PALMDALE

a place to call home

CITY COUNCIL MEETING
HOUSING AUTHORITY
CITY COUNCIL CHAMBERS
38300 SIERRA HIGHWAY
SUITE B
PALMDALE, CA 93550
WEDNESDAY, FEBRUARY 15, 2023
5:00 PM
7:00 PM
www.cityofpalmdale.org

WELCOME

The Council Chamber is open for in-person public comment and seating. The Mayor/Chair and/or one or more members of the City Council/Housing Authority may participate virtually in this meeting.

How to observe the meeting virtually:

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

Verbal Public Comment During the Meeting:

Zoom Number: US: +1 669 444 9171 Webinar ID: 819 8487 9044 Passcode: 168129

Webinar attendee link https://us06web.zoom.us/j/81984879044?pwd=eUx4S0taeTBpbVpuTkJUeXgxdytQQT09

Verbal comments are customarily limited to three (3) minutes.

How to Address the City Council

Any person who would like to address the Council regarding an item on the agenda, please fill out a Speaker's Form and submit it to the City Clerk **prior** to the agenda item you would like to discuss. You may address the Council once per meeting, per public comment section of the agenda on only those matters within the Council's jurisdiction.

Please note that you are not required to complete this form or state your name and residence in order to speak. Each person addressing the Council is given up to three minutes to speak (with double the time allotted to non-English speakers using a translator). The amount of time authorized may be reduced by the chair to accommodate a large number speakers. The time will not be less than one (1) minute in any circumstance . If you wish to provide information to the Council, please present the City Clerk with 7 copies. Otherwise, your materials will simply be added to the administrative record. 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 use of City Council Chamber technology equipment to present electronic material during meetings is not allowed.

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. Please follow these simple rules so 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. **CALL MEETINGS TO ORDER**

***Note: All City Council memberships are reflected in their City Council titles.**

2. **ROLL CALL**
   MAYOR BETTENCOURT, MAYOR PRO TEM ALARCÓN, COUNCILMEMBERS BISHOP, LOA, OHLSEN

3. **PUBLIC COMMENTS ON CLOSED SESSION ITEMS**
This portion of the Agenda allows an individual the opportunity to address the Council on Closed Session items ONLY. **PLEASE NOTE: A three-minute time limit** will be imposed on each speaker.

4. **PRESENTATION BY CITY ATTORNEY**

4.1 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Shanae Smith, Patricia Nevarez and Michael "Mike" Behen vs. City of Palmdale, et al.
Los Angeles County Superior Court
Case No. 22STCV18219
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—EXISTING LITIGATION
Ricci v. City of Palmdale, et al.
Los Angeles County Superior Court
Case No. 22STCV01269
This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).

4.3 CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
Ricky Thorstensen v. City of Palmdale, et al.
Los Angeles County Superior Court
Case No. 22STCV29463
This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).

4.4 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Donald Ross D'Angelo v. City of Palmdale, et al.
Los Angeles County Superior Court
Case No. 21AVCV00441
This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).

4.5 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Gerald Lynn Dolen and Roberta Dora Dolen v. City of Palmdale et al. Los Angeles County Superior Court Case No. 21AVCV00377
This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).

4.6 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Tammy Rose Necessary and Glenn Necessary v. City of Palmdale, et al.
Los Angeles County Superior Court
Case No. 22AVCV00857
This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).

4.7 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Daniel Joseph Stoneham and La Eenya Grace Marie Stoneham v. City of Palmdale et al.
Los Angeles County Superior Court
Case No. 22AVCV00780
This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).

4.8 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Marlene Jannet Hernandez
Claim No. 2022-049
This closed session is being held pursuant to the authority of California Government Code Section 54957.5:

4.9 PUBLIC EMPLOYMENT
Title: City Attorney

5. **ANNOUNCEMENT BY CITY ATTORNEY**

6. **ADJOURN CLOSED SESSION MEETING**

7:00 P.M.

7. **PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**

8. **ROLL CALL**
MAYOR BETTENCOURT, MAYOR PRO TEM ALARCÓN, COUNCILMEMBERS BISHOP, LOA, OHLSEN
COMMISSIONERS FRAGA-SAENZ, DENNY

9. **PRESENTATION(S)**

9.1 Presentation by Mayor and Council of a Proclamation declaring February as Black History month.

9.2 Presentation by Mayor Pro Tem and Assemblyman Carrillo of Certificates of Recognition to the students who participated in the Justice Sunday event.

9.3 California High-Speed Rail Update. (Presented by: Margaret Cederoth, Director of Planning and Sustainability, California High-Speed Rail)
230215 HSR Palmdale Council Briefing DRAFT v3.2.pdf

9.4 Presentation by Hope the Mission for the Palmdale Knights Inn Hotel - Project Home Key. (Staff Reference: Assistant City Manager Miller, Housing Manager Reyes - Presented by Ken Craft, Chief Executive Officer of Hope the Mission)

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 ON CONSENT CALENDAR ITEMS ONLY**
This portion of the Agenda allows an individual the opportunity to address the Council/Authority on Consent Calendar items ONLY. If you wish to comment on any item(s) listed on the Consent Calendar, please come forward to the podium when called or acknowledged by the Chair and state the item number(s) and your comments. **PLEASE NOTE: A three-minute time limit** will be imposed on each speaker.

12. **HOUSING AUTHORITY CONSENT CALENDAR**
All matters listed under the Housing Authority Consent Calendar will be enacted by one motion unless an item(s) is pulled by 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 Review and Approve Budget Adjustments for Acquisition of Property. (Staff Reference: Assistant City Manager Miller - Presented by Housing Manager Reyes)
SR - HA Budget Adjustments.docx

12.2 Approve the minutes from the previous meetings. (Staff Reference: Acting Authority Secretary Scott)

HA - December 7, 2022
HA - January 18, 2023

HA Minutes 12 07 2022.pdf
HA Minutes 01 18 2023 5pm.pdf

13. **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.

13.1 Adopt Resolution No. CC 2023-013, a Resolution of the City Council of the City of Palmdale adopting a Fee Schedule for The Palmdale Film Stage. (Staff Reference: Director of Economic and Community Development Garibay - Presented by Senior Management Analyst Schuler).

Staff Report - Palmdale Film Stage Fees - Final.pdf
RESO- 2023-013 Palmdale Film Stage -Final.pdf

13.2 Award construction agreement with R.C. Becker and Son, Inc. for PN 795, Sam Yellen Park Phase II Project, in the amount of $17,530,162.72. (Staff Reference: Director of Public Works Glidden)

Staff Report PN 795 - Yellen Park Phase 2 Award to RCB.docx
019-034 - Sam Yellen Park - Site Rendering-20211105.pdf

13.3 Approve the updated Sewer System Management Plan for the City of Palmdale. (Staff Reference: Director of Public Works Glidden)

Sanitary Sewer Management Plan - Staff Report.docx
Palmdale Draft SSMP v11 1-13-23 Council Draft w_City Corrections.pdf
Palmdale 2014 OERP rev 11-22-22.pdf
Palmdale WQMP 12-31-22.pdf

13.4 Notice of Completion - accept public improvements for Courson Arts Colony-East located at 939 East Avenue Q-12. (Staff Reference: Director of Public Works Glidden)

SR-02152023 (16-15).docx
EXHIBIT A 16-15.docx
EXHIBIT B.docx
NOC_16-15 PC & SD IMPROVEMENTS.doc

13.5 Accept the Local Agency Technical Assistance Grant from the California Public Utilities Commission in the amount of $325,000 for a Digital Equity Study. (Staff Reference: Director of Public Works Glidden - Presented by Innovation and Environmental Manager Lucha)

LATA_Grant_Staff_Report.docx
LATA Consent Form 9-27-22.pdf

13.6 Adopt Resolution No. CC 2023-015 Authorizing California Choice Energy Authority to Enter into a Long-Term Renewable Energy Agreement with 3Degrees Group, Inc. on behalf of Energy for Palmdale's Independent Choice. (Staff Reference: Director of Public Works Glidden - Presented by Energy Resource Manager Salt)

20230215_Palmdale Staff Report EPIC Long Term Renewable 3Degrees.docx
1._20230215_Palmdale_Resolution CC 2013-015__EPIC_CCA_Long term renewable 3degrees.doc
2. Power Purchase and Sale Agreement with 3Degrees.pdf

13.7 Approve the minutes from the previous meetings. (Staff Reference: Acting City Clerk Scott)

CC - January 18, 2023 (5:00 pm & 7:00 pm)
CC Minutes 01 18 2023 5pm & 7pm.pdf

14. **PUBLIC HEARING**

14.1 INTRODUCTION AND ADOPTION OF ORDINANCE NO. 1606, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE REVISING, DELETING, ADDING, AND STREAMLINING SELECTED PROVISIONS OF THE PALMDALE MUNICIPAL CODE TO PROMOTE PUBLIC HEALTH, SAFETY AND WELFARE RELATED TO SIDEWALK VENDING, MOBILE FOOD VENDING, AND FOOD FACILITY REGULATIONS TO STREAMLINE AND ENSURE CONSISTENCY WITH STATE LAW (AMENDING PMC SECTIONS 5.04.590, 5.04.150, 5.04.190, 8.24.210; ADDING PMC SECTION 5.04.600; ADDING PMC CHAPTER 8.46; REPEALING AND DELETING PMC SECTIONS 8.04.105, 10.04.120); AND ADOPTION OF RESOLUTION NO. CC 2023-014, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE APPROVING PERMIT FEES FOR SIDEWALK VENDING AND MOBILE FOOD VENDING

Staff to read the title of Ordinance No. 1606 and Resolution No. CC 2023-014

Call for Public Testimony

Close the Public Testimony

Recommendation: Introduce and Adopt Ordinance No. 1606 and adopt Resolution No. CC 2023-014

Staff_Report_-_Ordinance_No._1606__and_Resolution_No._CC_2023-14.docx
Ordinance No. 1606.docx
Resolution_No._CC_2023-014.docx

15. **NEW BUSINESS**

    15.1 Discussion and possible direction regarding a possible partnership with the City of Santa Monica regarding housing opportunities. (Staff Reference: City Manager Perez)

16. **PUBLIC COMMENTS ON NON-AGENDA ITEMS**
    This portion of the Agenda allows an individual the opportunity to address the Council on any subject regarding City business not on the Agenda. Under state legislation, no action can be taken on items not specifically referenced on the Agenda and the Chair may refer you to the City Manager or staff to address your request. **PLEASE NOTE: A three-minute time limit** will be imposed on each speaker and your topic must remain relevant to items within the City's authority or purview.

17. **CITY MANAGER'S REPORT**

18. **ADJOURNMENT**

CALIFORNIA
High-Speed Rail Authority

Palmdale City Council Briefing

February 15, 2023



Agenda

1) Program Overview
2) Environmental Process
3) Palmdale Station Implementation
4) Next Steps and Questions



CALIFORNIA
High-Speed Rail Authority

Statewide and Southern California Overview

LaDonna DiCamillo, Southern California Regional Director
California High-Speed Rail Authority

California High-Speed Rail

- 500-mile project
- Connecting:
  - San Francisco Bay Area
  - Central Valley
  - Los Angeles
- Total trip time: less than 3 hours



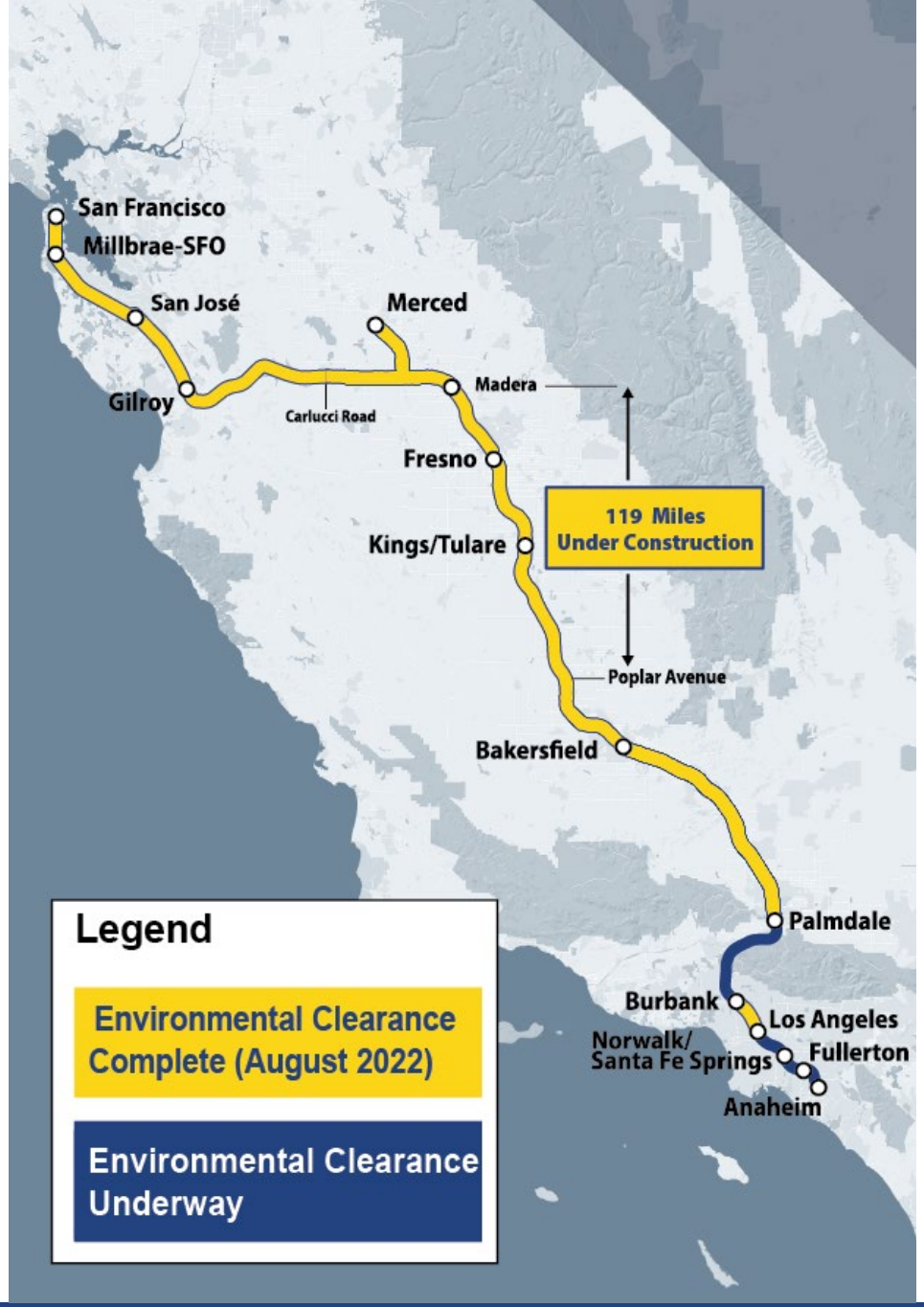


- Electrified service, 220 mph
- Creating jobs
- Reducing GHG emissions
  - 400k cars off the road annually
- Increasing rail ridership

2022 Progress

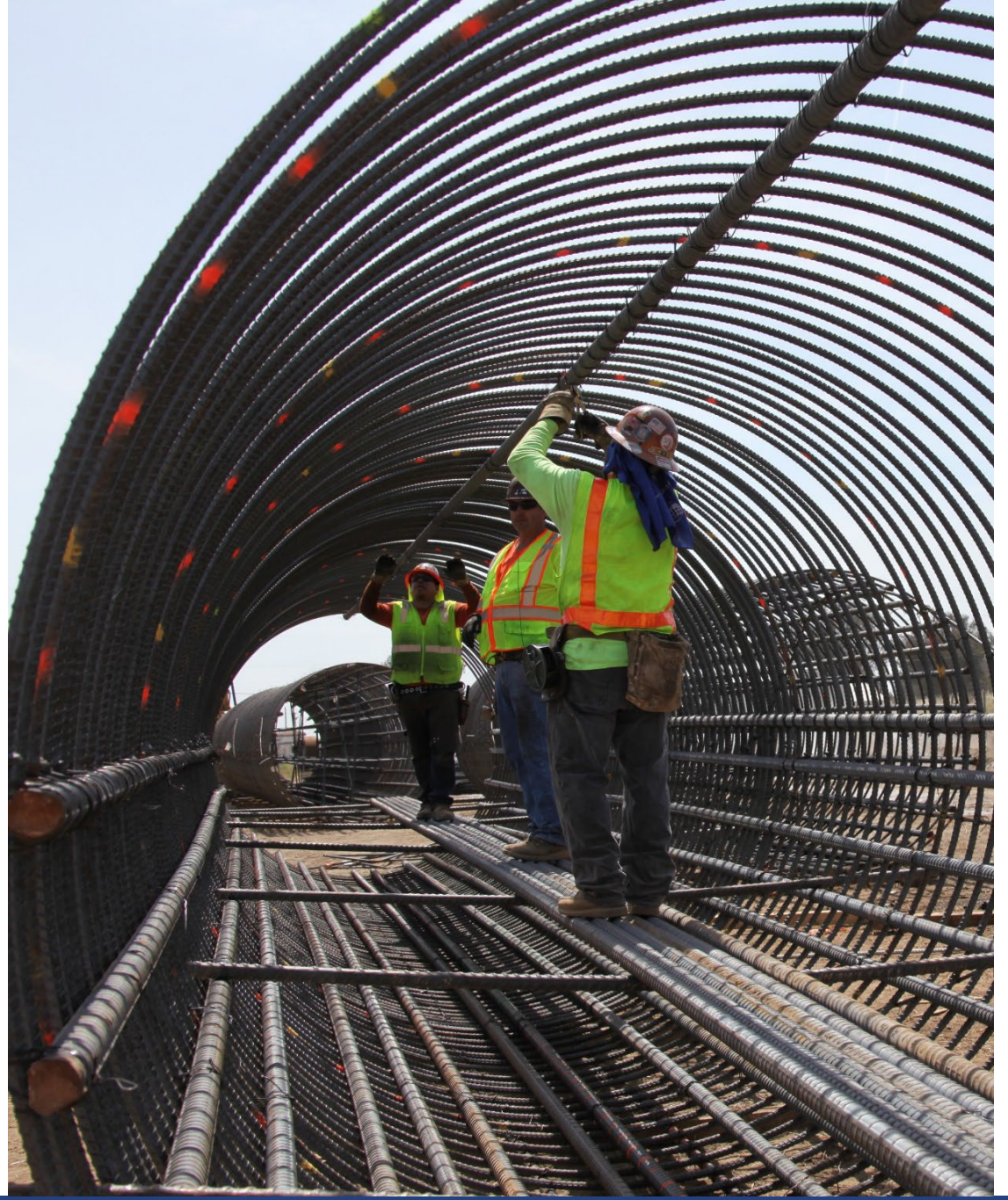
Today:

- 422 of 500 miles environmentally cleared
- 119 miles under construction
- Merced to Madera and Poplar Avenue to Bakersfield in Advanced Design
- Bookend Projects Underway
  - » Caltrain electrification construction underway
  - » Funding committed for LAUS improvements



2022 Progress Continued

- **Nearly 10,000 Construction Jobs Created Since Construction Began**
  - 1,000+ Construction Workers Dispatched to Sites Daily
  - 34 Active Construction Sites
- **Pre-Apprenticeship Training Center**
  - 12-week program targeting veterans, at-risk young adults, minority and low-income Central Valley residents
- **759 Small Businesses Employed**
  - 252 are Disadvantaged Business Enterprises
  - 91 Disabled Veteran Business Enterprises





Bay Area
Valley to Valley Segment

- 159 Miles
- 100% environmentally cleared
- Eligible to begin advanced design in 2023
- Corridor electrification underway on 51 miles through Caltrain Electrification Project
- Corridor grade separation coordination
- Segment construction is unfunded

Goal: Advance design work in 2023, identify "shared corridor" early capital investments, develop funding plan options

Central Valley
Initial Operating Segment

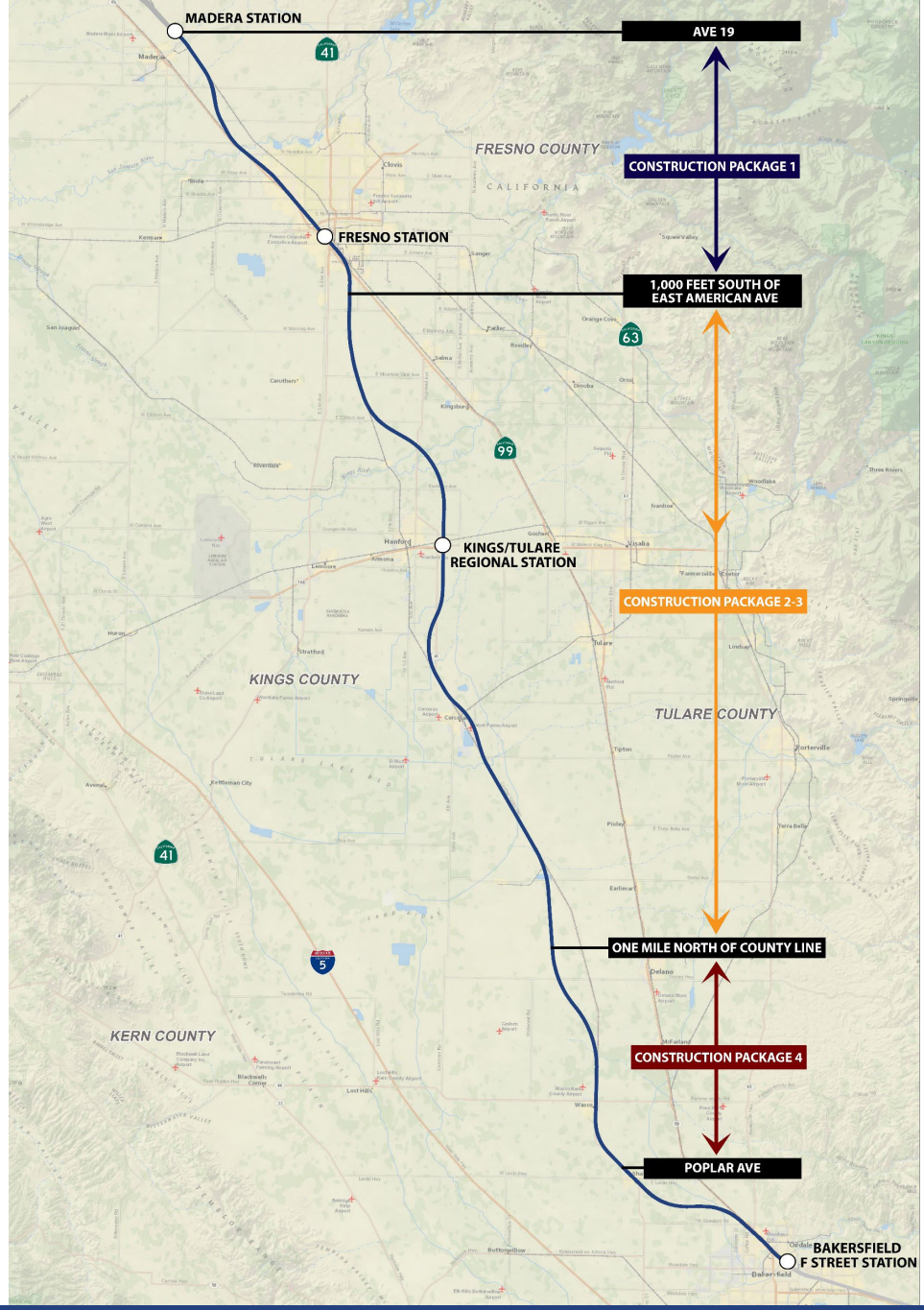
- 171 Miles
- 100% environmentally cleared
- 119 miles under construction
- 52 miles starting advanced design (pre-construction work)
- Design for Central Valley Stations awarded October 2022
- Revised Track and Systems procurement in 2023

Goal: Initial operations by 2030-2033



Upcoming Milestones

- 2023
  - » CP 4 construction completion
  - » Track and Systems Procurement
- 2025/2026
  - » CP 1 and CP 2/3 construction completion
- 2028
  - » Track and Systems completion for 119-mile test track
  - » Stations Completed on 119
- 2029/2030
  - » Testing on 119-mile test track
  - » Completion of extensions into Merced and Bakersfield



Southern California
Completion of Phase 1

- 164 Miles
- 92 miles (56%) environmentally cleared in 2022 (remainder in 2023/24)
- Some advanced design could begin in 2023
- LA Union Station Phase A progressing
- Segment construction is unfunded

Goal: Complete all environmental; begin advanced design in 2023; identify "shared corridor" early capital investments; develop segment funding plan options




To Fresno and San Francisco
Bakersfield
To Santa Barbara
To Las Vegas
KERN COUNTY
To Las Vegas, Nevada
Palmdale
Victor Valley
LOS ANGELES COUNTY
VENTURA COUNTY
SAN BERNARDINO COUNTY
To San Luis Obispo
Burbank Airport HSR
BUR
Ventura
San Bernardino
Rancho Cucamonga
Los Angeles Union Station
ONT
Norwalk/Santa Fe Springs
Riverside
LAX
Fullerton
LGB
Anaheim ARTIC
RIVERSIDE COUNTY
ORANGE COUNTY
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Perris
SAN DIEGO COUNTY
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MAP NOT TO SCALE
Southern California Connectivity
High-Speed Rail Station
High-Speed Rail
Planned High-Speed Rail
Brightline West
Intercity Bus Service
Coaster
Oceanside to San Diego
Amtrak Pacific Surfliner
Metrolink Lines
Metro Rail/Metro Bus


To Fresno and San Francisco
Bakersfield
To Santa Barbara
To Las Vegas
Bakersfield to Palmdale
ROD/NOD Complete
To Las Vegas, Nevada
Palmdale
Victor Valley
LOS ANGELES COUNTY
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To Fresno and San Francisco
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To Santa Barbara
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Planning Underway
Metrolink and potential
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To Fresno and San Francisco
Bakersfield
To Santa Barbara
To Las Vegas
KERN COUNTY
To Las Vegas, Nevada
Palmdale to Burbank
• DEIR/S released Sept 2
• Comments due Dec 1
• Preferred alternative SR14A
28 miles of tunneling
Palmdale
Victor Valley
LOS ANGELES COUNTY
SAN BERNARDINO COUNTY
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First HSR to airport station direct connection
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Southern California Connectivity

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- Planned High-Speed Rail *Brightline West*
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Anaheim ARTIC

RIVERSIDE COUNTY

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SNA

Perris

SAN DIEGO COUNTY

Metro on Link US improvements
$441 M partnership



MAP NOT TO SCALE

Southern California Connectivity

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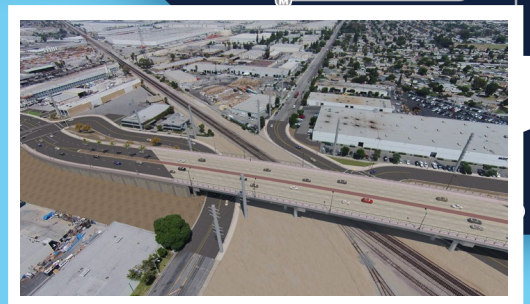
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MAP NOT TO SCALE



CALIFORNIA
High-Speed Rail Authority

Palmdale Station Implementation

Margaret Cederoth, Director of Planning and Sustainability
California High-Speed Rail Authority

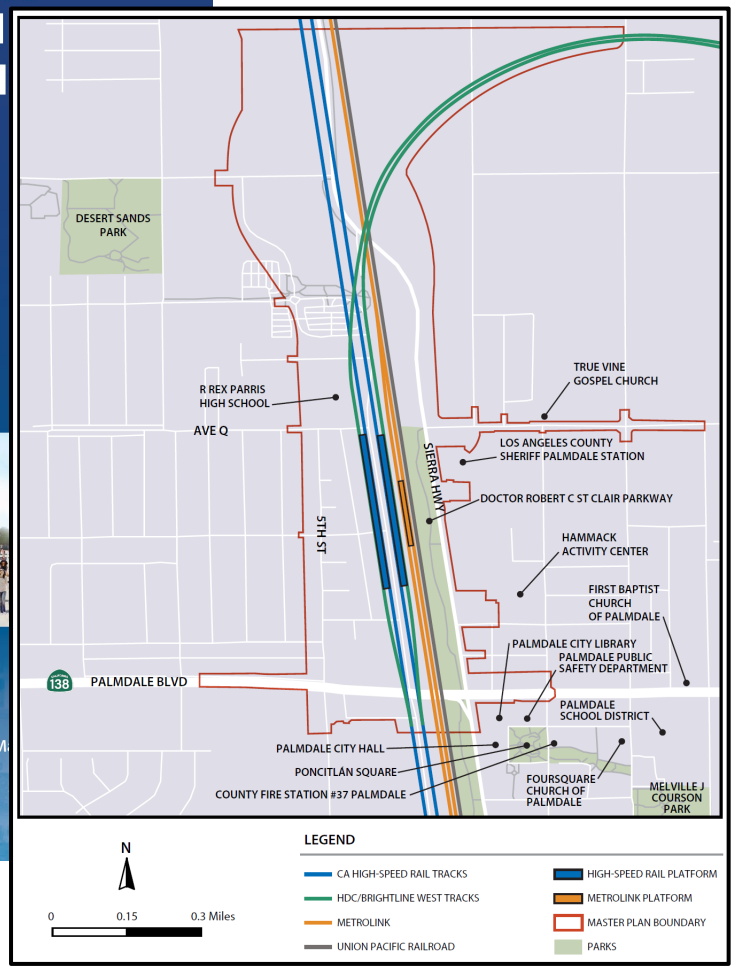
Advance Integrated Station Delivery

Build off of Palmdale planning as well as approved station footprint to advance an integrated station:

- Palmdale 2045 – General Plan Update
  - 2019 through 2022 (complete)
  - Zoning update underway
- Avenue Q Complete Streets Projects
  - 2020 through 2022 (complete)
- High Desert Intercity Rail Corridor Service Development Plan
  - 2020 through 2023
- PTC Infrastructure Support Project
  - 2021 through 2023
- Palmdale Sustainable Transportation Plan
  - 2022 through 2023
- Palmdale Station Master Plan
  - RAISE grant application submitted 2021
  - Conducting workshops to refine Master Plan vision and discuss governance for implementation



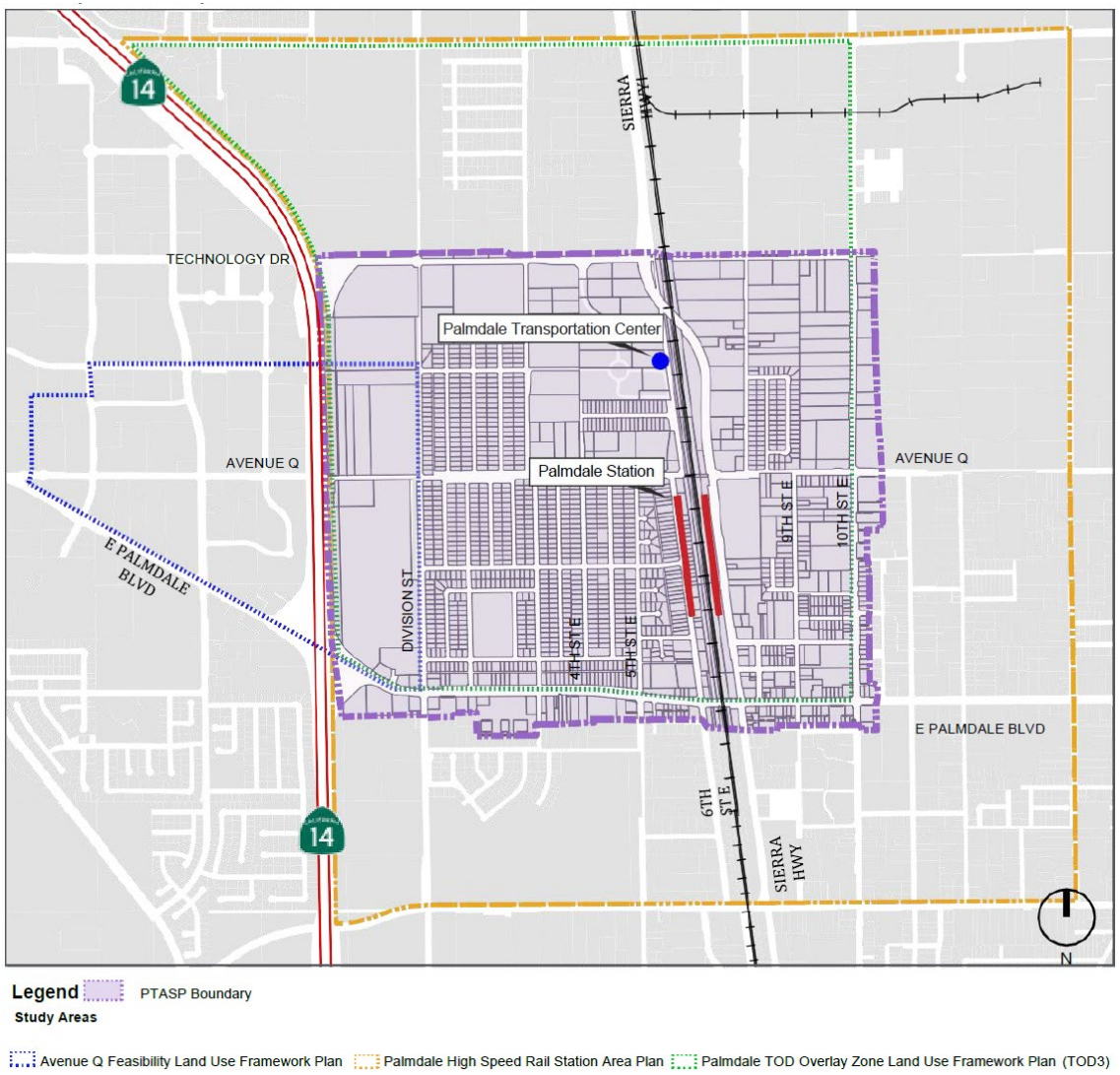
2021 RAISE Grant Application



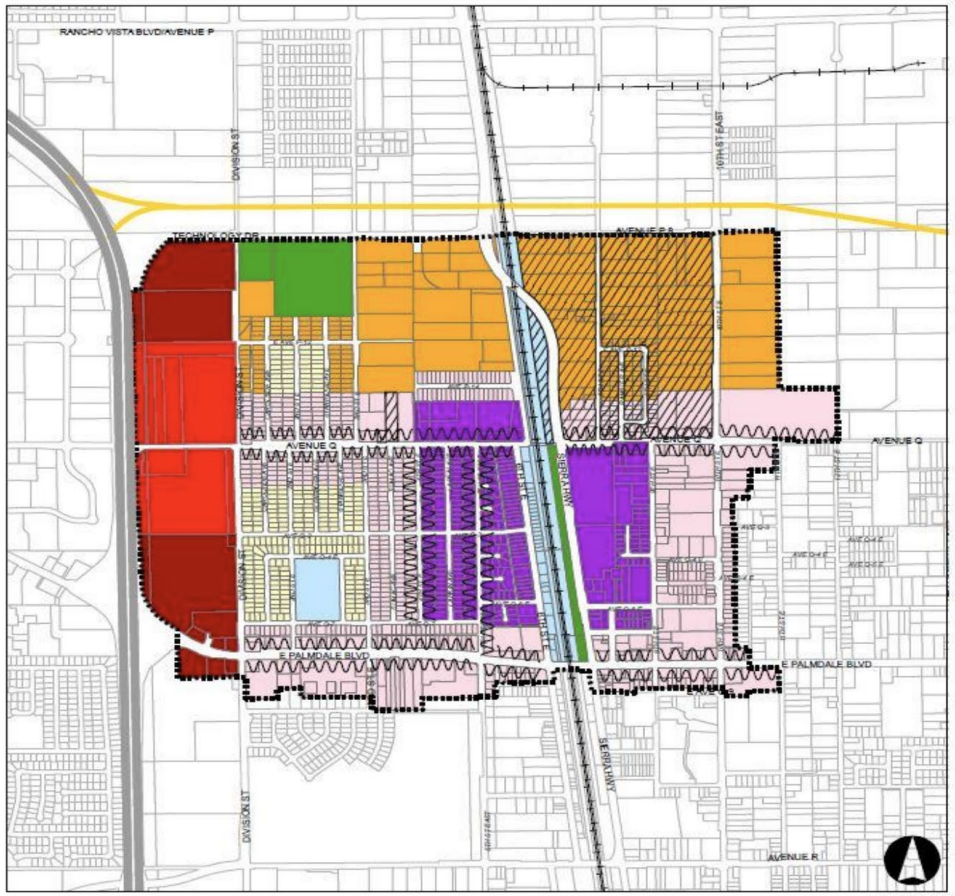
Palmdale Station Master Plan Area

Foundational Planning Efforts

- Palmdale Transit Village Specific Plan (PTVSP)
  - » April 2007
- Palmdale TOD Overlay Zone Framework (TOD3)
  - » October 2016
- Avenue Q Feasibility Study
  - » October 2016
- Palmdale Transit Area Specific Plan (PTASP)
  - » Adopted December 2020
  - » Repealed, replaced and expanded the PTVSP
  - » Amended November 2022
- PTASP focuses land use changes and infrastructure improvements around the Palmdale HSR Station
- PTASP provides strong foundation off which to prioritize implementation activities for station infrastructure and supportive development



PTASP Regulating Plan and Street Network



SOURCE: RAIMI + ASSOCIATES, 2022



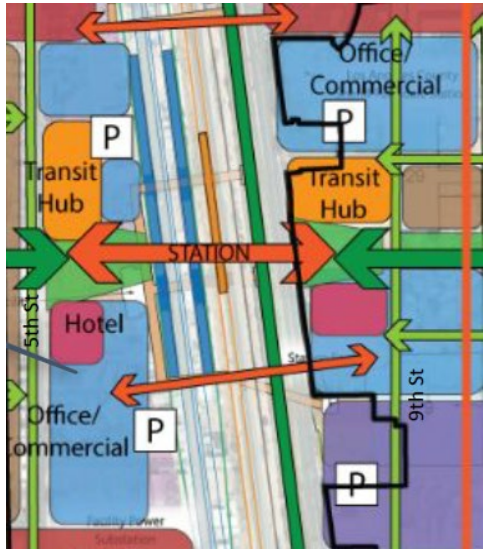
Purpose of the Station Implementation Workshops

- **Utilize the PTASP** and other city work as the foundation for an Integrated Station Master Plan
- Develop a **common vision**, lasting **partnerships**, and an effective station area **governance structure** early in the process to create a successful Master Plan and facilitate its implementation
- Lay the groundwork for the Master Plan to **leverage grant funding** (state and federal)
- Determine the **necessary components** of the Master Plan and the questions it should address to reflect the common vision
- Understand the value and benefits of a Palmdale Station Master Plan that is **co-created by the station partners**

Collaborative Effort to Guide Implementation

- Palmdale Staff have grounded the effort in local economic development and land use preferences
- Identified key aspects of station layout that enable the station to catalyze economic growth in Palmdale:
  - » Connectivity between east and west sides of the station
  - » Multiple pedestrian and bicycle crossings of the rail corridor
  - » Potential for a primary crossing through the middle of the station centered on Avenue Q3
  - » Provide multiple access points to the station from both sides
- Partners have provided clarity on infrastructure needs, timing, operational structure and preferences, and will identify items for study and resolution





Workshop Focus & Takeaways

- Workshop #1 – June 9, 2022 (virtual)
  - » Station Functions and Implementation Exercises, Station as Gamechanger
- Workshop #2 – August 17, 2022 (in-person and virtual)
  - » Real Estate Overview and TOD Opportunities
- Workshop #3 – October 24, 2022 (in-person and virtual)
  - » Planning and Design Principles, Work Session with Breakout Groups
- Workshop #4 – February 16, 2023 (in-person)
  - » Refinement of Station Vision and Master Plan Components
- Workshop #5 – TBD
  - » Governance and Implementation Strategy





Next Steps

- Workshop #4 – February 16, 2023
  - » Refinement of Station Vision and Master Plan Components
- Workshop #5 – Spring 2023
  - » Governance and Implementation Strategy
- Establish topics and focus for additional workshops
- Explore options for governance agreement
- Seek funding for Palmdale Station Master Plan
- Publish Palmdale to Burbank Final EIR/EIS – End of 2023


CALIFORNIA
High-Speed Rail Authority
Questions?

Housing Authority
Staff Report

DATE: **FEBRUARY 15, 2023**

TO: **HONORABLE CHAIR AND COMMISSIONERS**

FROM: **NEIGHBORHOOD SERVICES**

HOUSING DIVISION

DISTRICT: **1**

SUBJECT: **REVIEW AND APPROVE BUDGET ADJUSTMENTS FOR ACQUISITION OF PROPERTY**

ISSUE

Review and approve Housing Authority budget adjustments for acquisition of property.

RECOMMENDATION

Staff recommends that the Housing Authority review and approve the budget adjustments for acquisition of property.

BACKGROUND

The Housing Authority has approved the proposed acquisition of property located in the Transit Village Specific Plan Area for future development.

DISCUSSION

The Housing Authority has received approval to negotiate the acquisition of the property and seeks to have budget allocated to the appropriate accounts through the following budget adjustments:

From:	To:	Amount:
29364005-782921 Transit Village	29364005-774500 Land Held for Resale	$200,000
29364005-774519 Land Held for Resale- MF Prop Acq	29364005-774500 Land Held for Resale	$232,250
29364011-782921 Transit Village	29364011-774500 Land Held for Resale	$217,750

FISCAL IMPACT

There is a net zero fiscal impact.

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:	Sophia Reyes, Housing Manager
Certified as to availability of Funds:	Janelle Samson, Director of Finance
Approved by:	Ronda Perez, Executive Director
Approved as to form:	William P. Curley, III, Interim Authority Attorney

MINUTES
CITY COUNCIL/HA/SA
CITY HALL COUNCIL CHAMBER
38300 SIERRA HIGHWAY, SUITE B
PALMDALE, CALIFORNIA
DECEMBER 7, 2022

www.cityofpalmdale.org

5:00 P.M.

1) CALL TO ORDER

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

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

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

ABSENT: None.

3) PUBLIC COMMENTS ON CLOSED SESSION ITEMS

None.

4) PRESENTATION BY CITY ATTORNEY

Interim City Attorney Porter confirmed all items would be heard as listed.

4.1) CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION Government Code Section 54956.9(d)(1)
Name of case: John J. Murphy v. City of Palmdale
Los Angeles County Superior Court Case Number: 22STCV22544
Related City Claim Number: 2022-007

4.2) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Shanae Smith, Patricia Nevarez and Michael "Mike" Behen vs. City of Palmdale, et al.
Los Angeles County Superior Court Case No. 22STCV18219
This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).

4.3) CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
Ricci v. City of Palmdale, et al.
Los Angeles County Superior Court Case No. 22STCV01269
This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).

5) ANNOUNCEMENT BY CITY ATTORNEY

Interim City Attorney Porter announced there was no reportable action.

6) ADJOURN CLOSED SESSION MEETING

Mayor Hofbauer adjourned the meeting at 7:00 p.m.

7:00 P.M.

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

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

Commissioner Denny led the pledge of allegiance.

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

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

ABSENT: None.

9) PRESENTATIONS

9.1) 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 Austin Bishop.

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

11) PUBLIC COMMENTS ON LISTED AGENDA ITEMS (EXCLUDING PUBLIC HEARINGS)

None.

12) HOUSING AUTHORITY CONSENT CALENDAR

12.1) Approve and accept the Housing Authority of the City of Palmdale's 2021- 2022 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 Interim Assistant City Manager Miller - Prepared by Housing Manager Reyes)

12.2) Approve the minutes from the previous meetings. (Staff Reference: Acting City Clerk Scott)

HA - August 3, 2022
HA - September 7, 2022

Motion: Approve all items listed on the Housing Authority Consent Calendar.
Moved by Richard J Loa, Christina Fraga-Saenz.
Vote: Motion carried (6-0)
Yes: Steven Hofbauer, Richard J Loa, Austin Bishop, Laura Bettencourt, Christina Fraga-Saenz, Phil Denny.

13) ADJOURN HOUSING AUTHORITY MEETING

Mayor Hofbauer adjourned the Housing Authority meeting at 7:12 p.m.

14) CONSENT CALENDAR

14.1) Receive and file the Monthly Investment Reports for October 2022. (Staff Reference: Director of Finance Samson)

14.2) Receive and file the Special Tax Annual Report for CFD 2003-1 (Anaverde), CFD 05-1 (Trade and Commerce), and CFD 16-1 (Joshua Ranch Water Supply and Maintenance Services) in accordance with Senate Bill 165, section 53411 of the California Government Code. (Staff Reference: Director of Finance Samson)

14.3) Adopt Resolution No. CC 2022-121, a Resolution of the City Council of the City of Palmdale Making Legally Required Findings for Extending Remote Teleconference Participation for Meetings of the City Council and its Related and/or Subordinate Legislative Bodies. (Staff Reference: Interim City Attorney Porter)

14.4) Approve Supplemental Agreement No. 1 with Manhole Adjusting, Inc., for PN 866, Sewer Manhole Adjustments and Rehabilitation Project, in the amount of $53,550 and determine this action is categorically exempt under the California Environmental Quality Act (CEQA). (Staff Reference: Director of Public Works Glidden)

14.5) Approve the minutes from the previous meetings. (Staff Reference: Acting City Clerk Scott)

CC - October 19, 2022
CC - October 24, 2022
CC/SA - November 2, 2022

Motion: Approve all items listed on the Consent Calendar. Moved by Richard J Loa, seconded by Austin Bishop.

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

15) PUBLIC HEARINGS

15.1) Adopt Resolution No. CC-2022-117, a Resolution of the City Council of the City of Palmdale approving Gun Dealer Permit 22-12 for United Tactical LLC located at 190 Sierra Court, Suite B216 for adoption. (Staff Reference: Economic and Community Development Director Garibay - Presented by Business License Coordinator Andrews)

Business License Coordinator Andrews read the title of Resolution No. CC 2022-117 and provided a detailed overview on the item.

Jared Stall, applicant, provided Council with his background and work history.

Mayor Hofbauer called for Public Comments.

Public Comments: None.

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

Motion: Adopt Resolution No. CC-2022-117.
Moved by Richard J Loa, seconded by Austin Bishop.

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

15.2) Introduce and Adopt Urgency Ordinance No. U-1602, an Urgency Ordinance of the City Council of the City of Palmdale amending in its entirety Sections 3.14.010 and 3.14.020 of the Palmdale Municipal Code regarding the signature authority for signing of checks and warrants. (Staff reference: Director of Finance Samson)

Deputy Director of Finance Lauzon provided a brief overview of the staff report and read the title of Ordinance No. U-1602.

Mayor Hofbauer called for Public Comments.

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

Councilmember Bettencourt asked if the change was permanent and Interim City Manager Perez stated the warrants are kept online, two signatures are required for checks, and the ordinance can be brought back at a future date for modification.

Motion: Introduce and Adopt Urgency Ordinance No. U-1602.
Moved by Richard J Loa, seconded by Laura Bettencourt.

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

16) PUBLIC COMMENTS ON NON-AGENDA ITEMS

Marsha Furman commented on the agenda language for public hearings, Christmas lights at the parks, and speaker forms.

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 - Councilmember Bishop reported that the AVAQMD provided a $144,000 grant to Hemmy Hey and Feed for purchase of newer equipment to provide less pollution and cleaner air to the environment
- ANTELOPE VALLEY TRANSIT AUTHORITY - Mayor Pro Tem Loa attended the AVTA meeting and reported Mayor Hofbauer was presented with a plaque
- LOS ANGELES COUNTY SANITATION DISTRICT - Mayor Pro Tem Loa stated he attended the Los Angeles County Sanitation District meeting

Councilmember Bishop reported the following:

- Attended the Visit Palmdale meeting
- Stated PRWA and Audit Committee meetings were dark due to the holidays
- Stated B21 Raider was revealed last Friday and can be viewed on the Edwards Air Force Base YouTube page
- The Anaverde community had a snow day event;
- Announced Council is working hard to get the film industry in Palmdale
- Praised Parks and Recreation staff for the holiday decorations
- Announced the Christmas Parade would be held on Saturday, December 10th starting at 10am.

Mayor Pro Tem Loa reported the following:

- Attended a meeting with the City Manager
- Attended the Spanish talk radio
- Met with Department of Mental Health and various stakeholders to deliver services to people who are being affected by mental health issues. The City is considering the West Hollywood model for the Medical Emergency Teams (MET) and was presented with the San Gabriel program
- Attended the unveiling of the Revolution sculpture at the Auto Mall.

Mayor Hofbauer reported the following:

- Attended the B21 roll out event
- Air Force Plant 42 Air Traffic Control Tower dedication
- He spoke to the staff from Wright Patterson Air Force Base regarding opening the airport for commercial air service
- Attended holiday dinner at Plant 42
- Attended several ribbon cuttings

17.2) MEETINGS ATTENDED AT PUBLIC EXPENSE

18) CITY COUNCIL REQUESTS FOR NEW AGENDA ITEMS

None.

19) CITY MANAGER'S REPORT

Interim City Manager Perez reported the following:

- The swearing in of the elected Councilmembers would be on December 21, 2022 starting at 5:00 p.m.
- Holiday lights are at three locations: Joe Davies Air Park, Rancho Vista Park and Poncitlan Square.
- Jolly Holiday would be held on December 17, 2022 at Poncitlan Square from 4:00p.m. - 7:00 p.m.
- Several events would be held at the Palmdale Playhouse
- The City Kicked off "Say It, Don't Spray It!" campaign.
- Attended a meeting with Haulers Against Illegal Dumping (HAID) to discuss collaboration of efforts to clean up illegal dumping.
- Thanked Mayor Hofbauer for all he has done for the City.

20) Adjournment

Mayor Hofbauer adjourned the meeting at 7:46 p.m., in memory of Lou Moore, Ramon Dominguez, Lydia Alcantar, to December 21, 2022 at 5:00 p.m. in the City Hall Council Chamber located at 38300 Sierra Highway, Suite B, Palmdale, California.

PASSED, APPROVED, and ADOPTED this 15th day of February 2023.

_____
Laura Bettencourt, Mayor

ATTEST:

_____
Rochelle Scott, Acting City Clerk

MINUTES
CITY COUNCIL/HOUSING AUTHORITY
CITY HALL COUNCIL CHAMBER
38300 SIERRA HIGHWAY, SUITE B
PALMDALE, CALIFORNIA
JANUARY 18, 2023

www.cityofpalmdale.org

5:00 P.M.

1) CALL MEETINGS TO ORDER

Mayor Bettencourt called the meeting to order at 5:07 pm.

2) ROLL CALL MAYOR/CHAIR BETTENCOURT, MAYOR PRO TEM/VICE CHAIR ALARCÓN, COUNCILMEMBERS/COMMISSIONER BISHOP, LOA, OHLSEN COMMISSIONERS FRAGA-SAENZ, DENNY

PRESENT: Laura Bettencourt, Andrea Alarcón, Richard J. Loa, Eric Ohlsen, Christina Fraga-Saenz, Phil Denny.

ABSENT: Austin Bishop.

Motion: Excuse the absence of Austin Bishop.
Moved by Laura Bettencourt, seconded by Eric Ohlsen.

Vote: Motion carried (6-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen, Christina Fraga-Saenz, Phil Denny.
Absent: Austin Bishop.

3) PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Jason Zink commented regarding lawsuits, Dr. Mach's project, City Attorney and City Manager review and compensation, and potential projects.

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

4) PRESENTATION BY CITY ATTORNEY

Interim City Attorney Porter stated all items would be heard as listed, Mayor Pro Tem Alarcón would recuse herself from Item 4.1 due to a conflict of interest, and on Item 4.3 the City's representative should be him and 4.5 the City's representative should be Interim City Manager Perez.

4.1) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Shanae Smith, Patricia Nevarez and Michael "Mike" Behen vs. City of Palmdale, et al. Los Angeles County Superior Court Case No. 22STCV18219
This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).

4.2) CONFERENCE WITH REAL PROPERTY NEGOTIATORS Property Address: Vacant land located at 4th Street East near East Avenue P-14 (APN 3006-006-040)
Negotiators for Housing Authority: Mike Miller, Interim Assistant City Manager and Sophia Reyes, Housing Manager Negotiator for
Property Owner: Eugene and Betty Bliley Trust Under Negotiation: Price and terms of payment

4.3) CONFERENCE WITH LABOR NEGOTIATORS

City representative: Scott Porter, Interim City Attorney

Unrepresented employee: Ronda Perez, Interim City Manager

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

4.4) PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: Interim City Attorney

Name: Scott E. Porter

4.5) CONFERENCE WITH LABOR NEGOTIATORS

City designated representatives: Ronda Perez, Interim City Manager

Unrepresented employee: City Attorney

5) ANNOUNCEMENT BY CITY ATTORNEY

Closed Session was held from 5:13 p.m. - 7:05 p.m.

Interim City Attorney Porter announced Items 4.1 and 4.2 were discussed and there was no reportable action and indicated that the other items were under discussion and after the open session the City Council will return back to the Closed Session to discuss the items.

6) ADJOURN CLOSED SESSION MEETING

Mayor Bettencourt adjourned the Closed Session meeting at 7:06 pm.

7:00 P.M.

Mayor Bettencourt called the meeting to order at 7:07 p.m.

7) PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

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 Andrea Alarcón.

Vote: Motion carried (4-0)
Yes: Laura Bettencourt, Andrea Alarcón, Richard J. Loa, Eric Ohlsen.
Absent: Austin Bishop.

9) PUBLIC COMMENTS ON CONSENT CALENDAR ITEMS ONLY

Jason Zink commented regarding a Joshua tree mitigation plan and preservation.

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

10) CONSENT CALENDAR

10.1) Approve Final Tract Map No. 73068 (located at Palmdale Blvd. and 52nd Street East). (Staff Reference: Director of Public Works Glidden)

10.2) Adopt Resolution No. CC 2023-011, a Resolution of the City Council of the City of Palmdale Making Legally Required Findings for Extending Remote Teleconference Participation for Meetings of the City Council and its Related and/or Subordinate Legislative Bodies. (Staff Reference: Interim City Attorney Porter)

Motion: Approve all items listed on the Consent Calendar.
Moved by Richard J. Loa, seconded by Laura Bettencourt.

Vote: Motion carried (4-0)
Yes: Laura Bettencourt, Andrea Alarcón, Richard J. Loa, Eric Ohlsen.
Absent: Austin Bishop.

11) PUBLIC HEARING

11.1) INTRODUCTION AND ADOPTION OF ORDINANCE NO. 1608, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE AMENDING PALMDALE MUNICIPAL CODE SECTION 2.08.030 PROVIDING FOR COMPENSATION FOR BOARD, COMMISSION AND COMMITTEE MEMBERS AND LIMITING SERVICE TO ONE BOARD, COMMISSION OR COMMITTEE AT A TIME

ADOPT RESOLUTION NO. CC 2023-008, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE REPEALING RESOLUTION NO. 89-74 REGARDING COMPENSATION FOR MEMBERS OF THE PLANNING COMMISSION

ADOPT RESOLUTION NO. CC 2023-009, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE REPEALING RESOLUTION NO. 95-157 REGARDING COMPENSATION FOR MEMBERS OF THE MOBILE HOME PARK RENTAL REVIEW BOARD REGARDING COMMISSION COMPENSATION

Mayor Bettencourt read the title of Ordinance No. 1608. Interim City Manager Perez provided a detailed overview of the staff report.

Mayor Bettencourt asked for the significance of having someone from the Planning Commission on the Public Art Commission. Interim City Manager Perez stated the benefit of having a Planning Commissioner on the Public Art Commission is to ensure that the two commissions are in sync with any development that takes place and future art that would be a part of that development.

Interim City Attorney Porter stated in addition there are two proposed revisions to the ordinances before Council and the first would be to add a line on page two of the ordinance in subsection H, "and each member of any board, commission or committee may decline to receive all compensation." The second revision would be to add a new Section 2 that states, "SECTION 2. Effective Date. This ordinance shall become effective on the 30th day after its adoption. Notwithstanding the foregoing, the revisions to Subsection G of 2.08.030, of the Municipal Code shall not apply to the membership of the Mobile Home Park Rental Review Board until July 1, 2023." and renumber the sections after the addition.

Mayor Bettencourt called for Public Testimony.

The following individuals provided public input:

Housing Commissioner Denny spoke in opposition to the amount of compensation proposed in Ordinance No. 1608.

Jason Zink commented in opposition to the compensation proposed in Ordinance No. 1608 and suggested City discounts and event tickets for community members who serve on City of Palmdale boards, commissions, committees.

A motion was made and carried unanimously to close Public Testimony.

Discussion ensued regarding the analysis that was done by staff, meeting frequency, length of meetings, members opting out and waiving the compensation.

Mayor Bettencourt requested that the members be compensated one-hundred dollars ($100) for attending required trainings. Councilmember Loa asked with Mayor Pro Tem Alarcón's requested changes, should there also be language stating that if they decline to receive the compensation would it excuse them from complying with the other requirements. Interim City Attorney Porter stated it is implicit and it can be left as drafted. Discussion ensued regarding the appreciation for those who serve the city, and employee discount cards.

Mayor Bettencourt directed staff to investigate providing employee discount cards or event tickets to the members who serve on boards, commissions, and committees.

Discussion ensued regarding the Mobile Home Rental Review Board and the compensation cap.

Motion: Introduce and Adopt Ordinance No. 1608 with amendments, and Adopt Resolution Nos. CC 2023-008 and CC 2023-009

Moved by Andrea Alarcón, seconded by Richard J. Loa.

Vote: Motion carried (4-0)
Yes: Laura Bettencourt, Andrea Alarcón, Richard J. Loa, Eric Ohlsen.
Absent: Austin Bishop.

12) WORKSHOP PRESENTATIONS

12.1) Presentation of "Say it, Don't Spray it" Campaign - City of Palmdale Graffiti Abatement Efforts. (Staff Reference: Community Compliance Manager Gallagher)

Community Compliance Manager Gallagher provided a detailed presentation on this item. Captain Shaffer and Detective Hanley of the Palmdale Sheriff's Department reported on the efforts of combatting the graffiti problem. Discussion ensued regarding saturation patrol, youth diversion, school outreach, implementing of an art component to traffic signal boxes, wrapping utility boxes, creation of a community group to clean graffiti, adopt-a-wall program, We-Tip, Crime Stoppers, private property procedures, and advertising for paint gift cards.

Interim City Manager Perez suggested the creation of a release of liability form that will allow the City of Palmdale to remove graffiti from private property.

There was further discussion among staff and Council regarding the use of street maintenance and park staff to remove graffiti, and the status of the graffiti abatement truck.

Mayor Bettencourt suggested enhancing staff or creating a graffiti specialist position in the upcoming budget.

Mayor Bettencourt opened the Public Comments.

The following individuals provided public comments:

Jason Zink commented on adopting city colors, landscaping citywide, interactive map, spring cleaning event, and gift cards.

Laurel Forrest spoke regarding a graffiti abatement proposal and youth community service projects.

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

12.2) Economic Development Update: 2022 Contributions Impactful to Our Community and a Look Forward at 2023. (Staff Reference: Senior Economic Development Management Analyst Schuler)

Senior Management Analyst Schuler provided a detailed presentation on this item.

The following individuals provided public comments:

Jason Zink commented on economic development, conducting a commuter study, IRS jobs, Enhanced Infrastructure Finance District, and Measure J funds.

Laurel Forrest commented on accessory dwelling units (ADU's).

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

Mayor Bettencourt requested a presentation from AV Edge. Senior Management Analyst Schuler announced AV Edge is scheduled for the next City Council meeting.

Mayor Pro Tem Alarcón stated she would like to expand and learn more about the Accounting Bootcamp. Senior Management Analyst Schuler reported that all information was offered in English and Spanish, and that they worked closely with all the Chambers to help advertise and promote the program.

Councilmember Loa encouraged outreach to businesses to come to Palmdale.

13) PUBLIC COMMENTS ON NON-AGENDA ITEMS

The following individuals provided public comments:

Rob Duchow, Public Affairs Manager for Southern California Gas Company, informed Council and the public that natural gas prices are increasing, shared the reasons for the increase, and provided customers with several ways to lower their gas bills and how to receive bill assistance. Mayor Bettencourt asked if it was a permanent increase and Mr. Duchow stated it seems to be.

Jason Zink commented regarding the Rose Parade, Antelope Economic Opportunity Zone, Desert Sands Parks, Measure J, senior discounts from Spectrum, Littlerock Dam, and the AV unhoused.

14) CITY MANAGER'S REPORT

Interim City Manager Perez announced the Justice Sunday performance celebrating Martin Luther King, Jr. Day would be held at the Palmdale Playhouse on Sunday, January 18, 2023.

The following Council requests were made:

Mayor Pro Tem Alarcón announced the Planning Commissioner application period was open and encouraged the public to apply online. She directed staff to provide a report on whether or not the City can enact a waiver for any permitting fees for those who apply for permits to create public art as a graffiti abatement measure.

Councilmember Ohlsen directed staff to bring back a discussion item regarding creating a Criminal Justice Committee or Commission.

Mayor Pro Tem Alarcón announced Los Angeles County has authorized nine (9) new academies for the hiring of sheriff's. She directed staff to provide information on the timeline of the new academy's and create incentives for new deputies to come out to the Antelope Valley.

Councilmember Loa requested an update on the following major projects: Palmdale Airport, Brightline, High Speed Rail, and other projects that are coming in for industry and business.

Mayor Bettencourt asked if the Council district requests should be posted online for the public. Interim City Manager Perez stated it is important to be transparent with what the City is taking action on, but it is a conversation to have during the Council session for setting goals.

15) ADJOURN

Mayor Bettencourt adjourned the open session meeting at 9:09 pm and announced that the Council would rejoin the Closed Session meeting.

The rejoined Closed Session meeting was held from 9:09 pm - 10:23 pm.

Interim City Attorney Porter announced there was no reportable action on Item 4.3.

Interim City Manager Perez announced there was no reportable action on Item 4.4. On Item 4.5, City Council on a 4-0 Vote, with Councilmember Bishop absent, opted to request that Harper & Burns LLP provide Interim City Attorney Services on a month-to-month basis. In addition, the Council has also provided direction to the Interim City Manager to begin a nationwide recruitment to fill the position of City Attorney for the City of Palmdale.

Mayor Bettencourt adjourned the meeting at 10:25 p.m.

PASSED, APPROVED, and ADOPTED this 15th day of February 2023.

_____
Laura Bettencourt, Mayor

ATTEST:

_____
Rochelle Scott, Acting City Clerk

City Council Staff Report

DATE: **FEBRUARY 15, 2023**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT**

DISTRICT: **ALL**

SUBJECT: **ADOPT RESOLUTION NO. CC 2023-013 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE ADOPTING A FEE SCHEDULE FOR THE PALMDALE FILM STAGE.**

ISSUE

Adopt Resolution No. CC 2023-013 a Resolution of the City Council of the City of Palmdale adopting a Fee Schedule for the Palmdale Film Stage.

RECOMMENDATION

Staff recommends that the City Council:

1. Adopt Resolution No. CC 2023-013; and,
2. Authorize the City Manager or her designee to prepare and execute all necessary documents.

BACKGROUND

In order to further develop the City of Palmdale's film-friendly reputation, create more jobs and bring additional filming opportunities to Palmdale, City Council approved Capital Improvement Project No. 813 refurbishing a City-owned building located at 38448 Sierra Highway, Palmdale, CA 93550, to house the Palmdale Film Stage. The improvements included building interior and exterior renovations, electrical upgrades, and associated parking and accessibility improvements. The Palmdale Film Stage is a 6,000 square foot stage and studio that features a Cyclorama (Cyc) wall with a green screen measuring 50' x 40' x 12'H and it is intended to be made available for rental. The Palmdale Film Stage is the first location in the Antelope Valley to offer this type of production amenity. Shooting in a green screen studio is typically less expensive due to its versatility. Green screens save film makers time and energy. The stage will accommodate a variety of productions including music videos, film, television, photoshoots and more. It will be owned and operated by the City to ensure a film friendly environment for potential users.

DISCUSSION

Facility rental fees were determined by researching over 10 comparable film stages in Los Angeles County through Giggster and Peerspace. Staff also received input from the City's film liaison, David Halver and the Antelope Valley Film Office liaison Pauline East. In addition to the Cyc wall and green screen, the Palmdale Film Stage will feature an equipment loading dock, a kitchen, furnished green room, dressing room with clothes racks and standing mirrors, make-up room with two lighted make-up and hair (MUAH) stations, and two restrooms. These amenities allow for an inviting and flexible location for all filming and photo shoot needs.

Adoption of Resolution No. 2023-013 establishes the fee schedule for the Palmdale Film Stage facility rental as follows:

Palmdale Film Stage Fee Schedule		
Description	**FY 2023 Fee**	**Comments**
Live Shoots		
Live Shoot/Filming	$150/hr.	4-Hour Minimum
Live Shoot/Filming for Student or School	$75/hr.	4-Hour Minimum
Prep/Strike/Hold Days	$75/hr.	4-Hour Minimum
Refundable Live Shoot Security Deposit Fee	$600	Deposit required per rental
Still Shoots		
Still Shoots	$100/hr.	4-Hour Minimum
Refundable Still Shoot Security Deposit Fee	$400	Deposit required per rental

FISCAL IMPACT

It is requested that the City Council approve adjustments to the FY 2022-23 budget to reflect revenues of $12,000 and expenditures of $9,500. This includes utilities (gas, water, electric, internet), part-time staffing as needed and maintenance. Once the Palmdale Film Stage is fully operational, the annual revenue will increase substantially.

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.

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

A. Provide inclusive access to a variety of supportive services that build a resilient and healthy community.

Prepared by:	Zach Glynn, Management Analyst
Certified as to availability of Funds:	Janelle Samson, Director of Finance
Approved by:	Ronda Perez, City Manager
Approved as to form:	William P. Curley III, Interim City Attorney

ATTACHMENTS

1. Resolution No. CC 2023-013

CITY COUNCIL
CITY OF PALMDALE, CALIFORNIA
RESOLUTION NO. CC 2023-013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE APPROVING ADOPTION OF A FEE SCHEDULE FOR THE PALMDALE FILM STAGE.

WHEREAS, the Palmdale Film Stage offers a facility to Palmdale residents and filming companies to conduct live and still shoots; and

WHEREAS, the City of Palmdale owns the Palmdale Film Stage and requires sufficient fees to fund the operation, maintenance and administration of the facilities; and

WHEREAS, the fees listed below are calculated by evaluating expenses and revenues of comparable film stages in Los Angeles County to ensure sufficient funds for the facilities; and

WHEREAS, the City Council has determined that the fees set forth in this Resolution are necessary to properly fund the facilities.

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

SECTION 1. Facility Rental Fees. Facility Rental Fees for the Palmdale Film Stage shall be listed in the City's fee schedule:

Palmdale Film Stage Fee Schedule		
Description	**FY 2023 Fee**	**Comments**
Live Shoots		
Live Shoot/Filming	$150/hr.	4-Hour Minimum
Live Shoot/Filming for Student or School	$75/hr.	4-Hour Minimum
Prep/Strike/Hold Days	$75/hr.	4-Hour Minimum
Refundable Live Shoot Security Deposit Fee	$600	Deposit required per rental
Still Shoots		
Still Shoots	$100/hr.	4-Hour Minimum
Refundable Still Shoot Security Deposit Fee	$400	Deposit required per rental

SECTION 3. The facility rental fees set forth in this Resolution shall become effective on the first date that they can legally be enforced.

SECTION 4. The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED and **ADOPTED** this 15th day of February, 2023.

	_____
Approved as to form:	Laura Bettencourt, Mayor
	ATTEST:
_____	_____
William P. Curley III, Interim City Attorney	Rochelle Scott, Acting City Clerk

I, Rochelle Scott, Acting 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 _____ day of _____, 20___ by the following roll call vote:

AYES: _____

NOES:_____

ABSTAIN:_____ABSENT:_____

Date: _____ _____

Rochelle Scott, Acting City Clerk

City Council Staff Report

DATE: **FEBRUARY 15, 2023**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **PUBLIC WORKS DEPARTMENT**
CAPITAL IMPROVEMENT PROGRAM DIVISION

DISTRICT: **4**

SUBJECT: **AWARD CONSTRUCTION AGREEMENT WITH R.C. BECKER AND SON, INC. FOR PN 795, SAM YELLEN PARK PHASE II PROJECT, IN THE AMOUNT OF $17,530,162.72.**

ISSUE

Award construction agreement with R.C. Becker and Son, Inc. for PN 795, Sam Yellen Park Phase 2 Project, in the amount of $17,530,162.72 for a term of 18 months from the date of the Notice to Proceed.

RECOMMENDATION

Staff recommends that the City Council:

1. Award construction Agreement No. A-8133 with R.C. Becker and Son, Inc. for PN 795, Sam Yellen Park Phase 2 Project, in the amount of $17,530,162.72.

2. Approve appropriation of $5,000,000 of Measure AV funds, budgeted in Fiscal Year 2023-2024 and allocated in Account P0009157-724525.

3. Authorize the City Manager or her designee to execute Agreement No. A-8133 with R.C. Becker and Son, Inc. in a form substantially similar to the city's form contract provided in the bid package, which form may include minimal and/or non-substantive changes.

BACKGROUND

Sam Yellen Park Phase 1, located on East Avenue S at 50th Street East, opened in 2018 and included many amenities for the enjoyment of the public, while the eastern 12 acres of the park property were left undeveloped to accommodate future expansion. Project No. 795, the Sam Yellen Park Phase II Project, provides for the full expansion of the park site. Amenities to be constructed as part of Phase 2 include a central plaza with a 1,888 SF community center / restroom building; a separate prefabricated restroom building; shaded and unshaded picnic areas with tables; futsal courts; seven (7) unique fitness stations; a large playground area with play structures designed for children ages 6 months to 5 years; illuminated pedestrian walkways; various new, water-efficient

plantings, drought-tolerant groundcovers, preserved Joshua trees to match the local desert climate and habitat; and natural grass and artificial turf areas with topographic relief. Access and infrastructure improvements include a modified roundabout entry accessible from Avenue S that connects to the existing parking lot and provides convenient drop-off zone, a new 84-space parking lot accessible from Hillcrest Drive, a detention basin, a new water service, sewer, and storm drain improvements, as well as irrigation and landscape improvements to the Phase 1 site.

CEQA

On July 9, 2020, the Planning Commission approved Conditional Use Permit 11-006 Major Modification No. 1 and Site Plan Review 20-004 for the Phase 2 expansion of Sam Yellen Park. Pursuant to the California Environmental Quality Act (CEQA), an Initial Study was prepared for the project in conjunction with original approval, and on July 9, 2020, the Planning Commission adopted a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program finding that concluded, with mitigation, the project would not have a significant impact on the environment. Mitigation measures for biological resources, cultural resources, and tribal cultural resources were included to reduce impacts to a less than significant level. These mitigation measures were incorporated in the project design and additional measures will be implemented during project construction.

DISCUSSION

The project was released for public bid electronically on September 30, 2022, and over 530 vendors were notified, including approximately 20 prime contractors. Three (3) bids were received for this project on December 20, 2022, and the base bids are summarized below:

BIDDER	LOCATION	BASE BID AMOUNT
1. R.C. Becker and Son, Inc.	Santa Clarita, CA	$18,846,317.72
2. Environmental Construction, Inc.	Woodland Hills, CA	$25,612,689.80
3. SoCal Shaker Plates	Temecula, CA	Non-Responsive

Staff contacted ten (10) of the 18 notified prime contractors who did not submit a bid to determine why a bid was not submitted. Their feedback included objections to bidding projects that have a Community Work Force Agreement and inability to perform work based on current project workloads.

The bid included two (2) deductive alternate items that can be removed from the base bid to provide the City the option to reduce the construction scope and project costs. Good candidates for project deductive items are eliminations that can be implemented without creating alternative bid and construction documents and can be constructed

later with little disruption to the site. Deductive Alternate A represents removal of eight (8) Musco light poles around the futsal courts, with construction of the electrical underground infrastructure remaining in the base bid. Deductive Alternate B represents removal of four (4) of the eleven (11) futsal courts and associated features (benches, striping, nets, etc.). At this time, staff is considering a passive play area to be installed in this location. Cost reductions for the deductive alternates from each responsive bidder are listed below:

BIDDER	DEDUCT A: MUSCO LIGHTING & POLES	DEDUCT B: SOUTHERLY FUTSAL COURTS	TOTAL DEDUCTIVE AMOUNT
R.C. Becker and Son, Inc.	($474,400.00)	($841,755.00)	($1,316,155.00)
Environmental Const., Inc.	($588,904.00)	($2,216,050.00)	($2,804,954.00)

Staff has determined that both deductive alternate items A & B shall be implemented and thereby reduce the bid amounts as follows:

BIDDER	BASE BID AMOUNT	TOTAL DEDUCTIVE AMOUNT	ADJUSTED BID AMOUNT
R.C. Becker and Son, Inc.	$18,846,317.72	($1,316,155.00)	$17,530,162.72
Environmental Const., Inc.	$25,612,689.80	($2,804,954.00)	$22,807,735.80

The bid from R.C. Becker and Son, Inc. is responsive. References have been checked and staff recommends that the City Council award Project No. 795 to the lowest responsive bidder, R.C. Becker and Son, Inc. in the amount of $17,530,162.72.

FISCAL IMPACT

The project has been funded through Park Development (220), Measure A (211), and Measure AV (157) funds, which have been allocated in Account No. P0009. The account has a current available balance of $16,188,154.

The fiscal impact and remaining account balance can be seen in the following table:

SCOPE OF WORK	COST
PN 795 – Sam Yellen Park Phase 2 Project	$17,530,163
Construction Contingency (15%)	$2,629,524
Municipal Public Art Fee (1%)	$175,302
Replacement of amenities for futsal court removal (TBD)	$400,665
Administration / Construction Inspection / Misc.	$250,000
Materials Testing & Special Inspection	$100,000
Labor Compliance	$87,500
American Indian Observation	$15,000
Total Cost:	**$21,188,154**

Account Number	Starting Balance	Anticipated Expenditures	Anticipated Remaining Balance
P0009220	$9,632,277	$9,632,277	$0
P0009211	$1,556,490	$1,556,490	$0
P0009157	$4,999,387	$9,999,387	($5,000,000)
Totals (shortfall):	$16,188,154	$21,188,154	($5,000,000)

The shortfall will be covered by adding an additional $5,000,000 in Measure AV funds that will be budgeted in FY 23/24. The awarded contractor will begin construction in late Spring of 2023 and will take approximately 18 months, with completion in Fall of 2024.

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:	Lynn Glidden, P.E., Director of Public Works
Certified as to availability of Funds:	Janelle Samson, Director of Finance
Approved by:	Ronda Perez, City Manager
Approved as to form:	William P. Curley, III, Interim City Attorney

ATTACHMENTS:
Site Map

LEGEND

1. ENTRY ROUND-A-BOUT
2. VEHICULAR DROP-OFF
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



ktua

SAM YELLEN PARK SITE PLAN

NORTH

SCALE: 1”= 50’

City Council Staff Report

DATE: **FEBRUARY 15, 2023**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **PUBLIC WORKS**
MAINTENANCE DIVISION

DISTRICT: **ALL**

SUBJECT: **APPROVE THE UPDATED SEWER SYSTEM MANAGEMENT PLAN (SSMP) FOR THE CITY OF PALMDALE.**

ISSUE

Approve the updated Sewer System Management Plan (SSMP) for the City of Palmdale.

RECOMMENDATION

Staff recommends that the City Council approve the updated Sewer System Management Plan (SSMP) for the City of Palmdale.

BACKGROUND

On May 2, 2006, the State Water Resources Control Board adopted the Statewide General Waste Discharge Requirements and the Monitoring and Reporting Program (WDR) by issuing Order No. 2006-0003. The regulations were born out of growing concern about the water quality impacts of sanitary sewer overflows, particularly those that cause beach closures or pose serious health and safety or nuisance problems.

The WDR requires owners and operators of publicly owned collection sewer systems to develop and present an SSMP to their governing body for approval. The WDR requires that the SSMP be updated every five years and must include any significant program changes. The City of Palmdale is required to comply with the WDR because it is the owner of the local sanitary sewer system. The approval of the SSMP by the City is exempt from the California Environmental Quality Act, pursuant to California Code Regulations, Title 14, Section 15301 because it applies to existing sanitary sewer collection systems. Its implementation will result in repairing or replacing existing systems involving negligible or no capacity expansion consistent with Sections 15301 and 15302.

On April 1, 2009, the City Council approved the Sewer System Management Plan, which brought the city into compliance with Order No. 2006-0003. Since approving the Sanitary Sewer Management Plan in 2009, the Sewer Maintenance Division has continually grown and evolved its operations and maintenance procedures and has updated its plan accordingly.

DISCUSSION

The purpose of approving the updated Sanitary Sewer Management Plan is to maintain state compliance with WDR Order No. 2006-0003.

The updated SSMP summarizes the City's management and operational practices to ensure that the sewer systems are properly maintained to prevent or significantly reduce the occurrence of Sanitary Sewer Overflows (SSO). The City's SSMP consists of 11 chapters with the following key elements:

1) Goals - a description of the City's SSMP goals.
2) Organization - a description of the districts organizational structure;
3) Legal Authority - a description of the City's legal rights, including codes and ordinances, to enforce the requirements of the WDRs;
4) Operation and Maintenance Program - which outlines the City's maintenance schedule and methodology to ensure proper management and maintenance of the sewer facilities;
5) Design and Performance Provisions - which describe methods by which the City's ensure that new and rehabilitated sewer facilities are correctly designed and installed;
6) Overflow Emergency Response Plan - which describes how the City's respond to, report, and documents SSO events within the Districts;
7) Fat, Oils, and Grease Control Program - which describes how the City's prevent or minimize the discharge of fats, oils, and grease into the sewer lines, which is known to contribute to SSO;
8) System Evaluation and Capacity Assurance Plan - which describes how the City's ensure that the sewer systems maintain adequate capacity for new and existing developments;
9) Monitoring, Measurement, and Program Modifications - which details the City's plan to continually monitor and assess the performance of each element of the SSMP in achieving the goals and objectives of the SSMP and updating them as necessary;
10) SSMP Program Audit and Certification - which describes the City's plan to periodically assess the effectiveness of the SSMP based mainly on the plan's ability to reduce SSO; and
11) Communication Program summarizes the City's plans to ensure that all stakeholders are aware of the City's SSMP.

Staff recommends that the City Council approve the City of Palmdale's updated 2023 Sewer System Management Plan. A final copy of the SSMP is on file with the Director of Public Works.

FISCAL IMPACT

There is no fiscal impact on the Sewer Maintenance District Fund due to this Council action.

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:	Lynn Glidden P.E., Director of Public Works
Certified as to availability of Funds:	Janelle Samson, Director of Finance
Approved by:	Ronda Perez, City Manager
Approved as to form:	William P. Curley, III, Interim City Attorney

ATTACHMENTS

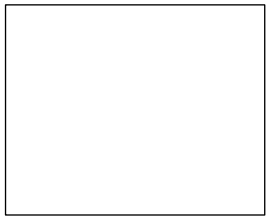
1. 2023 Sanitary Sewer Management Plan
2. Overflow Emergency Response Plan
3. Water Quality Monitoring Plan

CITY OF PALMDALE

Sanitary Sewer Management Plan
February 2023

Originally Certified: March 20, 2009
Recertified: May 7, 2014
Recertified: February 15, 2023
City WDID #6SSO11137

Council Draft



Prepared In Conjunction With:
Causey Consulting
Walnut Creek, CA 94598

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CERTIFICATION

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

Bruce Roadhouse, Maintenance Services Manager
Legally Responsible Official

Council Draft

1.0 Introduction

1.1. Sewer System Management Plan

This Sewer System Management Plan (SSMP) has been prepared by the Causey Consulting for the City of Palmdale (City). It is a compendium of the policies, procedures, and activities that are included in the planning, management, operation, and maintenance of City's sanitary sewer system. City Board adopted the original SSMP on May 2008 as required by the Sanitary Sewer Waste Discharge Requirements (WDR).

The State Water Resources Control Board (SWRCB) has issued statewide waste discharge requirements for sanitary sewer systems, which include requirements for development of an SSMP. The State Water Board requirements are outlined in Order No. 2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, dated May 2, 2006 (GWDR), and Order No. WQ-2008-0002-EXEC, dated February 20, 2008, which was amended by Order No. 2013-0058-EXEC, effective September 9, 2013, which changed the Monitoring and Reporting Program (MRP) requirements. This SSMP is intended to comply with the GWDR and MRP revised requirements.

The structure (section numbering and nomenclature) of this SSMP follows the above referenced GWDR Section D13. This SSMP is organized by the SWRCB outline of elements; and contains language taken from the GWDR at that beginning of each element. The GWDR uses the term "Enrollee" to mean each individual municipal wastewater collection system that has completed and submitted the required application for coverage under the WDR (in this case, the Enrollee is City. City's waste discharger identification number (WDID) in the California Integrated Water Quality System (CIWQS) is 6SSO11137.

1.2. Sanitary Sewer System Facilities

City sanitary sewer service area is shown in Intro Figure 1, City Service Area Information. City operates a sanitary sewer system that serves a population of 165,761 in a 106.06 square mile service area in Los Angeles County. The sewer system serves 40,626 service connections as of October 2022. The sewer system consists of 394.7 miles of gravity sewers (approximately -line segments), approximately 8,340 manholes, 0.5 miles of force mains, and two (2) pump station. The sewer lines range in size from four (4) inches to twenty-one (21) inches in diameter. City is not responsible for private sewer laterals. The City also receives sewage from a couple of small County service areas that the City conveys for treatment on behalf of the County and the CSMD.

Intro Figure 1 contains an overview map of City sanitary sewer service area.

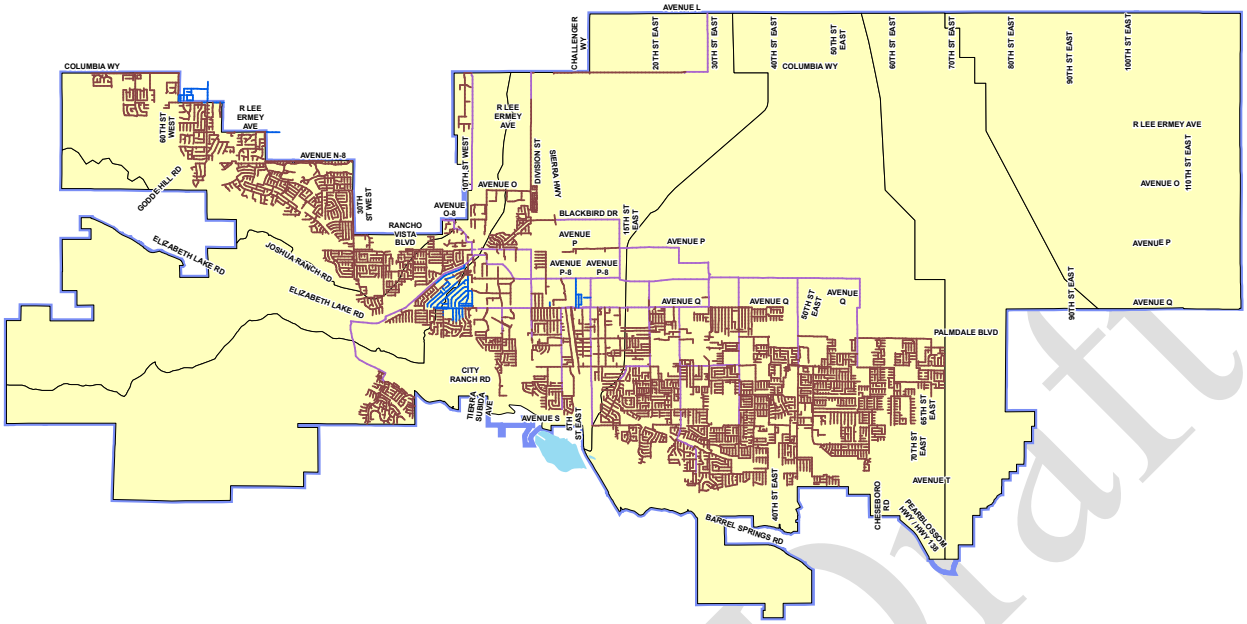
Intro Table 1 provides the pipe diameter distribution of the gravity sewer pipes in the City collection system.

Intro Table 2 provides the composition of the gravity sewer piping by material of construction.

Intro Table 3 provides the installation age distribution of City's collection system.

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Intro Figure 1: City Sewer System Area Map



Intro Table 1: Gravity Sewer System Size Distribution

Diameter, Inches	Number of Line Segments	Pipe Length, Linear Feet	Portion of Sewer System, %
6	7	1,654	0.07%
8	7,306	1,778,853	85.06%
10	541	128,613	6.16%
12	367	87,354	4.18%
15	282	73,806	3.52%
16	1	247	0.01%
18	53	13,296	0.63%
21	23	7,057	0.33%
Total, linear feet	**8,580**	**2,090,880**	**100%**
Total, miles		**396**	

Source: CITY supplied infrastructure file 11-3-22

Draft

Intro Table 2: Gravity Sewer System Materials of Construction

Material	Number of Line Segments	Pipe Length, LF	Percent of Sewer System
Ductile Iron Pipe (DIP)	19	3,685	0.17%
Polyvinyl Chloride (PVC)	43	10,392	0.50%
Vitrified Clay Pipe (VCP)	8,418	2,045,491	98.5%
Other	100	25,699	0.83%
Totals	**8,580**	**2,085,267**	**100%**

Source: CITY supplied infrastructure file 11-3-22

Intro Table 3: Gravity Sewer System Inventory of Sewer Lines by Pipe Age

Age in Years	Construction Period	Linear Feet of Gravity Sewers	Miles of Gravity Sewer	Percent of System
0-15	2000 - current	481,008	91.10	23
16 – 35	1980 – 1999	1,318,944	249.80	63
36 – 55	1960 – 1979	109,296	20.70	5
56 – 75	1940 – 1959	181,632	34.40	9
76 – 95	1920 – 1939	0	0	0
95 – 115	1900 – 1919	0	0	0
>115	Before 1900	0	0	0
Unknown		0	0	0
Total		**2,090,880**	**396**	**100**

Source: CITY CIWQS Operational Performance 10-05-2022

Draft

1.3. Definitions, Acronyms, and Abbreviations

Best Management Practices (BMP)

Refers to the procedures employed in commercial kitchens to minimize the quantity of grease that is discharged to the sanitary sewer system. Examples include scraping food scraps into a garbage can and dry wiping dishes and utensils prior to washing.

Calendar Year (CY)

Capital Improvement Plan (CIP)

Refers to the document that identifies future capital improvements to City's sanitary sewer system.

California Integrated Water Quality System (CIWQS)

Refers to the State Water Resources Control Board online electronic reporting system that is used to report SSOs, certify completion of the SSMP, and provide information on the sanitary sewer system.

City of Palmdale (City)

Closed Circuit Television (CCTV)

Refers to the process and equipment that is used to internally inspect the condition of gravity sewers.

Computerized Maintenance Management System (CMMS)

Refers to the computerized maintenance management system that is used by City to plan, dispatch, and record the work on its sanitary sewer system. Lucity is the propriety software City uses for workflow management.

Consolidated Sewer Maintenance District (CSMD)

Division of Water Quality (DWQ)

Refers to the State of California Division of Water Quality of the State Water Resources Control Board.

Environmental Protection Agency (EPA)

Fats, Roots, Oils, and Grease (FROG)

Refers to fats, oils, and grease typically associated with food preparation and cooking activities that can cause blockages in the sanitary sewer system.

First Responder

Refers to the Daly City field crew or the On-Call personnel that are City's initial response to an SSO event or another sewer system emergency.

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Fiscal Year (FY)

Means a 12-month periods beginning July 1st and ending June 30th.

Food Service Establishment (FSE)

Refers to commercial or industrial facilities where food is handled/prepared/served that discharge to the sanitary sewer system.

General Waste Discharge Requirements (GWDR)

Refers to the State Water Resources Control Board Order No. 2006-0003, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, dated 5/2/2006.

Geographical Information System (GIS)

Refers to City's system that it uses to capture, store, analyze, and manage geospatial data associated with City's sanitary sewer system assets.

Grease Removal Device (GRD)

Refers to grease traps and grease interceptors that are installed to remove FROG from the wastewater flow at food service establishments.

Infiltration/Inflow (I/I)

Refers to water that enters the sanitary sewer system from storm water and groundwater.

- Infiltration enters through defects in the sanitary sewer system after flowing through the soil.
- Inflow enters the sanitary sewer without flowing through the soil. Typical points of inflow are holes in manhole lids and direct connections to the sanitary sewer (e.g., storm drains, area drains, and roof leaders).

Lateral

See Private Sewer Lateral

Legally Responsible Official (LRO)

Person(s) formally designated by City to be responsible for formal reporting and certifying of all reports submitted to the CIWQS.

Lift Station (LS)

A facility that lifts sewage into City gravity sanitary sewer collection system.

Manhole (MH)

Refers to an engineered structure that is intended to provide access to a sanitary sewer for maintenance and inspection.

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Mainline Sewer

Refers to City publicly owned wastewater collection system piping that is not a private lateral connection to a user.

Monitoring, Measurement, and Plan Modifications (MMPM), SSMP Element IX

Monitoring and Reporting Program (MRP)

State Water Resources Control Board WQ 2013-0058-EXEC effective September 9, 2013.

National Association of Sewer Service Companies (NASSCO)

National Pollution Discharge Elimination System Permit (NPDES)

Notification of an SSO

Refers to the time at which City becomes aware of an SSO event through observation or notification by the public or other source.

Nuisance

California Water Code section 13050, subdivision (m), defines nuisance as anything that meets all the following requirements:

a. Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, to interfere with the comfortable enjoyment of life or property.
b. Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.
c. Occurs during, or as a result of, the treatment or disposal of wastes.

Office of Emergency Services (OES or Cal OES)

Refers to the California State Office of Emergency Services.

Operations and Maintenance (O&M)

Overflow Emergency Response Plan (OERP)

Palmdale Municipal Code (PMC)

Pipeline Assessment and Certification Program (PACP)

Refers to the NASSCO certification program that is used for the evaluation and condition assessment of sewer lines and appurtenances from closed circuit televising of the lines and appurtenances.

Preventive Maintenance (PM)

Refers to maintenance activities intended to prevent failures of the sanitary sewer system facilities (e.g., cleaning, CCTV, repair, etc.).

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Private Sewer Lateral (PSL)

The sewer pipeline from the plumbing of a building to a City collection line, including portions that extend across public rights-of-way and the saddle, wye or other physical connection to the collection line. Private sewer laterals are privately owned and maintained.

Private Lateral Sewage Discharges (PLSD)

Sewage discharges that are caused by blockages or other problems within a privately-owned sewer service lateral.

Public Owned Treatment Works (POTW)

Regional Water Quality Control Board (RWQCB)

Refers to the Los Angeles Regional Water Quality Control Board.

Sanitary Sewer Backup (Backup)

A wastewater backup into a building and/or on private property caused by blockages or flow conditions within the publicly owned portion of a sanitary sewer system.

Sanitary Sewer Overflows (SSO)

Any overflow, spill, release, discharge, or diversion of untreated or partially treated wastewater from a sanitary sewer system. SSOs include:

a. Overflows or releases of untreated or partially treated wastewater that reach waters of the United States;

b. Overflows or releases of untreated or partially treated wastewater that do not reach waters of the United States; and

c. Wastewater backups into buildings and on private property that are caused by blockages or flow conditions within the publicly owned portion of a sanitary sewer system.

SSOs that include multiple appearance points resulting from a single cause will be considered one SSO for documentation and reporting purposes in CIWQS.

NOTE: Wastewater backups into buildings caused by a blockage or other malfunction of a private sewer lateral are not SSOs.

SSO Categories:

Category 1: Discharge of untreated or partially treated wastewater of any volume resulting from a sanitary sewer system failure or flow condition that either:

- Reaches surface water and/or drainage channel tributary to a surface water; or

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- Reached a Municipal Separate Storm Sewer System (MS4) and was not fully captured and returned to the sanitary sewer system or otherwise captured and disposed of properly.

Category 2: Discharge of untreated or partially treated wastewater greater than or equal to 1,000 gallons resulting from a sanitary sewer system failure or flow condition that either:

- Does not reach surface water, a drainage channel, or an MS4, or
- The entire SSO discharged to the storm drain system was fully recovered and disposed of properly.

Category 3: All other discharges of untreated or partially treated wastewater resulting from a sanitary sewer system failure or flow condition.

Sanitary Sewer System or Sewer System

Refers to the sanitary sewer facilities that are owned and operated by the City of Palmdale.

Sensitive Areas

Refers to areas where an SSO could result in a fish kill or pose an imminent or substantial danger to human health.

Sewer Service Lateral

Refers to the piping that conveys sewage from the building to the sanitary sewer system

Sewer System Management Plan (SSMP)

Standard Operating Procedures (SOP)

Refers to written procedures that pertain to specific activities employed in the operation and maintenance of the Sanitary Sewer System.

Standard Specifications

Refers to the latest edition of the City Standard Specifications and Standard Drawings.

State Water Resources Control Board (SWRCB)

Refers to the California Environmental Protection Agency, State Water Resources Control Board.

Note: The State Board is a separate entity from the San Francisco Regional Water Quality Control Board, although the agencies are closely connected.

Supervisory Control and Data Acquisition (SCADA)

Refers to the system that is employed by City to monitor the performance of its lift stations and to notify the operating staff when there is an alarm condition that requires attention.

System Evaluation and Capacity Assurance Plan (SECAP) SSMP Element VIII

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Untreated or Partially Treated Wastewater

Any volume of waste discharged from the sanitary sewer system upstream of a wastewater treatment plant headworks.

Vitrified Clay Pipe (VCP)

Waste Discharge Identification Number (WDID)

A unique identification number for the certification and reporting of collection system related actions and overflows in the CIWQS System. The City WDID is 6SSO11137

Water Body

Any stream, creek, river, pond, impoundment, lagoon, wetland, or bay.

Water of the State

Refers to "any surface water, including saline waters, within the boundaries of the state." (California Water Code § 13050(e)).

Water Quality Monitoring Plan (WQMP)

1.4. Critical Supporting Documents

- State Water Resources Control Board Order No. 2006-0003, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, California State Water Resources Control Board, May 2, 2006.
- State of California Water Resources Control Board Order No. WQ-2008-0002-EXEC, Adopting Amended Monitoring and Reporting Requirements for Statewide General Waste Discharge Requirements for Sanitary Sewer Systems dated February 20, 2008
- State Water Resources Control Board Order No. Order No. 2013-0058-EXEC, Amending Monitoring and Reporting Program for Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, September 9, 2013.
- California Integrated Water Quality System database for WDID 6SSO11137.

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Element I: Goals

Goal: The goal of the SSMP is to provide a plan and schedule to properly manage, operate, and maintain all parts of the sanitary sewer system. This will help reduce and prevent SSOs, as well as mitigate any SSOs that do occur.

I-1: SSMP Goals

The goals of the City are to provide safe, effective, and efficient operation of City sanitary sewer collection system by:

- Prevent or minimize the frequency of SSOs
- To meet all applicable regulatory notification and reporting requirements
- To measure progress through performance measures so the plan can be adjusted as needed
- To protect public health and safety, and the environment
- Provide a safe work environment for employees and contractors
- Prepare for emergencies
- Identify, prioritize, and continuously renew and replace sewer system facilities to maintain reliability

I-2: Critical Supporting Documents

None.

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Element II: Organization

Organization: The SSMP must identify:

(a) The name of the responsible or authorized representative as described in Section J of this Order.

(b) The names and telephone numbers for management, administrative, and maintenance positions responsible for implementing specific measures in the SSMP program. The SSMP must identify lines of authority through an organization chart or similar document with a narrative explanation; and

(c) The chain of communication for reporting SSOs, from receipt of a complaint or other information, including the person responsible for reporting SSOs to the State and Regional Water Board and other agencies if applicable (such as County Health Officer, County Environmental Health Agency, Regional Water Board, and/or State Office of Emergency Services (OES)).

II-1: Organizational Structure

The purpose of this section is to identify City staff responsible for implementing this SSMP, responding to SSO events and meeting the SSO reporting requirements. This section also includes the designation of the Legally Responsible Official (LRO) or Authorized Representative to meet Statewide WDR requirements for completing and certifying spill reports.

The City operates and maintains City's sewer system and responds to sewer emergencies including SSOs. The City organization chart is shown in Figure 2-1.

The Maintenance Services Manager is the Legally Responsible Official (LRO), reports each SSO through California Integrated Water Quality System (CIWQS), and makes additional required reports to the SWRCB, RWQCB, California Department of Fish and Wildlife (CDFW), and OES as appropriate.

Figure II – 1: City Sewer Program Organization Chart



II-2: Authorized Representatives

The City's Legally Responsible Official (LRO), having overall responsibility for wastewater collection system matters, is the City's Director of Public Works and the Maintenance Services Manager in concert with designated maintenance and public works staff as discussed below. This includes, but is not limited to, signing and certification of all reports and correspondence as required under the Order.

To ensure efficiency and expediency in meeting the General Waste Discharge Requirements (WDR), the following City staff have all been delegated the LRO, an Authorized Representative having responsibility for the day to day operation of the City's wastewater collection system and associated documentation and reporting requirements, including but not limited to verbal notification, as well as electronic and written reporting to the Los Angeles County Department of Public Health (LAC DPH), Regional Water Quality Control Board (RWQCB), SWRCB, and OES:

- Director of Public Works
- Maintenance Services Manager
- Collection System Superintendent
- Asset Management Specialist

Due to the role of the On-Call Duty-Phone Personnel as first responder in the event of an SSO, they are authorized to act as the Authorized Representative in the absence of the Sanitary Sewer Collection System Superintendent. Such responsibility includes meeting wastewater collection system documentation and reporting requirements including but not limited to verbal notification, as well as electronic and written reporting to the LAC DPH, RWQCB, SWRCB, and OES.

II-3: Responsibility for SSMP Implementation and Maintenance

The Director of Public Works has the overall responsibility for implementing, periodically auditing, and maintaining CITY's SSMP. He/she may delegate these responsibilities to his/her staff as shown in **Table II – 1** below.

Table II – 1: Responsible Officials for SSMP Elements

Element	Element Name	Responsible City Official	Phone	Email
0	Introduction	Director of Public Works	650-589-1435	lglidden@cityofpalmdale.org
1	Goals	Director of Public Works	650-589-1435	lglidden@cityofpalmdale.org
2	Organization	Director of Public Works	650-589-1435	lglidden@cityofpalmdale.org
3	Legal Authority	Director of Public Works	650-589-1435	lglidden@cityofpalmdale.org

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Element	Element Name	Responsible City Official	Phone	Email
4	O & M Program	Collection System Superintendent	650-589-1435	rsaenz@cityofpalmdale.org
5	Design & Performance Provisions	City Engineer	650-589-1435	bpadilla@cityofpalmdale.org
6	OERP	Collection System Superintendent	650-589-1435	rsaenz@cityofpalmdale.org
7	Fats, Roots, Oils and Grease (FROG) Control Program	Collection System Superintendent	650-589-1435	rsaenz@cityofpalmdale.org
8	System Evaluation and Capacity Assurance Plan	City Engineer	650-589-1435	bpadilla@cityofpalmdale.org
9	Monitoring, Measurement and Program Modifications	Collection System Superintendent	650-589-1435	rsaenz@cityofpalmdale.org
10	Program Audits	Director of Public Works	650-589-1435	lglidden@cityofpalmdale.org
11	Communications Program	Director of Public Works	650-589-1435	lglidden@cityofpalmdale.org
App A	SSMP Board Adoption Documents	Director of Public Works	650-589-1435	lglidden@cityofpalmdale.org
App B	SSMP Audit Reports	Director of Public Works, Collection System Superintendent, Asset Management Specialist	650-589-1435	lglidden@cityofpalmdale.org rsaenz@cityofpalmdale.org rwagner@cityofpalmdale.org
App C	SSMP Audit Checklist	Director of Public Works, Collection System Superintendent, Asset Management Specialist	650-589-1435	lglidden@cityofpalmdale.org rsaenz@cityofpalmdale.org rwagner@cityofpalmdale.org
App D	SSMP Change Log	Director of Public Works	650-589-1435	lglidden@cityofpalmdale.org
App E	OERP	Collection System Superintendent	650-589-1435	rsaenz@cityofpalmdale.org
App F	Water Quality Monitoring Plan	Collection System Superintendent	650-589-1435	rsaenz@cityofpalmdale.org

Source: City supplied information dated 11/3/22

Director of Public Works (LRO) – The Director of Public Works provides highly responsible professional and technical assistance in the administration and management of Public Works, which includes capital projects, utility services, facility, street, fleet, parks, street and signal repair and maintenance; plans, directs, coordinates, manages and supervises activities for Public Works; and takes a leadership role in implementation of the goals and objectives of Public Works; implements policies and procedures related to program areas within the City; coordinates activities with other City officials, departments, outside agencies, organizations and the public; provides responsible and complex staff support to the City Council and City Manager.

City Engineer – The City Engineer plans, organizes, directs, and participates in the development, operation, and maintenance of the City's Engineering Division; coordinates the engineering aspects of public works land development activities; and takes a leadership role in implementation of the goals and objectives of the Public Works Department.

Maintenance Services Manager (LRO) – The Maintenance Services Manager plans, organizes, directs, staffs, and controls the management and operations of the Maintenance Services Division, including maintenance and repair of City parks, buildings, parkways, assessment districts, streets, and related facilities; and provides highly technical staff assistance.

Collection Systems Superintendent (LRO, DS) – The Collection System Superintendent plans, supervises, coordinates, assigns, and participates in sanitary sewer collection system maintenance operations; plan, organize, direct, review, and report on the work of field crews in the construction, repair, cleaning, and inspection of the sewer collection system; and to perform a variety of technical tasks relative to assigned area of responsibility.

Collection System Maintenance Planner – The Collection System Maintenance Planner performs technical and administrative work in maintenance of the sanitary sewer collection system; plan, inspect and coordinate work plans for various contractors and Public Works staff; organize, plan, and assist in scheduling all necessary resources to accomplish maintenance activities of the City sanitary sewer system; perform a variety of technical tasks relative to assigned areas of responsibility.

Senior Collection Systems Operator – The Senior Collection System Operator performs the most complex work in the maintenance and repair of waste and storm water collection systems; operates light and moderately heavy power-driven equipment to clean, maintain and repair collection system facilities and sewer lines; and makes standard sewer line maintenance technical decisions.

Collection System Operator I/II – The Collection System Operator I/II perform semiskilled to skilled work in the maintenance and repair of waste and storm water collection systems; operate light and moderately heavy power-driven equipment to clean, maintain and repair collection system facilities and sewer lines.

Environmental Compliance Inspector – The Environmental Compliance Inspector performs journey-level technical work in the inspection, investigation and analysis of discharges to the waste water collection system; conduct field inspections, prepare documentation and enforcement

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reports, and communicate with dischargers regarding waste water regulations and results of inspections; evaluate, monitor and report on the compliance status of industrial facilities within the City; and explain the City's program to dischargers.

Asset Management Specialist (LRO, DS) - The Public Works Project Manager performs professional and technical engineering and project management for a variety of complex and sensitive capital improvement projects in compliance with applicable standards, specifications, and objectives; researches and plans for a variety of capital improvement and maintenance/improvement projects; performs complex engineering plan review related to capital projects; and tracks and communicate project status to appropriate personnel.

Senior Public Works Inspector – The Senior Public Works Inspector performs complex public works construction and landscaping inspections for conformity with approved plans and specifications; inspects work quality and materials used in a variety of public works construction projects and subdivisions to ensure conformity with approved plans, specifications, and departmental regulations; and maintains records and prepares reports pertaining to the projects inspected.

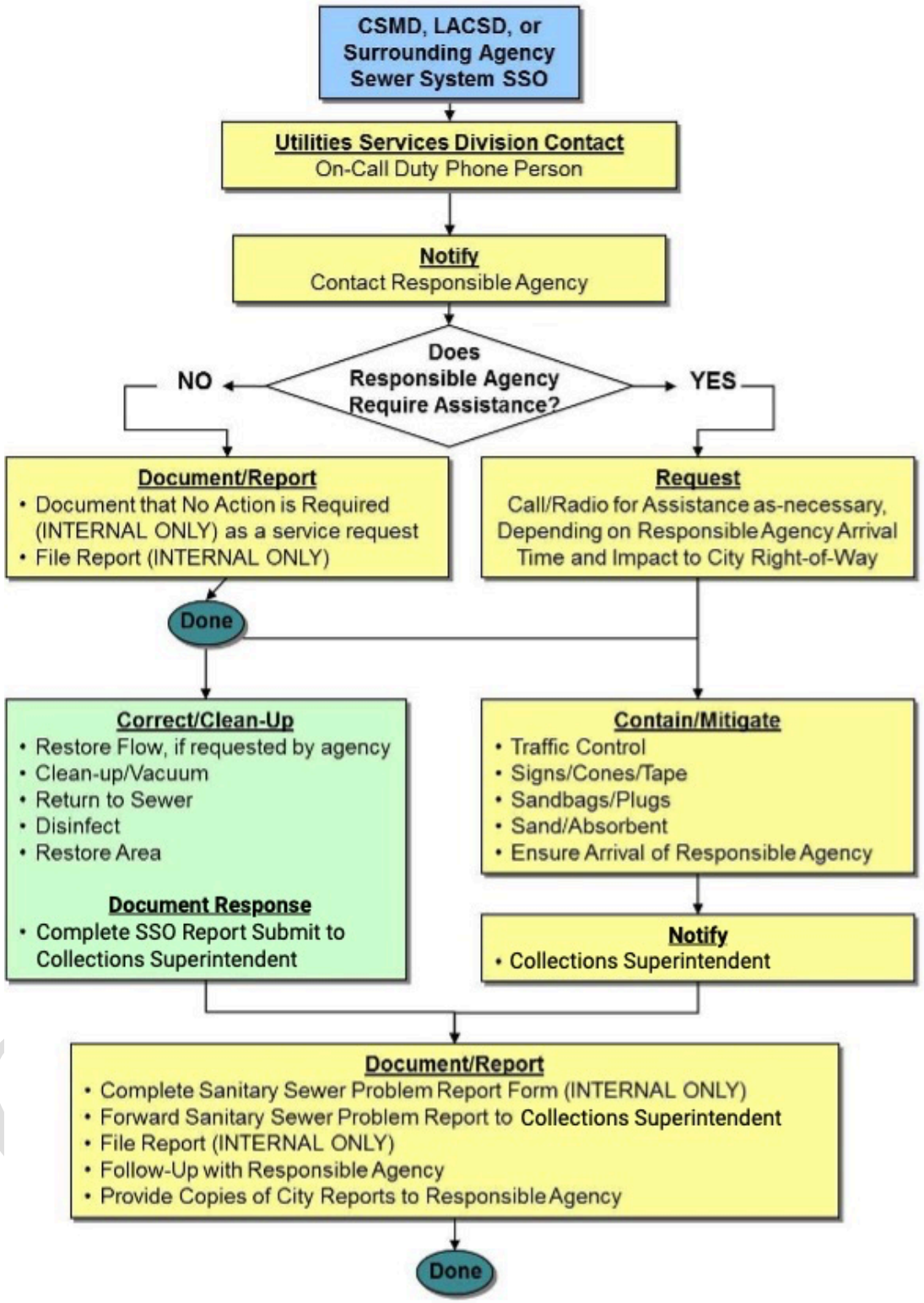
Public Works Inspector I/II – The Public Works Inspector performs public works construction and landscaping inspections for conformity with approved plans and specifications; inspects work quality and materials used in a variety of public works construction projects and subdivisions to ensure conformity with approved plans, specifications, and departmental regulations; and maintains records and prepares reports pertaining to the projects inspected.

II-4: SSO Reporting Chain of Communication

The SSO Reporting process and responsibilities are described in the Overflow Emergency Response Plan in **Figure II – 2** below.

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Figure II – 2: SSO Reporting Chain of Communications Overview



II-5: Critical Supporting Documents

None.

Element III: Legal Authority

Legal Authority: Each Enrollee must demonstrate, through sanitary sewer system use ordinances, service agreements, or other legally binding procedures, that it possesses the necessary legal authority to:

(a) Prevent illicit discharges into its sanitary sewer system (examples may include I/I, stormwater, chemical dumping, unauthorized debris and cut roots, etc.);

(b) Require that sewers and connections be properly designed and constructed;

(c) Ensure access for maintenance, inspection, or repairs for portions of the lateral owned or maintained by the Public Agency;

(d) Limit the discharge of fats, oils, and grease and other debris that may cause blockages, and

(e) Enforce any violation of its sewer ordinances.

III-1: City Summary and Evaluation of Legal Authority

The City is regulated by several agencies of the United States Government and the State of California, pursuant to the provisions of Federal and State Law. Federal and State Laws including, but not limited to the following, grant to the City the authority to regulate and/or prohibit, by the adoption of an ordinance and by issuance of control mechanisms, the discharge of any waste, directly or indirectly, to the City sewerage facilities.

1. Federal Water Pollution Control Act, commonly known as the Clean Water Act (33 U.S.C. Section 1251 et seq.);
2. California Porter Cologne Water Quality Act (California Water Code Section 13000 et seq.);
3. California Health & Safety Code Sections 25100 to 25250; and
4. California Government Code, Sections 54739-54740.

Following the authorities provided by the documents described above, Palmdale Municipal Code (PMC) provides the necessary legal authority. The PMC provisions are summarized below in Table III-1: Summary of Legal Authorities and are generally included in the PMC Titles 8 and 13 to operate and maintain the sewer system.

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Table III – 1: Summary of Legal Authorities

Requirement	Municipal Code Section(s)
Prevent illicit discharges into the wastewater collection system	8.04.600; Palmdale Plumbing Code; Chapters 13.02, 13.11 and 13.14
Limit the discharge of fats, oils, and grease and other debris that may cause blockages	Chapters 13.11 and 13.14; Palmdale Plumbing Code
Require that sewers and connections be properly designed and constructed	Article III, Chapter 13.08; Chapter 13.14; 8.04.600
Require proper installation, testing, and inspection of new and rehabilitated sewers	13.08.330 to 13.08.290
Clearly defined responsibility and policies for laterals	13.04.030; 13.02.040
Control infiltration and inflow (I/I) from private service laterals	13.14.040
Requirements to install grease removal devices (such as traps or interceptors), design standards for the grease removal devices, maintenance requirements, BMP requirements, record keeping and reporting requirements	Palmdale Plumbing Code Chapter 8.04 and 13.02.020
Authority to inspect grease producing facilities	13.05.020
Enforce any violation of its sewer ordinances	13.02.100; 8.04200

III-2: Agreements with Satellite Agencies

The City is currently included inside the boundaries of County Sanitation District #20 and District #14 of Los Angeles County Sanitation District (LACSD), which has the direct responsibility for the transport and treatment of all wastewaters discharged to the City's sewer system pursuant to that agency's Wastewater Ordinance.

The City of Palmdale has two areas located within the City of Palmdale service area that are served by Los Angeles County and flow into the City of Palmdale collection system. These areas are small and consist of a total of 8.44 miles of sewer. Because those County areas are also in LACSD #20 they must comply with LACSD's discharge prohibitions. The City has entered into agreements with the County of Los Angeles that addresses the issues associated with the discharges into the City of Palmdale sewer system. In addition, the City utilizes a very small length of County lines to transport City sewage to the interceptor facilities. This use is also covered in the agreement with the County of Los Angeles.

III-3: Critical Supporting Documents

- City of Palmdale Municipal Code Section Titles 8 and 13.

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Element IV: Operations and Maintenance Program

Operation and Maintenance Program. The SSMP must include those elements listed below that are appropriate and applicable to the Enrollee's system:

(a) Maintain an up-to-date map of the sanitary sewer system, showing all gravity line segments and manholes, pumping facilities, pressure pipes and valves, and applicable stormwater conveyance facilities;

(b) Describe routine preventive operation and maintenance activities by staff and contractors, including a system for scheduling regular maintenance and cleaning of the sanitary sewer system with more frequent cleaning and maintenance targeted at known problem areas. The Preventative Maintenance (PM) program should have a system to document scheduled and conducted activities, such as work orders;

(c) Develop a rehabilitation and replacement plan to identify and prioritize system deficiencies and implement short-term and long- term rehabilitation actions to address each deficiency. The program should include regular visual and TV inspections of manholes and sewer pipes, and a system for ranking the condition of sewer pipes and scheduling rehabilitation. Rehabilitation and replacement should focus on sewer pipes that are at risk of collapse or prone to more frequent blockages due to pipe defects. Finally, the rehabilitation and replacement plan should include a capital improvement plan that addresses proper management and protection of the infrastructure assets. The plan shall include a time schedule for implementing the short- and long-term plans plus a schedule for developing the funds needed for the capital improvement plan;

(d) Provide training on a regular basis for staff in sanitary sewer system operations and maintenance, and require contractors to be appropriately trained; and

(e) Provide equipment and replacement part inventories, including identification of critical replacement parts.

IV-1: Collection System Mapping

The City of Palmdale uses Geographic Information System (GIS) technology to create, maintain, and manage maps and data sets associated with its wastewater collection system facilities, storm drainage facilities, force mains, LACSD trunk sewers and adjacent agency sewers (Lancaster and CSMD). Location, pipe, and manhole inventory data including length, diameter, material, rim/invert elevations, street address, and other information are maintained. Mapping and associated data is accessible through the City's Interactive MapGuide GIS site at the City of Palmdale website.

IV-2: Updates to Existing Drawings

Field crews uses digital maps through the asset management software, Lucity, using an iPad or computer. Maps are updated through standard methods established by the GIS Section on an "as-needed" basis. Proposed corrections identified by field crews are communicated to the Asset Management Specialist.

Corrections considered as high priority are handled as such. The result is updated map pages that are issued to required personnel within a 30-day window from the submittal date of the changes. Low priority corrections and new facilities are added to the master dataset and distributed either quarterly or yearly. This determination is based on the total number of corrections.

Hard-copy record drawings for LACSD trunk sewers, Palmdale's sewer mains, lift stations, and appurtenant facilities are available for viewing by the public at the Utilities Services Division counter. Scanned images of the sewer system record drawings and links to associated sewer facilities and data are accessible to selected staff via the City's Intranet-Interactive MapGuide Site.

Applicants for new sewer improvements to be dedicated to the City are required to prepare and submit record drawings upon installation of newly constructed sewer mains, storm drains, and associated facilities. Drawings should be submitted in both hard copy and electronic format (i.e., GIS.shp file or AutoCAD .dwg file). The master data set is updated with record drawing information and distributed to required personnel per City operating procedures.

IV-3: City Preventive Operation and Maintenance

The elements of the City's wastewater collection system Operation and Maintenance Program include proactive, preventive, and corrective maintenance of gravity sewers, and periodic inspection and preventive maintenance of lift stations. The details of the City's O&M programs are described below. Figure IV-1 provides the current organization chart responsible for the sanitary sewer operations and maintenance program.

The City proactively cleans every pipe segment in the wastewater collection system at least once every 5 years. Pipes with historical maintenance issues are cleaned on a preventive maintenance schedule every 3, 6, 12, 18, 24, or 60 months. As the City collects and analyzes maintenance data collected during proactive and preventive cleaning the frequency of sewer cleaning is adjusted to optimize the sewer cleaning. Historical results of the line cleaning operations are included in Tables IV-1 and IV-2 below.

Gravity sewer maintenance is currently scheduled using lists of Preventative Maintenance (PM's) sewers and collection system maps for system-wide cleaning. The City requires sewer maintenance crews to schedule and track sewer maintenance activities. At a minimum, the City requires the sewer maintenance crews to use the asset management software, Lucity, to create work orders, MH inspection result forms, and line cleaning forms.

An important aspect of the City's sewer cleaning program is to record cleaning results for each manhole-to-manhole pipe segment using code-based standard results (see **Table IV-2**). Those

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results then provide the basis for the Sanitary Sewer Collection System Superintendent to modify the frequency or method of cleaning for that pipe segment to reflect current field conditions. Follow-up video inspections and/or repairs are requested as needed by the Sanitary Sewer Collection System Superintendent. This process is shown on **Figure IV – 2**. The standard cleaning results ratings are shown in **Table IV – 3** along with the criteria for changing cleaning frequencies.

The City uses in-house employees for close circuit television (CCTV) inspection to determine the primary causes of cleaning problem events, blockages, and SSO events. The City's gravity sewer condition assessment program consists of visually inspecting gravity sewers using CCTV. The City uses contract CCTV services for condition assessment.

IV-4: Gravity Sewer Maintenance

Figure IV – 1: City Sewer Program Organization Chart

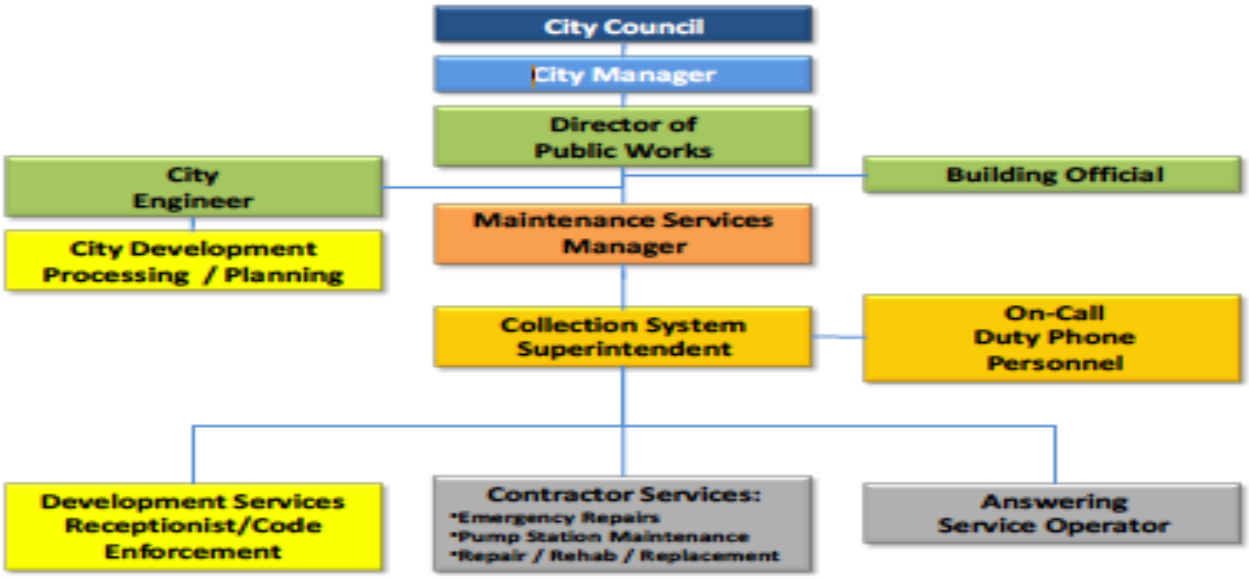


Table IV – 1: High Frequency (Bad Spot) Line Cleaning

Frequency	Pipe Segments	Linear Feet	Annual Cleaning, Miles	Percent of the System
3 months	80	19,951	3.77	0.95%
6 months	198	51,495	9.75	2.46%
9 months	165	44,229	8.37	2.11%
12 months	815	192,011	36.36	9.18%
18 months - Other*	328	76,523	14.49	3.65%

Frequency	Pipe Segments	Linear Feet	Annual Cleaning, Miles	Percent of the System
Totals	**1,586**	**384,209**	**73**	**18.35%**
Average/year	**317**	**76,842**	**14.55**	**3.67%**

Source: Palmdale supplied infrastructure file dated 11-14-22

The historical line cleaning results for the remainder of the gravity system are shown in **Table IV – 2** below.

Table IV – 2: Historical Gravity Cleaning Results

Calendar Year	Line Cleaning Results, linear feet	Line Cleaning Results, miles	Percent of System Pipes (using 396 mi)
07/08	1,965,511	372.20	93.98%
08/09	1,971,133	373.30	94.26%
09/10	2,085,226	394.92	99.49%
10/11	2,099,731	397.67	100%
11/12	2,100,341	397.79	100%
12/13	2,068,999	391.90	98.96%
13/14	2,071,251	392.30	99.06%
14/15	876,954	166.00	41.91%
15/16	1,088,959	206.25	52.08%
16/17	888,178	168.22	42.47%
17/18	838,181	158.74	40.08%
18/19	809,023	153.22	38.69%
19/20	817,966	154.91	39.11%
20/21	790,622	149.73	37.81%
Average per Year	**1,462,291**	**277**	**69.85%**

Source: Palmdale Infrastructure Tables 11/14/22

Figure IV – 2: Sewer Cleaning Scheduling Flowchart

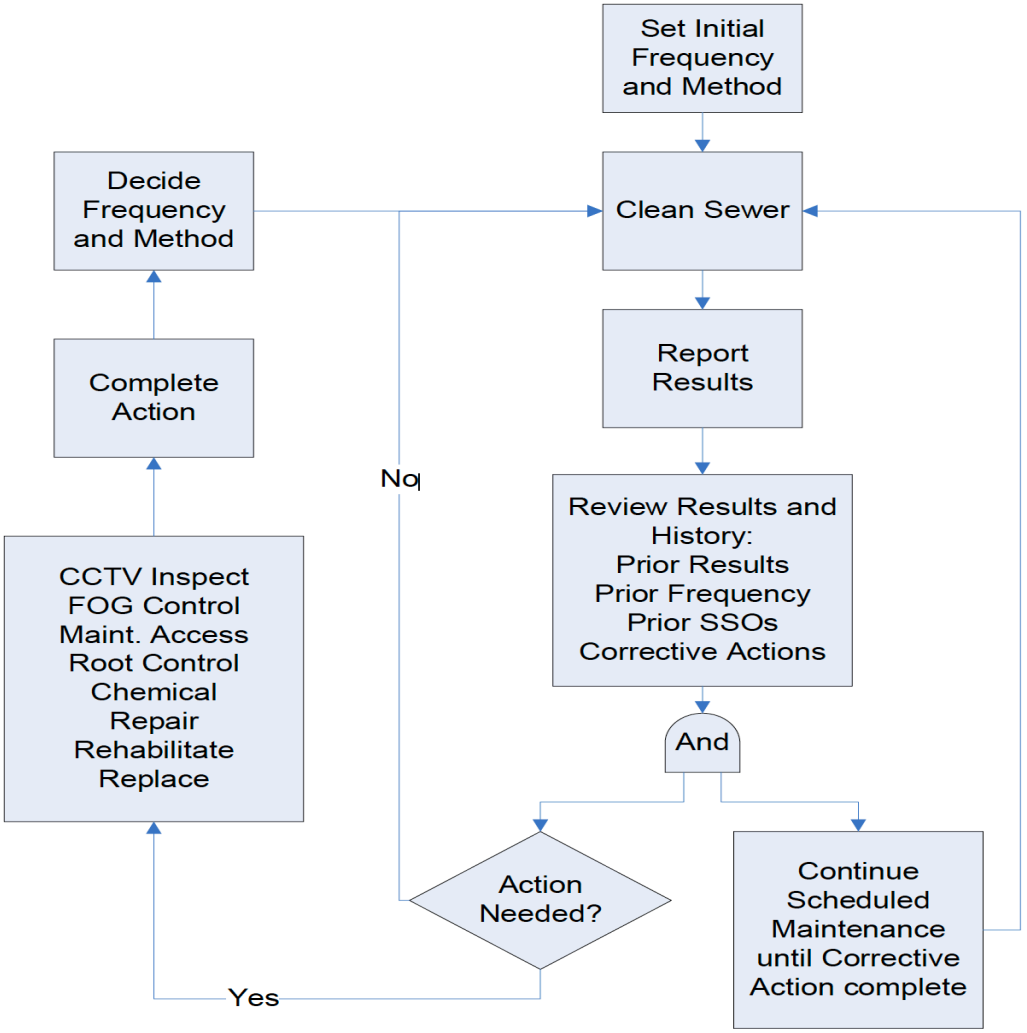


Table IV – 3: Standard Measures of Observed Results

	Clear	Light	Moderate	Significant	Heavy
Debris / Grit	**Code: CL** • No observable debris	**Code: DL** • Minor amount of debris • 15 minutes or less to clean • 1 pass	**Code: DM** • Less than 5 gallons of debris per line segment • 15-30 minutes to clean • 2-3 passes required	**Code: DS** • 3-5 gallons of debris • 30-45 minutes to clean • Up to 4 passes Requires up to 3 times a year	**Code: DH** • More than 5 gallons of debris per line segment • More than 30 minutes to clean • More than 4 passes • Operator concern for future stoppage

	Clear	Light	Moderate	Significant	Heavy
Grease	**Code: CL** • No observable grease	**Code: GL** • Minor amounts of grease • 15 minutes or less to clean • 1 pass	**Code: GM** • Small "chunks" • No "logs" • 15-30 minutes to clean • 2-3 passes	**Code: GS** • Large chunks • 30-40 minutes to clean • Up to 4 passes Requires cleaning up to 3 times a year	**Code: GH** • Big "chunks" or "logs" • More than 30 minutes to clean • More than 4 passes • Operator concern for future stoppage
Roots	**Code: CL** • No observable roots	**Code: RL** • Minor amounts of roots • 15 minutes or less to clean • 1 pass	**Code: RM** • Thin stringy roots • No "clumps" • 15-30 minutes to clean • 2-3 passes	**Code: RS** • Medium-sized root fingers • Medium-sized root balls • 30-45 minutes to clean Up to 4 passes	**Code: RH** • Thick roots • Large "clumps" • More than 30 minutes to clean • More than 4 passes • Operator concern for future stoppage
Other	**Code: CL** • No observable materials	**Code: OL** • Specify material (if possible) • Minor amounts of material	**Code: OM** • Specify material • Less than 5 gallons of material per line segment	**Code: OS** 3-5 gallons of material	**Code: OH** • Specify material • More than 5 gallons of material per line segment • Operator concern for future stoppage
Criteria	• Decrease maintenance frequency to next lower frequency after 2 consecutive CL results (with supporting CCTV results)	• Continue maintenance frequency	• Increase maintenance frequency to next higher frequency	• Increase frequency to next higher frequency.	• Increase maintenance frequency to next higher frequency

This table was adapted from Best Practices Manual: Hydroflush Cleaning of Small Diameter Sewers, California Collection System Collaborative Benchmarking Group, February 2001.

IV-5: Pipe Condition Assessment

CITY conducts periodic CCTV inspections associated with master planning efforts or following sanitary sewer overflows. Pipeline condition is assessed using the National Association of Sewer Service Companies (NASSCO) Pipeline Assessment Certification Program (PACP). Lines are assigned structural and maintenance grades by the CCTV operator. Following completion of a condition assessment program for the entire sewer system following the 2012/13 fiscal year, return frequency assessments were schedule for each pipe segment based upon the PACP maintenance rating. The City has established a CCTV condition assessment that results in most pipes being inspected at least every 10 years. Pipes with no defects or grade 1 defects get re-inspected in 20 years.

Table IV – 4: Historical Closed-Circuit Television by Fiscal Year*

Fiscal Year	CCTV, Linear Feet	CCTV, miles	Percent of the System (based on 396 miles)
07/08	324,816	61.51	15.53%
08/09	293,817	55.64	14.05%
09/10	416,276	78.84	19.90%
10/11	539,528	102.18	25.80%
11/12	561,329	106.31	26.84%
12/13	267,224	50.61	12.78%
13/14	15,724	2.97	75.00%
14/15	18,567	3.51	88.00%
15/16	324,106	61.38	15.50%
16/17	75,578	14.51	3.66%
17/18	114,272	21.64	5.46%
18/19	58,987	11.17	2.82%
19/20	61,408	11.63	2.93%
20/21	101,838	19	4.79%
21/22	324,816	61.51	15.53%
Total, Linear Feet	**3,173,470**	**601.18**	**313.06%**
Average/year	**226,676**	**42.94**	**22.36%**

**Source Palmdale Infrastructure Tables 11/14/22*

IV-5.1: Manhole Inspection and Maintenance Program

The City has established a formal manhole inspection program. Inspection frequencies start at seven days and increase to 1, 3, 6, 9, 12, 18, 24, 60 months based on the condition during the inspection. Additionally, the normal and high frequency cleaning efforts are also used to identify any condition issues with manholes.

IV-5.2: Lift Station Maintenance

There are two (2) pump stations in the service area each owned by the City but maintained by the CSMD on behalf of the City. Stations are monitored remotely through a Supervisory Control and Data Acquisition (SCADA) system with alarms and operating information transmitted to the City. The contractor conducts operational inspections twice a week and the wet well is cleaned quarterly. Preventive maintenance for mechanical and electrical equipment is scheduled annually. Completed work is recorded using daily logs that are maintained by the contractor. The Avenue S lift station has an audible alarm and an auto-dialer which dials out to County Emergency Services Communication Center which will immediately contact the City standby personnel. It is anticipated that this station may be eliminated in. 2023.

The City contracts out operation and maintenance of its smaller lift station at Pelona Vista Park to the CSMD. The contractor conducts monthly operational inspections, and the wet well is cleaned quarterly. Preventive maintenance for mechanical and electrical equipment is scheduled annually. Completed work is recorded using daily logs that are maintained by the contractor. The City provides operations and maintenance of the standby engine generator at this pump station. The Pelona Vista Park has an audible alarm and an external alarm light and an auto dialer transmitting basic failure alarms to the CSMD.

The lift stations asset information is identified below in **Table IV – 5**.

Table IV – 5: Lift Station Locations and Asset Information*

Lift Station Name	Location	Construct Date	No. Pumps	Pump GPM	Pump Manufacturer	Pump HP	Standby Generation - KW
Avenue S	1718 East Avenue	4/18/84	2	150 x 2	ESSCO	5	26
Pelona Vista Park	37700 Terra Subida Avenue	3/15/99	2	120 x 2	ESSCO	1.5	100

** Palmdale Infrastructure Tables 11/14/22*

IV-5.3: Force Main Maintenance

There are a total of 2,791 linear feet of force mains immediately downstream of the two lift stations. City owns, maintains, and schedules replacement of these force mains. Each of the lift stations discharge to pressure force mains to the City gravity sewer collection system presented in Table IV-6 below. The City has included regular inspections of all force main alignments annually inspecting for visible signs of problems or concerns. In addition, the force main

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discharge manholes into the City gravity system are inspected with these annual evaluations for any signs of corrosion, plugging or other operation issues that indicate the need for maintenance activities.

Table IV – 6: Force Main Locations and Descriptions

Name of Lift Station Associated with Force Main	Year Constructed	Force Main Asset Information		
		Length (linear feet)	Size (inches)	Material Type*
Avenue S	4/18/84	1008	4	Ductile Iron
Pelona Vista Park	3/15/99	1783	8	Ductile Iron
Total Miles		**2791**		

Source: Palmdale Infrastructure Tables 11/14/22.

IV-5.4: Root Foaming

The City has established a root foaming program using city staff. The program consists of pipes with moderate to heavy root intrusion verified through CCTV inspection. These pipes are first root cut, followed by a foaming application 30 days after the root cut. The foaming schedule is 12, 24, and 36 months.

IV-6: Private Sewer Laterals

City has no responsibility for the private sewer laterals from the building to the City public sewer main. The entire lateral is the responsibility of the private property owner.

IV-7: Rehabilitation and Replacement Program

The City has established a capital renewal and replacement program for the next five years and the schedule and projects are included in Supplement IV-2 below.

IV-8: Training of City Personnel and Contractors

All City staff and contractor employees that have a role in responding to, reporting and/or mitigating a sewer system overflow will receive regular training on sewer maintenance, equipment operation, and emergency response, in addition to required safety training. Annually employees involved in the City sanitary sewer program receive training on the SSMP, the OERP and the WQMP. In addition, staff also conducts at least annually, field exercises on proper procedures for the handling of sewage overflows and sampling requirements pursuant to the City WQMP.

Records are kept of all staff training that is provided in support of the SSMP. The records include the date, time, place, content, name of trainer(s) and names of attendees.

IV-9: Equipment and Replacement Parts

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The City has developed a list of critical parts and equipment, such as tools, pipe, hydro vac parts, and portable pumps, as needed to comply with the work requirements of the contract. See Supplements IV-3 and IV-4 below.

IV-10: Critical Supporting Documents

None.

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Supplement IV-1: Capital Improvement Program, $1000

Project Title	22/23	23/24	24/25	25/26	26/27
Sewer Repairs	500	0	175	175	210
Sewer Upgrade Fund	0	0	0	0	2,185
Rancho Vista Blvd Upgrade	0	0	0	0	1,740
30th Street West Upgrade	0	0	0	0	445
Total Annual Expenditures	**500**	**0**	**175**	**1750**	**2,185**

Supplement IV-2: Major System Equipment Inventory*

Equipment Number	Equipment Description	Year Purchased	Location
513066	Hydro Jetter Truck	2012	39110 3rd St E
612069	Gap-Vax Combination Sewer Truck	2015	39110 3rd St E
621612	Gap-Vax Hydro Jetter Truck	2021	39110 3rd St E
516610	CCTV Truck	2015	39110 3rd St E
802PG5	100kw Generator	1999	Pelona Vista Pump Station
908PG8	Generator	1984	Avenue S Pump Station

**Source: CITY Infrastructure File dated 11/14/22*

Supplement IV-3: Critical System Replacement Parts Inventory*

Part Description	Number in Stock	Location
Filters for pump station generators	2	39110 3rd St E, Fleet Maintenance Building
800' of 1" Sewer cleaning hose	1	39110 3rd St E, Sewer Maintenance Shop
20' of 1 " Sewer leader hose	6	39110 3rd St E, Sewer Maintenance Shop

**Source: CITY Infrastructure File dated 11/14/22*

Element V: Design and Performance Provisions

Design and Performance Provisions:

(a) Design and construction standards and specifications for the installation of new sanitary sewer systems, pump stations and other appurtenances; and for the rehabilitation and repair of existing sanitary sewer systems; and

(b) Procedures and standards for inspecting and testing the installation of new sewers, pumps, and other appurtenances and for rehabilitation and repair projects.

V-1: Design Criteria for Installation, Rehabilitation and Repair

The City uses established guidelines for design and construction of new sanitary sewers, pump stations and appurtenances. The following is a summary of documents used by the City as design and construction standards and specifications.

V-1.1: City Municipal Code Section 13.08 (Sanitary Sewers and Industrial Waste)

The City does rely on Title 13, Sanitary Sewer and Industrial Waste in the Palmdale Municipal Code (PMC). Chapter 13.08, Sanitary Sewers includes all permitting, design, construction, inspection, and acceptance requirements that all developers will be required to meet prior to acceptance by the City for operations and maintenance. This chapter includes the adoption by reference of the City of Palmdale Engineering Design Standards in Article III, Design Standards, which will include minimum standards for pipeline diameters, slope, flow velocity, manhole designs, house laterals, pipe materials and pump station standards. Article IV of Chapter 13.08, Inspection will specify inspection and construction provisions for all new sanitary sewer infrastructure to be installed and dedicated to the City.

V-1.2: Los Angeles County Department of Public Works Private Contract Sanitary Sewer Procedures Manual (Revised 1987)

Los Angeles County's *Private Contract Sanitary Sewer Procedural Manual* sets forth the standards for the preparation and processing of plans of sanitary sewers to be constructed under a private contract. This document establishes design requirements for house laterals, trench backfill and compaction. This document also provides standard charts and standard drawings of house laterals, manholes, minimum trench widths and bedding materials.

V-2: Standard Specifications for Public Works Construction

The Standard Specifications for Public Works Construction written by Public Works Standards, Inc., also known as the *Greenbook*, provides specifications that have general applicability to public works projects. Part 1 of the *Greenbook* specifies general provisions for construction. Parts 2 through 4 of the *Greenbook* specify requirements for construction materials, construction methods and inspection and testing procedures, which apply to pipelines (pressure and gravity),

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earthwork, structural work, electrical components (for pump station work) and coatings. Part 5 of the *Greenbook* specifies materials, construction methods and inspection and testing procedures for rehabilitation projects, including pipeline rehabilitation through point repairs and various liners, and manhole/structure rehabilitation.

Construction requirements for site improvements, structural, basic electrical work and earthwork for pump stations are covered in the *Greenbook*. Construction requirements for mechanical equipment, buildings, valves, backup power, and other special equipment are project-specific and would be covered in the Contract Drawings and Special Provisions.

V-3: Standards Plans for Public Works Construction and City Standard Plans

The *Standard Plans for Public Works Construction* is a compilation of standard plans for use in conjunction with the *Greenbook* standard specifications. Section 2 includes standard plans (details) for sewers and sanitation, including manholes/structures and pipe and appurtenances. The *City Standard Plans*, which are included as part of the *Engineering Design Standards Section 7,* contain pipeline trench details.

V-4: Inspection and Testing Criteria

Inspection, testing and acceptance criteria for sanitary sewers, force mains, manholes and lateral connections are specified in Article IV of Chapter 13.08, and the Greenbook, as described above. The documents include requirements for submitting record drawings and cleaning requirements; testing of sewer lines and manholes; soils testing; inspection of structure excavations; and backfill compaction testing.

V-4.1: New and Rehabilitated Pump Stations

Los Angeles County's Guidelines for Wastewater Pump Station Design and Plan Submittal Procedures June 2005 recommends minimum acceptable design and plan submittal requirements for wastewater pump stations. This document establishes plan requirements and calculation requirements for structural elements, estimates of flows, wet well design, head and surge, force main, noise, ventilation, and sizing of major pieces of equipment. Detailed design criteria are defined for wet wells and dry wells, force mains, valve vaults, access hatches, electrical and controls, pumps and motor, valves, emergency generators, air compressors, buildings and canopy and protective coatings. This document also specifies requirements for plan submittal, inspection, testing, record drawings, and acceptance (dedication), which would be included in the Contract Drawings and Special Provisions for sewer projects.

V-5: Critical Supporting Documents

The data used in this section were taken from the following Critical Supporting Documents:

- City of Palmdale Municipal Code, Titles 8 and 13
- City of Palmdale Engineering Standards, Section 7, Sanitary Sewer Design and Plans
- City of Palmdale Standard Drawings, December 2018

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Element VI: Overflow Emergency Response Plan

Overflow Emergency Response Plan – Each Enrollee shall develop and implement an overflow emergency response plan that identifies measures to protect public health and the environment. At a minimum, this plan must include the following:

(a) Proper notification procedures so that the primary responders and regulatory agencies are informed of all SSOs in a timely manner;

(b) A program to ensure an appropriate response to all overflows;

(c) Procedures to ensure prompt notification to appropriate regulatory agencies and other potentially affected entities (e.g., health agencies, Regional Water Boards, water suppliers, etc.) of all SSOs that potentially affect public health or reach the waters of the State in accordance with the MRP. All SSOs shall be reported in accordance with this MRP, the California Water Code, other State Law, and other applicable Regional Water Board WDRs or NPDES permit requirements. The SSMP should identify the officials who will receive immediate notification;

(d) Procedures to ensure that appropriate staff and contractor personnel are aware of and follow the Emergency Response Plan and are appropriately trained;

(e) Procedures to address emergency operations, such as traffic and crowd control and other necessary response activities; and

(f) A program to ensure that all reasonable steps are taken to contain and prevent the discharge of untreated and partially treated wastewater to waters of the United States and to minimize or correct any adverse impact on the environment resulting from the SSOs, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the discharge.

Sanitary Sewer Overflow Emergency Response Plan

VI-1: Purpose

The purpose of the City Overflow Emergency Response Plan (OERP) is to support an orderly and effective response to Sanitary Sewer Overflows (SSOs). The OERP provides guidelines for City personnel to follow in responding to, cleaning up, and reporting SSOs that may occur within City service area. The OERP (Appendix D) satisfies the SWRCB Statewide General Waste Discharge Requirements (GWDR), which require wastewater collection agencies to have an Overflow Emergency Response Plan.

VI-2: Policy

City employees are required to report all wastewater overflows from public sewer infrastructure and to take the appropriate action to secure the wastewater overflow area, properly report to the

appropriate regulatory agencies, relieve the cause of the overflow, and ensure that the affected area is cleaned as soon as possible to minimize health hazards to the public and protect the environment. City goal is to respond to sewer system overflows as soon as possible following notification. City will follow reporting procedures regarding sewer spills as set forth by the Los Angeles Regional Water Quality Control Board (*LARWQCB*) and the California State Water Resources Control Board (*SWRCB*).

VI-3: Goals

City goals with respect to responding to SSOs are:

- Work safely;
- Respond quickly to minimize the volume of the SSO;
- Eliminate the cause of the SSO;
- Prevent sewage system overflows or leaks from entering the storm drain system or receiving waters to the maximum extent practicable;
- Contain the spilled wastewater to the extent feasible;
- Minimize public contact with the spilled wastewater;
- Mitigate the impact of the SSO;
- Meet the regulatory reporting requirements;
- Evaluate the causes of failure related to certain SSOs; and
- Revise response procedures resulting from the debrief and failure analysis of certain SSOs.

VI-4: Full Overflow Emergency Response Plan

The full copy of City Overflow Emergency Response Plan effective February 2023 can be found in Appendix E along with copies of all instructions and forms. All SSO sampling and testing shall be conducted per the City Water Quality Monitoring Plan (WQMP) which is included in Appendix F.

VI-5: Authority and Critical Supporting Documents

- Health & Safety Code Sections 5410-5416
- CA Water Code Section 13271
- Fish & Wildlife Code Sections 5650-5656
- State Water Resources Control Board Order No. 2006-0003-DWQ
- State Water Resources Control Board Order 2013-009-DWQ effective September 9, 2013

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Element VII: Fats, Roots, Oils, and Grease (FROG) Control Program

FROG Control Program: Each Enrollee shall evaluate its service area to determine whether a FROG control program is needed. If an Enrollee determines that a FROG program is not needed, the Enrollee must provide justification for why it is not needed. If FROG is found to be a problem, the Enrollee must prepare and implement a FROG source control program to reduce the amount of these substances discharged to the sanitary sewer system. This plan shall include the following as appropriate:

(a) An implementation plan and schedule for a public education outreach program that promotes proper disposal of FROG;

(b) A plan and schedule for the disposal of FROG generated within the sanitary sewer system service area. This may include a list of acceptable disposal facilities and/or additional facilities needed to adequately dispose of FROG generated within a sanitary sewer system service area;

(c) The legal authority to prohibit discharges to the system and identify measures to prevent SSOs and blockages caused by FROG;

(d) Requirements to install grease removal devices (such as traps or interceptors), design standards for the removal devices, maintenance requirements, BMP requirements, record keeping and reporting requirements;

(e) Authority to inspect grease producing facilities, enforcement authorities, and whether the Enrollee has sufficient staff to inspect and enforce the FROG ordinance;

(f) An identification of sanitary sewer system sections subject to FROG blockages and establishment of a cleaning maintenance schedule for each section; and

(g) Development and implementation of source control measures for all sources of FROG discharged to the sanitary sewer system for each section identified in (f) above.

VII-1: Nature and Extent of FROG Problem

The City of Palmdale has approximately two hundred (200) food service establishments (FSEs) with grease traps and interceptors within its jurisdiction to minimize the risk of SSOs. However, in order to reduce maintenance needs for FOG-related hot spots the City implemented a routine inspection program for the FSEs in its service area. The FOG inspection program consists of the following items:

- Inspection of grease trap
- Check grease trap maintenance log

- Provide educational materials on proper grease trap maintenance and grease waste disposal

The maintenance log shall be maintained and posted in the restaurant available for review by City personnel. If during periodic inspections, the City determines that the FSE is in non-compliance with the Municipal Code, enforcement action may be required.

The program is developed to educate FSE owners and employees about minimizing FOG disposal to the sewer system and also information about best management practices for minimizing FOG.

Table VII – 1: FOG Inspections Completed

Calendar Year	FOG Inspections Completed	Repeat Inspections	NOVs Issued	Hearings Conducted
2012	320	141	0	0
2013	325	143	12	0
2014	324	143	28	0
2015	336	148	37	0
2016	345	152	29	0
2017	355	156	25	0
2018	367	162	21	0
2019	367	162	0	0
2020	350	154	49	0
2021	342	150	201	0
Total	**3431**	**1511**	**0**	**0**

VII-2: Response to GWDR Requirements

Requirement (a):

An implementation plan and schedule for a public education outreach program that promotes proper disposal of FOG;

Response:

Information on proper disposal of FOG and other SSO prevention measures, including installation of backwater valves, house lateral maintenance, etc. is disseminated through publication of, brochures, articles in City newsletters, and individual notices distributed to property owners. The City also utilizes personal contacts with business owners by field crews and industrial waste staff. These methods have proven to be very effective in relaying information on proper disposal of FOG and SSO prevention methods to stakeholders. The City has made basic FOG information and references to appropriate internet links on this subject available at its website. As the City continues to evaluate the need for a more defined FOG program, more aggressive public education and outreach will be considered and if

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warranted, produced, and distributed. The City will also coordinate and support the local treatment plants efforts to deal with this issue.

Requirement (b):

A plan and schedule for the disposal of FOG generated within the sanitary sewer system service area. This may include a list of acceptable disposal facilities and/or additional facilities needed to adequately dispose of FOG generated within a sanitary sewer system service area.

Response:

The City has identified FOG disposal sites and liquid waste haulers which is available from the Public Works office upon request. The City will update the list regularly. This information will be distributed by the City during its restaurant inspections. The number and close proximity of disposal sites is adequate to handle liquid wastes being removed from current and future grease removal equipment within the City.

Requirement (c):

The legal authority to prohibit discharges to the system and identify measures to prevent SSOs and blockages caused by FOG.

Response:

As discussed in Element III, the City has the legal authority to inspect and enforce the City FOG ordinance in Chapter 13.14 of the Municipal Code. The City uses food service establishment (FSE) inspections as a secondary method to address FOG issues. The City will provide inspected FSE's with educational materials describing FOG BMPs, perform a review of cleaning records, and perform an inspection of existing grease removal devices to determine if the device is operating properly. The City will notify inspected FSEs of any issues found during the inspection along with corrective actions required and will perform follow-up inspections to ensure that corrective actions are implemented.

Requirement (d):

Requirements to install grease removal devices (such as traps or interceptors), design standards for the grease removal devices, maintenance requirements, BMP requirements, record keeping and reporting requirements.

Response:

Requirements for the installation of grease removal devices are included in the Industrial Waste and FOG ordinances in PMC Chapter 13 and the Palmdale Plumbing Code in Chapter 8.

Requirement (e):

Authority to inspect grease producing facilities, enforcement authorities, and determination of whether the collection system has sufficient staff to inspect and enforce the FOG ordinance.

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Response:

As discussed in Element III City has the legal authority to inspect and enforce the City FOG ordinance in Chapter 13.14 of the Municipal Code. The City plans to use food service establishment (FSE) inspections as a secondary method to address FOG issues. The City will provide inspected FSE's with educational materials describing FOG BMPs, perform a review of cleaning records, and perform an inspection of existing grease removal devices to determine if the device is operating properly. The City will notify inspected FSEs of any issues found during the inspection along with corrective actions required and will perform follow-up inspections to ensure that corrective actions are implemented. The City will provide adequate staff to conduct inspections of permitted FSEs located immediately upstream of known collection system FOG issues and within the City limits.

Requirement (f) and (g):

Requirement (f) is an identification of sewer system sections subject to FROG blockages and the establishment of a cleaning maintenance schedule for each section, and

Requirement (g) is the development and implementation of source control measures, for all sources of FOG discharged to the sewer system.

Response:

The City has a periodic maintenance cleaning program where pipe segments are cleaned on a 3, 6, 9, 12-, 18-, 24-, and 60-month frequency. The City is currently examines cleaning data and determining the maintenance frequency for particular sewer pipes. These pipe segments are typically cleaned by hydro jetting. The City plans to continue with the current cleaning program. This data will identify specific pipes having grease issues and will be utilized to focus cleaning on pipes with known grease issues. This program will continue in conjunction with the CCTV evaluations to determine areas suspected of FOG related or increased maintenance requirements.

VII-3: Critical Supporting Documents

None

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Element VIII: System Evaluation and Capacity Assurance Plan

System Evaluation and Capacity Assurance Plan: The Enrollee shall prepare and implement a capital improvement plan (CIP) that will provide hydraulic capacity of key sanitary sewer system elements for dry weather peak flow conditions, as well as the appropriate design storm or wet weather event. At a minimum, the plan must include:

(a) **Evaluation**: Actions needed to evaluate those portions of the sanitary sewer system that are experiencing or contributing to an SSO discharge caused by hydraulic deficiency. The evaluation must provide estimates of peak flows (including flows from SSOs that escape from the system) associated with conditions similar to those causing overflow events, estimates of the capacity City of key system components, hydraulic deficiencies (including components of the system with limiting capacity City) and the major sources that contribute to the peak flows associated with overflow events;

(b) **Design Criteria:** Where design criteria do not exist or are deficient, undertake the evaluation identified in (a) above to establish appropriate design criteria; and

(c) **Capacity City Enhancement Measures:** The steps needed to establish a short- and long-term CIP to address identified hydraulic deficiencies, including prioritization, alternatives analysis, and schedules. The CIP may include increases in pipe size, I/I reduction programs, increases and redundancy in pumping capacity City, and storage facilities. The CIP shall include an implementation schedule and shall identify sources of funding.

(d) **Schedule:** The Enrollee shall develop a schedule of completion dates for all portions of the capital improvement program developed in (a)-(c) above. This schedule shall be reviewed and updated consistent with the SSMP review and update requirements as described in Section D. 14.

VIII-1: System Evaluation – Collection System Master Plan

Although there have been no documented capacity related SSOs in the City, a comprehensive capacity evaluation using a dynamic hydraulic model was performed to quantify flows and capacities in all major sewers under current and future flow conditions. This evaluation and its findings are documented in the report: City of Palmdale Sewer Master Plan, September 2009 (Master Plan), and are summarized here.

The City's collection system was modeled using Wallingford Software's InfoWorks CS (version 9.0) program. InfoWorks CS uses Wallingford's proprietary hydraulic engine, which provides a fully dynamic solution for modeling stormwater and sanitary sewer systems. The sewers included in the model consisted of all Palmdale sewers larger than eight inches in diameter, all of the trunk

sewers owned by Districts 14 and 20 of the County Sanitation Districts of Los Angeles County (LACSD) that receive significant flows from City sewers, and additional 6- and 8-inch sewers serving larger areas (generally over 40 acres). Approximately 11 percent of all of the 6- and 8-inch pipes were added. Although ensuring adequate capacity in LACSD trunk sewers is not the City's responsibility, the trunks were included in the analysis to create a single connected network and to identify existing or future potential capacity restrictions in trunk sewers that could cause backups or overflows in City sewers. Also included in the model were a few interconnected sewers outside the City limits that are maintained by the Consolidated Sewer Maintenance District (CSMD) of the Los Angeles County Department of Public Works.

The resulting model network consists of about 2,800 pipe segments covering 138 miles. City-owned sewers account for 93 miles of the modeled network, which represents 23 percent of 396 miles in the City's system. Of the other 45 miles of modeled sewers, about 42 miles are LACSD trunk sewers and 3 miles are CSMD sewers. The model network has one major outfall (endpoint) – the Palmdale Water Reclamation Plant (PWRP). There are also four minor outfalls corresponding to points where LACSD trunk sewers carrying flow from Palmdale cross into the City of Lancaster.

The primary source of data on the location and attributes (i.e., pipe diameters, lengths, elevations, etc.) of the sewer manholes and pipes was the sewer GIS created by the City using information on sewer record drawings and limited field checks. The GIS data was validated and enhanced to ensure complete and accurate data for modeling, including elevations of all pipes and manholes on a common vertical datum.

The City's service area was divided into 478 tributary areas (median size of 40 acres) for the purposes of estimating existing and future (2030 and buildout) wastewater flows. Flows in all tributary areas were estimated using a variety of information sources including census household and population data, general plan land uses, City and regional population and employment growth projections, and sewer billing records. The unit flow rates for dry weather flow conditions were calibrated using 34 of the temporary flow monitors installed by LACSD in Palmdale (May of 2006) and Lancaster (September of 2006).

Wet weather flows, which did not occur during the LACSD temporary flow monitoring program, are difficult to capture in Palmdale due to the rarity of rainfall events and the low rainfall totals (annual average of 7.4 inches). The best available data on historical wet weather flows comes from influent data recorded at the PWRP. Based on an analysis of influent flows since 2000, peak flows increased only during large rainfall events of over an inch, and flows returned to normal within a day. During an extremely wet period in the 2004-2005 wet weather season (18.5 inches of rain during the season), the maximum wet weather peak flow attributed to infiltration/inflow of rainwater into the sewers was 6.3 million gallons per day (mgd) above the normal dry weather peak flow of about 14 mgd. This amount of infiltration/inflow was modeled by distributing it to sewers based on their year of construction, assuming a ratio of 3:1 in the per-acre flow rate in pre-1960 sewer versus post-1960 sewers. The resulting infiltration/inflow of 2000 gallons per day per

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acre (pre-1960 sewers) or 650 gallons per day per acre (post-1960 sewers) was added to the dry weather flow to create a wet weather scenario for analysis.

The hydraulic model was used to generate peak flows in each modeled pipe and to evaluate pipe capacities. A pipe was considered to have inadequate capacity if the ratio of flow depth to pipe diameter (d/D) at peak dry weather flow exceeded 75 percent under either existing or future conditions. Based on these criteria, all of the City's sewers were determined to have adequate capacity now and through 2030. Under peak wet weather flow conditions, a pipe was considered to have inadequate capacity only if it surcharged by over two feet above the crown of the pipe. Again, the City's sewers were found to have adequate capacity through 2030.

The conclusion of the capacity evaluation was that Palmdale's sewer system has adequate capacity for current and future flows through at least 2030, and that no capital improvements are required at this time for the purposes of increasing sewer capacity.

VIII-2: Design Criteria

In addition to the criteria used to evaluate the capacity of the existing sewers (as described in the preceding section), the City has separate criteria that they enforce for the design of all new sewers. The Municipal Code in Chapter 13.08 established design standards that are used for the design of all new facilities. The Engineering Design Guidelines adopted by reference in this Chapter includes unit flow factors for the sizing of new sewer lines. Prior to approving new sewers, the City requires developers to perform a sewer area study that applies these criteria to confirm adequate capacity in all proposed sewers.

VIII-3: City Capacity Enhancement Measures – Capital Improvement Program

The City has budgeted adequate funds to deal with capacity improvements identified from the regular condition assessments conducted by City staff.

VIII-4: Schedule

The current schedule of City capital projects is included in Supplement IV-2 earlier in this SSMP.

VIII-5: Critical Supporting Documents

- City of Palmdale Sewer Master Plan, September 2009

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Element IX: Monitoring, Measurement, and Program Modifications

Monitoring, Measurement, and Program Modifications:

The Enrollee shall:

(a) Maintain relevant information that can be used to establish and prioritize appropriate SSMP activities;

(b) Monitor the implementation and, where appropriate, measure the effectiveness of each element of the SSMP;

(c) Assess the success of the preventative maintenance program;

(d) Update program elements, as appropriate, based on monitoring or performance evaluations; and

(e) Identify and illustrate SSO trends, including frequency, location, and volume.

IX-1: Performance Measures

The City has established the preventive maintenance sewer metrics that are shown in **Table IX – 1** for use in monitoring, measuring, and adjusting sewer maintenance activities. These metrics will be monitored on a regular basis.

Table IX – 1: City Performance Metrics

Maintenance Success Factors	Performance Metrics
SSO Rate	SSOs/100 miles/year
Number of SSOs by Cause	Roots, debris, grease, pipe failure, capacity, lift station failure and other
Median SSO volume	Gallons
Percentage of SSOs greater than 100 gallons	Each
Percentage of SSOs reported as Category 1	Each
Percentage of sewage contained compared to volume spilled	Gallons
Percentage of total spilled sewage discharged to surface waters	Gallons
Annual line cleaning, high frequency vs general	Linear feet
Annual CCTV performance	Linear feet
Root Foaming	Linear Feet

IX-2: Baseline Historical Performance Results

CITY has performance measures in place and evaluates its performance regularly. The historical performance is shown below starting in fiscal 2007 through 2021. These performance results will be used to assist CITY to evaluate the effectiveness of the sewer collection system program as part of the biannual internal audit.

Figure IX – 1: SSOs per Fiscal Year

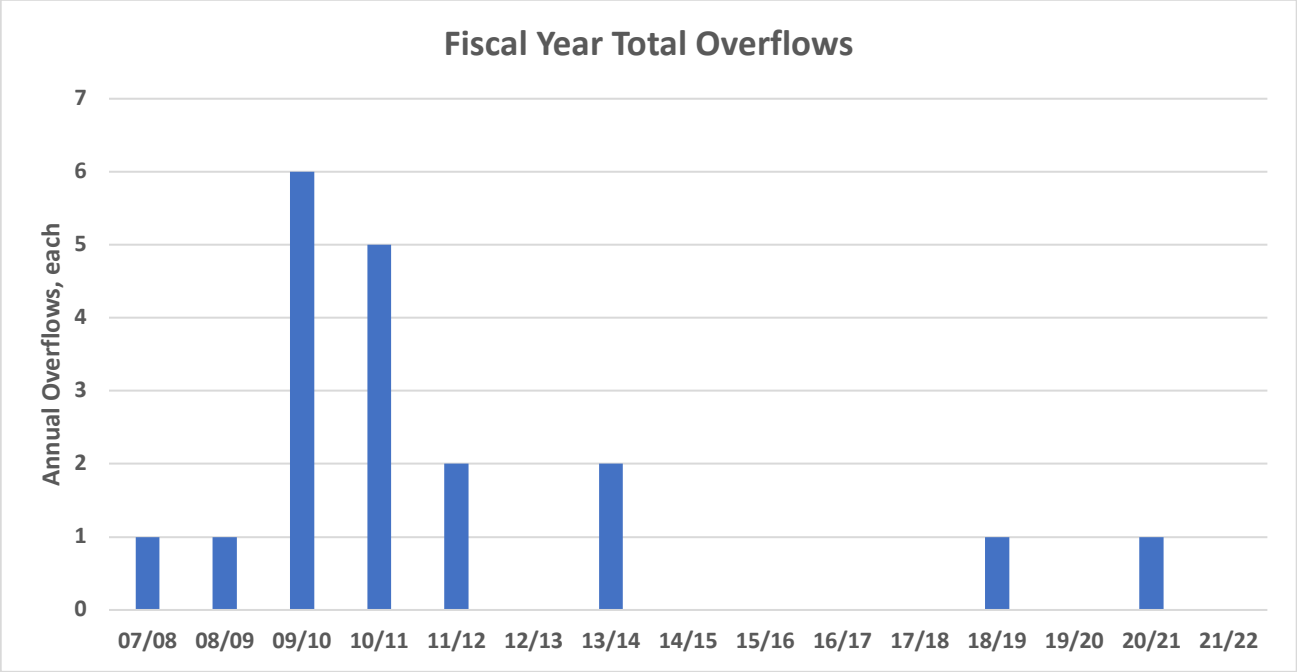


Figure IX – 2: Trend in SSOs by Cause

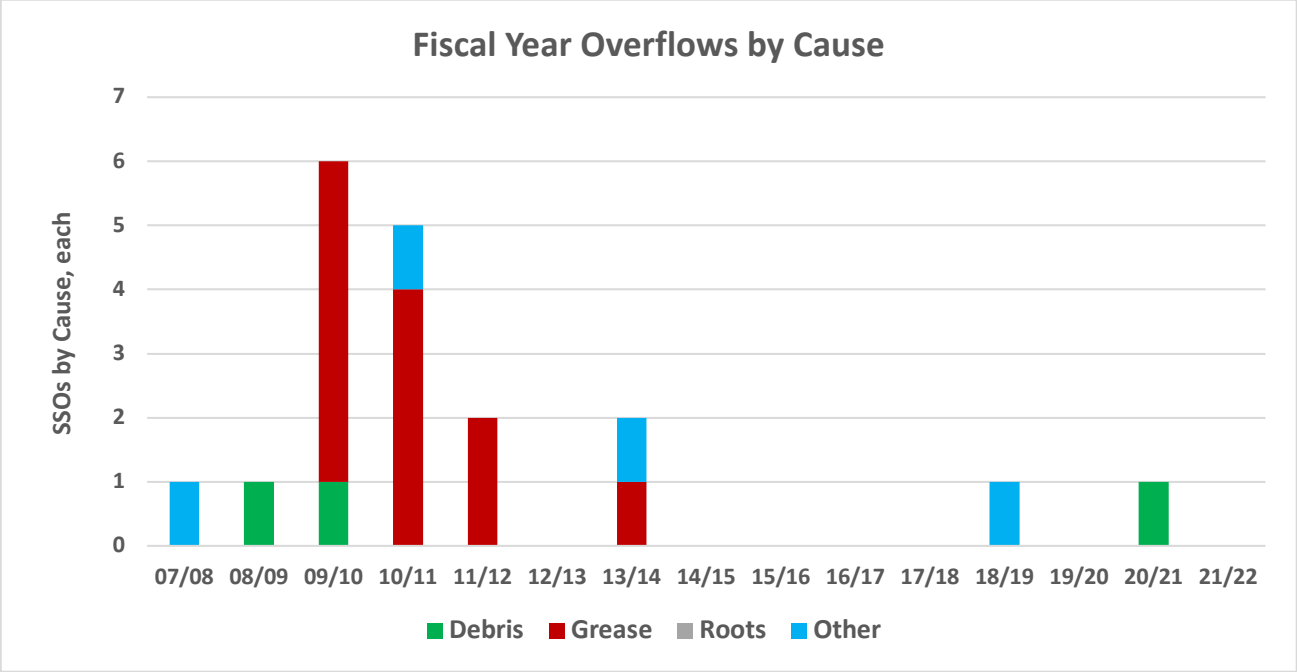
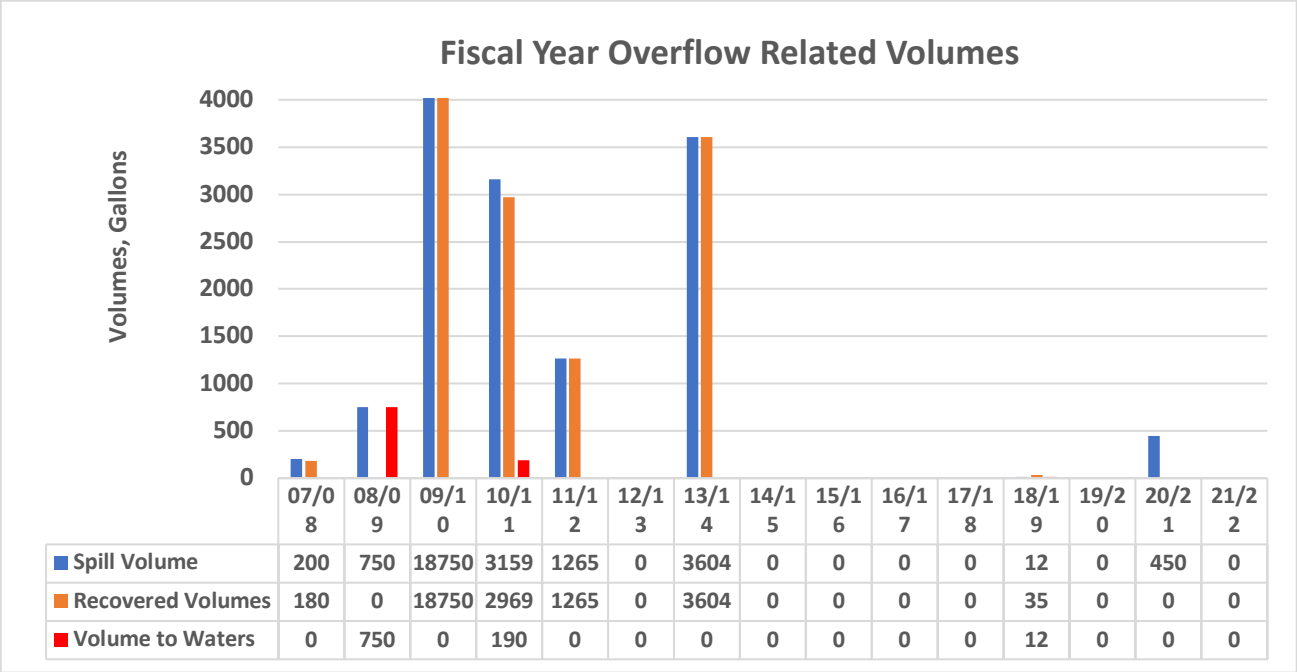


Figure IX – 3: Historical Spill and Recovered Volumes by Fiscal Year



	07/08	08/09	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22
Spill Volume	200	750	18750	3159	1265	0	3604	0	0	0	0	12	0	450	0
Recovered Volumes	180	0	18750	2969	1265	0	3604	0	0	0	0	35	0	0	0
Volume to Waters	0	750	0	190	0	0	0	0	0	0	0	12	0	0	0

Figure IX – 4: Overflows by SWRCB Categories per Fiscal Year

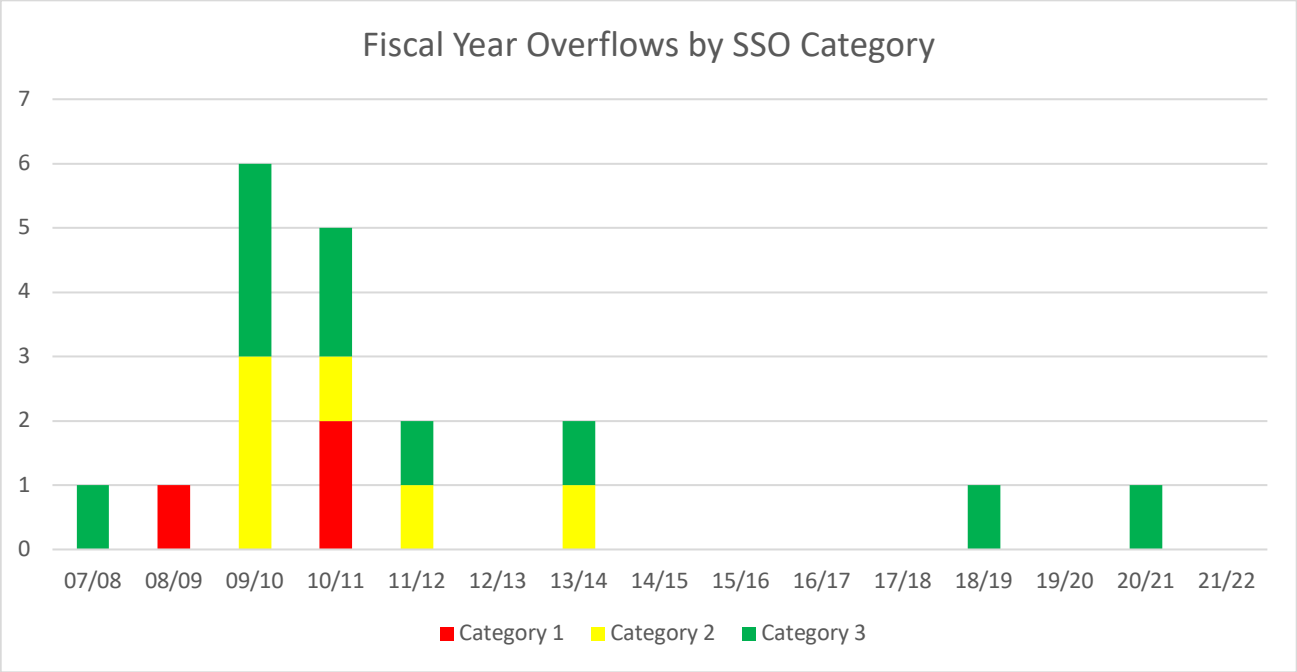
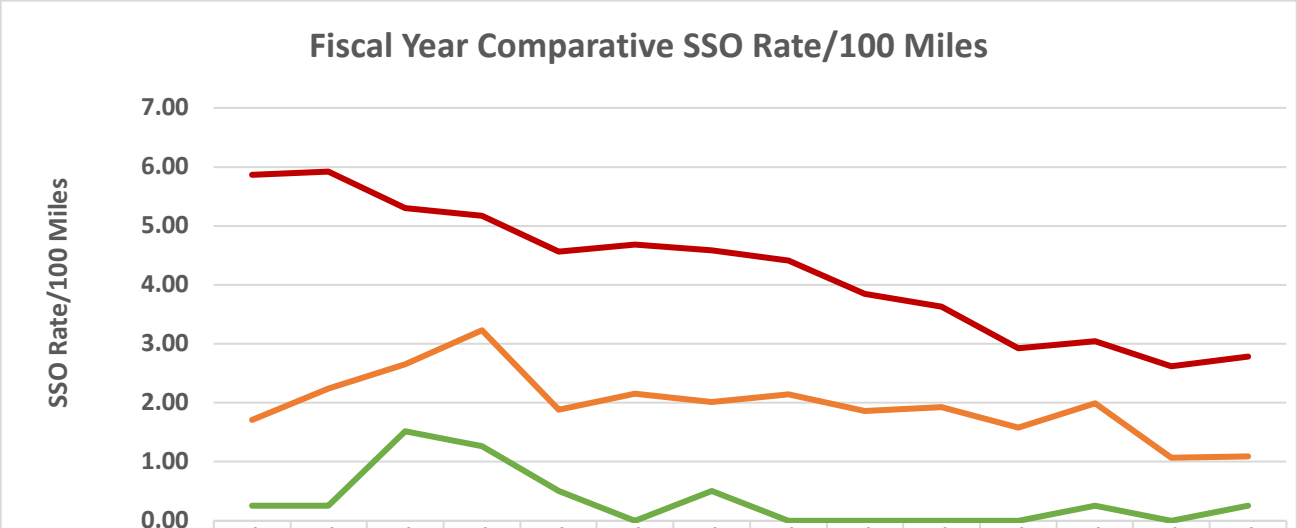


Figure IX – 5: Comparison of SSO Rate per 100 Miles of Sewers



	07/08	08/09	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21
City of Palmdale	0.25	0.25	1.52	1.27	0.51	0.00	0.51	0.00	0.00	0.00	0.00	0.25	0.00	0.25
Regional Board 6	1.71	2.24	2.65	3.23	1.88	2.16	2.01	2.14	1.86	1.93	1.58	1.99	1.07	1.09
State	5.86	5.92	5.3	5.17	4.56	4.68	4.58	4.41	3.85	3.63	2.93	3.04	2.62	2.78

Figure IX – 6: Historical Line Cleaning Summary

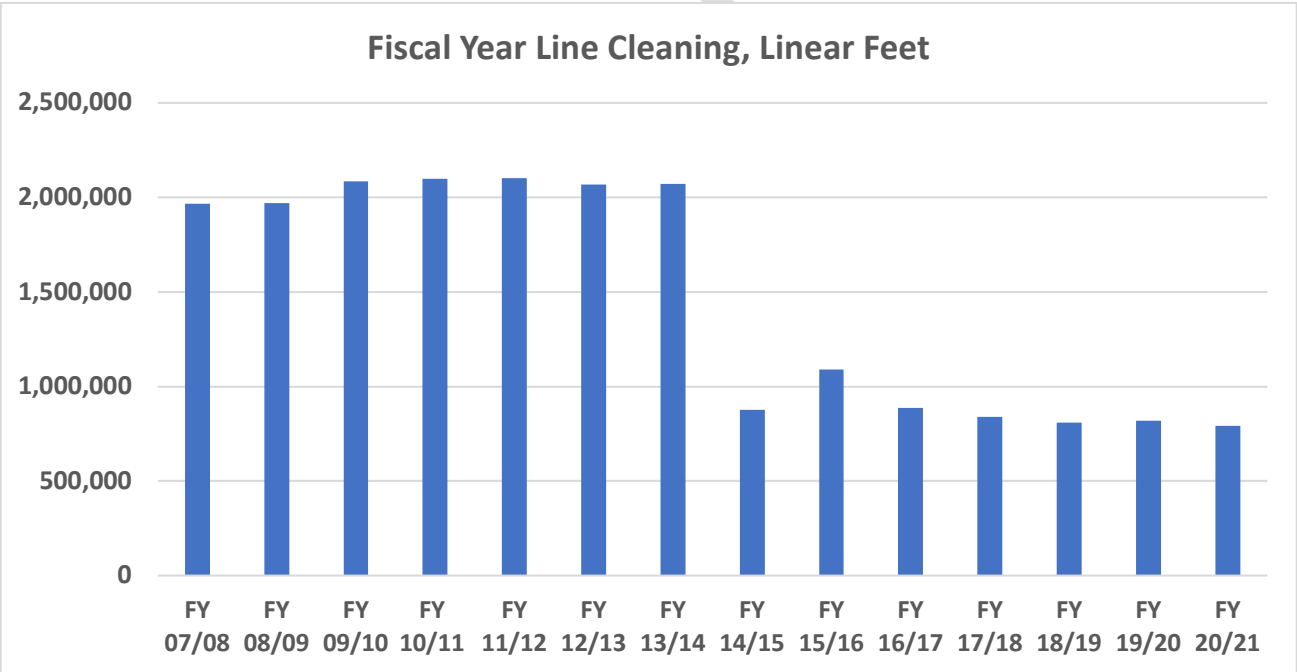


Figure IX – 7: Historical Annual CCTV Performance

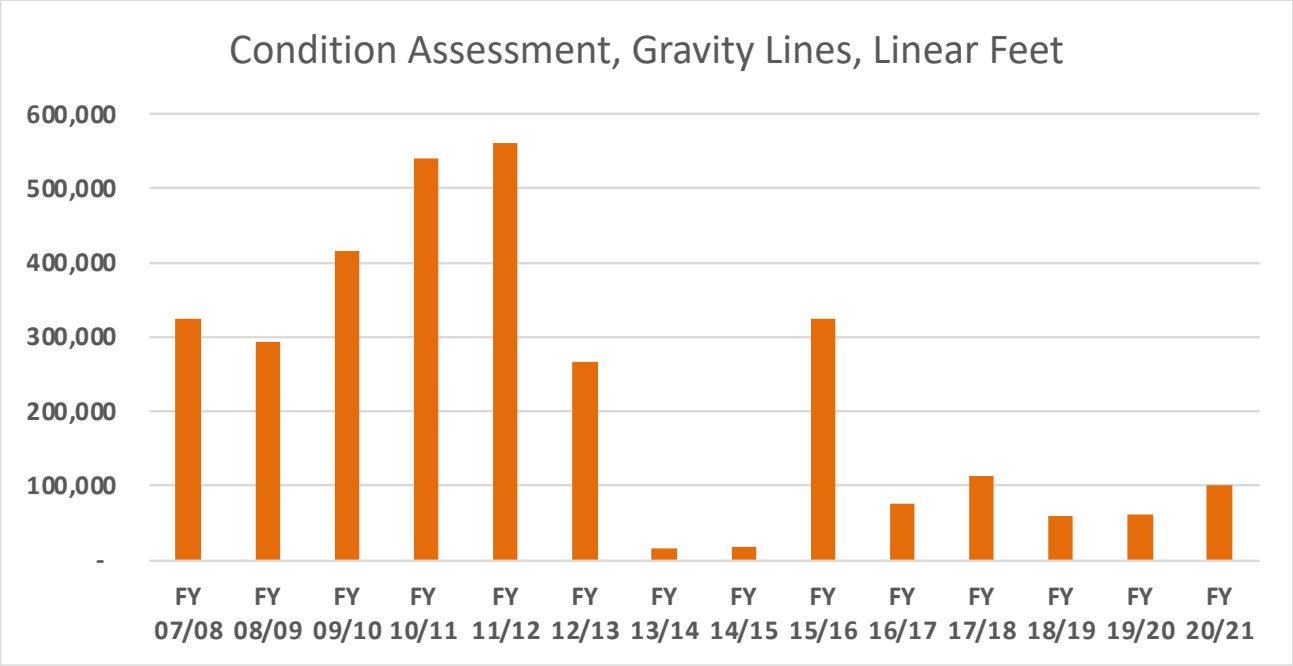
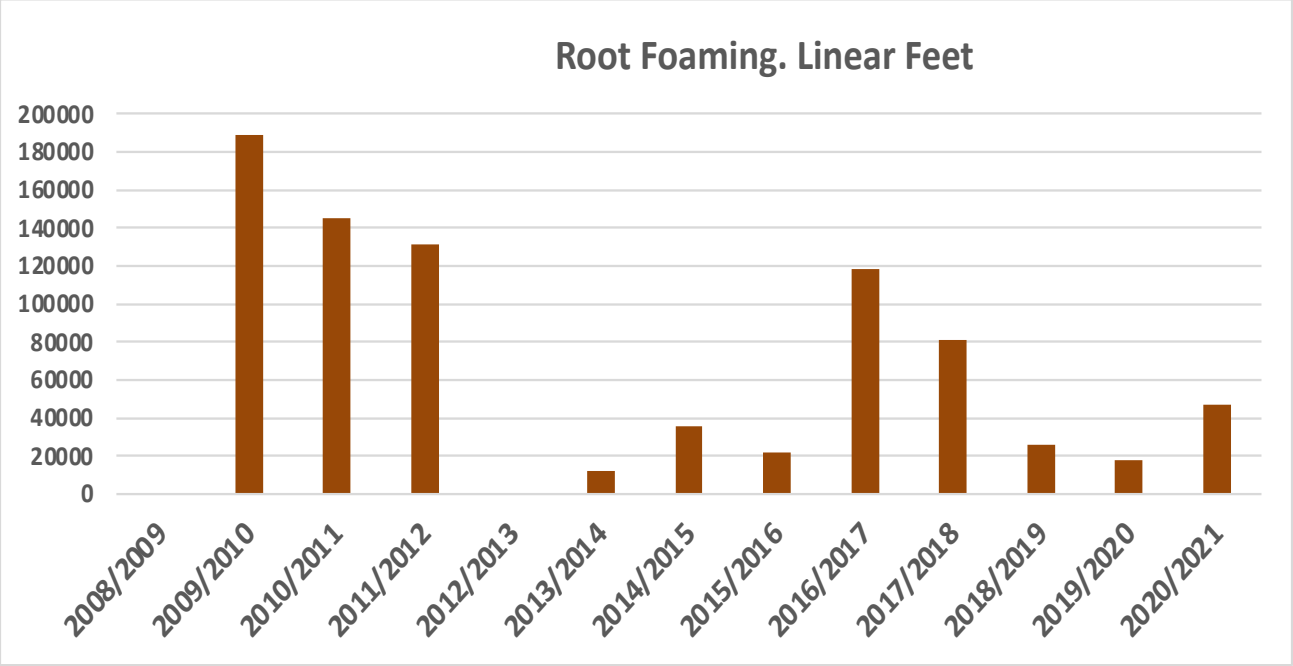


Figure IX – 8: Root Foaming, Linear Feet/Fiscal Year



IX-3: Performance Monitoring and Program Changes

CITY will evaluate the performance of its sewer collection system regularly using the performance measures identified in this Element. CITY will update the data and analysis at least with each internal SSMP Audit.

CITY may use other performance measures in its evaluations. CITY will prioritize its actions and initiate changes to this SSMP, its operations and maintenance practices and procedures, and any related programs based on the results of these evaluations. This will be done as part of the internal audit (see Element X).

IX-4: Critical Supporting Documents

The data used in this section was taken from the following the State of California CIWQS system and City historical performance results from the operation of the sewer collection system:

- CIWQS SSO data as of December 31, 2022, for WDID 6SSO11137

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Element X: SSMP Program Audits

SSMP Program Audits – As part of the SSMP, the Enrollee shall conduct periodic internal audits, appropriate to the size of the system and the number of SSOs. At a minimum, these audits must occur every two years and a report must be prepared and kept on file. This audit shall focus on evaluating the effectiveness of the SSMP and the Enrollee's compliance with the SSMP requirements identified in this subsection (D.13), including identification of any deficiencies in the SSMP and steps to correct them.

X-1: Audits

CITY will audit the implementation and compliance with the provisions of the WDR and this SSMP every two years from the original adoption date March 2009 or as required by the WDR. The next audit will be conducted and completed no later than March 2021. The audit will be conducted by a team consisting of City Staff selected from CITY and the City staff. The audit team may also include members from other service area agencies or professional consultants. During the SSMP audit, CITY will conduct a record keeping audit of its SSO files supporting the CIWQS certified reports during the audit period to assure that that the files are complete, contain all required records and documentation as stated in the MRP and OERP and that the files contain no extraneous or conflicting records or information.

The SSMP Audit Checklist (Appendix C) is used to inform the audit interview process and includes the GWDR requirements for each SSMP element and the appendices. The results of the audit, including the identification of any deficiencies and the steps taken or planned to correct them will be included in a separate certified Internal Audit Report Action Plan. Upon completion of the audit report and certification by the LRO, CITY will place a copy of the final Audit Report including the SSMP Audit Checklist in Appendix B, Sewer System Annual Audit Reports of the SSMP. Modifications and changes to the SSMP identified during the audit will be identified in Appendix D, SSMP Change Log when completed.

The audit should contain information about successes in implementing the most recent version of the SSMP and identify revisions that may be needed for a continuously improving and effective program. Information collected will be used in preparing the Audit Report. Tables and figures or charts will be used to summarize information about performance results. An explanation of the SSMP development, and accomplishments in improving the sewer system, should be included in the audit report, including:

- How CITY implemented the sewer system SSMP elements in the past year;
- The effectiveness of implementing each SSMP element;
- A description of the additions and improvements made to the sanitary sewer collection system in the audit period; and

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- A description of the additions and improvements planned for the upcoming reporting year with an estimated schedule for implementation.
- Status of any deficiencies or corrective actions identified to improve program performance.

X-2: SSMP Updates

If the biannual audit identifies significant changes to be made to the SSMP, then the SSMP will be updated by June 30 of the same year in which the audit was submitted. However, it is anticipated that the main SSMP document will remain generally unchanged, and that any changes will be reflected in the SSMP appendices and the SSMP Change Log.

X-3: Critical Supporting Documents

None.

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Element XI: Communication Program

Communication Program – The Enrollee shall communicate on a regular basis with the public on the development, implementation, and performance of its SSMP. The communication system shall provide the public the opportunity to provide input to the Enrollee as the program is developed and implemented.

The Enrollee shall also create a plan of communication with systems that are tributary and/or satellite to the Enrollee's sanitary sewer system.

XI-1: Communication during SSMP Development and Implementation

On August 1, 2007, City Council approved the SSMP Development Plan and Schedule. The Development Plan and Schedule details the schedule to prepare the SSMP.

The City posted a notice on its website on February 6, 2009, to inform interested members of the public that the City was developing an SSMP. The notice is located on the City's website at the following link:

http://www.cityofpalmdale.org/departments/publicworks/engineering/Sewer%20System%20Management%20Plan%20(SSMP).PDF.

The draft SSMP was available for review at the office of the Director of Public Works at City Hall, 38250 Sierra Highway, Palmdale, CA 93550 during normal business hours. Interested parties could contact the Sewer Maintenance Division at 661-267-5272 for additional information.

The City also communicated the implementation of the SSMP at a City Council meeting which was documented on the City Council agenda and meeting notes on April 1, 2009. On April 1, 2009, City Council reviewed and approved the SSMP and communicated that the document will be available for the public to review at the receptionist's desk in City Hall located at 38250 Sierra Highway in the Development Services Building or on the Department of Public Works Sewer Maintenance Division website.

As a result of the issuance of a revised Monitoring and Reporting Program by the SWRCB effective on September 9, 2013, major revisions to the SSMP were required especially in Element 6, Overflow Emergency Response Plan. These changes required new consideration by the Palmdale City Council. The City Council considered these changes at a regular Council Meeting on May 7, 2014. The City Council adopted the revised SSMP on May 7, 2014**.**

XI-2: Communication with Regional and Joint Wastewater Collection Systems

The City has reviewed the sewer pipelines that are tributary to the City's collection system and determined that City sewers convey flow from a small number of connections owned by customers of the Los Angeles County Department of Public Works, Consolidated Sewer Maintenance District (CSMD). There are two areas (County Pockets) located within the City of Palmdale's service area. These areas are small and consist of a total of 8.4 miles of small diameter

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sewers. The City has entered into an agreement with the County of Los Angeles that addresses the issues associated with the discharges into the City of Palmdale sewer system. Ongoing regular communication with the County have continued between the Sanitary Sewer Collection System Supervisor and the Northern Regional Superintendent on an as needed basis.

XI-3: Communicating Sanitary Sewer System Performance

The City reports SSOs electronically to the California Integrated Water Quality System (CIWQS). The electronic SSO data, as well as information regarding regulatory actions, is available using WDID 6SSO11137 at:

http://www.waterboards.ca.gov/water_issues/programs/ciwqs/publicreports.html.

In addition, City collection system staff will report sanitary sewer system performance to the City Council annually in a public meeting. Copies of all annual performance reports will be added to posted to the Utilities Services Division webpage

XI-4: Critical Supporting Documents.

- Agreement with the County of Los Angeles

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Appendices

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Appendix A: Sewer System Management Plan Adoption Documents

PALMDALE
a place to call home

JAMES C. LEDFORD, JR.
Mayor

TOM LACKEY
Mayor Pro Tem

MIKE DISPENZA
Councilmember

STEVEN D. HOFBAUER
Councilmember

FREDERICK THOMPSON
Councilmember

38300 Sierra Highway

Palmdale, CA 93550-4798

Tel: 661/267-5100

Fax: 661/267-5122

TDD: 661/267-5167

Auxiliary aids provided for communication accessibility upon 72 hours notice and request.

CITY COUNCIL

CLERK'S CERTIFICATE

I, Rebecca J. Smith, City Clerk of the City of Palmdale, State of California, do hereby certify as follows:

The attached is a full, true, and correct copy of Resolution No. CC 2014-070 adopted at the Regular Meeting of the City Council of the City of Palmdale duly held at the regular meeting place thereof, on May 7, 2014, at which meeting all of the members of said City Council had due notice and at which a majority thereof was present.

I further certify that I have carefully compared the same with the original Resolution No. CC 2014-070 on file and of record in my office and that said Resolution No. CC 2014-070 is a full, true, and correct copy of the original Resolution No. CC 2014-070 adopted at said meeting.

At said meeting, Resolution No. CC 2014-070 was adopted by the following vote:

AYES:	Mayor Ledford, Mayor Pro Tem Lackey and Councilmembers Dispenza, Hofbauer, and Thompson
NOES:	None
ABSTAIN:	None
ABSENT:	None

WITNESS my hand and the seal of the City of Palmdale this 20th day of May 2014.

Rebecca J. Smith
City Clerk

w w w . c i t y o f p a l m d a l e . o r g

CITY COUNCIL

CITY OF PALMDALE, CALIFORNIA

RESOLUTION NO. CC 2014 -070

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE UPDATING AND APPROVING THE SEWER SYSTEM MANAGEMENT PLAN FOR THE CITY OF PALMDALE

WHEREAS, the City of Palmdale owns the local sewer system, operates and maintains it; and

WHEREAS, the State Water Resources Control Board adopted the Statewide General Waste Discharge Requirements and the Monitoring and Reporting Program (WDR) by issuing Order No. 2006-0003; and

WHEREAS, the WDR requires owners and operators of publicly owned collection sewer systems to develop and present a Sewer System Management Plan (SSMP) to their governing body for approval; and

WHEREAS, the SSMP requires a bi-annual audit of the operation and maintenance of the sewer system, monitoring of the system, and annual reports to the City Council on sewer system maintenance performance; and

WHEREAS, the SSMP must be updated and re-certified with the State at least every five years; and

WHEREAS, on April 1, 2009, the City Council approved the SSMP, which is a summary of the City's management and operational practices to ensure that the sewer systems are properly maintained to prevent or significantly reduce the occurrence of Sanitary Sewer Overflows (SSO). The completion of SSMP satisfied the requirements of the Statewide General Waste Discharge Requirements for Sanitary Sewer System; and

WHEREAS, the SSMP, approved on April 1, 2009, has been corrected, revised, and updated.

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

Section 1. The City Council of the City of Palmdale hereby finds that the public interest and convenience requires the continued maintenance and operation of the Palmdale Sewer System improvements within the Palmdale City boundaries.

Section 2. The City Council of the City of Palmdale hereby approves and adopts the Sewer System Management Plan, Corrected and Revised May 2014, attached to this resolution as Exhibit 1.

Section 3. The City Council of the City of Palmdale hereby certifies the Sewer System Management Plan, Corrected and Revised May 2014, attached to this resolution as Exhibit 1.

Section 4. The City Clerk is hereby ordered and directed to file a certified copy of this Resolution, upon its adoption, with the Los Angeles County Auditor.

PASSED, APPROVED and ADOPTED this seventh day of May, 2014 by the following vote:

AYES: Ledford, Lackey, Dispenza, Hofbauer, and Thompson

NOES: None

ABSTAIN: None ABSENT: None

James C. Ledford, Jr., Mayor

ATTEST:

Rebecca J. Smith, City Clerk

Approved as to form:

Wm. Matthew Ditzhazy
City Attorney

Attachment: Sewer System Management Plan, Corrected and Revised May 2014

77966 SUPPLEMENT 1

ORIGINAL

A-6089

GENERAL SERVICES AGREEMENT

THIS GENERAL SERVICES AGREEMENT ("Agreement"), dated for purposes of reference only, June 1, 2018, is made by and between the County of Los Angeles, hereinafter referred to as the "County", and the City of Palmdale, hereinafter referred to as the "City."

RECITALS:

(a) The City is desirous of contracting with the County for the performance by its appropriate officers and employees of City functions.

(b) The County is agreeable to performing such services on the terms and conditions hereinafter set forth.

(c) Such contracts are authorized and provided for by the provisions of Section 56½ of the Charter of the County of Los Angeles and Section 51300, *et seq.*, of the Government Code.

THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. The County agrees, through its officers, agents and employees, to perform those City functions, which are hereinafter provided for.

2. The City shall pay for such services as are provided under this Agreement at rates to be determined by the County Auditor-Controller in accordance with the policies and procedures established by the Board of Supervisors.

These rates shall be readjusted by the County Auditor-Controller annually effective the first day of July of each year to reflect the cost of such service in accordance with the policies and procedures for the determination of such rates as adopted by the Board of Supervisors of County.

3. No County agent, officer or department shall perform for said City any

function not coming within the scope of the duties of such agent, officer or department in performing services for the County.

4. No service shall be performed hereunder unless the City shall have available funds previously appropriated to cover the cost thereof.

5. No function or service shall be performed hereunder by any County agent, officer or department unless such function or service shall have been requested in writing by the City on order of the City Council thereof or such officer as it may designate and approved by the Board of Supervisors of the County, or such officer as it may designate, and each such service or function shall be performed at the times and under circumstances which do not interfere with the performance of regular County operations.

6. Whenever the County and City mutually agree as to the necessity for any such County agent, officer or department to maintain administrative headquarters in the City, the City shall furnish at its own cost and expense all necessary office space, furniture, and furnishings, office supplies, janitorial service, telephone, light, water, and other utilities. In all instances where special supplies, stationery, notices, forms and the like must be issued in the name of the City, the same shall be supplied by the City at its expense.

It is expressly understood that in the event a local administrative office is maintained in the City for any such County agent, officer or department, such quarters may be used by the County agent, officer or department in connection with the performance of its duties in territory outside the City and adjacent thereto provided, however, that the performance of such outside duties shall not be at any additional cost to the City.

7. All persons employed in the performance of such services and functions for

the City shall be County agents, officers or employees, and no City employee as such shall be taken over by the County, and no person employed hereunder shall have any City pension, civil service, or other status or right.

For the purpose of performing such services and functions, and for the purpose of giving official status to the performance hereof, every County agent, officer and employee engaged in performing any such service or function shall be deemed to be an agent, officer or employee of said City while performing service for the City within the scope of this agreement.

8. The City shall not be called upon to assume any liability for the direct payment of any salary, wages or other compensation to any County personnel performing services hereunder for the City, or any liability other than that provided for in this agreement.

Except as herein otherwise specified, the City shall not be liable for compensation or indemnity to any County employee for injury or sickness arising out of his or her employment.

9. The parties hereto have executed an Assumption of Liability Agreement approved by the Board of Supervisors on December 27, 1977 and/or a Joint Indemnity Agreement approved by the Board of Supervisors on October 8, 1991. Whichever of these documents the City has signed later in time is currently in effect and hereby made a part of and incorporated into this agreement as set out in full herein. In the event that the Board of Supervisors later approves a revised Joint Indemnity Agreement and the City executes the revised agreement, the subsequent agreement as of its effective date shall supersede the agreement previously in effect between the parties hereto.

10. Each County agent, officer or department performing any service for the

City provided for herein shall keep reasonably itemized and in detail work or job records covering the cost of all services performed, including salary, wages and other compensation for labor, supervision and planning, plus overhead, the reasonable rental value of all County-owned machinery and equipment, rental paid for all rented machinery or equipment, together with the cost of an operator thereof when furnished with said machinery or equipment, the cost of all machinery and supplies furnished by the County, reasonable handling charges, and all additional items of expense incidental to the performance of such function or service.

11. All work done hereunder is subject to the limitations of the provisions of Section 23008 of the Government Code, and in accordance therewith, before any work is done or services rendered pursuant hereto, an amount equal to the cost or an amount 10% in excess of the estimated cost must be reserved by the City from its funds to ensure payment for work, services or materials provided hereunder.

12. The County shall render to the City at the close of each calendar month an itemized invoice which covers all services performed during said month, and the City shall pay County therefore within thirty (30) days after date of said invoice.

If such payment is not delivered to the County office which is described on said invoice within thirty (30) days after the date of the invoice, the County is entitled to recover interest thereon. Said interest shall be at the rate of seven (7) percent per annum or any portion thereof calculated from the last day of the month in which the services were performed.

13. Notwithstanding the provisions of Government Code Section 907, if such payment is not delivered to the County office which is described on said invoice within thirty (30) days after the date of the invoice, the County may satisfy such indebtedness,

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including interest thereon, from any funds of any such City on deposit with the County without giving further notice to said City of County's intention to do so.

14. This Agreement shall become effective on the date herein-above first mentioned and shall run for a period ending June 30, 2023, and at the option of the City Council of the City, with the consent of the Board of Supervisors of County, shall be renewable thereafter for an additional period of not to exceed five (5) years.

15. In the event the City desires to renew this Agreement for said five-year period, the City Council shall not later than the last day of May 2023, notify the Board of Supervisors of County that it wishes to renew the same, whereupon the Board of Supervisors, not later than the last day of June 2023, shall notify the City Council in writing of its willingness to accept such renewal. Otherwise, such Agreement shall finally terminate at the end of the aforedescribed period.

Notwithstanding the provisions of this paragraph herein-above set forth, the County may terminate this Agreement at any time by giving thirty (30) days' prior written notice to the City. The City may terminate this Agreement as of the first day of July of any year upon thirty (30) days' prior written notice to the County.

16. This Agreement is designed to cover miscellaneous and sundry services which may be supplied by the County of Los Angeles and the various departments thereof. In the event there now exists or there is hereafter adopted a specific contract between the City and the County with respect to specific services, such contract with respect to specific services shall be controlling as to the duties and obligations of the parties anything herein to the contrary notwithstanding, unless such special contract adopts the provisions hereof by reference.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed

A-6089

By their duly authorized officers.

Executed this 27 day of June 2018.

The City of Palmdale,

By _____
Mayor, James C. Ledford

ATTEST:
City Clerk Rebecca J. Smith

By _____
~~Deputy~~ City Clerk

THE COUNTY OF LOS ANGELES

By _____
Chair, Board of Supervisors

ATTEST:

CELIA ZAVALA
Acting Executive Officer/Clerk of
the Board of Supervisors

By _____
Deputy JUN 27 2018

APPROVED AS TO FORM

BY _____
Wm. Matthew Ditzhazy
Palmdale City Attorney

APPROVED AS TO FORM:

MARY C. WICKHAM
County Counsel

By _____
Senior Deputy

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

11 JUN 06 2018

6 of 6

CELIA ZAVALA
ACTING EXECUTIVE OFFICER

Appendix B: Sewer System Management Audit Reports

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Appendix C: Sewer System Management Audit Checklist

City of Palmdale
SSMP Audit Checklist
Report Form

The purpose of the SSMP Audit is to evaluate the effectiveness of the CITY SSMP and sanitary sewer program and to identify any needed for improvement. The information identified here will be used to inform the possible findings and necessary information to be evaluated during the biannual Internal Audit of the CITY SSMP.

Directions: Please rank each item below utilizing the following sufficiency ranking system and add any comments to explain the ranking to the Comment Section of each SSMP Element:

- *Complies (C) – complies with all WDR objectives*
- *Substantially Complies (SC) – complies mostly with all WDR objectives*
- *Partially Complies (PC) – complies with basic WDR objectives*
- *Marginal Compliance (MC) – complies minimally with basic objectives of the WDR*
- *Does Not Comply – does not comply with WDR objectives*

Element 0 – Introduction/Executive Summary	
A.	
B.	
C.	
D.	
Element I – Goals	**Rating**
A. Are the goals stated in the SSMP Element I still appropriate and accurate?	
Discussion:	
Element II – Organization	**Rating**
A. Is the List of Staff Responsible for SSMP Elements current?	
B. Is the Sanitary Sewer Overflow Responder List current?	
C. Is the Organization Chart current?	
D. Are the Staff position descriptions an accurate portrayal of staff responsibilities? Are the LRO and DSs properly identified in the position descriptions?	

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E. Is the Chain of Communication for Reporting and Responding to SSOs section/flow chart accurate and up to date?	
Discussion:	

Element III – Legal Authority	**Rating**
Does the SSMP contain current Critical Supporting Documents to the Gilroy Municipal Code documenting CITYs legal authority to:	
A. Prevent illicit discharges?	
B. Require proper design and construction of sewers and connections?	
C. Ensure access for maintenance, inspection, or repairs for portions of the lateral owned or maintained by the CITY?	
D. Limit discharges of fats, oils, and grease?	
E. Enforce any violation of its sewer ordinances?	
F. Were any changes or modifications made in the past year to Sewer Ordinances, Regulations, or standards?	
Discussion:	

Element IV – Operations & Maintenance	
Collection System Maps	**Rating**
A. Does the SSMP reference the current process and procedures for maintaining CITY's wastewater collection system maps?	
B. Are the wastewater collection system maps complete, current and sufficiently detailed?	
C. Are storm drainage facilities of the City and County identified in the CITY service area on the collection system maps? If not, are SSO responders able to determine locations of storm drainage inlets and pipes for possible discharge to waters of the state?	
Prioritized Preventive Maintenance	**Rating**
D. Does the SSMP describe current preventive maintenance activities and the system for prioritizing the cleaning of sewers?	
E. Based upon information in the Annual SSO Report, are the CITYs preventive maintenance activities sufficient and effective in minimizing SSOs and blockages?	

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Scheduled Inspections and Condition Assessments	**Rating**
F. Is there an ongoing condition assessment program sufficient to develop a capital improvement plan addressing the proper management and protection of infrastructure assets? Are the current components of this program documented in the SSMP?	
Contingency Equipment and Replacement Inventory	**Rating**
G. Does the SSMP list the major equipment currently used in the operation and maintenance of the collection system and documents the procedures of inventory management?	
H. Are contingency and replacement parts sufficient to respond to emergencies and properly conduct regular maintenance?	
Training	**Rating**
I. Does the SSMP document current training expectations and programs for staff and contractors?	
Outreach to Plumbers and Building Contractors	**Rating**
J. Does the SSMP document current outreach efforts to plumbers and building contractors?	
Discussion:	
Element V – Design and Performance Standards	**Rating**
A. Does the SSMP reference current design and construction standards for the installation for new sanitary sewer systems, pump stations and other appurtenances and for the rehabilitation and repair of existing sanitary sewer systems?	
B. Does the SSMP document current procedures and standards for inspecting and testing the installation of new sewers, pumps, and other appurtenances and the rehabilitation and repair of existing sewer lines?	
Discussion:	
Element VI – Overflow and Emergency Response Plan	**Rating**
A. Does the CITY Sanitary Sewer Overflow Emergency Response Plan establish procedures for the emergency response, notification, and reporting of SSOs?	
B. Are staff and contractor personnel appropriately trained on the procedures of the Sanitary Sewer Overflow Emergency Response Plan?	

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C.	Considering SSO performance data, is the Sanitary Sewer Overflow Emergency Response Plan effective in handling SSOs in order to safeguard public health and the environment?	
D.	Are all SSO and claims reporting forms current or do they require revisions or additions?	
E.	Does all SSO event recordkeeping meet the SSS GWDR and MRP requirements? Are all SSO event files complete and certified in the CIWQS system?	
F.	Is all information in the CIWQS system current, and correct? Have periodic reviews of the data been made during the year to assure compliance with SSS GWDR? Have all Technical Report and Water Quality Sampling requirements been met and uploaded to the CIWQS data management system?	
Discussion:		

Element VII – Fats, Oils and Grease (FROG) Control Program		**Rating**
A.	Does the FROG Control Program include efforts to educate the public on proper handling and disposal of FROG?	
B.	Does the FROG Control Program identify sections of the collection system subject to FROG blockages, establish a cleaning schedule and address source control measures to minimize these blockages?	
C.	Are requirements for grease removal devices, best management practices (BMP), record keeping, and reporting established in the FROG Control Program?	
D.	Does CITY have sufficient legal authority to implement and enforce the FROG Control Program?	
E.	Is the current FROG program effective in minimizing blockages of sewer lines resulting from discharges of FROG to the system	
F.	Was required training on SSMP and OERP completed and documented? Were field exercises with field staff on SSO volume estimation conducted and documented?	
G.	Did all public improvement plans and specifications that could impact collection system operations include requirements for OERP training or were contractor OERP programs at least as stringent as the CITY OERP? Were regular items included in project meeting agendas to discuss emergency response procedures and communications?	
Discussion:		

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Element VIII – System Evaluation and Capacity Assurance Plan	Rating
A. Does the CITY Sewer System Master Plan evaluate hydraulic deficiencies in the system, establish sufficient design criteria and recommend both short and long-term capacity enhancement and improvement projects?	
B. Does the CITY Capital Improvement Plan (CIP) establish a schedule of approximate completion dates for both short and long- term capacity improvements and is the schedule reviewed and updated to reflect current budgetary capabilities and activity completed?	
Discussion:	

Element IX – Monitoring, Measurement and Program Modifications	Rating
A. Does the SSMP accurately portray the methods of tracking and reporting selected performance indicators?	
B. Is CITY able to sufficiently evaluate the effectiveness of the SSMP elements based on relevant information?	
C. Do the performance metrics properly support the Goals in Element 1?	
Discussion:	

Element X – SSMP Audits	Rating
A. Will the SSMP Audit be completed, reviewed, and filed in Appendix B based upon the required time intervals since the original SSMP adoption date?	
B. Was the last Audit Report certified by the CITY LRO as required?	
C. Was the final Audit Report presented to the governing body at a publicly noticed meeting?	
D. Was the last Audit Report placed in the SSMP Appendix and added to the SCWD SSMP webpage.	
Discussion:	

Element XI – Community Program	Rating
A. Does CITY effectively communicate with the public and other agencies about the implementation of the SSMP and continue to address any feedback?	
B. Did the CITY Board receive and review the Annual Sewer System Report?	

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C. Was the annual report uploaded to the CITY Sewer Section website and added to Appendix C?	
D. Did staff conduct and document meetings with the satellite collection systems?	
E. Are all agreements with satellite systems current or are changes necessary to these agreements?	
Discussion:	

Change Log	**Rating**
A. Is the SSMP Change Log current and up to date?	
Discussion:	

Audit Team: _____ **Date:** _____

Prepared By: _____ **Date:** _____

Reviewed By: _____ **Date:** _____

Certified By: _____ **Date:** _____

Approved for Filing On **Date:** _____

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Appendix D: Sewer System Management Plan Change Log

LOG OF SSMP CHANGES			
Date	**SSMP Element #**	**Description of Change / Revision Made**	**Person Authorizing Change**

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Appendix E: Overflow Emergency Response Plan (OERP)

Council Draft

Appendix F: Water Quality Monitoring Plan

Council Draft

CITY OF PALMDALE

Overflow Emergency Response Plan

November 22, 2022

Chapter 6 Overflow Emergency Response Plan

The purpose of the Overflow Emergency Response Plan (OERP) is to support an orderly and effective response to Sanitary Sewer Overflows (SSOs). This plan provides guidelines for the City to follow in responding to, cleaning up, and reporting SSOs that may occur within the City's service area.

6.1 Regulatory Requirements

6.1.1 WDR Requirements for the Overflow Emergency Response Plan

The collection system agency shall develop and implement an overflow emergency response plan that identifies measures to protect public health and the environment. At a minimum, this plan must include the following:

(a) Proper notification procedures so that the primary responders and regulatory agencies are informed of all SSOs in a timely manner;

(b) A program to ensure appropriate response to all overflows;

(c) Procedures to ensure prompt notification to appropriate regulatory agencies and other potentially affected entities (e.g. health agencies, regional water boards, water suppliers, etc.) of all SSOs that potentially affect public health or reach the waters of the State in accordance with the Monitoring and Reporting Program. All SSOs shall be reported in accordance with this MRP, the California Water Code, other State Law, and other applicable Regional Water Board Waste Discharge Requirements or National Pollutant Discharge Elimination System (NPDES) permit requirements. The SSMP should identify the officials who will receive immediate notification;

(d) Procedures to ensure that appropriate staff and contractor personnel are aware of and follow the Emergency Response Plan and are appropriately trained;

(e) Procedures to address emergency operations, such as traffic and crowd control and other necessary response activities; and

(f) A program to ensure that all reasonable steps are taken to contain untreated wastewater and prevent discharge of untreated wastewater to waters of the United States and minimize or correct any adverse impact on the environment resulting from the SSOs, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the discharge.

6.2 Goals of the Overflow Emergency Response Plan

The City's goals with respect to responding to SSOs are:

- Work safely;
- Respond quickly to minimize the volume of the SSO;
- Eliminate the cause of the SSO;
- Contain the spilled wastewater to the extent feasible;
- Prevent sewage system overflows or leaks from entering the storm drain system or receiving waters to the maximum extent practicable;
- Minimize public contact with the spilled wastewater;
- Mitigate the impact of the SSO; and
- Meet the regulatory reporting requirements.

6.3 SSO Detection

The processes that are employed to notify the City of the occurrence of an SSO include: observation by the public, receipt of an alarm, or observation by City staff during the normal course of their work.

6.3.1 Public Observation and Emergency Communications

Public observation is the most common way that the City is notified of blockages and spills. Contact information for reporting sewer spills and backups is in the phone book and on the City's website at www.CityofPalmdale.org.

6.3.1.1 Normal Work Hours

The City's normal working hours are Monday through Thursday from 7:30 a.m. to 6:00 p.m., except holidays. When a report of a sewer spill or backup is made, the City's Maintenance Center staff receives the call at (661) 267-5338, takes the information from the caller and communicates it to the Sanitary Sewer Collection System Superintendent who responds to the site and/or dispatches a field crew. Emergency calls received by Fire Department or Police Department Dispatch, 911 Emergency, City Hall Main Office Administration, or other City Services offices are routed to the City's Utilities Services Division.

6.3.1.2 After Hours

All after-hours emergency calls to the City's Utilities Services Division and the City's Main Office are routed to a contract answering service. This service takes the information from the caller and communicates it to the City's On-Call Duty Phone Person via cell phone who responds to the site and investigates the SSO. The home and/or cell telephone numbers of all City staff are on file and available for use in contacting them during emergencies.

A listing of contact information related to sewage spill response for neighboring and downstream agencies is provided in **Appendix 6-A**. Information from the emergency call is recorded on the Sanitary Sewer Problem Report Form (**Appendix 6-B**).

6.3.1.3 Web Based Notification

The City has established a web-based application titled MyWasteApp for the reporting of sanitary sewer problems and sanitary sewer overflows. The customer can access the application at the City website (www.cityofpalmdale.org/departments/publicworks/environmental.html). Customers can also submit a work order or service request by completing an online form available at the city's website (http://www.cityofpalmdale.org/departments/publicworks/maintenance_sewer.asp). Emergency response staff immediately receive email notification of the request via a "smart phone."

6.3.2 Lift Station Alarms

There are two pump stations in the system. The City's Avenue S lift station is equipped with a Supervisory Control and Data Acquisition System (SCADA) alarm system. The SCADA equipment detects and sends alarms in response to pump failures, high and low wet well levels, and power outages. The Avenue S lift station's SCADA alarm has an auto-dialer which dials out to County Emergency Services Communication Center. The lift station also has an audible alarm. During both normal working hours and after hours, the SCADA alarm will dial to the County Emergency Services Communication Center which will in-turn contact the City's Public Works Department immediately.

The second pump station serves a bathroom at the Pelona Vista Park off Rayburn Road. The Pelona Vista Park pump station has an audible alarm and an alarm light. The station also includes an auto dialer which conveys an emergency alarm without specifics to the CSMD North Yard. During normal work hours the Pelona Vista Park is maintained by the City's Department of Parks and Recreation and they will contact

the City's Maintenance Center immediately if there is a pump station alarm. After normal working hours the Park and bathroom facilities are closed.

In addition, each of the lift stations are equipped with local alarms and signs with the City's contact information. The lift stations are located at:

- 1718 East Avenue S
- 37700 Tierra Subida Avenue

6.3.3 City Staff Observation

City staff conducts periodic inspections of wastewater collection system facilities as part of their routine activities. Any problems noted with the wastewater collection system facilities are reported to the Sanitary Sewer Collection System Superintendent who responds to emergency situations or directs field crews to respond. Work orders are issued by the Sanitary Sewer Collection System Superintendent to correct non-emergency conditions.

6.4 SSO Response Procedures

Sewer service calls and lift station alarms are considered high priority events that demand a prompt response to the location of the problem. Upon notification of a sewer overflow, the On-Call Duty-Phone person shall be dispatched within 15 minutes of the notification to attend to the emergency call.

The response procedures for SSOs that are caused by City-owned sewers, private laterals, and surrounding Agency sewers are depicted in the following figures:

- **Figure 6-1: SSO Response Procedure Flow Chart**
- **Figure 6-2: SSO Response Flow Chart for City-Owned Sewer SSOs**
- **Figure 6-3: SSO Response Flow Chart for Private Lateral/System SSOs**
- **Figure 6-4: SSO Response Flow Chart for SSOs in Sewers Not Owned by City**

6.4.1 Safety

The Sanitary Sewer Collection System Superintendent or On-Call Duty-Phone person, as first responder, is responsible for following City safety procedures at all times.

There may be times when City personnel responding to a wastewater collection system event are not familiar with potential safety hazards peculiar to sewer work. The City will provide training courses for all maintenance workers and collection system field crews to discuss safety issues, consider the order of work, and check safety equipment before starting the job.

6.4.1.1 Hazardous Material Spills

On occasion the Sanitary Sewer Collection System Superintendent or On-Call Duty-Phone person may encounter a sewer spill that involves hazardous materials. In those instances, or in any instance where there is a reasonable doubt, they should immediately contact the Maintenance Services Manager and the Fire Department for special instructions.

Sanitary Sewer Collection System Superintendent or On-Call Duty-Phone person will remain on site and provide assistance to the Hazardous Materials response team. The type of assistance to be provided includes traffic control, plugging storm drains from a safe distance, and shutting down lift stations.

6.4.2 On-Call Person Priorities

The On-Call Duty-Phone person prioritizes and provides full coordination and direction for the entire emergency response team unless replaced by more senior collections staff. The first responders duties include but are not limited to:

- To follow safe work practices;
- To contact the reporting party and collect as much information as possible;
- To respond promptly with appropriate equipment;
- To contain the spill wherever feasible;
- To restore the flow as soon as practicable;
- To make the required notification calls;
- To minimize public access to and/or contact with the spilled sewage;
- To promptly notify the Director of Public Works and Maintenance Services Manager in the event of a major SSO;
- To calculate a defensible overflow volume estimate;
- To return the spilled sewage to the wastewater collection system;
- To restore the area to its original condition (or as close as possible); and
- To photograph overflow and containment actions for risk management and reporting purposes;
- Disinfect all areas affected by overflow.

Figure 6-1: SSO Response Procedure Flow Chart

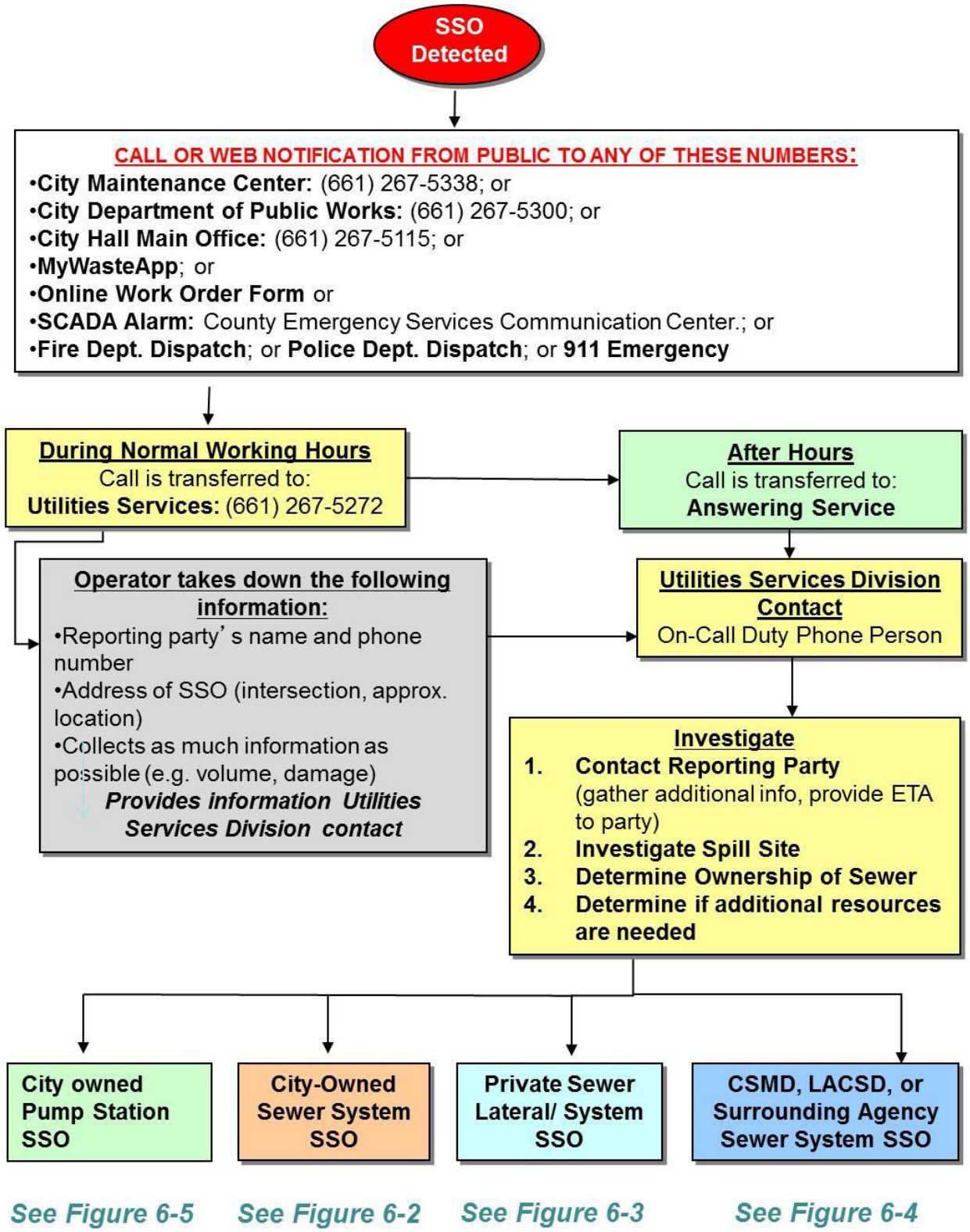
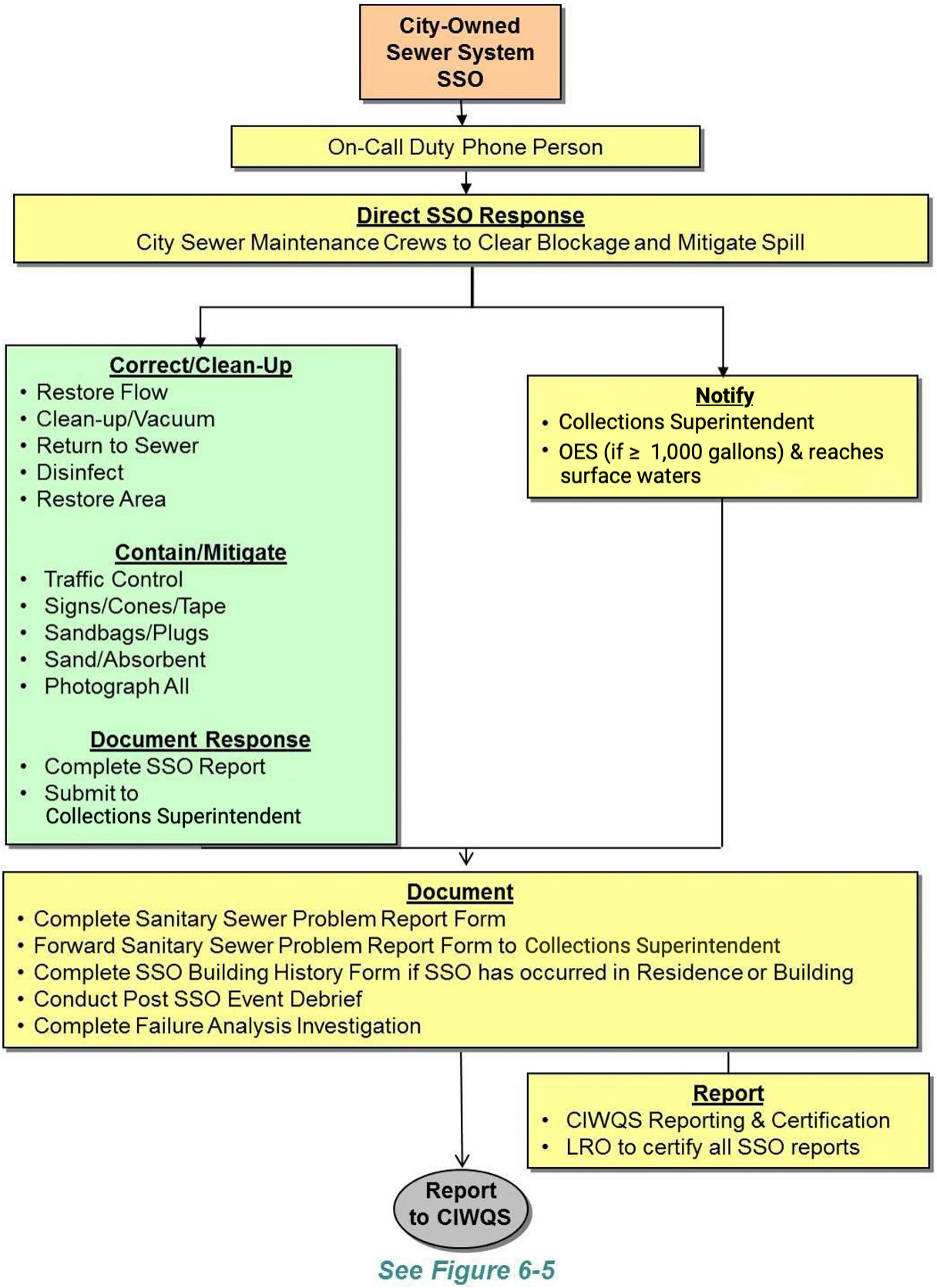


Figure 6-2: SSO Response Flow Chart for City-Owned Sewer SSOs



See Figure 6-5

Figure 6-3: SSO Response Flow Chart for Private Lateral/System SSOs

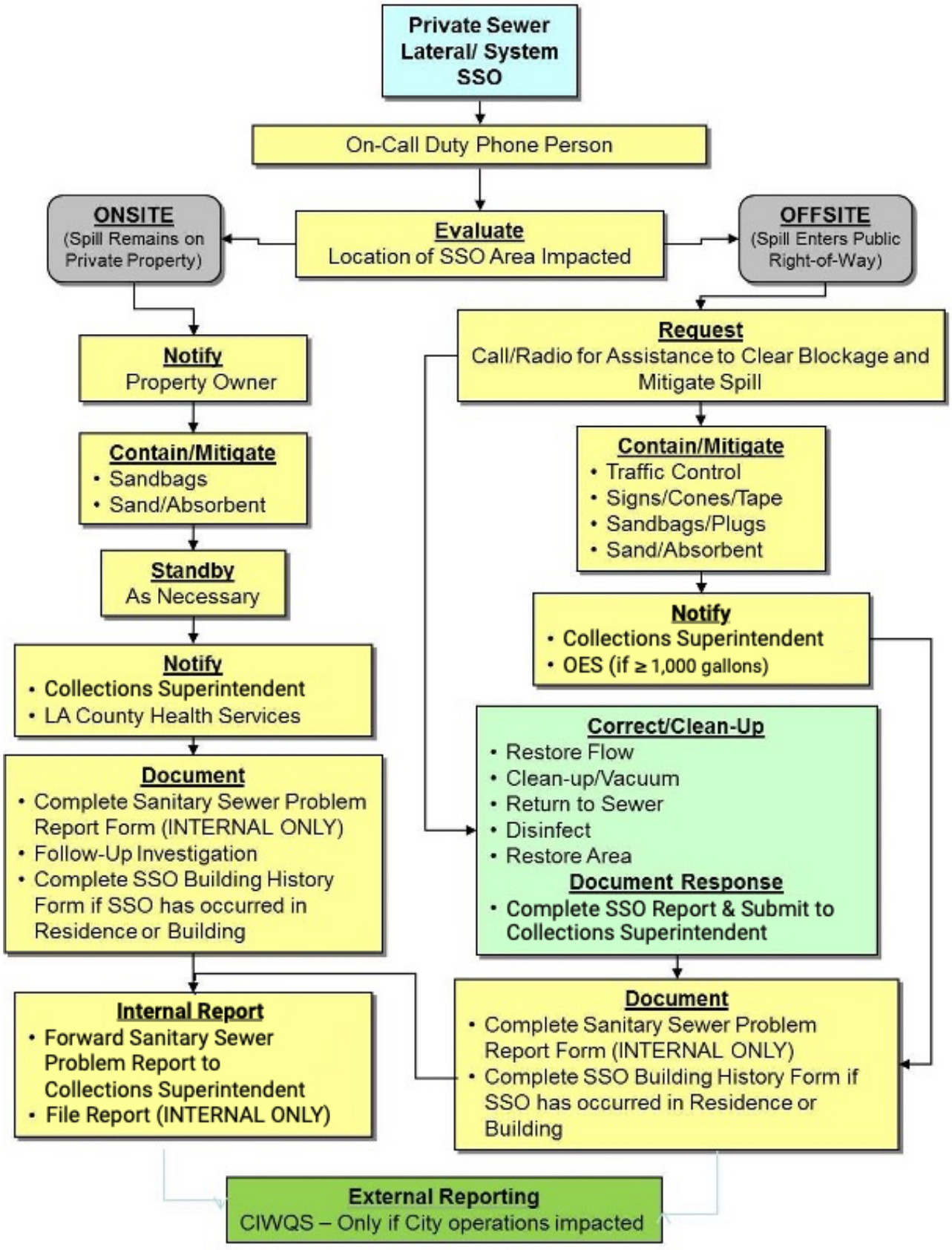
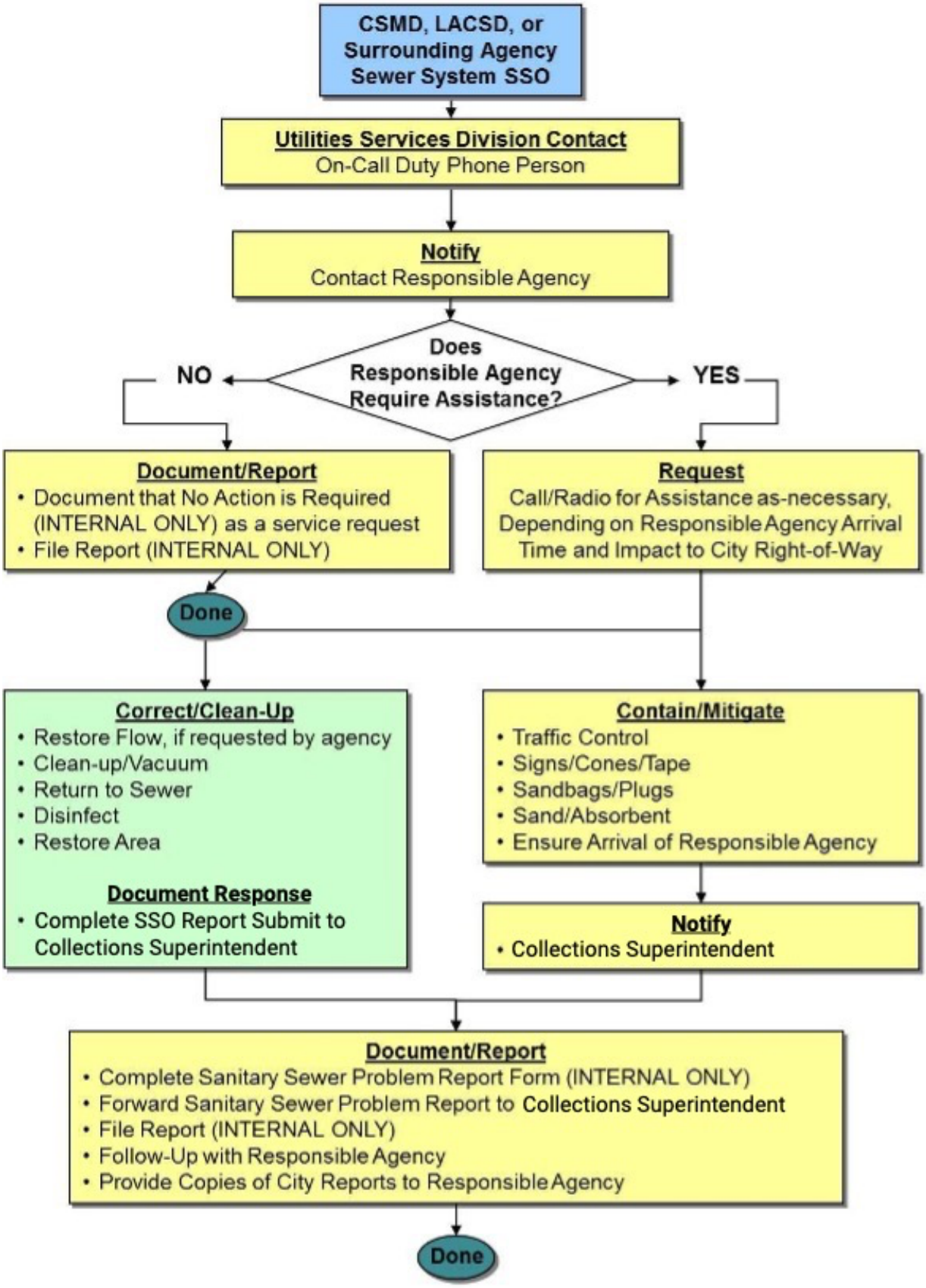


Figure 6-4: SSO Response Flow Chart for SSOs in Sewers Not Owned by City



6.4.3 Initial Response

The On-Call Duty-Phone person calls the reporting party to clarify the situation and collect any additional information that may allow City personnel to respond in an efficient manner. The On-Call Duty-Phone person should:

- Field verify the address and nearest cross street to determine whether the spill or backup is located in the City's service area. If the location of the spill is not in the City's service area, call the responsible agency, provide them with the service call information, and notify the caller that the responsible agency has been notified.
- Call the City's Sewer Maintenance Crews to restore flow and to mitigate the SSO.
    - Note arrival time at spill site.
    - Note arrival time at spill site by Sewer Maintenance Crews.
- The Sewer Maintenance Crew shall respond with the appropriate equipment to clear the blockage and contain/clean-up spilled sewage (spill containment tools and materials and any additional equipment that may be needed based on the details provided by the caller).
    - Note arrival time at spill site by of all involved staff or contractors.
    - If the initial inspection indicates that the discharging facility is not within the jurisdiction of the City of Palmdale or that the problem is not caused by the City's sewer system, the responding crew is to report this information to the Sanitary Sewer Collection System Superintendent, who will notify the appropriate agency staff and direct further field operations (See Appendix 6-A for contact information related to sewage spill response).
- Regardless of whether the spill/backup is caused by a private lateral or other agency sewer system, the responding Sewer Maintenance Crew should always contain/mitigate the spilled sewage to the extent feasible and standby until representatives of the responsible party arrive and are fully operational.
- The Sewer Maintenance Crew shall set up traffic and pedestrian control as necessary for safety of the public and the response crew.
    - The On-Call Duty-Phone person, as first responder to the SSO, shall set up available traffic and pedestrian control as necessary for safety of the public and the Sewer Maintenance Crew. The Sewer Maintenance Crew is required to provide adequate traffic and pedestrian control once onsite.
- The On-Call Duty-Phone person shall identify and assess the affected area and extent of spill.
- The On-Call Duty-Phone person shall notify the Collection System Superintendent when:
    - The spill appears to be large, in a sensitive area, or there is doubt regarding the extent, impact, or how to proceed.
    - Additional help is needed, to get assistance contacting other employees, contractors, and/or equipment suppliers.
- If the spill is large (greater than 1,000 gallons) and has reached surface waters or could reach surface waters, or in a sensitive area, the On-Call Duty-Phone person will document conditions upon arrival with photographs.
- The Sewer Maintenance Crew shall work with the On-Call Duty-Phone person to decide whether to proceed with clearing the blockage to restore the flow or to initiate containment measures. The guidance for this decision is:
    - Small spills – proceed with clearing the blockage.
    - Moderate or large spill where containment is anticipated to be simple – proceed with the containment measures.

  - Moderate or large spills where containment is anticipated to be difficult – proceed with clearing the blockage; however, call for additional assistance after 15 minutes without clearing the blockage and implement containment measures.
- The On-Call Duty-Phone person shall notify the Director of Public Works, Maintenance Services Manager, and the Collection System Superintendent in event of major SSO.
- The On-Call Duty-Phone person shall contact the caller to let them know the City and Sewer Maintenance Crew is on-site, if time permits.

6.4.4 Restore Flow

The Sewer Maintenance Crew shall use the appropriate equipment and cleaning tools to remove the blockage from the system.

- If the blockage cannot be cleared within a reasonable time (15 minutes), or the sewer requires construction repairs to restore flow, then initiate containment and/or bypass pumping.
- If assistance is required, immediately contact the Collection System Superintendent who will, in turn, contact other employees, contractors, and equipment suppliers.

6.4.5 Initiate Spill Containment Measures

The Sewer Maintenance Crew should attempt to contain as much of the spilled sewage as possible using the following steps:

- Determine the immediate destination of the overflowing sewage.
- Plug storm drains using air plugs, sandbags, plastic mats, and/or other dam construction material to contain the spill, whenever appropriate. If spilled sewage has made contact with the storm drainage system, attempt to contain the spilled sewage by plugging downstream storm drainage facilities.
- Contain/direct the spilled sewage using dike/dam, sandbags, or earthen berms in landscaped or undeveloped areas.
- Pump around the blockage/pipe, failure/lift station to convey the wastewater to the nearest downstream manhole or facility.
- If the spill is caused by a sewer lateral, City staff may request the property owner or water purveyor to shut off the water supply to the property when the wastewater endangers the public health.

6.4.6 Water Quality Sampling and Testing

6.4.6.1 SSOs Less Than 50,000 gallons

Water quality sampling and testing is required whenever 500 gallons or more of spilled sewage enters surface water to determine the extent and impact of the SSO. The water quality sampling procedures are:

- The On-Call Duty-Phone person shall direct response crews to collect samples. Samples should be collected as soon as possible after the discovery of the SSO event.
  - When faced with a small SSO that can be easily contained, the flow should be restored and samples taken as soon as possible after flow has been restored.
  - For larger SSOs, it may be necessary to wait for additional personnel to arrive before taking samples.
- The water quality samples should be collected from upstream of the spill, and downstream of the spill in flowing water (e.g. rivers). The water quality samples should be collected 100 ft above the

point of entry of the spilled sewage and every 100 feet along the shore of stationary water bodies.

- The City will use a state-certified commercial laboratory to analyze the samples to determine the nature and impact of the discharge. The basic analyses should include total coliform, fecal coliform, biochemical oxygen demand (BOD), dissolved oxygen, and ammonia nitrogen.

6.4.6.2 SSOs Greater than 50,000 Gallons

For any SSO in which 50,000 gallons or greater are spilled to surface waters to comply with subsection D.7(v) of the SSS WDR, the City shall be required to implement a Water Quality Monitoring Program that shall include all of the following:

a) Contains protocols for water quality monitoring.

b) Account for spill travel time in the surface water and scenarios where monitoring may not be possible (e.g. safety, access restrictions, etc.).

c) Require water quality analyses for ammonia and bacterial indicators to be performed by an accredited or certified laboratory.

d) Require monitoring instruments and devices used to implement the SSO Water Quality Monitoring Program to be properly maintained and calibrated, including any records to document maintenance and calibration, as necessary, to ensure their continued accuracy.

e) Within 48 hours of the enrollee becoming aware of the SSO, require water quality sampling for, at a minimum, the following constituents:

   i. Ammonia

   ii. Appropriate Bacterial indicator(s) per the applicable Basin Plan water quality objective or Regional Board direction which may include total and fecal coliform, enterococcus, and e- coli.

6.4.7 Recovery and Clean Up

The recovery and clean up phase begins when the flow has been restored and the spilled sewage has been contained/returned to the sanitary sewer to the extent possible. The SSO recovery and clean up procedures are:

- Estimate the Volume of Spilled Sewage,
- Recovery of Spilled Sewage, and
- Clean Up and Disinfection.

6.4.7.1 Estimate the Volume of Spilled Sewage

The On-Call Duty-Phone person shall use the methods outlined in Appendix 6-E to estimate the volume of the spilled sewage. Wherever possible, document the estimate using photos of the SSO site before and during the recovery operation. Also always remember that the spill start time almost always occurs prior to the call from the public or the emergency notification center and the start time should not be stated as the time the call was received.

6.4.7.2 Recovery of Spilled Sewage

The Sewer Maintenance Crew shall vacuum up spilled sewage using the combination cleaner, vacuum truck, or pump the spilled sewage and any water used to flush the area and discharge it back into the wastewater collection system.

6.4.7.3 Clean Up and Disinfection

Clean up and disinfection procedures shall be implemented by the Sewer Maintenance Crew to reduce the potential for human health issues and adverse environmental impacts that are associated with an SSO

event. The procedures described are for dry weather conditions and should be modified as required for wet weather conditions.

6.4.7.4 Private Property

The City has developed a Sewer Maintenance Rapid Response Program for handling all private property damages and utilizes the City Attorney's for all claims handling. Appendix 6-H outlines the Cities Policy for Private Property Damages.

6.4.7.4.1 Hard Surface Areas

Collect all signs of sewage solids and sewage-related material either by hand or with the use of rakes and brooms. Wash down the affected area with clean water until the water runs clear. Take reasonable steps to contain and vacuum up the wastewater and return it to the wastewater collection system. Disinfect all areas that were contaminated from the overflow using the disinfectant solution of household bleach diluted 10:1 with water. Apply minimal amounts of a disinfectant solution using a hand sprayer. Document the volume and application method of disinfectant that was employed. Allow area to dry. Repeat the process if additional cleaning is required.

6.4.7.4.2 Landscaped and Unimproved Natural Vegetation

Collect all signs of sewage solids and sewage-related material either by hand or with the use of rakes and brooms. Wash down the affected area with clean water until the water runs clear. The flushing volume should be approximately three times the estimated volume of the spill. Either contain or vacuum up the wash water so that none is released. Return the wastewater to the wastewater collection system to the extent possible. Allow the area to dry. Repeat the process if additional cleaning is required.

6.4.7.4.3 Natural Waterways

California Department of Fish and Wildlife (CA DFW) will provide the professional guidance needed to effectively clean up spills that occur in these sensitive environments. Contact them to request their assistance at the number in Appendix 6-A. Clean up should proceed quickly in order to minimize negative impact. The Department of Fish and Wildlife will determine if de-chlorinated water is required for the spill clean up.

6.4.7.5 Wet Weather Modifications

Omit flushing and sampling during heavy storm events with heavy runoff where flushing is not required and sampling would not provide meaningful results.

6.4.8 Follow Up Activities

If sewage has reached the storm drain system, the hydro-truck or other contract operators should be used to vacuum/pump out the catch basin and any other portion of the storm drain that may contain sewage. Do not forget to inspect and vacuum out all other utility valve boxes, dry wells and utility vaults for sewage that might have entered these appurtenances from the SSO.

In the event that an overflow occurs at night, the location should be inspected first thing the following day. The inspector should look for any signs of sewage solids and sewage-related material that may warrant additional cleanup activities.

6.5 Public Notification

The Collection System Superintendent or On-Call Duty Person will direct the posting of signs and place barricades, cones, traffic arrow board, and caution tape as needed to keep vehicles and pedestrians away

from contact with spilled sewage. Do not remove the signs until directed by the Sanitary Sewer Collection System Superintendent or until all affected areas have been mitigated following response procedures. Sample warning signs are included as **Appendix 6-G**.

Creeks, streams, and drainage channels that have been contaminated as a result of an SSO should have signs posted at visible access locations until the risk of contamination has subsided to acceptable background levels. The warning signs, once posted, should be checked at least once per day to ensure that they are still in place. Do not remove the signs until directed by the Sanitary Sewer Collection System Superintendent. The Sanitary Sewer Collection System Superintendent will utilize the results of water quality samples to remove signs in coordination with the Maintenance Services Manager. Photos should be taken of all posted warning signs to assure ultimate removal and to allow for future proof of signage if claims or litigation result from the SSO.

Major spills may warrant broader public notice. The approval of the City Manager is required prior to contacting local media when significant areas may have been contaminated by sewage.

6.6 Failure Analysis Investigation

The objective of the failure analysis investigation is to determine the "root cause" of the SSO and to identify corrective action(s) needed that will reduce or eliminate potential for the SSO to recur.

The investigation should include reviewing all relevant data to determine appropriate corrective action(s) for the line segment. The investigation will be conducted by the Maintenance Services Manager. The investigation should include:

- Reviewing and completing/correcting the Sanitary Sewer Problem Report Form (see **Appendix 6-B**);
- Reviewing past maintenance records;
- Reviewing original construction plans and regulatory reports;
- Reviewing available photographs;
- Conducting a CCTV inspection to determine the condition of the line segment immediately following the SSO and reviewing the video and logs; and;
- Interviewing staff who responded to the spill, as well as interviewing customers and residents.

The product of the failure analysis investigation should be the determination of the root cause and the identification of the corrective actions time for completion and person assigned to the corrective actions. The Collection System Failure Analysis Form (**Appendix 6-D**) should be used to document the investigation.

6.7 SSO Categories

The State Water Resources Control Board (SRWCB) has established guidelines for classifying and reporting SSOs. Reporting and documentation requirements vary based on the category of SSO.

There are four categories of SSOs as defined by the SWRCB[1]:

Category 1 – Discharges of untreated or partially treated wastewater of any volume resulting from an enrollee's sanitary sewer system failure or flow condition that:

- Reach surface water and/or reach a drainage channel tributary to a surface water; or

[1] State Water Resources Control Board Monitoring and Reporting Program No. 2006·0003-DWQ (as revised by Order No. WQ 2013-0058.EXEC) Statewide General Waste Discharge Requirements for Sanitary Sewer Systems

- Reach a Municipal Separate Storm Sewer System (MS4) and are not fully captured and returned to the sanitary sewer system or not otherwise captured and disposed of properly. Any volume of wastewater not recovered from the MS4 is considered to have reached surface water unless the storm drain system discharges to a dedicated storm water or groundwater infiltration basin (e.g. infiltration pit, percolation pond, or drywell system).

Category 2 – Discharges of untreated or partially treated wastewater of 1,000 gallons or greater resulting from an enrollee's sanitary sewer system failure or flow condition that do not reach surface water, a drainage channel, or a MS4 unless the entire SSO discharged to the storm drain system is fully recovered and disposed of properly.

Category 3 – All other discharges of untreated or partially treated wastewater resulting from an enrollee's sanitary sewer system failure or flow condition.

Private Lateral Sewage Discharges (PLSD) – Discharges of untreated or partially treated wastewater resulting from blockages or other problems within a privately owned sewer lateral connected to the enrollee's sanitary sewer system or from other private sewer assets.

6.8 SSO Documentation and Reporting

All SSOs should be thoroughly investigated and documented for use in managing the wastewater collection system and meeting established reporting requirements. The procedures for investigating and documenting SSOs are:

6.8.1 Internal SSO Reporting Procedures

6.8.1.1 *Category 1 SSOs*

The On-Call Duty-Phone person will immediately notify the Collection System Superintendent.

The Sanitary Sewer Collection System Superintendent or his/her designee will meet with field crew(s) at the site of the SSO event to assess the situation and to document the conditions with photos.

The On-Call Duty-Phone person will fill out the Sanitary Sewer Problem Report Form and turn it in to the Collection System Superintendent upon completion and clean-up of the SSO.

In the event of a very large overflow or an overflow in a sensitive area, the Collection System Superintendent will notify the Director of Public Works and the Maintenance Services Manager who will notify the City Manager. The City Manager may notify the City Council and/or the public.

6.8.1.2 *Category 2 SSOs*

The On-Call Duty-Phone person will immediately notify the Collection System Superintendent. The Collection System Superintendent or his/her designee will determine whether to personally assess the situation. The On-Call Duty-Phone person will fill out the Sanitary Sewer Problem Report Form and turn it in to the Collection System Superintendent.

6.8.1.3 *Category 3 SSOs*

The On-Call Duty-Phone Person will respond to all category 3 SSOs and assess the situation to determine if additional resources are required. He/she shall complete the Sanitary Sewer Problem Report Form and submit it to the Collection System Superintendent for review and approval.

6.8.1.4 *Private Lateral SSOs*

If a Private Lateral sewage discharge is reported to the City, the On-Call Duty-Phone person will immediately notify the Collection System Superintendent.

The Sanitary Sewer Collection System Superintendent or On-Call Duty-Phone person will fill out the

Sanitary Sewer Problem Report Form and turn it in to the Maintenance Services Manager.

6.9 External SSO Reporting Procedures[2]

The California Integrated Water Quality System (CIWQS) Online SSO Reporting System should be used for reporting SSO information whenever possible.

6.9.1.1 Category 1 SSOs that reach Waters of the State

If a Category 1 SSO results in a discharge to surface water or possibly could reach surface water, the following notification/reporting requirements apply:

- **Within two hours** of becoming aware of a Category 1 spill event the Legally Responsible Official or his/her designee will:
    - Notify California Office of Emergency Services (Cal OES) (and obtain a control number for use in other reports);
- **Within 3 business days** of becoming aware of the spill, the Legally Responsible Official or his/her designee will submit a draft report to CWIQS.
- **Within 15 calendar days** of the SSO end date, the Legally Responsible Official or his/her designee will certify the final report using CIWQS.
- The Legally Responsible Official or his/her designee will update the certified report as new or changed information becomes available. The updates can be submitted at any time and must be certified within 45 calendar days of an SSO end date.
- If the SSO is greater than 50,000 gallons, the Collection System Superintendent shall complete an SSO Technical Report.

6.9.1.2 Category 2 SSOs

The LRO or his/her designee shall submit a draft report within 3 business days of becoming aware of the SSO and certify the final CIWQS Report within 15 calendar days of the SSO end date.

6.9.1.3 Category 3 SSOs

The LRO or his/her designee shall submit a certified report within 30 calendar days of the end of the month in which the SSO occurred.

6.9.1.4 Private Lateral Sewage Discharges

The Maintenance Services Manager or his/her designee may report private lateral SSOs using CIWQS **at the City's discretion**, specifying that the sewage discharge occurred and was caused by a private lateral and identifying the responsible party (other than the City), if known.

6.9.1.5 No Spill Certification (Monthly)

If there are no SSOs during the calendar month, the Collection System Superintendent will submit and certify an electronic report that the City did not have any SSOs, **within 30 days after the end of each calendar month**.

6.9.1.6 Online SSO Reporting System (CIWQS) Not Available

In the event that CIWQS is not available, the Maintenance Services Manager or his/her designee will fax

[2] State Water Resources Control Board Monitoring and Reporting Program No. 2006·0003-DWQ (as revised by Order No. WQ 2013-0058.EXEC) Statewide General Waste Discharge Requirements for Sanitary Sewer Systems

all required information to the Lahontan RWQCB office in accordance with the time schedules identified above. In such event, the City will submit the appropriate reports using CIWQS as soon as practical

6.9.1.7 Amended SSO Reports

The City may update or add additional information to a certified SSO report within 120 calendar days after the SSO end date by amending the report or by adding an attachment to the SSO report in the CIWQS Online SSO Database. SSO reports certified in the CIWQS Online SSO Database prior to the adoption date of this MRP may only be amended up to 120 days after the effective date of this MRP. After 120 days, the enrollee may contact the SSO Program Manager to request to amend an SSO report if the enrollee also submits justification for why the additional information was not available prior to the end of the 120 days.

6.9.1.8 Technical Report

The City's Legally Responsible Official shall submit an SSO Technical Report in the CIWQS Online SSO Database within 45 calendar days of the SSO end date for any SSO in which 50,000 gallons or greater are spilled to surface waters. This report, which does not preclude the Water Boards from requiring more detailed analyses if requested, shall include at a minimum, the following:

i. Causes and Circumstances of the SSO:

   a. Complete and detailed explanation of how and when the SSO was discovered.

   b. Diagram showing the SSO failure point, appearance point(s), and final destination(s).

   c. Detailed description of the methodology employed and available data used to calculate the volume of the SSO and, if applicable, the SSO volume recovered.

   d. Detailed description of the cause(s) of the SSO.

   e. Copies of original field crew records used to document the SSO.

   f. Historical maintenance records for the failure location.

ii. Enrollee's Response to SSO:

   a. Chronological narrative description of all actions taken by enrollee to terminate the spill.

   b. Explanation of how the SSMP Overflow Emergency Response Plan was implemented to respond to and mitigate the SSO.

   c. Final corrective action(s) completed and/or planned to be completed, including a schedule for actions not yet completed.

iii. Water Quality Monitoring:

   a. Description of all water quality sampling activities conducted including analytical results and evaluation of the results.

   b. Detailed location map illustrating all water quality-sampling points.

6.9.1.9 Collection System Questionnaire

The enrollee shall complete and certify a Collection System Questionnaire as defined in WDR Section G at least every 12 months to facilitate program implementation, compliance assessment, and enforcement response.

6.9.1.10 SSO Multiple Appearance Points

For reporting purposes, if one SSO event results in multiple appearance points in a sewer system asset, the Legally Responsible Official shall complete one SSO report in the CIWQS Online SSO Database which

includes the GPS coordinates for the location of the SSO appearance point closest to the failure point, blockage or location of the flow condition that caused the SSO, and provide descriptions of the locations of all other discharge points associated with the SSO event.

6.9.2 Internal SSO Documentation

6.9.2.1 Category 1, 2 and 3 SSOs

The On-Call Duty-Phone person will complete the Sanitary Sewer Problem Report Form (**Appendix 6-B**), assign a unique City tracking or log number, and provide copies to the Collection System Superintendent.

The On-Call Duty-Phone person will complete the Sewer Overflow Building History Form (**Appendix 6-C**) if an SSO has occurred in a residence or building.

The Sanitary Sewer Collection System Superintendent will prepare a file for each individual SSO. The file should include the following information:

- Initial service call information;
- Sanitary Sewer Problem Report Form;
- Online SSO Reporting System (CIWQS) form;
- Volume estimate; including assumptions, diagrams and calculations;
- Map showing the spill location, appearance point(s) and final destination of the SSO;
- Photographs of spill location and warning signs placed in the area;
- CCTV inspection data;
- Water quality sampling and test results, plus a map of the sample locations, if applicable;
- Failure analysis investigation results; including documentation of changes to City procedures;
- Any other forms related to the SSO;
- Customer interview notes and statements; and
- Any telemetry records if relied upon to document or estimate SSO volume(s).

6.9.2.2 Private Lateral SSOs

The On-Call Duty-Phone person will complete the Sanitary Sewer Problem Report Form and provide copies to the Collection System Superintendent. The On-Call Duty-Phone person will complete the Sewer Overflow Building History Form if an SSO has occurred in a residence or building.

A separate file will be prepared for each PLSD. The file should include any relevant information about the PLSD.

6.9.2.3 SSO Belonging to Other Agency

The On-Call Duty-Phone person will complete the Sanitary Sewer Problem Report Form and create a separate file for each SSO responded to that is the responsibility of another agency. Copies of all forms, information and documentation accumulated as a result of the City response shall be provided directly to the responsible agency.

6.9.3 External SSO Record Keeping Requirements[3]

The WDR requires that individual SSO records be maintained by the City for a minimum of **five years** from the date of the SSO. This period may be extended when requested by a Lahontan Regional Water Quality Control Board Executive Officer.

All records shall be made available for review upon State or Regional Water Board staff's request or during a field inspection of the City Collection System.

Records shall be retained for all SSOs, including but not limited to the following when applicable:

- Copy of Certified CIWQS report(s);
- All original recordings for continuous monitoring instrumentation; relied upon to document or estimate SSO volumes.
- Service call records and complaint logs of all collection system calls received by the City; including date, time and method of notification.
- SSO calls; narrative description of the complaint along with description of follow-up return contact with complaintent.
- SSO records;
- Steps that have been and will be taken to prevent the SSO from recurring to comply with Section D.7 of the SSS DWR and a schedule to implement those steps;
- Work orders, work completed, and any other maintenance records from the previous five years which are associated with responses and investigations of system problems related to SSOs;
- A list and description of complaints from customers or others from the previous five years; and
- Documentation of performance and implementation measures for the previous five years; and
- Records documenting how all estimates of volume discharged and recovered were calculated.

If water quality samples are required by an environmental or health regulatory agency, or if voluntary monitoring is conducted by the City, as a result of any SSO, records of monitoring information shall include:

- The date, exact place, and time of sampling or measurements;
- The individual(s) who performed the sampling or measurements;
- The date(s) analyses were performed;
- The individual(s) who performed the analyses;
- The analytical technique or method used; and
- The results of such analyses.

6.9.4 Post SSO Event Debriefing

Every SSO event is an opportunity to evaluate the response and reporting procedures. Each overflow event is unique, with its own elements and challenges including volume, cause, location, terrain, and other parameters.

As soon as possible after major SSO events, all of the participants, from the person who received the call to the last person to leave the site, should meet to review SSO procedures used and to discuss what worked and where improvements could be made in responding to and mitigating future SSO events. It is the

[3] State Water Resources Control Board Monitoring and Reporting Program No. 2006·0003-DWQ (as revised by Order No. WQ 2013-0058.EXEC) Statewide General Waste Discharge Requirements for Sanitary Sewer Systems

responsibility of the Maintenance Services Manager to schedule, conduct and document such a meeting. The results of the debriefing should be documented using Appendix 6-D, Collection System Failure Analysis Form to ensure the action items are completed. Meeting minutes from the debriefing shall be added to the SSO event file.

6.10 Equipment

This section provides a list of specialized equipment that is required to support this Overflow Emergency Response Plan.

Camera – A digital or disposable camera is required to record the conditions upon arrival, during clean up, and upon departure.

Closed Circuit Television (CCTV) Inspection Unit – A CCTV Inspection Unit is required to assist in determining the root cause for all SSOs from gravity sewers.

Combination Sewer Cleaning Truck – A combination high velocity sewer cleaning truck with vacuum tank is required to clear blockages in gravity sewers, vacuum spilled sewage, and wash down the impacted area following the SSO event.

Containment and Clean-Up Materials – Equipment and materials needed for emergency response to SSOs. The equipment and tools should include containment and clean up materials: sandbags, barricades, cones, caution tape, signs, air plugs, rakes, drop-inlet mats, and plastic sheeting.

Pick-Up Truck – A utility body pickup truck is required to transport the equipment needed to effectively respond to sewer emergencies.

Portable Generators, Portable Pumps, Piping, and Hoses – The list of portable equipment that is used to support this plan are housed at the City Maintenance Yard.

6.11 SSO Response Training

This section provides information on the training that is required to support this Overflow Emergency Response Plan.

6.11.1 Initial and Annual Refresher Training

All City personnel who may have a role in responding to, reporting, and/or mitigating a wastewater collection system overflow should receive training on the contents of the OERP and the WQMP. All new employees should receive training before they are placed in a position where they may have to respond. Current employees should receive annual refresher training on this plan and the procedures to be followed.

All contractor and contract service personnel who may have a role in responding to, reporting to the City, and/or mitigating a wastewater collection system overflow should receive training on the contents of the City OERP and WQMP or provide evidence of comparable emergency response procedures to the City's.

6.11.2 SSO Training Record Keeping

Records should be kept of all training that is provided in support of this plan. The records for all scheduled training courses and for each overflow emergency response training event should include date, time, place, content, name of trainer(s), and names of attendees.

6.12 Contractors Working on City Sewer Facilities

All contractors working on City sewer facilities will be required to develop a project-specific OERP, will provide project personnel with training regarding the content of the contractor's OERP and their role in the

event of an SSO, and to follow that OERP in the event that they cause or observe an SSO. Emergency response procedures shall be discussed at project pre-construction meetings, regular project meetings and after any contractor involved incidents.

6.12.1 SSO Response Drills

Periodic training drills should be held to ensure that contract service personnel and contractor employees are up to date on the procedures, the equipment is in working order, and the required materials are readily available. The training drills should cover scenarios typically observed during sewer related emergencies (e.g. mainline blockage, mainline failure, force main failure, lift station failure, and lateral blockage). The results and the observations during the drills should be recorded and action items should be tracked to ensure completion.

Appendix 6-A: Sewage Spill Response and General Telephone Numbers

Agency	Number	Time	Contact
Army Corps of Engineers – Los Angeles District	213-452-3908/3333 213-452-3441 213-452-3840		Main District Office Number Emergency Response Mission Environmental
CA Fish & Game	805-498-2385		srains@dfg.ca.gov
CalTrans	Dial 911 Emergency	24 Hours	Report highway emergencies to 911 or the California Highway Patrol immediately.
City of Lancaster	661-723-5985 661-945-6874 661-945-6895 661-948-8446	7:30am-4:30pm/M-F 7:30am-4:30pm/M-F 7:30am-4:30pm/M-F Non-business Hours	Public Works Yard Utilities Maintenance Supervisor Lead Utilities Maintenance Worker Lancaster's Sheriff Station
City of Palmdale Maintenance Div.	661-267-5338 661-267-5300	Normal working hours Answered 24 Hours	
County of Los Angeles DPW - County Sewer Maintenance Division	800-675-4357 800-303-0003 888-CLEANLA	24 Hours 24 Hours 24 Hours	CSMD Help Line Los Angeles County DPW
County of Los Angeles DPW – Antelope Valley Sewer Maintenance Yard	Phone: 661-942-6042 Fax: 661-949-6250		NORTH YARD 45712 N. Division St., Lancaster 93534
Edwards Air Force Base	661-277-1110		Base Operator
Emergency Management Agency (OES)	916-845-8911 800-852-7550	24 Hours	
LA County Dept. of Health Services	661-723-4533 888-700-9995	Answered 24 hours Emergency Hotline	Environmental Health Emergency Hotline
LACSD Emergency Response	562-437-6520 562-638-1161	24 Hours Business hours	Bill Rounds Supervising Engineering Technician
Lahontan RWQCB	760-241-6583 760-241-7308 Fax	24 Hour Phone/Message Fax (Follow-Up)	Victorville Office
Palmdale Water District	661-947-4111 661-947-4114	Normal working hours After hours	
LA County Waterworks	661-942-1157 800-675-4357	Normal Working Hours After Hours	Antelope Valley Office

Appendix 6-B: Sanitary Sewer Problem Report Form

Sanitary Sewer Problem Report Form	City Tracking #:	XX-XX-XXXX

For Office Use

Date:	Call Received: am/pm	Received by:
Caller's Name:	Caller's Phone Number:	
Caller's Address:		
Location of Overflow: Cross Street:		
Time & Names of Crew Members Contacted:		
Description of Complaint:		
Note: Provide Field Report, Gas Detector, Radio, GPS, Camera, and Video Camera to Collection System Employee upon Arrival		

For Response Crew Use

Time Arrived at Site:	Crew Names:	
Asset #:	Easement: Yes ☐ No ☐	Upstream Asset #:
Size of Line:	Length of Line:	Downstream Asset #:
Caller Contacted: Yes ☐ No ☐	Weather: Sunny ☐ Cloudy ☐ Rainy ☐ Rain for Several Days: _____days	

Complete Remainder of Form if an Overflow (SSO) has Occurred

SSO Started:	am/pm	SSO Stopped:	am/pm	Duration:	days/hrs
Est. Total Volume:	gallons	Est. Returned to Collection System:			gallons

Est. Volume that Reached Surface Water, Drainage Channel, Not Recovered from Storm Drain:

Fish Killed: Yes ☐ No ☐	Estimation Method Used:	Eyeball Est. ☐ Duration/Flowrate ☐ Measured Vol. ☐ Other
SSO Source:	Manhole ☐ Gravity Main ☐ Clean Out ☐ Private Lateral ☐ Lift Station: _____ Other: _____	
Final Spill Destination:	Storm Drain ☐ Captured Storm Drain ☐ Building ☐ Yard/Land ☐ Surface Water ☐ No Waters Involved ☐ Other: _____	
Cause of Overflow:	Roots ☐ Grease ☐ Debris ☐ Vandalism ☐ Power Failure ☐ Construction Damage ☐ Capacity (Heavy Rain) ☐ Other: _____	
Cleanup Method/Actions Taken:		
Disinfection: Yes ☐ No ☐	Disinfection Amount/Type:	

Time Cleanup Began:		Time Cleanup Complete:	
Signs Posted: Yes ☐ No ☐ No. of Signs:		Barricaded: Yes ☐ No ☐ No. of Days	
Neighbors Notified: Yes ☐ No ☐		Photos Taken: Digital ☐ Film ☐ Video ☐	
		Location of Photos:	
Samples Taken By:		Map of Locations of Samples: Yes ☐ No ☐	
Sample Received:	Date:	Sample Received:	Date:
Sample Received:	Date:	Sample Received:	Date:

Sanitary Sewer Problem Report Form		City Tracking #: XX-XX-XXXX
Water Quality Samples Analyzed for:	☐ Total Coliform ☐ Fecal Coliform ☐ BOD	☐ Dissolved Oxygen ☐ Ammonia Nitrogen ☐ Other:
Receiving Waters Description:		
SSO Magnitude:	☐ Spill discharged to a drainage channel and/or surface water. ☐ SSO reached storm drain and not fully captured returned to the sewer. ☐ SSO volume was 1,000 gallons or more. ☐ Private property was damaged. ☐ Private lateral was cause (not City sewer). ☐ SSO caused by sewer owned by surrounding Agency (not City sewer).	
Customer Notified Regarding Status: Yes ☐ No ☐ If no, why not:		
List all Personnel Responding to Spill:		
Additional Information:		
Notifications		
Agency Notified	**Contact Information**	**Date/Time**
EMERGENCY MANAGEMENT AGENCY	OES Spill #	
CIWQS	CIWQS #	
Lahontan RWQCB	SSO Event ID	
Los Angeles County Dept. of Public Health		
Los Angeles County Health Hazardous Materials Spills		
California Dept of Fish & Game		
Other		
Name of Person making Notifications:		
Sketch of Area: include manholes, intersections, location of stoppage, etc. Use back of page if needed.		
This Report was Completed By:		Date/Time:
This Report was Submitted To:		Date/Time:

Note: Attach copies of all photos taken and/or video

Appendix 6-C: Sewer Overflow Building History Form

Sewer Overflow Building History Form	City Tracking #:	XX-XX-XXXX

Time City staff arrived on-site: _____ Time cleaning contractor called:_____

Date: Time: Employee Name:

Resident: Street
Address:
City, State and Zip:
Phone:

Property Manager(s): Street
Address:
City, State and Zip: Phone:

Cause of flooding:

Location/Sewer: □ Street □ Rear easement □ Manhole# _____to _____
□ Mainline □ Service line □ Double-wye

Damage: □ Black water □ Grey water □ Fresh water

Number of people living at residence:

Comments:

Cleaning services: □ Requested by Owner – Wait for cleaning contractor to arrive
□ Declined by Owner

Approximate age of home: _____ # of bathrooms: _____ # of rooms affected: _____

Approximate amount of spill: _____(gallons)

Approximate time sewage has been sitting: _____(hours/days)

Photos Taken: Digital □ Film □ Video □ Location of Photos:

Does the customer have a backflow prevention device (BPD)? □ Yes □ No
If yes, was the BPD operational at the time of the overflow? □ Yes □ No

Have there been any previous spills at this location? □ Yes □ No □ Unknown

Type of flooring in the room(s) affected: □ Tile □ Carpet □ Wood □ Other:
Condition:

Has the resident had any plumbing work done recently? □ Yes □ No □ Unknown If yes, please describe:

Are there baseboards: □ Yes □ No If yes, baseboard material: _____
Condition of baseboards:
□ Baseboard bottom has tight seal with floor □ Baseboard has space between baseboard & wall
□ Baseboard top has tight seal with wall □ Baseboard has space between bottom & floor

Sketch the room(s) affected (shade the areas most heavily affected).

Note: Attach copies of all photos taken and/or video

Appendix 6-D: Collection System Failure Analysis Form

Collection System Failure Analysis Form	City Tracking #:	XX-XX-XXXX
Incident Report #:	Prepared By:	
SSO/Backup Information		
Event Date/Time:	Address:	
Volume Spilled:	Volume Recovered:	
Cause		
Summary of Historical SSOs/Backups/Service Calls/Other Problems		

Date	Cause	Date Last Cleaned	Crew

Records Reviewed By:	Record Review Date:
Summary of CCTV Information	
CCTV Inspection Date:	Tape Name/Number:
CCTV Tape Reviewed By:	CCTV Review Date:
Observations:	
Recommendations	
☐ No Changes or Repairs Required	
☐ Maintenance Equipment:	
☐ Maintenance Frequency:	
☐ Repair (Location and Type):	
☐ Add to Capital Improvement Rehabilitation/Replacement List: Yes ☐ No ☐	
Superintendent Review Date:	Maintenance Manager Review Date:

Appendix 6-E: Methods for Estimating Spill Volume

A variety of approaches exist for estimating the volume of a sanitary sewer spill. This appendix documents the three methods that are most often employed. The person preparing the estimate should use the method most appropriate to the sewer overflow in question and use the best information available.

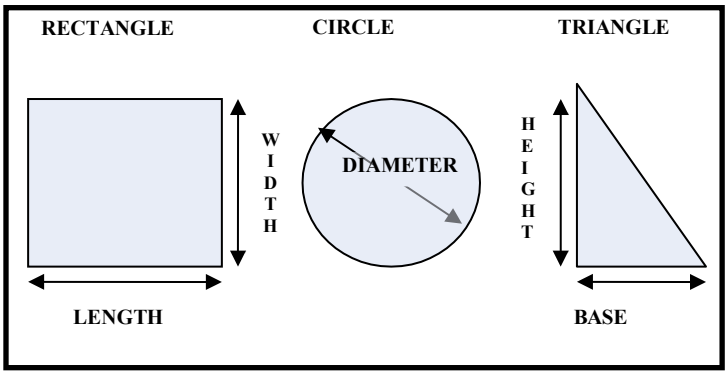
Method 1 Eyeball Estimate

The volume of small spills can be estimated using an "eyeball estimate". To use this method, imagine the amount of water that would spill from a bucket or a barrel. A bucket contains 5 gallons and a barrel contains 50 gallons. If the spill is larger than 50 gallons, try to break the standing water into barrels and then multiply by 50 gallons. This method is useful for contained spills up to approximately 200 gallons.

Method 2 Measured Volume

The volume of most small spills that have been contained can be estimated using this method. The shape, dimensions, and the depth of the contained wastewater are needed. The shape and dimensions are used to calculate the area of the spills and the depth is used to calculate the volume.

Common Shapes and Dimensions



Step 1 Sketch the shape of the contained sewage (see figure above).

Step 2 Measure or pace off the dimensions.

Step 3 Measure the depth at several locations and select an average.

Step 4 Convert the dimensions, including depth, to feet.

Step 5 Calculate the area in square feet using the following formulas:

Rectangle:	Area = length (feet) x width (feet)
Circle:	Area = diameter (feet) x diameter (feet) x 0.79
Triangle:	Area = base (feet) x height (feet) x 0.5

Step 6 Multiply the area (square feet) times the depth (in feet) to obtain the volume in cubic feet.

Step 7 Multiply the volume in cubic feet by 7.5 to convert it to gallons

Step 8 Write all computations down and insert into the SSO file.

Method 3 Duration and Flowrate

Calculating the volume of larger spills, where it is difficult or impossible to measure the area and depth, requires a different approach. In this method, separate estimates are made of the duration of the spill and the flowrate. The methods of estimating duration and flowrate are:

Duration: The duration is the elapsed time from the time the spill started to the time that the flow was restored.

Start Time: The start time is sometimes difficult to establish. Here are some approaches:

- Local residents can be used to establish start time. Inquire as to their observations. Spills that occur in rights-of-way are usually observed and reported promptly. Spills that occur out of the public view can go on longer. Sometimes observations like odors or sounds (e.g. water running in a normally dry creek bed) can be used to estimate the start time.
- Changes in flow on a downstream flowmeter can be used to establish the start time. Typically, the daily flow peaks are "cut off" or flattened by the loss of flow. This can be identified by comparing hourly flow data during the spill event with flow data from prior days.
- Conditions at the spill site change over time. Initially there will be limited deposits of toilet paper and other sewage solids. After a few days to a week, the sewage solids form a light-colored residue. After a few weeks to a month, the sewage solids turn dark. The quantity of toilet paper and other materials of sewage origin increase over time. These observations can be used to estimate the start time in the absence of other information. Taking photographs to document the observations can be helpful if questions arise later in the process.
- It is important to remember that spills may not be continuous. Blockages are not usually complete (some flow continues). In this case the spill would occur during the peak flow periods (typically 10:00 to 12:00 and 13:00 to 16:00 each day). Spills that occur due to peak flows in excess of capacity will occur only during, and for a short period after heavy rainfall.

End Time: The end time is usually much easier to establish. Field crews on-site observe the "blow down" that occurs when the blockage has been removed. The "blow down" can also be observed in downstream flowmeters.

Flowrate: The flowrate is the average flow that left the wastewater collection system during the time of the spill. There are three common ways to estimate the flowrate:

- The San Diego Manhole Flowrate Chart: This chart, included as **Appendix 6-F**, shows sewage flowing from manhole covers at a variety of flowrates. The observations of the field crew can be used to select the appropriate flowrate from the chart. If possible, photographs are useful in documenting the basis for the flowrate estimate.
- Flowmeter: Changes in flows in downstream flowmeters can be used to estimate the flowrate during the spill.
- Counting Connections: Once the location of the spill is known, the number of upstream connections can be determined from the sewer maps. Multiply the number of connections by 200 to 250 gallons per day per connection or 8 to 10 gallons per hour per connection. For example:

  22 upstream connections x 9 gallons per hour per connection

  = 198 gallons per hour / 60 minutes per hour

  = 3.3 gallons per minute

Spill Volume: Once duration and flowrate have been estimated, the volume of the spill is the product of the duration in hours or days and the flowrate in gallons per hour or gallons per day. For example:

Spill start time = 11:00

Spill end time = 14:00

Spill duration = 3 hours

3.3 gallons per minute x 3 hours x 60 minutes per hour

= 594 gallons

Appendix 6-F: Manhole Overflow Flowrate Guide

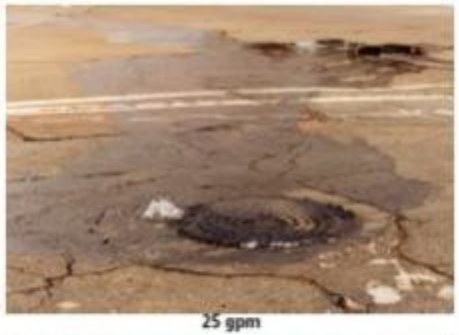
City of San Diego
Metropolitan Wastewater Department

Reference Sheet for Estimating Sewer Spills from Overflowing Sewer Manholes

All estimates are calculated in gallons per minute (gpm)

Wastewater Collection Division
(619) 654-4160


5 gpm


25 gpm


50 gpm


100 gpm


150 gpm


200 gpm


225 gpm


250 gpm


275 gpm

All photos were taken during a demonstration using metered water from a hydrant in cooperation with the City of San Diego's Water Department.

rev. 4/99

Appendix 6-G: Sample Warning Sign



Appendix 6-H: Sewer Maintenance Rapid Response Program

City of Palmdale Public Works Department
Sewer Maintenance Rapid Response Program

IF THE FLOOD OUT IS NOT DUE TO A BLOCKAGE IN THE MAINLINE SEWER:

1. Crews should inform the constituent that the problem is not in the mainline and that they should contact a plumber to correct the problem.

2. Contact the Sewer Maintenance Superintendent or Maintenance Manager to meet you on-site.

3. Recommend the constituent turn off the water supply or any appliances that use water until the stoppage has been relieved.

4. Crews should then contact city crew or contractor to clean the mainline sewer as a precautionary step and then return to their normal duties.

IF THE FLOOD OUT IS DUE TO A BLOCKAGE IN THE MAINLINE SEWER:

1. Crews shall setup containment for the overflow, setup the equipment, and relieve the stoppage.

2. Contact the Sewer Maintenance Superintendent or Maintenance Manager to meet you on-site.

3. Recommend the constituent turn off the water supply or any appliances that use water until the stoppage has been relieved.

4. The highest-ranking representative shall make contact with the constituent and explain the Rapid Response Service Program.

5. After the constituent has signed the authorization form, provide them with the pink copy and direct them to contact the City Attorney's Office to complete a claim form (661) 267-5108.

6. Inform the Carl Warren representative that we need to have a remediation company respond to the location that same night and to please call you back with an estimated time of arrival for the remediation company.

7. Inform the constituent of the following:
    - Estimated time of arrival of the remediation company.
    - Carl Warren representative will explain the process and assist in completing the claim for damages form.
    - Carl Warren representative will explain the restoration process.

8. Crews are to remain at the location until the arrival of the remediation company.

9. On the top copy of the Rapid Response Service Program Authorization form write down the name of the remediation company and the name of the representative.

10. If the constituent declines to use the Rapid Response Service Program, then ask another member of the crew to witness that the constituent has declined to use the program and write on the form that they declined. Give the constituent the pink copy of the Rapid Response Service Program Authorization Form, and direct them to contact the City Attorney's Office, (661) 267-5108, if they would like to file a claim against the City.

11. Sewer Maintenance Crews are to remain on site until the remediation company arrive. While waiting, provide as much documentation of the incident as possible (pictures, sketches, estimated damage, volume released, etc.)

12. **Check off list:**

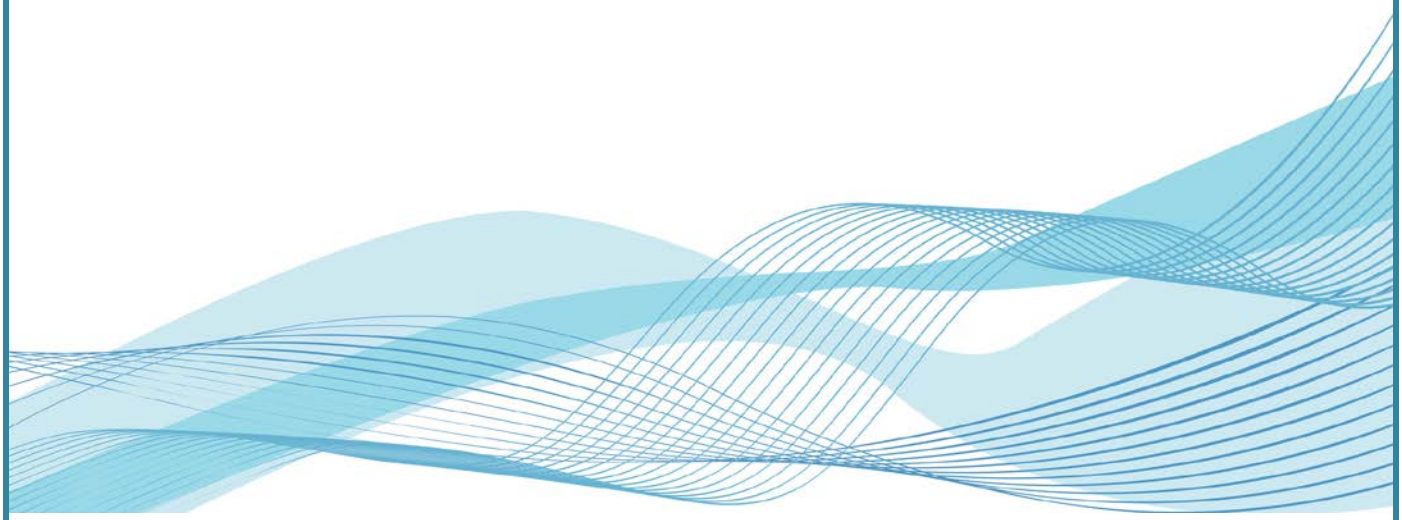
- ❑ Rapid Response Authorization Form give to constituent (pink copy)
- ❑ City Attorney information given to constituent

Map Sheet No._____ Date _____ Signature _____

City of Palmdale

Water Quality Monitoring Plan

12/31/22



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1. PURPOSE OF PROGRAM PLAN

The purpose of this Water Quality Monitoring Program Plan (WQMP or Plan) is to implement the requirements for sampling of sanitary sewer overflows (SSOs) greater than 50,000 gallons that reach surface waters. This plan conforms to the State Water Resources Control Board Waste Discharge Requirements Order No. 2006-0003-DWQ, Section D.7(v) and Monitoring and Reporting Program (MRP) Section D, Water Quality Monitoring Requirements issued by executive order number WQ 2013-0058-EXEC effective on September 9, 2013. This WQMP provides the City of Palmdale (City) policies and procedures to assure consistent conformance to the regulatory requirements and to establish procedures for City staff and contractors in their responses to large releases of sanitary sewage that reach surface waters. This WQMP is consistent with and supplemental to the City of Palmdale Overflow Emergency Response Plan, Element VI of its SSMP. Finally, this document will be used to coordinate training for the City's new employees and regular refresher training for existing employees.

Additionally, this Plan is also used as a guideline for monitoring and sampling requirements that may be imposed upon the City from citizen suits under the Clean Water Act (CWA) resulting in settlement agreements, stipulated orders or consent decrees that can require monitoring and sampling of sanitary sewer overflows of any kind or size. This Plan establishes procedures for the identification of sampling locations, protocols for the proper collection of samples, the chain of custody for sample collections, the handling of samples, the reporting and recordkeeping to assure the legal integrity of monitoring for compliance with regulatory requirements. The plan will also establish policies and procedures that will be used to assure proper coordination between the taking and testing of samples, as well as assure that samples taken will satisfy the local regulatory agency's Basin Plans and the unique character of the City's local service area and surface waters.

This Plan is intended to establish protocols for all sampling including when, where and how; establish the required water quality sample analyses that will be conducted; identify the access and safety requirements related to sampling considerations; and identify any local concerns that this monitoring plan should address. In addition, the Plan establishes the requirements for equipment calibration, notification requirements related to an overflow, recordkeeping requirements, staff training issues and requirements for the regular reviews and audits of the WQMP. Finally, all City forms used for water quality monitoring are included and available for use in any SSO incident.

2. DEFINITIONS

The following definitions and acronyms are used in this Program Plan:

BACTERIA Probaryotic microorganisms typically a few micrometers in length, with shapes from spheres to rods and spirals

CalOES State of California Office of Emergency Services

CALOSHA California Division of Occupational Safety and Health

CFR Code of Federal Regulations

CFS Cubic feet per second

CIWQS California Integrated Water Quality System

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CSRMA	California Sanitation Risk Management Association
CWA	Clean Water Act
DH2O	Distilled Water
DEET	N,N-Diethyl-meta-toluamide
DOHS	California Department of Health Services
E. Coli	Escherichia coli (bacteria)
ELAP	Environmental Laboratory Accreditation Program
EPA	Environmental Protection Agency
Field QC	Field Quality Control
GPM	Gallons per minute
GWDR	General Waste Discharge Requirements or WDR
GIS	Geographic Information System
LIMS	Laboratory Information Management System
LRO	Legally Responsible Official
mg/l	Milligrams per liter
ml	Milliliter
MPN	Most probable number
MRP	Monitoring and Reporting Program
NH3	Ammonia
NH3-N	Ammoniacal Nitrogen
NPDES	National Pollution Discharge and Elimination System
OERP	Overflow Emergency Response Plan
OES	See CalOES
PPE	Personal Protective Equipment
ppm	Parts per million
QA/QC	Quality Assurance/Quality Control

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RWQCB Regional Water Quality Control Board

SOP Standard Operating procedure

SSC Sewer Service Charge

SSMP Sanitary Sewer Management Plan

SSO Sanitary Sewer Overflow

SSO GWDR Sanitary Sewer Overflow General Waste Discharge Requirements

SURFACE WATER
All waters whose surface is naturally exposed to the atmosphere; for example, rivers, lakes, reservoirs, ponds, streams, seas, estuaries, etc., and all springs, wells, or other collectors directly influenced by surface water.

SWRCB State Water Resources Control Board

WQMP Water Quality Monitoring Program Plan

WQ Water Quality

WDR Waste Discharge Requirements

VOC Volatile Organic Compound

3. RESPONSIBILITY

The City shall designate responsibility for all WQMP roles to appropriate classifications in the City's organizational structure to assure conformance of all activities for the monitoring of SSOs greater than 50,000 gallons reaching surface waters (Category 1 SSO), to reduce potential liability, protect public health, and to assure those responsible for this Plan are trained in their roles and responsibilities for the performance of proper protocols. It is further recognized that the proper application of this Plan will assure that all monitoring can withstand regulatory or legal scrutiny of the State, Regional Board, or from the actions of a citizen lawsuit. These roles and responsibilities are intended to be compliant with WDR Sections D.13 (vi), G and Section C.5 and D of the September 9, 2013 MRP.

The following table contains the roles and responsibilities as assigned by the City to individual classifications or service contractors of the City:

Roles and Responsibility	Responsible Classification
Provide and document regular training on WQMP for all City classifications that have a role or responsibility in the WQMP and identified herein	Collections System Manager
Identification and assessment of potential impacts to local areas with surface waters that may require WQMP (i.e. aerial crossings, creeks, waterways, rivers, bays, estuaries, etc.)	Collections System Manager

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Certification of calibration of sampling equipment and maintenance of calibration records	Collections System Manager
Determination of specific sampling protocols and analytic methods to be used for the City -required testing	Collections System Manager
Quarterly completion of the monitoring and sampling kit checklist from Appendix E.	Collections System Manager
Annual review of all standard operating procedures related to this WQMP especially the Sample Collection procedures	Collections System Manager
Decision to invoke a WQMP and direct the monitoring program to conclusion	Collections System Manager
Selection of sampling locations	Collections System Operator
Coordination of field sampling	Collections System Operator
Conduct field sampling per City protocols	Collections System Operator
Authorization and direction for placement of public notifications and signage	Collections System Operator
Photographs of sampling and signage placed to protect public health and safety	Collections System Operator
Preparation of Chain of Custody for all samples taken including proper labeling	Collections System Operator
Determination of spill travel time, if applicable.	Collections System Operator
Review and evaluate lab results for termination of sampling and to determine the nature and impact of the release	Collections System Manager
Decision to terminate sampling	Collections System Manager
Preparation of detailed sampling location map	Collections System Manager
Conduct sample analysis	ELAP-certified Contract Lab
Preparation of water quality sampling activities narrative for Technical Report	Collections System Manager
Review and Approval of Technical Report	Collections System Manager
Certification and placement of Technical report in the CIWQS spill reporting system.	Collections System Manager
Failure Analysis Investigation of all water quality monitoring from the SSO event to determine all necessary changes or modifications to the WQMP	Collections System Manager
Audits of the WQMP as required by City SSMP Element 10, Audit.	Collections System Manager
Management of Change responsibilities for the WQMP and all associated forms and documents required for use during an incident	Collections System Manager

It is recommended that this list of responsibilities be placed on a laminated card and kept in the Monitoring and Sampling Kit for easy access during an SSO sampling incident.

4. AUTHORITY AND REFERENCES

The authority and/or requirements for the monitoring and sampling of sanitary sewer overflows are contained in the following regulations:

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1. State Water Resources Control Board Waste Discharge Requirements Order No. 2006-0003-DWQ, Section D.7(v).
2. State Water Resources Control Board Monitoring and Reporting Program (MRP) Sections C.5 D, Executive Order number WQ 2013-0058-EXEC effective September 9, 2013
3. Standard Methods for the Examination of Water and Wastewater, 22nd Edition, American Public Health Organization et al.
4. Clean Water Act Sections 301(a), 304(h), and 501(a).
5. Code of Federal Regulations, Title 40, Part 136.

There are several applicable references that are available to assist with the Water Quality Monitoring Program as follows:

A. Basin Plan of the Regional Water Quality Control Board
B. Best Management Practices for Sanitary Sewer Overflow (SSO) Reduction Strategies, Central Valley Clean Water Associates and Bay Area Clean Water Agencies, December 2009
C. City Overflow Emergency Response Plans
D. Field Guide for Surface Water Sample and Data Collection, Air Program, USDA Forest Service, June 2001.
E. Standard Operating Procedures for Surface Water Quality Sampling, Arizona Department of Environmental Quality, Surface Water Section, September 2012.
F. Surface Water Sampling_AF.R3, Document Number SESDPROC-201-R3, Region 4, Environmental Protection Agency, Science and Ecosystem Support Division, Athens, Georgia, February 28, 2013.

5. IDENTIFICATION OF LOCAL SURFACE WATERS AND CHARACTERISTICS

An important element of any water quality monitoring program is the proper and thorough understanding of the service area and the various challenges the geography and sanitary sewer infrastructure of the service area present for the potential of wastewater reaching surface waters or storm water facilities. By evaluating the areas of concern in a service area such as lakes, rivers, dry creeks, aerial pipeline crossings over water ways and all storm water related infrastructure, the City can be better prepared to timely respond to any SSO reaching surface waters and to minimize the impacts of an SSO in or around local surface waters and storm water infrastructure.

A. Surface Waters of Concern

For the purposes of this Plan, surface waters are defined as all waters whose surface is naturally exposed to the atmosphere, for example, rivers, lakes, reservoirs, ponds, streams, seas, estuaries, etc., and all springs, wells, or other collectors directly influenced by surface water. In addition, the City will also identify and evaluate areas where collection system pipelines and force mains cross over or under waterways as these crossings can require additional resources and equipment to properly address any SSO from these collection system assets.

Surface waters of concern are those surface waters with the City's service area that may be impacted by a sanitary sewer overflow from the City's sanitary sewer collection system. Prior planning, review and evaluation of potential failure mechanisms can help minimize any potential impacts to surface waters or storm water infrastructure when and if the WQMP must be invoked.

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Any review of these important areas of potential surface water contamination in advance of an SSO should allow the City to be better prepared to respond to an SSO with the proper equipment and a better understanding of the procedures that may need to be invoked during the SSO such as flow rate of a creek or stream, and potential areas of significant environmental concern such as shell fish beds or fish habitats. In addition, having all storm water infrastructure located on the collection system field maps will help the City's responders quickly determine if SSOs may flow into storm drains reach and impact surface waters.

The following are the surface waters of concern within the City's jurisdiction:

- Amargosa Creek
- Anaverde Creek
- Little Rock Creek
- Big Rock Creek

6. LAB SELECTION

A. Analytical Lab

Samples collected for SSO response and background monitoring purposes pursuant to Section 5.0 will be analyzed at the City's current ELAP-certified contract lab. This lab is accredited through California's Department of Public Health Environmental Laboratory Accreditation Program (ELAP). ELAP provides evaluation and accreditation of environmental testing laboratories to ensure the quality of analytical data used for regulatory purposes to meet the requirements of the State's drinking water, wastewater, shellfish, food, and hazardous waste programs. The State agencies that monitor the environment use the analytical data from these accredited labs. The ELAP-accredited laboratories have demonstrated capability to analyze environmental samples using approved methods.

B. Getting Samples to the Lab

At all times, sample hold times identified below will be observed in accordance with Section 7.0. Once samples are collected, they will be transported to the City's current contract lab.

7. SAMPLING PARAMETERS

A. Required Sampling Parameters

The RWQCB Basin Plan and/or NPDES permit set the water quality standards against which one can judge the levels of impacts of an SSO on surface waters.

In accordance with the SWRCB Revised MRP WQ 2013-0058, the following parameters will be sampled:

1. Ammonia

   Ammonia-N, is a key indicator of the extent of the gross pollution of the receiving water from a SSO. Untreated wastewater or partially-treated wastewater is generally high in ammonia-N (typical 20-30 mg/L). In comparison the natural background concentration in the surface water is low, typically, less than 0.5 mg/L. Therefore, the elevated concentration of ammonia of the surface water downstream or at the site of the SSO, as compared to that upstream of the site is a reasonable indication of the extent of gross contamination from the SSO.

2. Bacteriological Indicator as specified in the local Basin Plan

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Total coliform, fecal coliform and enterococci count are indicators of potential public health impacts of an SSO on the receiving waters. If the concentrations of these groups of bacteria are elevated above and beyond the natural background and/or above the RWQCB Basin Plan Water Quality Standards (objective), public notification and posting may be necessary.

It should be noted that there may be non-SSO-related causes of elevated bacteria in surface water, for example, animal sources or storm drain discharge. The upstream and/or other samples may reflect the extent of bacterial contamination from these other sources. Sometimes the extent of the SSO may be indistinguishable from the other natural sources beyond the City's control. This is particularly true when taking Source samples based on an estimated downstream location of the SSO plume (reference Section 7F).

Generally, if the concentrations of these groups of bacteria at the downstream or at the site of impact are within the range of the non-impacted site (i.e. upstream) or levels indicated in historical background monitoring levels, the water quality impacts of the SSO are considered insignificant.

The surface water quality objectives of these groups of bacteria for the two Regional Water Quality Control Boards having jurisdiction over the City of Palmdale are shown in Tables 7.1.

Table 7.1: Lahontan (Region 6) Regional Water Quality Control Board Water Quality Objectives for Fecal Coliform Bacteria

Fecal Coliform (MPN/100ml)
The fecal coliform concentration during any 30-day period shall not exceed a log mean of 20/100 ml, nor shall more than 10 percent of all samples collected during any 30-day period exceed 40/100 ml. The log mean shall ideally be based on a minimum of not less than five samples collected as evenly spaced as practicable during any 30-day period. However, a log mean concentration exceeding 20/100 ml for any 30-day period shall indicate violation of this objective even if fewer than five samples were collected.

Source: Water Quality Control Plan (Basin Plan) for the Lahontan (Region 6)

B. Sampling Parameters for City of Palmdale

1. Ammonia
   - Discussion: See Section 7A
   - Sample Container: Plastic/glass
   - Sample Type: Grab
   - Sample Volume Required: 200 ml. minimum
   - Hold Time: 28 days
   - Preservative: Sulfuric acid
   - Analytical Method: Method 4500-XX R and C, Standard Methods for the Examination of Water or Wastewater, 21st Edition

2. Total Coliform/Fecal
   - Discussion: See Section 7A.2
   - Sample Container: Plastic (sterile)
   - Sample Type: Grab
   - Sample Volume Required: 100 ml. minimum
   - Hold Time: 8 hours

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- Preservative: None if waters are not chlorinated
- Analytical Method: Method 9221 B, C and E, Standard Methods for the Examination of Water or Wastewater, 21st Edition

8. SAMPLING EQUIPMENT AND CALIBRATION

A. Sampling Equipment That May Be Used at the City of Palmdale
- Sampling pole with fixed container
- Sampling pole with removable container
- Sampling pail and rope
- Stream velocity meter
- Grab-n-Go Sample Kit containing, at a minimum:
  - Ice from ice machine at Corp Yard or store
  - Waterproof pen
  - Sample labels
  - Camera
  - Sample bottles
  - Distilled water for Sample Blanks
  - Appropriate PPE

9. Sampling Procedures

A. Sample Location and Identification Procedures:

Samples will be collected by the City Sewer Maintenance Crew. The most precise and accurate analytical measurements are worthless and even detrimental if performed on a sample that was improperly collected and stored, or was contaminated in the process. The purpose of sampling and analysis is to provide data that can be used to interpret the quality or condition of the water under investigation.

Unfortunately, water quality characteristics are not spatially or temporally uniform from one effluent to another. A sampling program must recognize such variations and provide a basis for compensations for their effects. The sample must be:

1. Representative of the material being examined;
2. Uncontaminated by the sampling technique or container;
3. Of adequate size for all laboratory examinations;
4. Properly and completely identified;
5. Properly preserved, and
6. Delivered and analyzed within established holding times.

These six requirements are necessary for a proper assessment of water quality.

It is impossible to establish hard and fast rules concerning sampling locations. However, the following general guidelines should be applied whenever City personnel conduct surface water sampling:

1. The sampling location should be far enough upstream or downstream of confluences or point sources so that the surface water and SSO volume is well mixed. Natural turbulence can be used to provide a good mixture.

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2. Samples should be collected at a location where the velocity is sufficient to prevent deposition of solids, and to the extent practical, should be in straight reach having uniform flow. All flow in the reach should be represented, so divided flow areas should be avoided and samples should be taken towards the middle of the reach where feasible.
3. Sampler must always stand downstream of the collection vessel, and sample "into the current". Care must be taken to avoid introducing re-suspended sediment into the sample.

B. Sample Types:

Grab samples are appropriate for the characterization of surface waters at a particular time and place, to provide information about minimum and maximum concentrations, to allow for the collection of variable sample volume.

Grab samples may be collected directly into the sample container, or a clean decontaminated intermediate container may be used if a wading sample is not possible or safe. If an intermediate container is used, when in the field, double rinse the sampling device (bucket, automatic sampler) with sample water prior to collecting the sample and be sure to discard rinse water downstream of where sample will be collected. If samples are collected in a bucket and distributed a consolidation collection container, swirl the contents of the bucket as it is being poured into the consolidation collection container to avoid settling of solids (and pour in back and forth pattern – *e.g*., 1-2-3-3-2-1).

Grab Sample: A grab sample is defined as an individual sample collected at a given time. Grab samples represent only the condition that exists at the time the sample is collected (US EPA 1977).

Surface Grab Sample: A sample collected at the water surface (i.e. skimming) directly into the sample container or into an intermediate container such as a clean bucket. A single or discrete sample collected at a single location.

Field Blanks are used to evaluate the potential for contamination of a sample by site contaminants from a source not associated with the sample collected (e.g., airborne dust, etc.). Sterile, deionized water is taken into the field in a sealed container. This is the stock water. The stock water is then poured into the sample container. The containers and sample submission forms are labeled as "Field Blank". The same template selected for the test samples should be used. Field blanks are subject to the same holding time limitations as samples. The appropriate FIELD QC box on the sample Chain of Custody form should be checked.

C. Decontamination Procedures

Removing or neutralizing contaminants from sampling equipment minimizes the likelihood of sample cross contamination, reduces or eliminates transfer of contaminants to clean areas, and prevents the mixing of incompatible substances.

Gross contamination can be removed by physical decontamination procedures. These abrasive and non-abrasive methods include the use of brushes, air and wet blasting, and high and low pressure water cleaning.

The decontamination procedures for the sample types and sampling equipment (other than sample bottles, which are provided to Sewer Staff in a "ready to be used" condition by the lab) used at the City of Palmdale may be summarized as follows:

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1. Physical removal
2. Tap water rinse
4. Air dry

D. Sample Labeling and Chain of Custody Procedures

A sample is a physical evidence of a facility or the environment. An essential part of all enforcement investigations is that evidence gathered be properly documented. To accomplish this, the following sample identification and chain of custody procedures are established.

1. The method of sample identification depends on the type of measurement or analyses performed. When in-situ measurements are made, the data are recorded directly in Field Data Worksheets with identifying information, field observations, and remarks. Examples of in-situ measurements are:

    - pH
    - Temperature
    - Dissolved Oxygen
    - Stream Flow Measurement

    Samples other than in situ measurements must be identified by a sample label. These samples are removed from the sample location and transported to a laboratory for analyses. Before removal, however, a sample is often separated into portions depending upon the analyses to be performed. Each portion is preserved in accordance with applicable procedures and each sample container is identified by a sample label.

2. At a minimum, the following grab samples will be collected, in duplicate:

    - Field Blank: See Section 9.B for discussion.
    - Upstream: This sample will be collected far enough upstream of the SSO's point of entry into the surface water as to be free of contaminants from the SSO. Typically, 50-feet is sufficient, but this may vary on circumstances of the spill.
    - Source: Immediate vicinity where the SSO entered the surface water. This point will actually be downstream of the actual SSO entry point for SSO's that have stopped entering the surface water to be sampled. If the SSO has stopped, calculate the approximate downstream distance from the original SSO location by dividing the time since the SSO occurred by the estimated velocity. This is the approximate downstream distance from the SSO discharge point to the "source" sampling location.
        - See Section 9.F for information on determining velocity of the surface water in order to determine the Source sample location.
    - "Downstream" of SSO: This sample will be collected far enough downstream to be representative of the water quality of the surface water after adequate mixing of the surface water and the SSO have occurred. Typically, this location will be 50-feet downstream of the Source sample, but this may vary on the size and velocity of the surface water to be sampled.

3. Sample labels shall be completed for each sample, using waterproof ink. The information recorded on the sample tag/label includes:

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- Date: a six digit number indicating the year, month, day of collection
- Time: a four-digit number indicating military time of collection (e.g., 0954)
- Sample Location: sampling location description as either Upstream, Source, or Downstream
- Samplers: each sampler is identified
- Parameter/preservative: the analysis to be conducted for the sample /sample preservation

4. Photos or video of each sample location will be taken, properly labeled with date, time, and view direction and a map of the photo locations completed. Photos and videos shall include relevant landmarks to identify sampling locations and their surroundings.

   Due to the evidentiary nature of samples collected during enforcement investigations, possession must be traceable from the time the samples are collected until they are analyzed. To maintain and document sample possession, a Surface Water Sample Chain of Custody Record (Attachment C) must be completed. A sample is under custody if:

   - It is in your possession, or
   - It is in your view, after being in your possession, or
   - It was in your possession and under your control to prevent tampering, or
   - It is in a designated secure area.

5. As few people as possible should handle samples. The person taking the samples is personally responsible for the care and custody of the samples collected until they are transferred or dispatched properly.

6. Samples are accompanied by a chain of custody record. When transferring the possession of samples, the individuals relinquishing and receiving will sign, date, and note the time on the record. This record documents sample custody transfer from the sampler, often through another person, to the analyst at the laboratory. The samples are typically transferred to the sample-receiving custodian at the laboratory.

E. Safety Considerations

Personal safety of staff engaged in any fieldwork activity (e.g., in transit, walking or hiking, and any field activities while at the sample site) is of primary importance. Staff should never place themselves in dangerous or risky situations. Any hazards that are known by field personnel should be communicated to other members of the field crew.

Fieldwork should be postponed if there is indication that engagement in the field activity could cause bodily harm. Working during lightning storms, in heavy vegetation or poison oak, near aggressive wildlife or domestic animals, traversing steep or rugged terrain, unstable slopes or creek banks, near swiftly moving water or potential flash flood conditions, or during snowy weather is not considered "normal risk". If any member of the field crew is uncomfortable with a reasonable self-determined hazardous field condition, it is that person’s responsibility to bring

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this to the attention of the on site field supervisor or their supervisor. A "reasonable self-determined hazardous field condition" is defined as other than normal risk. Supervisors shall not dismiss any person's spoken concerns that field conditions are too hazardous to complete the work assignment.

The person taking the samples must have adequate protection, including protective clothing. They must wear gloves, as protection against chemical and/or bacteriological hazards, while they are sampling or handling samples that are known or suspected to be hazardous (e.g. visible solids or sheens, downstream from sewage spills, etc.), or if hands have open wounds. The type of gloves worn shall be determined by the sampling circumstance and type of pollutants expected – for instance longer gloves are needed when samples must be taken well below the surface.

When in a boat or wading in a stream, a personal floatation device shall be worn at all times. Other protective measures shall be taken in accordance with City safety procedures.

Upon arrival at a sampling site, safety equipment such as signs, cones, lights, etc. shall be set out as appropriate. Vehicles shall be parked in locations and directions to minimize traffic disruption and avoid sample contamination. Photos should be ultimately taken of the placement of all safety equipment and signage

The following guidelines apply to all fieldwork by City staff.

- No sample or measurement is worth the risk of injury.
- All staff shall use proper personnel protective gear as appropriate for the incident (e.g., life preservers, gloves, goggles, etc.)
- Field sampling crews should consist of at least two members unless otherwise approved by a supervisor.
- Be conscious of the whereabouts of rattlesnakes, mountain lions, and other dangerous animals.
- Open body wounds are entry sites for infection; take the necessary precautions for self-protection.
- If there is storm activity in the work area, wait for safer conditions to develop or postpone the sampling.
- Do not sample at night without approval from your supervisor.
- Do not trespass on private property, or posted restricted public lands without prior permission and written approval from property owner or administrator.
- If strange or suspicious looking people are in the work area, either wait for them to leave or postpone the work to a later time. Do not force confrontations with strangers and back away from any confrontations with the public. Be courteous and understanding of public concerns of the situation.
- Take the necessary precautions against exposure to harmful weather conditions such as heat, wind, snow, cold, rain, etc.
- Carefully evaluate a given on-site situation to determine if the task can be performed safely.
- Wear protective footwear when entering streams.
- Do not enter the stream if the water is flowing too fast.

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F. Stream Velocity Measurements

If sampling is performed after the SSO has stopped, the velocity of the impacted surface water must be determined to estimate SSO travel time and select an accurate Source sample location. One way to measure the SSO travel time is to use a velocity probe (such as a Global Water FP111-S Flow Probe) to determine the rate of flow in the water body. In cases where a water velocity probe is used, the manufacturer's instructions will be followed.

G. Grab-n-Go Sampling Kit

The City maintains a Grab-n-Go sampling kit located at Corp Yard. The kit is inspected quarterly by the Senior Utility Worker, Water Quality Specialist or designee. Additionally, any City of Palmdale employee utilizing the kit is responsible for decontaminating sampling equipment and field monitoring devices and replenishing the kit.

SSO Sample Collection Kit Inventory:

- Cooler
- Surface Water Sampling SOP (Attachment B)
- Ice from ice machine at Corp Yard or store
- 9 Ammonia sample bottles, preserved (6 for samples (3 sets of duplicates), 2 for Field Blanks and 1 extra in the event of contamination, spillage of the preservative or other contingency)
- 9 Coliform sample bottles (6 for samples (3 sets of duplicates), 2 for Field Blanks and 1 extra in the event of contamination, or other contingency)
- Digital camera, with extra batteries
- Latex gloves
- Safety glasses/goggles
- Surface Water Sampling Worksheet (Attachment D)
- Sampling Pole
- Waterproof Pen
- Minimum of 20 blank sample bottle labels
- Chain of Custody form (Attachment C)
- Stream Velocity meter

H. Surface Water Maps

Maps of surface waters in the City of Palmdale service area that may be impacted by an SSO are located in Attachment F.

I. Follow Up Sampling

1. Sampling will be repeated every 24 hours, or as directed by the RWQCB or the Los Angeles County Environmental Health Department, until such time as one of the following criteria have been met:
   - The Environmental Health Department or the RWQCB indicates follow up sampling is no longer required, or
   - Both the ammonia and bacteria levels downstream are approximately equal to or less than the upstream levels; or

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- The concentration of ammonia is at or below that of the upstream sample and the concentration of fecal bacteria levels are below the applicable acute water quality objective listed in Tables 7.1.

J. Surface Water Sampling SOP
The Surface Water Sampling SOP, Attachment B, provides step-by-step procedures to collect samples and deliver them for analysis in accordance with Sections 6, 7 and 9.

10. NOTIFICATIONS OF REGULATORY AGENCIES

Regulatory notification requirements are located in the City of Palmdale Sanitary Sewer Overflow Emergency Response Plan.

11. TECHNICAL REPORT

The MRP requires that in the event of a 50,000 gal or greater overflow spilled to surface waters, the City must prepare and submit an SSO Technical Report that includes a description of all water quality sampling activities conducted, a location map of all water quality sampling points, and the analytical results and evaluation of the results, pursuant to Section B.5 of the MRP. In addition, this report must be submitted to the CIWQS Online SSO Database within 45 days of the end of the SSO and must be certified by the City's Legally Responsible Official.

12. RECORDKEEPING

All sampling related records associated with this WQMP should be contained in the appropriate SSO Incident file designated with a specific locator record number. These records shall include at least the following documents related to the WQMP:

- A narrative description of water quality sampling activities associated with the event.
- Timeline of the sampling activities until sampling is terminated.
- All surface water sampling worksheets.
- Computations of spill travel time in surface waters, if appropriate.
- Chain of Custody for all samples.
- Sampling Map of all sample locations.
- All photos or video showing sampling activities.
- Final analytical results from the certified laboratory conducting the sample analysis along with an Agency evaluation of the results to determine the nature and impact of the release.
- Failure analysis reviews of the WQMP including recommendations for changes and modifications.
- Calibration records for specific equipment used in the sampling processes.
- Notification documentation for all public and private agencies involved with or requiring monitoring related to final sample results.

The City shall maintain all records including records from service contractors associated with this WQMP as part of the file records for an SSO as required by the WDR and MRP. These records shall be maintained for a minimum period of five-years from the end date of the SSO unless required by regulatory enforcement action, request of the State or Regional Board or as support for claims litigation resulting from the SSO. All records associated with the SSO shall be destroyed

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upon reaching the end of the file retention period or as otherwise required by the Regional or State Board.

Samples of all City forms and records used in this WQMP are included as attachments.

13. TRAINING

Training will be provided in accordance with Table 13.1.

Table 13.1 City of Palmdale surface water sampling training program	
Who Is Trained To Collect Surface Water Samples?	Collection System Operations Staff
Training Curriculum	at a minimum, training shall include: • The City of Palmdale Water Quality Monitoring Plan • Sampling technique, including hands on practice • Sampling equipment calibration, use and decontamination procedures, including hands on practice • Sampling safety • Surface Water Sampling Report and Chain of Custody
Training Documentation	Attendees shall be required to sign-in to all training on the appropriate forms used by the City of Palmdale.
Refresher Training Frequency	Annual
Who is Responsible for Ensuring Training Occurs?	Collection System Manager
Required Training Records	Employee training sign in log
Who is Responsible for Maintaining Records?	Collection System Manager or designee

14. INTERNAL REVIEW AND UPDATE OF THE WQMP

The WQMP is a requirement of the WDR and MRP regulations and therefore the WQMP must be adopted by the City governing board when completed and thereafter at the same time as the new adoption of the SSMP every five years or when major changes to the SSMP are required. Internal reviews of the WQMP should be conducted at a minimum with City SSMP audits or with a failure analysis following a SSO event requiring the use of this WQMP. This latter evaluation should be used to determine if any procedures or program changes would improve the WQMP.

The internal review of the WQMP must include a thorough review of the then existing WQMP against actual performance by the agency staff and testing laboratory during and after the event. All documents associated with the water quality sampling should be reviewed and included in the SSO file and compared to the requirements in this Plan. Particular attention should be given to all dates and times associated with the monitoring, proper tests in support of the Regional Board Basin Plan, proper completion of the Chain of Custody, equipment calibration documentation of all equipment used for sampling and available photographs or video of the sampling processes, review and sign-offs by all responsible parties, review of the sampling locations map, final lab results and the certification report that the Technical Report was submitted within 45 calendar days of the end of the SSO to the CIWQS system.

In addition, the City should also conduct regular reviews of the WQMP at least annually or along with the bi-annual SSMP Audit required by the WDR. The review should be undertaken to determine that all information in the Program is current, that all classification responsibilities have

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not changed, that all forms are still appropriate and that all contract relationships with testing laboratories, if not associated with the agency, are still current and available 24 hours per day and 7 days per week. The review should also include a review of the Regional Board Basin Plan to assure continuing conformance with the Basin Plan.

This internal review should be conducted by senior management of the collection systems personnel, laboratory management and any outside contract laboratory services subsequent to any event or once per year if the WQMP has not had to be invoked during the preceding year.

Finally, a schedule and assignment of responsibility for completion of the recommended changes should be prepared along with additions to the SSMP Change Log for these changes and modifications of the WQMP.

CHANGE LOG

The new MRP, Section E.3 requires that all changes to the Sanitary Sewer Management Plan be recorded and documented using an SSMP Change Log indicating what section is being change, a description of the changes, and the person or persons authorizing the changes. Because the WQMP is required by the WDR and MRP, it is also necessary that changes to the WQMP be included in the documentation of changes to the SSMP. Any changes resulting from Section 14 above should be added to the Change Log of the SSMP upon implementation and adoption of the changes as required by the WDR.

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ATTACHMENT A
Water Quality Monitoring Plan Change Log

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Water Quality Monitoring Plan Change Log

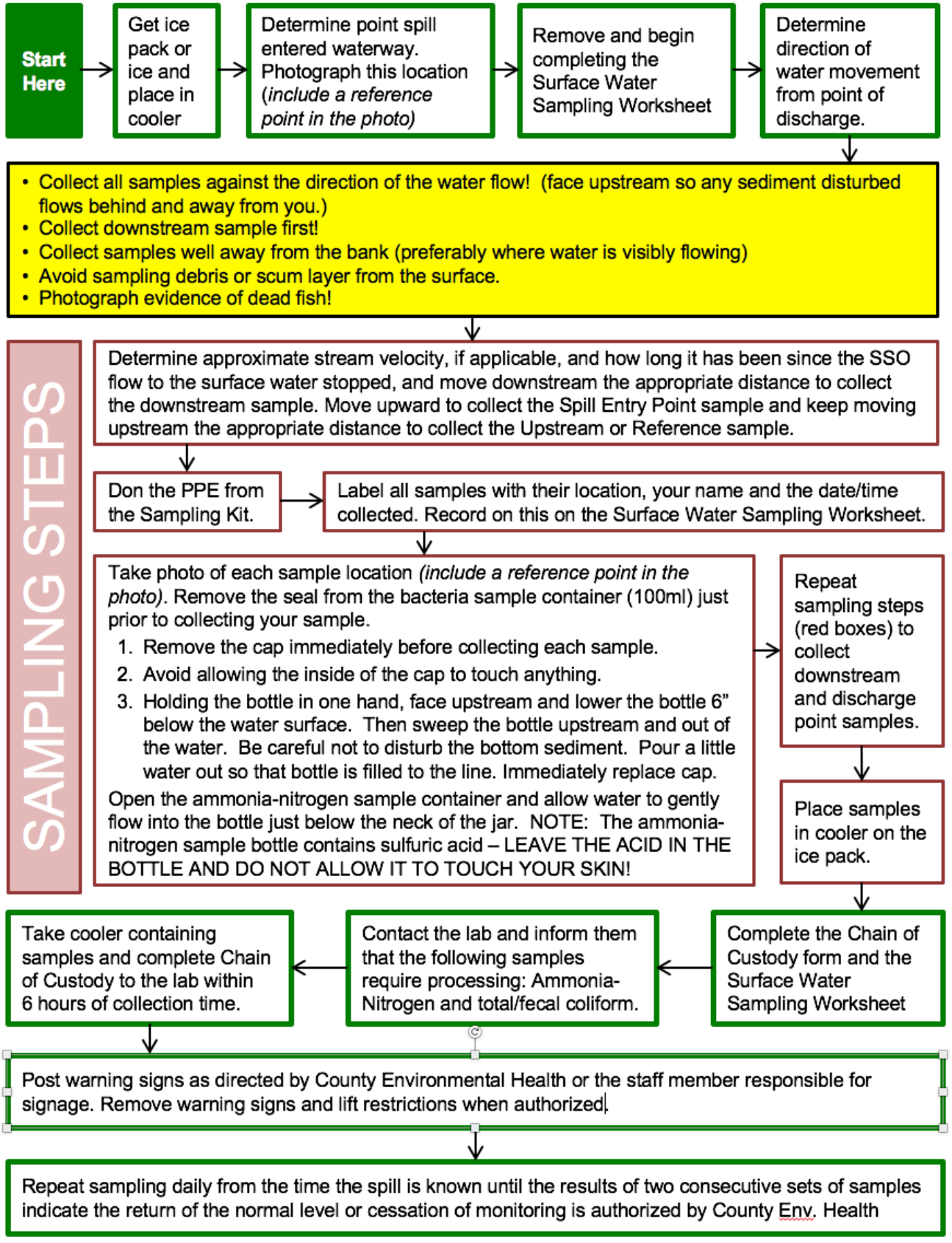
Date	Section(s) Changed	Summary of Change	Approved (signature)

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ATTACHMENT B
Surface Water Sampling SOP

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Surface Water Sampling Standard Operating Procedure



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ATTACHMENT C
Sample Collection Chain of Custody Record

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Surface Water Sample Collection Chain of Custody Record

Customer Name				☐	**Hazardous Waste**	**PO#**	
Customer Address				☐	**Unknown Material**	**WO#**	
Customer Telephone		**Mail Code**		**CONTRACT LAB INFORMATION**		**Turnaround Requirement**	
Program Name				Ship to:		☐ Normal (21 days) ☐ Rush: _____ ☐ Other:	
Lab Program Coordinator		**Phone #**		Ship Date:			
Sampled By				Courier:			

LIMS# (Issued by Lab)	**SAMPLE COLLECTION INFORMATION**						**# Containers**	**Matrix***	**Analysis Requested**					**QA/QC Requirements**	
	Date	**Time**	**Type**		**Sample Location**	**Sample Label ID**			Ammonia	Total and Fecal Coliform				☒	Lab Standard
														☐	Special (see attached)
			Composite	Grab											**Remarks/Notes**
			☐	☒	Upstream		2	A	☒	☒	☐	☐	☐		
			☐	☒	Entry Point		2	A	☒	☒	☐	☐	☐		
			☐	☒	Downstream		2	A	☒	☒	☐	☐	☐		
			☐	☒	Field Blank		2	O	☒	☒	☐	☐	☐	Sterile dionized water	

*Matrix: P = Potable Water, W = Wastewater, A = Ambient Water, G = Groundwater, S = Soil, B = Biosolids, I = Industrial, O = Other (specify in remarks)

Relinquished	**Date**	**Time**

Relinquished to	**Date**	**Time**

Transport/Shipping Information		
☐ USPS	☐ UPS	☐ FedEx
Tracing #:		
☐ Other:		

Sample Receiving Documentation

Container intact? ☐ Yes ☐ No	Correct container? ☐ Yes ☐ No	Field preserved? ☐ Yes ☐ No	Custody tape intact? ☐ Yes ☐ No
Cooled? ☐ Yes ☐ No	Temp. Blank? ☐ Yes ☐ No (°C)	Comments:	
Sample distribution: ☐ Lab bench ☐ Ice chest ☐ Walk-in cooler shelf #		Disposal Date:	Disposed by: (inits.)
C-O-C Distribution Date: By:		☐ Lab Admin File ☐ Prog/proj Mgr. ☐ Lab Prog. Coord. ☐ Delivery courier ☐ Pick-up courier	

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ATTACHMENT D
Surface Water Sampling Worksheet

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Surface Water Sampling Worksheet

Sample Date:	Sample Time: ☐AM ☐PM	Sample Location:	
Sampler(s)' Name(s):			
Sampler(s)' Signature(s):			

What is being sampled?
☐Stream ☐Pond ☐Lake ☐River ☐Other:

Weather at time of sampling: ☐Sunny ☐Overcast ☐Sprinkling ☐Raining ☐Snowing

Was the SSO actively entering the surface water during sampling? ☐YES ☐NO
If no, complete A-D in the gray box to the right ➔

If the SSO was not actively entering the surface water during sampling:

A. Stream Velocity: _____CFS
B. How Long Has the SSO ***NOT*** Been Entering the Surface Water?
   _____ minutes X 60sec/min = _____ seconds
C. How Far Downstream Did You Travel To Collect The SOURCE Sample?
   (A X C = Feet): _____ feet
D. Explain why you travelled a different distance, if you did, to collect the source sample:

Sample Location	# of Samples*	Photo ID# of Sample Location	Visual Observations and/or Interferences
Upstream			
Source			
Downstream			
Field Blank			

* Minimum of 2 per location

FINISH CHECKLIST	NOTES / OBSERVATIONS
☐ **All Samples Labeled with:** ☐ Date: a six-digit number indicating the year, month, day of collection ☐ Time: a four-digit number indicating military time of collection. e.g. 0954 ☐ Sample Location: Upstream, Source, or Downstream ☐ Samplers: each sampler is identified ☐ Parameter/preservative: analysis to be conducted for sample/sample preservation ☐ **Chain of Custody Completed** ☐ **Samples on Ice in Cooler** ☐ **Pictures Taken of Each Sample Location and the Photo ID/# Noted Above** ☐ **All Sampling Equipment Collected**	

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ATTACHMENT E
Technical Report

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Technical Report
Outline

1. Introduction
   Agency/system description

2. SSO Technical Report - Contents and Responses
   a. Causes and Circumstances of the SSO
      i. Detailed explanation of how and when SSO was discovered
      ii. Diagram indicating SSO "Cause point", appearance point, and final destination (use attachments, maps and diagrams as needed)
      iii. Detailed description of methodology employed and available data used to calculate the SSO volume and any volume recovered
      iv. Detailed description of the cause(s) of the SSO
      v. Copies of the original field crew records used to document the SSO (attachment)
      vi. Historical maintenance records for the lines involved in the cause of the SSO (attachment)

   b. Agency's Response to the SSO
      i. Chronological narrative description of actions taken by agency to terminate the SSO
      ii. Description of how the OERP was implemented to respond to and mitigate any impacts of the SSO
      iii. Final corrective action(s) completed and/or planned, including a schedule for actions not yet completed

   c. Water Quality Monitoring
      i. Description of all water quality sampling activities conducted, including analytical results and evaluation of the results
      ii. Detailed location map illustrating all water quality sampling points

3. Conclusions

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ATTACHMENT F
SURFACE WATER MAPS

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City Council Staff Report

DATE: **FEBRUARY 15, 2023**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **PUBLIC WORKS DEPARTMENT**
ENGINEERING DIVISION

DISTRICT: **1**

SUBJECT: **NOTICE OF COMPLETION – ACCEPT PUBLIC IMPROVEMENTS FOR COURSON ARTS COLONY-EAST LOCATED AT 939 EAST AVENUE Q-12.**

ISSUE

Notice of Completion – Accept Public Improvements for Courson Arts Colony-East located at 939 East Avenue Q-12.

RECOMMENDATION

Staff recommends that the City Council:

1. Accept the completed public improvements for Courson Arts Colony-East located at 939 East Avenue Q-12.

2. Authorize the City Manager or her designee to file a Notice of Completion and release the security for the completed public improvements.

BACKGROUND

This project constructed street improvements on 10th Street East and Avenue Q-12. 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:	Lynn Glidden, Director of Public Works
Certified as to availability of Funds:	Janelle Samson, Director of Finance
Approved by:	Ronda Perez, City Manager
Approved as to form:	William P. Curley, III, Interim City Attorney

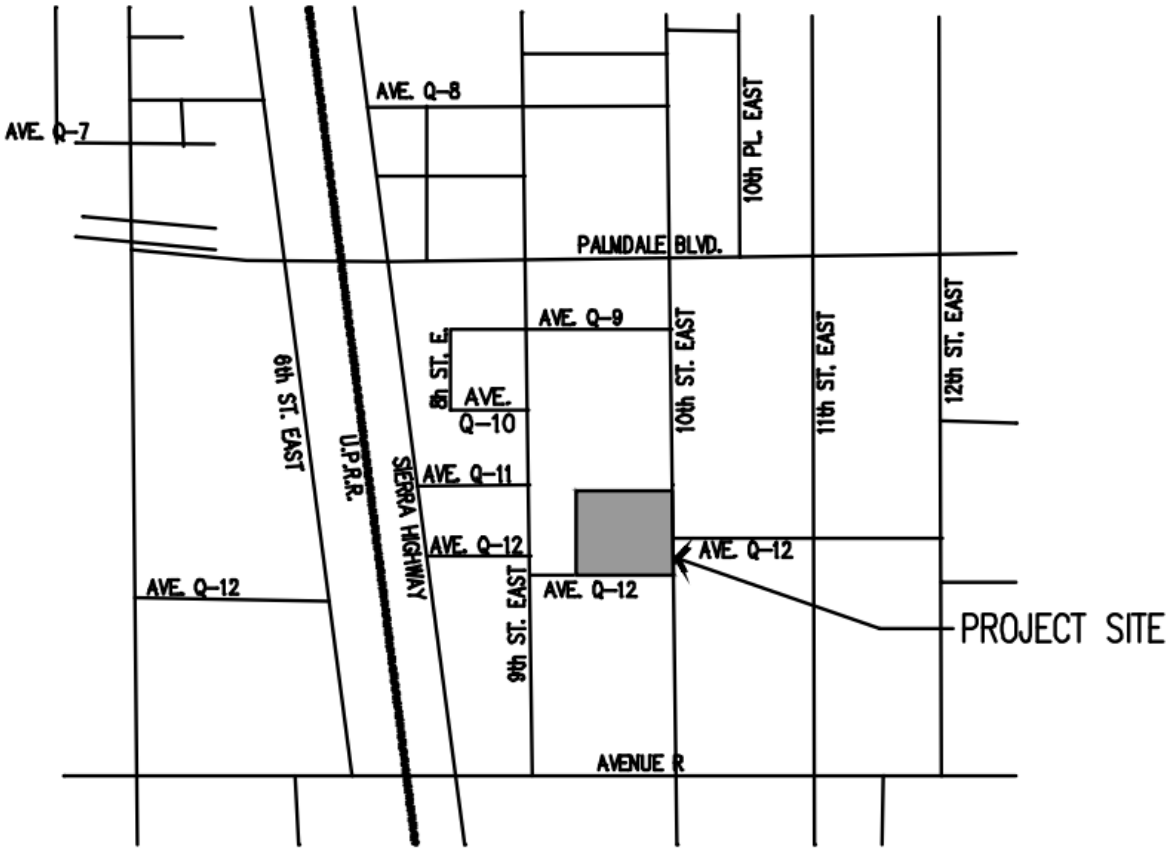
ATTACHMENTS

1. Exhibit A – List of Completed Public Improvements
2. Exhibit B – Site Map Location
3. Notice of Completion – Courson Arts Colony- East Sewer and Drainage Improvements

EXHIBIT A
LIST OF COMPLETED PUBLIC IMPROVEMENTS

Tract/Project	Plan #	Quantity	Security
Courson Arts Colony-East	PC 16-15	33 LF	$15,200
Courson Arts Colony-East	GD 16-15	2 Parkway Drains	$25,100

EXHIBIT B
SITE MAP



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: **Sewer and Drainage Improvements-Courson Arts Colony - East.**
5. A work of improvement on the property hereinafter described was completed on **December 13, 2022**
6. The work done was: "**Sewer and Drainage Improvements-Courson Arts Colony-East**",
7. The name of the Contractor for such work of improvement: **CAC East, LP**
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: **North of Avenue Q-12 and 10th Street East.**
9. The address of said property is: **939 East Avenue Q-12.**

Dated: **February 15, 2023**

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 **February 15, 2023,** in the City of Palmdale, California.

Guillermo I. Padilla, City Engineer

City Council Staff Report

DATE: **FEBRUARY 15, 2023**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **PUBLIC WORKS**

DISTRICT: **ALL**

SUBJECT: **ACCEPT THE LOCAL AGENCY TECHNICAL ASSISTANCE GRANT FROM THE CALIFORNIA PUBLIC UTILITIES COMMISSION IN THE AMOUNT OF $325,000 FOR A DIGITAL EQUITY STUDY**

SUBJECT

Accept the Local Agency Technical Assistance Grant from the California Public Utilities Commission in the amount of $325,000 for a Digital Equity Study.

RECOMMENDATION

Staff recommends that the City Council:

1. Accept the Local Agency Technical Assistance Grant from the California Public Utilities Commission for the funding amount of $325,000.

2. Approve Agreement No. A-8238 with the California Public Utilities Commission for the grant awarded from the Local Agency Technical Assistance Grant.

BACKGROUND

The City of Palmdale applied for the California Public Utilities Commission's (CPUC) Local Agency Technical Assistance (LATA) Grant in October 2022. The CPUC awarded the City of Palmdale $325,000 to perform a Digital Equity Study and to provide subsequent programs based on its recommendations. The scope of work for the City's future selected consultant will be to provide a study on digital equity in the City of Palmdale. The LATA grant will also provide a preliminary budget to work with an electronics recycling firm to provide programs for: recycling electronic waste (e-waste), supply refurbished computer equipment to members of the community needing the devices, and working with SiFi Networks (who will deploy fiber citywide) to identify residents in need of financial assistance to connect to the internet and potentially further subsidize their rates.

DISCUSSION

The Digital Equity Study is intended to survey the community of Palmdale on how connected residents are. This study is needed for the City to develop a plan that addresses our residents' needs to bridge the digital divide. The plan will document the needs of the community, through surveys, community outreach, workshops, documentation of feedback and available data. The City plans to determine what might impede people from accessing the internet and how best to help them. Accessibility is important, and lack of it can be for a variety of reasons, such as education, training, lack of proper equipment and affordability. The study will pinpoint the root causes for the lack of access, so that we may be able to better serve our community and provide programs that are of true value to our residents. The study will include a robust community outreach approach such as workshops, surveys, and quality engagements with the residents of the City. The deliverable from this study will include a final report, summary of data and an interactive and user-friendly dashboard. The Digital Equity Study is anticipated to take nine (9) months to complete.

FISCAL IMPACT

The City has been awarded $325,000 with no additional matching funds required. Funding will be allocated in Account No. G0157241-724525.

STRATEGIC PLAN

Goal III: Invest in infrastructure to improve community livability.

B. Implement and administer environmentally sustainable programs.

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

B. Provide inclusive access to a variety of supportive services that build a resilient and healthy community.

Prepared by:	Lynn Glidden P.E., Director of Public Works
Certified as to availability of Funds:	Janelle Samson, Director of Finance
Approved by:	Ronda Perez, City Manager
Approved as to form:	William P. Curley, Interim City Attorney

ATTACHMENTS

Agreement No. A-8238 Grant Award Agreement

California Public Utilities Commission
Local Agency Technical Assistance Program

CONSENT FORM

Acknowledgement and Acceptance of Terms

Applicant Name: _____

Key Project Contact: _____

The Grantee identified above acknowledges receipt of the California Public Utilities Commission Resolution T-_____ or Award Letter Dated_____ and agrees to comply with all grant terms, conditions, and requirements set forth in the Resolution or Approval Letter including those in the Local Agency Technical Assistance Rules.

Undersigned representative of _____ [Name of Grantee] is duly authorized to execute this Consent Form on behalf of the Grantee and to bind the Grantee to the terms, conditions, and requirements set forth in California Public Utilities Commission Resolution T-_____ or Award Letter.

Dated this _____ day of _____, 20___.

Signature of Local Agency/Tribe:

_____

Title_____

Printed Name_____

_____

Organization or Name of Local Agency or Tribe:

_____

Business Address (include street address, suite/apt. number, city, state, and ZIP Code):

_____

Telephone Number: _____

Email Address: _____

City Council Staff Report

DATE: **FEBRUARY 15, 2023**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **PUBLIC WORKS**

DISTRICT: **ALL**

SUBJECT: **ADOPT RESOLUTION NO. CC 2023-015 AUTHORIZING CALIFORNIA CHOICE ENERGY AUTHORITY TO ENTER INTO A LONG-TERM RENEWABLE ENERGY AGREEMENT WITH 3DEGREES GROUP, INC. ON BEHALF OF ENERGY FOR PALMDALE'S INDEPENDENT CHOICE**

ISSUE

Adopt Resolution No. CC 2023-015 Authorizing California Choice Energy Authority to enter into a Long-Term Renewable Energy Agreement with 3Degrees Group, Inc. on behalf of Energy for Palmdale's Independent Choice.

RECOMMENDATION

Staff recommends that the City Council adopt Resolution No. CC 2023-015, Authorizing CalChoice to enter into a long-term renewable energy agreement with 3Degrees on behalf of EPIC.

BACKGROUND

In October 2015, the State of California enacted Senate Bill 350 (SB 350), also known as The Clean Energy and Pollution Reduction Act of 2015 (the Act). The Act established new clean energy, clean air, and greenhouse gas reduction goals for the state. Specifically, the Act requires that all load-serving entities, including Community Choice Aggregators (CCAs), enter into long-term renewable energy contracts with energy delivery to begin by the 2021 – 2024 compliance period (Compliance Period 4).

DISCUSSION

EPIC began serving electricity to customers in October 2022 and is required to meet the requirements of SB 350. To meet this requirement, CalChoice, on behalf of EPIC and its other member agencies, has been engaged in contract negotiations for offers through the Request for Offers (RFO) process and through other bilateral opportunities. CalChoice and its legal and technical team have negotiated and finalized commercial and contract terms with 3Degrees on behalf of EPIC. This agreement is for Portfolio Content Category (PCC) 3 renewable energy product originating from several generation facilities. The delivery will begin in 2023 for a period of ten years.

As a condition of the agreement, payment terms are such that the City's general fund is protected, and 3Degrees requires no additional credit or collateral by the City or CalChoice.

This contract volume will fulfill approximately 10% of EPIC's long-term requirements for Compliance Period 4 as mandated by the Act, bringing EPIC's total compliance for Compliance Period 4 to 90%. As such, staff will be returning in the upcoming months with additional contract approval requests to fulfill the remainder of the compliance requirements.

FISCAL IMPACT

$96,750 annually for ten (10) years, beginning in 2023. Sufficient revenues will be generated to cover operating expenses, including power procurement. Funds are budgeted in FY 2022-23 in account 35028001-721461.

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.

Goal III: Invest in infrastructure to improve community livability.

B. Implement and administer environmentally sustainable programs.

Prepared by:	Lynn Glidden, Director of Public Works
Certified as to availability of Funds:	Janelle Samson, Director of Finance
Approved by:	Ronda Perez, City Manager
Approved as to form:	William P. Curley, III, Interim City Attorney

ATTACHMENTS

1. Resolution CC 2023-15
2. Power Purchase and Sale Agreement

CITY COUNCIL
CITY OF PALMDALE, CALIFORNIA
RESOLUTION NO. CC 2023-015

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE TO ADOPT RESOLUTION CC-2023-15 AUTHORIZING CALIFORNIA CHOICE ENERGY AUTHORITY TO ENTER INTO A LONG-TERM RENEWABLE ENERGY AGREEMENT WITH 3DEGREES GROUP, INC. ON BEHALF OF ENERGY FOR PALMDALE'S INDEPENDENT CHOICE

WHEREAS, On April 2, 2019, the Palmdale City Council adopted Ordinance No. 1524, An Ordinance of the Council of the City of Palmdale, California, Establishing a Community Choice Aggregation (CCA) Program; and

WHEREAS*,* The Palmdale CCA program is called Energy for Palmdale's Independent Choice (EPIC); and

WHEREAS*,* EPIC began servicing residential and municipal accounts starting in October 2022 and will begin serving commercial accounts in March 2023; and

WHEREAS, Senate Bill 350 established new clean energy, clean air, and greenhouse gas reduction goals for the state and specifically requires that all load-serving entities, including Community Choice Aggregators (CCAs), enter into long-term renewable energy contracts; and

WHEREAS, California Choice Energy Authority (CalChoice), acting on behalf of EPIC and its other member agencies, engaged in contract negotiations for offers through the Request for Offers (RFO) process and also engaged in other bilateral opportunities to ensure state-mandated requirement compliance; and

WHEREAS, CalChoice has negotiated and finalized commercial contract terms on behalf of EPIC with 3Degres Group Inc. for long-term renewable energy that will comply with state mandates.

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 authorizes CalChoice to enter into a Long-Term renewable energy agreement with 3Degrees Group, Inc.on behalf of EPIC.

SECTION 2. The City Council authorizes EPIC's Executive Director and/or her/his designee to execute all documents needed to authorize CalChoice to move forward with the purchase of EPIC's renewable energy in the above-mentioned agreement with 3Degrees Group, Inc. in order to comply with state-mandated requirements.

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

PASSED, APPROVED and **ADOPTED** this fifteenth day of February 2023.

_____
Laura Bettencourt, Mayor

Approved as to form:

ATTEST:

_____ _____
William P. Curley, III Rochelle Scott, Acting City Clerk
Interim City Attorney

I, Rochelle Scott, Acting 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 15th day of February, 2023 by the following roll call vote:

AYES: _____

NOES:_____

ABSTAIN:_____ABSENT:_____

Date: _____ _____
Rochelle Scott, Acting City Clerk

FINAL
20 JANUARY 2023
3D: 27759

LONG-TERM PURCHASE AGREEMENT FOR PCC3 RECS

THIS LONG-TERM PURCHASE AGREEMENT FOR PCC3 RECS (this "Agreement") is entered into as of the last dated signature on the signature page hereto ("Effective Date"), by and between California Choice Energy Authority, a California joint powers authority, for the benefit of City of Palmdale, a California municipal corporation and charter city ("CalChoice" or "Buyer") and 3Degrees Group, Inc. ("3Degrees" or "Seller"), each referred to herein individually as a "Party" and collectively as the "Parties", regarding the purchase and sale of the Product (as defined below) under the terms and conditions herein.

WHEREAS, Buyer is subject to Section 399.13(b) of the California Public Utilities Code, which requires all California load-serving entities (LSEs) to meet sixty-five (65%) of their California Renewables Portfolio Standard (RPS) obligations with supply contracts of ten years or longer.

WHEREAS, Seller has procured a portfolio of renewable energy supplies, including RECs under one or more long-term power purchase agreement(s) (PPAs).

NOW, THEREFORE, in consideration of the mutual covenants and agreements in this Agreement and for other good and valuable consideration, the sufficiency of which is hereby acknowledged, and intending to be legally bound hereby, the Parties agree as follows:

Product:	As used herein, "Product" shall mean Portfolio Content Category 3 ("PCC 3") RECs that are associated with renewable energy generated by a Project. The delivery obligation for the Product is Firm.
Project:	As used herein, "Project" shall mean one or more of the renewable energy generating facilities listed in Exhibit A, which shall be referred to collectively as the "Projects". Seller may source the Product to meet the Contract Quantity from any Project(s) listed in Exhibit A.
Delivery Term:	Commencing on January 1, 2023 and continuing through December 31, 2032 and continuing through the completion of the payment of amounts due pursuant to this Agreement and the transfer of all RECs to Buyer through WREGIS.
Contract Quantity:	Seller shall deliver to Buyer an annual quantity ("Annual Quantity") of the Product for each year of the Delivery Term, in the quantities set forth in Exhibit B. The Annual Quantity for each year of the Delivery Term will be comprised of RECs with a vintage corresponding to the applicable year set forth in Exhibit B; e.g., REC deliveries for 2023 shall be exclusively RECs associated with renewable energy generated in calendar year 2023, etc. The RECs associated with the Annual Quantity shall be delivered to Buyer through WREGIS no later than April 15th of the year following the year during which the renewable energy was generated; e.g., REC deliveries for 2023 shall be delivered no later than April 15, 2024.
Contract Price:	The price for each MWh of Product delivered to Buyer (the "Contract Price") shall be [redacted] per MWh (*i.e.*, per REC) of Product conveyed to Buyer in accordance with the terms of this Agreement.
REC Transfer:	During the Delivery Term, Seller shall transfer the RECs to Buyer's WREGIS account (Buyer's WREGIS Account Holder Name: City Of Palmdale, Account #: 2028).

Invoicing and Payment: During the Delivery Term, once per quarter, Seller will invoice Buyer for an amount equal to the product of (a) the Contract Price and (b) the portion of the Contract Quantity delivered to Buyer, as evidenced by the quantity of WREGIS Certificates transferred to Buyer's WREGIS account by Seller.

Buyer shall make payment to Seller by wire transfer or ACH payment to the bank account provided on each monthly invoice. Buyer shall pay undisputed invoice amounts on or before the later of (a) the twenty-fifth (25th) day of the month in which the invoice was received or (b) fifteen (15) Business Days after receipt of the invoice. If such due date falls on a weekend or legal holiday, such due date shall be the next Business Day. Buyer is not obligated to pay for any RECs that have not been delivered.

Supporting Data: Because the Product is being sold by Seller to Buyer to facilitate Buyer's compliance with the California Renewables Portfolio Standard, including the requirements of Section 399.13(b) of the California Public Utilities Code and CPUC Decision D.17-06-026, Seller will use reasonable efforts to assist Buyer, if necessary, in timely providing required data and/or documentation, as requested by jurisdictional regulatory authorities, to support Buyer's compliance.

Change in Law Provisions: In the event of a change in law after the Effective Date affecting the ability of the Product to comply with the designated Applicable Program (a "Change in Law"), Seller shall make commercially reasonable efforts to obtain compliance with such Change in Law, provided that Seller shall not be required to spend more than [redacted] during the Delivery Term in Seller's efforts to obtain such compliance. Seller shall keep Buyer reasonably informed of its efforts to obtain compliance. If despite such efforts to obtain compliance, including expenditure by Seller of the amount specified in the preceding sentence, Seller cannot obtain compliance, the Parties shall work in good faith to try and revise this Agreement so that this Agreement complies with the requirements of such Change in Law. In the event the Parties cannot reach agreement on any such amendments to this Agreement after sixty (60) days of commencement of discussions regarding such Change in Law ("Negotiation Period"), then Buyer may terminate this Agreement within thirty (30) days after the Negotiation Period upon written notice to Seller, which shall be effective the next Business Day after such notice is received, and any such termination shall be without further liability to either Party, subject to payment of any amounts owing between the Parties prior to such termination.

Compliance With RPS: Seller represents and warrants to Buyer that the purchase and sale of Product pursuant to this Agreement is a resale and that such resale meets the following additional requirements as of the Effective Date and throughout the Delivery Term:

(i) The Product consists of unbundled Renewable Energy Credits originally associated with generation eligible under the California Renewables Portfolio Standard; or

(ii) The Product consists of RECs eligible under the California Renewables Portfolio Standard.

SPECIAL PROVISIONS:

A. Non-Modifiable Standard Terms and Conditions

(1) Eligibility: Seller, and, if applicable, its successors, represents and warrants that throughout the Delivery Term of this Agreement that: (i) the Project qualifies and is certified by the CEC as an Eligible Renewable Energy Resource ("ERR") as such term is defined in Public Utilities Code Section 399.12 or Section 399.16; and (ii) the Project's output delivered to Buyer qualifies under the requirements of the California Renewables Portfolio Standard. To the extent a change in law occurs after execution of this Agreement that causes this representation and warranty to be materially false or misleading, it shall not be an Event of Default if Seller has used commercially reasonable efforts to comply with such change in law. **[STC 6, Non-Modifiable. (Source: D.07-11-025, Attachment A.) D.08-04-009]**

(2) Applicable Law; Governing Law: This Agreement and the rights and duties of the Parties hereunder shall be governed by and construed, enforced and performed in accordance with the laws of the state of California, without regard to principles of conflicts of law. To the extent enforceable at such time, each Party waives its respective right to any jury trial with respect to any litigation arising under or in connection with this Agreement. **[STC 17, Non-Modifiable. (Source: D.07-11-025, Attachment A) D.08-04-009]**

(3) Transfer of Renewable Energy Credits: Seller and, if applicable, its successors, represents and warrants that throughout the Delivery Term of this Agreement the Renewable Energy Credits transferred to Buyer conform to the definition and attributes required for compliance with the California Renewables Portfolio Standard, as set forth in California Public Utilities Commission Decision 08-08-028, and as may be modified by subsequent decision of the California Public Utilities Commission or by subsequent legislation. To the extent a change in law occurs after execution of this Agreement that causes this representation and warranty to be materially false or misleading, it shall not be an Event of Default if Seller has used commercially reasonable efforts to comply with such change in law. **[STC REC-1, Non-Modifiable. D.11-01-025]**

(4) Tracking of RECs in WREGIS: Seller warrants that all necessary steps to allow the Renewable Energy Credits transferred to Buyer to be tracked in the Western Renewable Energy Generation Information System will be taken prior to the first delivery under the contract. **[STC REC-2, Non-Modifiable. D.11-01-025]**

B. Additional Terms and Conditions

(1) Seller Representations and Warranties. Seller represents and warrants:

(a) The contract for between Seller and upstream counterpart(ies) for each generating facility set forth in Exhibit A must have a delivery term of at least ten (10) years;

(b) At the time of delivery, all rights, title, and interest in the Product are free and clear of all liens, taxes, claims, security interests, or other encumbrances of any kind whatsoever;

(c) Seller has not sold the Product to be transferred to Buyer to a third party;

(d) the Product meets the requirements set forth in PUC Code 399.16(b)(3) and the RPS compliance requirements for Portfolio Content Category 3 as set forth in CPUC Decision 11-12-052; and

(e) the Product meets the requirements of PUC Code 399.13(b) and CPUC Decision D.17-06-026.

(2) Buyer Representations and Warranties. Buyer represents and warrants that Buyer has taken all necessary steps to establish a WREGIS account to receive the RECs to be transferred from Seller to Buyer prior to the first delivery under this Agreement.

C. Additional Provisions

(1) Confidentiality. Each Party recognizes that this Agreement is subject to the requirements of the California Public Records Act (Government Code Section 6250 et seq.).

(2) Force Majeure. If either Party is rendered unable, wholly or in part, by Force Majeure to carry out its obligations with respect to this Agreement, then upon such Party's giving notice and full particulars of such Force Majeure as soon as reasonably possible after the occurrence of the cause relied upon, the obligations of the Claiming Party will, to the extent they are affected by such Force Majeure, be suspended during the continuance of said inability, but for no longer period, and the Claiming Party will not be liable to the other Party for, or on account of, any loss, damage, injury or expense resulting from, or arising out of such event of Force Majeure.

(3) Events of Default. An "Event of Default" shall mean, with respect to a Party (a "Defaulting Party"), the occurrence of any of the following:

(a) the failure to make, when due, any payment required pursuant to this Agreement if such failure is not remedied within ten (10) Business Days after written notice;

(b) any representation or warranty made by such Party herein is false or misleading in any material respect when made or when deemed made or repeated;

(c) the failure to perform any material covenant or obligation set forth in this Agreement (except to the extent constituting a separate Event of Default, and except for such Party's obligations to deliver or receive the Product) if such failure is not remedied within thirty (30) after written notice; and

(d) such Party becomes bankrupt.

(4) Termination. If an Event of Default with respect to a Defaulting Party shall have occurred and be continuing, the other Party (the "Non-Defaulting Party") shall have the right (i) to designate a day, no earlier than the day such notice is effective and no later than 20 days after such notice is effective, as an early termination date ("Early Termination Date") to terminate the Agreement, (ii) withhold any payments due to the Defaulting Party under this Agreement and (iii) suspend performance. The Non-Defaulting Party shall calculate, in a commercially reasonable manner, a Settlement Amount as of the Early Termination Date. If the Settlement Amount is negative, the amount shall be deemed to be zero and no payment shall be made to the Defaulting Party.

(5) Limitation of Liability. UNLESS EXPRESSLY HEREIN PROVIDED, NEITHER PARTY SHALL BE LIABLE FOR CONSEQUENTIAL, INCIDENTAL, PUNITIVE, EXEMPLARY OR INDIRECT DAMAGES, LOST PROFITS OR OTHER BUSINESS INTERRUPTION DAMAGES, BY STATUTE, IN TORT OR CONTRACT, UNDER ANY INDEMNITY PROVISION OR OTHERWISE. IT IS THE INTENT OF THE PARTIES THAT THE LIMITATIONS HEREIN IMPOSED ON REMEDIES AND THE MEASURE OF DAMAGES BE WITHOUT REGARD TO THE CAUSE OR CAUSES RELATED THERETO, INCLUDING THE NEGLIGENCE OF ANY PARTY, WHETHER SUCH NEGLIGENCE BE SOLE, JOINT OR CONCURRENT, OR ACTIVE OR PASSIVE. TO THE EXTENT ANY DAMAGES REQUIRED TO BE PAID HEREUNDER ARE LIQUIDATED, THE PARTIES ACKNOWLEDGE THAT THE DAMAGES ARE DIFFICULT OR IMPOSSIBLE TO DETERMINE, OR OTHERWISE OBTAINING AN ADEQUATE REMEDY IS INCONVENIENT AND THE DAMAGES CALCULATED HEREUNDER CONSTITUTE A REASONABLE APPROXIMATION OF THE HARM OR LOSS.

(6) Assignment. Neither Party shall assign this Agreement or its rights hereunder without the prior written consent of the other Party, which consent may be withheld in the exercise of its sole discretion.

(7) Credit Requirements. Notwithstanding any other provision of the Agreement, credit support is not required for either Party under this Agreement.

(8) Notices. All notices, requests, statements or payments shall be made as specified in Exhibit C. Notices shall, unless otherwise specified herein, be in writing and may be delivered by hand delivery, email, United States mail, or overnight courier service. Notice by hand delivery or email shall be effective at the close of business on the day actually received, if received during business hours on a Business Day, and otherwise shall be effective at the close of business on the next Business Day. Notice by overnight United States mail or courier shall be effective on the next Business Day after it was received. A Party may change its addresses by providing notice of same in accordance herewith.

(9) Counterparts. This Agreement may be signed in any number of counterparts with the same effect as if the signatures to the counterparts were upon a single instrument. The Parties may rely on electronic, or scanned signatures as originals under this Agreement. Delivery of an executed signature page of this Agreement as a PDF attachment to an email shall be the same as delivery of a manually executed signature page.

(10) Entire Agreement; No Oral Agreements or Modifications. This Agreement sets forth the terms of the transaction into which the Parties have entered and shall constitute the entire agreement between the Parties relating to the contemplated purchase and sale of the Product. Notwithstanding any other provision of the Agreement, this Agreement may only be entered into pursuant to a written document executed by both Parties, and no amendment or modification to this Agreement shall be enforceable except through a written document executed by both Parties.

(11) No Recourse to Members of Buyer. Buyer is organized as a Joint Powers Authority in accordance with the Joint Exercise of Powers Act of the State of California (Government Code Section 6500, et seq.) and is a public entity separate from its constituent members. Buyer will solely be responsible for all debts, obligations and liabilities accruing and arising out of this Agreement; provided that Buyer's obligations to make payments hereunder are (i) to be made solely from the Secured Account of the City of Palmdale, and (ii) do not constitute any kind of indebtedness of Buyer or (iii) create any kind of lien on, or security interest in, any property or revenues of Buyer. Seller will have no rights and will not make any claims, take any actions or assert any remedies against any of Buyer's constituent members, including the City of Palmdale, or the officers, directors, advisors, contractors, consultants or employees of Buyer or Buyer's constituent members, in connection with this Agreement.

D. Definitions/Interpretations

For purposes of this Agreement, the following definitions shall apply:

"Applicable Program" means the California Renewables Portfolio Standard.

"California Renewables Portfolio Standard" means the renewable energy program and policies, codified in California Public Utilities Code Sections 399.11 through 399.32 and California Public Resources Code Sections 25740 through 25751, as such provisions are amended or supplemented from time to time, including without reservation the requirements of California Public Utilities Code Section 399.13(b) and CPUC Decision D.17-06-026.

"CEC" means the California Energy Commission or its regulatory successor.

"Costs" means, with respect to the Non-Defaulting Party, brokerage fees, commissions and other similar third party transaction costs and expenses reasonably incurred by such Party either in terminating any arrangement pursuant to which it has hedged its obligations or entering into new arrangements which replace the Agreement; and all reasonable attorneys' fees and expenses incurred by the Non-Defaulting Party in connection with the termination of the Agreement.

"CPUC" means the California Public Utilities Commission or its regulatory successor.

"FERC" means the Federal Energy Regulatory Commission or its regulatory successor.

"Firm" means that Seller's delivery obligation shall be excused only for reasons of Force Majeure.

"Force Majeure" means an event or circumstance which prevents one Party from performing its obligations under the Agreement, which event or circumstance was not anticipated as of the Effective Date, which is not within the reasonable control of, or the result of the negligence of, the claiming party, and which, by the exercise of due diligence, the claiming party is unable to overcome or avoid or cause to be avoided. Force Majeure shall not be based on (i) the loss of Buyer's markets; (ii) Buyer's inability economically to use or resell the Product purchased hereunder; (iii) the loss or failure of Seller's supply; or (iv) Seller's ability to sell the Product at a price greater than the Contract Price.

"Gains" means, with respect to any Party, an amount equal to the present value of the economic benefit to it, if any (exclusive of Costs), resulting from the termination of the Agreement, determined in a commercially reasonable manner.

"Losses" means, with respect to any Party, an amount equal to the present value of the economic loss to it, if any (exclusive of Costs), resulting from termination of the Agreement, determined in a commercially reasonable manner.

"Renewable Energy Credit" or "REC" has the meaning set forth in CPUC Decision 08-08-028, as such definition may be modified by the CPUC or applicable law from time to time.

"Secured Account" means the account, which is set aside and pledged by the City of Palmdale to satisfy Buyer's obligations hereunder and out of which amounts shall be paid to satisfy all of Buyer's obligations under this Agreement.

"Settlement Amount" means, with respect to the Non-Defaulting Party, the Losses or Gains, and Costs, expressed in U.S. Dollars.

"STC" stands for Standard Terms and Conditions of the CPUC relating to purchase and sales of the Product.

"WECC" means the Western Electricity Coordinating Council or its successor organizations.

"WREGIS" means the Western Renewable Energy Generation Information System or its successor systems.

IN WITNESS WHEREOF, the Parties have signed this Agreement effective as of the Effective Date.

3DEGREES GROUP, INC.

By: _____

Name: _____

Title: _____

Date: _____

CALIFORNIA CHOICE ENERGY AUTHORITY, a California joint powers authority

By: _____

Name: _____

Title: _____

Date: _____

Acknowledged:

CITY OF PALMDALE, a California municipal corporation and charter city

By: _____

Name: _____

Title: _____

Date: _____

EXHIBIT A

Renewable Energy Projects

Facility	CEC RPS ID	Location
Spanish Fork Wind Park 2		
Horse Butte Wind I, LLC		
Montezuma Solar Project		
Rocky Ford Solar Project		
South Peak Wind Farm		
Escalante Solar I		
Granite Mountain Solar West		
Granite Mountain Solar East		
Clover Creek		
Mountain Air Wind Projects		
Goodnoe Hills		
Glenrock		
Wolverine Creek		
Leaning Juniper		
Marengo Wind Plant		
Marengo Wind Plant II		
Mountain Wind Power		
Carousel Wind		
Colorado Highlands Wind		
Niyol Wind		
Top of the World Windpower Project		
Biomass One LP 2		
Biomass One LP		

EXHIBIT B

Contract Quantity



EXHIBIT C

Notices

Seller: 3Degrees Group, Inc.	**Buyer**: California Choice Energy Authority
All Notices: 3Degrees Group, Inc. Attn: Contracts Manager 235 Montgomery Street, Suite 320 San Francisco, CA 94104 Phone: (415) 308-5214 Email: settlements@3degrees.com Duns: Federal Tax ID Number:	**All Notices:** California Choice Energy Authority Attn: Cathy DeFalco 44933 Fern Avenue Lancaster, CA 93534 Phone: 805-260-9047 Email: Cathy@CalChoice.org Duns: 82-852-4566 Federal Tax ID Number: 95-3213004
Invoices: 3Degrees Group, Inc. Attn: Accounts Payable 235 Montgomery Street, Suite 320 San Francisco, CA 94104 Phone: (415) 794-6485 Email: settlements@3degrees.com	**Invoices:** Attn: Kirby Dusel Phone: (916) 936-3302 Email: kirby@pacificea.com
Payments: 3Degrees Group, Inc. Attn: Accounts Receivable 235 Montgomery Street, Suite 320 San Francisco, CA 94104 Phone: (415) 794-6485 Email: accounting@3degrees.com	**Payments:** Attn: Kirby Dusel Phone: (916) 936-3302 Email: kirby@pacificea.com
Scheduling: Attn: Tel: (DA CAISO Desk) Tel: (Real Time Desk) Email:	**Scheduling:** Attn: Kirby Dusel Phone: (916) 936-3302 Email: kirby@pacificea.com
Wire Transfer: Beneficiary Bank Name: California Bank of Commerce 3595 Mt. Diablo Blvd 2nd Floor Lafayette, CA 94549 Routing/ABA: 121 144 696 Beneficiary: 3Degrees Group, Inc. Account # 1043868	**Wire Transfer:** BNK: Wells Fargo ABA:121000248 ACCT: *****8540
Credit and Collections: Attn: Phone: Email:	**Credit and Collections:** Attn: Tammie Holladay Phone: 888-639-2411 Email: Tammie@CalChoice.org

Defaults: Attn: Phone: Email: **With a copy to:** Address: Attn: Phone: Email:	**Defaults:** Allison Burns, General Counsel 44933 Fern Avenue Lancaster, CA 93534 Phone: (949) 725-4187 Email: aburns@stradlinglaw.com **With a copy to:** Hall Energy Law PC Attn: Stephen Hall Phone: (503) 313-0755 Email: steve@hallenergylaw.com

MINUTES
CITY COUNCIL/HOUSING AUTHORITY
CITY HALL COUNCIL CHAMBER
38300 SIERRA HIGHWAY, SUITE B
PALMDALE, CALIFORNIA
JANUARY 18, 2023

www.cityofpalmdale.org

5:00 P.M.

1) CALL MEETINGS TO ORDER

Mayor Bettencourt called the meeting to order at 5:07 pm.

2) ROLL CALL MAYOR/CHAIR BETTENCOURT, MAYOR PRO TEM/VICE CHAIR ALARCÓN, COUNCILMEMBERS/COMMISSIONER BISHOP, LOA, OHLSEN COMMISSIONERS FRAGA-SAENZ, DENNY

PRESENT: Laura Bettencourt, Andrea Alarcón, Richard J. Loa, Eric Ohlsen, Christina Fraga-Saenz, Phil Denny.

ABSENT: Austin Bishop.

Motion: Excuse the absence of Austin Bishop.
Moved by Laura Bettencourt, seconded by Eric Ohlsen.

Vote: Motion carried (6-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen, Christina Fraga-Saenz, Phil Denny.
Absent: Austin Bishop.

3) PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Jason Zink commented regarding lawsuits, Dr. Mach's project, City Attorney and City Manager review and compensation, and potential projects.

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

4) PRESENTATION BY CITY ATTORNEY

Interim City Attorney Porter stated all items would be heard as listed, Mayor Pro Tem Alarcón would recuse herself from Item 4.1 due to a conflict of interest, and on Item 4.3 the City's representative should be him and 4.5 the City's representative should be Interim City Manager Perez.

4.1) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Shanae Smith, Patricia Nevarez and Michael "Mike" Behen vs. City of Palmdale, et al. Los Angeles County Superior Court Case No. 22STCV18219
This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).

4.2) CONFERENCE WITH REAL PROPERTY NEGOTIATORS Property Address: Vacant land located at 4th Street East near East Avenue P-14 (APN 3006-006-040)
Negotiators for Housing Authority: Mike Miller, Interim Assistant City Manager and Sophia Reyes, Housing Manager Negotiator for
Property Owner: Eugene and Betty Bliley Trust Under Negotiation: Price and terms of payment

4.3) CONFERENCE WITH LABOR NEGOTIATORS

City representative: Scott Porter, Interim City Attorney

Unrepresented employee: Ronda Perez, Interim City Manager

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

4.4) PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: Interim City Attorney

Name: Scott E. Porter

4.5) CONFERENCE WITH LABOR NEGOTIATORS

City designated representatives: Ronda Perez, Interim City Manager

Unrepresented employee: City Attorney

5) ANNOUNCEMENT BY CITY ATTORNEY

Closed Session was held from 5:13 p.m. - 7:05 p.m.

Interim City Attorney Porter announced Items 4.1 and 4.2 were discussed and there was no reportable action and indicated that the other items were under discussion and after the open session the City Council will return back to the Closed Session to discuss the items.

6) ADJOURN CLOSED SESSION MEETING

Mayor Bettencourt adjourned the Closed Session meeting at 7:06 pm.

7:00 P.M.

Mayor Bettencourt called the meeting to order at 7:07 p.m.

7) PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

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 Andrea Alarcón.

Vote: Motion carried (4-0)
Yes: Laura Bettencourt, Andrea Alarcón, Richard J. Loa, Eric Ohlsen.
Absent: Austin Bishop.

9) PUBLIC COMMENTS ON CONSENT CALENDAR ITEMS ONLY

Jason Zink commented regarding a Joshua tree mitigation plan and preservation.

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

10) CONSENT CALENDAR

10.1) Approve Final Tract Map No. 73068 (located at Palmdale Blvd. and 52nd Street East). (Staff Reference: Director of Public Works Glidden)

10.2) Adopt Resolution No. CC 2023-011, a Resolution of the City Council of the City of Palmdale Making Legally Required Findings for Extending Remote Teleconference Participation for Meetings of the City Council and its Related and/or Subordinate Legislative Bodies. (Staff Reference: Interim City Attorney Porter)

Motion: Approve all items listed on the Consent Calendar.
Moved by Richard J. Loa, seconded by Laura Bettencourt.

Vote: Motion carried (4-0)
Yes: Laura Bettencourt, Andrea Alarcón, Richard J. Loa, Eric Ohlsen.
Absent: Austin Bishop.

11) PUBLIC HEARING

11.1) INTRODUCTION AND ADOPTION OF ORDINANCE NO. 1608, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE AMENDING PALMDALE MUNICIPAL CODE SECTION 2.08.030 PROVIDING FOR COMPENSATION FOR BOARD, COMMISSION AND COMMITTEE MEMBERS AND LIMITING SERVICE TO ONE BOARD, COMMISSION OR COMMITTEE AT A TIME

ADOPT RESOLUTION NO. CC 2023-008, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE REPEALING RESOLUTION NO. 89-74 REGARDING COMPENSATION FOR MEMBERS OF THE PLANNING COMMISSION

ADOPT RESOLUTION NO. CC 2023-009, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE REPEALING RESOLUTION NO. 95-157 REGARDING COMPENSATION FOR MEMBERS OF THE MOBILE HOME PARK RENTAL REVIEW BOARD REGARDING COMMISSION COMPENSATION

Mayor Bettencourt read the title of Ordinance No. 1608. Interim City Manager Perez provided a detailed overview of the staff report.

Mayor Bettencourt asked for the significance of having someone from the Planning Commission on the Public Art Commission. Interim City Manager Perez stated the benefit of having a Planning Commissioner on the Public Art Commission is to ensure that the two commissions are in sync with any development that takes place and future art that would be a part of that development.

Interim City Attorney Porter stated in addition there are two proposed revisions to the ordinances before Council and the first would be to add a line on page two of the ordinance in subsection H, "and each member of any board, commission or committee may decline to receive all compensation." The second revision would be to add a new Section 2 that states, "SECTION 2. Effective Date. This ordinance shall become effective on the 30th day after its adoption. Notwithstanding the foregoing, the revisions to Subsection G of 2.08.030, of the Municipal Code shall not apply to the membership of the Mobile Home Park Rental Review Board until July 1, 2023." and renumber the sections after the addition.

Mayor Bettencourt called for Public Testimony.

The following individuals provided public input:

Housing Commissioner Denny spoke in opposition to the amount of compensation proposed in Ordinance No. 1608.

Jason Zink commented in opposition to the compensation proposed in Ordinance No. 1608 and suggested City discounts and event tickets for community members who serve on City of Palmdale boards, commissions, committees.

A motion was made and carried unanimously to close Public Testimony.

Discussion ensued regarding the analysis that was done by staff, meeting frequency, length of meetings, members opting out and waiving the compensation.

Mayor Bettencourt requested that the members be compensated one-hundred dollars ($100) for attending required trainings. Councilmember Loa asked with Mayor Pro Tem Alarcón's requested changes, should there also be language stating that if they decline to receive the compensation would it excuse them from complying with the other requirements. Interim City Attorney Porter stated it is implicit and it can be left as drafted. Discussion ensued regarding the appreciation for those who serve the city, and employee discount cards.

Mayor Bettencourt directed staff to investigate providing employee discount cards or event tickets to the members who serve on boards, commissions, and committees.

Discussion ensued regarding the Mobile Home Rental Review Board and the compensation cap.

Motion: Introduce and Adopt Ordinance No. 1608 with amendments, and Adopt Resolution Nos. CC 2023-008 and CC 2023-009

Moved by Andrea Alarcón, seconded by Richard J. Loa.

Vote: Motion carried (4-0)
Yes: Laura Bettencourt, Andrea Alarcón, Richard J. Loa, Eric Ohlsen.
Absent: Austin Bishop.

12) WORKSHOP PRESENTATIONS

12.1) Presentation of "Say it, Don't Spray it" Campaign - City of Palmdale Graffiti Abatement Efforts. (Staff Reference: Community Compliance Manager Gallagher)

Community Compliance Manager Gallagher provided a detailed presentation on this item. Captain Shaffer and Detective Hanley of the Palmdale Sheriff's Department reported on the efforts of combatting the graffiti problem. Discussion ensued regarding saturation patrol, youth diversion, school outreach, implementing of an art component to traffic signal boxes, wrapping utility boxes, creation of a community group to clean graffiti, adopt-a-wall program, We-Tip, Crime Stoppers, private property procedures, and advertising for paint gift cards.

Interim City Manager Perez suggested the creation of a release of liability form that will allow the City of Palmdale to remove graffiti from private property.

There was further discussion among staff and Council regarding the use of street maintenance and park staff to remove graffiti, and the status of the graffiti abatement truck.

Mayor Bettencourt suggested enhancing staff or creating a graffiti specialist position in the upcoming budget.

Mayor Bettencourt opened the Public Comments.

The following individuals provided public comments:

Jason Zink commented on adopting city colors, landscaping citywide, interactive map, spring cleaning event, and gift cards.

Laurel Forrest spoke regarding a graffiti abatement proposal and youth community service projects.

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

12.2) Economic Development Update: 2022 Contributions Impactful to Our Community and a Look Forward at 2023. (Staff Reference: Senior Economic Development Management Analyst Schuler)

Senior Management Analyst Schuler provided a detailed presentation on this item.

The following individuals provided public comments:

Jason Zink commented on economic development, conducting a commuter study, IRS jobs, Enhanced Infrastructure Finance District, and Measure J funds.

Laurel Forrest commented on accessory dwelling units (ADU's).

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

Mayor Bettencourt requested a presentation from AV Edge. Senior Management Analyst Schuler announced AV Edge is scheduled for the next City Council meeting.

Mayor Pro Tem Alarcón stated she would like to expand and learn more about the Accounting Bootcamp. Senior Management Analyst Schuler reported that all information was offered in English and Spanish, and that they worked closely with all the Chambers to help advertise and promote the program.

Councilmember Loa encouraged outreach to businesses to come to Palmdale.

13) PUBLIC COMMENTS ON NON-AGENDA ITEMS

The following individuals provided public comments:

Rob Duchow, Public Affairs Manager for Southern California Gas Company, informed Council and the public that natural gas prices are increasing, shared the reasons for the increase, and provided customers with several ways to lower their gas bills and how to receive bill assistance. Mayor Bettencourt asked if it was a permanent increase and Mr. Duchow stated it seems to be.

Jason Zink commented regarding the Rose Parade, Antelope Economic Opportunity Zone, Desert Sands Parks, Measure J, senior discounts from Spectrum, Littlerock Dam, and the AV unhoused.

14) CITY MANAGER'S REPORT

Interim City Manager Perez announced the Justice Sunday performance celebrating Martin Luther King, Jr. Day would be held at the Palmdale Playhouse on Sunday, January 18, 2023.

The following Council requests were made:

Mayor Pro Tem Alarcón announced the Planning Commissioner application period was open and encouraged the public to apply online. She directed staff to provide a report on whether or not the City can enact a waiver for any permitting fees for those who apply for permits to create public art as a graffiti abatement measure.

Councilmember Ohlsen directed staff to bring back a discussion item regarding creating a Criminal Justice Committee or Commission.

Mayor Pro Tem Alarcón announced Los Angeles County has authorized nine (9) new academies for the hiring of sheriff's. She directed staff to provide information on the timeline of the new academy's and create incentives for new deputies to come out to the Antelope Valley.

Councilmember Loa requested an update on the following major projects: Palmdale Airport, Brightline, High Speed Rail, and other projects that are coming in for industry and business.

Mayor Bettencourt asked if the Council district requests should be posted online for the public. Interim City Manager Perez stated it is important to be transparent with what the City is taking action on, but it is a conversation to have during the Council session for setting goals.

15) ADJOURN

Mayor Bettencourt adjourned the open session meeting at 9:09 pm and announced that the Council would rejoin the Closed Session meeting.

The rejoined Closed Session meeting was held from 9:09 pm - 10:23 pm.

Interim City Attorney Porter announced there was no reportable action on Item 4.3.

Interim City Manager Perez announced there was no reportable action on Item 4.4. On Item 4.5, City Council on a 4-0 Vote, with Councilmember Bishop absent, opted to request that Harper & Burns LLP provide Interim City Attorney Services on a month-to-month basis. In addition, the Council has also provided direction to the Interim City Manager to begin a nationwide recruitment to fill the position of City Attorney for the City of Palmdale.

Mayor Bettencourt adjourned the meeting at 10:25 p.m.

PASSED, APPROVED, and ADOPTED this 15th day of February 2023.

_____
Laura Bettencourt, Mayor

ATTEST:

_____
Rochelle Scott, Acting City Clerk

City Council Staff Report

DATE: **FEBRUARY 15, 2023**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **NEIGHBORHOOD SERVICES,**
COMMUNITY COMPLIANCE DIVISION

DISTRICT: **ALL**

SUBJECT: **INTRODUCTION AND ADOPTION OF ORDINANCE NO. 1606, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE REVISING, DELETING, ADDING, AND STREAMLINING SELECTED PROVISIONS OF THE PALMDALE MUNICIPAL CODE TO PROMOTE PUBLIC HEALTH, SAFETY AND WELFARE RELATED TO SIDEWALK VENDING, MOBILE FOOD VENDING, AND FOOD FACILITY REGULATIONS TO STREAMLINE AND ENSURE CONSISTENCY WITH STATE LAW (AMENDING PMC SECTIONS 5.04.590, 5.04.150, 5.04.190, 8.24.210; ADDING PMC SECTION 5.04.600; ADDING PMC CHAPTER 8.46; REPEALING AND DELETING PMC SECTIONS 8.04.105, 10.04.120); AND ADOPTION OF RESOLUTION NO. CC 2023-014, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE APPROVING PERMIT FEES FOR SIDEWALK VENDING AND MOBILE VENDING**

ISSUES

Introduction and adoption of Ordinance No. 1606, an Ordinance of the City Council of the City of Palmdale revising, deleting, adding, and streamlining selected provisions of the Palmdale Municipal Code to promote public health, safety and welfare related to sidewalk vending, mobile food vending, and food facility regulations to streamline and ensure consistency with state law (amending PMC sections 5.04.590, 5.04.150, 5.04.190, 8.24.210; adding PMC section 5.04.600; adding PMC chapter 8.46; repealing and deleting PMC sections 8.04.105, 10.04.120); and

Adoption of Resolution No. CC 2023-014, a Resolution of the City Council of the City of Palmdale approving permit fees for Sidewalk Vending and Mobile Vending.

RECOMMENDATION

Staff recommends that the City Council:

1. Receive public testimony; and
2. Adopt Ordinance No. 1606 and Resolution No. CC 2023-014.

BACKGROUND

In recent years state law enactments and decisions have provided guidance on public vending and safety standards for food facilities, which require updating the Palmdale Municipal Code ("PMC") to ensure consistency and compliance with state law.

Additionally, Palmdale has experienced an influx of public vending related concerns such as vendors operating under conditions posing imminent health and safety hazards to the public, noise and disturbance complaints in residential areas attributable to amplified sound produced by mobile vendors, and an increase in littering associated with lack of proper trash receptacles for vendors. These are just some of the vending concerns addressed in Ordinance No. 1606.

As such, this ordinance will revise, delete, add, and streamline PMC provisions related to sidewalk vending, mobile food vending, and food facility regulations to ensure that the PMC comports with recent state law enactments and to achieve more efficient enforcement of related violations to promote public health, safety, and welfare. The proposed ordinance addresses 3 kinds of regulations:

- Regulations for sidewalk vending consistent with Government Code section 51036 et seq.;
- Regulations of mobile vending including both vehicular and pedestrian solicitor vending; and
- Regulations of food facilities consistent with California Health and Safety Code section 113700, et seq.

The outcome of this ordinance will be to provide greater efficiency for the City of Palmdale's ("City") code enforcement efforts related to vending and food facilities, enhanced transparency, clarity, and ease of reference for the public concerning regulations related to vending and food facilities, and continued compliance with state laws to avoid any conflict between state and local law.

The concurrent resolution ensures that the City sets reasonable fees for the associated new business permits that are created through Ordinance No. 1606.

DISCUSSION

Ordinance No. 1606 makes the following key proposals:

The proposed repeal and deletion of Section 8.04.105 ensures regulation of sidewalk vending in the City is in compliance and consistent with California Senate Bill 946—codified in Government Code section 51036 et seq. and streamlines the City's vending procedures and processes as regulated in Section 5.04.590 and Chapter 8.46.

The proposed addition of Section 5.04.590 regulates sidewalk vending in the City in compliance with and consistent with California Senate Bill 946—codified in Government Code section 51036 et seq.—to ensure clear guidance, include constitutionally reasonable time, place, and manner restrictions to promote health, safety, and welfare concerns, and provide for enforcement remedies. Of note:

- PMC section 5.04.590(C), (D) requires a City business permit and special City business permit for operations;
- PMC section 5.04.590(E) allows for the use of California driver's license or identification card, taxpayer identification number or a municipal identification number in lieu of a Social Security Number for licensing;
- PMC section 5.04.590(F) establishes operational standards, including size limitations of carts, times of operation, areas of operation, and requiring vendors to provide adequate trash receptacles;
- PMC section 5.04.590(G) prohibits vending from carts in certain locations due to health, safety, and welfare concerns;
- PMC section 5.04.590(H) requires that food preparation comply with all State and local licensing requirements; and
- PMC section 5.04.590(I) specifies the penalties for violations of the section, including fines. It allows for any person who receives a fine to request an ability-to-pay determination for a fine reduction and offers the City Manager the discretion to allow community service, waive, or offer an alternative approach.

The proposed amendments to Sections 5.04.150 and 5.04.190 account for additional businesses, sidewalk vending and mobile vending, that require permits before business operation and removal of the pre-hearing requirement for issuance of certain business permits. Removal of the pre-hearing requirement for certain business permits reduces City costs and expenditure of City staff time on such review given that the PMC already has existing built-in procedures for any grievance if a permit is denied including availability of appeal, hearings, and related relief.

The proposed addition of Section 5.04.600 regulates mobile vending (vehicular vending and pedestrian solicitor vending) to ensure clear guidelines, streamline vending provisions, and include constitutionally reasonable time, place, and manner restrictions

to promote health, safety, and welfare concerns, and provide for enforcement remedies. Specifically:

- PMC section 5.04.600(D) requires vehicle operators and pedestrian solicitors to obtain business permits and sets forth requirements for permit applications, reasons for City denial of a permit, and streamlines appeal procedure for business permit denial with other business license appeals;
- PMC section 5.04.600(E) sets forth reasons for City suspension and revocation of permits, and streamlines appeal procedure for business permit suspension and revocation with other business license appeals; and
- PMC section 5.04.600(F) establishes conditions and prohibitions for vending such as restricted sales, information required to be made available to the public and City, permitted and restricted locations for vending, sanitation and trash requirements, operational requirements – hours of operation, use of amplified sounds, equipment prohibited, and prohibited sales, and additional regulations on ice cream truck vending to be consistent with safety requirements mandated in California Vehicle Code Section 22456.

The proposed addition of Chapter 8.46 places regulations on food facilities (restaurants, markets, delis, cafeterias, vending machines, certified farmers' markets and notably mobile food facilities) to protect the public health, safety, and general welfare by providing authority for enforcement officers to inspect food facilities for imminent health hazards and greater enforcement options via closure of food facilities presenting imminent health hazards or impounding specific equipment and food presenting imminent health hazard. The Chapter provides for dual enforcement; Los Angeles County maintains primary enforcement authority while allowing Palmdale a limited enforcement role as it pertains to taking action to address imminent health hazards. The proposed Chapter provides clear guidelines for inspections of food facilities, closure of food facilities presenting imminent health hazards, impounding food and equipment presenting an imminent health hazard, and storage, reclamation, and disposition process for impounded food and equipment, violations and penalties for operating a food facility with imminent health hazards, and administrative hearings for permit suspensions. This Chapter references its source of authority, the California Health and Safety Code, throughout and heavily relies on the Code citing it in the definitions, as the authority to inspect, and for all procedures.

The proposed repeal and deletion of Section 10.04.120 ensures regulation of sidewalk vending and mobile vending are streamlined, and the PMC is in compliance and consistent with all applicable State law.

Resolution No. CC 2023-014 accordingly sets sidewalk vendor business permits and the related business permit fee amounts, vehicle operator business permits and the related business permit fee amount, pedestrian solicitor business permits and the

related business permit fee amounts, and temporary use permits for food truck mobile vending in residential zones and the related temporary use permit fee amount.

FISCAL IMPACT

There is no fiscal impact associated with this action.

STRATEGIC PLAN

Maintain effective public safety and promote health, safety, and welfare concerns relating to public vending.

Prepared by:	Sara Gallagher, Community Compliance Manager
Certified as to availability of Funds:	Janelle Samson, Director of Finance
Approved by:	Ronda Perez, City Manager
Approved as to form:	William P. Curley, III, Interim City Attorney

ATTACHMENTS

1. Ordinance No. 1606
2. Resolution No. CC 2023-014

CITY OF PALMDALE
ORDINANCE NO. 1606

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE TO PROMOTE PUBLIC HEALTH, SAFETY AND WELFARE BY DELETING, AMENDING, AND ADDING SELECT PROVISIONS OF THE PALMDALE MUNICIPAL CODE RELATED TO SIDEWALK VENDING, MOBILE FOOD VENDING, AND FOOD FACILITY REGULATIONS TO STREAMLINE AND ENSURE CONSISTENCY WITH STATE LAW

WHEREAS, Section VII of Article XI of the California Constitution provides that a City may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws;

WHEREAS, the City Council finds it necessary to update, consolidate, and streamline the Palmdale Municipal Code ("PMC") periodically to comply with recent state law enactments and decisions and to achieve more efficient enforcement of code violations to promote public health, safety, and welfare;

WHEREAS, in light of recent state law enactments and decisions as well as recent efforts to ensure more efficient enforcement of the Palmdale Municipal and other laws which the City is empowered to enforce, the City Council has identified amendments, adoptions, and/or deletions to be made to the Palmdale Municipal code relating to regulations on street vendors; and other related provisions;

WHEREAS, recent California Senate Bill 946—codified in Government Code sections 51036 to 51039—limited local authorities' ability to regulate street vendors, including methods of enforcement, and as a result, the City Council has identified key changes to its current enforcement scheme in the PMC to comply with the new law;

WHEREAS, the City wishes to ensure that the PMC's provisions for sidewalk vending, other forms of mobile vending including food truck and ice cream truck vending, and regulation of food facilities are consistent with State law for accuracy of enforcement and transparency for the public; and

WHEREAS, said amendments, adoptions, and/or deletions of the Palmdale Municipal Code are permitted by law, including the California Constitution, Government Code, and Civil Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PALMDALE HEREBY ORDAINS AS FOLLOWS:

SECTION 1: Section 8.04.105 of Title 8 of the Palmdale Municipal Code is hereby repealed and deleted in its entirety; however such repeal shall not affect or excuse any violation of said Section that occurred prior to the effective date of this Ordinance, nor shall such repeal impede, deter, impact, or negate any administrative, civil, or criminal enforcement of any violation of said Section that occurred prior to the effective date of this Ordinance.

SECTION 2: Section 5.04.590 of Title 5 of the Palmdale Municipal Code is hereby amended to read as follows:

5.04.590 Sidewalk Vending

(A) Definitions. As used in this Section, the terms listed below shall have the following meaning assigned to them:

(1) "Cart" means a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance.

(2) “Certified Farmers’ Market” means a location operated in accordance with Chapter 10.5 (commencing with Section 47000) of Division 17 of the Food and Agricultural Code and any regulations adopted pursuant to that chapter.

(3) “Roaming Sidewalk Vendor” means a sidewalk vendor who moves from place to place and stops only to complete a transaction.

(4) “Sidewalk Vendor” means a person who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance, or from one's person, upon a public sidewalk or other pedestrian path. Sidewalk vendors include roaming sidewalk vendors and stationary sidewalk vendors.

(5) “Stationary Sidewalk Vendor” means a sidewalk vendor who vends from a fixed location.

(6) “Swap Meet” means a location operated in accordance with Article 6 (commencing with Section 21660) of Chapter 9 of Division 8 of the Business and Professions Code, and any regulations adopted pursuant to that article.

(7) “Vend” or “Vending” means operating as a sidewalk vendor.

(B) Applicability. The requirements of this chapter shall not apply to the following persons:

(1) Persons delivering goods, wares, merchandise, or food upon order of, or by agreement with, a customer from a store or other fixed place of business or distribution.

(2) Persons selling goods, wares, merchandise, or food from a motorized vehicle, including food trucks and ice cream trucks.

(C) Business License and Special Business Permit Required.

(1) No person shall operate as a sidewalk vendor without first obtaining, and at all times maintaining, a valid City business license in accordance with Section 5.04.050 and related sections of Chapter 5.04 of Title V, and complying with all requirements of the business license, unless such person qualifies for an exemption under Chapter 5.04 of Title V of this code.

(2) No person shall operate as a sidewalk vendor without first obtaining, and all times maintaining, a special business permit in accordance with this Section 5.04.590 of Title V, and complying with all requirements of the permit.

(3) The special business permit shall be valid for one year unless revoked or suspended prior to expiration. An application to renew a special business permit under this section shall be made not less than thirty days prior to the expiration of the current permit. A valid business license shall be applied for or renewed concurrently with the special business permit each year.

(4) A separate business license and special business permit shall be required for each cart.

(D) Requirements for Permit Application. An application for a special business permit for sidewalk vending shall include all of the following, to the extent applicable:

(1) The name, address, and telephone number of the applicant and each person who will operate the cart.

(2) A photo identification of the applicant and each person who will operate the cart.

(3) A description of the cart, including the dimensions of the cart, and a photograph of the cart.

(4) A complete list of the food or merchandise to be sold.

(5) If the sidewalk vendor is an agent of an individual, company, partnership, or corporation, the name and business address of the principal.

(6) The vendor's California seller's permit number (California Department of Tax and Fee Administration sales tax number).

(7) A City of Palmdale business license.

(8) A copy of any license or permit required from any other state or local agency that is required by law, including, but not limited to, a copy of any required permit from the county health department, if required.

(9) A certification by the applicant that to his or her knowledge and belief, the information contained in the application is true.

(E) Identification Numbers; Confidentiality. Notwithstanding any other requirement in this code, an applicant for a business license or special business permit to operate as a sidewalk vendor shall not be required to submit a social security number for the issuance of such license or permit. In lieu of an otherwise required social security number, the City shall accept a California driver's license or identification number, an individual taxpayer identification number, or a municipal identification number. Identification numbers submitted under this Section shall not be made available to the public for inspection, shall be treated as confidential, and shall not be disclosed except as required to administer the license or permit program or to comply with a state law or state or federal court order.

(F) Operational Standards.

(1) Each cart used by a sidewalk vendor must display a valid special business permit sticker at all times, which shall be issued by the City.

(2) All sidewalk vendors shall comply with the terms and conditions of the special business permit and shall not sell any food or merchandise that was not listed in the special business permit application.

(3) No stationary sidewalk vendor may operate in any residential zone; however, roaming sidewalk vendors shall not be prohibited from operating in such zones.

(4) In order to preserve the peace, safety, and tranquility of residential neighborhoods, no sidewalk vendor may operate in any residential zone earlier than 8:00 a.m. or later than 30 minutes before sunset.

(5) In order to prevent obstructions of the public right-of-way, the total display area footprint of the cart, including the cart itself and any accompanying display, signage, or related items, shall not exceed a length of 72 inches, a width of 54 inches, or a height, including roof or awning, of 78 inches.

(6) In order to prevent obstructions of the public right-of-way, no sidewalk vendor may set up or allow the use of an additional structure, including a table, crate, carton, or rack, to increase the

selling or display capacity of the cart unless such items are explicitly allowed in the special business permit obtained by the sidewalk vendor.

(7) In order to preserve sanitary conditions in all public rights-of-way, all sidewalk vendors shall provide a trash receptacle for customers and must ensure proper disposal of customer and vendor trash. The trash receptacle must be large enough to accommodate customer trash without resort to existing trash receptacles located on any block for use by the general public. A sidewalk vendor may not dispose of customer trash in existing trash receptacles on sidewalks.

(8) In order to preserve sanitary conditions in all public rights-of-way, all sidewalk vendors shall maintain a clean and trash-free area, including a sanitized and neat appearing cart, within a 10-foot radius around the vendor's cart during hours of operation and shall ensure that such area is clean and trash-free before relocating or closing.

(9) In order to prevent damage to public property and prevent obstructions of the public right-of-way, no cart may be chained or fastened to any pole, sign, tree, or other object in the public right-of-way.

(10) In order to preserve the safety of the public, and prevent misuse of carts, no cart may be left unattended at any time.

(11) In order to preserve the safety of the public, to prevent misuse of carts, and to prevent obstructions of the public right-of-way, no cart may be stored, parked, or left overnight on any public street or right-of-way, or in any public park or other public property.

(12) In order to preserve the safety of vehicular travelers, no sidewalk vendor may solicit business from or conduct business with persons in motor vehicles.

(13) In order to preserve the safety of vehicular travelers and pedestrians, and to preserve public peace and welfare, no cart may be outfitted with any equipment, signage, or mechanism that endangers or detracts from the health, safety, or welfare of the public by causing an excessive distraction to motorists or interfering with nearby residences, business, or pedestrians, including but not limited to, sound amplification, flashing lights, smoke, steam, bubbles, gas-powered generators, or excessive fumes.

(14) In order to preserve the safety of vehicular travelers and pedestrians, any cart operated before sunrise or after sunset, or in location with insufficient lighting, shall be equipped with sufficient lighting or reflectors to alert pedestrians and vehicular travelers to the presence of the cart.

(15) In order to prevent obstructions of the public right-of-way, all signage related to the vending operation shall be affixed to the cart.

(G) Location of Carts. In order to ensure access to public rights-of-way by pedestrians and emergency personnel, and avoid interference with vehicular traffic, certified farmers' markets, swap meets, and City-permitted special events, sidewalk vendors shall not operate in the following areas of the public right-of-way:

(1) Any area other than a public sidewalk or pedestrian path.

(2) Within 15 feet of a fire hydrant, fire call box, or other emergency facility.

(3) Within 10 feet of an entrance to or emergency exit of any building or business during the hours that the building or business is open to the public.

(4) Within 15 feet of the outer edge of a driveway or driveway apron.

(5) Within 15 feet of a transit stop.

(6) Adjacent to any marked loading zone or bus zone.

(7) Within 5 feet of a curb return.

(8) Any location that would impede entering or exiting a parked vehicle.

(9) Any location that impedes the flow of pedestrian traffic by reducing the clear space to less than 4 feet or impedes access to or the use of abutting property, including, but not limited to, residences and places of business.

(10) Within 100 feet in any direction of the nearest vendor or concessionaire participating in a certified farmers' market or swap meet during the operating hours of the certified farmers' market or swap meet.

(11) Within 100 feet of a City-permitted special event, including but not limited to, parades, concerts, and movie filmings, unless vendor has received a permit to vend as part of the event. For moving events, vending shall be prohibited within 100 feet of any portion of the approved event route. For stationary events, vending shall be prohibited within 100 feet of the parcel boundary for the location of the event.

(12) Within 300 feet of any public or private school grounds between 7:00 a.m. and 6:00 p.m. on school days, and while the same is in use, including for afterschool childcare, enrichment classes and sports.

(13) Upon or within any roadway, median strip, or dividing section.

(14) Any public sidewalk location when the straight path would not allow for 48 inches, or as the law updates, of clear width walking space of any sidewalk to be in compliance with Americans with Disabilities Act (ADA) regulations.

(15) Any public sidewalk where there is a 180 degree turn path for sidewalk ramps and corner curbs when the location would not allow for 42 inches approaching the turn, 48 inches at the turn, and 42 inches leaving the turn, or as the law updates, of clear width walking space of any sidewalk to be in compliance with ADA regulations.

(H) Special Requirements for the Sale of Food. All sidewalk vendors that prepare or sell food must be in compliance with all county and State permitting and licensing requirements for the preparation or sale of food.

(I) Penalties. For purposes of this Section, "sidewalk vending program" refers to the provisions of Sections 5.04.590(F) through 5.04.590(H) and Section 8.24.210, inclusive, and the requirement to obtain a special business permit pursuant to Section 5.04.590(C)(2).

(1) A violation of any provision in Sections 5.04.590(F) through 5.04.590(H) and Section 8.24.210, inclusive, may only be punished by the following:

(a) An administrative fine not exceeding one hundred dollars ($100) for a first violation.

(b) An administrative fine not exceeding two hundred dollars ($200) for a second violation within one year of the first violation.

(c) An administrative fine not exceeding five hundred dollars ($500) for each additional violation within one year of the first violation.

(d) Rescission of the sidewalk vendor's special business permit for the term of that permit upon the fourth violation or subsequent violations.

(2) Vending without a special business permit may be punished by the following:

(a) An administrative fine not exceeding two hundred fifty dollars ($250) for a first violation.

(b) An administrative fine not exceeding five hundred dollars ($500) for a second violation within one year of the first violation.

(c) An administrative fine not exceeding one thousand dollars ($1,000) for each additional violation within one year of the first violation.

(3) Upon proof of a valid special business permit, an administrative fine imposed under Section 5.04.590(I)(2) shall be reduced to the respective administrative fine set forth in Section 5.04.590(I)(1).

(4) No other fines, fees, assessments, or financial conditions shall be imposed for violation of the sidewalk vending program other than those imposed by Section 5.04.590(I)(1) and (2).

(5) Notwithstanding any other provision of this code, neither a violation of the sidewalk vending program as codified in Sections 5.04.590(F) through 5.04.590(H) and Section 8.24.210, inclusive, nor a failure to pay an administrative fine, imposed by Section 5.04.590(I)(1) or (2) shall be punishable as an infraction or misdemeanor.

(6) Any person who receives an administrative fine under Section 5.04.590(I)(1) or (2) shall have the right to request an ability-to-pay determination.

(a) The City shall give any such person written notice of his or her right to request an ability-to-pay determination as well as instructions and other materials for requesting an ability-to-pay determination at the time that the administrative fine citation is issued.

(b) A right-to-pay determination may be requested at any time following the issuance of the administrative fine citation until the fine is paid, including when payment of the fine is delinquent or has been referred to a collection program.

(c) Upon receipt of a request for an ability-to-pay determination, the City manager or his or her designee shall determine whether such person meets the criteria described in subdivision (a) or (b) of Section 68632 of the Government Code. The determination of the City manager or his or her designee shall be final.

(d) If the person meets the criteria described in subdivision (a) or (b) of Section 68632 of the Government Code, the City shall reduce the fine to twenty percent (20%) of the amount of the fine originally imposed.

(7) The City manager may, in his or her discretion, allow a person who receives an administrative fine under Section 5.04.590(I)(1) or (2) to complete community service in lieu of paying the total administrative fine, may waive the administrative fine, or may offer an alternative disposition.

(8) Nothing in the chapter shall be construed to limit the City's ability to enforce, or remedies for enforcing, laws of general applicability or other provisions of this code against sidewalk vendors, or to take any other enforcement actions against sidewalk vendors that are not prohibited by state or federal law, or which are allowed by this code.

SECTION 3: Section 5.04.150 of Title 5 of the Palmdale Municipal Code is hereby amended to read as follows:

(A) No person shall commence, conduct or purport to commence or conduct the following business activities without a valid business permit:

(1) Adult-oriented businesses^{o};
(2) Ambulances and ambulance drivers+;
(3) Billiards;
(4) Bingo;
(5) Carnivals and concessions^{o}+;
(6) Dance halls and dances^{o};
(7) Entertainment^{o};
(8) Introductory services^{o};
(9) Fortunetelling;
(10) Game arcades;
(11) Gun dealers;
(12) Health clubs;
(13) House and street numbering;
(14) Hypnotist+;
(15) Locksmith;
(16) Massage establishments and massage technicians^{o};
(17) Motion picture theater+;
(18) Pawnbrokers and secondhand dealers;
(19) Sidewalk vending;
(20) *Reserved*;
(21) Private patrol service;
(22) Family entertainment center+^{o};
(23) Swap meet;
(24) Taxicabs and taxicab drivers+;
(25) Tobacco/smoking product retailer;
(26) Tow trucks+;
(27) Mobile vending.

\+ Indicates that such business activity is subject to insurance or bond requirements.

^{o} Indicates that such business activity requires a permitted manager pursuant to PMC 5.04.050.

(B) The regulations pertaining to specified businesses or business activities requiring a business permit are set forth in Article II of this chapter commencing with PMC 5.04.400.

SECTION 4: Section 5.04.190 of Title 5 of the Palmdale Municipal Code is hereby amended to read as follows:

5.04.190 *Reserved*

SECTION 5: Section 5.04.600 is hereby added to Title 5 of the Palmdale Municipal Code, and is to read in its entirety as follows:

5.04.600 MOBILE VENDING

(A) Purpose and intent.
It is the City's responsibility to promote the health, peace, safety, welfare and convenience of all persons in regards to their use and enjoyment of public lands. The City Council finds it necessary to regulate mobile vending for this purpose while ensuring that all such regulations comport with applicable law.

Reasonable regulations are necessary to ensure that mobile vending is operated in accordance with health, safety and traffic laws of the state and the parking ordinances of the City; do not cause public safety problems by contributing to traffic congestion or by creating pedestrian and vehicular conflicts; and do not disturb the quiet use and peaceful enjoyment of residential neighborhoods. The regulations in this Section are enacted to ensure consistency with State law, including Section 22455 of the California Vehicle Code related to ice cream truck vending and California Health and Safety Code Section 114315 et seq. (the "California Retail Food Code") for food handling, as each may be amended.

(B) Definitions. As used in this Section, the terms listed below shall have the following meaning assigned to them:

(1) "Food establishment" means any restaurant or grocery store with a permanent store front location.

(2) "Goods or merchandise" means and includes items and tangible things and products of every kind and description, including any food, produce, and/or beverage items.

(3) "Human powered device" means any device moved by human power, including, but not limited to, any pushcart, wagon, bicycle, tricycle, or other wheeled device or conveyance.

(4) "Ice cream truck" means any motor vehicle requiring license from the California Department of Motor Vehicles which is used to vend at retail:

(a) Prepackaged frozen dairy or water-based food products; or

(b) Soft-serve or hand-dipped frozen dairy or water-based products; irrespective of whether or not the ice cream truck carries other prepackaged food products.

(5) "Mobile food truck" means a motorized vehicle or mobile food unit that should be licensed by the Department of California Department of Motor Vehicles (whether licensed or not), designed and equipped to prepare, or serve, and sell food, and temporarily stored in a location where food items are sold to the general public.

(6) "Pedestrian Solicitor" means a person vending goods or merchandise from their person without the use of a vehicle.

(7) "Person" means any natural person, firm, partnership, association, corporation, or other entity of any kind or nature.

(8) "Public property" means any real property, or interest therein, owned, leased, operated, or otherwise controlled by the City other than a street, alley, parkway, or sidewalk.

(9) "Vehicle" means a motorized vehicle or mobile food unit that should be licensed by the Department of California Department of Motor Vehicles (whether licensed or not), designed and

equipped to prepare, or serve, and sell food, and temporarily stored in a location where food items are sold to the general public as well as any trailer or other similar apparatus that can be attached to a motorized vehicle whether attached at the time of vending or not, and shall not include any human powered device and shall include an ice cream truck and mobile food truck.

(10) “Vehicle Operator” means any person or entity owning a ten percent or greater interest in, or operating or otherwise controlling, any business involving the vending of goods or merchandise from a vehicle.

(11) “Vend” or “Vending” means the sale or offering for sale of any goods or merchandise to the public by a vehicle operator or pedestrian solicitor on a public street, private street open to the public, or other public property.

(12) “Vendor” means any pedestrian solicitor or any vehicle operator, and/or any employee, independent contractor, or other person acting on behalf of or for the benefit of a pedestrian solicitor or vehicle operator, who engages in the act of vending.

(C) Applicability. This Section is intended to apply to all vending at any locations within the City. However, it does not apply in the following circumstances:

(1) Sidewalk vending described in Section 5.04.590 of Title 5 of the Palmdale Municipal Code if all legal requirements therein are met.

(2) Contractual or other private arrangement between a vendor and an individual or entity that wishes to have food catered to a specific location on private land and which is not open to the public subject to the following: the vendor shall possess and at all times display in conspicuous view upon their vehicle in connection with a vehicle operator or upon their person in connection with a pedestrian solicitor, a copy of the contractual document or other private arrangement detailing the terms of the agreement along with the name and contact information of the individual or entity that agreed to have food catered on private lands.

(3) Any person delivering any goods or merchandise by vehicle where such goods or merchandise have been ordered in advance for such delivery from any business located at a permanent location.

(4) Any person vending where such person has been authorized to engage in such activity by a permit, lease, real property license, agreement, or other entitlement issued by the City, state or federal government for such purpose.

(5) Any person exempted from the provisions of this chapter by any local, state or federal law, regulation or statute.

(D) Vehicle operator and pedestrian solicitor permits.

Any person desiring to obtain a vehicle operator’s permit to conduct or otherwise operate the business of vending goods or merchandise from a vehicle pursuant to this chapter shall file an application with the business license division of the finance department. Such application shall be accompanied by a nonrefundable application fee in such amount as established by resolution of the City Council. Any such permit shall be valid for one year from date of issuance. The permit may be renewed annually, subject to filing of a new application and payment of a new application fee.

(1) Vehicle Operator. Each permit applicant for a vehicle operator permit shall furnish the following information and documentation in the application:

(a) The street address where the office of the business is or will be located;

(b) The full, true name under which the business will be conducted;

(c) The full, true name and any other names used by the applicant along with a copy of a corresponding California driver's license or identification number, an individual taxpayer identification number, or a municipal identification number. Identification numbers submitted under this Section shall not be made available to the public for inspection, shall be treated as confidential, and shall not be disclosed except as required to administer the permit program or to comply with a state law or state or federal court order;

(d) The present residence and business addresses and telephone numbers of the applicant, each ten percent or greater owner of the business, and all persons who will act as a vendor for the applicant, whether as an employee, contractor, or otherwise;

(e) A detailed description of the goods or merchandise which the applicant will vend;

(f) The make, body style, year, VIN number, state license plate number, names and addresses of each registered and legal owner of each vehicle and a copy of a valid vehicle registration for the subject vehicles;

(g) A description of the logo, color scheme, insignia, and any other distinguishing characteristics identifying applicant's business that will appear on each vehicle;

(h) The name, residential address, and telephone number of the applicant and individuals primarily responsible for managing the day to day operation of the vending business and/or performing any vending on behalf of the operator along with an email and cellular number for such individuals;

(i) Evidence of compliance with the insurance requirements of the Vehicle Code as to each vehicle; and

(j) The details of any known contractual or other private arrangement between a mobile food truck and an individual or entity that wishes to have food catered to a specific location on private land and which is open to the public. If this Section is applicable, the permit application shall include the name and contact information of the individual or entity that wishes to have food catered on private lands as well as a copy of the contractual document or other private arrangement detailing the terms of the agreement.

(2) Pedestrian Solicitor. Each permit applicant for a pedestrian solicitor permit shall furnish the following information and documentation in the application:

(a) The street address where the office of the business is or will be located;

(b) The full, true name under which the business will be conducted;

(c) The full, true name and any other names used by the applicant along with a copy of a corresponding California driver's license or identification number, an individual taxpayer identification number, or a municipal identification number. Identification numbers submitted under this Section shall not be made available to the public for inspection, shall

be treated as confidential, and shall not be disclosed except as required to administer the permit program or to comply with a state law or state or federal court order;

(d) The present residence and business addresses and telephone numbers of the applicant, each ten percent or greater owner of the business, and all persons who will act as a vendor for the applicant, whether as an employee, contractor, or otherwise;

(e) A detailed description of the goods, merchandise, or services which the applicant will vend; and

(f) The name, residential address, and telephone number of the applicant and individuals primarily responsible for managing the day to day operation of the vending business and/or performing any vending on behalf of the pedestrian solicitor along with an email and cellular number for such individuals.

(j) The details of any known contractual or other private arrangement between a pedestrian solicitor and an individual or entity that wishes to have food catered to a specific location on private land and which is open to the public. If this Section is applicable, the permit application shall include the name and contact information of the individual or entity that wishes to have food catered on private lands as well as a copy of the contractual document or other private arrangement detailing the terms of the agreement.

(3) The business license division shall be authorized to investigate the truth of the facts set forth in the application. Each application shall be approved or denied within a reasonable amount of time.

(4) Permit Denial. Any permit applied for under the provisions of this chapter may be denied for any of the following causes:

(a) One of the departments or officers performing a review of the permit renewal application has recommended denial of, or the imposition of additional conditions upon, such permit.

(b) If the City finds that the applicant knowingly made any false, misleading or fraudulent statements of material fact in the application for the permit.

(c) The applicant has been convicted of any violation of this code, any code adopted and incorporated by the City into this code, the California Penal Code, the Health and Safety Code, the Business and Professions Code, or any other State or Federal law.

(d) Failure to comply with the requirements of this Section or other provisions of the code by the applicant and/or the vehicle operator or pedestrian solicitor in connection with any property, business, or other dealing with the City.

(e) Fees, fines, or other penalties owing the City that are due and payable by the applicant and/or the vehicle operator or pedestrian solicitor in connection with any property, business, or other dealing with the City.

(5) Appeal Procedure. Written notice of denial, setting forth the grounds for denial, shall be served on the applicant. Any person aggrieved by a denial of a permit pursuant to this Section may appeal such denial to the City manager or designee pursuant to the procedures set forth in Section 5.04.340. To seek an appeal, said person must submit a written request for an administrative hearing with a statement of why the denial did not merit any of the grounds for denial under subdivision (D)(4) of this Section to the City clerk within ten days after service of notice of the City

manager's decision or designee. Upon receipt of a timely appeal, the aggrieved party shall be given notice of a hearing and a hearing shall be held pursuant to Sections 5.04.340–360.

(6) Each permittee shall notify the business license division, in writing, within 10 business days of any change in the required application information under subdivision (D)(1) and (D)(2) of this Section.

(E) Suspension and revocation of permit.

(1) Any vehicle operator's permit or pedestrian solicitor's permit may be temporarily suspended or revoked by the business license division for any of the following reasons:

(a) Provision of false information on the permit application.

(b) Failure of the permittee to notify the business license division within ten business days of any change in the information supplied by the permittee upon which issuance of the permit was based, occurring subsequent to the issuance of the permit.

(c) There is substantial evidence of a violation by the permittee, any employee, subcontractor of the permittee, or any other person acting on the permittee's behalf, of this chapter or any other local, state, or federal law constituting a misdemeanor or felony while in the course of conducting vending operations pursuant to the permit.

(d) While in the course of vending, driving of a vehicle by a vendor not possessing a valid driver's license, or operation of a vehicle found by police inspection to be unsafe and in violation of the Vehicle Code.

(e) The permittee no longer operates in accordance with the information and documentation supplied in connection with the vehicle operator permit application set forth in Section 5.04.600(D)(1).

(f) The permittee no longer operates in accordance with the information and documentation supplied in connection with the pedestrian solicitor permit application set forth in Section 5.04.600(D)(2).

(g) The permittee has been convicted of any violation of this code, any code adopted and incorporated by the City into this code, the California Penal Code, the Health and Safety Code, the Business and Professions Code, or any other State law.

(h) Fees, fines, or other penalties owing the City that are due and payable by the applicant and/or the vehicle operator or pedestrian solicitor in connection with any property, business, or other dealing with the City.

(2) Appeal Procedure. Written notice of suspension or revocation, setting forth the grounds for suspension or revocation, shall be served on the offending permittee. The notice shall advise the permittee of the right to file a written appeal. Any person aggrieved by a suspension or revocation of a permit pursuant to this Section may appeal such denial to the City manager or designee pursuant to the procedures set forth in Section 5.04.340. To seek an appeal, said person must submit a written request for an administrative hearing with a statement of why the suspension or revocation did not merit any of the grounds for suspension or revocation under subdivision (E)(1) of this Section to the City clerk within ten days after service of notice of the City manager's or designee's decision. Upon receipt of a timely appeal, the aggrieved party shall be given notice of a hearing and a hearing shall be held pursuant to Sections 5.04.340–360.

(3) No person whose permit is revoked shall be eligible to apply for a new permit for a period of one year following such revocation.

(4) Notices required or permitted to be served pursuant to this Section may be served personally, or by mailing by certified or registered mail with proof of delivery at the residential address of record, or by licensed courier or delivery service with proof of personal delivery, or in any other manner provided by law.

(F) Conditions and prohibitions. It is unlawful for any pedestrian solicitor or vehicle operator to sell or offer for sale any goods, merchandise, or services upon any public street or private street open to the public, except in accordance with all applicable provisions of this Code, all state and federal laws and regulations, the terms of their city-issued permit, and in compliance with each of the following requirements:

(1) Information Made Available to the Public and City.

(a) Each vendor shall possess and at all times display in conspicuous view upon their person or upon each vehicle, as the case may be, the actual business name and telephone number, and a City business certificate issued pursuant to Title 5.

(b) Each vendor shall possess and display upon request by any potential customer or City representative, a vehicle operator's permit or pedestrian solicitor's permit issued pursuant to this chapter, or a full, true and correct copy thereof.

(c) Each vendor causing the sale of or offering for sale any produce or other food item for which a food handling permit or other health permit from the county health department required by law shall possess and present such required permits. Vendors must at all times display such required permits in conspicuous view upon such vehicle or have on their immediate person ready to present at all times.

(d) Each vendor who enters into a contractual or other private arrangement with an individual or entity that agrees to have food catered to a specific location on private land and which is open to the public shall possess and at all times display in conspicuous view upon their person or vehicle a copy of the contractual document or other private arrangement detailing the terms of the agreement along with the name and contact information of the individual or entity that agreed to have food catered on private lands.

(e) Each vendor shall possess and wear upon their person a City-issued badge, issued in connection with this Chapter.

(2) Location.

(a) Vending is permitted only on public streets or private streets open to the public, and is not permitted in or upon any alley, parkway, sidewalk, or other kind of public property. Further, mobile food truck vending is not permitted in residential zones (R-1, R-2, and R-3) unless mobile food truck vending is approved by the City in such zone in connection with a validly issued special event permit or temporary use permit, pursuant to Section 17.27.030, prior to engaging in any residential vending.

(b) No vending shall be permitted within 50 feet of any intersection of two or more streets or any location that may impede a sidewalk or pedestrian traffic.

(c) No vending shall be permitted within 1,000 feet of the front entrance of any public or private elementary, junior high, or high school.

(d) No vending shall be permitted within 1,000 feet of the front entrance of any food establishment.

(e) No vending shall be permitted on City streets with a speed limit at or above 45 miles per hour.

(f) No vending shall be permitted at any public park unless the vending occurs as part of a City-sponsored function and the vendor has applied for and received a written endorsement on the operator permit expressly authorizing such vending.

(g) No vehicle shall be parked, stopped, or left standing in any manner which blocks or impedes vehicular access to any driveway or restricts the free movement of other vehicles upon the public street.

(h) No vending shall be permitted until the vehicle has been brought to a complete stop and lawfully parked adjacent to the curb.

(i) No vendor shall operate in any manner which blocks or impedes vehicular access to any driveway or restricts the free movement of other vehicles upon the public street.

(j) Vehicle vending shall be only by means of a vehicle duly registered and licensed by the state with an unladen weight of less than 6,000 pounds.

(k) All vending must ensure the safe and proper disposals of fats, oils, and greases ("FOGs") and be in compliance with applicable disposal regulations, including Los Angeles County Code (LACC), Title 20, Division 2, other laws, regulations, and ordinances concerning proper disposal of FOGs and other industrial wastes and health and safety State, local, and Federal laws.

(3) Sanitation and Trash.

(a) Each vehicle shall be equipped with a trash receptacle of a size adequate to accommodate all trash and refuse generated by vending therefrom.

(b) Each vendor shall pick up and deposit in the trash receptacle on the vehicle all paper, cups, wrapper, litter, or other refuse of any kind that was a part of the goods or merchandise supplied from the vehicle and which has been left or abandoned within 50 feet of such vehicle on any public property, other than in a trash receptacle provided for such purposes. No person shall dispose of any trash or refuse from vending operations in any such public or private trash receptacle other than a trash receptacle owned, operated, or otherwise provided by and under the control of the vendor or operator.

(c) Each pedestrian solicitor shall operate within 100 feet of a trash receptacle.

(4) Operation – Hours, Amplified Sounds, Equipment, Prohibited Sales.

(a) Vending is permitted only between the hours of 8:00 a.m. and 10:00 p.m. of any day.

(b) Any use of amplified sound-making devices, to advertise, draw attention to, or announce the presence of a vendor, shall also comply with all applicable noise and sound regulations effective within the City.

(c) No vending under this Section may utilize chairs, tables, or other equipment unless City approval is given through an issued permit under this Section.

(d) It is unlawful for any vendor to sell any item or thing which is otherwise prohibited from being sold within the City, including, but not limited to, any goods or products not identified in the application for a vehicle operator's permit or pedestrian solicitor's permit.

(5) Additional Regulations on Ice Cream Truck Vending.

(a) Safety and Sanitation.

(i) Each vendor shall ensure that the standard warning flashers shall be in operation immediately upon the vehicle stopping to vend and cease operation as the vehicle begins to move after vending.

(ii) Each vendor shall have signs painted or mounted on the front and back of each vehicle using black four-inch tall letters on a yellow background with a black one-inch border around each sign. The sign on the front and back of each vehicle shall read "CHILDREN CROSSING" and be eight inches high by forty-eight inches wide. An additional sign or signs shall be painted or mounted on the rear of each vehicle above the first sign and shall read "WARNING" in English, Spanish, and Vietnamese, using the same size letter and paint requirements.

(iii) Each ice cream truck vendor shall pick up and deposit in the trash receptacle on the ice cream truck all paper, cups, wrapper, litter, or other refuse of any kind that was a part of the goods or merchandise supplied from the vehicle and which has been left or abandoned within 50 feet of such vehicle on any public property, other than in a trash receptacle provided for such purposes. No person shall dispose of any trash or refuse from vending operations in any such public or private trash receptacle other than a trash receptacle owned, operated, or otherwise provided by and under the control of the vendor or operator.

(iv) Each vendor shall have any other safety equipment and follow any other requirements mandated by the California Vehicle Code.

(b) Operation – Hours, Amplified Sounds, Location, Required Sales.

(i) Hours. Ice cream truck vending is permitted only between the hours of 8:00 a.m. to one hour after sunset.

(ii) Amplified sound use by ice cream truck vendors. Any use of amplified sound-making devices, to advertise, draw attention to, or announce the presence of such vendor, shall also comply with all applicable noise and sound regulations effective within the City in addition to the following:

(1) No person shall use, play or employ any sound, outcry, amplifier, loudspeaker, or any other instrument or device for the production of sound from an ice cream truck when the ice cream truck is stationary.

(2) No person shall use, play or employ any sound, outcry, amplifier, loudspeaker, or any other instrument or device for the production of sound

from an ice cream truck after 7:00 p.m. or one hour after sunset, whichever occurs first.

(3) No person shall use, play or employ any sound, outcry, amplifier, production loudspeaker, or any other instrument or device for the of sound from an ice cream truck in such a manner to create a disturbance of the peace.

(c) Location.

(i) No vending from such vehicle shall be permitted on City streets with a speed limit above 25 miles per hour.

(ii) No person shall stop to vend from an ice cream truck within 200 feet of another ice cream truck that has already stopped to vend.

(d) Prohibited sales. Ice cream truck vendors shall only sell frozen or refrigerated desserts, confections, or novelties commonly known as ice cream, or prepackaged candies, prepackaged snack foods, or soft drinks.

(G) Special Events. Nothing in this Section shall affect the city's ability to host, sponsor, allow, or authorize special events approved for vending purposes or with vending components.

SECTION 6: Section 8.24.210 of Title 8 of the Palmdale Municipal Code is hereby amended to read as follows:

(B) No stationary sidewalk vendor may operate in a City-owned or City-operated park if the operator of the park has signed an agreement for concessions that exclusively permits the sale of food or merchandise by the concessionaire.

SECTION 7: Chapter 8.46 is hereby added to Title 8 of the Palmdale Municipal Code, and is to read in its entirety as follows:

Chapter 8.46
REGULATION OF FOOD FACILITIES

Sections:
8.46.010 Purpose and intent.
8.46.020 Definitions.
8.46.030 Right of inspection.
8.46.040 City inspection to identify immediate public health or safety hazards.
8.46.050 Storage and reclamation process.
8.46.060 Violations and penalties.
8.46.070 Public nuisance declared.
8.46.080 Right to administrative hearing.
8.46.090 Severability.

8.46.010 Purpose and intent.
The purpose of this chapter is to protect the public health, safety, and general welfare by regulating food facilities.

8.46.020 Definitions.

As used in this chapter, the terms listed below shall have the meaning assigned them:

(A) “Enforcement Officer” means the Los Angeles County Director of the Department of Environmental Health or the City of Palmdale Senior Code Enforcement Officer, and their respective designees.

(B) “Equipment” means any utensil, tool, pot, vessel, container, or other implements used in a hawking or vending operation or activity and any cart, pushcart, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance.

(C) “Food” means any substance intended for human consumption sold or otherwise provided by a food facility.

(D) “Food Facilities” means a food facility as defined in Section 113789 of the California Health and Safety Code. These are commonly referred to as restaurants, markets, delis, cafeterias, mobile food facilities, mobile support units, vending machines, and certified farmers' markets. This definition also includes commercial food establishments.

(E) “Food Preparation” means food preparation as defined in Section 113791 of the California Health and Safety Code.

(F) “Imminent Health Hazard” means significant threat or danger to health that is considered to exist when there is evidence sufficient to show that a product, practice, circumstance, or event creates a situation that can cause food infection, food intoxication, disease transmission, vermin infestation, or hazardous condition that requires immediate correction or cessation of operation to prevent injury, illness, or death as defined in Section 113810 of the California Health and Safety Code.

(G) “Permit” means the document issued by the Los Angeles County Department of Health that authorizes a person to operate a food facility as defined in Section 113851 of the California Health and Safety Code.

(H) “Responsible Party” means the legal owner or the person from whose possession equipment or food was impounded.

8.46.030 Right of inspection.
Pursuant to California Health and Safety Code Section 114390, the enforcement officer shall have the right to inspect any food facility, or any facility suspected of being a food facility, during the food facility’s hours of operation or at any other reasonable time.

8.46.040 City inspection to identify imminent health hazards.
(A) The enforcement officer through the City may inspect each food facility at regular intervals to ensure no facility or establishment presents an imminent health hazard. All food facilities shall comply with those requirements set forth in the California Retail Food Code, as amended and appearing in California Health and Safety Code Sections 113700, et seq.

(B) In the event the enforcement officer through the City identifies conditions presenting an imminent health hazard, the enforcement officer may:

(1) Temporarily suspend the permit and order immediate closure of a food facility pursuant to Health and Safety Code Section 114409 whenever the enforcement officer reasonably believes the facility or establishment presents an imminent health hazard; and/or

(2) An enforcement officer may impound equipment or food found to be, or suspected of being, unsanitary or in such disrepair that food or equipment may become contaminated or adulterated pursuant to Health and Safety Code Section 114393 or otherwise presents an imminent health hazard.

(C) Whenever a permit is suspended pursuant to Section 8.46.040(B)(1) as the result of an imminent health hazard, the enforcement officer shall issue to the permitholder a notice setting forth the acts or omissions with which the permitholder is charged, specifying the pertinent code section, and informing the permitholder of the right to a hearing.

(D) Whenever equipment is impounded pursuant to Section 8.46.040(B)(2) as a result of an imminent health hazard, the enforcement officer shall tag the equipment and shall issue a receipt for impound setting forth the imminent health hazard and providing details for reclamation.

(E) Whenever food is impounded pursuant to Section 8.46.040(B)(2) as a result of an imminent health hazard, the enforcement officer may destroy the food upon determination that storage would be unsanitary. If the enforcement officer determines that storage of the food is feasible, the enforcement officer may tag the food and shall issue a receipt for impound setting forth the imminent health hazard and providing details for reclamation.

8.46.050 Storage, reclamation, and disposition process.

(A) Whenever equipment or food is impounded pursuant to Section 8.46.040(B)(2), the enforcement officer shall move the impounded equipment or food to a designated place of storage at the City through the Code Enforcement Division. The City shall maintain a record of the date and manner of coming into possession of the impounded equipment or food, adequate description of the same, and the dates of storage and disposition of the equipment or food.

(B) The impounded equipment or food will be stored and made available for release for a period of 30 days from the date the equipment or food was impounded, after which time, if not claimed, it may be subject to disposition as provided in this chapter or as otherwise provided by law. Upon expiration of that initial 30 day period, the City shall provide one final notice if the responsible party does not seek reclamation pursuant to subdivision (1) of this Section.

(1) Reclamation. During the 30 day holding period pursuant to Subdivision (B) of this Section, the responsible party may repossess the equipment or food provided he or she presents to the City's Code Enforcement Division the receipt of impoundment and provides proof of ownership or otherwise provides proof of ownership by, among other methods, describing the location and date when the equipment or food was impounded from public area, and providing reasonably specific and detailed description of the personal property as well as photographic identification, as defined in Section 1.04.100. If ownership cannot be determined to the satisfaction of the Code Enforcement Division, the City may refuse to return the equipment or food until ordered to do so by a court of competent jurisdiction; however, the impounding agency shall continue to hold the equipment or food until such determination is made.

(2) Disposition other than reclamation. If no responsible party seeks reclamation during the 30 day holding period pursuant to Subdivision (B) of this Section, the City may determine how to dispose of the impounded equipment or food pursuant to the following process:

(a) 60 Day Final Notice. Upon expiration of the 30 day holding period pursuant to Subdivision (B) of this Section, the Code Enforcement Division will issue a 60 Day Final Notice to the responsible party providing details for reclamation and notice of disposition after expiration of the 60 day final notice period.

(b) City Disposition After Expiration of 60 Day Final Notice. Upon expiration of the 60 day final notice period, any remaining equipment or food not claimed may be appropriated to the City upon order from the City manager or designee that the equipment or food can be used for a public use. Any equipment or food not appropriated to the City may be sold at

a public auction or disposed of in such a manner as deemed appropriate by the City manager or designee.

(C) The City shall not be required to undertake any search for, or return, any impounded equipment or food stored other than provided in this Section.

8.46.060 Violations and penalties.
It is unlawful to have any immediate health hazard upon any food facilities within the City and is punishable as set forth in PMC Chapter 1.12 as a misdemeanor, consistent with Health and Safety Code Section 114395.

8.46.070 Public nuisance declared.
In addition to other penalties provided by law, any condition caused or permitted to exist in violation of any provision of this code shall be deemed a public nuisance and may be abated as such by the City enforcement officers as provided in PMC Chapter 8.36, irrespective of any other remedy hereinabove provided. Each day such condition continues shall constitute a new and separate offense.

8.46.080 Administrative hearing.
(A) Request for hearing.

(1) The owner or other responsible person who was issued a notice pursuant to Section 8.46.040(C) may contest the enforcement officer's permit suspension by filing a timely and complete request for an administrative hearing on a City-approved form with the Office of the City Clerk, 38300 Sierra Highway, Palmdale, CA 93550, within 15 calendar days from the issuance date of the notice. Failure to file a request for a hearing in the office of the City Clerk within the required period shall have waived the right to a hearing and admitted that the permit suspension was reasonable and justified. In that event, the permit suspension by the enforcement officer is final.

(2) A request for a hearing shall state: the date and number of the notice; the address or location of the business; the name, address, telephone and any facsimile numbers, where the person requesting the hearing may be contacted; a statement explaining why he or she believes that the permit suspension was unwarranted.

(B) Timing of hearing.

(1) The hearing will be conducted within 15 days of the date a timely and complete request is received by the office of the City Clerk. The City Clerk or his or her designee will notify the persons requesting the hearing in writing by first class mail of the date, time and place set for the hearing at least 5 calendar days prior to the date of the hearing. Service of this notice is deemed complete at time of mailing. The failure to receive a properly addressed notice of hearing shall not invalidate any hearing, City action or proceeding conducted pursuant to this chapter.; and the date and signature of the person requesting the hearing.

(C) Hearing procedures.

(1) At least 3 City business days prior to the date set for the hearing, the enforcement officer and the persons requesting the hearing (or their representatives) shall ensure that a copy of all reports, statements or pictures or other evidence they wish to be considered in connection with the hearing is exchanged so that such information may be considered by the Hearing Officer and all parties to the hearing (by the enforcement officer to each person requesting the hearing and by each person requesting the hearing to the City Clerk). Such exchange is to occur by first class mail. However, if the parties agree, the enforcement officer and the person requesting a hearing may exchange copies of their evidence via email

in addition to or in lieu of first class mail. Failure to receive such documents shall not invalidate any hearing, City action or proceeding conducted pursuant to this Chapter.

(2) The Hearing Officer designated or appointed by the City Manager or his or her designee shall hear all requests for hearings pursuant to this Chapter in accordance with the procedures established herein.

(3) The person requesting a hearing may appear at the hearing in person or by written declaration executed under penalty of perjury. Said declaration and any documents in support thereof shall be tendered to and received by the office of the City Clerk at least three City business days prior to the hearing. If such person fails to attend the scheduled hearing and does not submit a written declaration in a timely manner, he or she shall be deemed to have waived the right to a hearing. In such an instance, the Hearing Officer shall issue an order and judgment in favor of the City.

(4) At the hearing, the hearing officer shall accept reliable evidence from any person if such evidence bears on the issue of whether suspension of the permit was proper as stated in the notice. The hearing officer is authorized to take testimony and is authorized to administer oaths or affirmations pursuant to California Code of Civil Procedure Section 2093(a). The City may issue subpoenas requiring attendance of witnesses or production of books or other documents for evidence or testimony at the hearing.

(5) Administrative hearings are informal and formal rules of evidence and discovery do not apply. The City bears the burden of proof to establish, by competent evidence, the existence of circumstances warranting permit suspension, by a preponderance of evidence. The person requesting the hearing and the enforcement officer (or their representatives) shall have an opportunity to present evidence and witnesses and to cross-examine witnesses. A person requesting the hearing may bring an interpreter to the hearing, provided there is no expense to the City therefor. The Hearing Officer may question any person who presents evidence or who testifies at any hearing.

(6) Hearings may be continued once at the request of a person requesting the hearing or the enforcement officer who issued the notice and order to abate. The Hearing Officer may also continue the hearing for cause.

(D) Hearing decision.

(1) Based upon the evidence regarding the suspension of the permit submitted in connection with the hearing, the Hearing Officer shall determine whether the permit suspension was warranted. As soon as is practicable following the close of such hearing, and no later than 14 business days following the close of the hearing unless cause exists therefor, the Hearing Officer shall render a written decision on the matter. If the permit suspension is upheld, the Hearing Officer shall issue an order. The Hearing Officer shall promptly give written notice to the person requesting the hearing and any other interested person who requests, in writing, notice of such decision, including a copy of the order. The order issued by the Hearing Officer shall be deemed a final order and may be judicially reviewed pursuant to California Code of Civil Procedure Section 1094.6. There is no right to an appeal to the City Council.

8.46.090 Severability.
In any provision, clause, sentence or paragraph of this chapter, or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of the provisions of this chapter which can be given effect without the invalid provision or application and, to this end, the provisions of this chapter are hereby declared to be severable.

SECTION 8: Section 10.04.120 of Title 10 of the Palmdale Municipal Code is hereby repealed and deleted in its entirety.

SECTION 9: If any section, subsection, paragraph, sentence, clause or phrase of these provisions of the Palmdale Municipal Code is declared by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of the provisions of the Palmdale Municipal Code. The City Council declares that it would have adopted these provisions of the Palmdale Municipal Code, and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, phrases, or portions be declared invalid or unconstitutional.

SECTION 10: This Ordinance shall take effect thirty (30) days after its adoption.

SECTION 11: The City Clerk, or her duly appointed deputy, shall attest to the adoption of this Ordinance. Not later than fifteen (15) days following the passage of this ordinance, the ordinance, or a summary of the ordinance, along with the names of the City Council members voting for and against the ordinance, shall be published in a newspaper of general circulation in the City of Palmdale.

SECTION 12: The City Council finds that this ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

SIGNED AND APPROVED THIS ____ day of _____, 2023.

_____
Laura Bettencourt, Mayor

APPROVED AS TO FORM:

_____
William P. Curley, III, Interim City Attorney

ATTEST:

_____
Rochelle Scott, Acting City Clerk

I HEREBY CERTIFY that the above and foregoing ordinance was duly passed and adopted by the Palmdale City Council at its regular meeting held on the _____ day of _____, 2023, by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Rochelle Scott, Acting City Clerk

CITY COUNCIL
CITY OF PALMDALE, CALIFORNIA
RESOLUTION NO. CC 2023-014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE APPROVING ADOPTION OF PERMIT FEES FOR SIDEWALK VENDING AND MOBILE FOOD VENDING

WHEREAS, the City Council has determined that City Staff provides business permitting services to the public; and

WHEREAS*,* the City Council may adopt the concurrently proposed Ordinance No. 1606 adding Section 5.04.590 (Sidewalk Vending) and Section 5.05.600 (Mobile Vending) to Title 5 the Palmdale Municipal Code, which will add new forms of business permits needed in connection with Sidewalk Vending and Mobile Vending; and

WHEREAS*,* the City Council desires to ensure it can properly and effectively serve the public in processing and issuing the new forms of business permits needed in connection with Sidewalk Vending and Mobile Vending should Ordinance No. 1606 be adopted and wishes to set reasonable fees for such efforts in compliance with State Law, including Government Code section 66014; and

WHEREAS*,* the City Council conducted a duly noticed public hearing on February 15, 2023 at which time the public was invited to make oral and written presentations as part of the City Council's meeting prior to the adoption of this Resolution and concurrently proposed Ordinance No. 1606; and

WHEREAS*,* at least ten (10) days prior to the public hearing referenced above, the City made available for public inspection information required under Government Code Section 66000, et seq., and

WHEREAS*,* the City published notice of the public hearing as described above in accordance with Government Code Sections 6062(a), 66014, 66016, 66017 and 66018 for the various fees.

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

SECTION 1. Adopt Resolution No. CC 2023-014 to authorize the proposed permit fees for sidewalk vending and mobile vending.

SECTION 2. The City Council hereby finds and determines that the existing, new or increased fees, rates, and charges established in this Resolution are in an amount reasonably necessary to recover the costs of providing the service, review, document, facility, or commodity for which such fee, rate, or charge is levied or authorized to be levied.

SECTION 3. Adoption of Resolution No. 2023-014 establishes sidewalk vendor business permits and the related business permit fee amount as follows:

BUSINESS PERMITS		
Description	FY 2023 Fee	Comments
Business Permit Required: Sidewalk Vendor		
Sidewalk Vendor		
a. Application for permit	$77.70	Plus $5.18 Id badge
b. Annual renewal of permit	$77.70	Plus $5.18 Id badge

SECTION 4. Adoption of Resolution No. 2023-014 establishes vehicle operator business permits and the related business permit fee amount as follows:

BUSINESS PERMITS		
Description	FY 2023 Fee	Comments
Business Permit Required: Mobile Vending: Vehicle Operator		
Mobile Vending: Vehicle Operator		
a. Application for permit	$77.70	Plus $5.18 Id badge
b. Annual renewal of permit	$77.70	Plus $5.18 Id badge

SECTION 5. Adoption of Resolution No. 2023-014 establishes pedestrian solicitor business permits and the related business permit fee amount as follows:

BUSINESS PERMITS		
Description	FY 2023 Fee	Comments
Business Permit Required: Mobile Vending: Pedestrian Solicitor		

Mobile Vending: Pedestrian Solicitor		
a. Application for permit	$77.70	Plus $5.18 Id badge
b. Annual renewal of permit	$77.70	Plus $5.18 Id badge

SECTION 6. Adoption of Resolution No. 2023-014 establishes temporary use permits for food truck mobile vending in residential zones and the related temporary use permit fee amount as follows:

PLANNING		
Description	FY 2023 Fee	Comments
Temporary Use Permit		
Food Truck Vending in Residential Zone	$250.00	flat fee

SECTION 7. If Ordinance No. 1606 is adopted, the new rates, fees, and charges set forth in this Resolution shall become effective on the first date that the amounts can legally be enforced. If Ordinance No. 1606 is not adopted, this Resolution shall not become effective.

SECTION 8. The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED and **ADOPTED** this 15th day of February 2023.

Approved as to form:

_____
William P. Curley, III, Interim City Attorney

_____
Laura Bettencourt, Mayor

ATTEST:

_____
Rochelle Scott, Acting City Clerk

I, Rochelle Scott, Acting 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 15th day of February 2023 by the following roll call vote:

AYES: _____

NOES:_____

ABSTAIN:_____ABSENT:_____

Date: _____ _____

Rochelle Scott, Acting City Clerk