

CITY OF SAN MARINO
CITY COUNCIL AGENDA

Allan Yung, MD, Mayor
Richard Sun, DDS, Vice Mayor
Steven W. Huang, DDS, Council Member
Steve Talt, Council Member
Richard Ward, Council Member
John T. Schaefer, City Manager



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City Hall Council Chamber
2200 Huntington Drive
San Marino, CA 91108

FRIDAY, MAY 27, 2016
8:00 A.M.
CITY HALL
COUNCIL CHAMBER
2200 HUNTINGTON DRIVE, SAN MARINO, CA

The City of San Marino appreciates your attendance. Citizens' interest provides the Council with valuable information regarding issues of the community.

Regular Meetings are held on the 2nd Wednesday of every month at 6:00 p.m. Adjourned Regular Meetings are held on the last Friday of every month at 8:00 a.m.

In compliance with the American with Disabilities Act, any person with a disability who requires a modification or accommodation in order to participate in a meeting should contact the City Clerk's Office at (626) 300-0705 at least 48 hours prior to the meeting.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL: Councilman Huang, Councilman Talt, Councilman Ward, Vice Mayor Sun, and Mayor Yung

POSTING OF AGENDA

The agenda is posted 72 hours prior to each meeting at the following locations: City Hall, 2200 Huntington Drive, the Crowell Public Library, 1890 Huntington Drive and the Recreation Department, 1560 Pasqualito Drive. The agenda is also posted on the City's Website: <http://www.cityofsanmarino.org>

PUBLIC COMMENTS

Section 54954.3 of the Brown Act provides an opportunity for members of the public to address the City Council on any item of interest to the public, before or during the Council's consideration of the item, that is within the subject matter jurisdiction of the City Council.

MOTION TO WAIVE FURTHER READINGS

This action permits the City Council to act on ordinances and resolutions without having to read the entire text of the ordinance or resolution. The title of an ordinance on First Reading must be read in its entirety. An ordinance on Second Reading does not require having the title read. However, the City Council may request that an ordinance or resolution be read in its entirety before taking any action.

STUDY SESSION

1. **FISCAL YEAR 2016-2017 BUDGET REVIEW**
2. **DISCUSSION REGARDING WATER EFFICIENCY LANDSCAPE ORDINANCE**

Recommendation: "A motion to direct staff to proceed with the adoption process for the proposed Water Efficient Landscape Ordinance."

CONSENT CALENDAR

Members of the public may at this time speak on any items on the Consent Calendar. After which, the Mayor will request members of the City Council to indicate if there are any items on the Consent Calendar that should be discussed individually. These items will be pulled from the Consent Calendar and acted on separately.

3. **APRIL 2016 TREASURER'S REPORT**

Recommendation: "A motion to accept and file the Treasurer's Report for the period ending April 30, 2016."

4. **ACCEPTANCE AND AUTHORIZATION TO FILE THE NOTICE OF COMPLETION FOR THE LACY PARK PLAYGROUND IMPROVEMENTS (PATRICK'S TREE) - PROJECT NO. 6053**

Recommendation: “A motion to accept the Lacy Park Playground Project (Patrick’s Tree) as complete and authorize the City Clerk to file the Notice of Completion.”

5. AWARD OF BID – STREET RESURFACING PROJECT AT VARIOUS LOCATIONS, NIB # N-16-04 (PROJECT NOS. 9507, 7921, AND 9361)

Recommendation: “A motion to 1) award the bid for the Street Resurfacing Project at Various Locations, NIB #N-16-04 for Project Nos. 9507, 7921, and 9361 to E.C. Construction Co. of South El Monte, California in the amount of \$531,411.94, and 2) direct the City Manager to transfer appropriations from account number 394-48-4600-7225 to account number 394-48-4600-9361 in the amount of \$46,123.”

6. SECOND YEAR CONTRACT EXTENSION WITH D.H. MAINTENANCE SERVICES FOR PROFESSIONAL JANITORIAL SERVICES FOR VARIOUS CITY BUILDINGS

Recommendation: “A motion to authorize the City Manager to extend the Agreement with D.H. Maintenance Services of Oceanside, California through June 30, 2017 for Professional Janitorial Services for Various City Buildings for a total budget of \$79,917.76.”

PUBLIC HEARINGS

7. CONTINUED PUBLIC HEARING ON THE APPEAL OF THE REQUEST TO EXTEND THE EXPIRATION DATE OF BUILDING PERMITS AND PROJECT COMPLETION DATE FOR 1001 ROSALIND ROAD, (ZHONG)

Recommendation: Staff recommends the City Council deny the appeal and uphold the Planning Commission’s decision to extend both building permits to June 30, 2017, with the revised conditions listed in the staff report.

CONTINUED BUSINESS

8. REVIEW OF MAKING SAN MARINO BETTER LIST

PUBLIC COMMENTS

The public may at this time speak regarding any city-related issue, provided that no action shall be taken on any item not appearing on the agenda. Any person desiring to

speakers should complete a Speaker's Form located at the entrance and hand it to the City Clerk. The Mayor reserves the right to place limits on duration of comments.

CLOSED SESSION

9. CONFERENCE WITH LABOR NEGOTIATOR—PURSUANT TO GOVERNMENT CODE SECTION 54957.6:

Agency Negotiator: Attorney, Steve Filarsky
City Manager, John Schaefer

Employee Organization: San Marino Fire Fighters' Association

10. CONFERENCE WITH LABOR NEGOTIATOR—PURSUANT TO GOVERNMENT CODE SECTION 54957.6:

Agency Negotiator: Attorney, Steve Filarsky
City Manager, John Schaefer

Employee Organization: San Marino Police Officers' Association

11. CONFERENCE WITH LABOR NEGOTIATOR – PURSUANT TO GOVERNMENT CODE SECTION 54957.6:

Agency Negotiator: Attorney, Steve Filarsky
City Manager, John Schaefer

Employee Organization: San Marino City Employees' Association
representing General Employees

RECONVENE TO OPEN SESSION

CLOSED SESSION REPORT

ADJOURNMENT

The San Marino City Council will adjourn to the next regular meeting to be held on **WEDNESDAY, JUNE 8, 2016, at 5:00 P.M.** in the City Hall Council Chamber, 2200 Huntington Drive, San Marino, California.

Dated: May 23, 2016

Posted: May 23, 2016

VERONICA RUIZ, CMC
CITY CLERK

City of San Marino AGENDA REPORT



TO: MAYOR AND CITY COUNCIL

FROM: JOHN T. SCHAEFER, CITY MANAGER

BY: JOHN T. SCHAEFER, CITY MANAGER
LISA BAILEY, FINANCE DIRECTOR

DATE: MAY 27, 2016

SUBJECT: **FISCAL YEAR 2016-2017 BUDGET REVIEW**

Allan Yung, MD, Mayor
Richard Sun, DDS, Vice Mayor
Steven W. Huang, DDS, Council Member
Steve Talt, Council Member
Richard Ward, Council Member

BACKGROUND

Since January the City Council and Staff have been working on the 2016-17 budget. At the most recent meeting of May 11th the City Manager presented to the Council a budget that included \$24,460,445 of Unrestricted Revenues as well as an additional \$1,218,433 of Restricted Funds for total revenue of \$27,678,878.

This same budget proposal proposed Unrestricted Fund expenditures of \$24,946,760 (leaving a surplus of \$1,513,685) and Restricted Fund expenditures of \$1,088,500 (leaving a surplus of Restricted Funds of \$107,883) creating a total surplus of \$1,621,568.

At today's meeting Council needs to affirm or modify the proposals made in this most recently provided budget document. As appropriate any such changes will be incorporated into a final budget document which will be brought back to Council on June 8, 2016 for final approval.

At that same June 8th meeting Council will be asked to:

Adopt statutory appropriation limits, or Gann Limits for Fiscal Year 2016-17;

Adopt a resolution establishing the Public Safety Specialty Tax Levy for Fiscal Year 2016-17;

Adopt a salary and benefits resolution for Management Employees for Fiscal Year 2016-17;

Adopt a salary and benefits resolution for Supervisory/Confidential Employees for Fiscal Year 2016-17;

Adopt a Resolution establishing Part-Time salaries for Fiscal Year 2016-17;

Adopt a Resolution establishing a schedule of fees for various city activities and services.

RECOMMENDATIONS

Council should provide staff direction on the 2016-17 budget and direct staff to bring back those modifications, if any, in a final version of the 2016-17 budget for formal approval at the Council's first meeting in June.

City of San Marino AGENDA REPORT



Allan Yung, MD, Mayor
Richard Sun, DDS, Vice Mayor
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Steve Talt, Council Member
Richard Ward, Council Member

TO: MAYOR AND CITY COUNCIL

FROM: JOHN T. SCHAEFER, CITY MANAGER

BY: ALDO CERVANTES,
 PLANNING AND BUILDING DIRECTOR
 AMANDA MERLO, AICP
 ASSOCIATE PLANNER

DATE: [MAY 27, 2016]

SUBJECT: [WATER EFFICIENT LANDSCAPE ORDINANCE DISCUSSION]

BACKGROUND

In 2009, the City adopted a Water Efficient Landscape Ordinance (WELO) in response to the State’s requirements. Due to the increasing severity of drought conditions, Governor Brown’s recent Executive Order B-29-15 directed the Department of Water Resources to update the State’s Model Water Efficient Landscape Ordinance in order to increase water efficiency standards. Local agencies are now required to update their local ordinance so that it is at least as effective as the model ordinance. The City is currently operating under the State ordinance since a local ordinance was not adopted by the December 2015 implementation date. Staff is not proposing many changes from the state ordinance so transition to the local ordinance should be seamless.

Staff is presenting a draft ordinance to the Council for discussion only at this time. The intent of this discussion is to highlight the major changes from the previous WELO that would most affect San Marino and to request policy direction on certain issues. Staff will then present the ordinance to the Planning Commission and then return to the Council for first reading. |

MAJOR CHANGES TO THE ORDINANCE

There are many changes to the ordinance relating to the technical details of the landscape and irrigation plans and installation. Rather than listing all of them, staff has identified the changes that will have the greatest impact on San Marino and its residents:

	Previous WELO	Proposed WELO
Applicability	New Construction: <ul style="list-style-type: none"> - 5,000 square feet or more of landscape area Existing landscapes: <ul style="list-style-type: none"> - Not subject to the ordinance 	New construction: <ul style="list-style-type: none"> - 500 square feet or more of landscape area Existing rehabilitated landscapes: <ul style="list-style-type: none"> - 2,500 square feet or more of landscape area

	Previous WELO	Proposed WELO
<p>Maximum Applied Water Allowance (MAWA)</p> <p>The MAWA is the water budget for the property. The proposed total water usage for the landscape area may not exceed the MAWA.</p>	The MAWA figure is determined by a formula which incorporates the types of landscape area and the evapotranspiration rate (how much water evaporates or transpires over a certain amount of time) for the local area.	The MAWA formula will remain the same, but the evapotranspiration rate will change which reduces the amount of water that can be used on a property.
Turf	No specific restrictions	The new MAWA restrictions will effectively only allow up to 25% of a residential landscape area to use high water usage plans, such as turf.
Street medians	No specific restrictions	No high water usage plants allowed, including turf.
Graywater	No requirements/restrictions	The usage of graywater is taken into account when calculating the MAWA. Staff is also recommending that graywater systems have the same required setbacks as air conditioning units.
Dedicated landscape water meters	Not required	Required for residential landscapes over 5,000 sq. ft. and for non-residential landscapes over 1,00 sq. ft.
Water audit	When required, could be self-reported.	The new ordinance requires the irrigation auditor to be a certified City auditor or certified third party auditor.
Reporting	Not required	Annual reporting to the state is required. The report will address the number, size and type of projects, review procedures, and enforcement.

POLICY ISSUES

Staff would like the Council to provide direction on the following policy issues:

Applicability

Under the proposed ordinance, a rehabilitated landscape project that is 2,500 square feet or more in area and that requires a building or landscape permit, plan check, or design review is subject to the new ordinance. If a project is larger than 2,500 square feet and is relandscaped without need for a permit or design review, the project is exempt from the ordinance. For example, if a property had 5,000 square feet of existing irrigated turf area and they wanted to remove it and replace it with turf or other high water use plants, they could do so without complying with the ordinance since no permit or design review is required. The City may impose water efficient landscaping requirements that are more stringent than what the State has proposed in its model ordinance. If the Council desires, the City could require a landscape permit for complete removal

and replacement of landscapes over 2,500 square feet, whether or not any other type of permit or review is required. If Council chooses this direction, staff will update the ordinance accordingly to make it clear a permit is required for this type of work.

Fees

The State’s model ordinance includes language about economic incentives for promoting the efficient use of water (Section 23.16.01(B)(6) in the draft ordinance). Staff would like direction from the Council as to whether or not to leave this section in the ordinance. Since the city is not able to offer water rate incentives, the only incentive available is reduced plan check or permit fees. To ensure compliance with all of the technical requirements of the new ordinance, the plan checks will be conducted by the City’s current plan checker, VCA Code. The plan check fee charged by VCA is \$95 per hour. The City also collects a “minor plot plan review” fee of \$100 per landscape application for staff review. The permit fee is based on the valuation of the landscape work. To date, there have been two landscape plan checks/permits since the state ordinance went into effect, one with total fees paid of \$638.53 and one with \$1,551.48 paid. If the council chooses to offer an economic incentive, a potential incentive could be to eliminate or reduce the \$100 staff review fee for voluntary landscape upgrades that fall under the ordinance.

FISCAL IMPACT

[A greater level of review will be required for projects that fall under the new ordinance. The cost of the plan check will be charged to the applicant. Following approval from VCA, City staff will also review the project for city-specific issues, such as tree preservation and design review. Once the plans are approved, a permit fee is charged based on the project valuation. Staff anticipates that this will recover the cost of reviewing landscape plans.]

RECOMMENDATION

[Staff recommends the Council review and comment on the proposed ordinance, provide direction to staff on the policy issues, and direct staff to proceed with the adoption process.]

If Council concurs, the appropriate action would be:

“A motion to [direct staff to proceed with the adoption process for the proposed Water Efficient Landscape Ordinance.”]

Attachments: [Draft Water Efficient Landscape Ordinance]

ORDINANCE NO. 16-___

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARINO
ADOPTING A NEW ARTICLE 16 OF CHAPTER 23 ESTABLISHING UPDATED
WATER EFFICIENT LANDSCAPE REQUIREMENTS**

WHEREAS, on April 1, 2015, Governor Brown issued Executive Order B-29-15 that, among other things, directed the Department of Water Resources (DWR) to update the State Model Water Efficient Landscape Ordinance (“Model Ordinance”) through expedited regulation.

WHEREAS, the purpose of the updated Model Ordinance is to increase water efficiency standards for new and existing landscapes through more efficient irrigation systems, graywater usage, onsite storm water capture, and by limiting the portion of landscapes that can be covered in turf.

WHEREAS, on July 15, 2015, the California Water Commission, acting on behalf of the DWR, approved the 2015 update to the Model Ordinance.

WHEREAS, the City Council is adopting the Model Ordinance in substantially the same form as approved by the California Water Commission in order to promote the efficient use of water within the City and to comply with the Governor’s Executive Order and Government Code Section 65595.

NOW, THEREFORE, the City Council of the City of San Marino does ordain as follows:

Section 1. Article 16 (Water Efficient Landscaping) of Chapter 23 (Zoning) shall be amended in its entirety to read as follows

ARTICLE 16: WATER EFFICIENT LANDSCAPE REQUIREMENTS

- 23.16.01: Findings and Purpose.**
- 23.16.02: Applicability.**
- 23.16.03: Definitions.**
- 23.16.04: Compliance with Landscape Documentation Package.**
- 23.16.05: Elements of the Landscape Documentation Package.**
- 23.16.06: Water Efficient Landscape Worksheet.**
- 23.16.07: Soil Management Report.**
- 23.16.08: Landscape Design Plan.**
- 23.16.09: Irrigation Design Plan.**
- 23.16.10: Grading Design Plan.**
- 23.16.11: Certificate of Completion.**
- 23.16.12: Irrigation Scheduling.**
- 23.16.13: Landscape and Irrigation Maintenance Schedule.**
- 23.16.14: Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis.**
- 23.16.15: Irrigation Efficiency.**
- 23.16.16: Recycled Water**
- 23.16.17: Graywater Systems.**
- 23.16.18: Stormwater Management and Rainwater Retention.**
- 23.16.19: Public Education.**
- 23.16.20: Existing Landscaping: Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis.**
- 23.16.21: Water Waste Prevention.**

23.16.22: Effective Precipitation.

23.16.23: Appendices.

23.16.01 Findings and Purpose.

A. The State Legislature has found:

1. That the waters of the state are of limited supply and are subject to ever increasing demands;
2. That the continuation of California's economic prosperity is dependent on the availability of adequate supplies of water for future uses;
3. That it is the policy of the State to promote the conservation and efficient use of water and to prevent the waste of this valuable resource;
4. That landscapes are essential to the quality of life in California by providing areas for active and passive recreation and as an enhancement to the environment by cleaning air and water, preventing erosion, offering fire protection, and replacing ecosystems lost to development; and
5. That landscape design, installation, maintenance and management can and should be water efficient; and
6. That Section 2 of Article X of the California Constitution specifies that the right to use water is limited to the amount reasonably required for the beneficial use to be served and the right does not and shall not extend to waste or unreasonable method of use.

B. Consistent with these findings, the purpose of this article is to establish an alternative ordinance that is at least as effective as the State Model Ordinance in the context of the conditions in San Marino, in order to:

1. Promote the values and benefits of landscaping practices that integrate and go beyond the conservation and efficient use of water;
2. Establish a structure for planning, designing, installing, maintaining and managing water efficient landscapes in new construction and rehabilitated projects by encouraging the use of a watershed approach that requires cross-sector collaboration of industry, government and property owners to achieve the many benefits possible;
3. Establish provisions for water management practices and water waste prevention for existing landscapes;
4. Use water efficiently without waste by setting a Maximum Applied Water Allowance as an upper limit for water use and reduce water use to the lowest practical amount;
5. Promote the benefits of consistent landscape ordinances with neighboring local and regional agencies;
6. Establish economic incentives that promote the efficient use of water; and
7. Adopt the necessary authority that implements and enforces the provisions of the Model Water Efficient Landscape Ordinance.

23.16.02 Applicability

A. Except as provided in Section D, this article shall apply to all of the following landscape projects:

1. New construction projects with an aggregate landscape area equal to or greater than 500 square feet requiring a building or landscape permit, plan check or design review;
 2. Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check, or design review;
 3. Existing landscapes limited to Sections 23.16.20 and 23.16.21; and
 4. Cemeteries. Recognizing the special landscape management needs of cemeteries, new and rehabilitated cemeteries are limited to Sections 23.16.06, 23.16.13, and 23.16.14; and existing cemeteries are limited to Sections 23.16.20 and 23.16.21.
- B. Any project with an aggregate landscape area of 2,500 square feet or less may comply with the performance requirements of this chapter or conform to the prescriptive measures contained in Appendix B.
- C. For projects using treated or untreated graywater or rainwater captured on site, any lot or parcel within the project that has less than 2500 sq. ft. of landscape and meets the lot or parcel's landscape water requirement (Estimated Total Water Use) entirely with treated or untreated graywater or through stored rainwater captured on site is subject only to Appendix B, Section B.5.
- D. This chapter does not apply to:
1. Registered local, state or federal historical sites;
 2. Existing plant collections, as part of botanical gardens and arboretums open to the public.

23.16.03 Definitions.

The terms used in this chapter have the meaning set forth below:

APPLIED WATER: The portion of water supplied by the irrigation system to the landscape.

AUTOMATIC IRRIGATION CONTROLLER: A timing device used to remotely control valves that operate an irrigation system. Automatic irrigation controllers are able to self-adjust and schedule irrigation events using either evapotranspiration (weather-based) or soil moisture data.

BACKFLOW PREVENTION DEVICE: A safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.

CERTIFICATE OF COMPLETION: The document required under Section 23.16.11.

CERTIFIED IRRIGATION DESIGNER: A person certified to design irrigation systems by an accredited academic institution, a professional trade organization or other program such as the US Environmental Protection Agency's WaterSense irrigation designer certification program and Irrigation Association's Certified Irrigation Designer program.

CERTIFIED LANDSCAPE IRRIGATION AUDITOR: A person certified to perform landscape irrigation audits by an accredited academic institution, a professional trade organization or other program such as the US Environmental Protection Agency's WaterSense irrigation auditor certification program and Irrigation Association's Certified Landscape Irrigation Auditor program.

CHECK VALVE OR ANTI-DRAIN VALVE: A valve located under a sprinkler head, or other location in the irrigation system, to hold water in the system to prevent drainage from sprinkler heads when the sprinkler is off.

COMPOST: The safe and stable product of controlled biologic decomposition of organic materials that is beneficial to plant growth.

CONVERSION FACTOR (0.62): The number that converts acre-inches per acre per year to gallons per square foot per year.

DISTRIBUTION UNIFORMITY: The measure of the uniformity of irrigation water over a defined area.

DRIP IRRIGATION: Any non-spray low volume irrigation system utilizing emission devices with a flow rate measured in gallons per hour. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

EFFECTIVE PRECIPITATION or USABLE RAINFALL (Eppt): The portion of total precipitation which becomes available for plant growth.

EMITTER: A drip irrigation emission device that delivers water slowly from the system to the soil.

ESTABLISHED LANDSCAPE: The point at which plants in the landscape have developed significant root growth into the soil. Typically, most plants are established after one or two years of growth.

ESTABLISHMENT PERIOD OF THE PLANTS: The first year after installing the plant in the landscape or the first two years if irrigation will be terminated after establishment. Typically, most plants are established after one or two years of growth. Native habitat mitigation areas and trees may need three to five years for establishment.

ESTIMATED TOTAL WATER USE (ETWU): The total water used for the landscape as described in Section 23.16.06.

ET ADJUSTMENT FACTOR (ETAF): A factor of 0.55 for residential areas and 0.45 for non-residential areas, that, when applied to reference evapotranspiration, adjusts for plant factors and irrigation efficiency, two major influences upon the amount of water that needs to be applied to the landscape. The ETAF for new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0. The ETAF for existing non-rehabilitated landscapes is 0.8.

EVAPOTRANSPIRATION RATE: The quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time.

FLOW RATE: The rate at which water flows through pipes, valves and emission devices, measured in gallons per minute, gallons per hour, or cubic feet per second.

FLOW SENSOR: An inline device installed at the supply point of the irrigation system that produces a repeatable signal proportional to flow rate. Flow sensors must be connected to an automatic irrigation controller, or flow monitor capable of receiving flow signals and operating master valves. This combination flow sensor/controller may also function as a landscape water meter or submeter.

FRIABLE: A soil condition that is easily crumbled or loosely compacted down to a minimum depth per planting material requirements, whereby the root structure of newly planted material will be allowed to spread unimpeded.

GRAYWATER: Untreated wastewater that has not been contaminated by any toilet discharge, has not been affected by infectious, contaminated, or unhealthy bodily wastes, and does not present a threat from contamination by unhealthful processing, manufacturing, or operating wastes. "Graywater" includes, but is not limited to, wastewater from bathtubs, showers, bathroom washbasins, clothes washing machines, and laundry tubs, but does not include wastewater from kitchen sinks or dishwashers.

HARDSCAPES: Any durable material (pervious and non-pervious).

HYDROZONE: A portion of the landscaped area having plants with similar water needs and rooting depth. A hydrozone may be irrigated or non-irrigated.

INFILTRATION RATE: The rate of water entry into the soil expressed as a depth of water per unit of time (e.g., inches per hour).

INVASIVE PLANT SPECIES: species of plants not historically found in California that spread outside cultivated areas and can damage environmental or economic resources. Invasive species may be regulated by county agricultural agencies as noxious species. Lists of invasive plants are maintained at the California Invasive Plant Inventory and USDA invasive and noxious weeds database.

IRRIGATION AUDIT: An in-depth evaluation of the performance of an irrigation system conducted by a Certified Landscape Irrigation Auditor. An irrigation audit includes, but is not limited to: inspection, system tune-up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow, and preparation of an irrigation schedule. The audit must be conducted in a manner consistent with the Irrigation Association's Landscape Irrigation Auditor Certification program or other U.S. Environmental Protection Agency "Watersense" labeled auditing program.

IRRIGATION EFFICIENCY (IE): The measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The irrigation efficiency for purposes of this chapter are 0.75 for overhead spray devices and 0.81 for drip systems.

IRRIGATION SURVEY: An evaluation of an irrigation system that is less detailed than an irrigation audit. An irrigation survey includes, but is not limited to: inspection, system test, and written recommendations to improve performance of the irrigation system.

IRRIGATION WATER USE ANALYSIS: An analysis of water use data based on meter readings and billing data.

LANDSCAPE ARCHITECT: A person who holds a license to practice landscape architecture in the state of California Business and Professions Code, Section 5615.

LANDSCAPE: All the planting areas, turf areas, and water features in a landscape design plan subject to the Maximum Applied Water Allowance calculation. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or non-pervious hardscapes, and other non-irrigated areas designated for non-development (e.g., open spaces and existing native vegetation).

LANDSCAPE CONTRACTOR: A person licensed by the state of California to construct, maintain, repair, install, or subcontract the development of landscape systems.

LANDSCAPE DOCUMENTATION PACKAGE: The documents required under Section 23.16.05.

LANDSCAPE PROJECT: The total area of landscape in a project as defined in “landscape area” for the purposes of this chapter, meeting requirements under Section 23.16.02.

LANDSCAPE WATER METER: An inline device installed at the irrigation supply point that measures the flow of water into the irrigation system and is connected to a totalizer to record water use.

LATERAL LINE: The water delivery pipeline that supplies water to the emitters or sprinklers from the valve.

LOCAL WATER PURVEYOR: Any entity, including a public agency, city, county, or private water company that provides retail water service.

LOW VOLUME IRRIGATION: The application of irrigation water at low pressure through a system of tubing or lateral lines and low-volume emitters such as drip, drip lines, and bubblers. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

MAIN LINE: The pressurized pipeline that delivers water from the water source to the valve or outlet.

MASTER SHUT-OFF VALVE: An automatic valve installed at the irrigation supply point which controls water flow into the irrigation system. When this valve is closed water will not be supplied to the irrigation system. A master valve will greatly reduce any water loss due to a leaky station valve.

MAXIMUM APPLIED WATER ALLOWANCE (MAWA): The upper limit of annual applied water for the established landscaped area as specified in Section 23.16.06. It is based upon the area's reference evapotranspiration, the ET Adjustment Factor, and the size of the landscape area. The Estimated Total Water Use shall not exceed the Maximum Applied Water Allowance. Special Landscape Areas, including recreation areas, areas permanently and solely dedicated to edible plants such as orchards and vegetable gardens, and areas irrigated with recycled water are subject to the MAWA with an ETAF not to exceed 1.0. $MAWA = (ET_o) (0.62) [(ETAF \times LA) + ((1-ETAF) \times SLA)]$

MEDIAN: An area between opposing lanes of traffic that may be unplanted or planted with trees, shrubs, perennials, and ornamental grasses.

MICROCLIMATE: The climate of a small, specific area that may contrast with the climate of the overall landscape area due to factors such as wind, sun exposure, plant density, or proximity to reflective surfaces.

MULCH: Any organic material such as leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, or decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.

NEW CONSTRUCTION: A new building with a landscape or other new landscape, such as a park, playground, or greenbelt without an associated building.

NON-RESIDENTIAL LANDSCAPE: Landscapes in commercial, institutional, industrial and public settings that may have areas designated for recreation or public assembly. It also includes portions of common areas of common interest developments with designated recreational areas.

OPERATING PRESSURE: The pressure at which the parts of an irrigation system are designed by the manufacturer to operate.

OVERHEAD SPRINKLER IRRIGATION SYSTEMS or OVERHEAD SPRAY IRRIGATION SYSTEMS: Systems that deliver water through the air (e.g., spray heads and rotors).

OVERSPRAY: The irrigation water which is delivered beyond the target area.

PARKWAY: That portion of a street other than a roadway or a sidewalk.

PERMIT: An authorizing document issued by the City for new construction or rehabilitated landscapes.

PERVIOUS: Any surface or material that allows the passage of water through the material and into the underlying soil.

PLANT FACTOR or PLANT WATER USE FACTOR: A factor that, when multiplied by ET_o , estimates the amount of water needed by plants. For purposes of this chapter, the

plant factor range for very low water use plants is 0 to 0.1, the plant factor range for low water use plants is 0.1 to 0.3, the plant factor range for moderate water use plants is 0.4 to 0.6, and the plant factor range for high water use plants is 0.7 to 1.0.

PROJECT APPLICANT: The individual or entity submitting a Landscape Documentation Package to request a permit, plan check, or design review from the City. A project applicant may be the property owner or his or her designee.

RAIN SENSOR or RAIN SENSING SHUTOFF DEVICE: A component which automatically suspends an irrigation event when it rains.

RECORD DRAWING or AS-BUILTS: A set of reproducible drawings which show significant changes in the work made during construction and which are usually based on drawings marked up in the field and other data furnished by the contractor.

RECREATIONAL AREA: Areas, excluding private single family residential areas, designated for active play, recreation or public assembly in parks, sports fields, picnic grounds, and amphitheaters.

RECYCLED WATER or RECLAIMED WATER or TREATED SEWAGE EFFLUENT WATER: Treated or recycled waste water of a quality suitable for nonpotable uses such as landscape irrigation and water features. This water is not intended for human consumption.

REFERENCE EVAPOTRANSPIRATION or ETo: A standard measurement of environmental parameters which affect the water use of plants. ETo is expressed in inches per day, month, or year, and is an estimate of the evapotranspiration of a large field of four- to seven-inch tall, cool-season grass that is well watered. Reference evapotranspiration is used as the basis of determining the Maximum Applied Water Allowances so that regional differences in climate can be accommodated.

REHABILITATED LANDSCAPE: Any relandscaping project that requires a permit, plan check, or design review, meets the requirements of Section 23.16.02, and the modified landscape area is equal to or greater than 2,500 square feet.

RESIDENTIAL LANDSCAPE: Landscapes surrounding single or multifamily homes.

RUN OFF: Water which is not absorbed by the soil or landscape to which it is applied and flows from the landscape area. For example, run off may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or when there is a slope.

SIGNIFICANT MASS GRADING: The excavation, import, or export of more than 50 cubic yards of earth.

SOIL MOISTURE SENSING DEVICE or SOIL MOISTURE SENSOR: A device that measures the amount of water in the soil. The device may also suspend or initiate an irrigation event.

SOIL TEXTURE: The classification of soil based on its percentage of sand, silt, and clay.

SPECIAL LANDSCAPE AREA (SLA): An area of the landscape dedicated solely to edible plants, recreational areas, areas irrigated with recycled water, or water features using recycled water.

SPRINKLER HEAD or SPRAY HEAD: A device which delivers water through a nozzle.

STATIC WATER PRESSURE: The pipeline or municipal water supply pressure when water is not flowing.

STATION: An area served by one valve or by a set of valves that operate simultaneously.

SWING JOINT: An irrigation component that provides a flexible, leak-free connection between the emission device and lateral pipeline to allow movement in any direction and to prevent equipment damage.

SUBMETER: A metering device to measure water applied to the landscape that is installed after the primary utility water meter.

TURF: A ground cover surface of mowed grass. Annual bluegrass, Kentucky bluegrass, Perennial ryegrass, Red fescue, and Tall fescue are cool-season grasses. Bermudagrass, Kikuyugrass, Seashore Paspalum, St. Augustinegrass, Zoysiagrass, and Buffalo grass are warm-season grasses.

VALVE: A device used to control the flow of water in the irrigation system.

WATER CONSERVING PLANT SPECIES: A plant species identified as having a very low or low plant factor.

WATER FEATURE: A design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied). The surface area of water features is included in the high water use hydrozone of the landscape area. Constructed wetlands used for on-site wastewater treatment or stormwater best management practices that are not irrigated and used solely for water treatment or stormwater retention are not water features and, therefore, are not subject to the water budget calculation.

WATERING WINDOW: the time of day irrigation is allowed.

WATER USE CLASSIFICATION OF LANDSCAPE SPECIES (WUCOLS): Water Use Classification of Landscape Species published by the University of California Cooperative Extension and the Department of Water Resources 2014.

23.16.04 Compliance with Landscape Documentation Package.

- A. Prior to construction, the City shall:
 - 1. Provide the project applicant with the ordinance and procedures for permits, plan checks or design reviews

2. Review the Landscape Documentation Package submitted by the project applicant; approve or deny the Landscape Documentation Package;
 3. Issue a permit or approve the plan check or design review for the project applicant; and
 4. Upon approval of the Landscape Documentation Package, submit a copy of the Water Efficient Landscape Worksheet to the local water purveyor.
- B. Prior to construction, the project applicant shall:
1. Submit a Landscape Documentation Package to the City.
- C. Upon approval of the Landscape Documentation Package by the City, the project applicant shall:
1. Receive a permit or approval of the plan check or design review and record the date of the permit in the Certificate of Completion;
 2. Submit a copy of the approved Landscape Documentation Package along with the record drawings, and any other information to the property owner or his/her designee; and
 3. Submit a copy of the Water Efficient Landscape Worksheet to the local water purveyor.

23.16.05 Elements of the Landscape Documentation Package.

- A. The Landscape Documentation Package shall include the following six (6) elements:
1. Project information;
 - a. Date
 - b. Project applicant
 - c. Project address (if available, parcel and/or lot number(s))
 - d. Total landscape area (square feet)
 - e. Project type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed)
 - f. Water supply type (e.g., potable, recycled, well) and identify the local retail water purveyor if the applicant is not served by a private well
 - g. Checklist of all documents in Landscape Documentation Package
 - h. Project contacts to include contact information for the project applicant and property owner
 - i. Applicant signature and date with statement, "I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package".
 2. Water Efficient Landscape Worksheet;
 - a. Hydrozone information table
 - b. Water budget calculations
 - i. Maximum Applied Water Allowance (MAWA)
 - ii. Estimated Total Water Use (ETWU)
 3. Soil management report;
 4. Landscape design plan;
 5. Irrigation design plan; and
 6. Grading design plan.

23.16.06 Water Efficient Landscape Worksheet.

A. A project applicant shall complete the Water Efficient Landscape Worksheet in Appendix A which contains information on the plant factor, irrigation method, irrigation efficiency, and area associated with each hydrozone. Calculations are then made to show that the evapotranspiration adjustment factor (ETAF) for the landscape project does not exceed a factor of 0.55 for residential areas and 0.45 for non-residential areas, exclusive of Special Landscape Areas. The ETAF for a landscape project is based on the plant factors and irrigation methods selected. The Maximum Applied Water Allowance is calculated based on the maximum ETAF allowed (0.55 for residential areas and 0.45 for non-residential areas) and expressed as annual gallons required. The Estimated Total Water Use (ETWU) is calculated based on the plants used and irrigation method selected for the landscape design. ETWU must be below the MAWA.

B. In calculating the Maximum Applied Water Allowance and Estimated Total Water Use, a project applicant shall use the following ETo values:

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
2.1	2.7	3.7	4.7	5.1	6.0	7.1	6.7	5.6	4.2	2.6	2.0	52.3

C. Water budget calculations shall adhere to the following requirements:

- a. The plant factor used shall be from WUCOLS or from horticultural researchers with academic institutions or professional associations as approved by the California Department of Water Resources (DWR). The plant factor ranges from 0 to 0.1 for very low water using plants, 0.1 to 0.3 for low water use plants, from 0.4 to 0.6 for moderate water use plants, and from 0.7 to 1.0 for high water use plants.
- b. All water features shall be included in the high water use hydrozone and temporarily irrigated areas shall be included in the low water use hydrozone.
- c. All Special Landscape Areas shall be identified and their water use calculated as shown in Appendix A.
- d. ETAF for new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0.

23.16.07 Soil Management Report.

A. In order to reduce runoff and encourage healthy plant growth, a soil management report shall be completed by the project applicant, or his/her designee, as follows:

1. Submit soil samples to a laboratory for analysis and recommendations.
 - a. Soil sampling shall be conducted in accordance with laboratory protocol, including protocols regarding adequate sampling depth for the intended plants.
 - b. The soil analysis shall include:
 - i. Soil texture;
 - ii. Infiltration rate determined by laboratory test or soil texture infiltration rate table;
 - iii. pH;
 - iv. Total soluble salts;
 - v. Sodium;
 - vi. Percent organic matter; and

- vii. Recommendations.
- 2. The project applicant, or his/her designee, shall comply with one of the following:
 - a. If significant mass grading is not planned, the soil analysis report shall be submitted to the City as part of the Landscape Documentation Package; or
 - b. If significant mass grading is planned, the soil analysis report shall be submitted to the City as part of the Certificate of Completion.
- 3. The soil analysis report shall be made available, in a timely manner, to the professionals preparing the landscape design plans and irrigation design plans to make any necessary adjustments to the design plans.
- 4. The project applicant, or his/her designee, shall submit documentation verifying implementation of soil analysis report recommendations to the City with the Certificate of Completion.

23.16.07

Landscape Design Plan.

- A. For the efficient use of water, a landscape shall be carefully designed and planned for the intended function of the project. A landscape design plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package.
 - 1. Plant Material
 - a. Any plant may be selected for the landscape, providing the Estimated Total Water Use in the landscape area does not exceed the Maximum Applied Water Allowance. Methods to achieve water efficiency shall include one or more of the following:
 - i. protection and preservation of native species and natural vegetation;
 - ii. selection of water-conserving plant, tree and turf species, especially local native plants;
 - iii. selection of plants based on local climate suitability, disease and pest resistance;
 - iv. selection of trees based on appropriateness for the planting area; and
 - v. selection of plants from local and regional landscape program plant lists.
 - b. Each hydrozone shall have plant materials with similar water use, with the exception of hydrozones with plants of mixed water use, as specified in Section 23.16.09A2d.
 - c. Plants shall be selected and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the project site. Methods to achieve water efficiency shall include one or more of the following:
 - i. Use the Sunset Western Climate Zone System which takes into account temperature, humidity, elevation, terrain, latitude, and varying degrees of continental and marine influence on local climate;
 - ii. Recognize the horticultural attributes of plants (i.e., mature plant size, invasive surface roots) to minimize damage to property or infrastructure [e.g., buildings, sidewalks, power lines]; allow for adequate soil volume for healthy root growth; and
 - iii. Consider the solar orientation for plant placement to maximize summer shade and winter solar gain.
 - d. Turf is not allowed on slopes greater than 25% where the toe of the slope is adjacent to an impermeable hardscape and where 25% means 1 foot of

vertical elevation change for every 4 feet of horizontal length (rise divided by run x 100 = slope percent).

- e. High water use plants, characterized by a plant factor of 0.7 to 1.0, are prohibited in street medians.
 - f. A landscape design plan for projects in fire-prone areas shall address fire safety and prevention. A defensible space or zone around a building or structure is required per California Public Resources Code Section 4291(a) and (b). Avoid fire-prone plant materials and highly flammable mulches.
 - g. The use of invasive plant species, such as those listed by the California Invasive Plant Council, is strongly discouraged.
2. Water Features
 - a. Recirculating water systems shall be used for water features.
 - b. Where available, recycled water shall be used as a source for decorative water features.
 - c. Surface area of a water feature shall be included in the high water use hydrozone area of the water budget calculation.
 - d. Pool and spa covers are highly recommended.
 3. Soil Preparation, Mulch and Amendments
 - a. Prior to the planting of any materials, compacted soils shall be transformed to a friable condition. On engineered slopes, only amended planting holes need meet this requirement.
 - b. Soil amendments shall be incorporated according to recommendations of the soil report and what is appropriate for the plants selected.
 - c. For landscape installations, compost at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six inches into the soil. Soils with greater than 6% organic matter in the top 6 inches of soil are exempt from adding compost and tilling.
 - d. A minimum three inch (3") layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated. To provide habitat for beneficial insects and other wildlife, up to 5% of the landscape area may be left without mulch. Designated insect habitat must be included in the landscape design plan as such.
 - e. Stabilizing mulching products shall be used on slopes that meet current engineering standards.
 - f. The mulching portion of the seed/mulch slurry in hydro-seeded applications shall meet the mulching requirement.
 - g. Organic mulch materials made from recycled or post-consumer materials shall take precedence over inorganic materials or virgin forest products unless the recycled post-consumer organic products are not locally available.
- B. The landscape design plan, at a minimum, shall:
1. delineate and label each hydrozone by number, letter, or other method;
 2. identify each hydrozone as low, moderate, high water, or mixed water use. Temporarily irrigated areas of the landscape shall be included in the low water use hydrozone for the water budget calculation;
 3. identify recreational areas;
 4. identify areas permanently and solely dedicated to edible plants;
 5. identify areas irrigated with recycled water;

6. identify type of mulch and application depth;
7. identify soil amendments, type, and quantity;
8. identify type and surface area of water features;
9. identify hardscapes (pervious and non-pervious);
10. identify location, installation details, and 24-hour retention or infiltration capacity of any applicable stormwater best management practices that encourage on-site retention and infiltration of stormwater. Project applicants shall refer to the City or Regional Water Quality Control Board for information on any applicable stormwater technical requirements. Stormwater best management practices are encouraged in the landscape design plan.
11. identify any applicable rain harvesting or catchment technologies as discussed in Section 23.16.18 and their 24-hour retention or infiltration capacity;
12. identify any applicable graywater discharge piping, system components and area(s) of distribution;
13. contain the following statement: “I have complied with the criteria of the ordinance and applied them for the efficient use of water in the landscape design plan”; and
14. bear the signature of a licensed landscape architect or licensed landscape contractor.

23.16.09 Irrigation Design Plan.

- A. This section applies to landscaped areas requiring permanent irrigation, not areas that require temporary irrigation solely for the plant establishment period. For the efficient use of water, an irrigation system shall meet all the requirements listed in this section and the manufacturers’ recommendations. The irrigation system and its related components shall be planned and designed to allow for proper installation, management, and maintenance. An irrigation design plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package.
1. System
 - a. Landscape water meters, defined as either a dedicated water service meter or private submeter, shall be installed for all non-residential irrigated landscapes of 1,000 sq. ft. but not more than 5,000 sq.ft. and residential irrigated landscapes of 5,000 sq. ft. or greater. A landscape water meter may be either:
 - i. a customer service meter dedicated to landscape use provided by the local water purveyor; or
 - ii. a privately owned meter or submeter.
 - b. Automatic irrigation controllers utilizing either evapotranspiration or soil moisture sensor data utilizing non-volatile memory shall be required for irrigation scheduling in all irrigation systems.
 - c. If the water pressure is below or exceeds the recommended pressure of the specified irrigation devices, the installation of a pressure regulating device is required to ensure that the dynamic pressure at each emission device is within the manufacturer’s recommended pressure range for optimal performance.
 - i. If the static pressure is above or below the required dynamic pressure of the irrigation system, pressure-regulating devices such as inline pressure regulators, booster pumps, or other devices shall be installed to meet the required dynamic pressure of the irrigation system.

- ii. Static water pressure, dynamic or operating pressure, and flow reading of the water supply shall be measured at the point of connection. These pressure and flow measurements shall be conducted at the design stage. If the measurements are not available at the design stage, the measurements shall be conducted at installation.
- d. Sensors (rain, freeze, wind, etc.), either integral or auxiliary, that suspend or alter irrigation operation during unfavorable weather conditions shall be required on all irrigation systems, as appropriate for local climatic conditions. Irrigation should be avoided during windy or freezing weather or during rain.
- e. Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be required, as close as possible to the point of connection of the water supply, to minimize water loss in case of an emergency (such as a main line break) or routine repair.
- f. Backflow prevention devices shall be required to protect the water supply from contamination by the irrigation system. Backflow prevention devices shall comply with all applicable Building Codes and local amendments.
- g. Flow sensors that detect high flow conditions created by system damage or malfunction are required for all on non-residential landscapes and residential landscapes of 5000 sq. ft. or larger.
- h. Master shut-off valves are required on all projects except landscapes that make use of technologies that allow for the individual control of sprinklers that are individually pressurized in a system equipped with low pressure shut down features.
- i. The irrigation system shall be designed to prevent runoff, low head drainage, overspray, or other similar conditions where irrigation water flows onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes, roadways, or structures.
- j. Relevant information from the soil management plan, such as soil type and infiltration rate, shall be utilized when designing irrigation systems.
- k. The design of the irrigation system shall conform to the hydrozones of the landscape design plan.
- l. The irrigation system must be designed and installed to meet, at a minimum, the irrigation efficiency criteria as described in Section 23.16.06 regarding the Maximum Applied Water Allowance.
- m. All irrigation emission devices must meet the requirements set in the American National Standards Institute (ANSI) standard, American Society of Agricultural and Biological Engineers'/International Code Council's (ASABE/ICC) 802-2014 "Landscape Irrigation Sprinkler and Emitter Standard, All sprinkler heads installed in the landscape must document a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.
- n. It is highly recommended that the project applicant inquire with the local water purveyor about peak water operating demands (on the water supply system) or water restrictions that may impact the effectiveness of the irrigation system.
- o. In mulched planting areas, the use of low volume irrigation is required to maximize water infiltration into the root zone.
- p. Sprinkler heads and other emission devices shall have matched precipitation rates, unless otherwise directed by the manufacturer's recommendations.

- q. Head to head coverage is recommended. However, sprinkler spacing shall be designed to achieve the highest possible distribution uniformity using the manufacturer's recommendations.
 - r. Swing joints or other riser-protection components are required on all risers subject to damage that are adjacent to hardscapes or in high traffic areas of turfgrass.
 - s. Check valves or anti-drain valves are required on all sprinkler heads where low point drainage could occur.
 - t. Areas less than ten (10) feet in width in any direction shall be irrigated with subsurface irrigation or other means that produces no runoff or overspray.
 - u. Overhead irrigation shall not be permitted within 24 inches of any non-permeable surface. Allowable irrigation within the setback from non-permeable surfaces may include drip, drip line, or other low flow non-spray technology. The setback area may be planted or unplanted. The surfacing of the setback may be mulch, gravel, or other porous material. These restrictions may be modified if:
 - i. the landscape area is adjacent to permeable surfacing and no runoff occurs; or
 - ii. the adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping; or
 - iii. the irrigation designer specifies an alternative design or technology, as part of the Landscape Documentation Package and clearly demonstrates strict adherence to irrigation system design criteria in Section 23.16.09(A)(1)(i). Prevention of overspray and runoff must be confirmed during the irrigation audit.
 - v. Slopes greater than 25% shall not be irrigated with an irrigation system with a application rate exceeding 0.75 inches per hour. This restriction may be modified if the landscape designer specifies an alternative design or technology, as part of the Landscape Documentation Package, and clearly demonstrates no runoff or erosion will occur. Prevention of runoff and erosion must be confirmed during the irrigation audit.
2. Hydrozone
- a. Each valve shall irrigate a hydrozone with similar site, slope, sun exposure, soil conditions, and plant materials with similar water use.
 - b. Sprinkler heads and other emission devices shall be selected based on what is appropriate for the plant type within that hydrozone.
 - c. Where feasible, trees shall be placed on separate valves from shrubs, groundcovers, and turf to facilitate the appropriate irrigation of trees. The mature size and extent of the root zone shall be considered when designing irrigation for the tree.
 - d. Individual hydrozones that mix plants of moderate and low water use, or moderate and high water use, may be allowed if:
 - i. plant factor calculation is based on the proportions of the respective plant water uses and their plant factor; or
 - ii. the plant factor of the higher water using plant is used for calculations.
 - e. Individual hydrozones that mix high and low water use plants shall not be permitted.
 - f. On the landscape design plan and irrigation design plan, hydrozone areas shall be designated by number, letter, or other designation. On the irrigation

design plan, designate the areas irrigated by each valve, and assign a number to each valve.

- B. The irrigation design plan, at a minimum, shall contain:
1. location and size of separate water meters for landscape;
 2. location, type and size of all components of the irrigation system, including controllers, main and lateral lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers, pressure regulators, and backflow prevention devices;
 3. static water pressure at the point of connection to the public water supply;
 4. flow rate (gallons per minute), application rate (inches per hour), and design operating pressure (pressure per square inch) for each station;
 5. recycled water irrigation systems as specified in Section 23.16.16;
 6. the following statement: “I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the irrigation design plan”; and
 7. the signature of a licensed landscape architect, certified irrigation designer or licensed landscape contractor.

23.16.10 Grading Design Plan.

- A. For the efficient use of water, grading of a project site shall be designed to minimize soil erosion, runoff, and water waste. A grading plan shall be submitted as part of the Landscape Documentation Package. A comprehensive grading plan prepared by a civil engineer for other City permits satisfies this requirement.
1. The project applicant shall submit a landscape grading plan that indicates finished configurations and elevations of the landscape area including:
 - a. height of graded slopes;
 - b. drainage patterns;
 - c. pad elevations;
 - d. finish grade; and
 - e. stormwater retention improvements, if applicable.
 2. To prevent excessive erosion and runoff, it is highly recommended that project applicants:
 - a. grade so that all irrigation and normal rainfall remains within property lines and does not drain on to non-permeable hardscapes;
 - b. avoid disruption of natural drainage patterns and undisturbed soil; and
 - c. avoid soil compaction in landscape areas.
 3. The grading design plan shall contain the following statement: “I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the grading design plan” and shall bear the signature of a licensed professional as authorized by law.

23.16.11 Certificate of Completion.

- A. The Certificate of Completion shall include the following six (6) elements:
1. Project information sheet that contains:
 - a. date;
 - b. project name;
 - c. project applicant name, telephone, and mailing address;
 - d. project address and location; and

- e. property owner name, telephone, and mailing address;
- 2. Certification by either the signer of the landscape design plan, the signer of the irrigation design plan, or the licensed landscape contractor that the landscape project has been installed per the approved Landscape Documentation Package;
 - a. Where there have been significant changes made in the field during construction, these “as-built” or record drawings shall be included with the certification;
 - b. A diagram of the irrigation plan showing hydrozones shall be kept with the irrigation controller for subsequent management purposes.
- 3. Irrigation scheduling parameters used to set the controller;
- 4. Landscape and irrigation maintenance schedule;
- 5. Irrigation audit report; and
- 6. Soil analysis report, if not submitted with Landscape Documentation Package, and documentation verifying implementation of soil report recommendations.
- B. The project applicant shall:
 - 1. Submit the signed Certificate of Completion to the City for review;
 - 2. Ensure that copies of the approved Certificate of Completion are submitted to the local water purveyor and property owner or his or her designee.
- C. The City shall:
 - 1. receive the signed Certificate of Completion from the project applicant;
 - 2. approve or deny the Certificate of Completion. If the Certificate of Completion is denied, the City shall provide information to the project applicant regarding reapplication, appeal, or other assistance.

23.16.12 Irrigation Scheduling.

- A. For the efficient use of water, all irrigation schedules shall be developed, managed, and evaluated to utilize the minimum amount of water required to maintain plant health. Irrigation schedules shall meet the following criteria:
 - 1. Irrigation scheduling shall be regulated by automatic irrigation controllers.
 - 2. Overhead irrigation shall be scheduled between 8:00 p.m. and 10:00 a.m. unless weather conditions prevent it. Irrigation scheduling shall be in compliance with all state, local, and water purveyor regulations. If allowable hours of irrigation differ, the strictest shall apply. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance.
 - 3. For implementation of the irrigation schedule, particular attention must be paid to irrigation run times, emission device, flow rate, and current reference evapotranspiration, so that applied water meets the Estimated Total Water Use. Total annual applied water shall be less than or equal to Maximum Applied Water Allowance (MAWA). Actual irrigation schedules shall be regulated by automatic irrigation controllers using current reference evapotranspiration data (e.g., CIMIS) or soil moisture sensor data.
 - 4. Parameters used to set the automatic controller shall be developed and submitted for each of the following:
 - a. the plant establishment period;
 - b. the established landscape; and
 - c. temporarily irrigated areas.
 - 5. Each irrigation schedule shall consider for each station all of the following that apply:
 - a. irrigation interval (days between irrigation);

- b. irrigation run times (hours or minutes per irrigation event to avoid runoff);
- c. number of cycle starts required for each irrigation event to avoid runoff;
- d. amount of applied water scheduled to be applied on a monthly basis;
- e. application rate setting;
- f. root depth setting;
- g. plant type setting;
- h. soil type;
- i. slope factor setting;
- j. shade factor setting; and
- k. irrigation uniformity or efficiency setting.

23.16.13 Landscape and Irrigation Maintenance Schedule.

- A. Landscapes shall be maintained to ensure water use efficiency. A regular maintenance schedule shall be submitted with the Certificate of Completion.
- B. A regular maintenance schedule shall include, but not be limited to, routine inspection; auditing, adjustment and repair of the irrigation system and its components; aerating and dethatching turf areas; topdressing with compost, replenishing mulch; fertilizing; pruning; weeding in all landscape areas, and removing obstructions to emission devices. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance.
- C. Repair of all irrigation equipment shall be done with the originally installed components or their equivalents or with components with greater efficiency.
- D. A project applicant is encouraged to implement established landscape industry sustainable Best Practices for all landscape maintenance activities.

23.16.14 Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis.

- A. All landscape irrigation audits shall be conducted by a City landscape irrigation auditor or a third party certified landscape irrigation auditor. Landscape audits shall not be conducted by the person who designed the landscape or installed the landscape.
- B. For new construction and rehabilitated landscape projects installed after December 1, 2015, as described in Section 23.16.02:
 - 1. The project applicant shall submit an irrigation audit report with the Certificate of Completion to the City that may include, but is not limited to: inspection, system tune-up, system test with distribution uniformity, reporting overspray or run off that causes overland flow, and preparation of an irrigation schedule, including configuring irrigation controllers with application rate, soil types, plant factors, slope, exposure and any other factors necessary for accurate programming.
 - 2. The City shall administer programs that may include, but not be limited to, irrigation water use analysis, irrigation audits, and irrigation surveys for compliance with the Maximum Applied Water Allowance.

23.16.15 Irrigation Efficiency.

For the purpose of determining Estimated Total Water Use, average irrigation efficiency is assumed to be 0.75 for overhead spray devices and 0.81 for drip system devices.

23.16.16 Recycled Water

- A. The installation of recycled water irrigation systems shall allow for the current and future use of recycled water.
- B. All recycled water irrigation systems shall be designed and operated in accordance with all applicable local and State laws.
- C. Landscapes using recycled water are considered Special Landscape Areas. The ET Adjustment Factor for new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0.

23.16.17 Graywater Systems.

Graywater systems promote the efficient use of water and are encouraged to assist in on-site landscape irrigation. All graywater systems shall conform to the California Plumbing Code (Title 24, Part 5, Chapter 16) and any applicable City standards. Graywater systems shall be subject to the same setback requirements identified in Section 23.06.05(B)(2).

23.16.18 Stormwater Management and Rainwater Retention.

- A. Stormwater management practices minimize runoff and increase infiltration which recharges groundwater and improves water quality. Implementing stormwater best management practices into the landscape and grading design plans to minimize runoff and to increase on-site rainwater retention and infiltration are encouraged.
- B. Project applicants shall refer to the City or Regional Water Quality Control Board for information on any applicable stormwater technical requirements.
- C. All planted landscape areas are required to have friable soil to maximize water retention and infiltration.
- D. It is strongly recommended that landscape areas be designed for capture and infiltration capacity that is sufficient to prevent runoff from impervious surfaces (i.e. roof and paved areas) from either: the one inch, 24-hour rain event or (2) the 85th percentile, 24-hour rain event, and/or additional capacity as required by any applicable local, regional, state or federal regulation.
- E. It is recommended that storm water projects incorporate any of the following elements to improve on-site storm water and dry weather runoff capture and use:
 1. Grade impervious surfaces, such as driveways, during construction to drain to vegetated areas.
 2. Minimize the area of impervious surfaces such as paved areas, roof and concrete driveways.
 3. Incorporate pervious or porous surfaces (e.g., gravel, permeable pavers or blocks, pervious or porous concrete) that minimize runoff.
 4. Direct runoff from paved surfaces and roof areas into planting beds or landscaped areas to maximize site water capture and reuse.
 5. Incorporate rain gardens, cisterns, and other rain harvesting or catchment systems.
 6. Incorporate infiltration beds, swales, basins and drywells to capture storm water and dry weather runoff and increase percolation into the soil.
 7. Consider constructed wetlands and ponds that retain water, equalize excess flow, and filter pollutants.

23.16.19 Public Education.

The City will provide information to new owners and owners of permitted renovations and new, single-family residential homes regarding the design, installation, management, and maintenance of water efficient landscapes based on a water budget.

23.16.20 Existing Landscaping: Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis.

- A. This section shall apply to all existing landscapes that were installed before December 1, 2015 and are over one acre in size.
 - 1. For all landscapes that have a water meter, the City shall administer programs that may include, but not be limited to, irrigation water use analyses, irrigation surveys, and irrigation audits to evaluate water use and provide recommendations as necessary to reduce landscape water use to a level that does not exceed the Maximum Applied Water Allowance for existing landscapes. The Maximum Applied Water Allowance for existing landscapes shall be calculated as: $MAWA = (0.8)(ET_o)(LA)(0.62)$.
 - 2. For all landscapes that do not have a meter, the City shall administer programs that may include, but not be limited to, irrigation surveys and irrigation audits to evaluate water use and provide recommendations as necessary in order to prevent water waste.
- B. All landscape irrigation audits shall be conducted by a certified landscape irrigation auditor.

23.16.21 Water Waste Prevention.

- A. Water waste is prohibited per Chapter 14, Article 16 of this Code.
- B. Runoff shall not leave the target landscape due to low head drainage, overspray, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, parking lots, or structures.
- C. Restrictions regarding overspray and runoff may be modified if:
 - 1. The landscape area is adjacent to permeable surfacing and no runoff occurs; or
 - 2. The adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping.

23.16.22 Effective Precipitation.

The City may consider Effective Precipitation (25% of annual precipitation) in tracking water use and may use the following equation to calculate Maximum Applied Water Allowance:

$MAWA = (ET_o - Eppt) (0.62) [(0.55 \times LA) + (0.45 \times SLA)]$ for residential areas.

$MAWA = (ET_o - EPPT) (0.62) [(0.45 \times LA) + (0.55 \times SLA)]$ for non-residential areas.

23.16.23 Appendices.

All references in this chapter to Appendix A and Appendix B are to the codified appendices adopted by Ordinance No. _____.”

Section 2. This project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, 14 Cal. Code Regs. Section 15307 and 15308, as an action taken to assure the

maintenance, restoration, or enhancement of a natural resource or the environment where the regulatory process involves procedures for protection of the environment. This Ordinance does not contemplate any construction activities and is limited to ensuring water efficient landscaping options to preserve water. There is no evidence to suggest that the Ordinance will result in a significant impact on the environment, including impacts due to unusual circumstances. The adoption of this Ordinance includes provisions that will result in the enhancement and protection of water resources in the City. Based on the foregoing and other substantial evidence in the record, the City Council hereby finds and determines that the Ordinance is exempt from the provisions of CEQA, pursuant to State CEQA Guidelines Sections 15307 and 15308. As a separate and independent ground, the City Council finds that the Ordinance is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Because it can be seen with certainty that there is no possibility that the Ordinance will have a significant effect on the environment, the Ordinance is not subject to CEQA pursuant to State CEQA Guidelines Section 15061 (b)(3).

Section 3. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

Section 4. The City Clerk of the City of San Marino shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted in the manner required by law.

Section 5. This ordinance shall be effective 30 days after its adoption.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of San Marino held on the _____, 2016.

ADOPTED and ordered posted at a meeting of the City Council of the City of San Marino, held on the _____, 2016, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Allan Yung, Mayor

ATTEST:

Veronica Ruiz, City Clerk

Appendix A – Water Efficient Landscape Worksheet.

WATER EFFICIENT LANDSCAPE WORKSHEET

This worksheet is filled out by the project applicant and it is a required element of the Landscape Documentation Package.

Reference Evapotranspiration (ETo)

Hydrozone # /Planting Description ^a	Plant Factor (PF)	Irrigation Method ^b	Irrigation Efficiency (IE) ^c	ETAF (PF/IE)	Landscape Area (sq. ft.)	ETAF x Area	Estimated Total Water Use (ETWU) ^e
Regular Landscape Areas							
				Totals	(A)	(B)	
Special Landscape Areas							
				1			
				1			
				1			
				Totals	(C)	(D)	
						ETWU Total	
^a Hydrozone #/Planting Description E.g 1.) front lawn 2.) low water use plantings 3.) medium water use planting		^b Irrigation Method overhead spray or drip		^c Irrigation Efficiency 0.75 for spray head 0.81 for drip		^e Water Allowance (MAWA) ^e	

^dETWU (Annual Gallons Required) = Eto x 0.62 x ETAF x Area
where 0.62 is a conversion factor that converts acre-inches per acre per year to gallons per square foot per year.

^eMAWA (Annual Gallons Allowed) = (Eto) (0.62) [(ETAF x LA) + ((1-ETAF) x SLA)]
where 0.62 is a conversion factor that converts acre-inches per acre per year to gallons per square foot per year, LA is the total landscape area in square feet, SLA is the total special landscape area in square feet, and ETAF is .55 for residential areas and 0.45 for non-residential areas.

ETAF Calculations

Regular Landscape Areas

Total ETAF x Area	(B)
Total Area	(A)
Average ETAF	B ÷ A

Average ETAF for Regular Landscape Areas should be 0.55 or below for residential areas, and 0.45 or below for non-residential areas.

All Landscape Areas

Total ETAF x Area	(B+D)
Total Area	(A+C)
Sitewide ETAF	(B+D) ÷ (A+C)

Appendix B – Prescriptive Compliance Option

- A. This appendix contains prescriptive requirements which may be used as a compliance option to the requirements of this Article.
- B. Compliance with the following items is mandatory and must be documented on a landscape plan in order to use the prescriptive compliance option:
1. Submit a Landscape Documentation Package which includes the following elements:
 - a. date
 - b. project applicant
 - c. project address (if available, parcel and/or lot number(s))
 - d. total landscape area (square feet), including a breakdown of turf and plant material
 - e. project type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed)
 - f. water supply type (e.g., potable, recycled, well) and identify the local retail water purveyor if the applicant is not served by a private well
 - g. contact information for the project applicant and property owner
 - h. applicant signature and date with statement, “I agree to comply with the requirements of the prescriptive compliance option to the MWELO”.
 2. Incorporate compost at a rate of at least four cubic yards per 1,000 square feet to a depth of six inches into landscape area (unless contra-indicated by a soil test);
 3. Plant material shall comply with all of the following:
 - a. For residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 75% of the plant area excluding edibles and areas using recycled water; For non-residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 100% of the plant area excluding edibles and areas using recycled water;
 - b. A minimum three inch (3”) layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated.
 4. Turf shall comply with all of the following:
 - a. Turf shall not exceed 25% of the landscape area in residential areas, and there shall be no turf in non-residential areas;
 - b. Turf shall not be planted on sloped areas which exceed a slope of 1 foot vertical elevation change for every 4 feet of horizontal length;
 - c. Turf is prohibited in parkways less than 10 feet wide, unless the parkway is adjacent to a parking strip and used to enter and exit vehicles. Any turf in parkways must be irrigated by sub-surface irrigation or by other technology that creates no overspray or runoff.
 5. Irrigation systems shall comply with the following:
 - a. Automatic irrigation controllers are required and must use evapotranspiration or soil moisture sensor data and utilize a rain sensor.
 - b. Irrigation controllers shall be of a type which does not lose programming data in the event the primary power source is interrupted.
 - c. Pressure regulators shall be installed on the irrigation system to ensure the dynamic pressure of the system is within the manufacturers recommended pressure range.
 - d. Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be installed as close as possible to the point of connection of the water supply.

- e. All irrigation emission devices must meet the requirements set in the ANSI standard, ASABE/ICC 802-2014 “Landscape Irrigation Sprinkler and Emitter Standard”. All sprinkler heads installed in the landscape must document a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.
 - f. Areas less than ten (10) feet in width in any direction shall be irrigated with subsurface irrigation or other means that produces no runoff or overspray.
6. For non-residential projects with landscape areas of 1,000 sq. ft. or more, a private submeter(s) to measure landscape water use shall be installed.
- C. At the time of final inspection, the permit applicant must provide the owner of the property with a certificate of completion, certificate of installation, irrigation schedule and a schedule of landscape and irrigation maintenance.

City of San Marino AGENDA REPORT



TO: MAYOR AND CITY COUNCIL

FROM: MARINA WANG, CITY TREASURER

BY: [LISA BAILEY, FINANCE DIRECTOR]

DATE: [MAY 27, 2016]

SUBJECT: **TREASURER'S REPORT FOR THE MONTH OF APRIL, 2016**

Allan Yung, MD, Mayor

Richard Sun, DDS, Vice Mayor

Dr. Steven W. Huang, Council Member

Steve Talt, Council Member

Richard Ward, Council Member

BACKGROUND

[The California Government Code requires that the Treasurer render a report to the City Council within 30 days of the end of each quarter which lists the City's investments and moneys held by the City. The report must state compliance with the City's Investment Policy or the manner in which it is not in compliance. It must also state the ability of the City to meet its expenditure requirements for the next six months, or provide an explanation of why sufficient funds will or may not be available.]

FISCAL IMPACT

[None.]

RECOMMENDATION

[Staff recommends the Council accept and file the Treasurer's Report for the period ending April 30, 2016.] If Council concurs, the appropriate action would be:

“A motion to accept and file the Treasurer's Report for the period ending April 30, 2016.”

Attachments: [April 30, 2016 Treasurer's Report and PMIA Market Valuation]

**City of San Marino Treasurer's Report
April, 2016**

Deposit/Investment Type	Bank/Issuer	Maturity	Par Value	Book Value	Market Value**	Yield to First Call	Yield to Maturity
Cash on Hand*							
Petty Cash & Cash Drawer	City Hall		400	400.00	400.00		
Petty Cash	Fire Department		300	300.00	300.00		
Petty Cash & Cash Drawer	Recreation Department		400	400.00	400.00		
Petty Cash & Cash Drawer	Library		300	300.00	300.00		
Petty Cash & Cash Drawer	Public Works		550	550.00	550.00		
Petty Cash	Police Department		400	400.00	400.00		
		0.01%	2,350.00	2,350.00	2,350.00		
Cash in Bank							
Main Account	Citizens' Business Bank		125,377.70	125,377.70	125,377.70		
Payroll Account	Citizens' Business Bank		1,978.45	1,978.45	1,978.45		
Workers' Compensation Account	Citizens' Business Bank		15,127.12	15,127.12	15,127.12		
Investment Interest Account	US Bank		1,530,557.81	1,530,557.81	1,530,557.81		
		7.38%	1,673,041.08	1,673,041.08	1,673,041.08		
Investments							
Pooled Funds	State of California Local Agency Investment Fund (LAIF)	55.31%	12,534,829.56	12,534,829.56	2,770.95		0.525%
CDs							
US Bank Safekeeping	American Express Centurion Bk CUSIP #02587DMT2 (FDIC #27471)	05/02/16	248,000	248,000	248,000.00		0.70%
US Bank Safekeeping	Scotiabank DE P R San Juan CUSIP #80928E-JE-1 (FDIC #22948)	06/27/16	248,000	248,000	248,232.65		0.75%
US Bank Safekeeping	Bank Baroda New York, NY CUSIP #06062A-AX-7 (FDIC #33681)	11/29/16	248,000	248,000	248,700.12		1.10%
US Bank Safekeeping	CIT Bank Salt Lake City UT CUSIP #1728CBY9 (FDIC #35575)	04/17/17	248,000	248,000	248,270.97		1.00%
US Bank Safekeeping	Mercantile Commercebank Primary CUSIP #58733ABBA (FDIC #22953)	06/05/17	248,000	248,000	Not Available		1.05%
US Bank Safekeeping	Bryn Mawr Trust Co. CUSIP #117673BH5 (FDIC#11886)	06/13/17	248,000	248,000	Not Available		0.95%
US Bank Safekeeping	Ally Bank, UT CUSIP #02006LMNO (FDIC #57803)	12/04/17	248,000	248,000	Not Available		1.55%
US Bank Safekeeping	Flushing Bank CUSIP #34387ABBA (FDIC #58564)	12/12/17	248,000	248,000	Not Available		1.30%
US Bank Safekeeping	Ulster Savings Bank CUSIP #90386JAC7 (FDIC #15970)	04/10/18	249,000	249,000	Not Available		1.45%
US Bank Safekeeping	Discover Bank CUSIP 254671MS6 (FDIC #5649)	04/17/18	248,000	248,000	Not Available		1.15%
US Bank Safekeeping	Barclay's Bank Del Wilmington Stp CUSIP #06740AZB8 (FDIC #57203)	04/30/18	248,000	248,000	Not Available		1.06%
US Bank Safekeeping	Union Bank, NA CUSIP #90521ANG9 (FDIC #22826)	07/16/18	248,000	248,000	Not Available		1.60%
US Bank Safekeeping	State Bank of India, NY CUSIP #856284M68 (FDIC #33682)	07/30/18	247,000	247,000	Not Available		2.00%
US Bank Safekeeping	Celtic Bank CUSIP #15118RJG3 (FDIC #57056)	09/06/18	248,000	248,000	Not Available		1.50%
US Bank Safekeeping	Synchrony Bank CUSIP #36157QTM9 (FDIC #27314)	12/06/18	248,000	248,000	Not Available		2.00%
US Bank Safekeeping	Firstbank PR Santurce #33767ASXQ (FDIC #30387)	12/11/18	248,000	248,001	Not Available		1.60%
US Bank Safekeeping	Bank of Holland Michigan CUSIP #082649ZW1 (FDIC #34862)	03/21/19	249,000	249,000	Not Available		1.60%
US Bank Safekeeping	HSBC US Bank NA CUSIP #40434AHX0 (FDIC #57890)	03/27/19	249,000	249,000	Not Available		1.05%
US Bank Safekeeping	Webster Bank CUSIP #94768NJT2 (FDIC #18221)	06/18/19	249,000	249,000	Not Available		1.80%
US Bank Safekeeping	American Express Bank FSB CUSIP #02587CAC4 (FDIC #35328)	07/10/19	248,000	248,000	Not Available		1.95%
US Bank Safekeeping	Sallie Mae Bank CUSIP #795450UK9 (FDIC #58177)	10/29/19	248,000	248,000	Not Available		2.20%
US Bank Safekeeping	Third Federal S & L CUSIP #88413QAWB (FDIC #30012)	11/25/19	248,000	248,000	Not Available		2.00%
US Bank Safekeeping	Goldman Sachs Bank CUSIP #38148JDV0 (FDIC #33124)	12/03/19	247,000	247,000	Not Available		2.20%
US Bank Safekeeping	BMW Bank of N. America Utah CUSIP #05580ABS2 (FDIC #35141)	05/22/20	248,000	248,000	Not Available		1.95%
World's Foremost Bank	World's Foremost Bank Lincoln, NE (FDIC #57079)	6/16/2023***	249,000	249,000	Not Available		2.45%
		27.37%	6,203,000	6,203,001	Not Available		1.52% WAY
Notes/Bonds:							
US Bank Safekeeping	FNMA .875 - CUSIP 3135GORT2	12/20/2017	500,000	497,727	500,693	3.378%	1.528%
US Bank Safekeeping	FHLB 4.5 Year-10 Month One Time Callable Agency- CUSIP: 313382ZL0	2/21/2019	250,000	245,948	249,422	4.288%	1.600%
US Bank Safekeeping	FHLB 1.73 Qty Callable CUSIP 3130A7BT1	2/26/2021	500,000	500,000	496,280	1.730%	1.730%
US Bank Safekeeping	FHLB 1.6% One Time Callable CUSIP 3130A7NF8	3/29/2021	500,000	500,000	499,650	1.600%	1.600%
US Bank Safekeeping	FNMA One Time Callable (3/30/17) Step Up - CUSIP 3136G3ED3	3/30/2021	500,000	500,000	499,970	1.000%	1.872%
		9.93%	2,250,000	2,243,675	2,248,014		1.673% WAY
Total Cash & Investments			22,663,220.64	22,656,896.74	Not Available	0.87%	WAY

*Book Value of Cash on Hand includes receipts to be reimbursed.

**The LAIF Market Value is provided quarterly. At 03/31/2016 the valuation factor was 0.00022106%. See attached Market Valuation Report for a description of funds invested in LAIF.

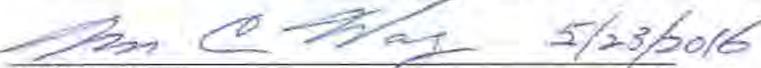
*** Callable Bullet Step Up

****Year one = 1.6% Years 2-5 = Three month Libor +45 bps

*****1.05% until 3/17, then LIBOR plus 0.1%, cap 2.85.

I hereby certify that this report is in compliance with the City's investment Policy as adopted by the City Council on June 11, 2014, and that the City has the ability to meet its expenditure requirements for the next six months.


Lisa Bailey, Financial Director

 5/23/2016
Marina Wang, Treasurer



State of California
Pooled Money Investment Account
Market Valuation
3/31/2016

Description	Carrying Cost Plus		Fair Value	Accrued Interest
	Accrued Interest	Purch.		
United States Treasury:				
Bills	\$ 11,410,745,648.58	\$ 11,428,324,382.05	\$ 11,433,051,500.00	NA
Notes	\$ 19,895,104,458.35	\$ 19,894,615,430.08	\$ 19,906,919,000.00	\$ 27,575,588.00
Federal Agency:				
SBA	\$ 652,389,707.86	\$ 652,377,032.02	\$ 644,595,522.94	\$ 830,290.94
MBS-REMICs	\$ 67,195,956.41	\$ 67,195,956.41	\$ 71,568,446.72	\$ 318,368.46
Debentures	\$ 980,003,053.62	\$ 980,000,442.51	\$ 980,561,200.00	\$ 1,159,694.90
Debentures FR	\$ -	\$ -	\$ -	\$ -
Discount Notes	\$ 6,386,297,958.28	\$ 6,395,635,458.25	\$ 6,396,175,500.00	NA
GNMA	\$ -	\$ -	\$ -	\$ -
Supranational Debentures	\$ 350,136,669.79	\$ 350,136,669.79	\$ 350,709,000.00	\$ 454,512.50
CDs and YCDs FR	\$ 300,000,000.00	\$ 300,000,000.00	\$ 300,000,000.00	\$ 381,190.56
Bank Notes	\$ 200,000,000.00	\$ 200,000,000.00	\$ 200,000,000.00	\$ 387,333.33
CDs and YCDs	\$ 10,550,003,344.94	\$ 10,550,003,344.94	\$ 10,549,420,471.66	\$ 13,218,388.84
Commercial Paper	\$ 4,692,552,222.25	\$ 4,696,239,430.61	\$ 4,696,381,138.89	NA
Corporate:				
Bonds FR	\$ -	\$ -	\$ -	\$ -
Bonds	\$ -	\$ -	\$ -	\$ -
Repurchase Agreements	\$ -	\$ -	\$ -	\$ -
Reverse Repurchase	\$ -	\$ -	\$ -	\$ -
Time Deposits	\$ 5,647,440,000.00	\$ 5,647,440,000.00	\$ 5,647,440,000.00	NA
AB 55 & GF Loans	\$ 6,030,937,000.00	\$ 6,030,937,000.00	\$ 6,030,937,000.00	NA
TOTAL	\$ 67,162,806,020.08	\$ 67,192,905,146.66	\$ 67,207,758,780.21	\$ 44,325,367.53

Fair Value Including Accrued Interest

\$ 67,252,084,147.74

Repurchase Agreements, Time Deposits, AB 55 & General Fund loans, and Reverse Repurchase agreements are carried at portfolio book value (carrying cost).

The value of each participating dollar equals the fair value divided by the amortized cost (1.00022106).
 As an example: if an agency has an account balance of \$20,000,000.00, then the agency would report its participation in the LAIF valued at \$20,004,421.19 or \$20,000,000.00 x 1.00022106.

City of San Marino AGENDA REPORT



Allan Yung, MD, Mayor

Richard Sun, DDS, Vice Mayor

Steven W. Huang, DDS, Council Member

Steve Talt, Council Member

Richard Ward, Council Member

TO: MAYOR AND CITY COUNCIL

FROM: JOHN T. SCHAEFER, CITY MANAGER

BY: LUCY GARCIA, ASSISTANT CITY MANAGER
DEAN WERNER, PARKS AND PUBLIC WORKS MGR

DATE: MAY 27, 2016

SUBJECT: **ACCEPTANCE AND AUTHORIZATION TO FILE
THE NOTICE OF COMPLETION FOR THE LACY
PARK PLAYGROUND IMPROVEMENTS (PATRICK'S
TREE) PROJECT NO. (6053)**

BACKGROUND

On December 9, 2015, the City Council awarded the Lacy Park Playground Improvement Project (Patrick's Tree) to E.C Construction of So El Monte, CA in the amount of \$108,134. The project included placement of three tulip trees, an arbor structure, two rail fences, twelve picnic benches and the renovation of the hardscape.

The playground improvements were financed via a donation from the Patrick's Tree Foundation, led by Danielle Martin and Colleen McGuinness, in the amount of \$104,750. In addition, the project received contributions from the San Marino Rotary Club in the amount of \$10,000, bringing the total donations for the project to \$114,750, which were deposited to the City coffers under account 281-50-4600-6053.

FISCAL IMPACT

The construction costs with change orders were \$111,419, not including the project's engineering costs. The project change orders were the result of price changes to the tables and benches; time and materials for the installation of the tables and benches (above the scope of work); and minor asphalt work.

The total amount of funds available in the City's Capital Improvement budget for this project was \$114,750 under account 281-50-4600-6053; hence, there were sufficient funds available to complete the project within the established budget.

RECOMMENDATION

Staff recommends the City Council accept and authorize the City Clerk to file the Notice of Completion for the Lacy Park Playground Project (Patrick's Tree) (Project No. 6053). If the Council concurs, the appropriate action would be:

“A motion to accept the Lacy Park Playground Project (Patrick's Tree) as complete and authorize the City Clerk to file the Notice of Completion.”

Attachment: Notice of Completion

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO

Name: CITY OF SAN MARINO
Street: 2200 Huntington Dr.
Address: San Marino, CA 91108-2591
City &
State

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Free recording requested pursuant to Government Code §6103 & 27383

NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion. (See reverse side for complete requirements.)

Notice is hereby given that:

1. The undersigned is owner or corporate officer of the owner of the interest or estate stated below in the property herein described:
 2. The full name of the owner is CITY OF SAN MARINO
 3. The full address of the owner is 2200 Huntington Dr., San Marino, CA 91108-2591
 4. The nature of the interest or estate of the owner is: In fee.
- (If other than fee, strike "In fee" and insert, for example "purchaser under contract of purchase," or "lessee")
5. The full names and full addresses of all persons, if any, who hold title with the undersigned as joint tenants or as tenants in common are:
NAMES ADDRESSES
None
 - The full names and full addresses of the predecessors in interest of the undersigned, if the property was transferred subsequent to the commencement of the work or improvements herein referred to:
NAMES ADDRESSES
None
6. Work of improvement on the Park Play Ground hereinafter described was completed on May 6, 2016. The work done was: Playground improvements.
 7. The name of the contractor, if any, for such work of improvement was E.C Construction of So El Monte, California
December 9, 2015
(Date of Contract)
8. The property on which said work of improvement was completed is in the City of San Marino County of Los Angeles, State of California, and is described as follows: Planting three Tulip trees, two rail fencing, twelve picnic benches and the renovation of the hardscape
 9. The street address of said property is 1485 Virginia Rd San Marino, CA 91108
(If no street address has been officially assigned insert "none.")

Date: May 27, .2016

Signature of owner or corporate officer of owner named in paragraph 2 or his agent
John Schaefer, City Manager, City of San Marino

VERIFICATION

I, the undersigned say: I am the City Manager of the declarant of the foregoing Notice of Completion; I have read 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 May 27, .2016, at San Marino, California.
(Date of signature) (City where signed)

(Personal signature of the individual who is swearing that the contents of the Notice of Completion are true)
John Schaefer, City Manager, City of San Marino

City of San Marino AGENDA REPORT



TO: MAYOR AND CITY COUNCIL

FROM: JOHN T. SCHAEFER, CITY MANAGER

BY: LUCY GARCIA, ASSISTANT CITY MANAGER
JASMIN ELEPANO, ADMINISTRATIVE ANALYST

DATE: MAY 27, 2016

SUBJECT: **AWARD OF CONTRACT FOR THE STREET RESURFACING PROJECT AT
VARIOUS LOCATIONS, NIB # N-16-04 (PROJECT NOS. 9507, 7921, AND 9361)**

Allan Yung, MD, Mayor

Richard Sun, DDS, Vice Mayor

Steven W. Huang, DDS, Council Member

Steve Talt, Council Member

Richard Ward, Council Member

BACKGROUND

The Street Resurfacing Project at Various Locations, NIB #N-16-04 includes the following streets – Winston Avenue – from Robles Avenue to Northerly City Limit (Project No. 9507), Stratford Road – from Oxford Road to San Marino Avenue (Project No. 7921), and Virginia Road – from Oak Grove Avenue to Rosalind Road (Project No. 9361). It also includes a bid alternate for Robles Avenue from Winston Avenue to Sierra Madre Boulevard.

The project includes 2,503 tons of asphalt and other related work, such as asphalt and concrete dig-outs, concrete curb, gutter, sidewalk drive approach, and traffic striping as described in the specifications and contract documents, referenced above.

This project was included in the second CalRecycle Grant for the Rubberized Asphalt Concrete (RAC), so for every ton of RAC that the City uses for this project, the City will be reimbursed \$10. Staff already requested an appropriation of \$105,000 in account #226-48-3202-7155 for this grant at the April 29, 2016 Council meeting.

The project was posted on Planet Bid, the City's website for bid opportunities, on April 28, 2016. 257 vendors were notified through Planet Bid. Twenty one (21) prospective bidders downloaded the bid documents.

The City of San Marino also published a Notice Inviting Bids on May 6 and 13 through the local paper.

On May 18, 2016 at 11:00 A.M., sealed bids were opened and read. A total of six (6) bids were received. The submitted bids ranged from \$531,411.94 to \$798,336.55.

The apparent low bid was submitted by E. C. Construction Co. of South El Monte, California. The company has performed several projects for San Marino in the past and their work was satisfactory. Licenses for the contractor were checked with the State of California, Department of Industrial Relations,

the California Department of Consumer Affairs and the Contractors State License Board. All licenses were verified to be valid and current.

The project is estimated to be completed within one hundred twenty (120) calendar days from the start date.

FISCAL IMPACT

The engineer’s estimate for the project was \$680,000. The lowest bid was for \$531,411.94. This bid amount includes the bid alternate for Robles Avenue.

The Street Resurfacing Project at Various Locations is budgeted under the following account numbers:

ACCOUNT	BUDGET
226-48-3202-7155	\$25,030
394-48-4600-9507	\$350,000
394-48-4600-7921	\$70,000
394-48-4600-9361	\$175,000
TOTAL BUDGET	\$620,030

The anticipated costs are as follows:

DESCRIPTION	AMOUNT
Engineering	\$81,600
Construction	\$531,412
Contingency @ 10%	\$53,141
TOTAL Anticipated costs	\$666,153

The total additional funds needed for the project are estimated at \$46,123. There are additional funds available from other recently completed projects where there were cost savings (ie, Street Resurfacing Project at Santa Anita). Account number 394-48-4600-7225 has unspent funds in the amount of \$284,746. Additionally it is estimated that the City will recover approximately \$34,000 of this total cost because of the RAC Grant Program.

RECOMMENDATION

Staff recommends that the City Council accept the bid submitted by E. C. Construction Co. of South El Monte, California for the Street Resurfacing Project at Various Locations. If Council concurs, the appropriate action would be:

“A motion to award the bid for the Street Resurfacing Project at Various Locations, NIB #N-16-04 for Project Nos. 9507, 7921, and 9361 to E.C. Construction Co. of South El Monte, California in the amount of \$531,411.94, and

A motion to direct the City Manager to transfer appropriations from account number 394-48-4600-7225 to account number 394-48-4600-9361 in the amount of \$46,123. ”

Attachments: Bid Summary
Bid Analysis

CITY OF SAN MARINO

BIDS RECEIVED



NOTICE INVITING BIDS NO. N-16-04

DATE AUTHORIZED 4/25/2016

BID OPENING DATE & TIME 5/18/2016 11:00 A.M.

FILE NO. FISCAL YEAR 15-16

FOR STREET RESURFACING PROJECT AT VARIOUS LOCATIONS

DEPARTMENT PUBLIC WORKS DEPARTMENT – STREET DIVISION

NAME & ADDRESS OF BIDDER	DATE RECEIVED	TIME RECEIVED	AMOUNT OF BID	CASHIER'S CHECK OR BID BOND
E.C. CONSTRUCTION 2213 Chico Avenue South El Monte, CA 91733	5/18/16	9:30 AM	① \$531,411.94	Bid Bond Addendum
ALL AMERICAN ASPHALT P.O. Box 2229 Corona, CA 92878-2229	5/18/16	10:28 AM	② \$630,550.00	Bid Bond Addendum
HARDY & HARPER, INC. 1312 E. Warner Ave. Santa Ana, CA 92705	5/18/16	10:49 AM	③ \$654,000.00	Bid Bond Addendum
SULLY MILLER CONTRACTING 135 State College Blvd, Suite 400 Brea, CA 92821	5/18/16	10:52 AM	⑥ 838,555.50 \$838,555.00	Bid Bond Addendum
TORO ENTERPRISES, INC. P.O. Box 6285 Oxnard, CA 93031	5/18/16	10:53 AM	④ \$710,080.15	Bid Bond Addendum
PALP, INC. DBA EXCEL PAVING 2230 Lemon Avenue Long Beach, CA 90806	5/18/16	10:54 AM	⑤ 798,336.55 \$798,337.00	Bid Bond Addendum

BID AWARDED TO _____

DATE BID AWARDED _____

CONTRACT NO. _____ DATE CONTRACT APPROVED _____

City of San Marino

Bid Results for Street Resurfacing Project at Various Locations (N-16-04)

NIB #N-16-04 (Project Nos. 9507, 7921, 9361)

Item No	Description	UOM	Qty	NO. 1		NO. 2		NO. 3	
				E.C. Construction Co. 2213 Chico Ave. South El Monte, CA 91733		All American Asphalt 401 East Sixth Street Corona, CA 92879		Hardy & Harper, Inc. 1312 East Warner Ave. Santa Ana, CA 92705	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Clearing and grubbing. See TP-2, TP-3, and TP-4 of the Technical Provisions for detail.	LS	1	\$12,825.00	\$12,825.00	\$31,998.00	\$31,998.00	\$11,000.00	\$11,000.00
2	Construct compacted selected fill per technical provisions.	CY	100	\$12.00	\$1,200.00	\$20.00	\$2,000.00	\$38.00	\$3,800.00
3	Earthwork, roadway, excavation, and fill.	CY	100	\$10.00	\$1,000.00	\$30.00	\$3,000.00	\$38.00	\$3,800.00
4	Cold mill 2 inches of existing pavement as indicated on the plans.	SF	108,350	\$0.19	\$20,586.50	\$0.17	\$18,419.50	\$0.21	\$22,753.50
5	Construct 1 1/2 inches AC overly pavement ARHM (GG-C PG 64-16) as indicated on the plans.	Tons	1,025	\$79.50	\$81,487.50	\$84.50	\$86,612.50	\$77.00	\$78,925.00
6	Construct 1/2 inch AC leveling course D1 (PG 64-10) as indicated on the plans.	Tons	350	\$56.00	\$19,600.00	\$73.25	\$25,637.50	\$77.00	\$26,950.00
7	Remove 6-inches deep existing AC pavement and replace with a 4 inches thick base course (B PG 64-10) over compacted native.	SF	5,946	\$3.20	\$19,027.20	\$3.00	\$17,838.00	\$4.32	\$25,686.72
8	Remove existing and construct 4-inch thick PCC sidewalk per SPPWC Std. Plan 113-2. See TP-9 of the Technical Provisions for detail.	SF	4,330	\$6.00	\$25,980.00	\$6.00	\$25,980.00	\$7.40	\$32,042.00
9	Remove existing and construct 6-inch thick PCC sidewalk per SPPWC Std. Plan 113-2.	SF	1,030	\$5.10	\$5,253.00	\$9.00	\$9,270.00	\$11.11	\$11,443.30
10	Remove, dispose and construct PCC driveway approaches per SPPWC Std. Plan 110-2.	SF	2,032	\$10.00	\$20,320.00	\$9.00	\$18,288.00	\$11.11	\$22,575.52
11	Remove existing and construct 8-inch PCC curb and 24-inch gutter per SPPWC Std. Plan 120-2. Bid unit price shall include construction staking complete.	LF	782	\$29.00	\$22,678.00	\$42.00	\$32,844.00	\$52.00	\$40,664.00
12	Remove existing and construct 24-inch gutter only per SPPWC Std. Plan 120-2. Bid unit price shall include construction staking complete.	LF	48	\$60.00	\$2,880.00	\$50.00	\$2,400.00	\$47.00	\$2,256.00
13	Remove existing and construct PCC curb ramps per SPPWC Std. Plan 111-4.	EA	7	\$2,900.00	\$20,300.00	\$3,500.00	\$24,500.00	\$3,300.00	\$23,100.00
14	Install detectable warning panel only (dark grey) as indicated on the plans.	EA	4	\$430.00	\$1,720.00	\$1,100.00	\$4,400.00	\$500.00	\$2,000.00
15	Construct PCC cross and longitudinal gutter per SPPWC Std. Plan 122-2.	SF	1,585	\$8.80	\$13,948.00	\$17.50	\$27,737.50	\$15.00	\$23,775.00
16	Adjust sewer manhole frame and cover to grade per SPPWC Std. Plan 205-2 and 206.2.	EA	10	\$350.00	\$3,500.00	\$450.00	\$4,500.00	\$750.00	\$7,500.00

17	Adjust water and gas valve to finish grade.	EA	10	\$60.00	\$600.00	\$200.00	\$2,000.00	\$30.00	\$300.00
18	Install traffic striping and pavement markers complete.	LS	1	\$5,600.00	\$5,600.00	\$5,000.00	\$5,000.00	\$4,000.00	\$4,000.00
19	Paint home addresses (curb numbering approx. 66).	LS	1	\$700.00	\$700.00	\$1,000.00	\$1,000.00	\$3,428.96	\$3,428.96
20	Install center line survey monument at intersections.	EA	3	\$900.00	\$2,700.00	\$375.00	\$1,125.00	\$1,000.00	\$3,000.00
WINSTON AVE - FROM ROBLES AVE TO NORTHERLY CITY LIMIT - PROJECT NO				TOTAL	\$281,905.20	TOTAL	\$344,550.00	TOTAL	\$349,000.00

Item No	Description	UOM	Qty	E.C. Construction Co. 2213 Chico Ave. South El Monte, CA 91733		All American Asphalt 401 East Sixth Street Corona, CA 92879		Hardy & Harper, Inc. 1312 East Warner Ave. Santa Ana, CA 92705	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Clearing and grubbing. See TP-2, TP-3, and TP-4 of the Technical Provisions for detail. (Including traffic striping and pavement markers complete.)	LS	1	\$1,300.00	\$1,300.00	\$799.50	\$799.50	\$5,250.25	\$5,250.25
2	Construct compacted selected fill per technical provisions.	CY	100	\$1.00	\$100.00	\$20.00	\$2,000.00	\$38.00	\$3,800.00
3	Earthwork, roadway, excavation, and fill.	CY	100	\$1.00	\$100.00	\$30.00	\$3,000.00	\$38.00	\$3,800.00
4	Cold Mill 2-inches of existing pavement as indicated on the plans.	SF	12,650	\$0.20	\$2,530.00	\$0.17	\$2,150.50	\$0.21	\$2,656.50
5	Construct 1 1/2 inches AC overlay pavement ARHM (CG-C PG 64-16) as indicated on the plans.	Tons	125	\$79.00	\$9,875.00	\$84.50	\$10,562.50	\$77.00	\$9,625.00
6	Construct 1/2 inch AC Leveling Course D1 (PG 64-10) as indicated on the plans.	Tons	50	\$56.00	\$2,800.00	\$73.25	\$3,662.50	\$77.00	\$3,850.00
7	Remove existing and construct 4-inch thick PCC sidewalk per SPPWC Std. Plan 113-2. See TP-9 of the Technical Provisions for detail.	SF	525	\$11.00	\$5,775.00	\$6.00	\$3,150.00	\$7.40	\$3,885.00
8	Remove existing and construct 6-inch thick PCC sidewalk per SPPWC Std. Plan 113-2.	SF	75	\$6.00	\$450.00	\$9.00	\$675.00	\$11.11	\$833.25
9	Adjust water and gas valve to finish grade.	EA	10	\$60.00	\$600.00	\$200.00	\$2,000.00	\$30.00	\$300.00
ROBLES AVE - FROM WINSTON AVE TO SIERRA MADRE BLVD - PROJECT NO 95				TOTAL	\$23,530.00	TOTAL	\$28,000.00	TOTAL	\$34,000.00

Item No	Description	UOM	Qty	E.C. Construction Co. 2213 Chico Ave. South El Monte, CA 91733		All American Asphalt 401 East Sixth Street Corona, CA 92879		Hardy & Harper, Inc. 1312 East Warner Ave. Santa Ana, CA 92705	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Clearing and grubbing. See TP-2, TP-3, and TP-4 of the Technical Provisions per detail.	LS	1	\$2,870.00	\$2,870.00	\$4,413.14	\$4,413.14	\$7,000.00	\$7,000.00
2	Earthwork, roadway, excavation, and fill.	CY	100	\$12.00	\$1,200.00	\$30.00	\$3,000.00	\$38.00	\$3,800.00
3	Construct compacted selected fill per technical provisions.	CY	100	\$10.00	\$1,000.00	\$20.00	\$2,000.00	\$38.00	\$3,800.00

4	Cold mill 2-inches of existing pavement as indicated on the plans.	SF	11,508	\$0.18	\$2,071.44	\$0.17	\$1,956.36	\$0.21	\$2,416.68
5	Construct 2-inches AC overlay pavement ARM (GG-C PG 64-16) as indicated on the plans.	T	189	\$86.00	\$16,254.00	\$84.50	\$15,970.50	\$77.00	\$14,553.00
6	Remove existing and construct 4-inch thick PCC sidewalk per SPPWC Std. Plan 113-2. See TP-9 of the Technical Provisions per detail.	SF	931	\$8.00	\$7,448.00	\$6.00	\$5,586.00	\$7.40	\$6,889.40
7	Remove existing and construct 6-inch thick PCC sidewalk per SPPWC Std. Plan 113.2.	SF	97	\$14.00	\$1,358.00	\$9.00	\$873.00	\$11.11	\$1,077.67
8	Install detectable warning panel only (dark grey) as indicated on the plans.	EA	2	\$500.00	\$1,000.00	\$1,100.00	\$2,200.00	\$500.00	\$1,000.00
9	Remove existing and construct PCC curb ramps per SPPWC Std. Plan 111-5, case A, type 1.	EA	2	\$2,900.00	\$5,800.00	\$3,500.00	\$7,000.00	\$3,300.00	\$6,600.00
10	Remove 6-inches deep existing AC pavement and replace with a 4-inches thick base course (B PG 64-10) over compacted native.	SF	3,592	\$3.75	\$13,470.00	\$3.00	\$10,776.00	\$4.32	\$15,517.44
11	Adjust sewer manhole frame and cover to grade.	EA	4	\$400.00	\$1,600.00	\$450.00	\$1,800.00	\$750.00	\$3,000.00
12	Install traffic striping, markers, and appurtenances per plans and specifications complete.	LS	1	\$2,100.00	\$2,100.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
13	Paint house number on curb (approximately 1).	LS	1	\$100.00	\$100.00	\$50.00	\$50.00	\$345.81	\$345.81
14	Install center line survey monument at intersection.	EA	1	\$900.00	\$900.00	\$375.00	\$375.00	\$1,000.00	\$1,000.00
STRATFORD RD - OXFORD RD TO SAN MARINO AVE - PROJECT NO 7921				TOTAL	\$57,171.44	TOTAL	\$58,000.00	TOTAL	\$69,000.00

Item No	Description	UOM	Qty	E.C. Construction Co. 2213 Chico Ave. South El Monte, CA 91733		All American Asphalt 401 East Sixth Street Corona, CA 92879		Hardy & Harper, Inc. 1312 East Warner Ave. Santa Ana, CA 92705	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Clearing and grubbing. See TP-2, TP-3, and TP-4 of the Technical Provisions per detail.	LS	1	\$7,335.00	\$7,335.00	\$19,468.73	\$19,468.73	\$10,000.00	\$10,000.00
2	Construct compacted selected fill per technical provisions.	CY	100	\$10.00	\$1,000.00	\$20.00	\$2,000.00	\$38.00	\$3,800.00
3	Earthwork, roadway, excavation, and fill.	CY	100	\$10.00	\$1,000.00	\$30.00	\$3,000.00	\$38.00	\$3,800.00
4	Cold mill 2-inches of existing pavement as indicated on the plans.	SF	61,131	\$0.20	\$12,226.20	\$0.17	\$10,392.27	\$0.21	\$12,837.51
5	Construct 2-inches AC overlay pavement ARHM (GG-C PG 64-16) as indicated on the plans.	Tons	764	\$85.00	\$64,940.00	\$84.50	\$64,558.00	\$77.00	\$58,828.00
6	Remove 6-inches deep existing AC pavement and replace with a 4-inches thick base course (B PG 64-10) over compacted native.	SF	883	\$6.70	\$5,916.10	\$3.00	\$2,649.00	\$4.32	\$3,814.56
7	Remove existing and construct 4-inch thick PCC sidewalk per SPPWC Std. Plan 113-2. See TP-9 of the Technical Provisions per detail.	SF	2,872	\$7.00	\$20,104.00	\$6.00	\$17,232.00	\$7.40	\$21,252.80

8	Remove existing and construct 6-inch thick PCC sidewalk per SPPWC Std. Plan 113-2.	SF	300	\$9.00	\$2,700.00	\$9.00	\$2,700.00	\$11.11	\$3,333.00
9	Remove existing and construct PCC curb ramps per SPPWC Std. Plan 111-4.	EA	8	\$2,700.00	\$21,600.00	\$3,500.00	\$28,000.00	\$3,300.00	\$26,400.00
10	Install detectable warning panel only (dark grey) as indicated on the plans.	EA	8	\$400.00	\$3,200.00	\$1,100.00	\$8,800.00	\$500.00	\$4,000.00
11	Remove existing and construct 8-inch PCC curb and 24-inch gutter per SPPWC Std. Plan 120-2. Bid unit price shall include construction staking complete.	LF	362	\$30.00	\$10,860.00	\$42.00	\$15,204.00	\$52.00	\$18,824.00
12	Remove existing and construct 8-inch PCC curb only per SPPWC Std. Plan 120-2. Bid unit price shall include construction staking complete.	LF	114	\$25.00	\$2,850.00	\$40.00	\$4,560.00	\$47.00	\$5,358.00
13	Remove existing and construct PCC driveway approach per SPPWC Std. 110-2.	SF	1,454	\$6.00	\$8,724.00	\$9.00	\$13,086.00	\$11.11	\$16,153.94
14	Adjust sewer manhole frame and cover to grade.	EA	8	\$300.00	\$2,400.00	\$450.00	\$3,600.00	\$750.00	\$6,000.00
15	Adjust water and gas valve to finish grade.	EA	9	\$50.00	\$450.00	\$200.00	\$1,800.00	\$30.00	\$270.00
16	Install traffic striping, markers, and appurtenances per plans and specifications complete.	LS	1	\$2,400.00	\$2,400.00	\$2,000.00	\$2,000.00	\$4,000.00	\$4,000.00
17	Paint house number on curb (approximately 10).	LS	1	\$100.00	\$100.00	\$200.00	\$200.00	\$1,328.19	\$1,328.19
18	Install center line survey monument at intersections.	EA	2	\$500.00	\$1,000.00	\$375.00	\$750.00	\$1,000.00	\$2,000.00
VIRGINIA RD - OAK GROVE AVE TO ROSALIND RD - PROJECT NO 9361				TOTAL	\$168,805.30	TOTAL	\$200,000.00	TOTAL	\$202,000.00

OVERALL TOTAL

\$531,411.94

\$630,550.00

\$654,000.00

Item No	Description	UOM	Qty	NO. 4		NO. 5		NO. 6	
				Toro Enterprises, Inc. 2001 E. Ventura Blvd. Oxnard, CA 93036		P.A.L.P. Inc. 2230 Lemon Ave. Long Beach, CA 90806		Sully-Miller Contracting Company 135 S. State College Blvd., Ste. 400 Brea, CA 92821	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Clearing and grubbing. See TP-2, TP-3, and TP-4 of the Technical Provisions for detail.	LS	1	\$34,000.00	\$34,000.00	\$36,785.00	\$36,785.00	\$47,997.10	\$47,997.10
2	Construct compacted selected fill per technical provisions.	CY	100	\$85.00	\$8,500.00	\$105.00	\$10,500.00	\$125.00	\$12,500.00
3	Earthwork, roadway, excavation, and fill.	CY	100	\$80.00	\$8,000.00	\$110.00	\$11,000.00	\$125.00	\$12,500.00
4	Cold mill 2 inches of existing pavement as indicated on the plans.	SF	108,350	\$0.20	\$21,670.00	\$0.24	\$26,004.00	\$0.27	\$29,254.50
5	Construct 1 1/2 inches AC overly pavement ARHM (GG-C PG 64-16) as indicated on the plans.	Tons	1,025	\$83.00	\$85,075.00	\$84.00	\$86,100.00	\$105.00	\$107,625.00
6	Construct 1/2 inch AC leveling course D1 (PG 64-10) as indicated on the plans.	Tons	350	\$95.00	\$33,250.00	\$84.00	\$29,400.00	\$104.00	\$36,400.00
7	Remove 6-inches deep existing AC pavement and replace with a 4 inches thick base course (B PG 64-10) over compacted native.	SF	5,946	\$4.00	\$23,784.00	\$4.00	\$23,784.00	\$4.40	\$26,162.40
8	Remove existing and construct 4-inch thick PCC sidewalk per SPPWC Std. Plan 113-2. See TP-9 of the Technical Provisions for detail.	SF	4,330	\$6.85	\$29,660.50	\$9.50	\$41,135.00	\$5.60	\$24,248.00
9	Remove existing and construct 6-inch thick PCC sidewalk per SPPWC Std. Plan 113-2.	SF	1,030	\$11.00	\$11,330.00	\$11.70	\$12,051.00	\$7.00	\$7,210.00
10	Remove, dispose and construct PCC driveway approaches per SPPWC Std. Plan 110-2.	SF	2,032	\$10.50	\$21,336.00	\$12.00	\$24,384.00	\$7.00	\$14,224.00
11	Remove existing and construct 8-inch PCC curb and 24-inch gutter per SPPWC Std. Plan 120-2. Bid unit price shall include construction staking complete.	LF	782	\$55.00	\$43,010.00	\$47.00	\$36,754.00	\$48.00	\$37,536.00
12	Remove existing and construct 24-inch gutter only per SPPWC Std. Plan 120-2. Bid unit price shall include construction staking complete.	LF	48	\$48.00	\$2,304.00	\$41.00	\$1,968.00	\$41.00	\$1,968.00
13	Remove existing and construct PCC curb ramps per SPPWC Std. Plan 111-4.	EA	7	\$2,700.00	\$18,900.00	\$3,185.00	\$22,295.00	\$3,400.00	\$23,800.00
14	Install detectable warning panel only (dark grey) as indicated on the plans.	EA	4	\$325.00	\$1,300.00	\$600.00	\$2,400.00	\$420.00	\$1,680.00
15	Construct PCC cross and longitudinal gutter per SPPWC Std. Plan 122-2.	SF	1,585	\$17.00	\$26,945.00	\$10.00	\$15,850.00	\$20.00	\$31,700.00
16	Adjust sewer manhole frame and cover to grade per SPPWC Std. Plan 205-2 and 206.2.	EA	10	\$500.00	\$5,000.00	\$695.00	\$6,950.00	\$800.00	\$8,000.00

17	Adjust water and gas valve to finish grade.	EA	10	\$80.00	\$800.00	\$375.00	\$3,750.00	\$630.00	\$6,300.00
18	Install traffic striping and pavement markers complete.	LS	1	\$10,875.00	\$10,875.00	\$5,455.00	\$5,455.00	\$5,725.00	\$5,725.00
19	Paint home addresses (curb numbering approx. 66).	LS	1	\$1,725.00	\$1,725.00	\$1,150.00	\$1,150.00	\$1,200.00	\$1,200.00
20	Install center line survey monument at intersections.	EA	3	\$625.00	\$1,875.00	\$325.00	\$975.00	\$1,180.00	\$3,540.00
WINSTON AVE - FROM ROBLES AVE TO NORTHERLY CITY LIMIT - PROJECT NO 95				TOTAL	\$389,339.50	TOTAL	\$398,690.00	TOTAL	\$439,570.00

Item No	Description	UOM	Qty	Toro Enterprises, Inc. 2001 E. Ventura Blvd. Oxnard, CA 93036		P.A.L.P. Inc. 2230 Lemon Ave. Long Beach, CA 90806		Sully-Miller Contracting Company 135 S. State College Blvd., Ste. 400	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Clearing and grubbing. See TP-2, TP-3, and TP-4 of the Technical Provisions for detail. (Including traffic striping and pavement markers complete.)	LS	1	\$3,700.00	\$3,700.00	\$6,550.75	\$6,550.75	\$7,799.50	\$7,799.50
2	Construct compacted selected fill per technical provisions.	CY	100	\$85.00	\$8,500.00	\$100.00	\$10,000.00	\$125.00	\$12,500.00
3	Earthwork, roadway, excavation, and fill.	CY	100	\$80.00	\$8,000.00	\$100.00	\$10,000.00	\$125.00	\$12,500.00
4	Cold Mill 2-inches of existing pavement as indicated on the plans.	SF	12,650	\$0.20	\$2,530.00	\$0.25	\$3,162.50	\$0.27	\$3,415.50
5	Construct 1 1/2 inches AC overlay pavement ARHM (CG-C PG 64-16) as indicated on the plans.	Tons	125	\$85.00	\$10,625.00	\$83.00	\$10,375.00	\$105.00	\$13,125.00
6	Construct 1/2 inch AC Leveling Course D1 (PG 64-10) as indicated on the plans.	Tons	50	\$90.00	\$4,500.00	\$83.00	\$4,150.00	\$104.00	\$5,200.00
7	Remove existing and construct 4-inch thick PCC sidewalk per SPPWC Std. Plan 113-2. See TP-9 of the Technical Provisions for detail.	SF	525	\$8.60	\$4,515.00	\$13.00	\$6,825.00	\$5.60	\$2,940.00
8	Remove existing and construct 6-inch thick PCC sidewalk per SPPWC Std. Plan 113-2.	SF	75	\$14.50	\$1,087.50	\$22.65	\$1,698.75	\$7.00	\$525.00
9	Adjust water and gas valve to finish grade.	EA	10	\$80.00	\$800.00	\$375.00	\$3,750.00	\$630.00	\$6,300.00
ROBLES AVE - FROM WINSTON AVE TO SIERRA MADRE BLVD - PROJECT NO 95				TOTAL	\$44,257.50	TOTAL	\$56,512.00	TOTAL	\$64,305.00

Item No	Description	UOM	Qty	Toro Enterprises, Inc. 2001 E. Ventura Blvd. Oxnard, CA 93036		P.A.L.P. Inc. 2230 Lemon Ave. Long Beach, CA 90806		Company 135 S. State College Blvd., Ste. 400	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Clearing and grubbing. See TP-2, TP-3, and TP-4 of the Technical Provisions per detail.	LS	1	\$4,600.00	\$4,600.00	\$9,980.05	\$9,980.05	\$7,990.94	\$7,990.94
2	Earthwork, roadway, excavation, and fill.	CY	100	\$80.00	\$8,000.00	\$100.00	\$10,000.00	\$125.00	\$12,500.00
3	Construct compacted selected fill per technical provisions.	CY	100	\$85.00	\$8,500.00	\$100.00	\$10,000.00	\$125.00	\$12,500.00

4	Cold mill 2-inches of existing pavement as indicated on the plans.	SF	11,508	\$0.20	\$2,301.60	\$0.40	\$4,603.20	\$0.27	\$3,107.16
5	Construct 2-inches AC overlay pavement ARM (GG-C PG 64-16) as indicated on the plans.	T	189	\$83.00	\$15,687.00	\$80.50	\$15,214.50	\$105.00	\$19,845.00
6	Remove existing and construct 4-inch thick PCC sidewalk per SPPWC Std. Plan 113-2. See TP-9 of the Technical Provisions per detail.	SF	931	\$7.55	\$7,029.05	\$13.00	\$12,103.00	\$5.60	\$5,213.60
7	Remove existing and construct 6-inch thick PCC sidewalk per SPPWC Std. Plan 113.2.	SF	97	\$12.30	\$1,193.10	\$18.00	\$1,746.00	\$7.00	\$679.00
8	Install detectable warning panel only (dark grey) as indicated on the plans.	EA	2	\$178.00	\$356.00	\$600.00	\$1,200.00	\$420.00	\$840.00
9	Remove existing and construct PCC curb ramps per SPPWC Std. Plan 111-5, case A, type 1.	EA	2	\$2,500.00	\$5,000.00	\$3,555.00	\$7,110.00	\$3,000.00	\$6,000.00
10	Remove 6-inches deep existing AC pavement and replace with a 4-inches thick base course (B PG 64-10) over compacted native.	SF	3,592	\$3.80	\$13,649.60	\$4.65	\$16,702.80	\$4.40	\$15,804.80
11	Adjust sewer manhole frame and cover to grade.	EA	4	\$500.00	\$2,000.00	\$700.00	\$2,800.00	\$800.00	\$3,200.00
12	Install traffic striping, markers, and appurtenances per plans and specifications complete.	LS	1	\$2,440.00	\$2,440.00	\$1,880.00	\$1,880.00	\$2,000.00	\$2,000.00
13	Paint house number on curb (approximately 1).	LS	1	\$30.00	\$30.00	\$25.00	\$25.00	\$20.00	\$20.00
14	Install center line survey monument at intersection.	EA	1	\$500.00	\$500.00	\$500.00	\$500.00	\$1,800.00	\$1,800.00
STRATFORD RD - OXFORD RD TO SAN MARINO AVE - PROJECT NO 7921				TOTAL	\$71,286.35	TOTAL	\$93,864.55	TOTAL	\$91,500.50

Item No	Description	UOM	Qty	Toro Enterprises, Inc. 2001 E. Ventura Blvd. Oxnard, CA 93036		P.A.L.P. Inc. 2230 Lemon Ave. Long Beach, CA 90806		Company 135 S. State College Blvd., Ste. 400	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Clearing and grubbing. See TP-2, TP-3, and TP-4 of the Technical Provisions per detail.	LS	1	\$15,900.00	\$15,900.00	\$25,839.70	\$25,839.70	\$33,997.23	\$33,997.23
2	Construct compacted selected fill per technical provisions.	CY	100	\$85.00	\$8,500.00	\$100.00	\$10,000.00	\$125.00	\$12,500.00
3	Earthwork, roadway, excavation, and fill.	CY	100	\$80.00	\$8,000.00	\$100.00	\$10,000.00	\$125.00	\$12,500.00
4	Cold mill 2-inches of existing pavement as indicated on the plans.	SF	61,131	\$0.20	\$12,226.20	\$0.30	\$18,339.30	\$0.27	\$16,505.37
5	Construct 2-inches AC overlay pavement ARHM (GG-C PG 64-16) as indicated on the plans.	Tons	764	\$83.00	\$63,412.00	\$81.70	\$62,418.80	\$105.00	\$80,220.00
6	Remove 6-inches deep existing AC pavement and replace with a 4-inches thick base course (B PG 64-10) over compacted native.	SF	883	\$4.00	\$3,532.00	\$6.00	\$5,298.00	\$4.40	\$3,885.20
7	Remove existing and construct 4-inch thick PCC sidewalk per SPPWC Std. Plan 113-2. See TP-9 of the Technical Provisions per detail.	SF	2,872	\$7.30	\$20,965.60	\$10.00	\$28,720.00	\$5.60	\$16,083.20

8	Remove existing and construct 6-inch thick PCC sidewalk per SPPWC Std. Plan 113-2.	SF	300	\$10.00	\$3,000.00	\$13.50	\$4,050.00	\$7.00	\$2,100.00
9	Remove existing and construct PCC curb ramps per SPPWC Std. Plan 111-4.	EA	8	\$2,000.00	\$16,000.00	\$3,100.00	\$24,800.00	\$1,600.00	\$12,800.00
10	Install detectable warning panel only (dark grey) as indicated on the plans.	EA	8	\$315.00	\$2,520.00	\$600.00	\$4,800.00	\$420.00	\$3,360.00
11	Remove existing and construct 8-inch PCC curb and 24-inch gutter per SPPWC Std. Plan 120-2. Bid unit price shall include construction staking complete.	LF	362	\$58.00	\$20,996.00	\$55.00	\$19,910.00	\$48.00	\$17,376.00
12	Remove existing and construct 8-inch PCC curb only per SPPWC Std. Plan 120-2. Bid unit price shall include construction staking complete.	LF	114	\$30.00	\$3,420.00	\$29.00	\$3,306.00	\$30.00	\$3,420.00
13	Remove existing and construct PCC driveway approach per SPPWC Std. 110-2.	SF	1,454	\$10.00	\$14,540.00	\$13.30	\$19,338.20	\$7.00	\$10,178.00
14	Adjust sewer manhole frame and cover to grade.	EA	8	\$500.00	\$4,000.00	\$700.00	\$5,600.00	\$800.00	\$6,400.00
15	Adjust water and gas valve to finish grade.	EA	9	\$80.00	\$720.00	\$375.00	\$3,375.00	\$630.00	\$5,670.00
16	Install traffic striping, markers, and appurtenances per plans and specifications complete.	LS	1	\$5,200.00	\$5,200.00	\$2,300.00	\$2,300.00	\$2,400.00	\$2,400.00
17	Paint house number on curb (approximately 10).	LS	1	\$265.00	\$265.00	\$175.00	\$175.00	\$185.00	\$185.00
18	Install center line survey monument at intersections.	EA	2	\$1,000.00	\$2,000.00	\$500.00	\$1,000.00	\$1,800.00	\$3,600.00
VIRGINIA RD - OAK GROVE AVE TO ROSALIND RD - PROJECT NO 9361				TOTAL	\$205,196.80	TOTAL	\$249,270.00	TOTAL	\$243,180.00

OVERALL TOTAL

\$710,080.15

\$798,336.55

\$838,555.50

City of San Marino AGENDA REPORT



TO: MAYOR AND CITY COUNCIL

FROM: JOHN T. SCHAEFER, CITY MANAGER

Allan Yung, MD, Mayor

Richard Sun, DDS, Vice Mayor

BY: LUCY GARCIA, ASSISTANT CITY MANAGER
JASMIN ELEPANO, ADMINISTRATIVE ANALYST

Steven W. Huang, DDS, Council Member

Steve Talt, Council Member

DATE: MAY 27, 2016

Richard Ward, Council Member

SUBJECT: **SECOND YEAR CONTRACT EXTENSION WITH D.H. MAINTENANCE SERVICES FOR PROFESSIONAL JANITORIAL SERVICES FOR VARIOUS CITY BUILDINGS**

BACKGROUND

D.H. Maintenance Services (herein referred to as D.H. Maintenance) of Oceanside, California is the City's current contractor for its janitorial services for various City buildings. D.H. Maintenance took over the contract beginning August 1, 2014 from the previous terminated contractor. Last year, the City recommended that the contract with D.H. Maintenance be extended for another twelve months as allowed under Section 4 of the Agreement. Section 4 allows for a renewal of up to two (2) one-year terms if both parties mutually agree. It also allows for a Consumer Price Index (CPI) increase based on the information available from the Bureau of Labor Statistics (BLS) for the most recent month (April) prior to the contract term for the Los Angeles-Riverside-Orange County CPI-U.

Staff contacted D.H. Maintenance in March to ask if it is still the company's intent to renew the contract for another twelve months and D.H. Maintenance accepted. There is no change to the current scope of work. The only change is the April CPI adjustment of 0.4%.

Staff has been very pleased with the performance and quality of service provided by D.H. Maintenance. There have been no major issues encountered in their second year of the contract. Minor issues were responded to immediately and special requests were taken care of right away. All scheduled services (monthly, quarterly, semi-annually, and annually) were performed as scheduled.

FISCAL IMPACT

The new total monthly janitorial cost for Fiscal Year 2016-2017 is \$6,659.81 with a total annual cost of \$79,917.76. This reflects the CPI increase.

The professional janitorial service is budgeted under Other Contract Services in various departments. |

RECOMMENDATION

Staff recommends the City Council approve extending the contract with D.H. Maintenance Services through June 30, 2017. If Council concurs, the appropriate action would be:

“A motion to authorize the City Manager to extend the Agreement with D.H. Maintenance Services of Oceanside, California through June 30, 2017 for Professional Janitorial Services for Various City Buildings for a total budget of \$79,917.76.”

Attachment: Amendment No. 2 to Professional Janitorial Services for Various City Buildings Agreement

**AMENDMENT NO. 2
TO PROFESSIONAL JANITORIAL SERVICES FOR VARIOUS CITY BUILDINGS
AGREEMENT**

This Amendment No. 2 ("Amendment") to the Professional Janitorial Services for Various City Buildings Agreement between D.H. Maintenance Services of Oceanside, California, hereinafter referred to as "CONTRACTOR" and the City of San Marino, hereinafter referred to as "CITY" shall be effective July 1, 2016.

WHEREAS, The CITY and CONTRACTOR executed that certain Agreement for Professional Janitorial Services for Various City Buildings on July 25, 2014; and

WHEREAS, The CITY and CONTRACTOR extended that certain Agreement until June 30, 2016; and

WHEREAS, The CITY and CONTRACTOR extended that certain Agreement, for the second year renewal, until June 30, 2017; and

WHEREAS, CITY and CONTRACTOR desire to amend the Agreement under the same terms and conditions set forth herein.

NOW, THEREFORE, the parties agree as follows:

1. **SECTION 3** Compensation of the Agreement is amended in its entirety to read as follows:

SECTION 3. COMPENSATION. For satisfactory performance of services, CITY will pay CONTRACTOR \$6,659.81 a month for FY 2016-2017 for actual services rendered, unless the scope of work is changed by CITY. CONTRACTOR shall submit to CITY monthly invoice(s) for the services actually performed and CITY shall pay such invoice on its next regular warrant. The invoice shall detail the monthly amount due for the work described in the proposal submittal form. It shall also show the amount due for any authorized work not described in the scope of work.

2. **SECTION 4** Term is amended in its entirety to read as follows:

SECTION 4 Term of Agreement. This Agreement is effective as of July 1, 2016 (the "Effective Date"), and shall remain in full force and effect through June 30, 2017, unless sooner terminated as provided in Section 16 of the Agreement.

3. That all other terms and conditions of that certain Agreement dated July 25, 2014 shall remain in full force and effect and are incorporated herein by reference.

IN WITNESS WHEREOF, the parties, through their respective authorized representatives, have executed this Amendment as of the date written below.

D.H. MAINTENANCE SERVICES

By _____
George Wallis, Owner

DATED: _____

CITY OF SAN MARINO

By _____
John Schaefer, City Manager

DATED: _____

ATTEST:

Veronica Ruiz, City Clerk

City of San Marino AGENDA REPORT



TO: MAYOR AND CITY COUNCIL

FROM: JOHN SCHAEFER, CITY MANAGER

BY: ALDO CERVANTES
PLANNING AND BUILDING DIRECTOR

DATE: MAY 27, 2016

SUBJECT: **CONTINUED PUBLIC HEARING ON THE APPEAL OF THE REQUEST TO
EXTEND THE EXPIRATION DATE OF BUILDING PERMITS AND PROJECT
COMPLETION DATE FOR 1001 ROSALIND ROAD, (ZHONG)**

Allan Yung, MD, Mayor
Richard Sun, DDS, Vice Mayor
Steven W. Huang, DDS, Council Member
Steve Talt, Council Member
Richard Ward, Council Member

REQUEST:

Consideration of an appeal of the Planning Commission's decision to extend the expiration date of building permits issued for a new home at 1001 Rosalind Road and the project completion date for the home. Raymond and Carrie Zhong, owners of 1001 Rosalind Road, requested an extension to the building permits' expiration date and the project completion date.

BACKGROUND:

The request was brought to the Planning Commission in accordance with Section 25.01.05 of the San Marino City Code. On March 23, 2016, the Planning Commission approved the request for an extension from March 23, 2016 to May 31, 2017 with conditions. Mr. Christopher Norgaard, on behalf of the Jones and Lam families, owners of residential properties adjacent to 1001 Rosalind Road, filed a timely appeal of the Planning Commission's decision.

At the May 11, 2016 City Council meeting, the City Council conducted a public hearing on the appeal. After failing to approve a motion to grant the appeal on a 2-2 vote, the City Council voted to continue the matter to the May 27, 2016 meeting. The City Council also directed the applicant and landscape architect to submit a 3-D model of the site showing the new and existing landscaping on the property. In addition, the Council requested staff to develop stronger conditions of approval than were approved by the Planning Commission.

PROPOSED CONDITIONS:

Upon further review of the conditions of approval adopted by the Planning Commission, staff recommends the following changes and additions as underlined:

1. The owner shall maintain general liability insurance in the amount of \$5,000,000 per occurrence, with an aggregate amount of \$5,000,000. Nothing herein shall limit the property owners' liability. The general liability insurance shall provide the correct owners' information and shall include the City of San Marino and the adjoining properties as additionally insured. The insurance shall be submitted on or before June 22, 2016. The insurance shall be maintained until the project is complete.
2. The project shall comply with the allowable construction work hours identified in Section 25.01.02 of the City Code. No vehicle will be allowed to deliver materials and supplies to the site outside the permitted construction hours. No construction vehicles may park on any public street located within the City's boundaries.
3. No portion of the public street shall be used for construction staging, equipment or materials storage, queued delivery vehicles, loading or unloading.
4. The owner shall provide a project manager, effective immediately. One sign, visible from the street, must be posted on-site and must list the name(s) and phone number(s) of the project manager(s). The project manager shall be on-site and available during all times that construction activity is occurring. A flag man shall be on-site to direct ingress and egress of all vehicle traffic to and from the site.
5. The landscape architect shall complete the final landscape plan, including details on the sizes and types of plants and trees. The applicant shall provide evidence showing reasonable steps taken to present the landscape plan to property owners within 500' of the subject property. The Landscape Plan shall be submitted to the City prior to June 15, 2016 with evidence that the neighbors were provided an opportunity to review and comment on the plans. Included with the landscape plan shall be a 3-dimensional model and rendering. The landscape plan shall adhere to the conditions of the landscape plan approved on November 19, 2014. Any deviation with regards to tree placement and size as a result of neighborhood review and comments shall be documented and approved by the City Arborist.
6. The project shall return to the Planning Commission every three (3) months with a complete project progress report and compliance with conditions, including pictures. The applicant shall inform the Director of Building and Planning of any anticipated delay in construction. The first status report shall be provided at the June 22, 2016.
7. The penalties for non-compliance with any of the above conditions shall include financial penalties of no less than \$1,000 per violation per day and may include a revocation of all permits associated with the property.
8. The construction of the project shall adhere to the Construction schedule dated September 27, 2015. Any deviation from this schedule shall be approved by the Planning Commission. An unauthorized deviation of the construction schedule that results in a delay shall be grounds for revocation of all permits associated with the project and shall require the project to return to the plan check process. Once approved through the plan check process, the applicant/owner shall pay new building permit fees. The new project shall comply with new 2013 California Building Codes and New Water Efficiency Standards.
9. If the project fails to receive a successful final inspection by June 30, 2017, a penalty shall be assessed in the amount listed below:

1st month - \$10,000

2nd month - \$15,000

3rd month - \$25,000

After the third month, each day beyond shall incur a \$1,000 penalty fee paid to the City of San Marino.

10. Delay in performance hereunder shall not be deemed to be default to the extent the delay is due to war, insurrection, floods, earthquakes, fires, casualties, epidemics, quarantine restrictions, unusually severe weather, strikes causing inability to secure necessary labor, materials or tools, acts of the City and any other causes beyond the control and without the fault of the property owner. An extension of time for any such cause shall be for the period of the delay and shall commence to run from the time of the commencement of the cause, but only if property owner sends written notice to the City within five days after commencement of the cause.
11. Any violation shall be photo documented for the record and presented to the Planning Commission during the periodic updates.
12. The property owner(s) shall execute an acknowledgement that he or she accepts and agrees to the above-referenced conditions.

RECOMMENDATION:

Staff recommends the City Council deny the appeal and uphold the Planning Commission's decision to extend both building permits to June 30, 2017, with the revised conditions as shown above.

Attachments: May 11, 2016 Staff Report
Appeal letter dated April 5, 2016

City of San Marino AGENDA REPORT



TO: MAYOR AND CITY COUNCIL

FROM: JOHN SCHAEFER, CITY MANAGER

BY: ALDO CERVANTES
PLANNING AND BUILDING DIRECTOR

DATE: MAY 11, 2016

SUBJECT: **APPEAL FOR THE REQUEST TO EXTEND THE EXPIRATION DATE OF BUILDING PERMITS AND PROJECT COMPLETION DATE FOR 1001 ROSALIND ROAD, (ZHONG)**

Allan Yung, MD, Mayor

Richard Sun, DDS, Vice Mayor

Steven W. Huang, DDS, Council Member

Steve Talt, Council Member

Richard Ward, Council Member

REQUEST:

Conduct a hearing and consider an appeal of the Planning Commission's decision to extend the expiration date of building permits issued for a new home at 1001 Rosalind Road and the project completion date for the home. Raymond and Carrie Zhong, owners of 1001 Rosalind Road, requested an extension to the building permits' expiration date and the project completion date. The request was brought to the Planning Commission in accordance with Section 25.01.05 of the San Marino City Code. On March 23, 2016, the Planning Commission approved the request for an extension from March 23, 2016 to May 31, 2017. Mr. Christopher Norgaard, on behalf of the Jones and Lam families, owners of residential properties adjacent to 1001 Rosalind Road, filed a timely appeal of the Planning Commission's decision.

BACKGROUND:

The property is located on the west side of Rosalind Road between Orlando Road and Oak Grove Avenue and is zoned R-1 Single-Family Residential, Area District IE. It is currently unimproved and has a storm drain easement running diagonally across a portion of the property. Surrounding properties are similarly zoned and improved with single-family residences and related accessory structures.

The property is rectangular in shape and contains 67,082 square feet of land area. The topography quickly descends in grade elevation from the street to a low point where the storm drain easement is located. It then gradually rises to the rear property line and becomes steeper the closer one gets to the rear property line. Surface drainage is generally north to south. The area proposed for placement of a new residence is located 160 feet from the front property line and 78 feet from the rear property line.

The following discussion will explain the lengthy and complicated development history of 1001 Rosalind Road leading to the Planning Commission's decision on March 23, 2016.

1. Approval of the Initial Entitlements

On May 20, 2008, the Planning Commission approved Conditional Use Permit No. CUP07-30, Variances V07-10, V07-11 & DRC08-16. These pertained to the construction of a 10,911 square-foot single-family residence that exceeded the maximum height limit; a tennis court that would partially encroach in the front yard; and retaining walls exceeding five feet in height. A timely appeal of the Planning Commission's decision approving the Project was submitted by Neil Barker on behalf of Thomas F. Jones and Louise A. Jones and on July 25, 2008, the City Council denied the appeal and approved the project with the following conditions:

1. A cross section of the proposed bridge shall be submitted and reviewed by the City Engineer prior to the issuance of a building permit.
2. The following information shall be submitted to the City Engineer for review prior to the issuance of the building permit: a grading and drainage plan; a soils erosion control plan; a soils report; and a copy of the property identifying the storm drain easement.
3. The building shall be relocated 8 feet closer to the street than shown on the plans submitted for the May 28, 2008 Planning Commission meeting; and the maximum building height shall be 35 feet as measured from the datum point.

The property owners satisfied all three of the Council's conditions.

2. Approval of the Building Permit for the Home, Tennis Court, and Subterranean Garage and Administratively-Approved Extensions of this Building Permit

After plan check review and approval, the Building Director issued a building permit for the home, tennis court, and subterranean garage on August 8, 2011. The building permit was scheduled to expire 15 months later, on November 8, 2012. The property owners requested an extension of this initial expiration date. On November 6, 2012, the Building Director approved a six-month extension of the building permit to May 8, 2013. Before the permit expired, the property owners requested another extension. This time the Building director denied the extension. Accordingly, the property owners were required to obtain a new building permit in order to commence construction of their home.

The property owners did apply for a new building permit to construct their home, and on May 6, 2013, the Building Director issued a new building permit for the home. The new building permit was scheduled to expire 15 months later, on August 6, 2015.

3. Planning Commission-Approved Extensions of the Building Permit for the Home, Tennis Court, and Subterranean Garage

The property owners requested additional extensions of the building permit, which was scheduled to expire on August 6, 2015. However, the Building Director denied the request. The property owners then appealed the Building Director's decision to the Planning Commission.

On July 22, 2015, the Planning Commission considered the appeal and briefly extended the permit to its next meeting on August 26, 2015 due to the lack of detailed information regarding construction schedule, tree preservation and traffic mitigation. In addition, the Commission required the property owners to return with architectural drawings and grading plans. At the August 26, 2015 Planning Commission meeting, staff and the Planning Commission shared similar concerns as to the adequacy of the architectural drawings and grading plans provided by the property owners. Furthermore, the construction schedule provided by the

property owners did not address the Planning Commission's recommendations and the construction management plan was not adequate. Due to these concerns, the Planning Commission approved only a brief extension of the permit until the Planning Commission's meeting of October 28, 2015. In doing so, the Commission included a series of conditions, which included: cleaning up the property and submitting evidence of completion, resubmitting plans and details, and providing those plans and details to the residents within a 500 foot radius of the property. The property owners complied with the Planning Commission's conditions.

On October 28, 2015, following a detailed deliberation of the matter and public comments, the Planning Commission extended the permit for six months to April 27, 2016, subject to additional conditions. One of the conditions included a requirement that, within 15 days, the property owners obtain a one million dollar bond to protect neighboring properties from potential flooding during the grading activities.

The property owners did not obtain the bond within the required 15-day period. Because the property owners did not comply with a condition of the permit extension, staff scheduled an agenda item for the Planning Commission's meeting of January 27, 2016 to reconsider its prior approval to extend the permit until April 27, 2016. Prior to the January 27, 2016 meeting, staff sent the property owners a detailed letter describing the need for the bond. The property owners eventually secured the bond, but in a form that did not clearly protect the neighboring properties. At the January 27, 2016 Planning Commission meeting, the Planning Commission extended the permit for one month to allow the City Attorney time to review the performance bond and for staff to review options for the Planning Commission to consider the project going forward. In addition, the Planning Commission requested information as to any current violations on the property. The property owners eventually obtained a form of insurance that was acceptable to the City Attorney, and the Planning Commission again extended the permit for one month to its meeting of March 23, 2016. The grading for the house, the basement, and the subterranean garage are currently underway. In addition, several of the trees described in the landscape plan have been planted in various areas of the property.

4. Approval of the Building Permit for the Bridge, Grading, and Retaining Walls

While the building permit for the home, tennis court, and subterranean garage were still active and pending, the property owners applied for a separate permit to construct a bridge, perform grading, and construct retaining walls. The Building Director approved this building permit on April 2, 2015. It was initially scheduled to expire on January 2, 2016. Work has been performed in accordance with this building permit, and construction of the bridge is nearly complete. The Building Director extended this permit to January 27, 2016, to coincide with the permit to construct the home.

Both permits—one for the home, tennis court, and subterranean garage and one for the bridge, grading, and retaining walls—were then scheduled to expire on January 27, 2016. By aligning the expiration date of the permits, any decisions to deny or extend the permits by the Planning Commission addressed all permits for the property. The Planning Commission extended both permits to March 23, 2016.

PLANNING COMMISSION MEETING ON MARCH 23, 2015:

On March 23, 2016, the Planning Commission approved an extension of both building permits and the project completion date to May 31, 2017, subject to certain conditions that the property owners accepted:

1. The owners shall maintain general liability insurance in the amount of \$5,000,000 per occurrence, with an aggregate amount of \$5,000,000. Nothing herein shall limit the property owners' liability.

2. The project shall comply with the allowable construction work hours identified in Section 25.01.02 of the City Code. No construction vehicles may park on any public street.
3. The owners shall provide a project manager, effective immediately. One sign, visible from the street, must be posted on-site and must list the name(s) and phone number(s) of the project manager(s). The project manager shall be on-site and available during all times that construction activity is occurring. A flag man shall be on-site to direct ingress and egress of vehicle traffic to and from the site.
4. The landscape architect shall complete the final landscape plan, including details on the sizes and types of plants and trees. The applicant shall provide evidence showing reasonable steps taken to present the landscape plan to property owners within 500' of the subject property. The Landscape Plan shall be submitted to the City prior to May 27, 2016 with evidence that the neighbors were provided an opportunity to review and comment on the plans. Included with the landscape plan shall be a 3-dimensional model or rendering.
5. The project shall return to the Planning Commission every three (3) months with a complete project progress report, including pictures. The applicant shall inform the Director of Building and Planning of any anticipated delay in construction. The first status report shall be provided at the May 27, 2016, Planning Commission meeting which is two months from the March 25, 2016 meeting.
6. The penalties for non-compliance with any of the above conditions shall include financial penalties of no less than \$1,000 per violation per day and may include a revocation of all permits associated with the property.
7. If the project fails to receive a successful final inspection by May 31, 2017, a penalty shall be assessed in the amount listed below:

1st month - \$5,000

2nd month - \$10,000

3rd month - \$15,000

After the third month, each day beyond shall incur a \$1,000 penalty fee paid to the City of San Marino.

8. Any violation shall be photo documented for the record and presented to the Planning Commission during the periodic updates.

The Planning Commission also approved the inclusion of a force majeure provision that provides: "Delay in performance hereunder shall not be deemed to be default to the extent the delay is due to war, insurrection, floods, earthquakes, fires, casualties, epidemics, quarantine restrictions, unusually severe weather, strikes causing inability to secure necessary labor, materials or tools, acts of the City and any other causes beyond the control and without the fault of the property owner. An extension of time for any such cause shall be for the period of the delay and shall commence to run from the time of the commencement of the cause, but only if property owner sends written notice to the City within five days after commencement of the cause."

ANALYSIS:

Recent Improvements to the Property

Recent and on-going improvements at 1001 Rosalind Road include the comprehensive re-landscaping of the property. Mature small specimen oak trees are in the process of being replaced and planted with careful consideration taken to ensure that surrounding groundcover and irrigation placement are designed to protect such trees. As stated earlier, the bridge approved by the Planning Commission and the City Council as part of the initial project approvals is nearly complete.

The approved plans specified the removal of several trees on the property. A majority of these trees were located within the building pad of the proposed house. Although the plan included the relocation of several of these trees, the site arborist and the City arborist confirmed that the trees would not survive a relocation. In addition, several other oak trees not within the building pad were removed due to declining health. This analysis was performed by the site arborist and confirmed by the City arborist.

Landscaping and Trees

In June of 2013 a report was submitted by Terry Chesbro, Certified Arborist, regarding the 31 trees (29 were Coast Live Oaks) that were located within the building pad of the proposed new house. The trees in that area were identified during a previous Planning Commission meeting and were noted on the plans as trees that the owner was going to do their best to relocate to a new location on the property. The evaluation/report determined that the conditions of the trees and the physical location of the trees (hillside) made them poor candidates for relocation. The City Arborist, Ron Serven reviewed the report and performed a site visit to determine if Mr. Chesbro's professional opinion was accurate. After performing the site visit, Ron Serven that the trees were not suitable candidates for relocation and the trees were approved for removal

In March of 2014 a follow-up site evaluation was performed by Terry Chesbro and Rebecca, Certified Arborist, at the direction of City staff in response to potential damages to trees incurred during the previous removals and site clearance for undesirable vegetation. It was determined that some damage was done during the site work, but the extent of the damage and the possible short term and long term impact on the trees was difficult to determine. Ron Serven visited the site and observed the identified damage to the trees in question. Ron also met with Dave Saldana, Director of Planning and Building Department, to discuss the tree damage and the possible violation of the City's Tree Preservation Ordinance. Mr. Saldana and Ron agreed that the overall impact was not known due to pre-existing conditions and uncertainty as to how the trees would respond to the damage. As a result of the meetings with staff, a new landscape plan was approved for the project by the City and its City Arborist in 2014. Staff imposed strict requirements on the homeowner in moving forward:

1. Property owner is required to hire a Certified Arborist or Registered Consulting Arborist to perform a complete site survey and evaluation of all remaining trees on the property to determine what trees were to remain versus what trees were determined to be removed based on the current condition and the long-term health/safety concerns related to the trees. This was completed by Rebecca Latta.
2. Property owner is required to provide a tree protection plan for all trees that are to remain on the site to include protection within the dripline of all established trees on the property as well as protection from construction material storage and equipment access. This was provided by Rebecca Latta and reviewed and approved by Ron Serven, City Arborist.
3. Property owner is required to hire a Certified Arborist or Registered Consulting Arborist to oversee the site for the next ten years. The arborist shall ensure all requirements are followed and property's existing and new landscapes are closely monitored. The property owner hired Rebecca Latta and is contractually obligated to retain her services for the ten years. If Rebecca is removed for any reason as the site arborist all records and responsibilities of the property owner shall be transferred to an alternate arborist for the balance of the ten year obligation.

On March 14, 2016, the property owners' landscape architect organized a meeting at the Crowell Public Library to discuss the new landscaping plan (See Attached) for the project with the neighbors. A written notice was mailed to the property owner within 500 feet of the subject site on March 9, 2016. Unfortunately, none of the neighbors attended the meeting. An additional landscaping meeting was held on

April 18, 2016 to discuss the landscape plan and any potential changes. As a result of the meeting, the owner agreed to plant new trees at the rear most portion of the property adjacent to the existing Guest House at 1100 Oak Grove Avenue.

ISSUES ON APPEAL:

The City Council is presented with an appeal from the Planning Commission’s decision to extend the expiration date of the project’s building permits and the project completion date to May 2017. The Appellants’ argue that the Planning Commission did not make the necessary findings to extend the project completion date. Section 21.01.05 of the Municipal Code authorizes an extension of the project completion date if the “project has been performed as expeditiously as reasonably possible and in a manner to reasonably accommodate the needs of persons residing in the neighborhood and that the delay in completion of construction was beyond the reasonable control of the property owner or contractor.” The Appellants’ contend that the project has not met this standard. They also contend that the Planning Commission’s decision to include a force majeure provision in its approval could potentially extend the project indefinitely and should be omitted.

The Appellants’ also argue that the 2008 entitlements for the project, including the CUP, variances, and design review approval should be revoked. However, the scope of this appeal does not include the project entitlements. The validity of the entitlements was not an issue before the Planning Commission because it was not part of the property owners’ initial request. The City would have to initiate a separate permit revocation proceeding in order to seek to revoke the 2008 entitlements.

CITY COUNCIL OPTIONS:

The City Council has three options to resolve this appeal:

1. The City Council can deny the appeal and uphold the Planning Commission’s decision to extend the building permits and project completion date to May 31, 2017 with the conditions approved by the Planning Commission. One such condition, as discussed above, required periodic monitoring of the construction progress. The City Council could base this decision on the fact that this is an unusual project that will take longer than normal yet at the same time provide a good monitoring system to ensure that it will not harm the neighborhood. In addition, with the completion of the bridge and access, all vehicles and construction equipment can now be stored on site and not on the street nearby.
2. The City Council can deny the appeal and uphold the Planning Commission’s decision to extend the building permits and project completion date to May 31, 2017, but recommend different conditions than those approved by the Planning Commission.
3. The City Council can accept the appeal and overturn the Planning Commission’s decision to extend the building permits and project completion date to May 31, 2017. This decision would mean that both of the project’s building permits (the home/tennis court/garage and the bridge/grading/retaining walls) will automatically expire. The property owners could resubmit plans for plan check and then pull new permits for the project and pay the appropriate fees. None of the conditions attached to the Planning Commission’s extension would apply to the new permit. The new building permit would have an expiration date of 15 months and could be extended for an additional 6 months. The Conditional Use Permit, Variances and Design Review entitlements approved as part of the project would not automatically expire along with the building permits.

RECOMMENDATION:

Staff recommends the City Council deny the appeal and uphold the Planning Commission’s decision to extend both building permits to May 31, 2017, with the following conditions as approved by the Planning Commission:

1. The owner shall maintain general liability insurance in the amount of \$5,000,000 per occurrence, with an aggregate amount of \$5,000,000. Nothing herein shall limit the property owners liability.
2. The project shall comply with the allowable construction work hours identified in Section 25.01.02 of the City Code. No construction vehicles may park on any public street.
3. The owner shall provide a project manager, effective immediately. One sign, visible from the street, must be posted on-site and must list the name(s) and phone number(s) of the project manager(s). The project manager shall be on-site and available during all times that construction activity is occurring. A flag man shall be on-site to direct ingress and egress of vehicle traffic to and from the site.
4. The landscape architect shall complete the final landscape plan, including details on the sizes and types of plants and trees. The applicant shall provide evidence showing reasonable steps taken to present the landscape plan to property owners within 500’ of the subject property. The Landscape Plan shall be submitted to the City prior to May 27, 2016 with evidence that the neighbors were provided an opportunity to review and comment on the plans. Included with the landscape plan shall be a 3-dimensional model or rendering.
5. The project shall return to the Planning Commission every three (3) months with a complete project progress report, including pictures. The applicant shall inform the Director of Building and Planning of any anticipated delay in construction. The first status report shall be provided at the May 27, 2016.
6. The penalties for non-compliance with any of the above conditions shall include financial penalties of no less than \$1,000 per violation per day and may include a revocation of all permits associated with the property.
7. If the project fails to receive a successful final inspection by May 31, 2017, a penalty shall be assessed in the amount listed below:

1st month - \$5,000

2nd month - \$10,000

3rd month - \$15,000

After the third month, each day beyond shall incur a \$1,000 penalty fee paid to the City of San Marino.

8. Delay in performance hereunder shall not be deemed to be default to the extent the delay is due to war, insurrection, floods, earthquakes, fires, casualties, epidemics, quarantine restrictions, unusually severe weather, strikes causing inability to secure necessary labor, materials or tools, acts of the City and any other causes beyond the control and without the fault of the property owner. An extension of time for any such cause shall be for the period of the delay and shall commence to run from the time of the commencement of the cause, but only if property owner sends written notice to the City within five days after commencement of the cause.
9. Any violation shall be photo documented for the record and presented to the Planning Commission during the periodic updates.

Attachments: Revised Landscape Plan
Location/Radius Map
Appeal letter dated April 5, 2016

**Law Offices of
Christopher Norgaard**

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Los Angeles, California 90071
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April 5, 2016

BY ELECTRONIC MAIL AND HAND DELIVERY

TO THE CITY COUNCIL OF THE CITY OF SAN MARINO

2200 Huntington Drive
San Marino, CA 91108

Ms. Veronica Ruiz
City Clerk
City of San Marino
2200 Huntington Drive
San Marino, CA 91108
Email address: vruiz@cityofsanmarino.org



**Appeal of Decision of the San Marino Planning Commission regarding 1001
Rosalind Road, San Marino, California 91108
Planning Commission meeting date: March 23, 2016
Agenda item no. 7:
Request for Extension of Project Completion Date
1001 Rosalind Road, (Zhong)**

Appeal by:

Louise Jones, Thomas Jones, Jeffrey Jones, Kevin Jones
1100 Oak Grove Avenue
San Marino, CA 91108

Ronnie Lam, Shirley Lam, Tiffany Lam, Stephanie Lam
1095 Rosalind Road
San Marino, CA 91108

Dear Honorable Members of the City Council and Ms. Ruiz:

I represent Louise Jones and Thomas Jones, owners and residents of the real property located at 1100 Oak Grove Avenue, San Marino, California 91108, and Jeffrey Jones, who resides at the same address (together, the "Jones family"). I also represent Ronnie Lam and Shirley Lam, owners and residents of the real property located at 1095 Rosalind Road, San Marino, California 91108, and their daughters, Tiffany Lam and Stephanie Lam, who reside at the same address (together, the "Lam family").

The said Jones family and Lam family residential properties are adjacent to the property located at 1001 Rosalind Road, San Marino. The Jones family and Lam family hereby appeal from the decision of the San Marino Planning Commission, at its meeting on March 23, 2016, to grant an extension of the project completion date for the development project at 1001 Rosalind Road, from no later than March 23, 2016, to at least May 31, 2017, or, if certain penalty payments are made by the owners or their agents (Raymond Zhong, Carrie Zhong, Perfect Design Rosalind LLC and/or RAA Corp.), to an even later and indeterminate date.

This project was initially approved almost eight years ago, on May 28, 2008. As the City staff agenda reports have noted, “during this entire time [as of late July 2015, more than seven years after approval], there has been no construction activity on the property until the applicant obtained building permits to construct the access bridge in the front yard area” on April 2, 2015, which bridge was not completed until the second half of 2015. The project owners and contractor have consistently failed to meet conditions that the Planning Commission has imposed or attempted to impose for extension of project completion dates.

The 1001 Rosalind Road property owners and project contractor have not made any showing that would justify an extension of the project completion date under City Code Section 25.01.05 or any other provision of law. The Planning Commission did not make any finding that any of the criteria for an extension under Section 25.01.05 or any other provision had been met. Indeed, the comments by Planning Commission members during both the March 23 meeting and prior meetings indicate that the members correctly believe that those criteria have not been met.

In addition, the Conditional Use Permit, Variances and Design Review actions under which the Planning Commission allowed the extension have expired and/or should be revoked pursuant to Code Sections 23.15.08(C) (no building permit was obtained within one year after design review approval, thus becomes null and void, unless extended by DRC or Commission for one year, which did not occur here), 23.07.06 (variance or permit not used within one year after granting becomes null and void unless extended by Commission for one year, which did not occur here), and 23.07.07 (variance or conditional use permit shall cease to be of any force and effect if the use has ceased or has been suspended for a consecutive period of six (6) or more months). *See also* Section 23.07.04(B) and similar holdings in case law (Commission may revoke previously granted variance or conditional use permit if obtained by fraud; if use not being exercised; if grant has been exercised contrary to conditions or in violation of other applicable statutes, ordinances, laws or regulations; or where grant exercised so as to be a nuisance—all of which occurred here, the “fraud” being ongoing, substantial, documented removal of dirt from the site, by the truckload, after representation in initial approval that no dirt would be removed, and presentation of a Landscape Plan as integral

The City Council of the City of San Marino
Ms. Veronica Ruiz
April 5, 2016
Page 3

to approval, which the project owners now concede can not and will not be implemented).

Finally, the Planning Commission's March 23, 2016, approval of the project completion date to a potentially indeterminate date, as described above, allows an even greater and also indeterminate extension if and to the extent that construction delays occur based on a host of potential situations such as "unusually severe weather" or "someone engaging the owner or contractor in a lawsuit to stop the job site construction work and without the fault of the property owner," *i.e.*, the mere fact of a "lawsuit," irrespective of whether an injunction or restraining order actually issued, would further extend the completion date. Appellants submit that the said provision is, among other things, against public policy and, for example, might allow the owner or contractor to contend that this very appeal further extends the completion date.

Very truly yours,


Christopher Norgaard

cc: By electronic mail:
Mr. Aldo Cervantes
Director, Planning and Building Department
City of San Marino

Making San Marino Better List: "Immediate/Emergency" Items

Project/Program Title:	Date Requested:	Responsible Department:	Status:
Center Median Water Conservation	4/24/2015	City Manager	At the 1/29/16 Meeting Council asked to have this remain on the list to be reconsidered in April, 2016. Mayor asked to have this moved to May. Mayor and Councilmember Ward asked to have moved to September.

Making San Marino Better List: "Departments Not Meeting Expectations"

Project/Program Title:	Status:
Planning and Building	On 12/30/15 Mr. Rich Haserot provided training for the DRC and on 2/1/16 P&B went live with an on line system to make permit applications and status checks easier and quicker.
Administration/Finance	The Ad Hoc Committee and Advisors continue to work on their management audit of Administration and Parks and Public Works.
City Council	No other such meetings are scheduled at this time.

Making San Marino Better List: "Long Term Goals"

Project/Program Title:	FY To Be Included In:	Responsible Department:	Status:
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Making San Marino Better List: "Long Term Goals"

Project/Program Title:	FY To Be Included In:	Responsible Department:	Status:
Develop a plan for Stoneman (and/or San Marino Center)			Interim Community Services Director Cindy Collins has been brought on to assist in advancing this project. At the April 29th meeting she will give an update on the status of this effort. Council workshop scheduled for 7/13/16 , with goal for an action plan by the end of the calendar year. Residents asked staff to ensure that residents are notified of the process.
Develop a plan for San Marino Center			Interim Community Services Director Cindy Collins has been brought on to assist in advancing this project. At the April 29th meeting Ms. Collins gave an update on this topic and its relationship to Stoneman.
Develop a Commercial District Master Plan			No action to date
Huntington Drive/City Center Plan			Contract PW Director Chris Vogt is drafting an RFP for design of this project and working to see if we can use SGVAG Grant Money to pay for the design work. This project is somewhat related to the 2013 Metro Call For Projects which is also being acted on by the Council on April 29th. Council has asked for traffic assessment of the dual left turn lanes. Council also approved acceptance of the SGVAG Grant money Huntington Drive Corridor Improvement Plan. Advertisement is going out for community members to serve on advisory committee.
Street Light Upgrades			City is still working to resolve some final contractual issues with contractor.
City Wide Traffic Management Plan			No action to date

Making San Marino Better List: "Long Term Goals"

Project/Program Title:	FY To Be Included In:	Responsible Department:	Status:
Housing Element Status Reports	9/26/2014	Planning & Building	Amanda Merlo has spoken to a Supervisor at HCD and they are supportive of a plan where existing accessory structures could be converted to second units to meet HE requirements. P&B will be pursuing this solution.

Making San Marino Better List: "On Deck" Items

Project/Program Title:	Date Requested:	Responsible Department:	Status:
Assess restrooms at Lacy Park	10/25/2013	Parks and Public Works	Patrick's Tree complete - dedication is June 15th at 5:00 P.M. Revised plan for Restrooms being developed.
Oleander Plague			Ron Serven continues to monitor the condition of City oleanders for evidence of Oleander Scorch.
Lacy Park Rose Arbor	10/30/2015	City Manager	Arbor closed last week of January. Bid proposal for required repair being developed. Donation and contract for work approved by Council on April 13th. On April 19th, before starting any work, contractor proposed significant additional work. Staff working to resolve.
Vacancy Registration Ordinance	2/26/2016	Staff	Staff (Fire, Police, Public Works, Community Services and Administration) has begun research. After 4/29 Study Session Council provided direction, staff and attorney working on a draft ordinance.

Making San Marino Better List: "Long Term Goals"

Project/Program Title:	FY To Be Included In:	Responsible Department:	Status:
Police Public Safety Strategy	1/29/2016	Chief of Police	At the 1/29/16 meeting, Council asked the Chief of Police to provide regular updates on a proposal to improve enhance our current public safety/policing efforts in the city. At 2/26/2016 meeting Police Chief gave report. Update reports to be given quarterly - next one due July.
Research if City can mandate that all plans submitted to PC and DRC are prepared by licensed or registered engineers.	4/29/2016	Planning & Building	Requested by Councilmember Talt at 4/29/16 meeting. City Attorney's office conducting legal background research.
			5.27.2016

**CONFERENCE WITH LABOR NEGOTIATOR
PURSUANT TO GOVERNMENT CODE SECTION
54957.6:**

Agency Negotiator: Attorney, Steve Filarsky
City Manager, John Schaefer

Employee Organization: San Marino Fire Fighters'
Association

**CONFERENCE WITH LABOR NEGOTIATOR
PURSUANT TO GOVERNMENT CODE SECTION
54957.6:**

Agency Negotiator: Attorney, Steve Filarsky
City Manager, John Schaefer

Employee Organization: San Marino Police Officers'
Association

**CONFERENCE WITH LABOR NEGOTIATOR –
PURSUANT TO GOVERNMENT CODE SECTION
54957.6:**

Agency Negotiator: Attorney, Steve Filarsky
City Manager, John Schaefer

Employee Organization: San Marino City Employees’
Association representing General Employees