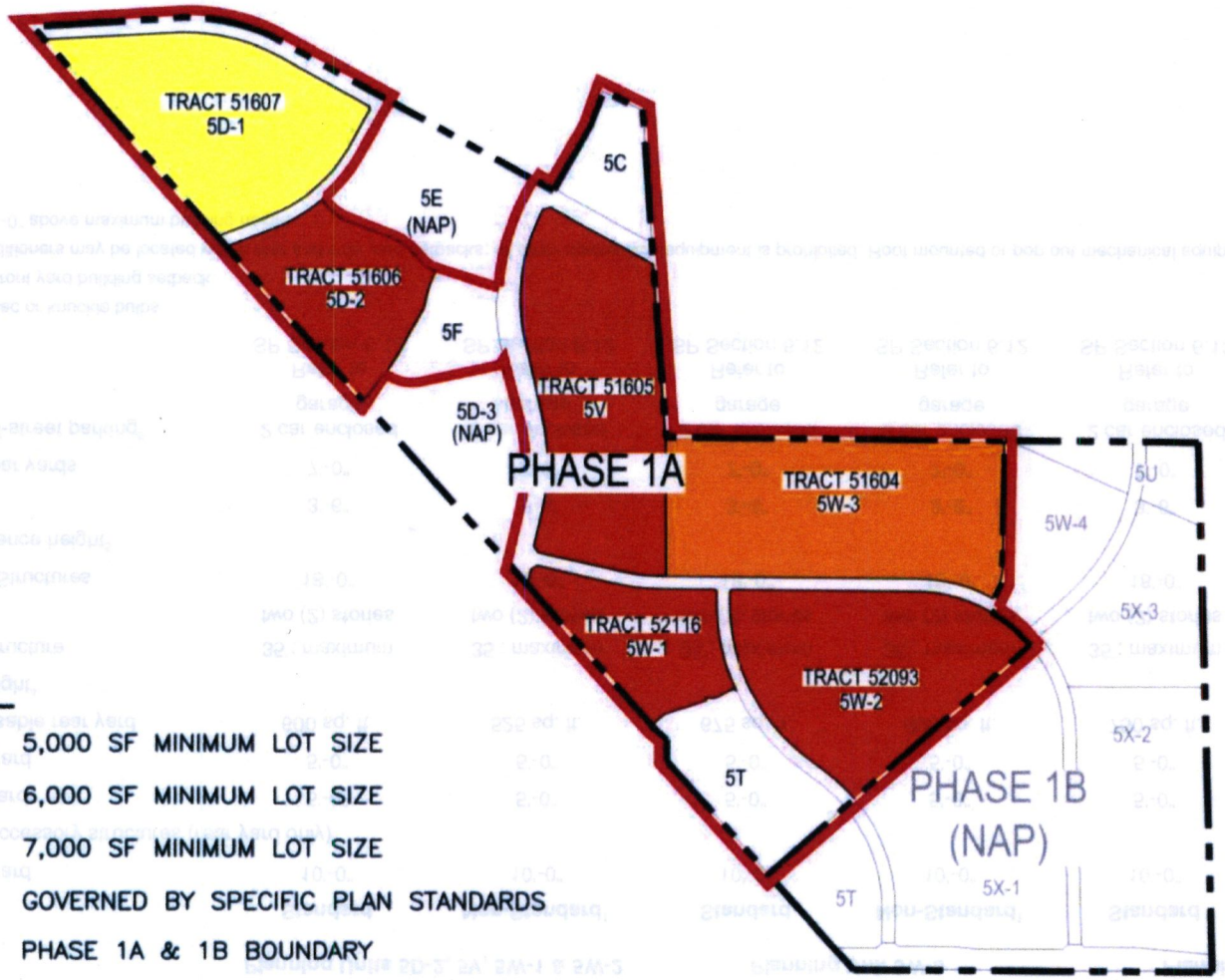
[1] Refers to lots at cul-de-sac or knuckle bulbs

[2] Refers to width of lot at front yard building setback.

[3] Heat pumps and air conditioners may be located within rear and side yard setbacks; all other mechanical equipment is prohibited. Roof mounted or pop out mechanical equipment is prohibited.

[4] Chimneys may extend 2'-0" above maximum building height.

Exhibit G Minimum Lot Sizes



3.4 THEMATIC LANDSCAPE STANDARDS

Landscaping shall conform with the requirements in this section, and as depicted in Exhibit H.

a) Ranch Center Drive: Formal rows of evergreen trees, Quercus Agrifolia (Coast Live Oak,) on each side parkway and Platanus Racemosa (California Sycamore) in the median. These street trees will be backed by deciduous planting on the outer edges of the street; informal oak masses and pines (Coast Live Oak and Afghan Pines) south of City Ranch Road and west of Ranch Center Drive, and compact evergreen hedge materials screening residences on the east side of Ranch Center Drive.

b) City Ranch Road: Formal rows of evergreen trees (Coast Live Oak) are occasionally interrupted on the north side to facilitate views of the expansive natural open space. The outer edge of the street plantings adjacent to the residences (on the south side of the street) are evergreen screening materials of an upright character (Holly Oaks and Afghan Pines).

c) Red Tail Drive: Informal masses of Platanus Racemosa (California Sycamores).

d) Westland Drive: Formal tree pattern of spreading, broad-domed evergreen trees (Raywood Ash and Mesquite).

Tree species are depicted in Exhibit I.

Exhibit H Thematic Landscape Treatment Locations

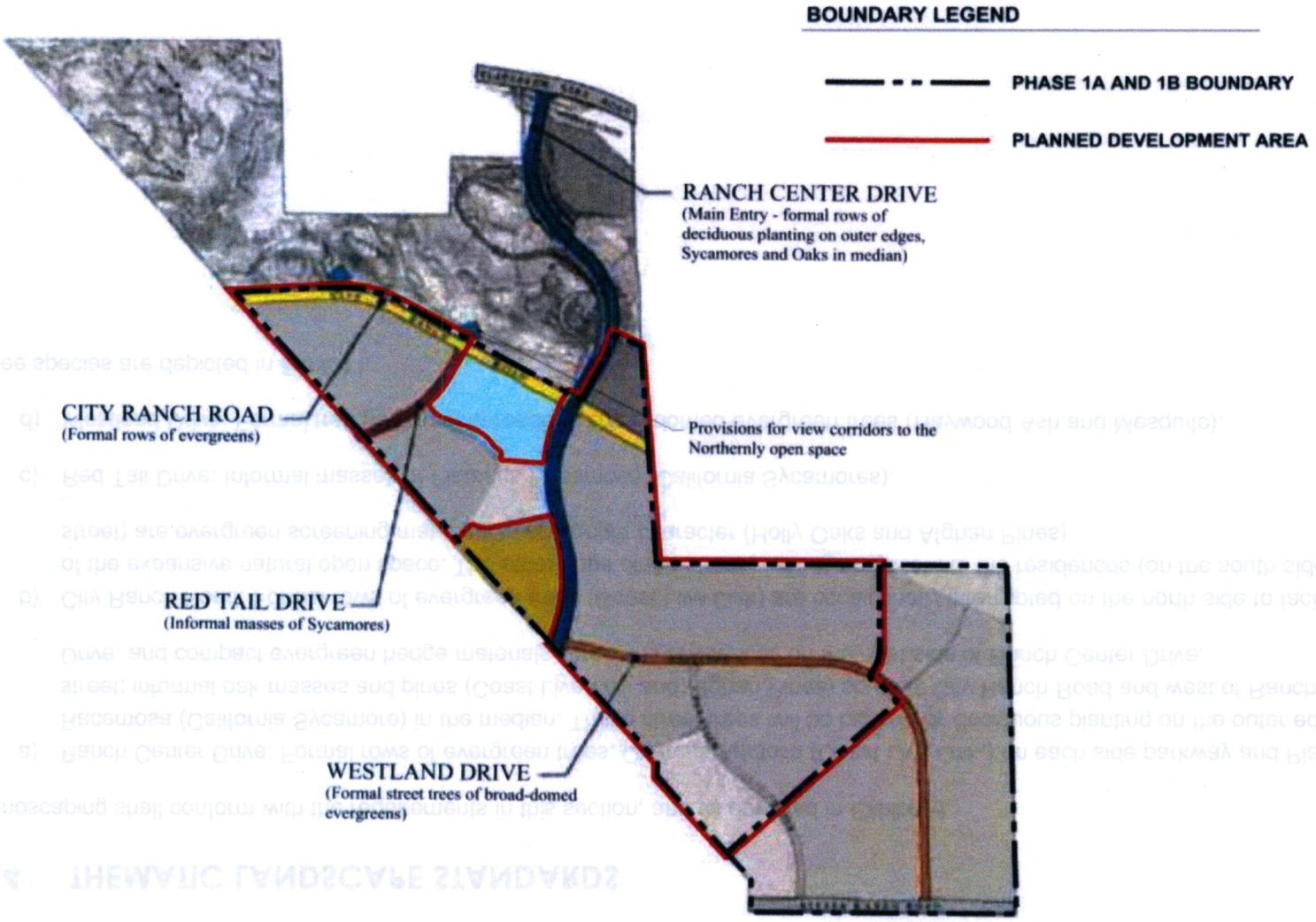
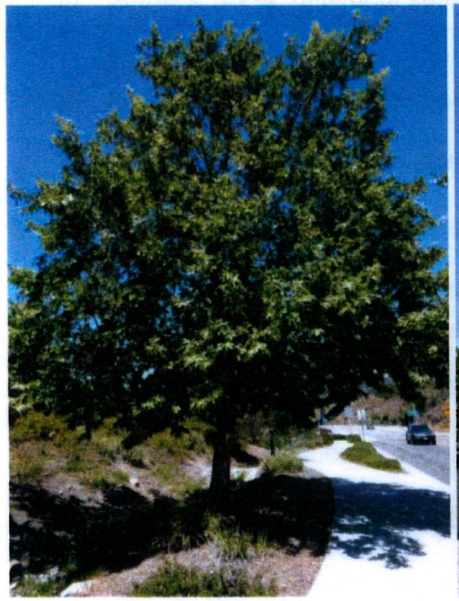
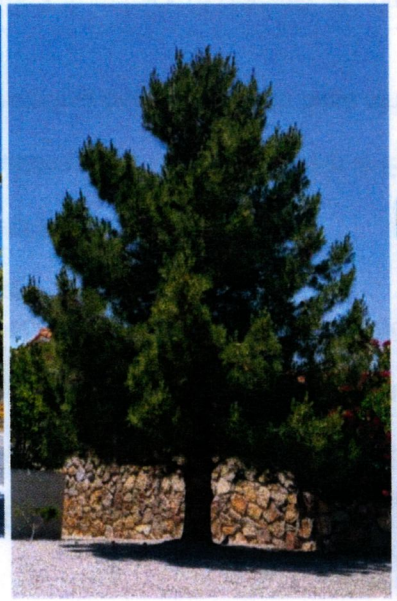
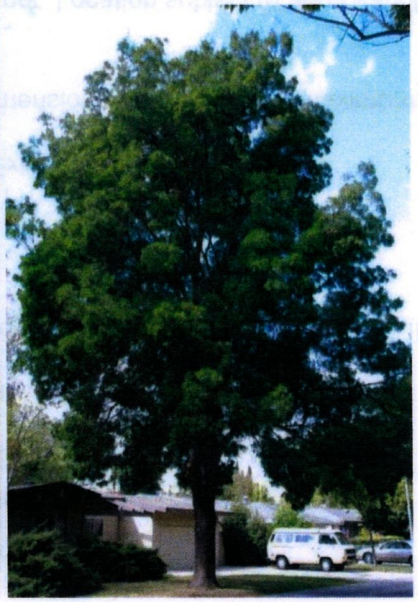


Exhibit I Street Trees



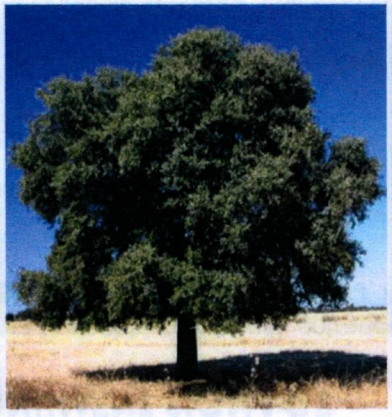


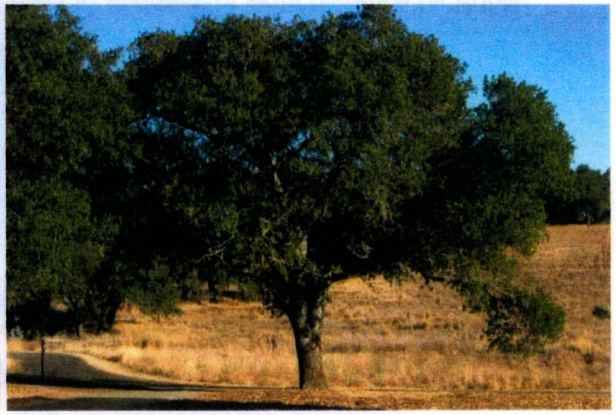


Top row (L to R): California Sycamore, Afghan Pine, Raywood Ash

Bottom row (L to R): Mesquite, Holly Oak, Coast Live Oak







3.5 PROJECT IDENTIFICATION MONUMENT SIGNAGE

Monument Signs will be placed throughout the PD Area to denote community entrances, neighborhood entrances and amenities. The locations of the Entry and Neighborhood Monument Signs are depicted in Exhibits J, K & L respectively. Standards for each sign type are as follows:

3.5.1 The Waterwheel Community Entry Feature shall meet the following criteria:

a) Consistent with approved locations and designs as shown in Exhibit J;

b) Size: 10'-6" maximum height including base; and maximum base dimensions of 18'-6" x 16'-6"; and

c) Setback: 27'-3" minimum setback from back of sidewalk at corner. Location subject to approval of sight distance by Public Works.

3.5.2 Neighborhood Entry Monument shall meet the following criteria:

a) Consistent with approved locations and designs as shown in Exhibit L;

b) Size: 10'-6" maximum height including base; and maximum base dimensions of 9'-9" x 9'-9"; and

c) Setback: Back of sidewalk at corner to base: 8'-6"; back of sidewalk at corner to roof edge: 6'-6". Location subject to approval of sight distance by Public Works.

3.5.3 Amenity ID Monument shall meet the following criteria:

a) Consistent with approved locations and designs as shown in Exhibit K;

b) Size: 6'-0" maximum height including base; maximum base dimensions of 5'-0" x 2'-6"; maximum sign dimensions of 3'-4" tall x 2'-0" wide; and

c) Setback: 13'-6" minimum setback from back of sidewalk at corner. Location subject to approval of sight distance by Public Works.

3.5.4 Tract Neighborhood ID Monument shall meet the following criteria:

a) Consistent with approved locations and designs as shown in Exhibit K;

b) Size: 7'-0" maximum wall height; 8'-0" maximum pilaster height; maximum sign dimensions of 2'-0" tall x 7'-0" wide; and

c) Setback: 5'-0" minimum setback from back of sidewalk at corner. Location subject to approval of sight distance by Public Works.

3.5.5 Residential Village ID Monument shall meet the following criteria:

a) Consistent with approved locations and designs as shown in Exhibit K;

b) Size: 7'-0" maximum wall height; 8'-0" maximum pilaster height; maximum sign dimensions of 4'-0" tall x 6'-0" wide; and

c) Setback: 5' minimum setback from back of sidewalk at corner. Location subject to approval of sight distance by Public Works.

All Monument Signs shall adhere to these PD standards. Sign types not listed herein shall comply with Palmdale Municipal Code requirements. Signs must not obstruct motorists' vision of pedestrians or oncoming traffic.

Exhibit J Entry Monumentation



Exhibit K Neighborhood Monumentation

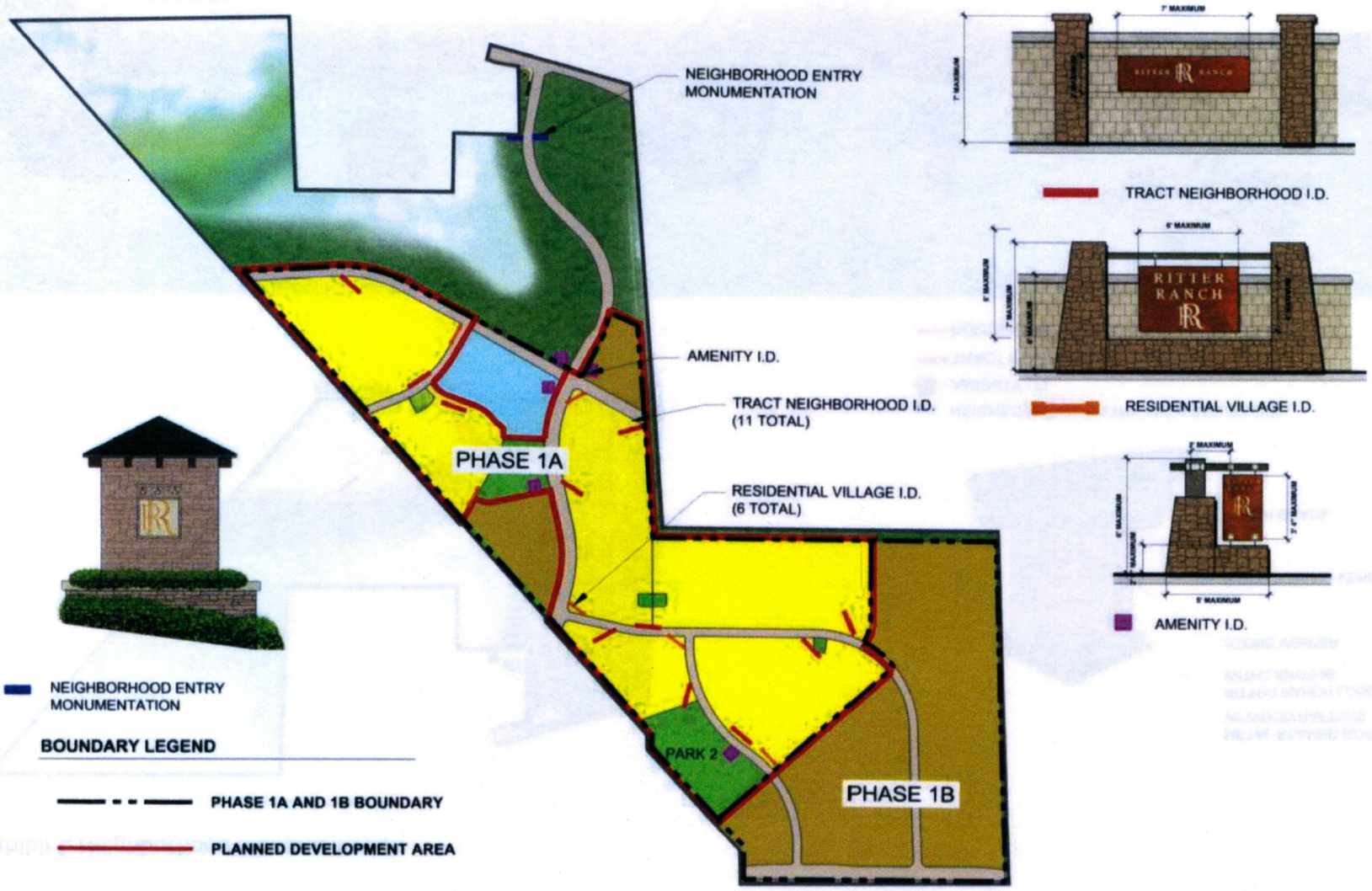
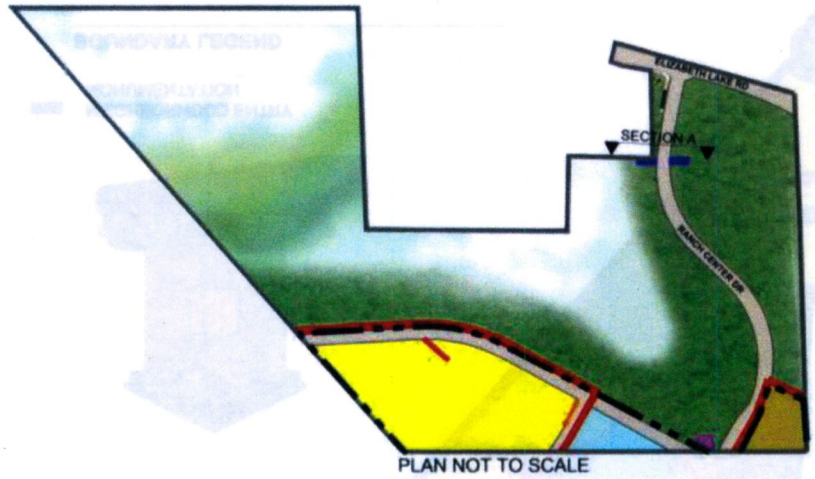
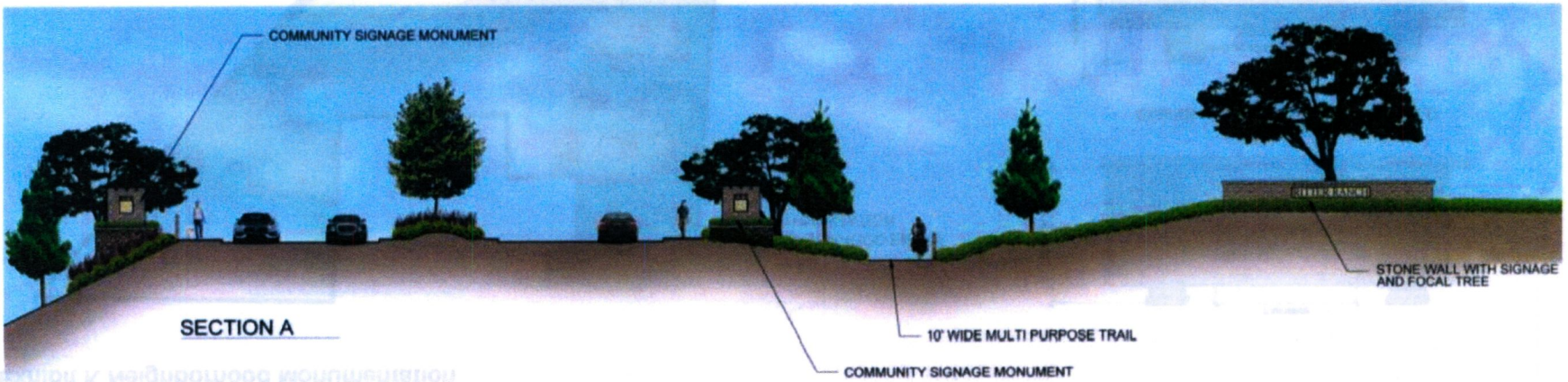


Exhibit L Neighborhood Monumentation





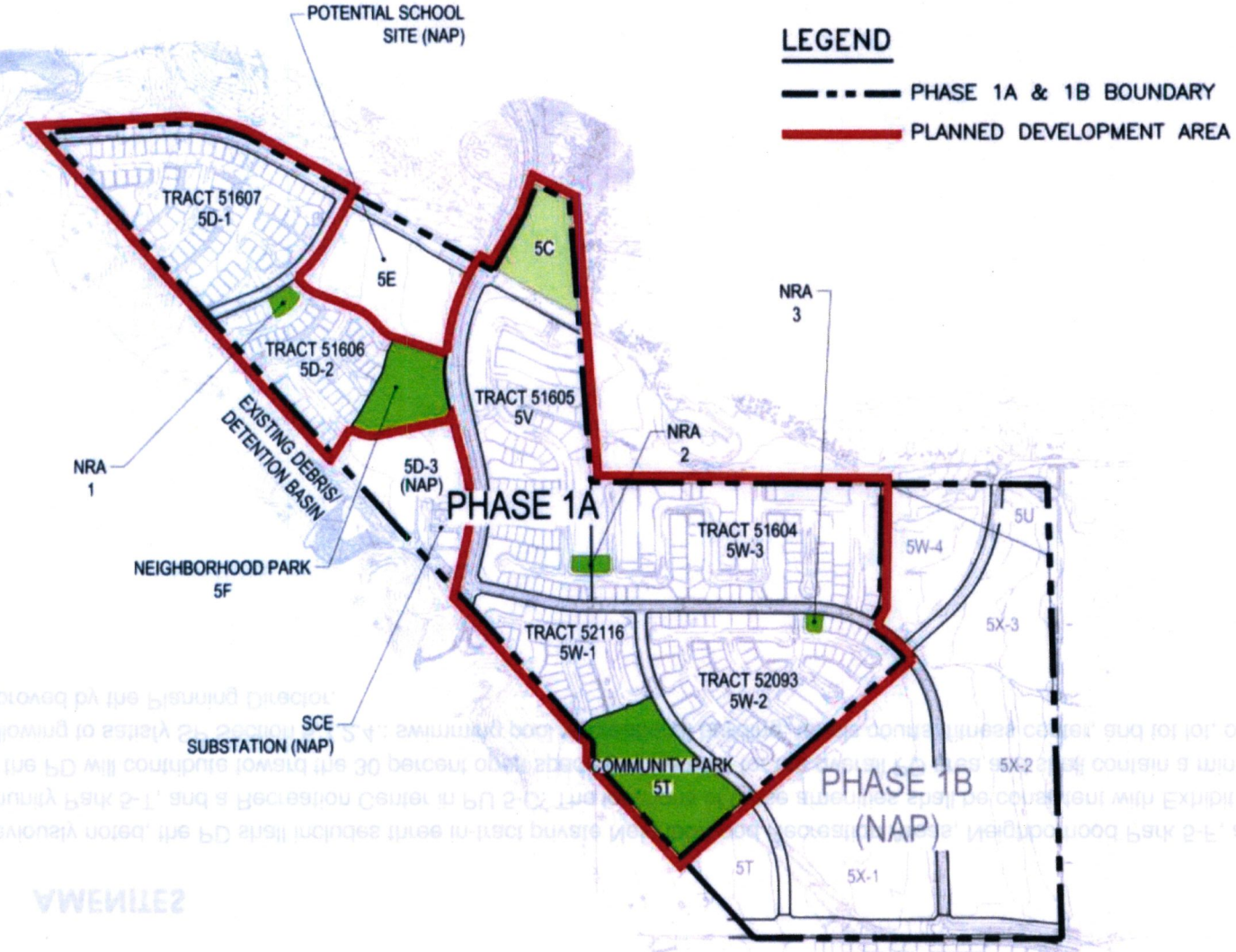
NEIGHBORHOOD ENTRY MONUMENTATION
AMENITY I.D.
TRACT NEIGHBORHOOD I.D.
RESIDENTIAL VILLAGE I.D.



3.6 AMENITES

As previously noted, the PD shall includes three in-tract private Neighborhood Recreation Areas, Neighborhood Park 5-F, a portion of Community Park 5-T, and a Recreation Center in PU 5-C. The locations of these amenities shall be consistent with Exhibit M. Amenities within the PD will contribute toward the 30 percent open space requirement for the overall PD area and shall contain a minimum of two of the following to satisfy SP Section 6.7.2.4.: swimming pool, recreational building, tennis courts, fitness center, and tot lot, or other facilities as approved by the Planning Director.

Exhibit M Amenities Map



3.6.1 Amenities Standards

3.6.1.1 Neighborhood Recreation Areas will meet or exceed the standards as listed in SP Section 4.3.2.4.

a) At a minimum, amenities provided in Neighborhood Recreation Area 1 shall include a covered shade structure with table and seating, and a turf passive recreation space. A conceptual design is provided in Exhibit N.

b) At a minimum, amenities provided in Neighborhood Recreation Area 2 shall include exercise equipment, two covered shade structures, and a turf passive recreation space. A conceptual design is provided in Exhibit O.

c) At a minimum, amenities provided in Neighborhood Recreation Area 3 shall include a tot lot and two covered shade structures. A conceptual design is provided in Exhibit P.

3.6.1.2 Neighborhood Recreation Areas shall be primarily pedestrian-accessed facilities. No off-street parking shall be provided.

3.6.1.3 Trails, bikeways and trailheads within Phase 1A shall be provided as per Exhibit Q, and shall be constructed in compliance with the SP and PMC as applicable. These shall be maintained by the City of Palmdale.

Exhibit N Neighborhood Recreation Area 1

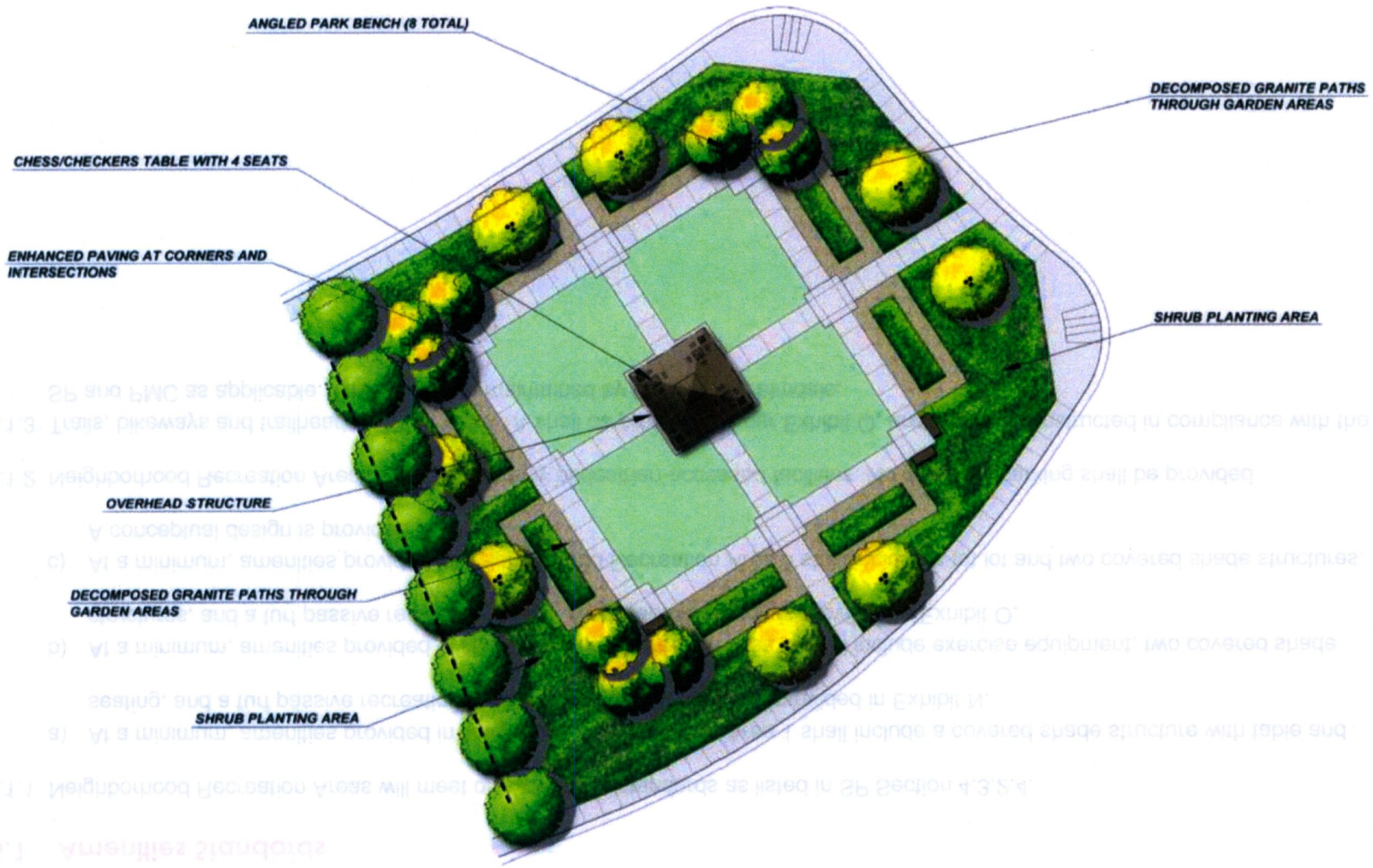


Exhibit O Neighborhood Recreation Area 2

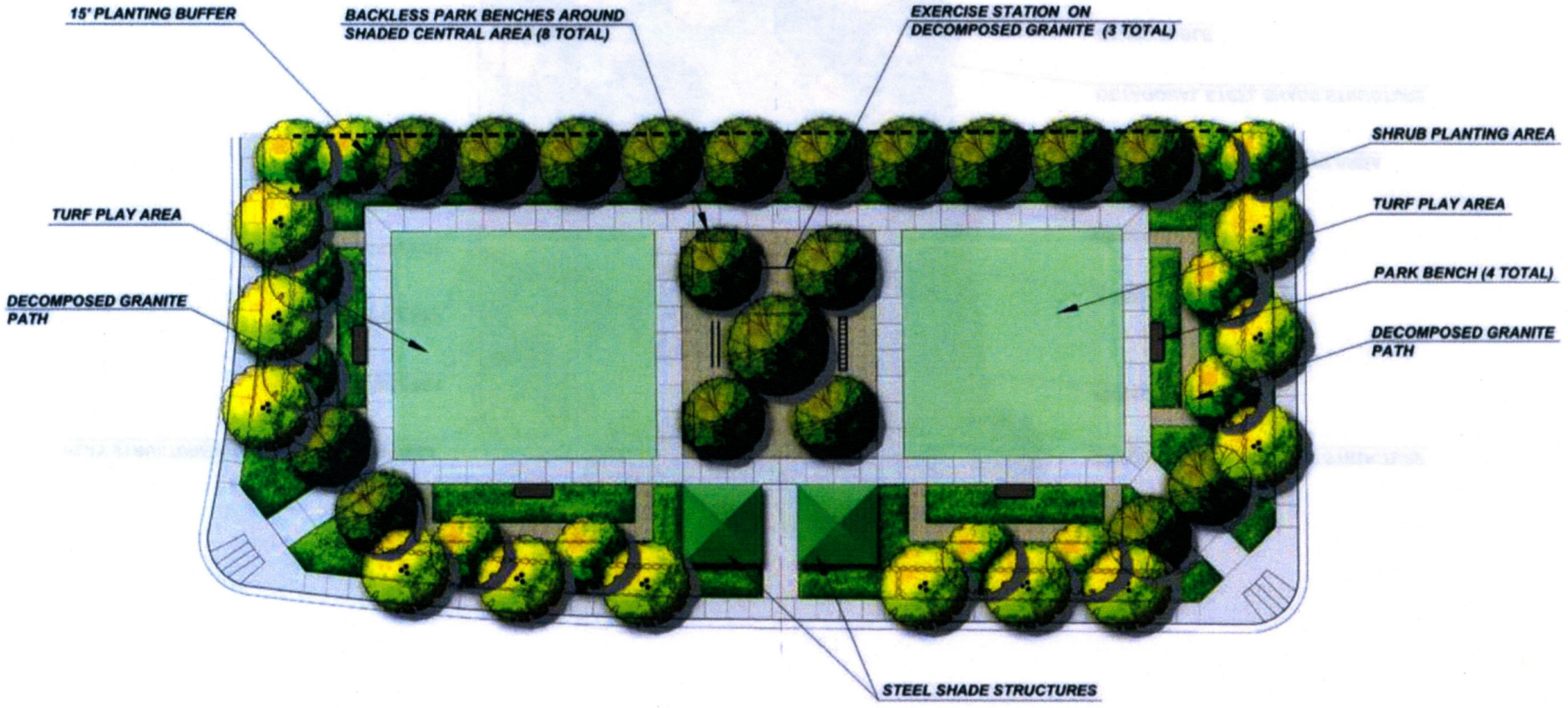


Exhibit P Neighborhood Recreation Area 3

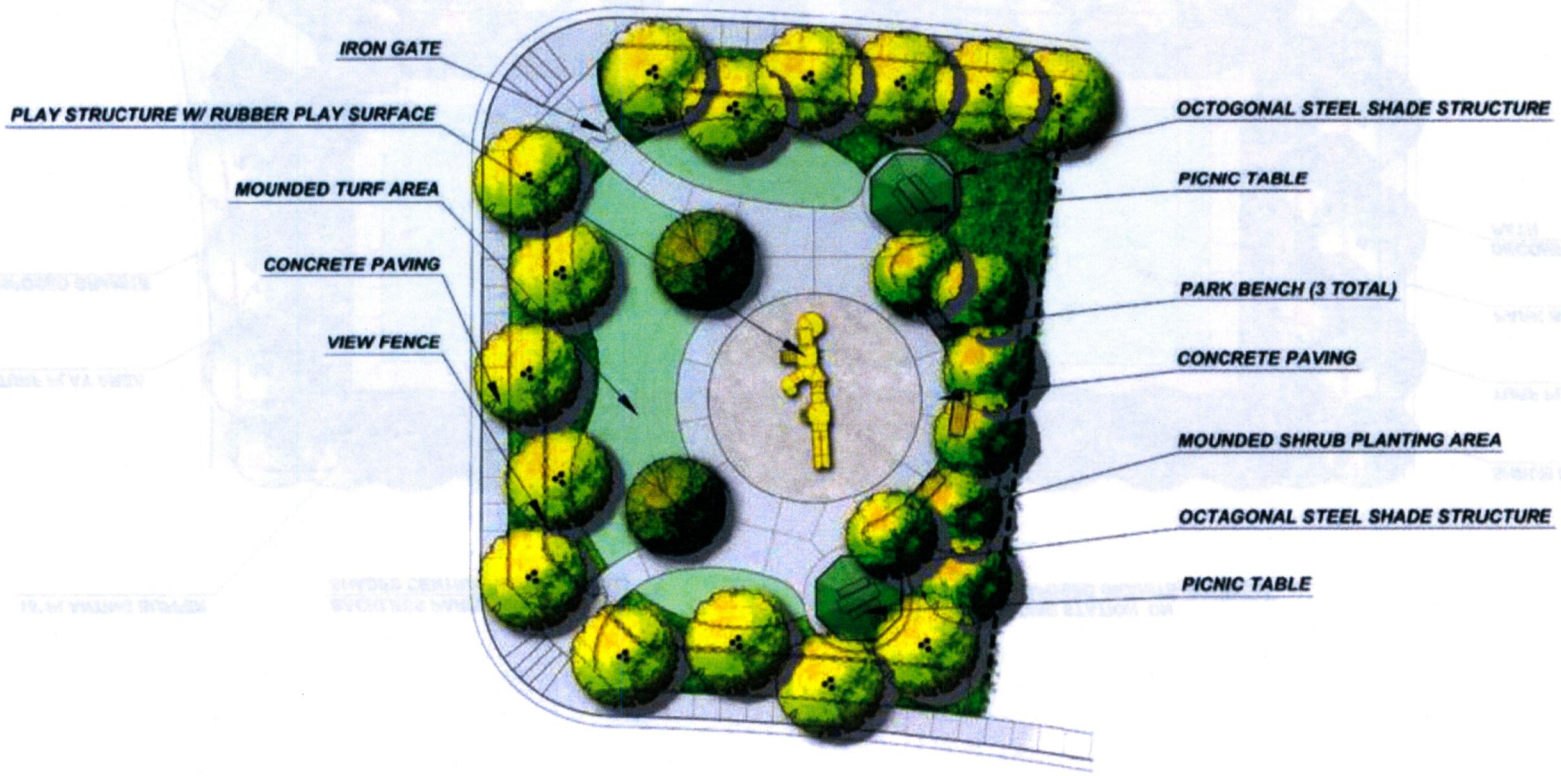
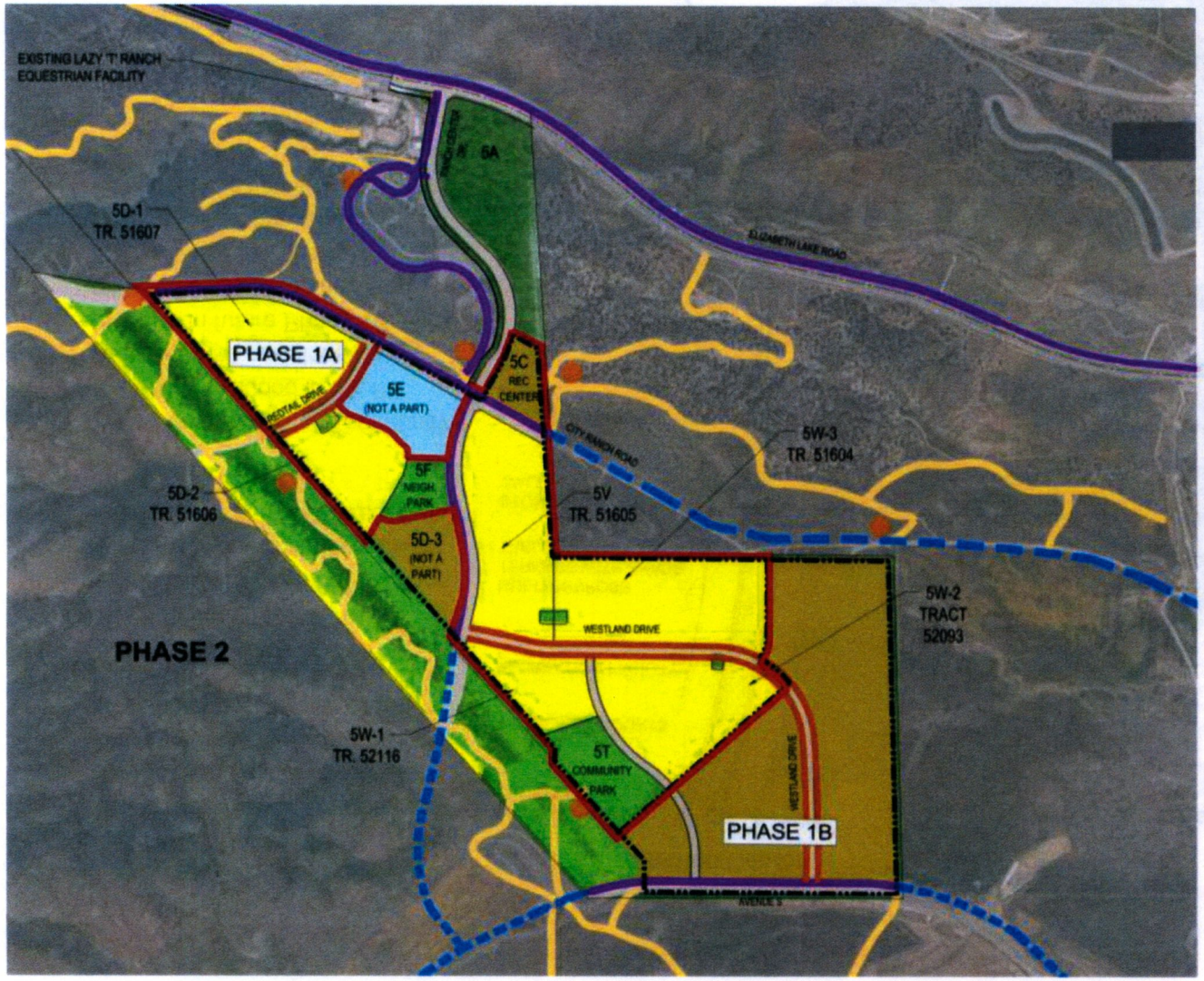


Exhibit Q Trails Plan



TRAILS LEGEND

- **MULTI-PURPOSE TRAIL/ CLASS I BIKEWAY**
  SEPARATE FROM ROAD - 10' WIDE PAVED SURFACE
  (4.2 MILES PROPOSED WITHIN RITTER RANCH)
- **CLASS II BIKEWAY**
  STRIPED LANE ON ROAD
  (2.0 MILES PROPOSED WITHIN RITTER RANCH)

OFF-SITE TRAILS LEGEND
(NAP OF THIS PD. FOR REFERENCE ONLY)

- **PLANNED INCORPORATED CITY TRAILS**
  10' WIDE PAVED MULTI-PURPOSE
  (NO PROPOSED IMPROVEMENTS WITHIN RITTER RANCH)
- **EXISTING DIRT ROADS/ HIKING TRAILS**
  (TO REMAIN WITH NO PROPOSED IMPROVEMENTS)
- **PROPOSED TRAILHEAD LOCATION**
  (WITH INFO SIGNAGE ON LOCAL TRAIL SYSTEM)



EXAMPLE OF INFO SIGNAGE AT TRAILHEADS

BOUNDARY LEGEND

- **PHASE 1A AND 1B BOUNDARY**
- **PLANNED DEVELOPMENT AREA**

3.6.1 Amenities Standards (continued)

3.6.1.5 The Recreation Center in PU 5C may contain facilities such as tot lots, pools, volleyball courts, and shaded seating. Off-street parking will also be provided. A conceptual design is provided in Exhibit R.

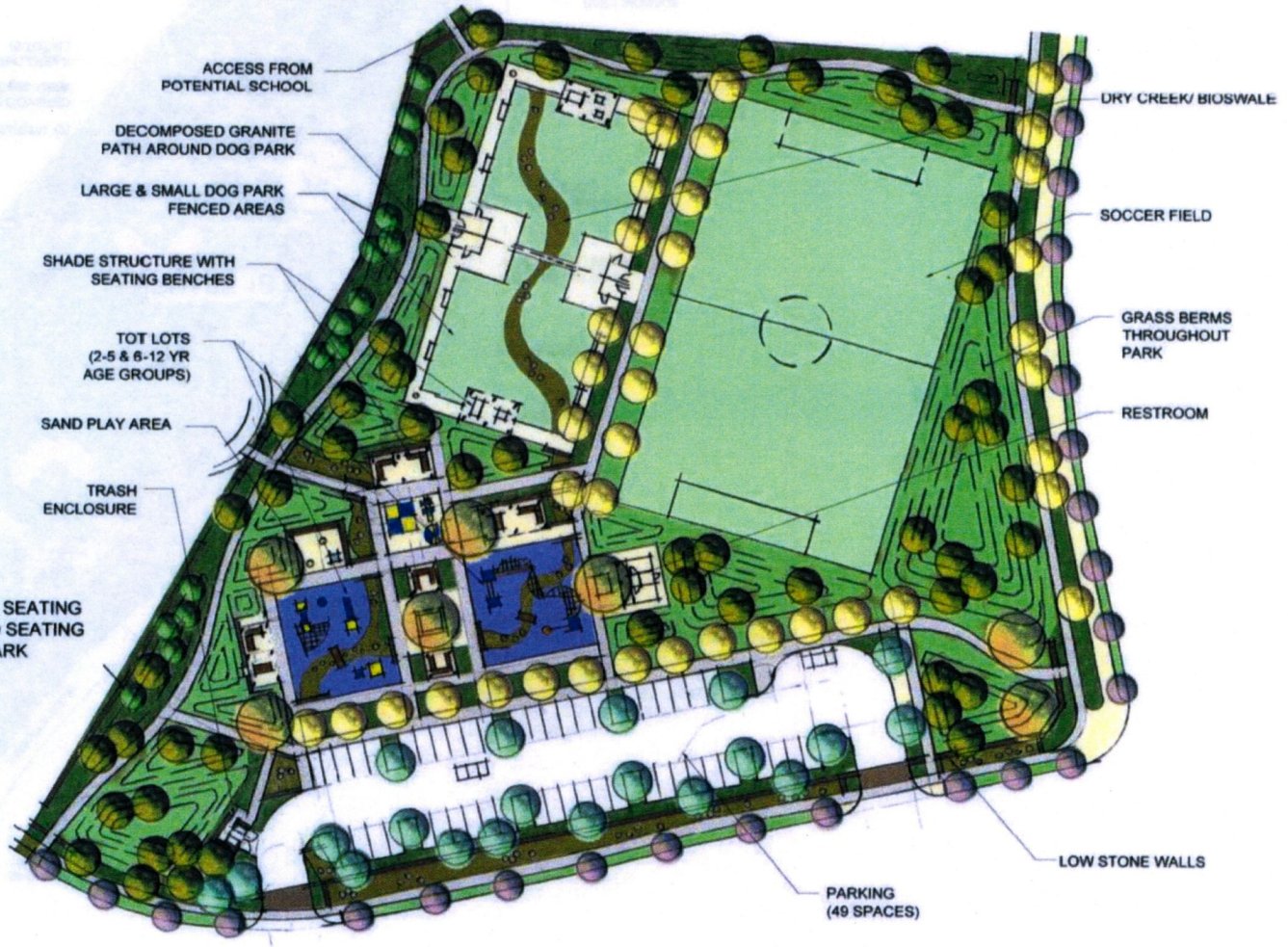
3.6.1.6 Neighborhood Park 5F will provide amenities per SP Section 4.3.2.1. Off-street parking will be provided. A conceptual design is provided in Exhibit S.

3.6.1.7 Approximately half of Community Park 5T is included in the PD Area, with the remainder to be included in future Phase 1B. Park 5T will provide amenities per SP Section 4.3.2.1. Off-street parking will be provided. A conceptual design is provided in Exhibit T.

Exhibit R Recreation Center



Exhibit S Neighborhood Park 5F



PARK AMENITIES
1 SOCCER FIELD (160' X 240')
2 TOT-LOTS (2-5 YRS & 6-12 YRS PLAY)
1 SAND PLAY AREA
1 RESTROOM BUILDING
3 LARGE (18' X 36') SHADE STRUCTURES W/ SEATING
1 LARGE & SMALL DOG PARK WITH SHADED SEATING
1 DRY CREEK/BIOSWALE THROUGH DOG PARK

Exhibit T Community Park 5T



4.0 IMPLEMENTATION

4.1 ENTITLEMENT PROCESSING

The following clarifies the relationship between this PD and future entitlements:

- The Ritter Ranch Specific Plan (Specific Plan) provides the basic entitlement framework for the entire project. The Specific Plan designates the portion of PA 5 included in the PD application as Single Family Attached (SFA) land use and allows other uses through an approved PD.
- Maps 51508-01 and 51508-02 have been recorded and construction of backbone improvements commenced including construction of roadways and infrastructure and rough grading for each of the individual tracts included in Phase 1A. The remaining land parcels outside the backbone road ROW described on the proposed map 51508-03 ("A" map) require additional tentative maps ("B" Maps) to further subdivide these parcels into local streets and individual home lots. 51508-03 parcels are not included in this proposed PD and will be the subject of a future Planned Development for the buildout of those neighborhoods as Phase 1B*.
- "B" Maps are tentative tract maps typically submitted for individual subdivisions required for neighborhood build out. Tentative Tract Maps 51604, 51605, 51606, 51607, 52116 and 52093 are being processed in parallel with this PD to create single family detached lots.
- It is anticipated that the Recreation Center in PU 5C will require Conditional Use Permit approval. Final design is subject to review and approval by the City of Palmdale.
- Final designs for the Neighborhood Recreation Areas, the Neighborhood Park and the Community Park are subject to review and approval by the City of Palmdale.

*Note: Park 5T is a proposed parcel within 51508-3 and therefore the northern portion of the park being constructed as part of Phase 1A and offered for dedication will be described by metes and bounds.

4.2 PHASING

4.2.1 This PD does not establish a specific order in which each PU will be constructed. As previously detailed, the backbone infrastructure is existing, and therefore, each individual Vesting Tract Map within the PD will be able to commence construction without waiting for infrastructure to be built out by earlier phases. This will allow the individual Vesting Tract Maps to be developed independently of each other, in any order, provided that each Tract Map's development complies with the City's Tract Map conditions as well as the regulations and standards of this PD, as applicable. As indicated in Exhibit E, the conceptual circulation plan demonstrates Planning Units 5V and 5W-3 having a shared access roadway located off Westland Drive. In this circumstance, whichever Planning Unit is developed first shall construct full street improvements for the shared roadway.

4.3 LANDSCAPE MAINTENANCE

4.3.1 Within the PD boundary, landscape maintenance will be the responsibility of the following entities:

a) Right-of-way median and slope, and landscape easement landscaping will be the responsibility of a City-sponsored Landscape Maintenance District.

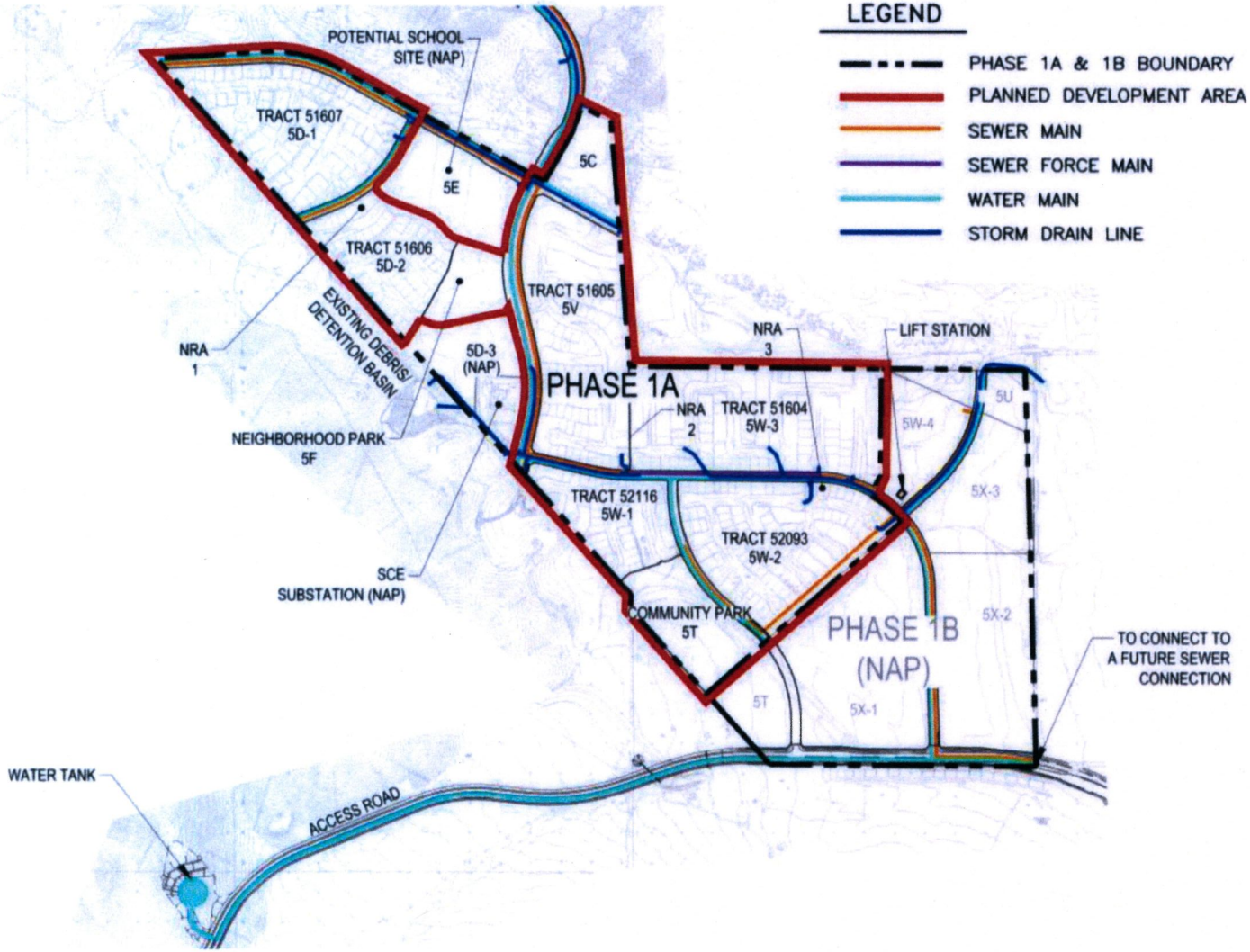
b) Maintenance of temporary slopes (off-site) and temporary drainage facilities will be the responsibility of the Master Developer until adjacent development occurs.

c) Maintenance of all other landscaping including landscape easements, pedestrian spines and connectors, etc. will be the responsibility of the HOA.

d) Maintenance of the Neighborhood Park and the Community Parks will be the responsibility of the City of Palmdale.

e) Maintenance of the Neighborhood Recreation Areas will be the responsibility of the HOA.

Appendix A INFRASTRUCTURE PLAN



Appendix A Illustrative Maps

CITY OF PALMDALE
DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT
PLANNING DIVISION

M E M O R A N D U M

TO: Planning Commission

FROM: Megan Taggart, Planning Manager

PREPARED BY: Eric Norris, Contract Planner

SUBJECT: **AGENDA ITEM 8D; CONDITIONAL USE PERMIT 22-001, PLANNED DEVELOPMENT 21-001, AND VESTING TENTATIVE TRACT MAPS 51604, 51605, 51606, 51607, 52093 AND 52116**

DATE: February 10, 2022

After review of the draft Conditions of Approval provided within Resolution Nos. PC-2022-005 through PC-2022-010 by the applicant and through coordination with City staff, the following modifications to the Conditions of Approval are proposed. Please note that due to some reorganization and renumbering, proposed Conditions of Approval that will be renumbered are shown here without numbers and final numbering in each resolution is subject to change.

Resolution No. PC-2022-005: Vesting Tentative Tract Map (VTTM) 51604

These Conditions of Approval apply to VTTM 51604; a request to subdivide approximately 26 acres into 131 lots for the purpose of constructing 126 single-family residences within Planning Area five of the Ritter Ranch Specific Plan. For the purpose of these conditions, the term "applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval. For purposes of these conditions, the applicant shall not mean the Master developer/Master subdivider. For the purposes of these conditions, an * indicates that the condition is a mitigation measure.

GENERAL CONDITIONS

The following condition will be renumbered and moved to the '**THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR ANY PHASE OF THE SUBDIVISION**' section:

3. This approval shall also require that ~~not be final until~~ an agreement (Agreement No. A-7796) has been executed between the City of Palmdale and the Applicant ~~to replace the prior Development Agreement (Development Agreement 92-1, as amended in the First Amendment to Development Agreement 92-1) for the Ritter~~

~~amended in the First Amendment to Development Agreement 92-1) for the Ritter Ranch Specific Plan~~. This project shall be subject to all applicable provisions of the agreement. (P)

* Projects that exceed ~~SCAQMD~~ AVAQMD threshold levels shall contribute to the Traffic mitigation programs imposed on the development in effect at such time building permits are issued for the project, and each part thereof. (Mitigation Measure 30) (P)

THE FOLLOWING CONDITIONS SHALL BE ADDRESSED WITH THE SUBMITTAL OF GRADING PLANS OR PRIOR TO ISSUANCE OF A GRADING PERMIT:

67. Prior to grading permit issuance, ~~as outlined in the 'Phase 1 Interim Agreement - Ritter Ranch Development' (Agreement No. A-7796)~~ the Master Developer shall enter into new subdivision improvement agreements for all Final Tract Maps for Tract Maps 51508-01 and 51508-02 and any other projects related to these Final Tract Maps ~~or Tentative Tract Map items listed in Exhibit 5 of said interim agreement~~ and replace all Lien Contracts with Surety Bonds. (E)

THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO OR IN CONJUNCTION WITH RECORDATION OF THE FINAL MAP OR ANY PHASE THEREOF:

93. Will Serve or Service Boundary letters ~~will~~ shall be required before the map is submitted to City Council for approval. The following is a list of the minimum Will Serve or Service Boundary letters required: (E)

93.1 Los Angeles County Waterworks

93.2 Southern California Edison

93.3 Southern California Gas Company

93.4 Cable TV

93.5 School Districts

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR ANY PHASE OF THE SUBDIVISION:

106. * Westside Union School District: The developer shall comply with the terms of the agreement, dated November 26, 1991, between the developer and the Westside Union School District as mitigation for impacts caused by development of the project on the Westside Union School District. The terms of that agreement are as follows:

106.1 Development Fees. Developer hereby agrees to pay to District fifty-one dollars and ninety-nine cents ~~($51.99)~~ per square foot of habitable residential development prior to the issuance of the building permit on each unit. A fee of ~~twenty-six cents~~ ~~($0.26)~~ per square foot of industrial/commercial construction shall be paid to the District prior to the issuance of each commercial building permit. All such amounts shall be subject to annual adjustment pursuant to increases or decreases in the School Construction Cost. Index of the Office of Local Assistance with January 1, 1992, as the base.

115. Prior to issuance of the 321st building permit ~~issuance~~, the following ~~milestone timeline requirements outlined in the Phase 1 Interim Agreement - Ritter Ranch Development (Agreement No. A-7796) shall be met or projects identified are being completed, to the satisfaction of the City Engineer.~~ improvements ~~that~~ shall be completed ~~by the Master Developer~~ to the satisfaction of the City Engineer in accordance with the applicable City documents, including but not limited to, permits, subdivision improvement agreements and Agreement No. A-7796. ~~are as follows:~~ (E)

115.1 Remaining Elizabeth Lake Road (ELR) Work:~~;~~

115.1.1 Submit a new plan set to the City for the Street Lighting System design for Elizabeth Lake Road Phase I in accordance with LS-3 rate schedules and in compliance with Section 700 of the Greenbook and the 2013 California Electrical Code. The Street Lighting System along Elizabeth Lake Road Phase I improvements shall be approximately 2,157 feet west of Ranch Center Drive and approximately 6,600 feet east of Ranch Center Drive, and shall be built in three components, as described in Exhibit 2 of Agreement

No. A-7796. The City shall process and approve such plans in accordance with its normal processing and approval procedures.

115.1.2 Submit Street Lighting System Elizabeth Lake Road Phase I plans as approved by the City to Southern California Edison (SCE).

115.1.3 Coordinate with SCE to produce SCE approved street lighting, together with Rule 20B underground installation plans for Elizabeth Lake Road Phase I improvements (as further described in Exhibit 2 of Agreement No. A-7796).

115.1.4 Submit to AT&T (i) Street Lighting System Elizabeth Lake Road Phase I plans approved by the City and (ii) street lighting/Rule 20B underground installation plans for Elizabeth Lake Road Phase I improvements approved by SCE.

115.1.5 Coordinate with AT&T to produce AT&T approved Elizabeth Lake Road Phase I improvement plans.

115.1.6 Underground all existing SCE and AT&T transmission, distribution, communication, and other applicable facilities in accordance with the City/SCE approved street lighting/Rule 20B underground installation plans for Elizabeth Lake Road Phase I improvements and the AT&T approved Elizabeth Lake Road Phase I improvements plans. This shall include the installation of an underground 29-inch circular steel casing in the Department of Water Resources right-of-way.

115.1.7 Remove all "power/telephone poles" in accordance with the City/SCE approved street lighting/Rule 20B underground installation plans for Elizabeth Lake Road Phase I improvements and the AT&T approved Elizabeth Lake Road Phase I improvements plans.

115.1.8 Install streetlights as shown on City/SCE approved Street Lighting System Elizabeth Lake Road Phase I plans. The Street Lighting System shall be separately metered and shall be dedicated to City upon its completion and acceptance by City.

115.2 Ranch Center Drive (RCD) and ELR Undergrounding and ELR Streetlight Improvements:~~; and,~~

115.2.1 Submit a street lighting system plan for RCD and ELR Phase I to the City, to be implemented in three components, in accordance with LS-3 rate schedules, and compliance with Section 700 of the latest edition of the Standard Specifications for Public Works Construction ("Greenbook"), and the 2013 California Electrical Coder approval (the "RCD & ELR Street Lighting System Plan"),

115.2.2 Submit City approved RCD & ELR Street Lighting System Plan for RCD and ELR Phase I to SCE.

115.2.3 Coordinate with SCE to produce SCE approved street lighting plan, together with Rule 20B underground installation plans for RCD and ELR Phase I.

115.2.4 Submit the RCD and ELR Street Lighting System Plan approved by City and SCE Street Lighting System Plans for RCD and ELR Phase I to AT&T.

115.2.5 Coordinate with AT&T to produce AT&T approved RCD plans and ELR Phase I plans.

115.2.6 Underground all existing SCE and AT&T transmission, distribution, communication, etc. facilities as per the approved SCE street lighting plans and the Rule 20B & AT&T RCD and ELR Phase I plans. The Phase 1b plans shall include the installation of an underground 29-inch circular steel casing in the Department of Water Resources right-of-way, schedule to be provided in connection with anticipated permitting timeline, and the Phase 1c area shall be implemented after Phase 1a has been completed.

115.2.7 Remove all "power/telephone poles" as per approved SCE and AT&T plans for RCD.

115.2.8 Remove all "power/telephone poles" as per approved SCE and AT&T plans for ELR Phase I.

115.2.9 Install streetlights as shown on City/SCE Street Lighting System ELR Phase I plans.

115.3 Westland Drive (WD) and Ritter Ranch Road (RRR) Streetlight Improvements.:

115.3.1 Submit a street lighting system plan for WD and RRR to the City, as to the portions located within Final Tract Maps 51508-01 and 51508-02, as referenced in the Subdivision Improvement Agreements listed in Exhibit 6 of Agreement No. A-7796, and the portions of WD and RRR located in Tentative Tract Map 51508-03 expired before approval as a final map. Such street lighting system plan shall be prepared in accordance with LS-3 rate schedules, and compliance with Section 700 of the Greenbook, and 2013 California Electrical Code approval (the "WD & RRR Street Lighting System Plan").

115.3.2 Submit City approved WD & RRR Street Lighting System Plan to SCE and AT&T.

115.3.3 Coordinate with both SCE and AT&T to obtain approved plans from each of them respectively for the City approved WD & RRR Street Lighting System Plan.

115.3.4 Install the streetlights as shown on approved SCE Street lighting plans for the City approved WD and RRR Street Lighting System Plan.

The Rule 20B underground installation plans for ELR shall be accomplished in three components as follows: (E)

Within the existing built out infrastructure area where conduit has been installed, which extends from a point west of the intersection of RCD and ELR to just east of the Aqueduct crossing of ELR, the facilities shall be undergrounded once the conduit system is adjusted per the updated SCE and AT&T plans (Phase 1a);

For the small unbuilt area across the aqueduct in the DWR right-of-way, installing the underground 29-inch circular steel casing shall require a permit from DWR. This work shall not be required in order to complete the SCE and AT&T work adjacent to Ritter Ranch (Phase 1b); and,

The area of ELR immediately west of RCD to the point approximately 2,157 feet west of RCD where conduit has not previously been installed (Phase 1c) shall be completed after Phase 1a work.

THE FOLLOWING CONDITIONS SHALL BE MET WHILE CONSTRUCTION ACTIVITIES ARE ON-GOING:

128 * The applicant shall, as required by the Planning Division and the City of Palmdale's proposed Air Quality Element, implement applicable Tier I Control Measures contained in the Final 1989 AQMP, as may be subsequently amended. Additionally, the Best Available Control Technology Guidelines published by ~~SCAQMD~~AVAQMD, shall be used. As project buildout will occur over 20-year period, subsequent phases/approvals will be held to Tier II and Tier III measures which are implemented is mandatory AVAQMD Rules and Regulations applicable to the project phase. General measures which shall be applied for the development include: (Mitigation Measure 27) (P)

128.5 The applicant shall utilize Best Available Control Technology to control volatile organic compounds and Toxic Air Contaminants as required by ~~SCAQMD~~ AVAQMD Rules and Regulations. The Best Available Control Technology Guidelines, published by ~~SCAQMD~~ AVAQMD, shall be used to assess compliance with this mitigation measure.

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR EACH DWELLING UNIT:

141. The applicant shall comply with the provisions of Chapter 3.42 (Fire Facility Impact Fee Requirements~~Ordinance~~) of the Palmdale Municipal Code. The applicant shall pay the applicable fire facility impact fees to the Building and Safety Division in the amount that is in effect at the time the vesting tentative map application was deemed complete ($0.95 per building square-foot) plus any increases to that amount that are subsequently approved to reflect changes in the Consumer Price Index (CPI), All Urban Consumers, for the Los Angeles-Riverside-Orange County Area, as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor, as set forth in Palmdale City Council Resolution No. CC 2021-057. Any credits sought in connection with the provision of fire facilities shall be limited to the amount of fees paid. (E)(B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY FOR ANY PHASE:

~~153. The fair-share cost of the construction of a Fire Station shall be included on each residence of this vesting tentative tract as part of the proposed Community Facilities District (CFD). (E)~~

~~154. The fair-share cost of the construction of a public library shall be included on each residence of this vesting tentative tract as part of the proposed CFD. (E)~~

Resolution No. PC-2022-006: Vesting Tentative Tract Map (VTTM) 51605

These Conditions of Approval apply to VTTM 51605; a request to subdivide approximately 24 acres into 130 lots for the purpose of constructing 124 single-family residences within Planning Area five of the Ritter Ranch Specific Plan. For the purpose of these conditions, the term "applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval. For purposes of these conditions, the applicant shall not mean the Master developer/Master subdivider. For the purposes of these conditions, an * indicates that the condition is a mitigation measure.

GENERAL CONDITIONS

The following condition will be renumbered and moved to the '**THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR ANY PHASE OF THE SUBDIVISION**' section:

3. This approval shall also require that ~~not be final until~~ an agreement (Agreement No. A-7796) has been executed between the City of Palmdale and the Applicant ~~to replace the prior Development Agreement (Development Agreement 92-1, as amended in the First Amendment to Development Agreement 92-1) for the Ritter Ranch Specific Plan~~. This project shall be subject to all applicable provisions of the agreement. (P)

25. * Projects that exceed ~~SCAQMD~~ AVAQMD threshold levels shall contribute to the Traffic mitigation programs imposed on the development in effect at such time building permits are issued for the project, and each part thereof. (Mitigation Measure 30) (P)

THE FOLLOWING CONDITIONS SHALL BE ADDRESSED WITH THE SUBMITTAL OF GRADING PLANS OR PRIOR TO ISSUANCE OF A GRADING PERMIT:

69. Prior to grading permit issuance, ~~as outlined in the 'Phase 1 Interim Agreement - Ritter Ranch Development' (Agreement No. A-7796)~~ the Master Developer shall enter into new subdivision improvement agreements for all Final Tract Maps for Tract Maps 51508-01 and 51508-02 and any other projects related to these Final Tract Maps ~~or Tentative Tract Map items listed in Exhibit 5 of said interim agreement~~ and replace all Lien Contracts with Surety Bonds. (E)

THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO OR IN CONJUNCTION WITH RECORDATION OF THE FINAL MAP OR ANY PHASE THEREOF:

98. Will Serve or Service Boundary letters ~~will~~ shall be required before the map is submitted to City Council for approval. The following is a list of the minimum Will Serve or Service Boundary letters required: (E)

98.1 Los Angeles County Waterworks

98.2 Southern California Edison

98.3 Southern California Gas Company

98.4 Cable TV

98.5 School Districts

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR ANY PHASE OF THE SUBDIVISION:

111. * Westside Union School District: The developer shall comply with the terms of the agreement, dated November 26, 1991, between the developer and the Westside Union School District as mitigation for impacts caused by development of the project on the Westside Union School District. The terms of that agreement are as follows:

111.1 Development Fees. Developer hereby agrees to pay to District fifty-one dollars and ninety-nine cents ~~($51~~.99~~)~~ per square foot of habitable residential development prior to the issuance of the building permit on each

unit. A fee of ~~twenty-six cents~~ ~~($0.26)~~ per square foot of industrial/commercial construction shall be paid to the District prior to the issuance of each commercial building permit. All such amounts shall be subject to annual adjustment pursuant to increases or decreases in the School Construction Cost. Index of the Office of Local Assistance with January 1, 1992, as the base.

120. Prior to issuance of the 321st building permit ~~issuance~~, the following ~~milestone timeline requirements outlined in the Phase 1 Interim Agreement – Ritter Ranch Development (Agreement No. A-7796) shall be met or projects identified are being completed, to the satisfaction of the City Engineer.~~ improvements ~~that~~ shall be completed ~~by the Master Developer~~ to the satisfaction of the City Engineer in accordance with the applicable City documents, including but not limited to, permits, subdivision improvement agreements and Agreement No. A-7796. ~~are as follows:~~ (E)

120.1 Remaining Elizabeth Lake Road (ELR) Work:~~;~~

120.1.1 Submit a new plan set to the City for the Street Lighting System design for Elizabeth Lake Road Phase I in accordance with LS-3 rate schedules and in compliance with Section 700 of the Greenbook and the 2013 California Electrical Code. The Street Lighting System along Elizabeth Lake Road Phase I improvements shall be approximately 2,157 feet west of Ranch Center Drive and approximately 6,600 feet east of Ranch Center Drive, and shall be built in three components, as described in Exhibit 2 of Agreement No. A-7796. The City shall process and approve such plans in accordance with its normal processing and approval procedures.

120.1.2 Submit Street Lighting System Elizabeth Lake Road Phase I plans as approved by the City to Southern California Edison (SCE).

120.1.3 Coordinate with SCE to produce SCE approved street lighting, together with Rule 20B underground installation plans for Elizabeth Lake Road Phase I improvements (as further described in Exhibit 2 of Agreement No. A-7796).

120.1.4 Submit to AT&T (i) Street Lighting System Elizabeth Lake Road Phase I plans approved by the City and (ii) street lighting/Rule 20B

underground installation plans for Elizabeth Lake Road Phase I improvements approved by SCE.

120.1.5 Coordinate with AT&T to produce AT&T approved Elizabeth Lake Road Phase I improvement plans.

120.1.6 Underground all existing SCE and AT&T transmission, distribution, communication, and other applicable facilities in accordance with the City/SCE approved street lighting/Rule 20B underground installation plans for Elizabeth Lake Road Phase I improvements and the AT&T approved Elizabeth Lake Road Phase I improvements plans. This shall include the installation of an underground 29-inch circular steel casing in the Department of Water Resources right-of-way.

120.1.7 Remove all "power/telephone poles" in accordance with the City/SCE approved street lighting/Rule 20B underground installation plans for Elizabeth Lake Road Phase I improvements and the AT&T approved Elizabeth Lake Road Phase I improvements plans.

120.1.8 Install streetlights as shown on City/SCE approved Street Lighting System Elizabeth Lake Road Phase I plans. The Street Lighting System shall be separately metered and shall be dedicated to City upon its completion and acceptance by City.

120.2 Ranch Center Drive (RCD) and ELR Undergrounding and ELR Streetlight Improvements ~~; and,~~

120.2.1 Submit a street lighting system plan for RCD and ELR Phase I to the City, to be implemented in three components, in accordance with LS-3 rate schedules, and compliance with Section 700 of the latest edition of the Standard Specifications for Public Works Construction ("Greenbook"), and the 2013 California Electrical Coder approval (the "RCD & ELR Street Lighting System Plan"),

120.2.2 Submit City approved RCD & ELR Street Lighting System Plan for RCD and ELR Phase I to SCE.

120.2.3 Coordinate with SCE to produce SCE approved street lighting plan, together with Rule 20B underground installation plans for RCD and ELR Phase I.

120.2.4 Submit the RCD and ELR Street Lighting System Plan approved by City and SCE Street Lighting System Plans for RCD and ELR Phase I to AT&T.

120.2.5 Coordinate with AT&T to produce AT&T approved RCD plans and ELR Phase I plans.

120.2.6 Underground all existing SCE and AT&T transmission, distribution, communication, etc. facilities as per the approved SCE street lighting plans and the Rule 20B & AT&T RCD and ELR Phase I plans. The Phase 1b plans shall include the installation of an underground 29-inch circular steel casing in the Department of Water Resources right-of-way, schedule to be provided in connection with anticipated permitting timeline, and the Phase 1c area shall be implemented after Phase 1a has been completed.

120.2.7 Remove all "power/telephone poles" as per approved SCE and AT&T plans for RCD.

120.2.8 Remove all "power/telephone poles" as per approved SCE and AT&T plans for ELR Phase I.

120.2.9 Install streetlights as shown on City/SCE Street Lighting System ELR Phase I plans.

120.3 Westland Drive (WD) and Ritter Ranch Road (RRR) Streetlight Improvements.:

120.3.1 Submit a street lighting system plan for WD and RRR to the City, as to the portions located within Final Tract Maps 51508-01 and 51508-02, as referenced in the Subdivision Improvement Agreements listed in Exhibit 6 of Agreement No. A-7796, and the portions of WD and RRR located in Tentative Tract Map 51508-03 expired before approval as a final map. Such street lighting system plan shall be prepared in accordance with LS-3 rate schedules, and compliance

with Section 700 of the Greenbook, and 2013 California Electrical Code approval (the "WD & RRR Street Lighting System Plan").

120.3.2 Submit City approved WD & RRR Street Lighting System Plan to SCE and AT&T.

120.3.3 Coordinate with both SCE and AT&T to obtain approved plans from each of them respectively for the City approved WD & RRR Street Lighting System Plan.

120.3.4 Install the streetlights as shown on approved SCE Street lighting plans for the City approved WD and RRR Street Lighting System Plan.

The Rule 20B underground installation plans for ELR shall be accomplished in three components as follows: (E)

Within the existing built out infrastructure area where conduit has been installed, which extends from a point west of the intersection of RCD and ELR to just east of the Aqueduct crossing of ELR, the facilities shall be undergrounded once the conduit system is adjusted per the updated SCE and AT&T plans (Phase 1a);

For the small unbuilt area across the aqueduct in the DWR right-of-way, installing the underground 29-inch circular steel casing shall require a permit from DWR. This work shall not be required in order to complete the SCE and AT&T work adjacent to Ritter Ranch (Phase 1b); and,

The area of ELR immediately west of RCD to the point approximately 2,157 feet west of RCD where conduit has not previously been installed (Phase 1c) shall be completed after Phase 1a work.

THE FOLLOWING CONDITIONS SHALL BE MET WHILE CONSTRUCTION ACTIVITIES ARE ON-GOING:

133 *The applicant shall, as required by the Planning Division and the City of Palmdale's proposed Air Quality Element, implement applicable Tier I Control Measures contained in the Final 1989 AQMP, as may be subsequently amended. Additionally, the Best Available Control Technology Guidelines published by ~~SCAQMD~~AVAQMD, shall be used. As project buildout will occur over 20-year

period, subsequent phases/approvals will be held to Tier II and Tier III measures which are implemented is mandatory AVAQMD Rules and Regulations applicable to the project phase. General measures which shall be applied for the development include: (Mitigation Measure 27) (P)

133.5 The applicant shall utilize Best Available Control Technology to control volatile organic compounds and Toxic Air Contaminants as required by ~~SCAQMD~~ AVAQMD Rules and Regulations. The Best Available Control Technology Guidelines, published by ~~SCAQMD~~ AVAQMD, shall be used to assess compliance with this mitigation measure.

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR EACH DWELLING UNIT:

146. The applicant shall comply with the provisions of Chapter 3.42 (Fire Facility Impact Fee Requirements~~Ordinance~~) of the Palmdale Municipal Code. The applicant shall pay the applicable fire facility impact fees to the Building and Safety Division in the amount that is in effect at the time the vesting tentative map application was deemed complete ($0.95 per building square-foot) plus any increases to that amount that are subsequently approved to reflect changes in the Consumer Price Index (CPI), All Urban Consumers, for the Los Angeles-Riverside-Orange County Area, as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor, as set forth in Palmdale City Council Resolution No. CC 2021-057. Any credits sought in connection with the provision of fire facilities shall be limited to the amount of fees paid. (E)(B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY FOR ANY PHASE:

~~158. The fair-share cost of the construction of a Fire Station shall be included on each residence of this vesting tentative tract as part of the proposed Community Facilities District (CFD). (E)~~

~~159. The fair-share cost of the construction of a public library shall be included on each residence of this vesting tentative tract as part of the proposed CFD. (E)~~

Resolution No. PC-2022-007: Vesting Tentative Tract Map (VTTM) 51606

These Conditions of Approval apply to VTTM 51606; a request to subdivide approximately 12 acres into 62 lots for the purpose of constructing 60 single-family residences within

Planning Area five of the Ritter Ranch Specific Plan. For the purpose of these conditions, the term "applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval. For purposes of these conditions, the applicant shall not mean the Master developer/Master subdivider. For the purposes of these conditions, an * indicates that the condition is a mitigation measure.

GENERAL CONDITIONS

The following condition will be renumbered and moved to the '**THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR ANY PHASE OF THE SUBDIVISION**' section

3. This approval shall also require that ~~not be final until~~ an agreement (Agreement No. A-7796) has been executed between the City of Palmdale and the Applicant ~~to replace the prior Development Agreement (Development Agreement 92-1, as amended in the First Amendment to Development Agreement 92-1) for the Ritter Ranch Specific Plan~~. This project shall be subject to all applicable provisions of the agreement. (P)

23. * Projects that exceed ~~SCAQMD~~ AVAQMD threshold levels shall contribute to the Traffic mitigation programs imposed on the development in effect at such time building permits are issued for the project, and each part thereof. (Mitigation Measure 30) (P)

THE FOLLOWING CONDITIONS SHALL BE ADDRESSED WITH THE SUBMITTAL OF GRADING PLANS OR PRIOR TO ISSUANCE OF A GRADING PERMIT:

65. Prior to grading permit issuance, ~~as outlined in the 'Phase 1 Interim Agreement – Ritter Ranch Development' (Agreement No. A-7796)~~ the Master Developer shall enter into new subdivision improvement agreements for all Final Tract Maps for Tract Maps 51508-01 and 51508-02 and any other projects related to these Final Tract Maps ~~or Tentative Tract Map items listed in Exhibit 5 of said interim agreement~~ and replace all Lien Contracts with Surety Bonds. (E)

THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO OR IN CONJUNCTION WITH RECORDATION OF THE FINAL MAP OR ANY PHASE THEREOF:

92. Will Serve or Service Boundary letters ~~will~~ shall be required before the map is submitted to City Council for approval. The following is a list of the minimum Will Serve or Service Boundary letters required: (E)

92.1 Los Angeles County Waterworks

92.2 Southern California Edison

92.3 Southern California Gas Company

92.4 Cable TV

92.5 School Districts

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR ANY PHASE OF THE SUBDIVISION:

103. * Westside Union School District: The developer shall comply with the terms of the agreement, dated November 26, 1991, between the developer and the Westside Union School District as mitigation for impacts caused by development of the project on the Westside Union School District. The terms of that agreement are as follows:

103.1 Development Fees. Developer hereby agrees to pay to District fifty-one dollars and ninety-nine cents ~~($51.99)~~ per square foot of habitable residential development prior to the issuance of the building permit on each unit. A fee of ~~twenty-six cents~~ ~~($0.26)~~ per square foot of industrial/commercial construction shall be paid to the District prior to the issuance of each commercial building permit. All such amounts shall be subject to annual adjustment pursuant to increases or decreases in the School Construction Cost. Index of the Office of Local Assistance with January 1, 1992, as the base.

112. Prior to issuance of the 321st building permit ~~issuance~~, the following ~~milestone timeline requirements outlined in the Phase 1 Interim Agreement – Ritter Ranch Development (Agreement No. A-7796) shall be met or projects identified are being~~

~~completed, to the satisfaction of the City Engineer.~~ improvements ~~that~~ shall be completed ~~by the Master Developer~~ to the satisfaction of the City Engineer in accordance with the applicable City documents, including but not limited to, permits, subdivision improvement agreements and Agreement No. A-7796. ~~are as follows:~~ (E)

112.1 Remaining Elizabeth Lake Road (ELR) Work:~~;~~

112.1.1 Submit a new plan set to the City for the Street Lighting System design for Elizabeth Lake Road Phase I in accordance with LS-3 rate schedules and in compliance with Section 700 of the Greenbook and the 2013 California Electrical Code. The Street Lighting System along Elizabeth Lake Road Phase I improvements shall be approximately 2,157 feet west of Ranch Center Drive and approximately 6,600 feet east of Ranch Center Drive, and shall be built in three components, as described in Exhibit 2 of Agreement No. A-7796. The City shall process and approve such plans in accordance with its normal processing and approval procedures.

112.1.2 Submit Street Lighting System Elizabeth Lake Road Phase I plans as approved by the City to Southern California Edison (SCE).

112.1.3 Coordinate with SCE to produce SCE approved street lighting, together with Rule 20B underground installation plans for Elizabeth Lake Road Phase I improvements (as further described in Exhibit 2 of Agreement No. A-7796).

112.1.4 Submit to AT&T (i) Street Lighting System Elizabeth Lake Road Phase I plans approved by the City and (ii) street lighting/Rule 20B underground installation plans for Elizabeth Lake Road Phase I improvements approved by SCE.

112.1.5 Coordinate with AT&T to produce AT&T approved Elizabeth Lake Road Phase I improvement plans.

112.1.6 Underground all existing SCE and AT&T transmission, distribution, communication, and other applicable facilities in accordance with the City/SCE approved street lighting/Rule 20B underground installation plans for Elizabeth Lake Road Phase I improvements and the AT&T

approved Elizabeth Lake Road Phase I improvements plans. This shall include the installation of an underground 29-inch circular steel casing in the Department of Water Resources right-of-way.

112.1.7 Remove all "power/telephone poles" in accordance with the City/SCE approved street lighting/Rule 20B underground installation plans for Elizabeth Lake Road Phase I improvements and the AT&T approved Elizabeth Lake Road Phase I improvements plans.

112.1.8 Install streetlights as shown on City/SCE approved Street Lighting System Elizabeth Lake Road Phase I plans. The Street Lighting System shall be separately metered and shall be dedicated to City upon its completion and acceptance by City.

112.2 Ranch Center Drive (RCD) and ELR Undergrounding and ELR Streetlight Improvements ~~; and,~~

112.2.1 Submit a street lighting system plan for RCD and ELR Phase I to the City, to be implemented in three components, in accordance with LS-3 rate schedules, and compliance with Section 700 of the latest edition of the Standard Specifications for Public Works Construction ("Greenbook"), and the 2013 California Electrical Coder approval (the "RCD & ELR Street Lighting System Plan"),

112.2.2 Submit City approved RCD & ELR Street Lighting System Plan for RCD and ELR Phase I to SCE.

112.2.3 Coordinate with SCE to produce SCE approved street lighting plan, together with Rule 20B underground installation plans for RCD and ELR Phase I.

112.2.4 Submit the RCD and ELR Street Lighting System Plan approved by City and SCE Street Lighting System Plans for RCD and ELR Phase I to AT&T.

112.2.5 Coordinate with AT&T to produce AT&T approved RCD plans and ELR Phase I plans.

112.2.6 Underground all existing SCE and AT&T transmission, distribution, communication, etc. facilities as per the approved SCE street lighting plans and the Rule 20B & AT&T RCD and ELR Phase I plans. The Phase 1b plans shall include the installation of an underground 29-inch circular steel casing in the Department of Water Resources right-of-way, schedule to be provided in connection with anticipated permitting timeline, and the Phase 1c area shall be implemented after Phase 1a has been completed.

112.2.7 Remove all "power/telephone poles" as per approved SCE and AT&T plans for RCD.

112.2.8 Remove all "power/telephone poles" as per approved SCE and AT&T plans for ELR Phase I.

112.2.9 Install streetlights as shown on City/SCE Street Lighting System ELR Phase I plans.

112.3 Westland Drive (WD) and Ritter Ranch Road (RRR) Streetlight Improvements.:

112.3.1 Submit a street lighting system plan for WD and RRR to the City, as to the portions located within Final Tract Maps 51508-01 and 51508-02, as referenced in the Subdivision Improvement Agreements listed in Exhibit 6 of Agreement No. A-7796, and the portions of WD and RRR located in Tentative Tract Map 51508-03 expired before approval as a final map. Such street lighting system plan shall be prepared in accordance with LS-3 rate schedules, and compliance with Section 700 of the Greenbook, and 2013 California Electrical Code approval (the "WD & RRR Street Lighting System Plan").

112.3.2 Submit City approved WD & RRR Street Lighting System Plan to SCE and AT&T.

112.3.3 Coordinate with both SCE and AT&T to obtain approved plans from each of them respectively for the City approved WD & RRR Street Lighting System Plan.

112.3.4 Install the streetlights as shown on approved SCE Street lighting plans for the City approved WD and RRR Street Lighting System Plan.

The Rule 20B underground installation plans for ELR shall be accomplished in three components as follows: (E)

Within the existing built out infrastructure area where conduit has been installed, which extends from a point west of the intersection of RCD and ELR to just east of the Aqueduct crossing of ELR, the facilities shall be undergrounded once the conduit system is adjusted per the updated SCE and AT&T plans (Phase 1a);

For the small unbuilt area across the aqueduct in the DWR right-of-way, installing the underground 29-inch circular steel casing shall require a permit from DWR. This work shall not be required in order to complete the SCE and AT&T work adjacent to Ritter Ranch (Phase 1b); and,

The area of ELR immediately west of RCD to the point approximately 2,157 feet west of RCD where conduit has not previously been installed (Phase 1c) shall be completed after Phase 1a work.

THE FOLLOWING CONDITIONS SHALL BE MET WHILE CONSTRUCTION ACTIVITIES ARE ON-GOING:

125 * The applicant shall, as required by the Planning Division and the City of Palmdale's proposed Air Quality Element, implement applicable Tier I Control Measures contained in the Final 1989 AQMP, as may be subsequently amended. Additionally, the Best Available Control Technology Guidelines published by ~~SCAQMD~~AVAQMD, shall be used. As project buildout will occur over 20-year period, subsequent phases/approvals will be held to Tier II and Tier III measures which are implemented is mandatory AVAQMD Rules and Regulations applicable to the project phase. General measures which shall be applied for the development include: (Mitigation Measure 27) (P)

125.5 The applicant shall utilize Best Available Control Technology to control volatile organic compounds and Toxic Air Contaminants as required by ~~SCAQMD~~ AVAQMD Rules and Regulations. The Best Available Control Technology Guidelines, published by ~~SCAQMD~~ AVAQMD, shall be used to assess compliance with this mitigation measure.

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR EACH DWELLING UNIT:

138. The applicant shall comply with the provisions of Chapter 3.42 (Fire Facility Impact Fee Requirements~~Ordinance~~) of the Palmdale Municipal Code. The applicant shall pay the applicable fire facility impact fees to the Building and Safety Division in the amount that is in effect at the time the vesting tentative map application was deemed complete ($0.95 per building square-foot) plus any increases to that amount that are subsequently approved to reflect changes in the Consumer Price Index (CPI), All Urban Consumers, for the Los Angeles-Riverside-Orange County Area, as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor, as set forth in Palmdale City Council Resolution No. CC 2021-057. Any credits sought in connection with the provision of fire facilities shall be limited to the amount of fees paid. (E)(B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY FOR ANY PHASE:

~~150. The fair-share cost of the construction of a Fire Station shall be included on each residence of this vesting tentative tract as part of the proposed Community Facilities District (CFD). (E)~~

~~151. The fair-share cost of the construction of a public library shall be included on each residence of this vesting tentative tract as part of the proposed CFD. (E)~~

Resolution No. PC-2022-008: Vesting Tentative Tract Map (VTTM) 51607

These Conditions of Approval apply to VTTM 51607; a request to subdivide approximately 21 acres into 86 lots for the purpose of constructing 84 single-family residences within Planning Area five of the Ritter Ranch Specific Plan. For the purpose of these conditions, the term "applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval. For purposes of these conditions, the applicant shall not mean the Master developer/Master subdivider. For the purposes of these conditions, an * indicates that the condition is a mitigation measure.

GENERAL CONDITIONS

The following condition will be renumbered and moved to the '**THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR ANY PHASE OF THE SUBDIVISION**' section:

3. This approval shall also require that ~~not be final until~~ an agreement (Agreement No. A-7796) has been executed between the City of Palmdale and the Applicant ~~to replace the prior Development Agreement (Development Agreement 92-1, as amended in the First Amendment to Development Agreement 92-1) for the Ritter Ranch Specific Plan~~. This project shall be subject to all applicable provisions of the agreement. (P)

   * Projects that exceed ~~SCAQMD~~ AVAQMD threshold levels shall contribute to the Traffic mitigation programs imposed on the development in effect at such time building permits are issued for the project, and each part thereof. (Mitigation Measure 30) (P)

THE FOLLOWING CONDITIONS SHALL BE ADDRESSED WITH THE SUBMITTAL OF GRADING PLANS OR PRIOR TO ISSUANCE OF A GRADING PERMIT:

56. The applicant shall submit for review and approval by the City Engineer, three sets of landscaping and irrigation system plans for all areas designated as Landscape Maintenance Easements on the Vesting Tentative Tract Maps, which will be included in the Landscape Maintenance Assessment District (LMD). Plans shall include planting and irrigation plans and specifications (20 scale maximum) District Diagram of Improvements for the LMD Engineer's report; estimate of probable construction costs; and the notice to prospective homeowners. Tree species shall meet the Thematic Landscape Standards, outlined in the Ritter Ranch Phase 1A Planned Development (PD 21-001). The following areas shall be included for LMD landscaping plans: (E)

    56.1 Ten-foot Pedestrian Access easement at the east end of Streets 'F' and 'D';

    56.2 Re-design of ~~CFD~~ related landscaping at the intersection of Street 'H' and City Ranch Road;

    56.3 Re-design of ~~CFD~~ related landscaping adjacent to the 10-foot trail easement at the west end of Street 'J' and at the east end of Streets 'F' and 'D';

56.4 Open Space Lot Nos. 85 and 86;

56.5 Six and one-half foot of right-of-way landscaping adjacent to the tract boundary wall of Lot No. 1 and 84 feet at Street 'H' and at the corner cut-off area at the intersection of Street 'H' and City Ranch Road.

67. Prior to grading permit issuance, ~~as outlined in the 'Phase 1 Interim Agreement - Ritter Ranch Development' (Agreement No. A-7796)~~ the Master Developer shall enter into new subdivision improvement agreements for all Final Tract Maps for Tract Maps 51508-01 and 51508-02 and any other projects related to these Final Tract Maps ~~or Tentative Tract Map items listed in Exhibit 5 of said interim agreement~~ and replace all Lien Contracts with Surety Bonds. (E)

THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO OR IN CONJUNCTION WITH RECORDATION OF THE FINAL MAP OR ANY PHASE THEREOF:

92. Will Serve or Service Boundary letters ~~will~~ shall be required before the map is submitted to City Council for approval. The following is a list of the minimum Will Serve or Service Boundary letters required: (E)

92.1 Los Angeles County Waterworks

92.2 Southern California Edison

92.3 Southern California Gas Company

92.4 Cable TV

92.5 School Districts

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR ANY PHASE OF THE SUBDIVISION:

104. * Westside Union School District: The developer shall comply with the terms of the agreement, dated November 26, 1991, between the developer and the Westside Union School District as mitigation for impacts caused by development of the project on the Westside Union School District. The terms of that agreement are as follows:

104.1 Development Fees. Developer hereby agrees to pay to District fifty-one dollars and ninety-nine cents ~~($51.99)~~ per square foot of habitable residential development prior to the issuance of the building permit on each unit. A fee of ~~twenty-six cents~~ ~~($0.26)~~ per square foot of industrial/commercial construction shall be paid to the District prior to the issuance of each commercial building permit. All such amounts shall be subject to annual adjustment pursuant to increases or decreases in the School Construction Cost. Index of the Office of Local Assistance with January 1, 1992, as the base.

113. Prior to issuance of the 321st building permit ~~issuance~~, the following ~~milestone timeline requirements outlined in the Phase 1 Interim Agreement – Ritter Ranch Development (Agreement No. A-7796) shall be met or projects identified are being completed, to the satisfaction of the City Engineer.~~ improvements ~~that~~ shall be completed ~~by the Master Developer~~ to the satisfaction of the City Engineer in accordance with the applicable City documents, including but not limited to, permits, subdivision improvement agreements and Agreement No. A-7796. ~~are as follows:~~ (E)

113.1 Remaining Elizabeth Lake Road (ELR) Work:~~;~~

113.1.1 Submit a new plan set to the City for the Street Lighting System design for Elizabeth Lake Road Phase I in accordance with LS-3 rate schedules and in compliance with Section 700 of the Greenbook and the 2013 California Electrical Code. The Street Lighting System along Elizabeth Lake Road Phase I improvements shall be approximately 2,157 feet west of Ranch Center Drive and approximately 6,600 feet east of Ranch Center Drive, and shall be built in three components, as described in Exhibit 2 of Agreement No. A-7796. The City shall process and approve such plans in accordance with its normal processing and approval procedures.

113.1.2 Submit Street Lighting System Elizabeth Lake Road Phase I plans as approved by the City to Southern California Edison (SCE).

113.1.3 Coordinate with SCE to produce SCE approved street lighting, together with Rule 20B underground installation plans for Elizabeth

Lake Road Phase I improvements (as further described in Exhibit 2 of Agreement No. A-7796).

113.1.4 Submit to AT&T (i) Street Lighting System Elizabeth Lake Road Phase I plans approved by the City and (ii) street lighting/Rule 20B underground installation plans for Elizabeth Lake Road Phase I improvements approved by SCE.

113.1.5 Coordinate with AT&T to produce AT&T approved Elizabeth Lake Road Phase I improvement plans.

113.1.6 Underground all existing SCE and AT&T transmission, distribution, communication, and other applicable facilities in accordance with the City/SCE approved street lighting/Rule 20B underground installation plans for Elizabeth Lake Road Phase I improvements and the AT&T approved Elizabeth Lake Road Phase I improvements plans. This shall include the installation of an underground 29-inch circular steel casing in the Department of Water Resources right-of-way.

113.1.7 Remove all "power/telephone poles" in accordance with the City/SCE approved street lighting/Rule 20B underground installation plans for Elizabeth Lake Road Phase I improvements and the AT&T approved Elizabeth Lake Road Phase I improvements plans.

113.1.8 Install streetlights as shown on City/SCE approved Street Lighting System Elizabeth Lake Road Phase I plans. The Street Lighting System shall be separately metered and shall be dedicated to City upon its completion and acceptance by City.

113.2 Ranch Center Drive (RCD) and ELR Undergrounding and ELR Streetlight Improvements.~~; and,~~

113.2.1 Submit a street lighting system plan for RCD and ELR Phase I to the City, to be implemented in three components, in accordance with LS-3 rate schedules, and compliance with Section 700 of the latest edition of the Standard Specifications for Public Works Construction ("Greenbook"), and the 2013 California Electrical Coder approval (the "RCD & ELR Street Lighting System Plan"),

113.2.2 Submit City approved RCD & ELR Street Lighting System Plan for RCD and ELR Phase I to SCE.

113.2.3 Coordinate with SCE to produce SCE approved street lighting plan, together with Rule 20B underground installation plans for RCD and ELR Phase I.

113.2.4 Submit the RCD and ELR Street Lighting System Plan approved by City and SCE Street Lighting System Plans for RCD and ELR Phase I to AT&T.

113.2.5 Coordinate with AT&T to produce AT&T approved RCD plans and ELR Phase I plans.

113.2.6 Underground all existing SCE and AT&T transmission, distribution, communication, etc. facilities as per the approved SCE street lighting plans and the Rule 20B & AT&T RCD and ELR Phase I plans. The Phase 1b plans shall include the installation of an underground 29-inch circular steel casing in the Department of Water Resources right-of-way, schedule to be provided in connection with anticipated permitting timeline, and the Phase 1c area shall be implemented after Phase 1a has been completed.

113.2.7 Remove all "power/telephone poles" as per approved SCE and AT&T plans for RCD.

113.2.8 Remove all "power/telephone poles" as per approved SCE and AT&T plans for ELR Phase I.

113.2.9 Install streetlights as shown on City/SCE Street Lighting System ELR Phase I plans.

113.3 Westland Drive (WD) and Ritter Ranch Road (RRR) Streetlight Improvements.:

113.3.1 Submit a street lighting system plan for WD and RRR to the City, as to the portions located within Final Tract Maps 51508-01 and 51508-02, as referenced in the Subdivision Improvement Agreements listed in Exhibit 6 of Agreement No. A-7796, and the portions of WD and

RRR located in Tentative Tract Map 51508-03 expired before approval as a final map. Such street lighting system plan shall be prepared in accordance with LS-3 rate schedules, and compliance with Section 700 of the Greenbook, and 2013 California Electrical Code approval (the "WD & RRR Street Lighting System Plan").

113.3.2 Submit City approved WD & RRR Street Lighting System Plan to SCE and AT&T.

113.3.3 Coordinate with both SCE and AT&T to obtain approved plans from each of them respectively for the City approved WD & RRR Street Lighting System Plan.

113.3.4 Install the streetlights as shown on approved SCE Street lighting plans for the City approved WD and RRR Street Lighting System Plan.

The Rule 20B underground installation plans for ELR shall be accomplished in three components as follows: (E)

Within the existing built out infrastructure area where conduit has been installed, which extends from a point west of the intersection of RCD and ELR to just east of the Aqueduct crossing of ELR, the facilities shall be undergrounded once the conduit system is adjusted per the updated SCE and AT&T plans (Phase 1a);

For the small unbuilt area across the aqueduct in the DWR right-of-way, installing the underground 29-inch circular steel casing shall require a permit from DWR. This work shall not be required in order to complete the SCE and AT&T work adjacent to Ritter Ranch (Phase 1b); and,

The area of ELR immediately west of RCD to the point approximately 2,157 feet west of RCD where conduit has not previously been installed (Phase 1c) shall be completed after Phase 1a work.

THE FOLLOWING CONDITIONS SHALL BE MET WHILE CONSTRUCTION ACTIVITIES ARE ON-GOING:

126 *The applicant shall, as required by the Planning Division and the City of Palmdale's proposed Air Quality Element, implement applicable Tier I Control

Measures contained in the Final 1989 AQMP, as may be subsequently amended. Additionally, the Best Available Control Technology Guidelines published by ~~SCAQMD~~AVAQMD, shall be used. As project buildout will occur over 20-year period, subsequent phases/approvals will be held to Tier II and Tier III measures which are implemented is mandatory AVAQMD Rules and Regulations applicable to the project phase. General measures which shall be applied for the development include: (Mitigation Measure 27) (P)

126.5 The applicant shall utilize Best Available Control Technology to control volatile organic compounds and Toxic Air Contaminants as required by ~~SCAQMD~~ AVAQMD Rules and Regulations. The Best Available Control Technology Guidelines, published by ~~SCAQMD~~ AVAQMD, shall be used to assess compliance with this mitigation measure.

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR EACH DWELLING UNIT:

139. The applicant shall comply with the provisions of Chapter 3.42 (Fire Facility Impact Fee Requirements~~Ordinance~~) of the Palmdale Municipal Code. The applicant shall pay the applicable fire facility impact fees to the Building and Safety Division in the amount that is in effect at the time the vesting tentative map application was deemed complete ($0.95 per building square-foot) plus any increases to that amount that are subsequently approved to reflect changes in the Consumer Price Index (CPI), All Urban Consumers, for the Los Angeles-Riverside-Orange County Area, as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor, as set forth in Palmdale City Council Resolution No. CC 2021-057. Any credits sought in connection with the provision of fire facilities shall be limited to the amount of fees paid. (E)(B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY FOR ANY PHASE:

~~151. The fair-share cost of the construction of a Fire Station shall be included on each residence of this vesting tentative tract as part of the proposed Community Facilities District (CFD). (E)~~

~~152. The fair-share cost of the construction of a public library shall be included on each residence of this vesting tentative tract as part of the proposed CFD. (E)~~

Resolution No. PC-2022-010: Vesting Tentative Tract Map (VTTM) 52093

These Conditions of Approval apply to VTTM 52093; a request to subdivide approximately 22 acres into 113 lots for the purpose of constructing 106 single-family residences within Planning Area five of the Ritter Ranch Specific Plan. For the purpose of these conditions, the term "applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval. For purposes of these conditions, the applicant shall not mean the Master developer/Master subdivider. For the purposes of these conditions, an * indicates that the condition is a mitigation measure.

GENERAL CONDITIONS

The following condition will be renumbered and moved to the '**THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR ANY PHASE OF THE SUBDIVISION**' section:

3. This approval shall also require that ~~not be final until~~ an agreement (Agreement No. A-7796) has been executed between the City of Palmdale and the Applicant ~~to replace the prior Development Agreement (Development Agreement 92-1, as amended in the First Amendment to Development Agreement 92-1) for the Ritter Ranch Specific Plan~~. This project shall be subject to all applicable provisions of the agreement. (P)

   * Projects that exceed ~~SCAQMD~~ AVAQMD threshold levels shall contribute to the Traffic mitigation programs imposed on the development in effect at such time building permits are issued for the project, and each part thereof. (Mitigation Measure 30) (P)

THE FOLLOWING CONDITIONS SHALL BE ADDRESSED WITH THE SUBMITTAL OF GRADING PLANS OR PRIOR TO ISSUANCE OF A GRADING PERMIT:

56. The applicant shall submit for review and approval by the City Engineer, three sets of landscaping and irrigation system plans for all areas designated as Landscape Maintenance Easements on the Vesting Tentative Tract Maps, which will be included in the Landscape Maintenance Assessment District (LMD). Plans shall include planting and irrigation plans and specifications (20 scale maximum) District Diagram of Improvements for the LMD Engineer's report; estimate of probable construction costs; and the notice to prospective homeowners. Tree species to meet Thematic Landscape Standards, outlined in the Ritter Ranch Phase 1A Planned Development (PD 21-001) document. (E)

56.1 Open space Lot Nos. 108, 109, 110, 111, and 112;

56.2 Right-of-way and landscape easement at the east property line of Lot Nos. 96 and 97 (Along Street 'AA');

56.3 Re-design of ~~CFD~~ related landscaping at the intersection of Parkview Drive and Street 'II' and Westland Drive and Street 'AA';

56.4 Variable width landscape easements at the west end of Street 'GG' and Street 'HH'

67. Prior to grading permit issuance, ~~as outlined in the 'Phase 1 Interim Agreement – Ritter Ranch Development' (Agreement No. A-7796)~~ the Master Developer shall enter into new subdivision improvement agreements for all Final Tract Maps for Tract Maps 51508-01 and 51508-02 and any other projects related to these Final Tract Maps ~~or Tentative Tract Map items listed in Exhibit 5 of said interim agreement~~ and replace all Lien Contracts with Surety Bonds. (E)

THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO OR IN CONJUNCTION WITH RECORDATION OF THE FINAL MAP OR ANY PHASE THEREOF:

92. Will Serve or Service Boundary letters ~~will~~ shall be required before the map is submitted to City Council for approval. The following is a list of the minimum Will Serve or Service Boundary letters required: (E)

92.1 Los Angeles County Waterworks

92.2 Southern California Edison

92.3 Southern California Gas Company

92.4 Cable TV

92.5 School Districts

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR ANY PHASE OF THE SUBDIVISION:

105. * Westside Union School District: The developer shall comply with the terms of the agreement, dated November 26, 1991, between the developer and the Westside Union School District as mitigation for impacts caused by development of the project on the Westside Union School District. The terms of that agreement are as follows:

105.1 Development Fees. Developer hereby agrees to pay to District fifty-one dollars and ninety-nine cents ~~($51.99)~~ per square foot of habitable residential development prior to the issuance of the building permit on each unit. A fee of ~~twenty-six cents~~ ~~($0.26)~~ per square foot of industrial/commercial construction shall be paid to the District prior to the issuance of each commercial building permit. All such amounts shall be subject to annual adjustment pursuant to increases or decreases in the School Construction Cost. Index of the Office of Local Assistance with January 1, 1992, as the base.

114. Prior to issuance of the 321st building permit ~~issuance~~, the following ~~milestone timeline requirements outlined in the Phase 1 Interim Agreement - Ritter Ranch Development (Agreement No. A-7796) shall be met or projects identified are being completed, to the satisfaction of the City Engineer.~~ improvements ~~that~~ shall be completed ~~by the Master Developer~~ to the satisfaction of the City Engineer in accordance with the applicable City documents, including but not limited to, permits, subdivision improvement agreements and Agreement No. A-7796. ~~are as follows:~~ (E)

114.1 Remaining Elizabeth Lake Road (ELR) Work:~~;~~

114.1.1 Submit a new plan set to the City for the Street Lighting System design for Elizabeth Lake Road Phase I in accordance with LS-3 rate schedules and in compliance with Section 700 of the Greenbook and the 2013 California Electrical Code. The Street Lighting System along Elizabeth Lake Road Phase I improvements shall be approximately 2,157 feet west of Ranch Center Drive and approximately 6,600 feet east of Ranch Center Drive, and shall be built in three components, as described in Exhibit 2 of Agreement

No. A-7796. The City shall process and approve such plans in accordance with its normal processing and approval procedures.

114.1.2 Submit Street Lighting System Elizabeth Lake Road Phase I plans as approved by the City to Southern California Edison (SCE).

114.1.3 Coordinate with SCE to produce SCE approved street lighting, together with Rule 20B underground installation plans for Elizabeth Lake Road Phase I improvements (as further described in Exhibit 2 of Agreement No. A-7796).

114.1.4 Submit to AT&T (i) Street Lighting System Elizabeth Lake Road Phase I plans approved by the City and (ii) street lighting/Rule 20B underground installation plans for Elizabeth Lake Road Phase I improvements approved by SCE.

114.1.5 Coordinate with AT&T to produce AT&T approved Elizabeth Lake Road Phase I improvement plans.

114.1.6 Underground all existing SCE and AT&T transmission, distribution, communication, and other applicable facilities in accordance with the City/SCE approved street lighting/Rule 20B underground installation plans for Elizabeth Lake Road Phase I improvements and the AT&T approved Elizabeth Lake Road Phase I improvements plans. This shall include the installation of an underground 29-inch circular steel casing in the Department of Water Resources right-of-way.

114.1.7 Remove all "power/telephone poles" in accordance with the City/SCE approved street lighting/Rule 20B underground installation plans for Elizabeth Lake Road Phase I improvements and the AT&T approved Elizabeth Lake Road Phase I improvements plans.

114.1.8 Install streetlights as shown on City/SCE approved Street Lighting System Elizabeth Lake Road Phase I plans. The Street Lighting System shall be separately metered and shall be dedicated to City upon its completion and acceptance by City.

114.2 Ranch Center Drive (RCD) and ELR Undergrounding and ELR Streetlight Improvements; ~~and,~~

114.2.1 Submit a street lighting system plan for RCD and ELR Phase I to the City, to be implemented in three components, in accordance with LS-3 rate schedules, and compliance with Section 700 of the latest edition of the Standard Specifications for Public Works Construction ("Greenbook"), and the 2013 California Electrical Coder approval (the "RCD & ELR Street Lighting System Plan"),

114.2.2 Submit City approved RCD & ELR Street Lighting System Plan for RCD and ELR Phase I to SCE.

114.2.3 Coordinate with SCE to produce SCE approved street lighting plan, together with Rule 20B underground installation plans for RCD and ELR Phase I.

114.2.4 Submit the RCD and ELR Street Lighting System Plan approved by City and SCE Street Lighting System Plans for RCD and ELR Phase I to AT&T.

114.2.5 Coordinate with AT&T to produce AT&T approved RCD plans and ELR Phase I plans.

114.2.6 Underground all existing SCE and AT&T transmission, distribution, communication, etc. facilities as per the approved SCE street lighting plans and the Rule 20B & AT&T RCD and ELR Phase I plans. The Phase 1b plans shall include the installation of an underground 29-inch circular steel casing in the Department of Water Resources right-of-way, schedule to be provided in connection with anticipated permitting timeline, and the Phase 1c area shall be implemented after Phase 1a has been completed.

114.2.7 Remove all "power/telephone poles" as per approved SCE and AT&T plans for RCD.

114.2.8 Remove all "power/telephone poles" as per approved SCE and AT&T plans for ELR Phase I.

114.2.9 Install streetlights as shown on City/SCE Street Lighting System ELR Phase I plans.

114.3 Westland Drive (WD) and Ritter Ranch Road (RRR) Streetlight Improvements.

114.3.1 Submit a street lighting system plan for WD and RRR to the City, as to the portions located within Final Tract Maps 51508-01 and 51508-02, as referenced in the Subdivision Improvement Agreements listed in Exhibit 6 of Agreement No. A-7796, and the portions of WD and RRR located in Tentative Tract Map 51508-03 expired before approval as a final map. Such street lighting system plan shall be prepared in accordance with LS-3 rate schedules, and compliance with Section 700 of the Greenbook, and 2013 California Electrical Code approval (the "WD & RRR Street Lighting System Plan").

114.3.2 Submit City approved WD & RRR Street Lighting System Plan to SCE and AT&T.

114.3.3 Coordinate with both SCE and AT&T to obtain approved plans from each of them respectively for the City approved WD & RRR Street Lighting System Plan.

114.3.4 Install the streetlights as shown on approved SCE Street lighting plans for the City approved WD and RRR Street Lighting System Plan.

The Rule 20B underground installation plans for ELR shall be accomplished in three components as follows: (E)

Within the existing built out infrastructure area where conduit has been installed, which extends from a point west of the intersection of RCD and ELR to just east of the Aqueduct crossing of ELR, the facilities shall be undergrounded once the conduit system is adjusted per the updated SCE and AT&T plans (Phase 1a);

For the small unbuilt area across the aqueduct in the DWR right-of-way, installing the underground 29-inch circular steel casing shall require a permit from DWR. This work shall not be required in order to complete the SCE and AT&T work adjacent to Ritter Ranch (Phase 1b); and,

The area of ELR immediately west of RCD to the point approximately 2,157 feet west of RCD where conduit has not previously been installed (Phase 1c) shall be completed after Phase 1a work.

THE FOLLOWING CONDITIONS SHALL BE MET WHILE CONSTRUCTION ACTIVITIES ARE ON-GOING:

127 *The applicant shall, as required by the Planning Division and the City of Palmdale's proposed Air Quality Element, implement applicable Tier I Control Measures contained in the Final 1989 AQMP, as may be subsequently amended. Additionally, the Best Available Control Technology Guidelines published by ~~SCAQMD~~AVAQMD, shall be used. As project buildout will occur over 20-year period, subsequent phases/approvals will be held to Tier II and Tier III measures which are implemented is mandatory AVAQMD Rules and Regulations applicable to the project phase. General measures which shall be applied for the development include: (Mitigation Measure 27) (P)

127.5 The applicant shall utilize Best Available Control Technology to control volatile organic compounds and Toxic Air Contaminants as required by ~~SCAQMD~~ AVAQMD Rules and Regulations. The Best Available Control Technology Guidelines, published by ~~SCAQMD~~ AVAQMD, shall be used to assess compliance with this mitigation measure.

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR EACH DWELLING UNIT:

140. The applicant shall comply with the provisions of Chapter 3.42 (Fire Facility Impact Fee Requirements~~Ordinance~~) of the Palmdale Municipal Code. The applicant shall pay the applicable fire facility impact fees to the Building and Safety Division in the amount that is in effect at the time the vesting tentative map application was deemed complete ($0.95 per building square-foot) plus any increases to that amount that are subsequently approved to reflect changes in the Consumer Price Index (CPI), All Urban Consumers, for the Los Angeles-Riverside-Orange County Area, as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor, as set forth in Palmdale City Council Resolution No. CC 2021-057. Any credits sought in connection with the provision of fire facilities shall be limited to the amount of fees paid. (E)(B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY FOR ANY PHASE:

~~152. The fair-share cost of the construction of a Fire Station shall be included on each residence of this vesting tentative tract as part of the proposed Community Facilities District (CFD). (E)~~

~~153. The fair-share cost of the construction of a public library shall be included on each residence of this vesting tentative tract as part of the proposed CFD. (E)~~

Resolution No. PC-2022-009: Vesting Tentative Tract Map (VTTM) 52116

These Conditions of Approval apply to VTTM 52116; a request to subdivide approximately 10 acres into 57 lots for the purpose of constructing 53 single-family residences within Planning Area five of the Ritter Ranch Specific Plan. For the purpose of these conditions, the term "applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval. For purposes of these conditions, the applicant shall not mean the Master developer/Master subdivider. For the purposes of these conditions, an * indicates that the condition is a mitigation measure.

GENERAL CONDITIONS

The following condition will be renumbered and moved to the '**THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR ANY PHASE OF THE SUBDIVISION**' section:

3. This approval shall also require that ~~not be final until~~ an agreement (Agreement No. A-7796) has been executed between the City of Palmdale and the Applicant ~~to replace the prior Development Agreement (Development Agreement 92-1, as amended in the First Amendment to Development Agreement 92-1) for the Ritter Ranch Specific Plan~~. This project shall be subject to all applicable provisions of the agreement. (P)

23. * Projects that exceed ~~SCAQMD~~ AVAQMD threshold levels shall contribute to the Traffic mitigation programs imposed on the development in effect at such time building permits are issued for the project, and each part thereof. (Mitigation Measure 30) (P)

THE FOLLOWING CONDITIONS SHALL BE ADDRESSED WITH THE SUBMITTAL OF GRADING PLANS OR PRIOR TO ISSUANCE OF A GRADING PERMIT:

54 The applicant shall submit for review and approval by the City Engineer, three sets of landscaping and irrigation system plans for all areas designated as Landscape Maintenance Easements on the Vesting Tentative Tract Maps, which will be included in the Landscape Maintenance Assessment District (LMD). Plans shall include planting and irrigation plans and specifications (20 scale maximum) District Diagram of Improvements for the LMD Engineer's report; estimate of probable construction costs; and the notice to prospective homeowners. Tree species to meet Thematic Landscape Standards, outlined in the Ritter Ranch Phase 1A Planned Development (PD 21-001) document. (E)

54.1 Re-design of ~~CFD~~ related landscaping at the intersections of Street 'QQ' and Westland Drive, Westland Drive and Parkview Drive;

54.2 Six and one-half ~~(6.5)~~ foot right-of-way landscaping adjacent to the tract boundary wall at Street 'QQ' at the intersection of Westland Drive and Street 'UU' at the intersection of Parkview Drive;

54.3 Open Space Lot Nos. 54, 55, 56.

65. Prior to grading permit issuance, ~~as outlined in the 'Phase 1 Interim Agreement - Ritter Ranch Development' (Agreement No. A-7796)~~ the Master Developer shall enter into new subdivision improvement agreements for all Final Tract Maps for Tract Maps 51508-01 and 51508-02 and any other projects related to these Final Tract Maps ~~or Tentative Tract Map items listed in Exhibit 5 of said interim agreement~~ and replace all Lien Contracts with Surety Bonds. (E)

THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO OR IN CONJUNCTION WITH RECORDATION OF THE FINAL MAP OR ANY PHASE THEREOF:

91. Will Serve or Service Boundary letters ~~will~~ shall be required before the map is submitted to City Council for approval. The following is a list of the minimum Will Serve or Service Boundary letters required: (E)

91.1 Los Angeles County Waterworks

91.2 Southern California Edison

91.3 Southern California Gas Company

91.4 Cable TV

91.5 School Districts

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR ANY PHASE OF THE SUBDIVISION:

103. * Westside Union School District: The developer shall comply with the terms of the agreement, dated November 26, 1991, between the developer and the Westside Union School District as mitigation for impacts caused by development of the project on the Westside Union School District. The terms of that agreement are as follows:

103.1 Development Fees. Developer hereby agrees to pay to District fifty-one dollars and ninety-nine cents ~~($51.99)~~ per square foot of habitable residential development prior to the issuance of the building permit on each unit. A fee of ~~twenty-six cents~~ ~~($0.26)~~ per square foot of industrial/commercial construction shall be paid to the District prior to the issuance of each commercial building permit. All such amounts shall be subject to annual adjustment pursuant to increases or decreases in the School Construction Cost. Index of the Office of Local Assistance with January 1, 1992, as the base.

112. Prior to issuance of the 321st building permit ~~issuance~~, the following ~~milestone timeline requirements outlined in the Phase 1 Interim Agreement - Ritter Ranch Development (Agreement No. A-7796) shall be met or projects identified are being completed, to the satisfaction of the City Engineer.~~ improvements ~~that~~ shall be completed ~~by the Master Developer~~ to the satisfaction of the City Engineer in accordance with the applicable City documents, including but not limited to, permits, subdivision improvement agreements and Agreement No. A-7796. ~~are as follows:~~ (E)

112.1 Remaining Elizabeth Lake Road (ELR) Work:~~;~~

112.1.1 Submit a new plan set to the City for the Street Lighting System design for Elizabeth Lake Road Phase I in accordance with LS-3 rate schedules and in compliance with Section 700 of the Greenbook and the 2013 California Electrical Code. The Street Lighting System

along Elizabeth Lake Road Phase I improvements shall be approximately 2,157 feet west of Ranch Center Drive and approximately 6,600 feet east of Ranch Center Drive, and shall be built in three components, as described in Exhibit 2 of Agreement No. A-7796. The City shall process and approve such plans in accordance with its normal processing and approval procedures.

112.1.2 Submit Street Lighting System Elizabeth Lake Road Phase I plans as approved by the City to Southern California Edison (SCE).

112.1.3 Coordinate with SCE to produce SCE approved street lighting, together with Rule 20B underground installation plans for Elizabeth Lake Road Phase I improvements (as further described in Exhibit 2 of Agreement No. A-7796).

112.1.4 Submit to AT&T (i) Street Lighting System Elizabeth Lake Road Phase I plans approved by the City and (ii) street lighting/Rule 20B underground installation plans for Elizabeth Lake Road Phase I improvements approved by SCE.

112.1.5 Coordinate with AT&T to produce AT&T approved Elizabeth Lake Road Phase I improvement plans.

112.1.6 Underground all existing SCE and AT&T transmission, distribution, communication, and other applicable facilities in accordance with the City/SCE approved street lighting/Rule 20B underground installation plans for Elizabeth Lake Road Phase I improvements and the AT&T approved Elizabeth Lake Road Phase I improvements plans. This shall include the installation of an underground 29-inch circular steel casing in the Department of Water Resources right-of-way.

112.1.7 Remove all "power/telephone poles" in accordance with the City/SCE approved street lighting/Rule 20B underground installation plans for Elizabeth Lake Road Phase I improvements and the AT&T approved Elizabeth Lake Road Phase I improvements plans.

112.1.8 Install streetlights as shown on City/SCE approved Street Lighting System Elizabeth Lake Road Phase I plans. The Street Lighting

System shall be separately metered and shall be dedicated to City upon its completion and acceptance by City.

112.2 Ranch Center Drive (RCD) and ELR Undergrounding and ELR Streetlight Improvements ~~; and,~~

112.2.1 Submit a street lighting system plan for RCD and ELR Phase I to the City, to be implemented in three components, in accordance with LS-3 rate schedules, and compliance with Section 700 of the latest edition of the Standard Specifications for Public Works Construction ("Greenbook"), and the 2013 California Electrical Coder approval (the "RCD & ELR Street Lighting System Plan"),

112.2.2 Submit City approved RCD & ELR Street Lighting System Plan for RCD and ELR Phase I to SCE.

112.2.3 Coordinate with SCE to produce SCE approved street lighting plan, together with Rule 20B underground installation plans for RCD and ELR Phase I.

112.2.4 Submit the RCD and ELR Street Lighting System Plan approved by City and SCE Street Lighting System Plans for RCD and ELR Phase I to AT&T.

112.2.5 Coordinate with AT&T to produce AT&T approved RCD plans and ELR Phase I plans.

112.2.6 Underground all existing SCE and AT&T transmission, distribution, communication, etc. facilities as per the approved SCE street lighting plans and the Rule 20B & AT&T RCD and ELR Phase I plans. The Phase 1b plans shall include the installation of an underground 29-inch circular steel casing in the Department of Water Resources right-of-way, schedule to be provided in connection with anticipated permitting timeline, and the Phase 1c area shall be implemented after Phase 1a has been completed.

112.2.7 Remove all "power/telephone poles" as per approved SCE and AT&T plans for RCD.

112.2.8 Remove all "power/telephone poles" as per approved SCE and AT&T plans for ELR Phase I.

112.2.9 Install streetlights as shown on City/SCE Street Lighting System ELR Phase I plans.

112.3 Westland Drive (WD) and Ritter Ranch Road (RRR) Streetlight Improvements.:

112.3.1 Submit a street lighting system plan for WD and RRR to the City, as to the portions located within Final Tract Maps 51508-01 and 51508-02, as referenced in the Subdivision Improvement Agreements listed in Exhibit 6 of Agreement No. A-7796, and the portions of WD and RRR located in Tentative Tract Map 51508-03 expired before approval as a final map. Such street lighting system plan shall be prepared in accordance with LS-3 rate schedules, and compliance with Section 700 of the Greenbook, and 2013 California Electrical Code approval (the "WD & RRR Street Lighting System Plan").

112.3.2 Submit City approved WD & RRR Street Lighting System Plan to SCE and AT&T.

112.3.3 Coordinate with both SCE and AT&T to obtain approved plans from each of them respectively for the City approved WD & RRR Street Lighting System Plan.

112.3.4 Install the streetlights as shown on approved SCE Street lighting plans for the City approved WD and RRR Street Lighting System Plan.

The Rule 20B underground installation plans for ELR shall be accomplished in three components as follows: (E)

Within the existing built out infrastructure area where conduit has been installed, which extends from a point west of the intersection of RCD and ELR to just east of the Aqueduct crossing of ELR, the facilities shall be undergrounded once the conduit system is adjusted per the updated SCE and AT&T plans (Phase 1a);

For the small unbuilt area across the aqueduct in the DWR right-of-way, installing the underground 29-inch circular steel casing shall require a permit from DWR. This work shall not be required in order to complete the SCE and AT&T work adjacent to Ritter Ranch (Phase 1b); and,

The area of ELR immediately west of RCD to the point approximately 2,157 feet west of RCD where conduit has not previously been installed (Phase 1c) shall be completed after Phase 1a work.

THE FOLLOWING CONDITIONS SHALL BE MET WHILE CONSTRUCTION ACTIVITIES ARE ON-GOING:

126 * The applicant shall, as required by the Planning Division and the City of Palmdale's proposed Air Quality Element, implement applicable Tier I Control Measures contained in the Final 1989 AQMP, as may be subsequently amended. Additionally, the Best Available Control Technology Guidelines published by ~~SCAQMD~~AVAQMD, shall be used. As project buildout will occur over 20-year period, subsequent phases/approvals will be held to Tier II and Tier III measures which are implemented is mandatory AVAQMD Rules and Regulations applicable to the project phase. General measures which shall be applied for the development include: (Mitigation Measure 27) (P)

125.5 The applicant shall utilize Best Available Control Technology to control volatile organic compounds and Toxic Air Contaminants as required by ~~SCAQMD~~ AVAQMD Rules and Regulations. The Best Available Control Technology Guidelines, published by ~~SCAQMD~~ AVAQMD, shall be used to assess compliance with this mitigation measure.

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR EACH DWELLING UNIT:

138. The applicant shall comply with the provisions of Chapter 3.42 (Fire Facility Impact Fee Requirements~~Ordinance~~) of the Palmdale Municipal Code. The applicant shall pay the applicable fire facility impact fees to the Building and Safety Division in the amount that is in effect at the time the vesting tentative map application was deemed complete ($0.95 per building square-foot) plus any increases to that amount that are subsequently approved to reflect changes in the Consumer Price Index (CPI), All Urban Consumers, for the Los Angeles-Riverside-Orange County Area, as determined by the United States Department of Labor, Bureau of Labor

Statistics, or its successor, as set forth in Palmdale City Council Resolution No. CC 2021-057. Any credits sought in connection with the provision of fire facilities shall be limited to the amount of fees paid. (E)(B&S)

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY FOR ANY PHASE:

~~150. The fair-share cost of the construction of a Fire Station shall be included on each residence of this vesting tentative tract as part of the proposed Community Facilities District (CFD). (E)~~

~~151. The fair-share cost of the construction of a public library shall be included on each residence of this vesting tentative tract as part of the proposed CFD. (E)~~

Resolution No. PC-2022-011: Conditional Use Permit 22-001

Section 3.3 (Pages 15 and 16) of the draft Planned Development (PD 21-001) document included references to incorrect footnotes. Revised Pages 15 and 16 have been attached.

City Council Staff Report

DATE: **APRIL 6, 2022**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **PUBLIC WORKS DEPARTMENT**
ENGINEERING DIVISION

DISTRICT: **2**

SUBJECT: **ADOPT RESOLUTION NO. CC 2022-029, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE APPROVING INTERIM AGREEMENT ASSOCIATED WITH RITTER RANCH MASTER PLANNED COMMUNITY AND COMMUNITY FACILITIES DISTRICT NO. 93-1 (RITTER RANCH) AND ACTIONS REFERENCED TO THEREIN**

ISSUE

Adopt Resolution No. CC 2022-029, a Resolution of the City Council of the City of Palmdale approving Interim Agreement associated with Ritter Ranch Master Planned Community and Community Facilities District No. 93-1. (Ritter Ranch) and actions referenced to therein.

RECOMMENDATION

Staff recommends that the City Council:

1. Adopt Resolution No. CC 2022-029, approving Interim Agreement No. A-7796 associated with Ritter Ranch Master Planned Community and Community Facilities District No. 93-1. (Ritter Ranch)

2. Authorize the Acting City Manager, or her designee to execute Agreement No. A-7796 with RdR Development Holdings, LLC and Preston Hollow Capital, LLC.

BACKGROUND

Ritter Ranch is a proposed 10,500 acre master-planned community on the west side of the City ("Project"). Pursuant to the 1992 Specific Plan, the Project provided for, among other things, 7,200 homes to be built in phases. In July 2012, the Development Agreement, as amended, that governed the Project expired by its own terms. While the Development Agreement provided, among other things, for specialty parks, a swim club and equestrian park, bikeways, and hiking trails with parking areas, a library, a new fire station plus two new vehicles, school sites, commercial sites, and an 18-hole golf course, club house and pro shop, many of these amenities were also provided for in the Specific Plan.

In February 1994, the City formed Community Facilities District No. 93-1 ("93-1 District") for the purpose of financing certain public improvements for Phase 1 of the Project and in April 1995 issued $50,000,000 of special tax bonds ("93-1 Bonds") on behalf of the 93-1 District. Previous master developers of the Project commenced, and in some cases completed, the construction of certain backbone infrastructure within what has been designated as Phase 1 (as defined below) of the Project. The improvements were not completed due to the economic cycles and resulting bankruptcies and/or financial problems of several prior master developers of the Project. As of March 1, 2022, approximately $22 million was owed on the 93-1 Bonds and approximately $2.5 million remains in the Improvement Fund.

In March 2014, Lehman Brothers acquired the Project and the 93-1 Bonds under the terms of a bankruptcy plan of Palmdale Hills Property, LLC, a SunCal company. In connection with the bankruptcy, the City entered into Settlement Agreement No. A-4263 with Lehman Brothers pursuant to which the City agreed that certain entitlements previously approved by the City could be extended and lien contracts, rather than surety bonds, could be used as security under existing subdivision improvement agreements because Lehman had no plans to move forward with developing the Project. Lehman agreed, among other things, (i) to construct certain improvements on Ranch Center Drive, Westland Drive, Ritter Ranch Road, and Avenue S (the Gap Road), and (ii) to replace the lien contracts once construction of the Project commenced.

In November 2016, Lehman Brothers sold the Project to RR Holdings LLC ("RR Holdings") and the 93-1 Bonds to an affiliate entity. The Ritter Holdings entities were owned primarily by Michael Dell, with a Sun Cal Company entity as manager. Although the construction with respect to the Gap Road had been completed, Lehman had yet to complete the other improvements. Immediately preceding the transfer of the Project and 93-1 Bonds, City and Lehman Brothers entered into a Supplement to Settlement Agreement No. A-4263 which (i) further defined the completion of certain public infrastructure along Elizabeth Lake Road, Ranch Center Drive, Westland Drive, and Ritter Ranch Road (collectively, "Phase 1 Infrastructure Completion Projects"), (ii) agreement to replace the lien contracts upon commencement of construction, and (iii) the agreement to the assignment of the Settlement Agreement as supplemented by the Supplement and other related agreements to RR Holdings, including the existing subdivision improvement agreements. City Council approved the Supplement pursuant to Resolution No. CC 2016-078.

On or about October 22, 2018, the City was advised by an affiliate of the Sun Cal Companies ("Sun Cal Developer") that it had acquired all of the ownership interests in Ritter Holdings, and Ritter Holdings intended to move forward with the development of the Ritter Ranch Project. Sometime thereafter, Preston Hollow Capital ("PHC") purchased the 93-1 Bonds from Ritter Holdings and made a loan to Ritter Holdings which was secured by the Project. During the period November 2016 to October 2018, no work was commenced with respect to the Phase 1 Infrastructure Completion Projects.

After acquiring the equity interest, Sun Cal Developer commenced construction of certain sewer improvements on Avenue S and posted related surety bonds with respect

to such expected improvements. Sun Cal Developer commenced a cost analysis of remaining infrastructure under existing assigned subdivision improvement agreements to support surety bonds to replace the existing lien contracts. Sun Cal Developer also presented City Council with a design concept of its new vision for the development of Ritter Ranch Project (which was different than Project pursuant to the Specific Plan). Despite the presentation, no application to amend the Specific Plan was ever filed with the City.

In July 2020, PHC foreclosed on the Project (including real property, personalty, and agreements), and thereafter, PHC transferred the real property to RdR Development Holdings, LLC, a wholly-owned subsidiary ("RdR," with PHC, the "RdR Parties"). In response to requests by RdR Parties, on September 1, 2020, the City Council adopted a resolution approving certain actions related to the Ritter Ranch Project, including a deferral of special tax payments for the 93-1 Bonds, an agreement with PHC to pay costs of the City related to the development of the Project, and approved agreements with consultants to assist the City with matters related to proposed agreements and land use approvals for the Project and the 93-1 Bonds.

RdR is moving forward as Master Developer of the Project. As noted above, the Ritter Ranch Specific Plan includes a number of Planning Areas. RdR, as well as Sun Cal Developer and its predecessor, established a portion of Planning Area 5 of the Specific Plan, the initial phase of development of the Project ("Phase 1"). As also provided above, certain of the backbone infrastructure in the Phase 1 area was previously constructed by prior developers. RdR intends to complete such infrastructure and develop the Phase 1 and has told the City that such development will be consistent with the Specific Plan.

On February 10, 2022 the Planning Commission approved Conditional Use Permit 22-001, Planned Development 21-001, and Vesting Tentative Tract Maps 51604, 51605, 51606, 51607, 52093 and 52116. On February 22, 2022, Leona Valley Town Council filed an appeal of the decision of the Planning Commission.

In furtherance of the development of the Ritter Ranch Project, the City and RdR Parties have agreed on terms for the Interim Agreement A-7796 which provide, in part, for the following:

1. RdR's agreement to complete the Phase 1 Infrastructure Completion Projects before the issuance of the 321st building permit;

2. RdR agreement to pay the actual cost of the Phase 1 Infrastructure Completion Projects not otherwise funded or reimbursed by the funds in certain escrows.

3. RdR reserves the right to seek credit against traffic impact fees with respect to actual costs it incurs (i.e. not otherwise paid or reimbursed from Reimbursement Sources) in connection with the construction of offsite improvements for Elizabeth Lake Road, Palmdale Boulevard, and 10th Street West/Tierra Subida

Road intersection ("Qualifying Credit Improvement Work") subject, however, to proper application and approval by the City ("Reimbursement Credits").

4. RdR and City will execute new Subdivision Improvement Agreements ("SIAS") and RdR will provide the City with supporting surety bonds securing the applicable costs of improvements related to the applicable grading, street, sewer, drainage, or other plans for Elizabeth Lake Road, Ranch Center Drive, Ritter Ranch Drive and any other area encompassed by Final Map 51508-01 and 51508-02 and not otherwise covered by the SIAs on Exhibit 5 to the Interim Agreement and for the existing SIAs on Exhibit 5 of the Interim Agreement, the earlier of the date that RdR or any merchant builder commences construction, including seeking a permit from the City related thereto, or May 31, 2022.

5. City retained certain step-in rights with respect to completing the Phase 1 Completion Projects and Phase IA Public Amenity Facilities should RdR fail to do so.

FISCAL IMPACT

There is no fiscal impact to the City as a result of this action.

STRATEGIC PLAN

Goal III: Invest in infrastructure to improve community livability.

C. Plan and maintain safe and attractive neighborhoods, streets, facilities, and public spaces with exciting programming that promotes active fun for everyone.

Prepared by:	Chuck Heffernan, P.E., Director of Public Works
Certified as to availability of Funds:	Keith Kang, Finance Manager
Approved by:	Ronda Perez, Interim City Manager
Approved as to form:	Christopher Beck, City Attorney

ATTACHMENTS

1. Resolution No. CC 2022-029
2. Interim Agreement No. A-7796

PHASE 1 INTERIM AGREEMENT – RITTER RANCH DEVELOPMENT (A- 7796)

THIS PHASE 1 INTERIM AGREEMENT – RITTER RANCH DEVELOPMENT (this "Agreement"), dated March [16] 2022, is by and among RdR DEVELOPMENT HOLDINGS, LLC, a Delaware limited liability company ("RdR" or "Developer") and Preston Hollow Capital, LLC, a Delaware limited liability company ("PHC" or "Bondholder, " collectively with RdR, the RdR Parties), on the one hand, and the CITY OF PALMDALE, a California municipal corporation (the "City," collectively with RdR and PHC, the "Parties"), on the other hand, based on the following:

RECITALS

WHEREAS, the City has previously granted approvals for development of an area known as Ritter Ranch, including the Ritter Ranch Specific Plan (the "Specific Plan") approved in 1992, with respect to the intended master planned community known as the Ritter Ranch ("Project"), consisting of approximately 10,500 acres ("Property"). The Property and associated obligations have been transferred a number of times over the years.

WHEREAS, in connection with the development of the Project, the City formed City of Palmdale Community Facilities District 93-1 ("CFD 93-1") to finance certain public facilities for the Project. Specifically, as provided in the Resolution of Formation of the CFD 93-1, along with Exhibit A thereto, the original authorized facilities identified in the approved budget for the CFD bonds, included among others, off-site streets and drainage construction, water facilities, and sewer facilities ("Infrastructure Facilities") and public facilities, including without limitation, parks located in the CFD area now identified for Phase IA of the Project ("Phase 1A Public Amenity Facilities"), collectively, with Infrastructure Facilities, the "Original Authorized Facilities"). Bonds ("93-1 Bonds") were issued on behalf of CFD 93-1 to fund certain of the Infrastructure Facilities, the City entered into various agreements with respect thereto, including the Acquisition Agreement (as defined below); after the City approved entitlements requested for the Project, and work on the Project was commenced. The City and PHC are currently discussing, among other things, the formation by the City of a new community facilities district on the parcels of real property within RdR Phase 1 (as defined below) ("New CFD") in which special taxes would be levied to pay the costs of certain public facilities required for RdR Phase 1 and City services now required within New CFD.

WHEREAS, on or about November 16, 2016, the City and a prior developer of the Property, Ritter Holdings, LLC ("Ritter Holdings"), entered into a Supplement to Settlement Agreement (No. A-4263) ("Supplement Agreement") pursuant to which the City agreed that certain entitlements previously approved by the City could be extended in compliance with applicable rules, laws, regulations and ordinances of City and State at such time and Ritter Holdings agreed, among other things, (i) to construct certain improvements referred to as RCD & ELR Undergrounding and ELR Streetlight Improvements and WD & RRR Streetlight Improvements (as each are defined below), (ii) to replace lien contracts ("Lien Contracts")

securing the construction of certain infrastructure under existing project subdivision improvement agreements as described on Exhibit 5 hereto ("SIAs") with surety bonds ("Surety Bonds") once construction of the Project once again commenced, other than the construction required under (i) above, and (iii) provided the City step-in-rights following notice and opportunity to cure if the improvements identified in (i) above were not timely constructed.

WHEREAS, on or about October 22, 2018, the City was advised by an affiliate of the Sun Cal Companies that it had acquired all of the ownership interests in Ritter Holdings, and Ritter Holdings intended to move forward with the development of the Ritter Ranch Project. Sometime thereafter, PHC purchased the 93-1 Bonds from Ritter Holdings and made a loan to Ritter Holdings which was secured by the Property.

WHEREAS, in July 2020, PHC non-judicially foreclosed on the Property and thereafter, RdR acquired the Property, pursuant to a Quitclaim Deed, dated August 27, 2020, by PHC to RdR (recorded with the Recorder's Office of the County of Los Angeles on August 28, 2020, as document number 20201020109), and the Quitclaim Bill of Sale, executed and delivered as of August 27, 2020, by and between PHC and RdR. In response to requests by RdR Parties, on September 1, 2020, the City Council adopted a resolution approving certain actions related to the Ritter Ranch project, including a deferral of special tax bond payments, an agreement with PHC to pay costs of the City related to the development, and approved agreements with consultants to assist the City with matters related to proposed agreements and land use approvals for the Ritter Ranch property and the bonds. RdR has moved forward as Developer and has been advised by the City that the Project's previously approved entitlements, other than the Specific Plan, had expired.

WHEREAS, pursuant to the Specific Plan and other documents, the Project provided for, among other things, 7,200 homes to be built in phases, as well as open space, public facilities, recreation areas, school sites and commercial land uses. At the time, in addition to the Specific Plan, the City approved a Development Agreement by and between the City and Ritter Park Associates dated as of July 1992, as amended by that certain First Amendment dated as of September 9, 1995, and as supplemented by that certain Development Agreement Administrative Modification titled Development Plan Agreement among the City Parties and Palmdale Hills (an affiliate entity of the Sun Cal Companies, dated as of September 2004) (collectively, "Development Agreement"). In July 2012, the Development Agreement expired by its own terms, with such termination being affirmed by Ritter Holdings' predecessor. While the Development Agreement provided, among other things, for specialty parks, a swim club and equestrian park, bikeways, and hiking trails with parking areas, a library, a new fire station plus two new vehicles, school sites, and a 18-hole golf course, club house and pro shop, many of these amenities were also provided for in the Specific Plan.

WHEREAS, the Ritter Ranch Specific Plan includes a number of Planning Areas. The initial phase of development of the Project contemplated under the Development Agreement and provided for in the Acquisition Agreement (as defined below) includes a portion of Planning Area 5 of the Specific Plan, which is designated as Phase 1 herein. As described further below, certain of the backbone infrastructure in the Phase 1 area was previously constructed by prior developers. RdR intends to complete such infrastructure and develop the Phase 1 area located in Planning Area 5 of the Specific Plan and has told the City that such development will be

consistent with the Specific Plan ("RdR Phase 1 or Phase 1"), which will require approval by the City of detailed entitlements for such development (the "RdR Phase 1 Entitlements or Phase 1 Entitlements"). Although currently expired, some entitlements were previously approved by the City for a portion of the Phase 1 area of Planning Area 5 in 1994 and again in 2006 which were consistent with the Specific Plan and other agreements that were in place at the time, including the Development Agreement.

WHEREAS, pursuant to previously issued City approvals, as discussed above, certain backbone infrastructure was constructed within RdR Phase 1, including construction of certain roadways and mass grading of certain areas of RdR Phase 1. However these improvements were not completed due to the bankruptcies and/or financial problems of several prior master developers of the Property, including Ritter Holdings, and as a result of the passage of time certain work will have to be redone. In addition, as described below and identified in Exhibits 1-4 hereto, certain improvements which were specifically identified for completion in the Supplement Agreement and ELR Settlement (as defined below) (collectively, the "Phase 1 Infrastructure Completion Projects"),were not completed, and in some instances, not even commenced.

WHEREAS, one such Phase 1 Infrastructure Completion Project is related to Elizabeth Lake Road. Pursuant to the Settlement and Mutual Release Agreement (the "ELR Settlement"), dated November 2016 relating to litigation over certain surety bonds posted pursuant to subdivision improvement agreements by and between the City and developer at the time, the City, Arch Insurance Company and Ritter Holdings agreed to complete certain improvement work with regard to Elizabeth Lake Road as described in Exhibit 1 hereto (the "Remaining ELR Work"). Ritter Holdings was required to commence the design work immediately, but if bids for the improvement construction were in excess of available funds in certain escrows, upon notice to the City, Ritter Holdings could defer the construction, provided, however, all improvements needed to be completed before a certificate of occupancy was issued for any structure built on the Property. In connection with the ELR Settlement, the City, Ritter Holdings and Fidelity National Title Insurance Company entered into an Escrow Agreement (the "ELR Escrow"), pursuant to which approximately **$**2,010,000 is available to fund the construction of the Remaining ELR Work.

WHEREAS, in addition to the Remaining ELR Work, the Supplement Agreement provided that Ritter Holdings was required to complete certain other infrastructure improvements for Ranch Center Drive (the "RCD Work"). The Remaining ELR Work and RCD Work is collectively referred to as the "RCD & ELR Undergrounding and ELR Streetlight Improvements" described in Exhibit 2 hereto. Also, the Supplement Agreement further provided that Ritter Holdings was required to complete the construction of improvements on Westland Drive and Ritter Ranch Road (the "WD & RRR Streetlight Improvements"), as described on Exhibit 3 hereto, before a certificate of occupancy for any structure built on the Property. The Supplement Agreement additionally provided that the costs of RCD & ELR Undergrounding and ELR Streetlight Improvements and WD & RRR Streetlight Improvements, to the extent in excess of any funds available from both the ELR Escrow and the Improvement Fund (as defined below), would be borne solely by Ritter Holdings.

WHEREAS, with respect to CFD 93-1 as discussed above, approximately $2,507,000 remains in the Improvement Fund as defined in the Acquisition Agreement dated February 1, 1995 as amended thereafter ("Acquisition Agreement"), and supplemented by Supplement No. 1 To Acquisition Agreement (A-4262) dated as of November 1, 2016 ("AA Supplement", with Acquisition Agreement, the "Amended Acquisition Agreement"). By the AA Supplement, the Original Authorized Facilities as described above were amended to the work defined as RCD & ELR Undergrounding and ELR Streetlight Improvements. The AA Supplement also provided the City with step-in rights to construct the authorized facilities and to be reimbursed with the funds in the Improvement Fund should Ritter Holdings fail to construct the authorized facilities. Ritter Holdings did not perform any of the work related to the RCD & ELR Undergrounding and ELR Streetlight Improvements in accordance with the terms of the Supplement Agreement.

WHEREAS, the City and RdR Parties are working cooperatively to move forward with the Phase 1 Infrastructure Completion Projects and the development of the Project. Accordingly, the Parties now desire to establish a new timeline for the Phase 1 Infrastructure Completion Projects, and avoid defaults under the Supplement Agreement, the ELR Escrow Agreement, and the AA Supplement. RdR is resubmitting the necessary permitting applications, and the City's comments on such application materials are also being used to determine the remaining costs for completion; resubmittals of entitlement applications have also commenced. The Phase 1 Infrastructure Completion Projects referenced herein, however, do not represent all agreements for infrastructure related to the Project, recognizing that other infrastructure agreements have been executed; these include but are not limited to projects referenced in other previously executed agreements related to the Project including as to improvements for Avenue S.

WHEREAS, the Final Environmental Impact Report within Mitigation Monitoring Program for the Ritter Ranch Specific Plan (the "Final EIR") was certified by City Council in 1992, pursuant to the provisions of the California Environmental Quality Act ("CEQA"). The VTTMs for Phase 1 were previously approved by the City as consistent with the Final EIR approximately three times, including 1994 and 2006, then again in 2014 for discretionary extensions of the VTTMs (the "2014 Extensions"). The associated Planned Development entitlement for an area encompassing most of Phase 1 was also approved by the City as consistent with the Final EIR in 2006, as was a previous entitlement for the same area in 1994, in the form of a Conditional Use Permit. For all of these approvals, conditions were attached from the Final EIR mitigation monitoring program, and the statement of overriding considerations was adopted by the City, pursuant to the provisions of CEQA. For the resubmittal of the applications for the RdR Phase 1 Entitlements in connection herewith, RdR has engaged technical consultants and has informed the City that it will be submitting data demonstrating that the Phase 1 applications are consistent with the Final EIR and the requirements of CEQA. RdR believes that the Final EIR's mitigation monitoring program and statement of overriding considerations should also be applicable for the approvals RdR now seeks from the City.

WHEREAS, in 2016 as described above, Ritter Holdings advised the City that it would not be developing the Property for at least a couple of years, and based on that representation, the City agreed that the Lien Contracts could remain as security for the public improvements identified in existing Subdivision Improvement Agreements ("Existing SIAs"), unless or until there was (i) action, of any type, undertaken by Ritter Holdings to develop the Property (other than RCD & ELR Undergrounding and ELR Streetlight Improvements), or (ii) conveyance of the

Property to another entity. In 2018, due to the representations of Sun Cal Companies, as the new equity owner of Ritter Holdings, the City agreed to extend the completion date under the Existing SIAs to November 2020 (the "Completion Date"). After RdR acquired the Property in 2020, RdR represented to the City that it intended to move forward with development of the Property in the Phase 1 area of Planning Area 5 and requested additional time to replace the Lien Contracts. In December 2020, based on these representations and in furtherance of development and cooperation regarding the same, the City agreed to extend the Completion Date with respect to the Existing SIAs to May 31, 2022, and RdR agreed to enter into new subdivision improvement agreements ("New SIAs") and replace all the Lien Contracts with Surety Bonds by the earlier of commencement of any development of RdR Phase 1 or the Completion Date, rather than requiring the immediate replacement of Surety Bonds. The Existing SIAs and the corresponding New SIAs are shown on Exhibit 5.

NOW, THEREFORE, in consideration of the mutual promises, terms, conditions, provisions and covenants described below, which consideration is hereby acknowledged by the Parties, the Parties hereby agree to the following terms and conditions:

AGREEMENTS

A. RCD & ELR Undergrounding and ELR Streetlight Improvements. Notwithstanding any contrary provision in the AA Supplement, RdR shall complete, in their entirety, the RCD & ELR Undergrounding and ELR Street Improvements prior to the issuance of the 321st building permit in Phase 1A (as provided for in the conditions of approval ("COA") for each vesting tentative tract map in Phase 1A). Notwithstanding any provisions which require that reimbursement from the Improvement Fund shall occur prior to reimbursement from the ELR Escrow, RdR shall be reimbursed from the ELR Escrow, although the final $500,000 in the ELR Escrow shall not be available to RdR until all such RCD & ELR Undergrounding and ELR Streetlight Improvements have been completed. RdR shall be responsible for and pay the actual cost of the RCD &ELR Undergrounding and ELR Street Improvements not otherwise funded or reimbursed by the funds in the ELR Escrow, the Improvement Fund, the Gap Road Escrow, and/or bond proceeds from the New CFD (collectively, "Reimbursement Sources"). As provided in the applicable COA, RdR reserves the right to seek credit against traffic impact fees with respect to actual costs it incurs (i.e. not otherwise paid or reimbursed from Reimbursement Sources) in connection with the construction of offsite improvements for Elizabeth Lake Road, Palmdale Boulevard, and 10th Street West/Tierra Subida Road intersection ("Qualifying Credit Improvement Work") subject, however, to proper application and approval by the City ("Reimbursement Credits"). RCD &ELR Undergrounding and ELR Street Improvements only qualify for Reimbursement Credits if, and to the extent, that any such improvement is a Qualifying Credit Improvement Work. For avoidance of doubt, (i) RdR can access Reimbursement Sources to pay for actual costs (or be reimbursed after payment of costs) for RCD & ELR Undergrounding and ELR Streetlight Improvements, (ii) RdR shall not be entitled to any Reimbursement Credits for costs paid by or reimbursed from Reimbursement Sources or if the costs relate to improvements that do not constitute Qualifying Credit Improvement Work, and (iii) RdR shall not be entitled to Reimbursement Credits in excess of the actual traffic impact fee assessed against RdR. In addition, to the extent applicable, and without any obligation or undertaking by the City, RdR also reserves the right to seek contributions or reimbursement from other developers for shortfall amounts which are not reimbursed through in-lieu credits or

the Reimbursement Credits. The ELR Escrow agreement shall be assumed and assigned to RdR, in the form attached as Exhibit 6 hereto. No later than 30 days after the Effective Date or prior to the issuance of any permit for the property and/or commencement of any improvements on the Property, RdR shall provide the City with appropriate Subdivision Improvement Agreements with supporting surety bonds securing the applicable costs of improvements related to the applicable grading, street, sewer, drainage, or other plans for Elizabeth Lake Road, Ranch Center Drive, and any other area encompassed by Final Map 51508-01 and 51508-2 and not otherwise covered by the SIAs on Exhibit 5 hereof, including, without limitation, improvements for Final Map No 51508-2[1], Ritter RCD & ELR Undergrounding and ELR Street Improvements, in the amounts agreed between RdR and the City, recognizing that such costs are identified and quantified in accordance with City procedures.

B. WD & RRR Streetlight Improvements. As contemplated in the Supplement Agreement, RdR shall complete the WD & RRR Streetlight Improvements, in their entirety, prior to the issuance of the 321st building permit in Phase 1A (as provided for in the COA for each vesting tentative tract map in Phase 1A). The cost of such improvements shall be paid by one or both of the RdR Parties, subject to, however, reimbursement or payment from Reimbursement Sources, to the extent not otherwise exhausted from uses by RdR to fund improvement costs in A above. Within the earlier of 30 days after the Effective Date or commencement of any construction within Phase 1A, RdR shall provide City with appropriate Subdivision Improvement Agreements with supporting surety bonds for the costs of improvements related to applicable grading, street, sewer, drainage, or other plans for Westland Drive and Ritter Ranch Road, and not otherwise covered by the SIAs on Exhibit 5 hereof, including, without limitation, the WD & RRR Streetlight Improvements as such costs are identified and quantified in accordance with City procedures.

C. CEQA Compliance. In connection with the development of Phase 1A and Phase 1B in Planning Area 5, RdR shall provide City with documentation demonstrating that the Final EIR is adequate environmental clearance for the RdR Phase 1 Entitlements. The City has engaged a third party planning firm for services needed, at the expense of RdR, in connection with processing the RdR Phase 1 Entitlements, and RdR and the City are discussing the schedule for City review of CEQA compliance. No construction shall commence until the City and City Council, if required under applicable laws and regulations, has confirmed that RdR Phase 1 Entitlements comply with CEQA and mitigation as provided in the Final EIR, or any other subsequent, supplemental, addendum or new environmental document.

D. Fiscal Impact Study. The City has engaged a consultant to prepare a Fiscal Impact Study with respect to RdR Phase 1, at the expense of RdR. The Fiscal Impact Study will assist in determining the portion of the costs of the additional City services provided in RdR Phase 1 that will be paid from a services special tax levied by the New CFD.

E. SIAs and Surety Bonds. Since the SIAs may not reflect work that has been completed, RdR has submitted (or will submit) plans and or other evidence to demonstrate the degree of completion of the remaining improvements under the SIAs and Surety Bond amounts have been (or will be) quantified by the City in connection with the Parties entering into New

[1] Plans: GD 05-138, ST 05-138, and SD 05-138

SIAs with Surety Bonds posted as collateral in lieu of existing Lien Contracts. With respect to any new Subdivision Improvement Agreements that relate to infrastructure to support Final Maps 51508-01 and 51508-02[2] and not otherwise covered by the SIAs on Exhibit 5 hereof, RdR and the City shall work together to determine the remaining improvements and the requisite Surety Bond amounts; thereafter, but prior to any construction on the Project, the parties shall execute appropriate Subdivision Improvement Agreements and RdR shall provide the City with appropriate Surety Bonds. In connection with the New SIAs, RdR shall provide the City with Surety Bonds to replace the Lien Contracts, the earlier of the date that RdR or any merchant builder commences construction, including seeking a permit from the City related thereto, or May 31, 2022.

F. Phase 1 Additional Entitlements. Following the approval of the Phase 1A entitlements, RdR shall proceed, as needed and appropriate, to process additional entitlements for the implementation of Phase 1B consistent with the Specific Plan and in compliance with applicable rules, laws, regulations and ordinances of City and State at such time.

G. City's Step-In Rights.

(1) The Parties shall cooperate in connection with drafting an amendment to the Amended Acquisition Agreement to incorporate the changes necessary to incorporate the terms of this Agreement ("First Amended Acquisition Agreement"), including, without limitation, describing the Authorized Facilities to include the Phase IA Public Amenity Facilities, as described in the Recitals and to broaden the City's step-in-rights under Section 4.8 of the AA Supplement to include rights related to the Phase IA Public Amenity Facilities. Thereafter, the City and RdR shall execute an assumption and assignment agreement of the First Amended Acquisition Agreement to RdR, in the form attached as Exhibit 7 hereto, after approval of the First Amended Acquisition Agreement by City Council.

(2) As provided herein and subject to any applicable Section of the Amended Acquisition Agreement as any such Section may have to be amended, the City shall have step-in rights (including, but not limited to, rights to enforce or terminate then existing construction contracts, rights to all plans and specifications, etc.), to commence and/or complete the construction and/or installation of the RCD & ELR Undergrounding and ELR Streetlight Improvements and the Phase IA Public Amenity Facilities.

(3) Subject to the applicable provisions set forth in the First Amended Acquisition Agreement, the City shall be entitled to utilize the funds then available in the Improvement Fund to pay costs actually incurred by the City in connection with the construction of the RCD & ELR Undergrounding and ELR Streetlight Improvements and the Phase IA Public Amenity Facilities and seek reimbursement from RdR Parties should there be insufficient funds in the Improvement Fund to satisfy all costs actually incurred by the City in connection with the City's exercise of such step-in-rights to complete the construction of the RCD & ELR Undergrounding and ELR Streetlight Improvements and the Phase IA Public Amenity Facilities.

[2] Plans: GD 05-138, ST 05-138, and SD 05-138

(4) The First Amended Acquisition Agreement shall also provide RdR is only entitled to reimbursement from the Improvement Fund for the actual costs it incurs in connection with the construction of the RCD & ELR Undergrounding and ELR Streetlight Improvements and the Phase IA Public Amenity Facilities upon completion of the same and turnover of all of the RCD & ELR Undergrounding and ELR Streetlight Improvements to the City, as well as the other Phase 1A Public Amenities; provided that such delay in reimbursement from the Improvement Fund shall not cause any delay in reimbursement from the ELR Escrow.

(5) In the event the City exercises step-in rights for completion of the RCD & ELR Undergrounding and ELR Streetlight Improvements and Phase IA Public Amenity Facilities by the City, upon the completion thereof, any funds remaining in the Improvement Fund shall be reimbursed to RdR to the extent it incurred any unreimbursed actual out-of-pocket construction costs for RCD & ELR Undergrounding and ELR Streetlight Improvement and Phase IA Public Amenity Facilities in excess of the ELR Escrow. RdR shall execute and deliver the City any necessary Right of Way conveyances should the City elect its Step-in Rights under this Agreement and the First Amended Acquisition Agreement.

H. Other Agreement Provisions.

1. Representations and Warranties. Each of the Parties makes the representations and warranties set forth below to and for the benefit of each other Party:

(a) Formation and Good Standing. The Party is duly organized, validly existing and in good standing under the laws of its formation, with organizational power and legal authority to own its properties and assets and to carry on its business.

(b) Due Authorization. This Agreement and the agreements to be executed in connection herewith by The Party, have been duly authorized, executed and delivered by the Party.

(c) Enforceability. This Agreement and the agreements to be executed in connection herewith by the Party constitute and, when duly executed and delivered by the other Parties, will constitute the legally valid and binding obligations of the Party, enforceable against the Party in accordance with their terms.

2. Exhibits; Modification. All Exhibits attached and referred to in this Agreement are hereby incorporated herein as if fully set forth in and shall be deemed to be a part of this Agreement. All recitals herein shall be relied on by the Parties with respect to this Agreement only. This Agreement may not be modified or amended except by written agreement signed by the Parties.

3. Interpretation. Section headings shall not be used in construing this Agreement. Each Party acknowledges that such Party and its counsel, after negotiation and consultation, have reviewed and revised this Agreement. As such, the terms of this Agreement shall be fairly construed and the usual rule of construction shall be employed

in the interpretation of this Agreement or any amendments, modifications or exhibits hereto or thereto. The words "hereto," "herein," "hereof," "hereunder," "hereby," "this Agreement" and other similar references shall be construed to mean and include this Agreement and all amendments and supplements hereto unless the context shall clearly indicate or require otherwise. Whenever the words "including," "include" or "includes" are used in this Agreement, they shall be interpreted in a nonexclusive manner. Except as otherwise indicated, all Exhibit and Section references in this Agreement shall be deemed to refer to the Exhibits and Sections in this Agreement.

4. Delay for Events Beyond the Parties' Control. Delay of performance by either Party of its obligations under this Agreement shall not be deemed a breach of the Agreement and the Term shall be extended, for periods equal to the time during which:

(a) A delay is caused by reason of any event that cannot reasonably be anticipated or controlled by the City or RdR which prevents or delays performance by City or RdR of obligations under this Agreement. Such events shall include, by way of example and not limitation, acts of nature, riots, strikes, pandemics or damage to work in process by reason of fire, mud, rain, floods, earthquake, or other such casualties. Such an event does not include a market or business downturn, recession or other change in the business cycle.

(b) All extensions shall be cumulative. If City or RdR seeks excuse from performance for the period of a delay, it shall provide written notice of such delay to the other within ninety (90) days of the commencement of such delay. If the delay or default, whether material or immaterial, is due to an event that cannot be reasonably anticipated or controlled by City or RdR it shall be excused, and an extension of time for such cause shall be granted in writing for the period of the enforced delay, or longer as may be mutually agreed upon. In the event of a disagreement between the Parties with respect to whether this paragraph applies to a particular delay, a Party may file an action for judicial review of the matter, including requests for declaratory and/or injunctive relief. The right to seek judicial review shall not limit any other remedies, whether legal or equitable, to which the Party may be entitled.

5. Governing Law. This Agreement shall be construed and enforced in accordance with the laws of California (without regard to conflicts of laws).

6. Successors and Assigns. This Agreement and the terms and provisions hereof shall inure to the benefit of and be binding upon the successors and assigns of the Parties.

7. Notices. Any notice which a Party is required or may desire to give another Party shall be in writing and may be delivered (a) personally, (b) by United States registered or certified mail, postage prepaid, (c) by Federal Express or other reputable courier service regularly providing evidence of delivery (with charges paid by the Party sending the notice), or (d) by PDF or similar attachment to an email, provided that such email attachment shall be followed within one (1) business day by delivery of such notice

pursuant to clause (a), (b) or (c) above. Any such notice to a Party shall be addressed at the address set forth below (subject to the right of a Party to designate a different address for itself by notice similarly given). Service of any such notice or other communications so made shall be deemed effective on the day of actual delivery (whether accepted or refused) as evidenced by printed confirmation if by email attachment (provided that if any notice or other communication to be delivered by email attachment as provided above cannot be transmitted because of a problem affecting the receiving Party's computer, the deadline for receiving such notice or other communication shall be extended through the next business day), as shown by the addressee's return receipt if by certified mail, and as confirmed by the courier service if by courier; provided, however, that if such actual delivery occurs after 5:00 p.m. (local time where received) or on a non-business day, then such notice or communication so made shall be deemed effective on the first business day after the day of actual delivery. Except as expressly provided above, no communications via electronic mail shall be effective to give any notice, request, direction, demand, consent, waiver, approval or other communications hereunder.

TO RdR PARTIES:

Preston Hollow Capital, LLC
1717 Main Street, Suite 3900
Dallas, Texas 75201
Attention: John Dinan, General Counsel
Email: jdinan@phcllc.com

with a copy to:

RdR Development Holdings, LLC
c/o Preston Hollow Capital, LLC
1717 Main Street, Suite 3900
Dallas, Texas 75201
Attention: Joe James, Co-Head of Credit/Surveillance
Email: jjames@phcllc.com

TO CITY PARTIES:

City of Palmdale
38300 Sierra Highway, Suite A
Palmdale, California 93350
Attention: City Manager
Telephone: 661-267-5300
E-mail: rperez@cityofpalmdale.org

With Copies to:

City of Palmdale
38300 Sierra Highway, Suite A
Palmdale, California 93550
Attention: City Attorney
Telephone: 661-267-5300
E-mail: cbeck@cityofpalmdale.org

And:

City of Palmdale
38250 Sierra Highway
Palmdale, California 93550
Attention: Director of Public Works
Telephone: 661-267-5300
E-mail: cheffernan@cityofpalmdale.org

8. Third Parties. Nothing in this Agreement, whether expressed or implied, is intended to confer any rights or remedies under or by reason of this Agreement on any other person other than the Parties, and their respective successors and assigns, nor is anything in this Agreement intended to relieve or discharge the obligation or liability of any third persons to any Party, nor shall any provision give any third parties any right of subrogation or action over or against any Party. Assignment of this Agreement and the obligations hereunder by the RdR Parties requires the approval of the City.

9. Future Legal Costs. If any Party or Parties bring(s) any suit or other proceeding, including an arbitration proceeding, with respect to the subject matter or the enforcement of this Agreement, each Party shall bear its own costs in connection with any such action. 10. Counterparts; Delivery. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same document. The delivery of an executed counterpart of this Agreement by docusign, facsimile or PDF or similar attachment to an email shall constitute effective delivery of such counterpart for all purposes with the same force and effect as the delivery of an original, executed counterpart.

11. Further Assurances. Each Party shall, from time to time, execute, acknowledge where appropriate and deliver, such further instruments and documents, and take such other action, as any other Party may reasonably request in order to carry out the intent and purpose of this Agreement or of any of the documents executed in connection herewith, at the expense of the Party making such request (provided such instruments, documents and actions do not increase in any material respect the costs to, or liability or obligations of, the Party receiving such a request in a manner not otherwise provided for herein).

12. Severability. If any portion of this Agreement shall become illegal, null or void or against public policy, for any reason, or shall be held by any court of competent jurisdiction to be illegal, null or void or against public policy, the remaining portion of this Agreement shall not be affected thereby and shall remain in full force and effect to the fullest extent permissible by law.

[Signatures on the following page]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their respective officers thereunto duly authorized, all as of the day and year first written above.

PRESTON HOLLOW CAPITAL, LLC

By: _____
Name: John Dinan
Title: General Counsel

RDR DEVELOPMENT HOLDINGS, LLC

By: Preston Hollow Capital, LLC

By: _____
Name: John Dinan
Title: General Counsel

CITY OF PALMDALE

By: _____
Name: Ronda Perez
Title: Acting City Manager

Attest:

By: _____
Shanae S. Smith
City Clerk

Approved as to form:

By: _____
Christopher Beck, Esq.
City Attorney

EXHIBIT 1

REMAINING ELR WORK

1. Submit a new plan set to the City for the Street Lighting System design for Elizabeth Lake Road Phase I in accordance with LS-3 rate schedules and in compliance with Section 700 of the Greenbook, and the 2013 California Electrical Code. The Street Lighting System along Elizabeth Lake Road Phase I improvements shall be approximately 2157 feet west of Ranch Center Drive and approximately 6600 feet east of Ranch Center Drive, and shall be built in three components, as described further on Exhibit 2. The City shall process and approve such plans in accordance with its normal processing and approval procedures.

2. Submit Street Lighting System Elizabeth Lake Road Phase I plans as approved by City to SCE.

3. Coordinate with SCE to produce SCE approved street lighting, together with Rule 20B underground installation plans for Elizabeth Lake Road Phase I improvements (as further described in Exhibit 2).

4. Submit to AT&T (i) Street Lighting System Elizabeth Lake Road Phase I plans approved by City and (ii) street lighting/Rule 20B underground installation plans for Elizabeth Lake Road Phase I improvements approved by SCE.

5. Coordinate with AT&T to produce AT&T approved Elizabeth Lake Road Phase I improvements plans.

6. Underground all existing SCE and AT&T transmission, distribution, communication and other applicable facilities in accordance with the City/SCE approved street lighting/Rule 20B underground installation plans for Elizabeth Lake Road Phase I improvements and the AT&T approved Elizabeth Lake Road Phase I improvements plans. This shall include the installation of an underground 29" circular steel casing in the Department of Water Resources right-of-way.

7. Remove all "power/telephone poles" in accordance with the City/SCE approved street lighting/Rule 20B underground installation plans for Elizabeth Lake Road Phase I improvements and the AT&T approved Elizabeth Lake Road Phase I improvements plans.

8. Install streetlights as shown on City/SCE approved Street Lighting System Elizabeth Lake Road Phase I plans. The Street Lighting System shall be separately metered, and shall be dedicated to City upon its completion and acceptance by City.

EXHIBIT 2

DESCRIPTION OF UPDATED RCD & ELR UNDERGROUNDING AND ELR STREETLIGHT IMPROVEMENTS

RCD & ELR Undergrounding Work

1. Submit a street lighting system plan for Ranch Center Drive and Elizabeth Lake Road Phase I to the City, to be implemented in three components as described in (3) below, in accordance with LS-3 rate schedules, and compliance with Section 700 of the latest edition of the Standard Specifications for Public Works Construction ("Greenbook"), and the 2013 California Electrical Coder approval (the "RCD & ELR Street Lighting System Plan"). [Note: updated design completion for the main segment, Phase 1a as defined below]

2. Submit City approved RCD & ELR Street Lighting System Plan for Ranch Center Drive and Elizabeth Lake Road Phase I to SCE. [Note: updated SCE design for the main segment]

3. Coordinate with SCE to produce SCE approved street lighting Plan, together with rule 20B underground installation plans for Ranch Center Drive and Elizabeth Lake Road Phase I. [This is currently in process for the main segment]

   Note that the Rule 20B underground installation plans for Elizabeth Lake Road shall be accomplished in three components:

   (a) within the existing built out infrastructure area where conduit has been installed, which extends from a point west of the intersection of RCD and ELR to just east of the Aqueduct crossing of ELR, the facilities will be undergrounded once the conduit system is adjusted per the updated SCE and AT&T plans (Phase 1a);

   (b) for the small unbuilt area across the aqueduct in the DWR right of way, to install the underground 29" circular steel casing requires a permit from DWR which will take additional time; this work is not required in order to complete the SCE and AT&T work adjacent to Ritter Ranch. This DWR permit had been previously issued in 2007 but expired prior to utilization, so the Ritter Ranch team will apply again for this permit and complete this portion of the required work following issuance of such permit (Phase 1b); and

   (c) for the area of ELR immediately west of RCD to the point approximately 2157 feet west of RCD where conduit has not previously been installed (Phase 1c), SCE will require conduit installation prior to their work, which will cause additional delays compared to the completion of the Phase 1a work where the conduit is already in place; Phase 1c will be completed after the Phase 1a work.

4. Submit the RCD & ELR Street Lighting System Plan approved by City and SCE Street Lighting System Plans for Ranch Center Drive and Elizabeth Lake Road Phase I to AT&T. [In process, coordinating with City and SCE submittals referenced above]

5. Coordinate with AT&T to produce AT&T approved Ranch Center Drive plans and Elizabeth Lake Road Phase I plans. [In process, coordinating with City and SCE submittals referenced above, contractor confirming all conduits in place for Phase 1a]

6. Underground all existing SCE & AT&T transmission, distribution, communication, etc. facilities as per the approved SCE street lighting plans and the Rule 20B & AT&T Ranch Center Drive and Elizabeth Lake Phase I plans. [Note: after RdR completes undergrounding in existing built out areas (Phase 1a), lines can be energized, thereafter the communications lines can be verified and released] As noted above, the Phase 1b plans shall include the installation of an underground 29" circular steel casing in the Department of Water Resources right-of-way, schedule to be provided in connection with anticipated permitting timeline, and the Phase 1c area will be implemented after Phase 1a has been completed.

7. Remove all "power/telephone poles" as per approved SCE & AT&T plans for Ranch Center Drive. [Note: to occur following SCE energizing of power lines]

ELR Streetlight Improvements

8. Remove all "power/telephone poles" as per approved SCE & AT&T plans for Elizabeth Lake Road Phase I. [Note: to occur following SCE energizing of power lines]

9. Install streetlights as shown on City/SCE approved Street Lighting System Elizabeth Lake Road Phase I plans. [Note: to occur following SCE energizing of power lines] The Street Lighting System shall be separately metered, and shall be dedicated to City upon its completion and acceptance by City. [Agreed]

EXHIBIT 3

DESCRIPTION OF WD & RRR STREETLIGHT IMPROVEMENTS

1. Submit a street lighting system plan for Westland Drive and Ritter Ranch Road to the City, as to the portions located within Final Tract Maps 51508-01 and 51508-02, as referenced in the Subdivision Improvement Agreements listed in Exhibit 5, and the portions of Westland Drive and Ritter Ranch Road located in Tentative Tract Map 51508-03 which were previously constructed by the City because Tentative Tract Map 51508-03 expired before approval as a final map. Such street lighting system plan shall be prepared in accordance with LS-3 rate schedules, and compliance with Section 700 of the Greenbook, and the 2013 California Electrical Code approval (the "WD & RRR Street Lighting System Plan").

2. Submit City approved WD & RRR Street Lighting System Plan to SCE and AT&T.

3. Coordinate with both SCE and AT&T to obtain approved plans from each of them respectively for the City approved WD & RRR Street Lighting System Plan.

4. Install the streetlights as shown on approved SCE street lighting plans for the City approved WD & RRR Street Lighting System Plan.

EXHIBIT 4

OMITTED

EXHIBIT 5

EXISTING SUBDIVISION IMPROVEMENT AGREEMENTS[3]

ITEM	CITY DOCUMENT NUMBER	FINAL TRACT MAP NO. OR TENTATIVE TRACT NO.	IMPROVEMENT PLAN NOS.	NEW CITY DOCUMENT NUMBER
1.	A-5647	Final Tract Map No. 51508	GD 94-16 (Grading)	A-7756
2.	A-5648	Final Tract Map No. 51508-01	ST 94-16 PC 94-16 SD 94-16 WATER	A-7756
3.	A-5649	Final Tract Map No. 51508-01	LMD 901 TR 51508-01	A-7770
4.	A-5650	Final Tract Map No. 51508-02	ST 94-21 PC 94-21 OFF-SITE SEWER SD 94-21 WATER LSP 94-21	A-7757
5.	A-5651	Final Tract Map ELR Phase 1.	ST 05-72 SL 05-39 OFF-SITE SEWER SD 95-09 WATER GD 95-09	A-7755
6.	A-5652	Final Tract Map No. 51508 (Bio-Basin)	GD 05-103	A-7763

[3] As noted in paragraph A and B of the Agreement, prior to any construction on the Project, new Subdivision Improvement Agreements that relate to infrastructure to support Final Maps 51508-01 and 51508-02 and not otherwise covered by the SIAs on Exhibit 5 hereof, will be entered into by the parties and RdR shall provide the City with appropriate Surety Bonds.

ITEM	CITY DOCUMENT NUMBER	FINAL TRACT MAP NO. OR TENTATIVE TRACT NO.	IMPROVEMENT PLAN NOS.	NEW CITY DOCUMENT NUMBER
7.	A 5653 [City agrees no replacement required]	Final Tract Map No. 51508 02	ST 05 139A (Secondary Access Road) [This road is no longer required to be constructed by Ritter Ranch]	No agreement required
8.	A-5654	Final Tract Map Nos. 51508-01 / 51508-02 (Sewer Lift Station)	PC 06-105	A-7762
9.	A 5655 [City agrees no replacement required]	Final Tract Map No. 51508-01	Information Center [This building was demolished by the City so this SIA is no longer needed]	No agreement required
10.	A-5656	Final Tract Map Nos. 51508-01 / 51508-02; (LSP 95-09 / LMD 901 ELR-East)	LSP 95-09 LMD 901 ELR-East	A-7771
11.	A-5657	Final Tract Map No. 51508-01 (Bio Basin GD 07-20)	Bio Basin GD 07-20	A-7764
12.	A-5659	Final Map Tract No. 51508-01 (Waterwheel Entry Monument GD 07-14)	Waterwheel Entry Monument GD 07-14	A-7765
13.	A-5660	Final Tract Map No. 51508-01	Tract 51508-01 (GD 06-107) Recreation Center	A-7761

EXHIBIT 6

Form of Assignment of ELR Escrow Agreement

[To Come]

EXHIBIT 7

Form of Assignment of Amended Acquisition Agreement

[To Come]

CITY COUNCIL
CITY OF PALMDALE, CALIFORNIA
RESOLUTION NO. CC 2022-029

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE APPROVING INTERIM AGREEMENT ASSOCIATED WITH RITTER RANCH MASTER PLANNED COMMUNITY AND COMMUNITY FACILITIES DISTRICT NO. 93-1 (RITTER RANCH) AND ACTIONS REFERENCED TO THEREIN

WHEREAS, Ritter Ranch is a proposed 10,500-acre master-planned community on the west side of the City ("Project"). Pursuant to the 1992 Specific Plan, the Project provided for, among other things, 7,200 homes to be built in phases, specialty parks, a swim club and equestrian park, bikeways, and hiking trails with parking areas, a library, a new fire station plus two new vehicles, school sites, and commercial sites; and

WHEREAS, in or about July 2012 the Development Agreement governing the Project terminated by its own terms. Although certain backbone infrastructure for the Project had been completed, no homes had been constructed homes within the Project site due to the financial difficulties and bankruptcies of prior developers; and

WHEREAS, in July 2020, Preston Hollow Capital, LLC ("PHC") foreclosed on the Project (including real property, personal property, including project agreements), and thereafter, PHC transferred the real property to RdR Development Holdings, LLC, a wholly-owned subsidiary ("RdR," with PHC, the "RdR Parties"); and

WHEREAS, RdR is moving forward as Master Developer of the Project, initially with a portion of Planning Area 5 of the Specific Plan ("Phase 1A"); and

WHEREAS, on February 10, 2022 the Planning Commission approved Conditional Use Permit 22-001, Planned Development 21-001, and Vesting Tentative Track Maps 51604, 51605, 51606, 51607, 52093 and 52116 governing developments within Phase 1A; and

WHEREAS, in furtherance of the development of the Ritter Ranch Project, the City and RdR Parties have agreed to enter into Interim Agreement A-7796 governing, among other things, the construction of certain infrastructure for the Project; and

WHEREAS, the City has concluded that moving forward with development of the Project and entering into the Interim Agreement is in the best interest of the City, its residents, and constituency.

NOW THEREFORE, BE IT RESOLVED, THE CITY COUNCIL OF THE CITY OF

PALMDALE DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

SECTION 1. The Interim Agreement, in the form on file with the City Clerk, is hereby approved. The Acting City Manager is hereby authorized and directed to execute and deliver the Interim Agreement, for and on behalf of the City and the CFD, in said form together with such additions thereto or changes therein as are approved by the Acting City Manager upon consultation with the City Attorney and Outside Counsel to the City, the approval of such additions or changes to be conclusively evidenced by the execution and delivery of the Interim Agreement by the Acting City Manager.

SECTION 2. The City Clerk shall certify to the adoption of the resolution.

PASSED, APPROVED and **ADOPTED** this 6th day of April, 2022.

_____
Steven D. Hofbauer, Mayor

Approved as to form:

ATTEST:

_____ _____
Christopher L. Beck Shanae S. Smith, City Clerk
City Attorney

I, Shanae S. Smith, City Clerk of Palmdale, California, do hereby certify that the foregoing resolution was duly passed, approved, and adopted by the City Council of the City of Palmdale at a regular meeting of said Council held on the 6th day of April, 2022 by the following roll call vote:

AYES: _____

NOES:_____

ABSTAIN:_____ABSENT:_____

Date: _____ _____
Shanae S. Smith, City Clerk

City Council Staff Report

DATE: **APRIL 6, 2022**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **CITY MANAGER DEPARTMENT**

DISTRICT: **ALL**

SUBJECT: **PUBLIC HEARING TO ADOPT ORDINANCE NO. 1579, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE, CALIFORNIA, TO ENSURE PALMDALE'S ELECTIONS COMPLY WITH THE CALIFORNIA VOTING RIGHTS ACT; AMENDING SECTIONS 2.08.010, 2.08.020, 2.08.030, 2.08.060, 4.10.010, 4.10.020, 4.11.010 AND 4.11.020 OF THE PALMDALE MUNICIPAL CODE, ADDING SECTION 4.10.030 TO THE PALMDALE MUNICIPAL CODE, REPEALING SUBDIVISIONS (B) AND (C)(2) OF SECTION 2.08.025 OF THE PALMDALE MUNICIPAL CODE, ESTABLISHING DISTRICT-BASED ELECTIONS, DEFINING DISTRICT BOUNDARIES, AND SCHEDULING DISTRICT ELECTIONS**

ISSUE

Public hearing to adopt Ordinance No. 1579, an ordinance of the City Council of the City of Palmdale, California, to ensure Palmdale's elections comply with the California Voting Rights Act; Amending Sections 2.08.010, 2.08.020, 2.08.030, 2.08.060, 4.10.010, 4.10.020, 4.11.010 and 4.11.020 to the Palmdale Municipal Code, adding Section 4.10.030 to the Palmdale Municipal Code, repealing Subdivisions (B) and (C)(2) of Section 2.08.025 of the Palmdale Municipal Code establishing district-based elections, defining district boundaries, and scheduling district elections.

RECOMMENDATION

Staff recommends that the City Council:

1. Hold a public hearing introducing proposed Ordinance No. 1579;

2. Receive public testimony regarding proposed Ordinance No. 1579;

3. Adopt Ordinance No. 1579 amending the Palmdale Municipal Code establishing district based elections.

BACKGROUND

Every ten years, California cities with by-district election systems must use new census data to review and, if needed redraw district lines to reflect how local populations have

changed. This process, called redistricting, ensures all districts have nearly equal population. **The redistricting process for the City of Palmdale must be completed by April 17, 2022 pursuant to *California Elections Code* § *21622***.

The City of Palmdale presently has four council districts and a directly elected mayor. The City adopted its current district boundaries in 2016 based on 2010 census data, as required by law. The district boundaries must now be reconsidered using the 2020 census data and in compliance with the Fair and Inclusive Redistricting for Municipalities and Political Subdivisions ("FAIR MAPS") Act, which was adopted by the California legislature as AB 849 and took effect January 1, 2020. AB 1276 is a subsequent clean up of AB 849 and took effect on January 1, 2021.

FAIR MAPS ACT and REDISTRICTING REQUIREMENTS:
Under the Act, the City shall draw and adopt district boundaries using the following criteria, in the listed order of priority (*See, California Elections Code* §21621, et. al.):

1) Comply with the federal requirements of equal population and the Voting Rights Act;
2) Geographically contiguous;
3) Undivided neighborhoods and "communities of interest" (socio-economic geographic areas that should be kept together);
4) Easily identifiable boundaries;
5) Geographic compactness (do not bypass one group of people to get to a more distant group of people); and,
6) Shall not favor or discriminate against a political party.

In accordance with the requirements of the FAIR MAPS Act, the City of Palmdale conducted the following Public Hearings and Community Workshops related to redistricting:

September 14, 2021	**First Meeting Public Hearing** Council Chamber, 38300 Sierra Highway, Suite B, Palmdale
October 12, 2021	**District 1 Community Workshop** Holiday Inn, 38630 5th Street West, Palmdale
October 16, 2021	**District 4 Community Workshop** Knight High School – Theater, 37423 70th Street East, Palmdale
October 16, 2021	**District 3 Community Workshop** Palmdale Oasis Park Recreation Center – Gymnasium, 3850 East Avenue S, Palmdale

October 25, 2021	**District 2 Community Workshop** Marie Kerr Park Recreation Center, 2723-A West Rancho Vista Blvd., Palmdale
November 3, 2021	**Second Public Hearing** City Council Meeting in the Council Chamber, 38300 Sierra Highway, Suite B, Palmdale
January 12, 2022	**Third Public Hearing** City Council Meeting in the Council Chamber, 38300 Sierra Highway, Suite B, Palmdale
February 2, 2022	**Fourth Public Hearing** City Council Meeting in the Council Chamber, 38300 Sierra Highway, Suite B, Palmdale
February 16, 2022	**Fifth Public Hearing** City Council Meeting in the Council Chamber, 38300 Sierra Highway, Suite B, Palmdale
March 16, 2022	**Sixth Public Hearing (1 of 2 required in transition to five (5) districts and a rotating mayor)** City Council Meeting in the Council Chamber, 38300 Sierra Highway, Suite B, Palmdale
April 6, 2022	**Seventh Public Hearing (2 of 2 required in transition to five (5) districts and a rotating mayor)** City Council Meeting in the Council Chamber, 38300 Sierra Highway, Suite B, Palmdale

DISCUSSION

At the present time the council and city are in the process of completing statutorily required redistricting. This process must be completed by April 17, 2022. At the March 2, 2022, City Council meeting, Council directed the Interim City Manager to contract with a new demographer to create several proposed maps indicating five (5) council districts and a rotating mayor. The maps have been drawn and were uploaded to the Draw Palmdale website for public viewing on March 11, 2022.

On March 16, 2022 the City Council held the first of two (2) required public hearings to discuss and consider several five (5) district map options, received input from the public,

reviewed and directed staff to prepare Ordinance No. 1579, an Ordinance of the City Council of the City of Palmdale, California to ensure Palmdale's elections are in compliance with the California Voting Rights Act (CVRA). The Ordinance would also adopt Map Option No. 2 (provided by Compass Demographics, Inc.) describing five (5) voting district boundaries and a rotating mayor, amending Sections 2.08.010, 2.08.020, 2.08.030, 2.08.060, 4.10.010, 4.10.020, 4.11.010 and 4.11.020 to the Palmdale Municipal Code, adding Section 4.10.030 to the Palmdale Municipal Code, repealing Subdivisions (B) and (C)(2) of Section 2.08.025 of the Palmdale Municipal Code, establishing district-based elections, defining district boundaries, and scheduling district elections.

FISCAL IMPACT

Proposed Ordinance No. 1579 does not have any direct financial impact.

STRATEGIC PLAN

Goal I: Maintain effective public safety and protection for life, property, and the environment.

C. Use a variety of methods to communicate timely, useful, and trusted information about city programs, services, and policies.

Goal II: Ensure long-term fiscal health of the City and maintain funding for services.

C. Involve and expand engagement to enhance public oversight and transparency.

Prepared by:	Ronda Perez, Interim City Manager
Certified as to availability of Funds:	Keith Kang, Finance Manager
Approved by:	Ronda Perez, Interim City Manager
Approved as to form:	Christopher Beck, City Attorney

ATTACHMENTS

1. Map Option 2 provided by Compass Demographics Inc.
2. Ordinance No. 1579

CITY OF PALMDALE

COUNTY OF LOS ANGELES, CALIFORNIA

ORDINANCE NO. 1579

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE , CALIFORNIA, TO ENSURE PALMDALE'S ELECTIONS COMPLY WITH THE CALIFORNIA VOTING RIGHTS ACT; AMENDING SECTIONS 2.08.010, 2.08.020, 2.08.030, 2.08.060, 4.10.010, 4.10.020, 4.11.010 and 4.11.020 OF THE PALMDALE MUNICIPAL CODE, ADDING SECTION 4.10.030 TO THE PALMDALE MUNICIPAL CODE, REPEALING SUBDIVISIONS (B) AND (C)(2) OF SECTION 2.08.025 OF THE PALMDALE MUNICIPAL CODE, ESTABLISHING DISTRICT-BASED ELECTIONS, DEFINING DISTRICT BOUNDARIES, AND SCHEDULING DISTRICT ELECTIONS.

WHEREAS, the City of Palmdale currently elects and is governed by five (5) City Councilmembers, one of whom serves as Mayor, using district elections to elect four (4) of the Councilmembers and an at-large election system to elect the Mayor; and

WHEREAS, the California Voting Rights Act (CVRA), at California Elections Code section 14027, states: "An at-large method of election may not be imposed or applied in a manner that impairs the ability of a protected class to elect candidates of its choice or its ability to influence the outcome of an election, as a result of the dilution or the abridgment of the rights of voters who are members of a protected class ... "; and

WHEREAS, the City's elections were the subject of a lawsuit under the CVRA – *Jauregui v. City of Palmdale* – and ultimately the City's at-large election system was found to violate the CVRA; and

WHEREAS, The California Court of Appeals has ruled that the City of Palmdale, and other Charter Cities, must comply with the CVRA's requirements regarding district-based elections (*Jauregui v. City of Palmdale*, (2014) 226 Cal.App.4th 781); and

WHEREAS, to date, dozens of Charter Cities have transitioned from at-large to by-district elections without a public vote, most by ordinance and others by court order; and

WHEREAS, in order to maximize the goals of the CVRA and the City's goals of equality, diversity and inclusion, the City Council has determined that it is in the best interest of the City to transition from its current at-large election system (as defined by the CVRA) to a district-based election system; and

WHEREAS, Palmdale enjoys a diverse demographic blend of several racial and ethnic groups – e.g. Latino, African American and non-Hispanic white; and

WHEREAS, pursuant to California Elections Code Section 10010, the City has held several public meetings at which the public's input on district maps was invited; and

WHEREAS, the City's retained expert demographic firms assisted the City with developing draft electoral district maps and gathering input from residents on the district boundaries of possible maps; and

WHEREAS, on April 6, 2022, the City Council introduced, read by title, and waived further reading of this Ordinance which includes a map (see attached Exhibit "A") with five council districts that are population balanced and based on communities of interest and other Constitutional factors as set forth in Elections Code sections 21601 et seq. and other applicable law; and

WHEREAS, California Government Code section 34886 permits the City Council to change the City's method of election by ordinance, with certain formalities, to a district-based system in which each Councilmember is elected only by the voters in the electoral district in which the Councilmember resides; and

WHEREAS, pursuant to California Government Code section 34886, it is declared that the purpose of the change in the method of electing members of the City Council of the City of Palmdale made by this Ordinance is to implement the guarantees of Article I, Section 7 and Article II, Section 2 of the California Constitution, as set forth in the California Voting Rights Act of 2001 (California Elections Code sections 14025 through 14032); and

WHEREAS, the purpose of this Ordinance is to enact, pursuant to California Government Code section 34886, an ordinance providing for the election of the Members of the City Council of the City of Palmdale by-district in five single-member districts as reflected in Exhibit A to this Ordinance.

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

SECTION 1. Incorporation of Recitals. The above recitals are true and correct and are incorporated herein by this reference as material findings in support of this Ordinance.

SECTION 2. District-Based Elections.

Section 2.08.010 of Title 2 of the City of Palmdale Municipal Code is hereby amended to read as follows

> The office of the Mayor of the City shall, beginning at the end of the elected Mayor’s term, be filled by one of the Councilmembers. The District from which the office of Mayor is initially filled shall be decided by lot as soon thereafter as reasonably practicable. Thereafter, the office of Mayor shall rotate every one (1) year and will be decided by a majority of the City Council.

Section 2.08.020 of Title 2 of the City of Palmdale Municipal Code is hereby amended to read as follows:

The five Councilmembers shall be elected from five (5) geographic districts in which each resides by a vote of the electors in each respective district.

Subdivisions (b) and (c)(2) of Section 2.08.025 of Title 2 of the City of Palmdale Municipal Code are hereby deleted.

Section 2.08.030 of Title 2 of the City of Palmdale Municipal Code is hereby amended to read as follows:

Unless otherwise specifically provided in this code or by state law, the City Council shall make all appointments to boards, commissions and committees of the City as follows unless otherwise formed by resolution:

(A) City Council boards, commissions and committees shall consist of a minimum of five members, who shall be nominated by each City Councilmember, subject to approval by the City Council, for appointment. All members shall be voting members of the board, commission, or committee. No member shall be a member of the City Council. It is preferable that a City Councilmember's appointee reside within the Councilmember's district; however, it is not required when subject matter expertise is desirable. Members serve at the pleasure of the City Council and may be removed prior to the expiration of their term by a vote of a majority of the members of the City Council.

(B) All board and commission vacancies shall be advertised, seeking volunteers willing and desiring to be appointed to fill such vacancies. Any person seeking to be so appointed must complete and submit the City application, together with any other information requested by the City Council as appropriate for a specific board or commission.

(C) All such applications shall be provided to the City Council for review, who shall, at a regularly scheduled City Council meeting, nominate, from among such applicants, the persons whom the City Councilmembers desire to appoint by making a motion for each such appointment.

(D) If the nomination is approved by a majority vote of the City Council, the nominating City Councilmember may then proceed to appoint the person to the board or commission under consideration.

(E) If the specific nomination by the City Councilmember is not approved by a majority vote of the City Council, the City Council will nominate, by motion, a different candidate until someone is approved by majority vote of the City Council for the position under consideration.

(F) All members of boards, commissions and committees serve at the pleasure of the City Council and are subject to removal by a majority vote of the City Council.

Section 2.08.060 of Title 2 of the City of Palmdale Municipal Code is hereby amended to read as follows:

> The Mayor shall receive, in addition to the compensation set forth in PMC 2.08.020, such further amount as shall cause the total compensation for services to equal $1,265 per month.

Section 4.10.010 of Title 4 of the City of Palmdale Municipal Code is hereby amended to read as follows:

> The following district boundaries are hereby adopted as the electoral districts for the five City Council members of the City of Palmdale through the general municipal election in November 2030:

District #1

The portion of the City of Palmdale bounded and described as follows: Beginning at the point of intersection of Palmdale City Boundary and 20th St W, and proceeding easterly along Palmdale City Boundary to 50th St E, and proceeding southerly along 50th St E to Palmdale City Boundary, and proceeding westerly along Palmdale City Boundary to 15th St E, and proceeding southerly along 15th St E to E Ave R, and proceeding westerly along E Ave R to Southern Pacific RR, and proceeding southerly along Southern Pacific RR to Palmdale Siding 2 RR, and proceeding southerly along Palmdale Siding 2 RR to Sierra Hwy, and proceeding southerly along Sierra Hwy to Palmdale City Boundary, and proceeding westerly along Palmdale City Boundary to Tract 910217 Block 1018 Boundary, and proceeding northerly along Tract 910217 Block 1018 Boundary to TLID:241215641, and proceeding easterly along TLID:241215641 to TLID:241208656, and proceeding northerly along TLID:241208656 to TLID:649209981, and proceeding northerly along TLID:649209981 to Tract 910217 Block 1018 Boundary, and proceeding northerly along Tract 910217 Block 1018 Boundary to Tract 910217 Block 1008 Boundary, and proceeding northerly along Tract 910217 Block 1008 Boundary to Tract 910217 Block 1006 Boundary, and proceeding northerly along Tract 910217 Block 1006 Boundary to TLID:142705408, and proceeding easterly along TLID:142705408 to TLID:142705407, and proceeding easterly along TLID:142705407 to TLID:142705405, and proceeding easterly along TLID:142705405 to TLID:142705403, and proceeding easterly along TLID:142705403 to TLID:141524676, and proceeding easterly along TLID:141524676 to TLID:141845802, and proceeding easterly along TLID:141845802 to TLID:141845803, and proceeding easterly along TLID:141845803 to TLID:241112777, and proceeding easterly along TLID:241112777 to TLID:642190418, and proceeding easterly along TLID:642190418 to TLID:642192917, and proceeding easterly along TLID:642192917 to TLID:638631443, and proceeding easterly along TLID:638631443 to Tierra Subida Ave, and proceeding northerly along Tierra Subida Ave to Palmdale City Boundary, and proceeding northerly along Palmdale City Boundary to TLID:648860693, and proceeding westerly along TLID:648860693 to Summerwind Dr, and proceeding westerly along Summerwind Dr to Ave P-8, and proceeding westerly along Ave P-8 to 20th St W, and proceeding northerly along 20th St W to W Ave P, and proceeding westerly along W Ave P to 20th St W, and proceeding northerly along 20th St W to the point of beginning.

District #2

The portion of the City of Palmdale bounded and described as follows: Beginning at the point of intersection of Palmdale City Boundary and Tract 910217 Block 1018 Boundary, and proceeding easterly along Palmdale City Boundary to 20th St W, and proceeding southerly along 20th St W to W Ave P, and proceeding easterly along W Ave P to 20th St W, and proceeding southerly along 20th St W to Ave P-8, and proceeding easterly along Ave P-8 to Summerwind Dr, and proceeding easterly along Summerwind Dr to TLID:648860693, and proceeding easterly along TLID:648860693 to Palmdale City Boundary, and proceeding southerly along Palmdale City Boundary to Tierra Subida Ave, and proceeding southerly along Tierra Subida Ave to TLID:638631443, and proceeding westerly along TLID:638631443 to TLID:642192917, and proceeding westerly along TLID:642192917 to TLID:642190418, and proceeding westerly along TLID:642190418 to TLID:241112777, and proceeding westerly along TLID:241112777 to TLID:141845803, and proceeding westerly along TLID:141845803 to TLID:141845802, and proceeding westerly along TLID:141845802 to TLID:141524676, and proceeding westerly along TLID:141524676 to TLID:142705403, and proceeding westerly along TLID:142705403 to TLID:142705405, and proceeding westerly along TLID:142705405 to TLID:142705407, and proceeding westerly along TLID:142705407 to TLID:142705408, and proceeding westerly along TLID:142705408 to Tract 910217 Block 1006 Boundary, and proceeding southerly along Tract 910217 Block 1006 Boundary to Tract 910217 Block 1008 Boundary, and proceeding southerly along Tract 910217 Block 1008 Boundary to Tract 910217 Block 1018 Boundary, and proceeding southerly along Tract 910217 Block 1018 Boundary to TLID:649209981, and proceeding southerly along TLID:649209981 to TLID:241208656, and proceeding southerly along TLID:241208656 to TLID:241215641, and proceeding westerly along TLID:241215641 to Tract 910217 Block 1018 Boundary, and proceeding southerly along Tract 910217 Block 1018 Boundary to the point of beginning.

District #3

The portion of the City of Palmdale bounded and described as follows: Beginning at the point of intersection of E Ave R and 25th St E, and proceeding easterly along E Ave R to 45th St E, and proceeding southerly along 45th St E to Palmdale City Boundary, and proceeding southerly along Palmdale City Boundary to Pearblossom Hwy, and proceeding northerly along Pearblossom Hwy to Barrel Springs Rd, and proceeding westerly along Barrel Springs Rd to 25th St E, and proceeding northerly along 25th St E to the point of beginning.

District #4

The portion of the City of Palmdale bounded and described as follows: Beginning at the point of intersection of Palmdale City Boundary and 50th St E, and proceeding easterly along Palmdale City Boundary to 45th St E, and proceeding northerly along 45th St E to E Ave R, and proceeding westerly along E Ave R to 40th St E, and proceeding northerly along 40th St E to Palmdale City Boundary, and proceeding northerly along Palmdale City Boundary to 50th St E, and proceeding northerly along 50th St E to the point of beginning.

District #5

The region bounded and described as follows: Beginning at the point of intersection of Palmdale City Boundary and 15th St E, and proceeding easterly along Palmdale City Boundary to 40th St E, and proceeding southerly along 40th St E to E Ave R, and proceeding westerly along E Ave R to 25th St E, and proceeding southerly along 25th St E to Barrel Springs Rd, and proceeding easterly along Barrel Springs Rd to Pearblossom Hwy, and proceeding southerly along Pearblossom Hwy to Palmdale City Boundary, and proceeding westerly along Palmdale City Boundary to Sierra Hwy, and proceeding northerly along Sierra Hwy to Palmdale Siding 2 RR, and proceeding northerly along Palmdale Siding 2 RR to Southern Pacific RR, and proceeding northerly along Southern Pacific RR to E Ave R, and proceeding easterly along E Ave R to 15th St E, and proceeding northerly along 15th St E to the point of beginning.

Section 4.10.020 of Title 4 of the City of Palmdale Municipal Code is hereby amended to read as follows:

> A map depicting the boundaries set forth in PMC 4.10.010 is attached to the ordinance codified in this chapter as Exhibit A and incorporated into this chapter by this reference.

Section 4.10.030 is hereby added to Title 4 of the City of Palmdale Municipal Code to read as follows:

> "A. District-Based Elections. Pursuant to California Government Code section 34886, all members of the City Council of the City of Palmdale shall be elected by-district in five (5) single-member districts.
>
> > 1. All members of the City Council shall be elected in the electoral districts established by Section 4.10.010 and as subsequently reapportioned pursuant to State law. All City Council elections shall be “district-based” as that term is defined in California Elections Code section 14026(b), meaning each of the five (5) Councilmembers shall be elected from each district, by the voters of that district alone.
> >
> > 2. Any Councilmember elected or appointed to represent a district must reside in that district, and any candidate for City Council must reside in the district in which that candidate seeks election at the time nomination papers are issued.
> >
> > 3. Termination of residency in a district by a Councilmember shall create a vacancy for that City Council district unless a substitute residence within the district is immediately declared and established within thirty (30) days after the termination of residency.

Section 4.11.010 of Title 4 of the City of Palmdale Municipal Code is hereby amended to read as follows:

4.11.010 Term of office for Districts Three, Four and Five.

Councilmembers shall be elected to represent District Three, District Four and District Five at the November 8, 2022, general municipal election for four-year terms, and until a successor is qualified.

Section 4.11.020 of Title 4 of the City of Palmdale Municipal Code is hereby amended to read as follows:

4.11.020 Term of office for Districts One and Two.

Councilmembers shall be elected to represent District One and District Two at the November 5, 2024, general municipal election for four-year terms, and until a successor is qualified.

SECTION 3. Notwithstanding any other provision of this Section, all Councilmembers in office at the time this Section takes effect shall continue in office until the expiration of the term to which they were elected.

SECTION 4. CEQA. Based upon the whole of the administrative record before it, the City Council hereby finds that a transition from the current election system to district-based elections is exempt from environmental review under the California Environmental Quality Act ("CEQA") (Pub. Resources Code, § 21000 et seq.) pursuant to State CEQA Guidelines (Cal. Code Regs., tit.14, § 15000 et seq.) sections 15061(b)(3), 15320, and 15378(b)(3). Adoption of this Ordinance is an organizational and administrative activity of the City, does not have the potential to result in either a direct or reasonably foreseeable indirect physical change in the environment, and is therefore not a project for purposes of CEQA. (State CEQA Guidelines, §§ 15061 (b)(3); 15378(b)(5).) In the event adoption of this Ordinance does constitute a project, it is categorically exempt under the Class 20 (Changes in the Organization of Local Governments) categorical exemption. (State CEQA Guidelines, § 15320.) Further, none of the exceptions to the exemptions found in State CEQA Guidelines section 15300.2 apply. Staff is hereby directed to prepare, execute and file with the Los Angeles County Clerk a CEQA Notice of Exemption within five (5) working days of the adoption of this Ordinance.

SECTION 5. Effective Date. Pursuant to Government Code section 36937(a), this Ordinance shall become effective immediately following its adoption.

SECTION 6. Publication. The City Clerk shall certify to the adoption of this Ordinance and shall cause a summary of the same to be published in an adjudicated newspaper of the City of Palmdale within fifteen (15) days following its adoption.

SECTION 7. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this Ordinance or any part thereof is for any reason held to be

unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one (1) or more subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, or invalid, or ineffective, provided the basic purposes of this Ordinance and the benefits to the City and the public are not substantially impaired.

SECTION 8. The City Clerk shall certify to the adoption of this ordinance and shall cause this ordinance to be published or posted as required by law.

PASSED, APPROVED and **ADOPTED** this 6th day of April 2022.

_____
Steven D. Hofbauer, Mayor

Approved as to form:

ATTEST:

_____ _____
Christopher L. Beck
City Attorney

Shanae S. Smith, City Clerk

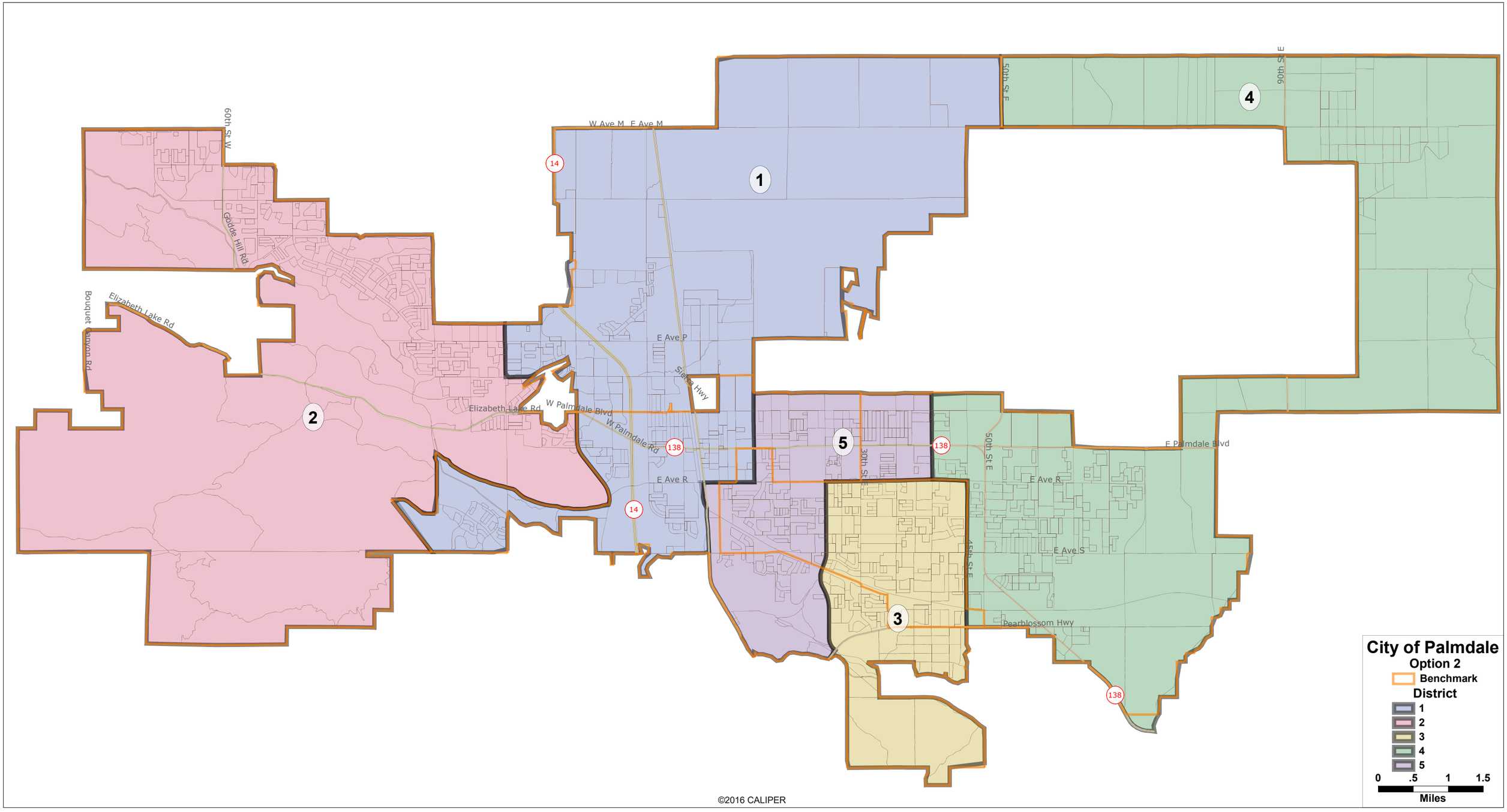
I, Shanae S. Smith, City Clerk of Palmdale, California, do hereby certify that the foregoing Ordinance was duly introduced, passed, approved, and adopted by the City Council of the City of Palmdale at a regular meeting of said Council held on the 6th day of April 2022 effective on the 6th day of April 2022 by the following roll call vote:

AYES: _____

NOES:_____

ABSTAIN:_____ABSENT:_____

Date: _____ _____
Shanae S. Smith, City Clerk



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City Council Staff Report

DATE: **APRIL 6, 2022**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **CITY MANAGER DEPARTMENT**
HUMAN RESOURCES DIVISION

DISTRICT: **ALL**

SUBJECT: **APPROVE THE FIRST AMENDMENT TO EMPLOYMENT AGREEMENT BETWEEN THE CITY OF PALMDALE AND RONDA PEREZ, INTERIM CITY MANAGER**

ISSUE

Approve the first amendment to the employment agreement between the City of Palmdale and Ronda Perez, Interim City Manager.

RECOMMENDATION

Staff recommends that the City Council approve First Amendment to the Employment Agreement Between the City of Palmdale and Ronda Perez, Interim City Manager.

BACKGROUND

The City entered into an agreement with Ms. Perez when she was hired on October 11, 2021, under Agreement No. A-7692.

DISCUSSION

At the March 2, 2022, meeting City Council approved appointing Ronda Perez, Assistant City Manager, as the Interim City Manager with an annual salary of $275,000, beginning on the date of appointment to the position of Interim City Manager. Additionally, if Ms. Perez is not selected for the permanent position of City Manager, it is agreed that she will revert to her role as Assistant City Manager at the pay rate of Range 55, Step D.

Another requested change is severance pay. Currently Ms. Perez's employment agreement allows for six (6) month's salary as severance pay. With Council approval, the City will pay Ms. Perez twelve (12) months salary.

FISCAL IMPACT

This action will result in a savings of $64,600 for the remainder of FY 2022 due to the vacancy of the Assistant City Manager position, and the differential in salary rates from the prior City Manager. Funds are budgeted and available in account 10111001-701000 through 705000.

STRATEGIC PLAN

Goal IV: Maintain a desirable community where everyone wants to live, work and play.

Objective: C. Invest in staff and other human resource strategies to attract and retain a highly qualified, diverse, and creative workforce.

Prepared by:	Patricia M. Nevarez, H.R. Manager
Certified as to availability of Funds:	Janelle Samson, Director of Finance
Approved by:	Ronda Perez, Interim City Manager
Approved as to form:	Christopher Beck, City Attorney

ATTACHMENTS

1. First Amendment to Agreement No. A-7692

Agreement No. A-7692 Amendment 1

FIRST AMENDMENT TO EXECUTIVE MANAGEMENT EMPLOYMENT AGREEMENT ASSISTANT CITY MANAGER (Non-Classified Executive Management) BETWEEN THE CITY OF PALMDALE AND RONDA PEREZ

Dated April 6, 2022

Pursuant to Section 7 (a) of the "Executive Management Employment Agreement Assistant City Manager (Non-Classified Executive Management) (A-7692)", (hereinafter the "Agreement"), the Agreement may only be changed in writing signed by the parties thereto.

In accordance with the above stated Section 7(a), the parties agree to the following changes, additions and or deletions:

1. Add subparagraph to Paragraph (a) of Section 2 to read as follows:
   "Section 2, (a)(i): "During such times as Employee is appointed to the position of Interim City Manager, Employee shall be compensated at the annual salary of $275,000, beginning on the date of appointment to the position of Interim City Manager. In the event Employee is not selected for the position of City Manager, Employee will revert to their role as Assistant City Manager at the pay rate of Range 55, Step d."
2. Amend Paragraph (a) of Section 4 to read as follows: "(a) Severance Pay. In the event Employee is terminated without cause and does not challenge such termination, including but not limited to by means of appeal or civil administrative claim, then City shall pay to Employee severance in an amount of twelve (12) month's salary, less applicable deductions and excluding deferred compensation or the value of any other benefits, conditioned upon the Employee's execution of a severance agreement and waiver of rights and release of claims against the City. Employee shall also be entitled to any accrued compensable leave as Employee may have accumulated, subject to Section 5 of this Agreement. Accumulated sick leave is not paid to Employee upon termination of employment in accordance with the City's Human Resources Rules & Regulations."

   All other sections of Paragraph (a) Section 4 shall remain as stated in the Agreement.

In Witness Whereof, each of the parties has caused this Executive Management Employment Agreement Assistant City Manager (Non-Classified Executive Management) (A-7692)" to be duly executed as set forth below.

ATTEST:

_____
Shanae Smith
City Clerk

APPROVED AS TO FORM:

_____
Christopher Beck
City Attorney

CITY OF PALMDALE:

_____
Steven D. Hofbauer
Mayor

EMPLOYEE

_____
Ronda Perez
Interim City Manager

City Council Staff Report

DATE: **APRIL 6, 2022**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **CITY MANAGER DEPARTMENT**
HUMAN RESOURCES DIVISION

DISTRICT: **ALL**

SUBJECT: **APPROVE THE FIRST AMENDMENT TO EMPLOYMENT AGREEMENT BETWEEN THE CITY OF PALMDALE AND CHRISTOPHER BECK, CITY ATTORNEY**

ISSUE

Approve the first amendment to employment agreement between the City of Palmdale and Christopher Beck, City Attorney.

RECOMMENDATION

Staff recommends that the City Council approve the First Amendment to Employment Between the City of Palmdale and Christopher Beck, City Attorney.

BACKGROUND

The City entered into an agreement with Mr. Beck when he was hired on September 1, 2020, under Agreement No. A-7065. Per this agreement Mr. Beck receives an annual performance evaluation and any salary adjustment may be done at a regularly scheduled City Council meeting.

DISCUSSION

At the January 12, 2022, meeting City Council approved a 5% increase to Mr. Beck's annual salary effective September 1, 2021, which was his annual evaluation date.

FISCAL IMPACT

$11,780; the fiscal impact of this action will result in an increase in salary and benefits costs to the City in the amount of $11,780 over the one-year term. The fiscal impact for the remainder of FY 2022 will be $2,950. Funds are budgeted and available in account 10114001-701000 and 705000.

STRATEGIC PLAN

Goal IV: Maintain a desirable community where everyone wants to live, work and play.

Objective: C. Invest in staff and other human resource strategies to attract and retain a highly qualified, diverse, and creative workforce.

Prepared by:	Patricia M. Nevarez, H.R. Manager
Certified as to availability of Funds:	Janelle Samson, Director of Finance
Approved by:	Ronda Perez, Interim City Manager
Approved as to form:	Christopher Beck, City Attorney

ATTACHMENTS

1. First Amendment to Agreement No. A-7065

FIRST AMENDMENT TO AGREEMENT (A-7065) BETWEEN THE CITY OF PALMDALE AND CHRISTOPHER BECK

This FIRST AMENDMENT TO AGREEMENT is made and entered into effective as of the date of April 6, 2022, by and between the CITY OF PALMDALE ("CITY") and CHRISTOPHER BECK ("BECK").

WHEREAS, the parties entered into an employment agreement, dated September 1, 2020 ("AGREEMENT").

WHEREAS, Section 3.B. of the AGREEMENT provides that the CITY may adjust BECK'S salary at a regularly scheduled meeting of the City Council.

WHEREAS, on January 12, 2022, during a regularly scheduled meeting of the City Council, the City Council authorized a five percent (5%) increase to BECK's annual salary to be effective September 1, 2021.

NOW, THEREFORE, it is mutually agreed by and between the parties hereto that the following Section 3.A.1. of the AGREEMENT shall be amended as follows:

A. SALARY:

1. Effective September 1, 2021, CITY shall pay a monthly wage of $17,937.50 per month gross pay. The sum shall be $215,250 annual salary. This position is exempt under the Fair Labor and Standards Act (FLSA) and California wage and hour laws, and therefore BECK will not be paid overtime compensation for any hours worked in excess of forty (40) hours per workweek. Payments for performance of services rendered will occur on a bi-weekly basis at the same time as regular employees of the City. Taxes and other legally required deductions will be deducted from BECK'S compensation under this agreement.

IN WITNESS WHEREOF, the parties have executed this FIRST AMENDMENT TO AGREEMENT on the date first hereinabove written.

CHRISTOPHER BECK:

By: _____
Christopher Beck

CITY OF PALMDALE,
California Charter City

By:_____
Steven D. Hofbauer
Mayor

APPROVED AS TO FORM:

_____
Sheila Delshad, Esq.
Burke, Williams & Sorensen, LLP
Special Counsel to City of Palmdale

ATTEST:

_____
Shanae Smith
City Clerk

CITY OF PALMDALE
OFFICE OF THE CITY COUNCIL

M E M O R A N D U M

TO: City Clerk

FROM: Laura Bettencourt, Councilmember

SUBJECT: Monthly Informational Report – Events and Meetings

DATE: April 6, 2022

During the period March 1, through March 31, 200, I attended the following meetings and events:

March 2: Regular Council Meeting

March 2 – 4: California Contract Cities Sacramento Legislative Tour

March 7: Special Closed Session Meeting

March 12: Restoring Hearts “You Matter” Unhoused Women’s Community Event

March 16: Council Workshop

March 19: Welcome Home Vietnam Veterans Community Event

March 26: Homes4Families Builders Ball

March 31: Breaking Bias Us Women’s Symposium