

**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*

*Cindy Collins,, Interim City Manager*



[www.cityofsanmarino.org](http://www.cityofsanmarino.org)

(626) 300-0700 Phone

(626) 300-0709 Fax

City Hall Council Chamber

2200 Huntington Drive

San Marino, CA 91108

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**WEDNESDAY, OCTOBER 12, 2016**  
**6:00 P.M.**  
**CITY HALL**  
**COUNCIL CHAMBER**  
**2200 HUNTINGTON DRIVE**  
**SAN MARINO, CA 91108**

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 2<sup>nd</sup> 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 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.

**PRESENTATIONS**

1. **PRESENTATION BY THE METROPOLITAN WATER DISTRICT TO THE CITY OF SAN MARINO COMMEMORATING 75 YEARS OF WATER DELIVERIES TO THE CITY**
2. **RECOGNITION OF OUTGOING MEMBER OF THE DESIGN REVIEW COMMITTEE: STREFAN FAUBLE**
3. **PRESENTATION OF PROCLAMATION RECOGNIZING OCTOBER 16-22, 2016 AS NATIONAL FRIENDS OF LIBRARIES WEEK**
4. **PRESENTATION OF PROCLAMATION RECOGNIZING OCTOBER AS PINK PATCH PROJECT**

**OATH OF OFFICE**

5. **INTRODUCTION AND OATH OF OFFICE - AARON BLONDE, POLICE COMMANDER; RICHARD WARD, POLICE COMMANDER; DANNY GUTIERREZ, POLICE SERGEANT; AND VICTOR GEE, POLICE CORPORAL**

**APPOINTMENTS**

**6. APPOINTMENT TO THE PLANNING COMMISSION**

Recommendation: “A motion to appoint one (1) alternate to serve on the Planning Commission for a term ending June 30, 2020.”

**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.

**7. SEPTEMBER 2016 DISBURSEMENTS REPORT**

Recommendation: “A motion to ratify and file the Disbursements Report for the period ending September 30, 2016.”

**8. RESOLUTION NO. R-16-17 AMENDING THE CITY’S CONFLICT OF INTEREST CODE**

Recommendation: “A motion to adopt Resolution No. R-16-17 amending the Conflict of Interest Code for the City of San Marino.”

**9. CONSIDERATION OF SAN MARINO PARTICIPATION IN MARCH 5, 2017 626 SAN GABRIEL VALLEY GOLDEN STREETS FESTIVAL**

Recommendation: “A motion to authorize the City Manager, on behalf of the City to use the previously signed Memorandum of Understanding with the cities of Arcadia, Azusa, Duarte, Irwindale, Monrovia, South Pasadena and the County of Los Angeles to participate in the Golden Streets Festival; and

A motion to appropriate \$39,544 in revenues under account no. 103-30-3702-000 (Police Reimbursements) and \$39,544 in expenditures under account no. 103-30-4004-000 (Police Overtime) for the City’s participation in the Golden Streets Festival.”

**10. TRANSFER OF FUNDS TO CONTRACT SERVICES AND PART TIME SALARIES TO SUPPORT THE ADMINISTRATION DEPARTMENT**

Recommendation: “A motion to 1) Approve a Professional Services Agreement with MV Cheng & Associates in the amount of \$279,960 for Finance Department Consulting services; 2) Authorize the City Manager to execute the Agreement; 3) Approve the transfer of \$279,960 from Full Time Personnel allocations within the Administration accounts to Other Contract Services for Finance Department Consulting Services; and 4) Approve the transfer of \$11,000 from Full Time

Personnel allocation within the Administration accounts to Part-Time salaries and benefits.”

**11. RESCIND AND REPLACE RESOLUTION NO. 16-06 APPROVING A SALARY AND BENEFITS SCHEDULE FOR MANAGEMENT EMPLOYEES FROM JUNE 2016 THROUGH JUNE 2019**

Recommendation: “A motion to rescind and replace Resolution No. R-16-06 approving the Salary and Benefits Schedule for Management Employees.”

**12. RESCIND AND REPLACE RESOLUTION NO. 16-07 APPROVING A SALARY AND BENEFITS SCHEDULE FOR SUPERVISORY/ CONFIDENTIAL EMPLOYEES FROM JUNE 2016 THROUGH JUNE 2019**

Recommendation: “A motion to rescind and replace Resolution No. R-16-07 approving the Salary and Benefits Schedule for the Supervisory/Confidential employees from June 2016 through June 2019.”

**13. RESCIND AND REPLACE RESOLUTION NO. 16-08, APPROVING THE PART-TIME RATE SCHEDULE FOR FY 16-17**

Recommendation: “A motion to rescind and replace Resolution No. R-16-08 approving the Part-Time Rate Schedule for Fiscal Year 2016-17, effective June 26, 2016.”

**14. MEMBER AGENCY ALLOTMENT-RAIN BARRELS**

Recommendation “A motion to appropriate \$11,000 in expenditures to account 101-07-4150-0000 (Contract Services) and \$11,000 in revenues to account 101-07-3702-0000.”

**NEW BUSINESS**

**15. REQUEST FOR ADDITIONAL ALLOCATION AND AUTHORIZATION TO PROCEED WITH THE PURCHASE OF CAPITALIZED EQUIPMENT FOR THE PARKS AND PUBLIC WORKS DEPARTMENT**

Recommendation: “A motion to 1) transfer \$4,118 from the dump truck account number 591-50-4613-0000; 2) Allocate an additional \$60,448.70 from the General Fund to the boom truck account number 591-48-4613-0000; 3) Authorize staff to proceed with the purchase of a new boom truck, for 121,116.70 from Ranch Truck Center of Whittier, California; and 4) Authorize staff to proceed with the purchase of a dump truck, for \$62,881.48 from National Auto Flee group of Watsonville, California.”

**16. RESOLUTION NO. R-16-15, APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE SAN MARINO CITY EMPLOYEES' ASSOCIATION FROM JUNE 26, 2016 THROUGH JUNE 22, 2019**

Recommendation: “A motion to 1) adopt Resolution No. R-16-15 approving the Memorandum of Understanding with the San Marino City Employees' Association; and 2) approve additional appropriations in the amount of \$56,241 in FY 2016-17 spread over the affected full time personnel budget line items as shown in the staff report.”

**17. INTRODUCTION OF ORDINANCE NO. O-16-1311 AMENDING CHAPTER 16 OF THE MUNICIPAL CODE TO PROVIDE POTECTION FOR RECENTLY IMPROVED STREETS (FIRST READING)**

Recommendation: “A motion to introduce by first reading its title only, Ordinance No. O-16-1311; An ordinance amending Chapter 16 of the City of San Marino Municipal Code to Provide Protection for Recently Improved Streets”.

**18. A RESOLUTION OF THE CITY OF SAN MARINO CITY COUNCIL REGARDING A DECISION TO INTERPRET THE COMMERCIAL USE IN THE CITY OF SAN MARINO GENERAL PLAN FOR THE PROPERTIES KNOWN AS 375, 415, 475, 825, 835 AND 2233 HUNTINGTON DRIVE**

Recommendation: “A motion to approve Resolution No. R-16-18.”

**19. DESIGNATION OF HISTORICAL LANDMARK – 1470 VIRGINIA ROAD, (JAGELS)**

Recommendation: “A motion to deny the request to designate 1470 Virginia Road as a local historical landmark under City Code Chapter 2 Article 12; or A motion to continue the request to designate 1470 Virginia Road as a local historical landmark and direct staff to retain a consultant to provide a historic assessment report.”

**20. ESTABLISHMENT OF AD HOC COMMITTEE WITH CITIZEN ADVISORS TO PROVIDE INPUT ON THE RECREATION DEPARTMENT**

Recommendation: “Provide direction on the formation and implementation of the Recreation Ad Hoc.”

**21. RECEIVE AND FILE: HUNTINGTON DRIVE REHABILITATION PROJECT NO. 2882 - UPDATE**

Recommendation: “Receive and file this item.”

**PUBLIC HEARINGS****22. APPEAL OF THE PLANNING COMMISSION DECISIONS FOR CASE No. DRC15-99 AND DRC16-23, 1470 VIRGINIA ROAD (CHAN/TYLER)**

Recommendation: “A motion to continue the appeal of Design Review Nos. DRC15-99 and DRC16-23 to a future meeting.”

**23. APPEAL OF VARIANCE NOS. V16-04, V16-06, V16-08, CONDITIONAL USE PERMIT NOS. CUP16-12, CUP16-18, AND DESIGN REVIEW NO. DRC16-35, 1900 MONTROBLES PLACE, (REED)**

Recommendation: “A motion to approve Variance Nos. V16-04, V16-06, V16-08, Conditional Use Permits CUP16-12, CUP16-18, and Design Review No. DRC16-35 subject to the conditions listed in the staff report.”

**24. INTERIM ORDINANCE O-16-1310-U PROHIBITING ALL COMMERCIAL NON-MEDICAL MARIJUANA ACTIVITY IN THE CITY AND PROHIBITING OUTDOOR MARIJUANA CULTIVATION ON PRIVATE RESIDENCES**

Recommendation: “A motion to approve Interim Ordinance No. O-16-1310-U to prohibit all commercial non-medical marijuana activity in the City and prohibiting outdoor marijuana cultivation on private residences and declaring the urgency thereof.”

**25. ORDINANCE O-16-1308 REGARDING WATER EFFICIENT LANDSCAPING (FIRST READING)**

Recommendation: “A motion to read by title only and introduce Ordinance No. O-16-1308.”

**26. ORDINANCE O-16-1309 WATER CONSERVATION (FIRST READING) RESOLUTION R-16-16 CITYWIDE WATERING SCHEDULE**

Recommendation: “A motion to 1) Introduce and Read by Title only Ordinance No O-16-1309; and 2) adopt Resolution R-16-16”

**WRITTEN COMMUNICATIONS** This is an opportunity to announce any written communications pertaining to the City received by members of the City Council.

**COUNCIL REPORTS** This is an opportunity for members of the City Council to inform the public of any meetings or conferences they may have attended.

**CITY MANAGER’S REPORT** This is an opportunity for the City Manager to inform the City Council and the public of any upcoming events or matters of interest to the Community.

**CITY COUNCIL CALENDAR**

Scheduling Dates for Future Council Meetings.

**PUBLIC WRITINGS DISTRIBUTED**

All public writings distributed by the City of San Marino to at least a majority of the City Council regarding any item on this agenda will be made available at the Public Counter at City Hall located at 2200 Huntington Drive, San Marino, California.

**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 speak 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.

**ADJOURNMENT**

The San Marino City Council will adjourn to the next adjourned regular meeting to be held on **FRIDAY, OCTOBER 28, 2016, at 8:00 A.M.** in the City Hall Council Chamber, 2200 Huntington Drive, San Marino, California.

Dated: October 7, 2016

Posted: October 7, 2016

VERONICA RUIZ, CMC  
CITY CLERK

**PRESENTATION BY THE METROPOLITAN  
WATER DISTRICT TO THE CITY OF SAN  
MARINO COMMEMORATING 75 YEARS OF  
WATER DELIVERIES TO THE CITY**

**AGENDA ITEM NO. 1**

**RECOGNITION OF OUTGOING MEMBER OF THE  
DESIGN REVIEW COMMITTEE: STREFAN  
FAUBLE**

**PRESENTATION            OF            PROCLAMATION  
RECOGNIZING    OCTOBER    16-22,    2016    AS  
NATIONAL FRIENDS OF LIBRARIES WEEK**

**AGENDA ITEM NO. 3**

**PRESENTATION            OF            PROCLAMATION  
RECOGNIZING OCTOBER AS PINK PATCH  
PROJECT**

**AGENDA ITEM NO. 4**

**INTRODUCTION AND OATH OF OFFICE - AARON  
BLONDE, POLICE COMMANDER; RICHARD  
WARD, POLICE COMMANDER; DANNY  
GUTIERREZ, POLICE SERGEANT; AND VICTOR  
GEE, POLICE CORPORAL**

**AGENDA ITEM NO. 5**

# City of San Marino AGENDA REPORT



TO: MAYOR AND CITY COUNCIL  
FROM: CINDY COLLINS, INTERIM CITY MANAGER  
BY: COUNCIL LIAISONS RICHARD SUN AND STEVEN HUANG  
DATE: OCTOBER 12, 2016  
SUBJECT: **APPOINTMENT TO THE PLANNING COMMISSION**

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

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## **BACKGROUND**

The City Council has established a number of Boards and Commissions, which assist the City Council with a variety of issues, needs, and concerns. The Planning Commission consists of five (5) members and an alternate. The appointments are typically recommended by the Council Liaisons with approval of the City Council. Section 02.08.02 of the San Marino City Code allows for Planning Commissioners to serve no more than two (2) consecutive four (4) year terms. Currently, there is one vacancy on the Planning Commission for the Alternate position.

## **FISCAL IMPACT**

No fiscal impact.

## **RECOMMENDATION**

The Council Liaisons recommend the Council appointment of one (1) alternate to fill the remainder of a four year term commencing July 1, 2016. If Council concurs, the appropriate action would be:

“A motion to appoint one (1) alternate to serve on the Planning Commission for a term ending June 30, 2020.”

# City of San Marino AGENDA REPORT



TO: MAYOR AND CITY COUNCIL  
FROM: CINDY COLLINS, INTERIM CITY MANAGER  
BY: KEN PUN, CONTRACT DEPUTY FINANCE DIRECTOR  
DATE: OCTOBER 12, 2016  
SUBJECT: **DISBURSEMENT REPORTS FOR THE MONTH OF SEPTEMBER 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

Attached are the general account check register and wire transfer report for the month of September 2016. This report was prepared by the Account Clerk and has been reviewed and approved by the Contract Deputy Finance Director, Ken Pun or Finance Director, Misty Cheng. All disbursement for the month are summarized and totaled below.

## FISCAL IMPACT

### Schedule of Disbursements

<u>Date</u>	<u>Description</u>	<u>Amount</u>
	General Account Checks & EFTs	1,637,463.08
9/9/2016	Payroll Manual Checks 53116-53127	8,352.61
9/9/2016	Payroll Direct Deposit	308,419.73
9/9/2016	Federal Tax	75,182.88
9/9/2016	State Tax	21,912.44
9/23/2016	Payroll Manual Checks 53128-53139	7,708.81
9/23/2016	Payroll Direct Deposit	288,664.48
9/23/2016	Federal Tax	66,218.29
9/23/2016	State Tax	19,068.81
	Workers' Compensation Checks 11260-11331	36,586.63
		<u>\$ 2,469,577.76</u>

**Schedule of Wire Transfers  
Between LAIF and City Checking Accounts**

<u>Date</u>	<u>Description</u>	<u>Amount In (Out)</u>
9/8/2016	From LAIF to Main Checking	\$ 500,000.00
9/21/2016	From LAIF to Payroll	500,000.00
9/29/2016	From LAIF to Main Checking	300,000.00
		<u>\$ 1,300,000.00</u>

**Schedule of Wire Transfers  
Between US Bank Safekeeping and City Checking Accounts**

<u>Date</u>	<u>Description</u>	<u>Amount In (Out)</u>
	None	

**RECOMMENDATION**

Staff recommends the Council ratify and file the Disbursement Report for the month ended September 30, 2016. If Council concurs, the appropriate action would be:

“A motion to ratify and file the Disbursement’s Report for the month ended September 30, 2016.”

Attachments: Disbursement Report

# City of San Marino

## September 2016 Disbursement Report



Account Number	Vendor	Description	GL Date	Check No	Amount	Prior
Inventory	Bob Wondries	Dimmer Switch	09/27/2016	0	25.39	
Inventory	Garvey Equipment Company	Mower Parts	09/12/2016	0	214.46	
Inventory	Garvey Equipment Company	Mower Parts	09/12/2016	0	104.32	
Inventory	Garvey Equipment Company	Filters	09/27/2016	0	38.88	
Inventory	Garvey Equipment Company	Chain Saw Parts	09/27/2016	0	295.82	
Inventory	Garvey Equipment Company	Filters	09/27/2016	0	147.50	
Inventory	Garvey Equipment Company	Filters	09/27/2016	0	388.80	
Inventory	Garvey Equipment Company	Chain Saw Parts	09/27/2016	0	456.57	
Inventory	Interstate Battery Systems of	Battery	09/27/2016	0	93.69	
Inventory	O'Reilly Auto Parts	Spark Plugs	08/30/2016	87219	8.14	
Inventory	O'Reilly Auto Parts	Filters	08/30/2016	87219	9.52	
Inventory	O'Reilly Auto Parts	Tailgate Bezel	08/30/2016	87219	8.84	
Inventory	O'Reilly Auto Parts	Filters	08/30/2016	87219	16.33	
Inventory	O'Reilly Auto Parts	Tailgate Handle Bezel	08/30/2016	87219	8.84	
Inventory	O'Reilly Auto Parts	Filters	08/30/2016	87219	1.52	
Inventory	O'Reilly Auto Parts	Filters	08/30/2016	87219	12.61	
Inventory	O'Reilly Auto Parts	Filters	08/30/2016	87219	20.55	
Inventory	O'Reilly Auto Parts	Belt	08/30/2016	87219	10.79	
Inventory	O'Reilly Auto Parts	Filters	08/30/2016	87219	14.82	
Inventory	O'Reilly Auto Parts	Washer Fluid	08/30/2016	87219	11.29	
Inventory	O'Reilly Auto Parts	Filters	08/30/2016	87219	91.59	
Inventory	O'Reilly Auto Parts	Filters & Wiper Blades	08/30/2016	87219	35.37	
Inventory	O'Reilly Auto Parts	Filters	08/30/2016	87219	3.17	
Inventory	O'Reilly Auto Parts	Antifreeze	08/30/2016	87219	58.79	
Inventory	O'Reilly Auto Parts	Credit	09/12/2016	87291	-43.10	
Inventory	O'Reilly Auto Parts	Lightbulbs & Solenoid	09/12/2016	87291	60.88	
Inventory	O'Reilly Auto Parts	Wipers	09/12/2016	87291	25.87	
Inventory	O'Reilly Auto Parts	Filters	09/12/2016	87291	7.49	
Inventory	O'Reilly Auto Parts	Oil	09/12/2016	87291	112.23	
Inventory	O'Reilly Auto Parts	Oil & Filters	09/12/2016	87291	74.08	
Inventory	O'Reilly Auto Parts	Filters	09/12/2016	87291	14.82	
Inventory	O'Reilly Auto Parts	Filters	09/12/2016	87291	7.49	
Inventory	O'Reilly Auto Parts	Filters & Part Washer	09/12/2016	87291	158.02	
Inventory	O'Reilly Auto Parts	Spark Plugs	09/27/2016	87378	21.71	
Inventory	O'Reilly Auto Parts	Fuses	09/27/2016	87378	25.56	
Inventory	O'Reilly Auto Parts	Wheel Stud Nut	09/27/2016	87378	10.49	
Inventory	O'Reilly Auto Parts	Spark Plugs	09/27/2016	87378	6.52	

Inventory	O'Reilly Auto Parts	Spark Plugs	09/27/2016	87378	17.40
Inventory	O'Reilly Auto Parts	Filters & Rotors	09/27/2016	87378	109.29
Inventory	O'Reilly Auto Parts	Spark Plugs	09/27/2016	87378	72.20
Inventory	O'Reilly Auto Parts	Spark Plugs	09/27/2016	87378	37.41
Inventory	O'Reilly Auto Parts	Spark Plugs	09/27/2016	87378	34.79
Inventory	O'Reilly Auto Parts	Oil Filters	09/27/2016	87378	16.46
Inventory	O'Reilly Auto Parts	Oil	09/27/2016	87378	100.03
Inventory	O'Reilly Auto Parts	Oil	09/27/2016	87378	4.35
Inventory	O'Reilly Auto Parts	Filters	09/27/2016	87378	10.56
Inventory	O'Reilly Auto Parts	Bulbs	09/27/2016	87378	5.85
Inventory	O'Reilly Auto Parts	Washer Fluid	09/27/2016	87378	5.65
Inventory	Thorson Motor Center	Tailgate Handle Clips	08/30/2016	87229	9.46
Payroll Withholdings	CA State Disbursement Unit	PR Batch 00702.08.2016 Earnings Withholding Order	08/26/2016	0	198.92
Payroll Withholdings	CA State Disbursement Unit	PR Batch 00701.09.2016 Earnings Withholding Order	09/16/2016	0	198.92
Payroll Withholdings	CA State Disbursement Unit	PR Batch 00702.09.2016 Earnings Withholding Order	09/30/2016	0	198.92
Payroll Withholdings	American Fidelity Assurance	PR Batch 00702.08.2016 Accident Insurance-After Tax	08/26/2016	0	86.74
Payroll Withholdings	American Fidelity Assurance	PR Batch 00702.08.2016 Accident Insurance-Before Tax	08/26/2016	0	374.05
Payroll Withholdings	American Fidelity Assurance	PR Batch 00702.08.2016 Cancer Insurance-After Tax	08/26/2016	0	123.35
Payroll Withholdings	American Fidelity Assurance	PR Batch 00702.08.2016 Cancer Insurance-Before Tax	08/26/2016	0	230.12
Payroll Withholdings	American Fidelity Assurance	PR Batch 00702.08.2016 Disability STD-After Tax	08/26/2016	0	401.84
Payroll Withholdings	American Fidelity Assurance	PR Batch 00702.08.2016 Life Insurance-After Tax	08/26/2016	0	576.78
Payroll Withholdings	American Fidelity Assurance	PR Batch 00701.09.2016 Accident Insurance-After Tax	09/16/2016	0	86.74
Payroll Withholdings	American Fidelity Assurance	PR Batch 00701.09.2016 Accident Insurance-Before Tax	09/16/2016	0	374.05
Payroll Withholdings	American Fidelity Assurance	PR Batch 00701.09.2016 Cancer Insurance-After Tax	09/16/2016	0	123.35
Payroll Withholdings	American Fidelity Assurance	PR Batch 00701.09.2016 Cancer Insurance-Before Tax	09/16/2016	0	230.12
Payroll Withholdings	American Fidelity Assurance	PR Batch 00701.09.2016 Disability STD-After Tax	09/16/2016	0	401.84
Payroll Withholdings	American Fidelity Assurance	PR Batch 00701.09.2016 Life Insurance-After Tax	09/16/2016	0	576.78
Payroll Withholdings	American Fidelity Assurance	PR Batch 00702.09.2016 Accident Insurance-After Tax	09/30/2016	0	86.74
Payroll Withholdings	American Fidelity Assurance	PR Batch 00702.09.2016 Accident Insurance-Before Tax	09/30/2016	0	374.05
Payroll Withholdings	American Fidelity Assurance	PR Batch 00702.09.2016 Cancer Insurance-After Tax	09/30/2016	0	123.35
Payroll Withholdings	American Fidelity Assurance	PR Batch 00702.09.2016 Cancer Insurance-Before Tax	09/30/2016	0	230.12
Payroll Withholdings	American Fidelity Assurance	PR Batch 00702.09.2016 Disability STD-After Tax	09/30/2016	0	401.84
Payroll Withholdings	American Fidelity Assurance	PR Batch 00702.09.2016 Life Insurance-After Tax	09/30/2016	0	576.78
Payroll Withholdings	TIAA-Cref Financial Services	PR Batch 00702.08.2016 Deferred Comp-Management	08/26/2016	0	284.62
Payroll Withholdings	TIAA-Cref Financial Services	PR Batch 00701.09.2016 Deferred Comp-Management	09/16/2016	0	284.62
Payroll Withholdings	TIAA-Cref Financial Services	PR Batch 00702.09.2016 Deferred Comp-Management	09/30/2016	0	284.62
Payroll Withholdings	TIAA-Cref Financial Services	PR Batch 00702.08.2016 Deferred Comp	08/26/2016	0	7,317.24
Payroll Withholdings	TIAA-Cref Financial Services	PR Batch 00702.08.2016 Deferred Comp Benefit	08/26/2016	0	4,961.48
Payroll Withholdings	TIAA-Cref Financial Services	PR Batch 00702.08.2016 Deferred Comp-Loan Payback	08/26/2016	0	134.71
Payroll Withholdings	TIAA-Cref Financial Services	PR Batch 00701.09.2016 Deferred Comp	09/16/2016	0	7,967.24
Payroll Withholdings	TIAA-Cref Financial Services	PR Batch 00701.09.2016 Deferred Comp Benefit	09/16/2016	0	4,961.48
Payroll Withholdings	TIAA-Cref Financial Services	PR Batch 00701.09.2016 Deferred Comp-Loan Payback	09/16/2016	0	134.71
Payroll Withholdings	TIAA-Cref Financial Services	PR Batch 00702.09.2016 Deferred Comp	09/30/2016	0	8,567.24
Payroll Withholdings	TIAA-Cref Financial Services	PR Batch 00702.09.2016 Deferred Comp Benefit	09/30/2016	0	4,961.48
Payroll Withholdings	TIAA-Cref Financial Services	PR Batch 00702.09.2016 Deferred Comp-Loan Payback	09/30/2016	0	134.71
Payroll Withholdings	U.S. Bank	PR Batch 00701.09.2016 PARS Employee Portion	09/16/2016	0	942.95
Payroll Withholdings	U.S. Bank	PR Batch 00701.09.2016 PARS Employer Portion	09/16/2016	0	942.95

Payroll Withholdings	U.S. Bank	PR Batch 00702.09.2016 PARS Employee Portion	09/30/2016	0	844.33
Payroll Withholdings	U.S. Bank	PR Batch 00702.09.2016 PARS Employer Portion	09/30/2016	0	844.33
Payroll Withholdings	PERS	PR Batch 00702.08.2016 PERS Buy Back Pre-Tax	08/26/2016	0	249.81
Payroll Withholdings	PERS	PR Batch 00702.08.2016 PERS Employee Paid (Full Time)	08/26/2016	0	26,331.10
Payroll Withholdings	PERS	PR Batch 00702.08.2016 PERS Employer Share	08/26/2016	0	48,335.28
Payroll Withholdings	PERS	PR Batch 00702.08.2016 PERS Employee Paid (Part-Time)	08/26/2016	0	919.22
Payroll Withholdings	PERS	PR Batch 00702.08.2016 PERS Survivor Benefit	08/26/2016	0	101.37
Payroll Withholdings	PERS	PR Batch 00701.09.2016 PERS Buy Back Pre-Tax	09/16/2016	0	249.81
Payroll Withholdings	PERS	PR Batch 00701.09.2016 PERS Employee Paid (Full Time)	09/16/2016	0	26,482.78
Payroll Withholdings	PERS	PR Batch 00701.09.2016 PERS Employer Share	09/16/2016	0	48,776.21
Payroll Withholdings	PERS	PR Batch 00701.09.2016 PERS Employee Paid (Part-Time)	09/16/2016	0	1,019.06
Payroll Withholdings	PERS	PR Batch 00701.09.2016 PERS Survivor Benefit	09/16/2016	0	100.44
Payroll Withholdings	PERS	Annual Unfunded Accrued Liability -Identifier 26229 Sept 2016	09/22/2016	87312	0.80
Payroll Withholdings	PERS	Annual Unfunded Accrued Liability -Identifier 25892 Sept 2016	09/22/2016	87312	5.10
Payroll Withholdings	PERS	Annual Unfunded Accrued Liability -Identifier 23101 Sept 2016	09/22/2016	87312	43.04
Payroll Withholdings	PERS	Annual Unfunded Accrued Liability -Identifier 6563 Sept 2016	09/22/2016	87312	457.42
Payroll Withholdings	PERS	Annual Unfunded Accrued Liability -Identifier 6562 Sept 2016	09/22/2016	87312	34,492.25
Payroll Withholdings	PERS	Annual Unfunded Accrued Liability -Identifier 256 Sept 2016	09/22/2016	87312	32,103.59
Payroll Withholdings	PERS	Annual Unfunded Accrued Liability -Identifier 254 Sept 2016	09/22/2016	87312	18,896.52
Payroll Withholdings	PERS	PR Batch 00702.09.2016 PERS Buy Back Pre-Tax	09/30/2016	0	249.81
Payroll Withholdings	PERS	PR Batch 00702.09.2016 PERS Employee Paid (Full Time)	09/30/2016	0	27,447.76
Payroll Withholdings	PERS	PR Batch 00702.09.2016 PERS Employer Share	09/30/2016	0	50,342.38
Payroll Withholdings	PERS	PR Batch 00702.09.2016 PERS Employee Paid (Part-Time)	09/30/2016	0	806.82
Payroll Withholdings	PERS	PR Batch 00702.09.2016 PERS Survivor Benefit	09/30/2016	0	100.44
Payroll Withholdings	TIAA-Cref Financial Services	PR Batch 00702.08.2016 Retirement Health Savings Plan	08/26/2016	0	1,149.35
Payroll Withholdings	TIAA-Cref Financial Services	PR Batch 00702.08.2016 Retirement Health Savings Plan	08/26/2016	0	486.94
Payroll Withholdings	TIAA-Cref Financial Services	PR Batch 00701.09.2016 Retirement Health Savings Plan	09/16/2016	0	1,324.68
Payroll Withholdings	TIAA-Cref Financial Services	PR Batch 00701.09.2016 Retirement Health Savings Plan	09/16/2016	0	486.94
Payroll Withholdings	TIAA-Cref Financial Services	PR Batch 00702.09.2016 Retirement Health Savings Plan	09/30/2016	0	1,799.84
Payroll Withholdings	TIAA-Cref Financial Services	PR Batch 00702.09.2016 Retirement Health Savings Plan	09/30/2016	0	486.94
Payroll Withholdings	Humana Insurance Co	PR Batch 00702.08.2016 ER Paid Life Insurance	08/26/2016	87208	992.80
Payroll Withholdings	Humana Insurance Co	Adjustment Premium Sept 2016	08/30/2016	87208	18.00
Payroll Withholdings	Humana Insurance Co	PR Batch 00702.09.2016 ER Paid Life Insurance	09/30/2016	87369	1,001.80
Payroll Withholdings	CA Law Enforcement Assn	PR Batch 00702.08.2016 Police Dept LTD/125 Plan	08/26/2016	87188	637.00
Payroll Withholdings	H. Wilson Insurancenter Inc	PR Batch 00702.09.2016 Fire Dept LTD/125 Plan	09/30/2016	0	540.00
Payroll Withholdings	Lincoln National Life Insurance Co	PR Batch 00702.08.2016 Short/Long Term Disability	08/26/2016	87212	1,642.97
Payroll Withholdings	Lincoln National Life Insurance Co	Adjustment Premium Sept 2016	08/30/2016	87212	67.06
Payroll Withholdings	Lincoln National Life Insurance Co	PR Batch 00702.09.2016 Short/Long Term Disability	09/30/2016	87373	1,642.97
Payroll Withholdings	Lincoln National Life Insurance Co	Adjustment Premium Oct 2016	09/27/2016	87373	30.53
Payroll Withholdings	PERS (Medical)	PR Batch 00701.08.2016 Ins Prem Ded/125 Plan	08/19/2016	0	7,239.63
Payroll Withholdings	PERS (Medical)	Adjustment Premium Sept 2016	08/30/2016	0	1,900.11
Payroll Withholdings	PERS (Medical)	PR Batch 00702.08.2016 Ins Prem Bene/125 Plan	08/26/2016	0	46,482.20
Payroll Withholdings	PERS (Medical)	PR Batch 00702.08.2016 Ins Prem Ded/125 Plan	08/26/2016	0	5,872.21
Payroll Withholdings	PERS (Medical)	PR Batch 00701.09.2016 Ins Prem Ded/125 Plan	09/16/2016	0	6,029.16
Payroll Withholdings	PERS (Medical)	PR Batch 00702.09.2016 Ins Prem Bene/125 Plan	09/30/2016	0	47,478.04
Payroll Withholdings	PERS (Medical)	PR Batch 00702.09.2016 Ins Prem Ded/125 Plan	09/30/2016	0	6,029.16
Payroll Withholdings	PERS (Medical)	Adjustment Premium Oct 2016	09/27/2016	0	870.13

Payroll Withholdings	Fidelity Security Life Insurance/Eyemed	PR Batch 00702.08.2016 Vision Ins/125 Plan	08/26/2016	87201	597.04
Payroll Withholdings	Fidelity Security Life Insurance/Eyemed	Adjustment Premium August 2016	08/30/2016	87201	35.33
Payroll Withholdings	Fidelity Security Life Insurance/Eyemed	PR Batch 00702.09.2016 Vision Ins/125 Plan	09/30/2016	87363	597.04
Payroll Withholdings	Fidelity Security Life Insurance/Eyemed	Adjustment Premium Sept 2016	09/27/2016	87363	35.33
Payroll Withholdings	Delta Dental	PR Batch 00702.08.2016 Dent Ins/125 Plan/HMO	08/26/2016	87272	574.43
Payroll Withholdings	Delta Dental	PR Batch 00702.08.2016 Dent Ins/125 Plan/PPO	08/26/2016	87272	4,183.78
Payroll Withholdings	Delta Dental	Premium HMO Oct 2016	09/12/2016	87272	79.56
Payroll Withholdings	Delta Dental	Premium PPO Oct 2016	09/12/2016	87272	1,281.88
Payroll Withholdings	San Marino Firefighters Assn	PR Batch 00701.09.2016 Firefighter Dues	09/16/2016	0	727.00
Payroll Withholdings	San Marino Firefighters Assn	PR Batch 00702.09.2016 Firefighter Dues	09/30/2016	0	727.00
Payroll Withholdings	San Marino City Employees Assn	PR Batch 00701.09.2016 San Marino City Employee Assn	09/16/2016	0	352.50
Payroll Withholdings	San Marino City Employees Assn	PR Batch 00702.09.2016 San Marino City Employee Assn	09/30/2016	0	352.50
Payroll Withholdings	San Marino Police Officers Assn	PR Batch 00701.09.2016 San Marino PD Assn	09/16/2016	0	784.86
Payroll Withholdings	San Marino Police Officers Assn	PR Batch 00702.09.2016 San Marino PD Assn	09/30/2016	0	784.86
Payroll Withholdings	LegalShield	PR Batch 00701.09.2016 Prepaid Legal Services	09/16/2016	0	135.54
Payroll Withholdings	LegalShield	PR Batch 00702.09.2016 Prepaid Legal Services	09/30/2016	0	135.54
Payroll Withholdings	LegalShield	Adjustment Premium Sept 2016	09/27/2016	0	-0.03
Payroll Withholdings	American Fidelity Assurance	PR Batch 00702.08.2016 Dep Care/125 Plan	08/26/2016	0	208.33
Payroll Withholdings	American Fidelity Assurance	PR Batch 00701.09.2016 Dep Care/125 Plan	09/16/2016	0	208.33
Payroll Withholdings	American Fidelity Assurance	PR Batch 00702.09.2016 Dep Care/125 Plan	09/30/2016	0	208.33
Payroll Withholdings	American Fidelity Assurance	PR Batch 00702.08.2016 Med Flex/125 Plan	08/26/2016	0	1,044.13
Payroll Withholdings	American Fidelity Assurance	PR Batch 00701.09.2016 Med Flex/125 Plan	09/16/2016	0	1,044.13
Payroll Withholdings	American Fidelity Assurance	PR Batch 00702.09.2016 Med Flex/125 Plan	09/30/2016	0	1,044.13
Agency Deposits	Metro Water	Domestic Water July 2016	09/12/2016	0	81,745.50
					<u>601,133.73</u>
					<u>245,963.82</u>

**Revenue Accounts:**

101-00-2048-6990	Sherlene Loo	Refund- Fun with Phonic/Math	09/27/2016	87314	29.00
101-00-2048-6990	Gustavo Sujo	Refund- Quick Start Beginner	09/27/2016	87315	147.00
101-00-2048-6990	Jessica Tran	Refund- Homework Helpers	09/27/2016	87316	226.00
101-00-2048-6990	Ben Grossi	Refund- Transfer from Video Game Design	09/27/2016	87317	30.00
101-00-2048-6990	Alison Chen	Refund- Tiny Pros Soccer	09/12/2016	87250	120.00
101-00-2048-6990	Renita Lin	Refund- Transfer Classes ( Fun with Phonic/Math)	09/27/2016	87318	29.00
101-00-2048-6990	Katherine Chow	Refund- Chess Masters	09/27/2016	87319	122.00
101-00-2048-6990	Soyoung Yoon	Refund- Video Game Design	09/12/2016	87251	192.00
101-00-2048-6990	Joey Lee	Refund- Chess Master	09/27/2016	87320	135.00
101-00-2048-6990	Geneva Gamez	Refund- Two's Summer 2D	08/30/2016	87169	55.00
101-00-2048-6990	Geneva Gamez	Refund- Tiny Pros Soccer	09/27/2016	87321	91.00
101-00-2048-6990	Carl Fred Milkie	Refund- Magic Castle	09/27/2016	87322	190.00
101-00-2048-6990	Lu Chen	Refund- Brit West Camp	09/27/2016	87323	100.00
101-00-2048-6990	Stephanie Shum	Refund- Roller Coaster Camp	08/30/2016	87171	242.00
101-00-2048-6990	Claire Kim	Refund- Fencing	08/30/2016	87174	280.00
101-00-2048-6990	Amy Tse	Refund- Kinder Care	08/30/2016	87175	65.00
101-00-2048-6990	Amy Tse	Refund- Min-Day Daycare- KC	08/30/2016	87175	34.01
101-00-2048-6990	Ling Dong	Refund- Chess Masters	08/30/2016	87176	135.00
101-00-2048-6990	Maribel Chang	Refund- Tiny Toddlers	08/30/2016	87177	164.00
101-00-2048-6990	Haiyen Sawyers	Refund- Pre-K August	08/30/2016	87178	182.00

101-00-2048-6990	Marisa N. Sakaguchi	Refund- Jr. Tennis	08/30/2016	87179	148.00	
101-00-2048-6990	Loretta Hultman	Refund- Transfer Tai Chi Classes	09/12/2016	87252	24.00	
101-00-2048-6990	Kerri Terrill	Refund- Jr. Tennis	09/12/2016	87253	153.00	
101-00-2048-6990	Allan Chuate	Refund- Deposit SMC Room Rental	09/12/2016	87254	500.00	
101-00-2048-6990	Albert Ko	Refund- Transfer Lil' Playmates Classes	09/12/2016	87255	28.00	
101-00-2048-6990	Christopher Yee	Refund- Lil' Exploreres	09/12/2016	87256	167.00	
101-00-2048-6990	Christopher Yee	Refund- Transfer - Super Science	09/27/2016	87324	36.00	
101-00-2048-6990	Flora Cheung	Refund- Ballroom Dancing	09/12/2016	87257	76.00	
101-00-2048-6990	Flora Cheung	Refund- Ballroom Dancing Beg	09/27/2016	87325	76.00	
101-00-2048-6990	Yuka Hsieh	Refund- Chess Masters	09/12/2016	87258	125.00	
101-00-2048-6990	Gina Ching- Fang Yang	Refund- Lil' Playmates	09/12/2016	87259	73.30	
101-00-2048-6990	Jeanie Farnam	Refund- Mini Sports Blitz	09/27/2016	87326	119.00	
101-00-2048-6990	Derek Kan	Refund- Intro Piano	09/27/2016	87327	141.00	
101-00-2048-6990	Yonggiang Sun	Refund - Three's & Four's	09/27/2016	87328	307.00	
101-00-2048-6990	Martha Muller	Refund- Beginner Tap Dance	09/27/2016	87329	165.00	
101-00-2048-6990	Sandra Shinkfield	Refund- Parent & Me Tumble	09/27/2016	87330	89.00	
101-00-2048-6990	Howard Chan	Refund- Beginning T Ball	09/27/2016	87331	112.00	
101-00-2048-6990	Emily Vitan	Refund- Fencing	09/27/2016	87332	150.00	
101-00-2048-6990	Amy Liang	Refund- Fencing	09/27/2016	87333	150.00	
101-00-2048-6990	Lois Gronaver	Refund- OUE Skyscape	09/27/2016	87334	116.00	
101-00-2048-6990	Annie Wu	Refund- Tiny Pros Soccer	09/27/2016	87335	87.00	
101-00-2048-6990	Annie Wu	Refund- Tennis, Dino World & Chess Master	09/27/2016	87335	375.80	
101-00-2048-6990	Mina Jiang	Refund- Intro to Piano	09/27/2016	87336	167.00	
101-00-2048-6990	Min Ching Huang Wang	Refund- Transfer Beginner Tap Dance	09/27/2016	87337	40.00	
101-00-3040-0000	California American Water	Franchise Fee July- August 2016	08/30/2016	87190	20.86	
101-00-3040-0000	California American Water	Franchise Fee July- Aug 2016	09/12/2016	87264	23.99	
101-00-3040-0000	California American Water	Franchsie Fee Aug 2016	09/27/2016	87352	2.57	
609-00-2048-2575	Friends of Crowell Public Lib	Friends Reimbursement 7/1416-8/1/16	09/12/2016	87275	373.50	
609-00-2048-2575	Friends of Crowell Public Lib	Friends Reimbursement 8/12/16-9/1/16	09/12/2016	87275	429.00	
609-00-2048-7370	San Marino School District	School Fees 1170 Saint Albans 8/31/16	09/12/2016	87302	2,446.08	
609-00-2048-7370	San Marino School District	School Fees 1436 Vandyke Rd	09/12/2016	87302	2,597.28	
609-00-2048-7370	San Marino School District	School Fees 1133 Lorain Rd	09/12/2016	87302	4,404.96	
					16,291.35	10,379.13

**City Council Accounts:**

0.00	517.80
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**Administration Accounts:**

101-07-4016-0000	John Penido	Medical Retirement Sept 2016	09/12/2016	0	1,257.00
101-07-4016-0000	PERS (Medical)	Retired Premium Sept 2016	08/30/2016	0	13,125.00
101-07-4016-0000	PERS (Medical)	Retired Premium Oct 2016	09/27/2016	0	13,675.00
101-07-4106-2755	Dapeer,Rosenblit & Litvak LLP	Legal Service 8/1/16-8/31/16	09/27/2016	87359	624.40
101-07-4106-2755	Richards Watson & Gershon	Legal Service July 2016	09/12/2016	87296	325.00
101-07-4106-2755	Richards Watson & Gershon	Legal Service July 2016	09/12/2016	87296	18,114.93
101-07-4106-3415	Paul E Crost	Reissue Check - Fact Finding Procedures 3/16/16	09/19/2016	87311	2,000.00

101-07-4106-3415	Filarsky & Watt LLP	Legal - 8/2/16-8/30/16	09/12/2016	0	1,610.00
101-07-4150-0000	CB Merchant Services	Quarterly Membership	09/12/2016	87269	32.00
101-07-4150-0000	Carol Cowley	Acting City Clerk Service 8/15/16-8/24/16	09/12/2016	0	750.00
101-07-4150-0000	George Wallis	Janitorial Supplies August 2016	09/12/2016	0	580.19
101-07-4150-0000	Hinderliter deLlamas & Associa	Contract Sales Tax 3rd Quarter	08/30/2016	87204	300.00
101-07-4150-0000	Hinderliter deLlamas & Associa	Audit Service Sales Taxes Quarter 1 2016	08/30/2016	87204	151.16
101-07-4150-0000	Kaizen info Source LLC	Records Management Project	09/12/2016	87283	3,000.00
101-07-4150-0000	PERS (Medical)	Administrative Fee Sept 2016	08/30/2016	0	317.70
101-07-4150-0000	PERS (Medical)	Administrative Fee Oct 2016	09/27/2016	0	322.81
101-07-4150-0000	SLK.US Inc	IT Service Sept 2016	09/12/2016	0	1,182.84
101-07-4202-0000	ECP-SMT Aquisition, LLC	Notice 2288_001 Publish 8/19/16	09/12/2016	0	407.16
101-07-4202-0000	ECP-SMT Aquisition, LLC	Notice #N-16-07 Publish 8/19/16 & 8/26/16	09/12/2016	0	1,028.64
101-07-4202-0000	ECP-SMT Aquisition, LLC	Notice N-16-17 Publish 9/2/16	09/12/2016	0	575.64
101-07-4202-0000	ECP-SMT Aquisition, LLC	Notice #N-16-26 Publish 9/9/16	09/27/2016	0	1,067.04
101-07-4206-0000	SDS Security Design Systems	Alarm Service	08/30/2016	87224	75.00
101-07-4206-0000	SDS Security Design Systems	Alarms Service	09/12/2016	87298	99.00
101-07-4206-0000	SDS Security Design Systems	Alarms Service	09/12/2016	87298	75.00
101-07-4316-0000	GreatAmerica Financial Services	Postage Machine	08/30/2016	87203	172.26
101-07-4316-0000	GreatAmerica Financial Services	Postage Machine	09/12/2016	87278	206.48
101-07-4316-0000	Wells Fargo Vendor Fin Serv	Copier Lease	09/12/2016	87308	247.87
101-07-4316-0000	Wells Fargo Vendor Fin Serv	Property Tax For Copier	09/27/2016	87396	45.24
101-07-4376-0000	Office Depot	Paper	08/30/2016	87217	41.62
101-07-4376-0000	Office Depot	Ink and Office Supplies	08/30/2016	87217	376.02
101-07-4376-0000	Office Depot	Supplies	08/30/2016	87217	7.62
101-07-4376-0000	Office Depot	Supplies	08/30/2016	87217	96.27
101-07-4376-0000	Office Depot	Supplies	09/12/2016	87290	18.07
101-07-4376-0000	Office Depot	Supplies	09/12/2016	87290	59.94
101-07-4376-0000	Office Depot	Supplies and Ink	09/12/2016	87290	183.43
101-07-4376-0000	Office Depot	Board	09/12/2016	87290	217.99
101-07-4376-0000	Office Depot	Supplies	09/12/2016	87290	81.97
101-07-4376-0000	Office Depot	Supplies	09/12/2016	87290	52.31
101-07-4376-0000	Office Depot	Ink	09/27/2016	87377	222.33
101-07-4376-0000	Office Depot	Credit Ink	09/27/2016	87377	-361.87
101-07-4376-0000	Office Depot	Paper & Supplies	09/27/2016	87377	115.25
101-07-4376-0000	Office Depot	Supplies	09/27/2016	87377	124.67
101-07-4376-0000	Pacific Insurance Network Systems	Insurance Tracking Fee Sept 2016	09/12/2016	0	125.00
101-07-4376-0000	Ken Pun	Reimbursement for Finance Dept Safe	09/12/2016	87294	121.10
101-07-4420-0000	PGI, Inc	Recreation & Library Guide Fall 2016	09/27/2016	87379	496.71
101-07-4436-0000	Petty Cash	Shipped Pellet B Exam Docs	09/12/2016	87267	54.02
101-07-4436-0000	Department of Justice	Live Scan July 2016	08/30/2016	87198	32.00
101-07-4436-0000	Department of Justice	Live Scan Fees August 2016	09/27/2016	87360	96.00
101-07-4436-0000	St. George's Medical Clinic	Physical - T.Beaubien	08/30/2016	87227	195.00
101-07-4500-1980	Southern California Edison	Electrical Service July- August 2016	08/30/2016	87225	5,172.46
101-07-4500-1980	Southern California Edison	Electrical Service Aug- Sept 2016	09/27/2016	87385	4,770.69
101-07-4500-4950	The Gas Company	Gas Service Aug- Sept 2016	09/27/2016	87390	33.37
101-07-4500-9025	AT&T	Phone Service July- August 2016	09/12/2016	87260	1,445.00
101-07-4500-9025	AT&T	Phone Service Aug- Sept 2016	09/27/2016	87345	155.88

101-07-4500-9025	Time Warner Cable	Cable Internet Service 9/6/16-10/5/16	09/12/2016	87304	264.99
101-07-4500-9460	California American Water	Water Service July- Aug 2016	09/12/2016	87264	73.68
595-07-4356-0000	AdminSure Inc	Workers Compensation Claims - Sept 2016	08/30/2016	87181	1,780.00
595-07-4356-0000	AdminSure Inc	Workers' Compensation Claims Admin Oct 2016	09/27/2016	87343	1,780.00
596-07-4356-3412	CA JPIA	All Risk Property Insurance Program 7/1/16-7/1/17	09/27/2016	87351	31,792.00
					110,990.88
					109,912.21

**Planning and Building Accounts:**

101-14-3106-0000	Susan Crawford	Refund - Tree Permit	09/27/2016	87341	245.00
101-14-3151-0000	Raymond Yu	Refund- Certificate of Occupancy Application	08/30/2016	87172	95.00
101-14-4104-0000	RSCC Engineering	Engineering 8/24/16-9/19/16	09/27/2016	0	3,243.75
101-14-4104-6270	VCA Code Group	Building Inspector 7/3/16-7/30/16	09/12/2016	0	1,440.00
101-14-4104-6270	VCA Code Group	Fire Protection Plan Review Service 7/3/16-7/30/16	09/12/2016	0	1,147.50
101-14-4104-6270	VCA Code Group	Plan Review Service 7/3/16-7/30/16	09/12/2016	0	5,605.00
101-14-4104-6270	VCA Code Group	Over the Counter Plan Review Service 7/3/16-7/30/16	09/12/2016	0	1,092.50
101-14-4106-0950	Dapeer,Rosenblit & Litvak LLP	Legal Service 7/6/16-7/31/16	08/30/2016	87196	1,249.16
101-14-4106-0950	Dapeer,Rosenblit & Litvak LLP	Legal Service 8/1/16-8/31/16	09/27/2016	87359	702.00
101-14-4106-2755	Richards Watson & Gershon	Legal Service 7/1/16-7/31/16	08/30/2016	87221	6,829.20
101-14-4150-0000	Accela, Inc	Code Enforcement Subscription Software	08/30/2016	87180	3,600.00
101-14-4150-0000	HdL Software, LLC	Business License Software- 9/1/16-8/31/17	08/30/2016	87205	5,145.58
101-14-4150-0000	Ennis Jackson	Hearing Officer Feb 2016	06/30/2016	0	117.50
101-14-4150-0000	SLK.US Inc	IT Service Sept 2016	09/12/2016	0	676.52
101-14-4202-0000	ECP-SMT Aquisition, LLC	Notice #N-16-08 Publish 9/9/16	09/27/2016	0	772.20
101-14-4202-0000	ECP-SMT Aquisition, LLC	Notice #N-16-16 Publish 9/16/16	09/27/2016	0	730.08
101-14-4204-0000	International Code Council	Building Code Books 2016	09/27/2016	87370	1,215.88
101-14-4316-0000	CopyFree Technology Inc	Copier Lease	09/12/2016	87271	236.96
101-14-4316-0000	Wells Fargo Vendor Fin Serv	Copier Lease Property Tax	08/30/2016	87239	37.42
101-14-4316-0000	Wells Fargo Vendor Fin Serv	Copiers Lease	08/30/2016	87239	144.97
101-14-4316-0000	Wells Fargo Vendor Fin Serv	Copier Lease	09/27/2016	87396	144.97
101-14-4412-0000	UPS	Postage	08/30/2016	87234	135.71
101-14-4412-0000	UPS	Postage	09/27/2016	87392	118.96
101-14-4468-0000	Amanda Merlo	Reimbursement - Training Class ( CEQA)	09/12/2016	87287	65.00
101-14-4500-9025	Verizon Wireless	Data Service 7/24/16-8/23/16	09/12/2016	87307	76.02
101-14-4508-0000	Samayoa's Mobile Car Wash	Car Wash September 2016	09/27/2016	0	25.00
101-14-4508-0000	Voyager Fleet Systems Inc	Gasoline 6/24/16-7/24/16	08/30/2016	87236	46.00
101-14-4508-0000	Voyager Fleet Systems Inc	Exempted Taxes 6/24/16-7/24/16	08/30/2016	87236	-2.48
					34,935.40
					39,035.87

**Police Accounts:**

103-30-3331-3550	Department of Justice	Live Scan Fees July 2016	09/27/2016	87360	1,020.00
103-30-3331-3550	Department of Justice	Live Scan Fees August 2016	09/27/2016	87360	1,192.00
103-30-4150-0000	All City Management Services Inc	School Crossing Guard Service 8/14/16-8/27/16	09/27/2016	0	6,639.85
103-30-4150-0000	Alhambra Police Department	Inmates Service August 2016	09/27/2016	0	1,032.00
103-30-4150-0000	Alhambra Police Department	Inmates Service July 2016	09/27/2016	0	2,408.00
103-30-4150-0000	City of Pasadena	Foothill Air Support FY2016-2017	08/30/2016	87195	13,018.00
103-30-4150-0000	Phoenix Group Information Systems	Citations Processing July 2016	09/12/2016	87293	635.90
103-30-4150-0000	Phoenix Group Information Systems	Citations Processing August 2016	09/27/2016	87381	655.09

103-30-4150-0000	San Gabriel Valley Medical Ctr	In Custody- Blood Drawn	08/30/2016	87226	48.00
103-30-4150-0000	San Gabriel Valley Medical Ctr	In Custody- Blood Drawn	08/30/2016	87226	48.00
103-30-4150-0000	San Gabriel Valley Medical Ctr	In Custody- Blood Drawn	08/30/2016	87226	48.00
103-30-4150-0000	San Gabriel Valley Medical Ctr	Blood Drawn- In Custody	09/12/2016	87300	48.00
103-30-4150-0000	San Gabriel Valley Medical Ctr	Blood Drawn - In Custody	09/27/2016	87387	48.00
103-30-4150-0000	SLK.US Inc	Watch Guard Date	06/30/2016	87246	5,706.10
103-30-4150-0000	SLK.US Inc	Silent Video Card and Sonicwall License	06/30/2016	87246	236.92
103-30-4150-0000	SLK.US Inc	IT Service Sept 2016	09/12/2016	0	6,765.23
103-30-4150-0000	St. George's Medical Clinic	Physiscal- P. Garcia	08/30/2016	87227	195.00
103-30-4150-0000	Revenue Management- Parking Revenue S	Revenue Distribution for August 2016	09/27/2016	87389	2,060.00
103-30-4206-0000	George Wallis	Janitorial Supplies August 2016	09/12/2016	0	923.53
103-30-4316-0000	Office Depot	P- Touch Tape	09/12/2016	87290	24.19
103-30-4316-0000	Office Depot	Credit	09/12/2016	87290	-24.19
103-30-4316-0000	Wells Fargo Vendor Fin Serv	Copiers Lease	08/30/2016	87239	259.42
103-30-4316-0000	Wells Fargo Vendor Fin Serv	County Taxes on Copier Lease	09/12/2016	87308	63.32
103-30-4316-0000	Wells Fargo Vendor Fin Serv	Copier Lease	09/27/2016	87396	259.42
103-30-4376-0000	Citi Card	Office Supplies	09/12/2016	87270	125.34
103-30-4376-0000	Office Depot	Supplies	08/30/2016	87217	670.58
103-30-4376-0000	Office Depot	Supplies	09/12/2016	87290	39.83
103-30-4376-0000	Remington Water	Water Service Sept 2016	09/12/2016	87295	75.00
103-30-4376-0000	WM Heathcare Solutions, Inc	Hazardous Material Disposal	08/30/2016	87237	132.08
103-30-4399-0000	Citi Card	Office Chairs	09/12/2016	87270	629.55
103-30-4415-0000	Cavanaugh & Associates	DUI Seminars for Officer Cordischi	09/12/2016	87268	538.00
103-30-4415-0000	Cavanaugh & Associates	DUI Training- Officer Yamada	09/27/2016	87355	538.00
103-30-4415-0000	Dan Gosserand	Training Meals	09/12/2016	87277	11.33
103-30-4415-0000	Orange County Sheriff's Dept	Training- R. Cervantes & V. Wilson	08/30/2016	87216	30.00
103-30-4415-0000	Orange County Sheriff's Dept	Training -P.Gomez, R. Matthews & N. Qureshi	09/12/2016	87289	45.00
103-30-4415-0000	Rio Hondo College	Training - Sgt. Tebbetts, Det. Garica &Sgt. Gutierrez	08/30/2016	87222	27.60
103-30-4415-0000	Rio Hondo College	Training - Cpl. Ng	09/27/2016	87384	9.20
103-30-4415-0000	Candice Torres	Training - Meals	09/12/2016	0	22.66
103-30-4415-0000	Candice Torres	Training - Mileage	09/12/2016	0	96.55
103-30-4415-0000	Candice Torres	Training - Meals	09/12/2016	0	84.25
103-30-4415-0000	Candice Torres	Training - Hotel	09/12/2016	0	140.24
103-30-4420-0000	Office Depot	Business Cards - A. Blonde	08/30/2016	87217	39.00
103-30-4420-0000	Office Depot	Business Cards -R. Ward & A. Gonzalez	08/30/2016	87217	58.50
103-30-4492-0004	Entenmann-Rovin Co	Artwork For Badges	08/30/2016	87200	150.00
103-30-4492-0004	Entenmann-Rovin Co	Commander Badges	09/12/2016	87273	345.37
103-30-4500-4950	The Gas Company	Gas Service July-August 2016	08/30/2016	87228	17.38
103-30-4500-4950	The Gas Company	Gas Service Aug- Sept 2016	09/27/2016	87390	15.85
103-30-4500-9025	AT&T	Phone Service July- August 2016	09/12/2016	87260	759.17
103-30-4500-9025	AT&T	Phone Service 9/1/16-9/30/16	09/27/2016	87347	400.70
103-30-4500-9025	AT&T Mobility	Phone Service 7/24/16-8/23/16	09/12/2016	87261	191.30
103-30-4508-0000	Petty Cash	DMV Registration	09/12/2016	87267	5.00
103-30-4508-0000	Voyager Fleet Systems Inc	Gasoline 6/24/16-7/24/16	08/30/2016	87236	117.67
103-30-4508-0000	Voyager Fleet Systems Inc	Exempted Taxes 6/24/16-7/24/16	08/30/2016	87236	-6.27
103-30-4508-0000	Voyager Fleet Systems Inc	Exempted Taxes 8/2/16-8/24/16	09/27/2016	87395	-2.37
103-30-4508-0000	Voyager Fleet Systems Inc	Gasoline 8/2/16-8/24/16	09/27/2016	87395	39.33

103-30-4508-0000	Watch Guard	Microphone Clips	08/30/2016	87238	160.23
281-30-4376-0000	Jirair Tatikain	Police & Fire Open House Flyers & Post Cards	09/12/2016	87284	250.70
281-30-4376-0000	Mothers Against Drunk Driving	MADD Trailer for Open House	08/30/2016	87213	300.00
					49,366.55
					31,889.21

**Fire Accounts:**

103-34-3332-0000	Overpayment Recovery	Refund- Overpayment	09/27/2016	87313	782.93
103-34-3332-0000	Raymond Yu	Refund- Certificate of Occupancy Application	08/30/2016	87172	145.00
103-34-3332-0000	Helen Lambros	Refund- Overpayment	09/27/2016	87338	99.66
103-34-3332-0000	Lauren Castro	Refund- Overpayment	09/27/2016	87339	37.85
103-34-3332-0000	Ghazar Kelejian	Refund- Overpayment	09/27/2016	87340	715.66
103-34-3332-0000	Marie Williams	Refund- Overpayment	09/27/2016	87342	1,983.30
103-34-4150-0000	American Capital Ent Inc	Ambulance Collection Billing 6/30/16	06/30/2016	87248	123.59
103-34-4150-0000	CallBack Staffing Solutions , LLC	Software	08/30/2016	87189	459.27
103-34-4150-0000	Canon Financial Services Inc	Copier Lease	08/30/2016	87191	210.34
103-34-4150-0000	Canon Financial Services Inc	Copier Lease	06/30/2016	87244	210.34
103-34-4150-0000	Canon Financial Services Inc	Copier Lease	09/27/2016	87353	210.34
103-34-4150-0000	SLK.US Inc	IT Service Sept 2016	09/12/2016	0	2,029.57
103-34-4150-0000	St. George's Medical Clinic	DMV Physical - S. Stewart	08/30/2016	87227	100.00
103-34-4150-0000	Revenue Management- Parking Revenue S	Revenue Distribution County Fee July 2016	09/12/2016	87303	1,900.00
103-34-4150-0000	UC Regents	Nurse Educator July & Aug 2016	08/30/2016	87233	3,335.28
103-34-4150-0000	UC Regents	Nurse Educator	09/12/2016	87305	1,667.64
103-34-4206-0000	Julio Barrios	Electrical Work	09/27/2016	0	885.55
103-34-4206-0000	AmeriPride Services Inc	Towels	09/12/2016	0	95.78
103-34-4206-0000	AmeriPride Services Inc	Towels	09/12/2016	0	95.78
103-34-4206-0000	AmeriPride Services Inc	Towels	09/27/2016	0	95.78
103-34-4206-0000	AmeriPride Services Inc	Towels	09/27/2016	0	94.66
103-34-4206-0000	Hose-Man Inc	Silcone Elbow	08/30/2016	87207	57.73
103-34-4206-0000	SDS Security Design Systems	Alarms Service	09/12/2016	87298	87.00
103-34-4206-0000	San Marino Lock & Safe Co	Repair to Bay Doors	09/27/2016	0	185.00
103-34-4206-0000	San Marino Lock & Safe Co	Repair to Bay Doors	09/27/2016	0	285.00
103-34-4206-0000	San Marino Plumbing Svc Inc	Plumbing Repair	09/12/2016	87301	457.83
103-34-4316-0000	Turnout Maintenance Co LLC	Safety Equipment Cleaning	08/30/2016	87232	279.50
103-34-4316-0000	Turnout Maintenance Co LLC	Uniform Safety Maintenance	09/27/2016	87391	30.00
103-34-4376-0000	Allstar Fire Equipment Inc	Class A Foam	09/12/2016	0	406.57
103-34-4376-0000	Emergency Reporting	Emergency Reporting	09/27/2016	87362	1,620.00
103-34-4376-0000	Life-Assist Inc	Ambulance Supplies	08/30/2016	87211	2,051.73
103-34-4376-0000	Life-Assist Inc	Ambulance Supplies	08/30/2016	87211	40.80
103-34-4376-0000	Life-Assist Inc	Ambulance Supplies	09/12/2016	87286	2,075.74
103-34-4376-0000	Office Depot	Supplies	09/12/2016	87290	16.32
103-34-4376-0000	Office Depot	Supplies	09/12/2016	87290	496.79
103-34-4376-0000	233-Praxair Distribution Inc	Oxygen	09/12/2016	0	187.25
103-34-4376-0000	Remington Water	Water Service Sept 2016	09/12/2016	87295	15.00

103-34-4376-0000	Zoll Medical Corporation	Ambulance Supplies	09/12/2016	0	32.70	
103-34-4468-0000	Jeffrey Tsay	Reimbursement Training Class	09/12/2016	0	230.00	
103-34-4492-0004	Allstar Fire Equipment Inc	Uniform Safety	09/27/2016	0	286.02	
103-34-4500-4950	The Gas Company	Gas Service July-August 2016	08/30/2016	87228	72.87	
103-34-4500-4950	The Gas Company	Gas Service Aug- Sept 2016	09/27/2016	87390	85.51	
103-34-4500-9025	AT&T	Phone Service July- August 2016	08/30/2016	87183	482.73	
103-34-4500-9025	AT&T	Phone Service July- August 2016	09/12/2016	87260	280.74	
103-34-4500-9025	AT&T	Phone Service Aug- Sept 2016	09/27/2016	87345	319.64	
103-34-4508-0000	O'Reilly Auto Parts	Tail Light Kit for Cert Trailer	09/27/2016	87378	104.48	
103-34-4508-0000	Valley Power Systems Inc	Vehicle Maintenance	06/30/2016	87247	8,814.45	
103-34-4508-0000	Voyager Fleet Systems Inc	Gasoline 8/2/16-8/24/16	09/27/2016	87395	148.00	
103-34-4508-0000	Voyager Fleet Systems Inc	Exempted Taxes - 8/2/16-8/24/16	09/27/2016	87395	-8.29	
591-34-4613-0000	Zoll Medical Corporation	Defib and Heart Monitor	09/12/2016	0	38,189.32	
591-34-4613-0000	Zoll Medical Corporation	Heart Monitor Equipment	09/27/2016	0	1,791.34	
					74,400.09	137,177.94

**Emergency Services Accounts:**

101-36-4150-0000	Blackboard Inc	Emergency Notification System 9/21/16-9/20/17	09/12/2016	87263	5,460.00	
101-36-4150-0000	Grey Wall Software LLC	Emergency Notification Software for EOC	09/12/2016	87279	3,620.00	
101-36-4376-0000	Nicholas Difatta	Cert Trailer Decals	08/30/2016	87194	210.80	
101-36-4500-9025	AT&T	Phone Service July- August 2016	08/30/2016	87183	248.91	
101-36-4500-9025	Verizon Wireless	IPADS, Phones & Defibs Phone 7/26/16-8/25/16	09/12/2016	87306	486.52	
					10,026.23	3,036.59

**Public Works Administration Accounts:**

101-40-4104-0000	Interwest Consulting Group	Traffic Engineer 7/1/16-7/31/16	09/27/2016	0	3,575.00
101-40-4104-0000	RSCC Engineering	Engineering Service 7/27/16-8/23/16	09/12/2016	0	435.00
101-40-4104-0000	RSCC Engineering	Engineering Service 7/27/16-8/23/16	09/12/2016	0	145.00
101-40-4104-0000	RSCC Engineering	Engineering Service 7/27/16-8/23/16	09/12/2016	0	290.00
101-40-4104-0000	RSCC Engineering	Engineering Service 7/27/16-8/23/16	09/12/2016	0	335.00
101-40-4104-0000	RSCC Engineering	Engineering Service 7/27/16-8/23/16	09/12/2016	0	290.00
101-40-4104-0000	RSCC Engineering	Engineering Service 7/27/16-8/23/16	09/12/2016	0	290.00
101-40-4104-0000	RSCC Engineering	Engineering Service 7/27/16-8/23/16	09/12/2016	0	290.00
101-40-4104-0000	RSCC Engineering	Engineering Service 7/27/16-8/23/16	09/12/2016	0	290.00
101-40-4104-0000	RSCC Engineering	Engineering Service 7/27/16-8/23/16	09/12/2016	0	290.00
101-40-4104-0000	RSCC Engineering	Engineering Service 7/27/16-8/23/16	09/12/2016	0	290.00
101-40-4104-0000	RSCC Engineering	Engineering Service 7/27/16-8/23/16	09/12/2016	0	290.00
101-40-4104-0000	RSCC Engineering	Engineering Service 7/27/16-8/23/16	09/12/2016	0	290.00
101-40-4104-0000	RSCC Engineering	Engineering Service 7/27/16-8/23/16	09/12/2016	0	290.00
101-40-4104-0000	RSCC Engineering	Engineering Service 7/27/16-8/23/16	09/12/2016	0	290.00
101-40-4104-0000	RSCC Engineering	Engineering Service 7/27/16-8/23/16	09/12/2016	0	290.00
101-40-4104-0000	RSCC Engineering	Engineering Service 7/27/16-8/23/16	09/12/2016	0	131.25
101-40-4104-0000	RSCC Engineering	Engineering Service 7/27/16-8/23/16	09/12/2016	0	290.00
101-40-4104-0000	RSCC Engineering	Engineering Service 7/27/16-8/23/16	09/12/2016	0	145.00
101-40-4104-0000	RSCC Engineering	Engineering Service 7/27/16-8/23/16	09/12/2016	0	725.00
101-40-4104-0000	RSCC Engineering	Engineering Service 7/27/16-8/23/16	09/12/2016	0	290.00
101-40-4104-0000	RSCC Engineering	Engineering Service 7/27/16-8/23/16	09/12/2016	0	515.00
101-40-4104-0000	RSCC Engineering	Engineering Service 7/27/16-8/23/16	09/12/2016	0	145.00
101-40-4104-0000	RSCC Engineering	Engineering 8/24/16-9/19/16	09/27/2016	0	167.50
101-40-4104-0000	RSCC Engineering	Engineering 8/24/16-9/19/16	09/27/2016	0	312.50

101-40-4104-0000	RSCC Engineering	Engineering 8/24/16-9/19/16	09/27/2016	0	457.50	
101-40-4104-0000	RSCC Engineering	Engineering 8/24/16-9/19/16	09/27/2016	0	312.50	
101-40-4104-0000	RSCC Engineering	Engineering 8/24/16-9/19/16	09/27/2016	0	457.50	
101-40-4104-0000	RSCC Engineering	Engineering 8/24/16-9/19/16	09/27/2016	0	145.00	
101-40-4150-0000	AmeriPride Services Inc	Uniforms	09/12/2016	0	105.37	
101-40-4150-0000	AmeriPride Services Inc	Uniforms	09/27/2016	0	22.23	
101-40-4150-0000	AmeriPride Services Inc	Towels & Mats	09/27/2016	0	6.33	
101-40-4150-0000	AmeriPride Services Inc	Uniforms	09/27/2016	0	105.37	
101-40-4150-0000	AmeriPride Services Inc	Uniforms	09/27/2016	0	22.23	
101-40-4150-0000	AmeriPride Services Inc	Uniforms	09/27/2016	0	105.37	
101-40-4150-0000	AmeriPride Services Inc	Uniforms	09/27/2016	0	22.23	
101-40-4150-0000	AmeriPride Services Inc	Uniforms	09/27/2016	0	22.23	
101-40-4150-0000	AmeriPride Services Inc	Uniforms	09/27/2016	0	105.37	
101-40-4150-0000	George Wallis	Janitorial Supplies August 2016	09/12/2016	0	332.97	
101-40-4150-0000	SLK.US Inc	IT Service Sept 2016	09/12/2016	0	676.52	
101-40-4206-0000	Priority Communications Inc	Create a Mailbox for D. Wall Phone	09/27/2016	0	50.00	
101-40-4376-0000	Remington Water	Water Service Sept 2016	09/12/2016	87295	30.00	
101-40-4396-0000	MMASC	MMASC Membership - J. Elepano	08/30/2016	87215	85.00	
101-40-4492-0003	AmeriPride Services Inc	Uniforms	09/12/2016	0	22.32	
101-40-4492-0003	AmeriPride Services Inc	Uniforms	09/27/2016	0	25.19	
101-40-4492-0003	AmeriPride Services Inc	Uniforms	09/27/2016	0	22.32	
101-40-4492-0003	AmeriPride Services Inc	Uniforms	09/27/2016	0	25.19	
101-40-4492-0003	AmeriPride Services Inc	Uniforms	09/27/2016	0	22.32	
101-40-4492-0003	AmeriPride Services Inc	Uniforms	09/27/2016	0	25.19	
101-40-4492-0003	AmeriPride Services Inc	Uniforms	09/27/2016	0	22.32	
101-40-4492-0003	AmeriPride Services Inc	Uniforms	09/27/2016	0	31.94	
101-40-4492-0003	AmeriPride Services Inc	Uniforms	09/27/2016	0	22.32	
101-40-4492-0004	AmeriPride Services Inc	Uniforms	09/12/2016	0	30.69	
101-40-4492-0004	AmeriPride Services Inc	Uniforms	09/27/2016	0	22.94	
101-40-4492-0004	AmeriPride Services Inc	Uniforms	09/27/2016	0	17.62	
101-40-4492-0004	AmeriPride Services Inc	Uniforms	09/27/2016	0	16.01	
101-40-4492-0004	AmeriPride Services Inc	Uniforms	09/27/2016	0	17.62	
101-40-4492-0004	AmeriPride Services Inc	Uniforms	09/27/2016	0	16.01	
101-40-4492-0004	AmeriPride Services Inc	Uniforms	09/27/2016	0	16.01	
101-40-4492-0004	AmeriPride Services Inc	Uniforms	09/27/2016	0	17.62	
101-40-4500-9025	Verizon Wireless	IPads - 7/24/16-8/23/16	09/27/2016	87393	38.01	
					<u>13,274.29</u>	<u>5,774.13</u>

**Garage Accounts:**

101-42-4150-0000	JDS Tank Testing & Repair Inc	Monthly Operator August 2016	09/12/2016	87282	140.00	
101-42-4452-0000	O'Reilly Auto Parts	Brake Hone	09/27/2016	87378	19.61	
101-42-4508-0000	O'Reilly Auto Parts	Dash Mat Cover	09/27/2016	87378	43.80	
					<u>203.41</u>	<u>726.50</u>

**Sewer & Stormdrain Accounts:**

101-44-4104-0000	KJ Services Environmental Svcs	NPDES Consulting for July 2016	08/30/2016	87209	1,580.00	
101-44-4104-0000	KJ Services Environmental Svcs	NPDES Program Consulting August 2016	09/27/2016	87372	1,400.00	
101-44-4106-5170	Richards Watson & Gershon	Legal Service July 2016	09/12/2016	87296	115.81	
101-44-4150-0000	Pipe Tec, Inc	Inspection and Sewer Cleanning Area 2	09/27/2016	87382	1,596.80	

101-44-4150-0000	Western Fence Company Inc	Temporary Fence	09/12/2016	87309	375.00
101-44-4150-5170	City of Los Angeles Dept of Public Work	Coordinated Integrated Monitoring Plan	09/27/2016	87357	17,393.00
101-44-4150-5170	GWMA	Cost Sharing the Harbor Toxic Pollutants TMDL	09/27/2016	87366	703.30
101-44-4150-9020	Athens Services	Street Sweeping July 2016	08/30/2016	87182	6,579.39
101-44-4150-9020	Athens Services	Street Sweeping August 2016	09/27/2016	87344	7,016.63
					36,759.93
					22,244.62

**Street Accounts:**

101-48-4150-0000	L.A. Co. Dept of Public Works	Signal Maintenance June 2016	06/30/2016	87249	575.62
101-48-4150-0000	Nichols Consulting Engineers	Pavement Management Plan	09/12/2016	87288	1,330.00
101-48-4150-0000	Siemens Industry Inc	Repair to PED at Huntington & Palomar	09/27/2016	0	1,295.92
101-48-4150-0000	Siemens Industry Inc	Traffic Signal Call Outs August 2016	09/27/2016	0	4,988.17
101-48-4150-0000	Siemens Industry Inc	Traffic Signal Maintenance August 2016	09/27/2016	0	742.99
101-48-4316-0000	Hose-Man Inc	Jack Hammer Hose	08/30/2016	87207	151.26
101-48-4316-0000	Yale/Chase Equipment Services	Out Rigger Pads	09/27/2016	87397	296.20
101-48-4376-0000	Ben Bradshaw	Paint Trundle Pump	08/30/2016	87186	4,785.10
101-48-4376-0000	Consolidated Electrical Distributors	Orlando Light Circuit	09/27/2016	87358	11.54
101-48-4376-0000	Consolidated Electrical Distributors	Stock	09/27/2016	87358	29.16
101-48-4376-0000	Ganahl Lumber Company	Supplies	09/27/2016	87364	38.97
101-48-4376-0000	Ganahl Lumber Company	Supplies & Drill Bits	09/27/2016	87364	89.29
101-48-4376-0000	Ganahl Lumber Company	Supplies for El Molino Pl	09/27/2016	87364	150.12
101-48-4376-0000	Ganahl Lumber Company	Flood Lights	09/27/2016	87364	87.98
101-48-4376-0000	Holliday Rock Co Inc	Hot Asphalt	09/12/2016	87280	985.36
101-48-4376-0000	Holliday Rock Co Inc	Hot Asphalt	09/27/2016	87367	410.93
101-48-4376-0000	Holliday Rock Co Inc	Hot Asphalt	09/27/2016	87367	410.93
101-48-4376-0000	Holliday Rock Co Inc	Hot Asphalt	09/27/2016	87367	218.00
101-48-4376-0000	Edward Mitchell K	Bridge Lighting	09/27/2016	87371	334.71
101-48-4376-0000	JHM Supply	Supplies for 1600 Los Robles	09/12/2016	0	91.48
101-48-4376-0000	JHM Supply	Granda Turnabout	09/27/2016	0	122.72
101-48-4376-0000	JHM Supply	Topper	09/27/2016	0	21.22
101-48-4376-0000	PPG Architectural Finishes	Paint Supplies	09/27/2016	87383	70.03
101-48-4376-0000	PPG Architectural Finishes	Paint Gun	09/27/2016	87383	129.71
101-48-4376-0000	Samayoa's Mobile Car Wash	Truck Wash September 2016	09/27/2016	0	225.00
101-48-4376-0000	Sprague's Ready Mix	Concrete	09/27/2016	0	1,149.39
101-48-4376-0000	Sprague's Ready Mix	Concrete	09/27/2016	0	1,149.39
101-48-4376-0000	Traffic Management Incorporated	Yellow Street Paint	09/12/2016	0	715.04
101-48-4376-0000	Underground Service Alert/SC	Dig Alerts	09/27/2016	0	115.50
101-48-4500-1980	Southern California Edison	Electrical Service July- August 2016	08/30/2016	87225	8,223.53
101-48-4500-1980	Southern California Edison	Electrical Service July- Aug 2016	09/12/2016	87299	440.16
101-48-4500-1980	Southern California Edison	Electrical Service Aug- Sept 2016	09/27/2016	87385	1,669.58
101-48-4500-9025	Verizon Wireless	IPads - 7/24/16-8/23/16	09/27/2016	87393	76.02
101-48-4508-0000	Great Pacific Equipment Inc	Hydraulic Boom for Light Truck	09/27/2016	87365	4,225.01
101-48-4508-0000	Hose-Man Inc	Hydraulic Hoses	09/27/2016	87368	82.00
101-48-4508-0000	Multiquip, Inc	Roller Flap	09/27/2016	87374	29.74
215-48-4600-2882	RSCC Engineering	Engineering Service 7/27/16-8/23/16	09/12/2016	0	390.36
215-48-4600-2882	RSCC Engineering	Engineering 8/24/16-9/19/16	09/27/2016	0	815.00
394-48-4600-1986	E.C. Construction Inc	Progress Payment #2 El Molino Ave Street Rehab	09/27/2016	0	196,866.84

394-48-4600-7921	E.C. Construction Inc	Progress Payment #3 Resurfacing Project Straford Rd	09/12/2016	0	13,459.12
394-48-4600-9000	California Professional Engineering	Change Order Additional Utility Pothole	09/27/2016	0	259,300.00
394-48-4600-9000	California Professional Engineering	Credit on 26 W Ballast Kits	09/27/2016	0	-161,874.00
394-48-4600-9000	RSCC Engineering	Engineering Service 7/27/16-8/23/16	09/12/2016	0	370.00
394-48-4600-9000	RSCC Engineering	Engineering Service 7/27/16-8/23/16	09/12/2016	0	444.66
394-48-4600-9000	RSCC Engineering	Engineering 8/24/16-9/19/16	09/27/2016	0	480.00
394-48-4600-9000	RSCC Engineering	Engineering 8/24/16-9/19/16	09/27/2016	0	3,090.00
394-48-4600-9361	E.C. Construction Inc	Progress Payment #3 Resurfacing Project Virginia Rd	09/12/2016	0	570.00
394-48-4600-9507	E.C. Construction Inc	Progress Payment #3 Resurfacing Project Winston Rd	09/12/2016	0	47,256.23
					396,635.98
					136,212.03

**Park Accounts:**

101-50-4150-0000	Mariposa Landscapes Inc	Removal Sycamore Lacy Park	06/30/2016	0	1,950.00
101-50-4206-0000	Empire Cleaning Supply	Lacy Park Janitorial Supplies	09/12/2016	0	2,893.41
101-50-4206-0000	Empire Cleaning Supply	Janitorial Supplies	09/27/2016	0	395.96
101-50-4206-0000	J & D Plumbing	Clogged in Breakroom Sink	09/12/2016	87281	216.00
101-50-4376-0000	Garvey Equipment Company	Chain Saw Chains	09/27/2016	0	168.73
101-50-4376-0000	JHM Supply	Toro Rotor	09/12/2016	0	283.40
101-50-4376-0000	JHM Supply	Sunhat	09/12/2016	0	13.35
101-50-4376-0000	JHM Supply	Irrigation Supplies	09/27/2016	0	509.63
101-50-4376-0000	Remington Water	Water Service Sept 2016	09/12/2016	87295	30.00
101-50-4404-0000	San Gabriel Nursery & Florist	Yucca Tree	09/27/2016	87386	1,039.98
101-50-4500-4950	The Gas Company	Gas Service July-August 2016	08/30/2016	87228	27.96
101-50-4500-4950	The Gas Company	Gas Service Aug- Sept 2016	09/27/2016	87390	28.73
101-50-4500-9025	AT&T	Phone Service July- August 2016	08/30/2016	87183	38.52
101-50-4500-9025	Time Warner Cable	Cable Internet Service 8/25-9/24	08/30/2016	87230	89.95
101-50-4500-9460	California American Water	Water Service July- August 2016	08/30/2016	87190	1,830.66
101-50-4500-9460	California American Water	Water Service July- Aug 2016	09/12/2016	87264	6,378.16
101-50-4508-0000	Garvey Equipment Company	Air Cleaner & Blade	09/12/2016	0	87.16
101-50-4508-0000	Garvey Equipment Company	Air Filters & Chain	09/27/2016	0	104.93
101-50-4508-0000	Yale/Chase Equipment Services	JCB Parts for #6595	08/30/2016	87240	229.49
394-50-4600-7027	RSCC Engineering	Engineering 8/24/16-9/19/16	09/27/2016	0	299.93
591-50-4613-0000	Deere & Company	Gator TX Truck	08/30/2016	87197	9,306.10
					25,922.05
					18,027.20

**Grounds Accounts:**

101-52-4150-0000	Brightview Landscape Services , Inc	Median Landscape Maintenance Sept 2016	09/27/2016	87350	2,699.00
101-52-4150-0000	JHM Supply	Back Flow Parts	09/27/2016	0	303.25

101-52-4150-0000	JHM Supply	Back Flow Parts	09/27/2016	0	314.79
101-52-4150-0000	Mariposa Landscapes Inc	Prunning Trees at the Old Mill	06/30/2016	0	750.00
101-52-4150-0000	Mariposa Landscapes Inc	SVC Request Prunning	06/30/2016	0	650.00
101-52-4150-0000	Mariposa Landscapes Inc	Prunning Winston	06/30/2016	0	23,000.00
101-52-4150-0000	Mariposa Landscapes Inc	Tree SVC Request and Removals August 2016	09/27/2016	0	4,945.00
101-52-4150-0000	ValleyCrest Landscape Maintenance	Landscape Maintenance Median Aug 2016	08/30/2016	87235	2,699.00
101-52-4376-0000	JHM Supply	Irrigation Supplies	09/12/2016	0	84.33
101-52-4376-0000	JHM Supply	Tree Vitamins	09/12/2016	0	45.66
101-52-4376-0000	JHM Supply	Huntington Irrigation Supplies	09/12/2016	0	32.53
101-52-4376-0000	JHM Supply	Supplies	09/12/2016	0	666.49
101-52-4376-0000	JHM Supply	Irrigation Supplies	09/27/2016	0	54.76
101-52-4376-0000	JHM Supply	Irrigation Supplies	09/27/2016	0	39.11
101-52-4376-0000	JHM Supply	Irrigation Supplies	09/27/2016	0	53.53
101-52-4404-0000	Norman's Nursery Inc	Trees	09/27/2016	87375	658.09
101-52-4404-0000	San Gabriel Nursery & Florist	Flowers	09/27/2016	87386	23.49
101-52-4500-9025	Verizon Wireless	IPads - 7/24/16-8/23/16	09/27/2016	87393	38.01
101-52-4500-9460	California American Water	Water Service July- August 2016	08/30/2016	87190	191.26
101-52-4500-9460	California American Water	Water Service July- Aug 2016	09/12/2016	87264	2,821.11
101-52-4500-9460	California American Water	Water Service Aug 2016	09/27/2016	87352	1,585.15
					41,654.56
					12,913.10

**Recreation Administration Accounts:**

101-60-4150-0000	Remington Water	Water Service Sept 2016	09/12/2016	87295	30.00
101-60-4150-0000	SCMAF-San Gabriel Valley	Class Insurance Summer 2016	09/27/2016	0	1,816.50
101-60-4150-0000	SLK.US Inc	IT Service Sept 2016	09/12/2016	0	1,522.18
101-60-4206-0000	George Wallis	Janitorial Supplies August 2016	09/12/2016	0	1,563.98
101-60-4206-0000	Hillyard/Los Angeles	Paper Towels	08/30/2016	87206	379.04
101-60-4206-0000	JHM Supply	Repair Supplies for Water Leak	09/12/2016	0	21.33
101-60-4324-0000	Southwest Mobile Storage Inc	Storage Bin 6/27/16-7/24/16	09/27/2016	0	176.40
101-60-4376-0000	Capital One Commercial	Supplies	08/30/2016	87192	33.09
101-60-4376-0000	Capital One Commercial	Supplies	09/12/2016	87265	34.72
101-60-4376-0000	Petty Cash	Supplies	09/27/2016	87354	47.36
101-60-4376-0000	Petty Cash	Coffee for Staff Meeting	09/27/2016	87354	15.95
101-60-4376-0000	Office Depot	Supplies	08/30/2016	87217	36.90
101-60-4376-0000	Office Depot	Supplies	08/30/2016	87217	600.75
101-60-4376-0000	Office Depot	Ink , Paper and Supplies	09/27/2016	87377	572.72
101-60-4376-0000	Office Depot	Supplies	09/27/2016	87377	85.80
101-60-4376-0000	Vina Engraving	Name Badges	09/27/2016	87394	43.60
101-60-4398-0000	Petty Cash	Mileage	09/27/2016	87354	22.68
101-60-4398-0000	Petty Cash	Mileage	09/27/2016	87354	3.24
101-60-4412-0000	PGI, Inc	Recreation & Library Guide Fall 2016	09/27/2016	87379	3,973.70
101-60-4420-0000	SAP Digital Corp	Time Cards & Business Cards. J. Parvini	09/27/2016	0	365.15
101-60-4500-1980	Southern California Edison	Electrical Service July- August 2016	09/12/2016	87299	2,938.85
101-60-4500-4950	The Gas Company	Gas Service July-August 2016	08/30/2016	87228	69.16
101-60-4500-4950	The Gas Company	Gas Service Aug- Sept 2016	09/27/2016	87390	91.50
101-60-4500-9025	AT&T	Phone Service July- August 2016	09/12/2016	87260	384.08
101-60-4500-9025	AT&T Long Distance	Long Distance Phone Service 7/9/16-8/8/16	08/30/2016	87185	40.32

101-60-4500-9025	AT&T Long Distance	Long Distance Phone Service Aug-Sept 2016	09/27/2016	87348	40.32	
101-60-4500-9025	Time Warner Cable	Cable Internet Service 9/1/16-9/30/16	09/12/2016	87304	354.99	
101-60-4500-9460	California American Water	Water Service July- Aug 2016	09/12/2016	87264	65.39	
101-60-4508-0000	Samayoa's Mobile Car Wash	Truck Wash September 2016	09/27/2016	0	75.00	
101-60-4508-0000	Voyager Fleet Systems Inc	Exempted Taxes 6/24/16-7/24/16	08/30/2016	87236	-7.20	
101-60-4508-0000	Voyager Fleet Systems Inc	Gasoline 6/24/16-7/24/16	08/30/2016	87236	123.63	
101-60-4508-0000	Voyager Fleet Systems Inc	Gasoline 8/2/16-8/24/16	09/27/2016	87395	86.74	
101-60-4508-0000	Voyager Fleet Systems Inc	Exempted Taxes 8/2/16-8/24/16	09/27/2016	87395	-5.73	
					<u>15,602.14</u>	<u>88,000.62</u>

**Aquatics Accounts:**

101-62-4102-0000	Heather Jo Ann Pearson	Tsunami Sept 2016	09/27/2016	0	7,376.78	
101-62-4324-0000	San Marino School District	Pool Rental August 2016	09/12/2016	87302	1,800.00	
101-62-4324-0000	San Marino School District	Pool Rental Sept 2016	09/27/2016	87388	1,800.00	
101-62-4324-0000	Southwest Mobile Storage Inc	Aquatic Bin 6/27/16-7/24/16	09/27/2016	0	163.50	
101-62-4500-9025	AT&T	Phone Service July- August 2016	09/12/2016	87260	19.25	
101-62-4500-9025	AT&T	Long Distance Phone Service	08/30/2016	87184	43.33	
101-62-4500-9025	AT&T	Long Distance Phone Service Aug- Sept 2016	09/27/2016	87346	40.34	
					<u>11,243.20</u>	<u>2,904.97</u>

**Contract Classes Accounts:**

101-64-4150-0000	Cathryn Martin	Bridge Coordinator 8/1/16-8/31/16	09/12/2016	0	150.00	
101-64-4150-0000	Marie Nimmrich	Bridge Coordinator 8/1/16-8/31/16	09/12/2016	0	400.00	
101-64-4150-0000	Marie Nimmrich	Wednesday Morning Games 8/1/16-8/31/16	09/12/2016	0	50.00	
101-64-4150-0000	Marie Nimmrich	ACBL - 8/1/16-8/31/16	09/12/2016	0	108.00	
101-64-4324-0000	San Marino School District	Facility Usage 6/8/16-8/4/16	09/27/2016	87388	1,351.20	
					<u>2,059.20</u>	<u>61,983.39</u>

**Special Events Accounts:**

101-66-4150-0000	Blair High School Army JROTC	Memorial Day Service	06/30/2016	87242	150.00	
101-66-4150-0000	Derek P Berrios	Hot Dogs for Free Recreation Day	08/30/2016	87187	150.00	
101-66-4376-0000	Capital One Commercial	Supplies	09/12/2016	87265	160.71	
					<u>460.71</u>	<u>10,294.43</u>

**Senior Trips Accounts:**

101-68-4376-0000	Petty Cash	Senior Trip - Bus Driver Tip	09/27/2016	87354	58.00	
101-68-4486-0000	Main Street Tours Inc	Balance Due Senior Trip - 7/10/16 Walt Disney Hall	08/30/2016	87214	3,182.00	
					<u>3,240.00</u>	<u>1,245.00</u>

**Daycare Accounts:**

101-70-4376-0000	Capital One Commercial	Supplies	09/12/2016	87265	238.87	
101-70-4376-0000	Lakeshore Learning Materials	Classroom Supplies	08/30/2016	87210	288.17	
101-70-4376-0000	Office Depot	Supplies	08/30/2016	87217	68.22	
					<u>595.26</u>	<u>0.00</u>

**Day Camp Accounts:**

101-72-4102-0000	Tom Sawyer Camps Inc	Tom Sawyer Camp - 6/6/16-8/9/16	08/30/2016	87231	96,579.41
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101-72-4376-0000	Petty Cash	Freewheelers -Snacks and Drinks	08/30/2016	87193	1,463.21	
207-72-4208-0000	Student Transportation of America	Camp Bus 8/1/16-8/31/16	09/12/2016	0	7,023.00	
207-72-4208-0000	Student Transportation of America	Camp Field Trip Bus 8/4/16	09/12/2016	0	810.00	
					<u>105,875.62</u>	<u>15,185.75</u>

**Preschool Accounts:**

101-74-4376-0000	Capital One Commercial	Supplies	08/30/2016	87192	67.62	
101-74-4376-0000	Capital One Commercial	Supplies	09/12/2016	87265	329.29	
101-74-4376-0000	Petty Cash	Little Chefs Supplies	09/27/2016	87354	9.81	
101-74-4376-0000	Petty Cash	Preschool Supplies	09/27/2016	87354	12.64	
101-74-4376-0000	Petty Cash	Preschool Supplies	09/27/2016	87354	21.79	
101-74-4376-0000	Petty Cash	Preschool Supplies	09/27/2016	87354	13.89	
101-74-4376-0000	Petty Cash	Super Science Supplies	09/27/2016	87354	19.12	
101-74-4376-0000	Petty Cash	Amazing Art Supplies	09/27/2016	87354	21.44	
101-74-4376-0000	Office Depot	Supplies	08/30/2016	87217	161.74	
					<u>657.34</u>	<u>1,836.74</u>

**San Marino Center Accounts:**

105-82-4150-0000	Remington Water	Water Service Sept 2016	09/12/2016	87295	30.00	
105-82-4206-0000	George Wallis	Janitorial Supplies August 2016	09/12/2016	0	681.09	
105-82-4206-0000	SDS Security Design Systems	Alarm Service	08/30/2016	87224	60.00	
105-82-4206-0000	SDS Security Design Systems	Alarm Service	08/30/2016	87224	84.00	
105-82-4206-0000	San Marino Lock & Safe Co	Repair Deadbolts	09/12/2016	0	252.50	
105-82-4206-0000	San Marino Lock & Safe Co	Repair Deadbolts	09/12/2016	0	157.00	
105-82-4206-0000	Total Exterminating Inc	Exterminating Monthly Service	09/27/2016	0	125.00	
105-82-4500-1980	Southern California Edison	Electrical Service July- Aug 2016	09/12/2016	87299	1,777.36	
105-82-4500-1980	Southern California Edison	Electrical Service Aug- Sept 2016	09/27/2016	87385	1,802.95	
105-82-4500-4950	The Gas Company	Gas Service July-August 2016	08/30/2016	87228	24.95	
105-82-4500-4950	The Gas Company	Gas Service Aug- Sept 2016	09/27/2016	87390	27.91	
105-82-4500-9025	AT&T	Phone Service July- August 2016	08/30/2016	87183	125.90	
105-82-4500-9460	California American Water	Water Service July- August 2016	08/30/2016	87190	126.29	
					<u>5,274.95</u>	<u>3,322.01</u>

**Thurnher House Accounts:**

206-84-4206-0000	George Wallis	Janitorial Supplies August 2016	09/12/2016	0	201.80	
206-84-4206-0000	SDS Security Design Systems	Alarm Service	08/30/2016	87224	42.00	
206-84-4206-0000	SDS Security Design Systems	Alarms Service	09/12/2016	87298	42.00	
206-84-4500-4950	The Gas Company	Gas Service July-August 2016	08/30/2016	87228	9.36	
206-84-4500-4950	The Gas Company	Gas Service Aug- Sept 2016	09/27/2016	87390	9.63	
206-84-4500-9025	AT&T	Phone Service July- August 2016	09/12/2016	87260	20.42	
					<u>325.21</u>	<u>277.81</u>

**Senior Outreach Accounts:**

<u>0.00</u>	<u>150.00</u>
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**Library Administration Accounts:**

101-90-3344-0000	Jinmei Jiang	Refund- Lost Book	08/30/2016	87170	15.00	
101-90-4150-0000	Califa Group	CENIC - Broadband April - June 2016	06/30/2016	87243	4,642.14	

101-90-4150-0000	EnvisionWare Inc	PC Software Management	09/12/2016	87274	2,732.52	
101-90-4150-0000	SLK.US Inc	IT Service Sept 2016	09/12/2016	0	4,059.14	
101-90-4206-0000	Julio Barrios	Repair Light Ballast	09/27/2016	0	187.50	
101-90-4206-0000	Petty Cash	Supplies	09/12/2016	87266	41.31	
101-90-4206-0000	George Wallis	Janitorial Supplies August 2016	09/12/2016	0	2,376.25	
101-90-4206-0000	ECM PECO INC	Ceiling Lights Repair	08/30/2016	87199	520.00	
101-90-4206-0000	ECM PECO INC	Repair Ceiling Lights	09/27/2016	87361	653.00	
101-90-4206-0000	Graycon Inc	Repair to Fan and Chiller	08/30/2016	87202	2,476.00	
101-90-4206-0000	Graycon Inc	AC Repairs	06/30/2016	87245	625.00	
101-90-4206-0000	Graycon Inc	Quarterly AC Maintenace July 2016	08/30/2016	87202	1,882.32	
101-90-4206-0000	Total Exterminating Inc	Extermination	09/12/2016	0	125.00	
101-90-4370-0000	Office Depot	Supplies	09/27/2016	87377	5.21	
101-90-4376-0000	Demco Inc	Sidewalk Sign	09/12/2016	0	408.90	
101-90-4376-0000	Office Depot	Paper and Supplies	08/30/2016	87217	84.17	
101-90-4376-0000	Office Depot	Supplies	08/30/2016	87217	60.08	
101-90-4376-0000	Office Depot	Paper & Planner	08/30/2016	87217	90.44	
101-90-4376-0000	Office Depot	Supplies	08/30/2016	87217	97.57	
101-90-4376-0000	Office Depot	Supplies and Paper	09/27/2016	87377	59.85	
101-90-4376-0000	Office Depot	Ink & Supplies	09/27/2016	87377	88.06	
101-90-4376-0000	Office Depot	Supplies and Ink	09/27/2016	87377	466.65	
101-90-4376-0000	Research Technology International	DVD Disc Cleaner Supplies	08/30/2016	87223	73.13	
101-90-4398-0000	Petty Cash	Mileage	09/12/2016	87266	27.86	
101-90-4399-0000	Xerox	Copier Lease	09/12/2016	87310	287.28	
101-90-4412-0000	Petty Cash	Postage	09/12/2016	87266	2.61	
101-90-4412-0000	PGI, Inc	Recreation & Library Guide Fall 2016	09/27/2016	87379	83.72	
101-90-4420-0000	PGI, Inc	Recreation & Library Guide Fall 2016	09/27/2016	87379	412.99	
101-90-4500-1980	Southern California Edison	Electrical Service July- August 2016	08/30/2016	87225	9,398.82	
101-90-4500-1980	Southern California Edison	Electrical Service Aug- Sept 2016	09/27/2016	87385	8,850.19	
101-90-4500-4950	The Gas Company	Gas Service July-August 2016	08/30/2016	87228	121.51	
101-90-4500-4950	The Gas Company	Gas Service Aug- Sept 2016	09/27/2016	87390	183.10	
101-90-4500-9025	AT&T	Phone Service Aug- Sept 2016	09/27/2016	87345	96.55	
101-90-4500-9025	Time Warner Cable	Cable Internet Service 9/2/16-10/2/16	09/12/2016	87304	138.95	
101-90-4500-9460	California American Water	Water Service July- Aug 2016	09/12/2016	87264	340.61	
101-90-4500-9460	California American Water	Water Service Aug 2016	09/27/2016	87352	45.08	
281-90-4316-0000	Ingram Library Services	Childrens Materials	09/12/2016	0	33.08	
281-90-4316-0000	Ingram Library Services	Childrens Materials	09/12/2016	0	60.55	
281-90-4316-0000	Ingram Library Services	Childrens Materials	09/12/2016	0	85.90	
					41,938.04	28,677.30

**Adult Services Accounts:**

101-91-3344-3963	Hsiu-Chuan Chien	Refund - Lost Fee	08/30/2016	87173	15.00
101-91-4370-0335	Ingram Library Services	Adult Books	09/12/2016	0	42.60
101-91-4370-0335	Ingram Library Services	Adult Materials	09/12/2016	0	168.24
101-91-4370-0335	Ingram Library Services	Adult Books	09/12/2016	0	252.86
101-91-4370-0335	Ingram Library Services	Adult Books	09/12/2016	0	24.41
101-91-4370-0335	Ingram Library Services	Adult Books	09/27/2016	0	48.42
101-91-4370-0335	Ingram Library Services	Adult Materials	09/27/2016	0	63.37

101-91-4370-0335	Ingram Library Services	Adult Books	09/27/2016	0	144.91	
101-91-4370-0335	Ingram Library Services	Adult Materials	09/27/2016	0	120.48	
101-91-4370-1985	Gale/CENGAGE Learning	Electronic Resource	08/30/2016	87241	3,470.00	
101-91-4370-1985	Gale/CENGAGE Learning	Electronic Resource	08/30/2016	87241	597.42	
101-91-4370-1985	Gale/CENGAGE Learning	Electronic Resource	08/30/2016	87241	10,430.58	
101-91-4370-1985	Gale/CENGAGE Learning	Electronic Resource	09/12/2016	87276	1,678.07	
101-91-4370-1985	Proquest LLC	Electronic Resource	08/30/2016	87220	1,130.00	
101-91-4370-8585	Peterson's a Nelnet Company	Reference Books	09/12/2016	87292	56.14	
281-91-4150-2575	Bill Robles	Adult Program 10/6/16	09/12/2016	87297	150.00	
281-91-4370-0000	Ingram Library Services	Adult Books	09/12/2016	0	250.00	
281-91-4370-2575	Baker & Taylor	Adult Books	09/12/2016	87262	222.11	
281-91-4370-2575	Baker & Taylor	Adult Books	09/12/2016	87262	78.08	
281-91-4370-2575	Baker & Taylor	Adult Books	09/27/2016	87349	28.82	
281-91-4370-2575	Ingram Library Services	Adult Books	09/12/2016	0	22.97	
281-91-4370-2575	Ingram Library Services	Adult Books	09/12/2016	0	99.06	
281-91-4370-2575	Ingram Library Services	Adult Books	09/12/2016	0	132.46	
281-91-4370-2575	Ingram Library Services	Adult Books	09/12/2016	0	58.96	
281-91-4370-2575	Ingram Library Services	Adult Materials	09/27/2016	0	491.26	
281-91-4370-2575	Ingram Library Services	Adult Books	09/27/2016	0	110.96	
281-91-4370-2575	Ingram Library Services	Adult Books	09/27/2016	0	23.98	
281-91-4370-2575	Ingram Library Services	Adult Books	09/27/2016	0	124.06	
281-91-4370-2575	Ingram Library Services	Adult Books	09/27/2016	0	43.21	
281-91-4370-2575	Ingram Library Services	Adult Books	09/27/2016	0	12.31	
281-91-4370-2575	Ingram Library Services	Adult Materials	09/27/2016	0	788.19	
281-91-4376-2575	Petty Cash	Supplies	09/12/2016	87266	40.30	
					20,919.23	11,500.47

**Children's Services Accounts:**

101-92-4370-0000	Ingram Library Services	Childrens Books	09/12/2016	0	27.46	
101-92-4370-0000	Ingram Library Services	Childrens Book	09/12/2016	0	15.16	
101-92-4370-0000	Ingram Library Services	Childrens Materials	09/12/2016	0	77.96	
281-92-4150-2575	Learning Adventures Inc	Childrens Program 9/24	09/12/2016	87285	450.00	
281-92-4370-0000	The Penworthy Company	Childrens Books	09/27/2016	87380	1,574.48	
281-92-4370-2575	Baker & Taylor	Childrens Book	09/12/2016	87262	11.75	
281-92-4370-2575	Cavendish Square	Childrens Books	09/27/2016	87356	209.92	
281-92-4370-2575	Ingram Library Services	Childrens Book	09/12/2016	0	9.57	
281-92-4370-2575	Ingram Library Services	Childrens Book	09/12/2016	0	18.07	
281-92-4370-2575	Ingram Library Services	Childrens Books	09/27/2016	0	136.65	
281-92-4370-2575	Ingram Library Services	Childrens Books	09/27/2016	0	57.83	
281-92-4370-2575	Ingram Library Services	Reference Books	09/27/2016	0	132.25	
281-92-4370-2575	The Penworthy Company	Childrens Books	09/27/2016	87380	1,887.04	
281-92-4376-2575	Petty Cash	Supplies	09/12/2016	87266	39.00	
					4,647.14	2,629.71

**Processing Accounts:**

101-93-4150-0000	OCLC Inc	Cataloging & ILL Service	09/27/2016	87376	175.61
101-93-4150-0000	Xinmu Qiu	Chinese Cataloging 7/12/16-8/31/16	09/12/2016	0	2,940.00

101-93-4376-0000	Vernon Library Supplies Inc	Processing Supplies	09/12/2016	0	<u>272.93</u>	<u>1,391.68</u>	
					<u>3,388.54</u>		
<b>Library Circulation Accounts:</b>						<u>0.00</u>	<u>386.06</u>
<b>Old Mill Accounts:</b>							
101-95-4150-0000	Old Mill Foundation	Payment for Maintenance & Operation for July and August 2016	08/30/2016	87218	8,333.34		
394-95-4600-5510	Paddy Taber	Reimbursement - Applaince for Old Mill Restoration _	09/27/2016	0	<u>1,308.71</u>	<u>2,200.00</u>	
					<u>9,642.05</u>		
					<u>1,637,463.08</u>	<u>1,005,796.09</u>	

# 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: CINDY COLLINS, INTERIM CITY MANAGER  
BY: VERONICA RUIZ, CITY CLERK  
DATE: OCTOBER 12, 2016  
SUBJECT: **RESOLUTION NO. R-16-17 AMENDING THE CITY'S  
CONFLICT OF INTEREST CODE**

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## **BACKGROUND**

The Political Reform Act requires that every local government agency conduct a biennial review of its conflict of interest code to determine if it is accurate or whether the code should be amended. The Fair Political Practices Commission (FPPC) is charged with enforcing the provisions of the Political Reform Act and has adopted a Model Conflict of Interest Code that can be incorporated by reference by the City. The Model Code will be amended by the FPPC from time to time to conform with any amendments to the Political Reform Act.

The City Attorney, City Clerk, and City Manager have reviewed the City's current conflict of interest code to determine if any changes were necessary. The attached resolution includes some minor changes to Appendix A in Exhibit A, which is the listing of designated employees. A designated employee is an officer, employee, member, or consultant of the agency whose position entails the making or participation in the making of decisions that may foreseeably have a material effect on his or her financial interests. Staff recommends the inclusion of the following designated positions: Parks and Public Works Director, and Police Commander. Staff also recommends that the Administrative Analyst position that is currently listed under Administrative Services also be included in the following Departments who have this position: Parks and Public Works, Police, Library, and Recreation.

It is staff's further recommendation to revise the disclosure category of the Members of the Traffic Advisory Commission from Category 2 (pertaining to services and supplies provided to the Police Department) to Category 4 (pertaining to interests in real property) since the Traffic Commission's recommendations may affect real the value of real property.

The Disclosure Categories in Appendix B of Exhibit A have been modeled after FPPC approved disclosure categories in order to be consistent with FPPC regulations; however no changes were made to the reporting requirements.

## **FISCAL IMPACT**

None.

## **RECOMMENDATION**

Staff recommends that the Council adopt Resolution No. R-16-17 amending the Conflict of Interest Code for the City of San Marino. If Council concurs, the appropriate action would be:

“A motion to adopt Resolution No. R-16-17 amending the Conflict of Interest Code for the City of San Marino.”

Attachments: Resolution No. R-16-17  
Exhibit A – Conflict of Interest Code

**RESOLUTION NO. R-16-17**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SAN MARINO, CALIFORNIA, AMENDING RESOLUTION  
NO. 12-26 UPDATING THE CONFLICT OF INTEREST CODE  
FOR THE CITY OF SAN MARINO**

**WHEREAS**, the Political Reform Act of 1974, Government Code Section 81000 et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes; and

**WHEREAS**, the Fair Political Practices Commission has adopted a regulation, California Code of Regulations, Title 2, Section 18730, containing the terms of a standard conflict of interest code, which can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act; and

**WHEREAS**, the City of San Marino is amending the previous Conflict of Interest Code to incorporate additional designated positions and eliminate or revise titles of existing designated positions.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MARINO, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1.** The terms of California Code of Regulations, Title 2, Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference, as specified in the attached “Exhibit A” and constitute the Conflict of Interest Code for the City of San Marino.

**SECTION 2.** Persons holding designated positions shall file Statements of Economic Interest with the City of San Marino who will make the statements available for public inspection and reproduction pursuant to Government Code Section 81008. Upon receipt of the Statements of the City Council, City Manager, City Attorney, City Treasurer, and Planning Commission, the City shall make and retain a copy and forward the original of these Statements to the California Fair Political Practices Commission. Statements for all other designated employees will be retained by the City of San Marino.

**SECTION 3.** The provisions of all Conflict of Interest Codes and amendments thereto previously adopted for the City of San Marino are hereby superseded.

**PASSED, APPROVED AND ADOPTED** this 12<sup>th</sup> day of October, 2016.

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ALLAN YUNG, M.D.  
MAYOR

ATTEST:

\_\_\_\_\_  
VERONICA RUIZ, CMC  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
STEVEN L. DORSEY,  
CITY ATTORNEY

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES       ) ss.  
CITY OF SAN MARINO            )

**I HEREBY CERTIFY** that the foregoing Resolution No. R-16-17 was duly adopted by the City Council of the City of San Marino at a Regular Meeting held on the 12<sup>th</sup> day of October 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
VERONICA RUIZ, CMC  
CITY CLERK

**Exhibit A**



**City of San Marino**

**CONFLICT OF INTEREST CODE**

Adopted: 10/12/2016

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730) that contains the terms of a standard conflict of interest code and may be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act.

Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. The regulation and the attached Appendix designating positions, and establishing disclosure requirements, shall constitute the conflict of interest code for the City of San Marino.

Individuals holding designated positions shall file their statements with the Office of the City Clerk, pursuant to Section 5 of the Model Code, which will retain the statements and make the statements available for public inspection and reproduction. (Gov. Code Section 81008)

## APPENDIX A

### SCHEDULE OF DESIGNATED EMPLOYEES

<u>DESIGNATED EMPLOYEES</u>	<u>DISCLOSURE CATEGORIES</u> (see Appendix B for Description)
<u>Administrative Services</u>	
Assistant City Manager	1
City Clerk	2
Administrative Analyst	2
Finance Director	2
<u>Planning and Building Department</u>	
Design Review Committee Member	3,4
Planning and Building Director	2,3,4
Senior Planner	3,4
Assistant Planner / Associate Planner	3,4
Planning and Building Assistant	3,4
Plan Checker	3,4
Building Inspector / Building Inspector II	3,4
Permit Technician I / II	3,4
Environmental Services Manager	3,4
City Engineer	2,3,4
<u>Parks and Public Works Department</u>	
<b>Parks &amp; Public Works Director</b>	<b>2,3,4</b>
Parks & Public Works Division Manager	2,3,4
Public Works Foreman	2
Parks Foreman	2
Shop Foreman	2
<b>Administrative Analyst</b>	<b>2</b>
<u>Police Department</u>	
Member, Traffic Advisory Commission	2 4
Police Chief	1
Captain	1
Lieutenant	1
<b>Commander</b>	<b>1</b>
<b>Administrative Analyst</b>	<b>2</b>
<u>Fire Department</u>	
Fire Chief	1
Division Chief	1

**DESIGNATED EMPLOYEES**

**DISCLOSURE CATEGORIES**

Community Services/Library Division

Member, Board of Trustees	2
Community Services Director	2,3,4
City Librarian	2
Administrative Analyst	2

Community Services/Recreation Division

Member, Recreation Commission	2
Community Services Director	2,3,4
Recreation Manager	2
Administrative Analyst	2

Consultants as defined in Title 2 California Code of Regulations Section 18700 (a)(2) (see Appendix C)

Note: The Mayor, City Council, City Manager, City Attorney, City Treasurer and Planning Commission positions are already required to submit disclosure statements pursuant to state law (Government Code Sections 87200, et. seq.) and do not need to be designated under the City's Code.

Appendix B

**DISCLOSURE CATEGORIES**

**DISCLOSURE CATEGORY 1** (full disclosure – broad and indefinable duties)

Designated employees in this category shall disclose all reportable interests in real property.

Designated employees in this category shall also disclose all reportable investments, business positions, and income.

**DISCLOSURE CATEGORY 2** (disclosure relating to services and supplies associated with job assignment only)

Designated employees in this category shall disclose all reportable investments and business positions in business entities and sources of income of the type which:

Provide services, supplies, materials, machinery or equipment of the type utilized by the Designated Employee's Department.

**DISCLOSURE CATEGORY 3** (disclosure for those approving, issuing, or regulating permits or licenses)

Designated employees in this category shall disclose all reportable investments and business positions in business entities and sources of income of the type which:

Are subject to the regulatory, permit, or licensing authority of the Designated Employee's Department.

**DISCLOSURE CATEGORY 4** (disclosure for those who make decisions affecting real property interests)

Designated employees in this category shall disclose all reportable interests in real property.

Designated employees in this category shall also disclose all reportable investments and business positions in business entities and sources of income of the type which:

Engage in land development, construction, or the acquisition or sale of real property in the jurisdiction of the City.

## Appendix C

### **CONSULTANTS**

With respect to Consultants performing work for the City of San Marino, the City Manager shall specify in writing the duties a particular consultant is hired to perform. Such written determination shall include a statement of the extent of disclosure under this Conflict of Interest Code. The City Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

Commission Regulation 18700 defines "consultant" as an individual who, pursuant to a contract with a state or local government agency:

- (A) Makes a governmental decision whether to:
  - (i) Approve a rate, rule or regulation;
  - (ii) Adopt or enforce a law
  - (iii) Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement;
  - (iv) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract which requires agency approval;
    - (v) Grant City approval to a contract which requires agency approval and in which the agency is a party or to the specifications for such a contract;
  - (vi) Grant agency approval to a plan, design, report, study, or similar item;
  - (vii) Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof; or
  
- (B) Serves in a staff capacity with the agency and in that capacity participates in making a governmental decision as defined in 18702.2 or performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's Conflict of Interest Code Section 87302.

# 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: CINDY COLLINS, INTERIM CITY MANAGER

BY: AARON BLONDE', COMMANDER

DATE: OCTOBER 12, 2016

SUBJECT: **CONSIDERATION OF SAN MARINO PARTICIPATION  
IN MARCH 5, 2017 626 SAN GABRIEL VALLEY  
GOLDEN STREETS FESTIVAL**

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## **BACKGROUND**

At its meeting on September 9, 2015, the City Council approved the City's participation in the Golden Streets Festival. Golden Streets is an "Open Streets" event that will traverse approximately 18.5 miles, through at least eight jurisdictions, and was originally scheduled to coincide with the grand opening of Metro's Gold Line Foothill extension to Azusa.

At its meeting on April 13, 2016, the City Council was presented with the Memorandum of Understanding (MOU) for city participation in the June 26, 2016 - 626 Golden Streets Event. This MOU was signed by John Schaefer on June 15, 2016.

Due to unforeseen circumstances and active wildfires affecting air quality in the San Gabriel Valley region, public safety officials and city staff, who were monitoring the situation closely, officially moved to postpone the 626 Golden Streets event to a future date.

On September 22, 2016, Bike San Gabriel Valley notified the participating agencies that the Metro Board of Directors formally approved the Open Streets Event (626 Golden Streets) for Sunday, March 5, 2017. The time of the event has not been finalized, however; it is expected to be between the hours of 8:00am to 2:00pm or 9:00am to 3:00pm.

The MOU requires the participating jurisdictions to provide a local match of "in-kind" contributions in the amount of 20% of the expenses the jurisdiction incurs for this event. In-kind contributions will include such items as the cost of staffing time to plan for the event, legal fees associated with approving this agreement and staff time to monitor the event while it is in progress. The eligible City costs for which the City will be reimbursed include such items as personnel costs, materials for the event and deferred income associated with waiving the cost of required permits.

The City of South Pasadena (Grantee) and Bike San Gabriel Valley (BikeSGV) were successful in securing \$393,600 in Congestion Mitigation Air Quality (CMAQ) funds to host the Golden Streets Festival for outreach, pre-event planning, and day of event staging costs. An administrative fee of 5% was assessed on the total funds of \$393,600, bringing the total available funds to \$373,920.

All participating cities in the Golden Streets Festival were allocated funds based on route length and the number of closures. The City of San Marino was allocated 19% of \$373,920, or a maximum grant funding of \$71,044.80. Right Of Way Traffic Control was selected to provide a traffic control plan for all participating jurisdictions, with the exception of Los Angeles County. This plan provides barricades, signage, and in some areas flag personnel. The traffic control allocation for the City of San Marino is \$31,500, which leaves \$39,544 of available grant funds remaining for the City of San Marino.

### **FISCAL IMPACT**

The City will receive up to \$39,544 in reimbursements for the installation of this event. However, the City must first demonstrate its In-Kind costs up to \$18,696. The reimbursements by the City are expected to offset the costs of San Marino Police assistance/patrol and/or other related direct event costs.

### **RECOMMENDATION**

In line with the City Council's prior action on September 9, 2015 to participate in this event, it is recommended that the City Council agree continue with participation in the event on March 5, 2017.

If Council concurs, the appropriate action would be:

“A motion to authorize the City Manager, on behalf of the City to use the previously signed Memorandum of Understanding with the cities of Arcadia, Azusa, Duarte, Irwindale, Monrovia, South Pasadena and the County of Los Angeles to participate in the Golden Streets Festival; and

A motion to appropriate \$39,544 in revenues under account no.103-30-3702-000 (Police Reimbursements) and \$39,544 in expenditures under account no. 103-30-4004-000 (Police Overtime) for the City's participation in the Golden Streets Festival.”

Attachments: Golden Streets Festival MOU and Funding Allocation

**A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITIES OF  
ARCADIA, AZUSA, DUARTE, IRWINDALE, MONROVIA, SAN MARINO,  
AND SOUTH PASADENA AND COUNTY OF LOS ANGELES TO SHARE  
RESOURCES TO PLAN AND HOST THE GOLDEN STREETS FESTIVAL  
THROUGH THE CREATION OF A "GOLDEN STREETS WORKING GROUP"**

**WHEREAS**, on June 26, 2014, the Los Angeles County Metropolitan Transportation Authority (LACMTA) Board approved the 2014 Open Streets Grant Program providing Congestion Mitigation Air Quality (CMAQ) Funds for one-day events that close streets to automotive traffic and open them to people to walk or bike (Open Street Event). Further, the LACMTA Board approved that LACMTA serve as the pass through agency of the CMAQ Funds with local cities; and

**WHEREAS**, the City of South Pasadena (Grantee) and Bike San Gabriel Valley (BikeSGV) were successful in securing \$393,600 in CMAQ funds from the LACMTA county-wide "Open Streets Event" program to host the Golden Streets Festival a 19.12 mile contiguous open streets event, on Sunday, June 26, 2016 from South Pasadena to Azusa (the Golden Streets Festival)for outreach, pre-event planning, and day of event staging costs; and

**WHEREAS**, the cities of Arcadia, Azusa, Duarte, Irwindale, Monrovia, San Marino, South Pasadena, and the County of Los Angeles (Cities or Partner Cities) by entering into this agreement have partnered together to host the Golden Streets Festival; and

**WHEREAS**, the Golden Streets Festival, which qualifies as an "Open Street Event" for the use of the LACMTA pass through of CMAQ funds, will promote active transportation and complete street concepts in conjunction with the grand opening of the Gold Line Foothill Extension in Spring 2016; and

**WHEREAS**, the LACMTA "Open Streets Event" program requires a 20% in-kind or local fund match of the total cost of the event; and

**WHEREAS**, not more frequently than once a month, the Grantee will prepare and submit to LACMTA a Request for Reimbursement for allowable costs incurred by the Partner Cities; and

**WHEREAS**, the State Legislature approved Assembly Bill 2766 in September 1990 providing the South Coast Air Quality Management District (SCAQMD) within the Mobile Source Air Pollution Reduction Review Committee (MSRC) to develop a work program to fund projects; and

**WHEREAS**, MSRC will match Subvention Funds (AB 2766 Motor Vehicle Subvention Program) and additional funding sources dollar for dollar in an amount not to exceed \$320,000; and

**WHEREAS**, MSRC match funds will be distributed on a reimbursement basis to the Partner Cities upon completion of the Golden Streets Festival and submittal of all required reports and invoices to the Grantee; and

**WHEREAS**, the Partner Cities desire to work jointly and collaboratively to share monetary, staffing, and other resources in planning and hosting the Golden Streets Festival, and desire to formalize their relationship through the creation of a “Golden Streets Working Group” or “Working Group” to coordinate their activities; and

**WHEREAS**, nothing in this MOU creates a Joint Powers Agreement or Joint Powers Agency within the meaning of California Government Code §§6500.

**NOW, THEREFORE**, the Cities hereto agree as follows:

1. **CREATION OF THE “GOLDEN STREETS WORKING GROUP”** - There is hereby created a “Golden Streets Working Group” established for the purpose of combining resources (financial, staffing and other in-kind services) in order to plan and host the Golden Streets Festival. The Working Group shall be composed of the City Manager, or his or her designee, from each Partner City.
2. **MANAGEMENT OF OPERATIONS** - The Golden Streets Working Group (Working Group) shall be authorized to consider and direct, by majority vote of the entire Working Group, the use of resources that are available to the Working Group consistent with the functions and purposes of the planning and hosting of the Golden Streets Festival and the requirements of the funding sources.
3. **VOTING** - Each member of the Working Group shall have one (1) vote on matters within the Working Group’s subject matter jurisdiction.
4. **FIDUCIARY AGENT** - The City of South Pasadena shall act as the “Fiduciary Agent” of the Working Group. The Fiduciary Agent will coordinate the reporting and reimbursements requirements associated with the grants on behalf of the Working Group. Subject to direction of the Working Group, the Fiduciary Agent shall pay expenses of the Working Group and expenses incurred by the Partner Cities and shall report regularly to the Working Group the funding and reimbursement status of the Golden Streets Festival. The Fiduciary Agent shall retain 5% of each of the Golden Streets Festival grant funds for these administrative services.
5. **CONTRIBUTIONS** - Each Partner City shall contribute to the 20% in-kind match for the funds received through the CMAQ grant funds. Contributions shall be determined based on the length of the route and the number of street closures in each Partner City as shown in Exhibit A.
6. **STREET CLOSURES** – Each Partner City shall be responsible for street closures, vehicular detour plans, outreach, event staging, and public safety within its own jurisdiction.

## 7. AVAILABLE FUNDING

- a. LACMTA/FEDERAL GRANT - LACMTA will advance local funds up to \$393,600, to the Grantee for the Golden Streets Festival and then submit requests, based on Grantee's invoices to Caltrans for reimbursement to LACTMA with CMAQ Funds.
  - i. The LACTMA funding is subject to the federal grant agreement between the California Department of Transportation and LACTMA (Federal Grant). The Grantee shall be subject to, and shall comply with, all requirements of the Federal Grant and other applicable requirements of the United States Department of Transportation (USDOT), the United States Department of Labor (USDOL), and Caltrans. In addition, the Grantee shall comply with all requirements of LACMTA so that LACMTA can fulfill its responsibilities as the Grantee under the Federal Grant and as the pass-through agency.
  - ii. The Partner Cities shall utilize the local grant funds for direct costs associated with the Golden Streets Festival such as: marketing materials, traffic enforcement, rentals, planning staff, insurance, and permits implementing the Golden Streets Festival. Per the funding guidelines, physical infrastructure costs associated with the Golden Streets Festival are not eligible for reimbursement.

## 8. REIMBURSEMENT

- a. AMOUNT - The available funding from the CMAQ grant funds to each city will be determined based on the length of the route and the number of street closures in each Partner City as shown in Exhibit A, after the shared expenditures and the 5% administrative fee has been provided to the Fiduciary Agent for its costs associated with the administration of the CMAQ grant funds.
  - b. PROCESS - Partner Cities shall make a Request for Reimbursement from the CMAQ grant funds to the Grantee. Each Request for Reimbursement must be submitted on Grantee's letterhead and shall include an invoice number and report the total expenditures, specify the percent and amount of CMAQ Funds to be reimbursed, the total amount of Local Match expended and include a detailed invoice describing all invoiced work completed along with appropriate detailed documentation supporting costs incurred. To ensure timely processing of invoices, each Request for Reimbursement shall not include any invoices which are older than three (3) months from the date of the Request for Reimbursement
9. **CONSULTANT WORK** - The Working Group may enlist the work of independent contractors, consultants, vendors, and other professionals to assist in the planning and operations of the Golden Streets Festival. Such consultant(s) shall not be employees of the Working Group nor of any Partner City but shall be engaged by the Fiduciary Agent on behalf of the Working Group. The consultant(s) shall provide indemnification, hold harmless and

additional insured coverage in the manner and amounts as set forth by the Working Group naming each respective Partner City as an additional insured.

10. **ALLOCATION OF FUNDS** - The Working Group will authorize the Fiduciary Agent to enter into contracts for the planning, implementation, and hosting of the Golden Streets Festival. Any remaining CMAQ funds that have not been expended on behalf of the Working Group for shared resources or purchases may be allocated to individual Partner Cities in a proportionate share based on length of the route and the number of street closures within their respected jurisdictions as set forth in Exhibit A, for reimbursement of any additional costs associated with the Golden Streets Festival. Any remaining unspent CMAQ funds will be retained by LACTMA. Any remaining unspent MSRC funds will be retained by SCAQMD.
11. **INDEMNIFICATION** - In light of the provisions of Section 895.2 of the Government Code of the State of California imposing certain tort liability jointly upon public entities solely by reason of such entities being parties to an agreement (as defined in Section 895 of said Code), each Partner City, pursuant to the authorization contained in Section 895.4 and 895.6 of said Code, shall assume the full liability imposed upon it or any of its officers, agents, or employees by law for injury caused by any act or omission occurring in the performance of this Agreement to the same extent that such liability would be imposed in the absence of Section 895.2 of said Code. To achieve the above stated purpose, each Partner City shall indemnify, defend, and hold each other Partner City harmless for any liability, cost, or expense that may be imposed upon the other Partner Cities solely by virtue of said Section 895.2. The provisions of Section 2778 of the California Civil Code are made a part hereof as if incorporated herein.
12. **DISSOLUTION** - Upon completion of the purposes of this MOU, or as determined by the Partner Cities, at any time, this MOU shall be terminated and the Working Group dissolved. Notwithstanding the termination of this MOU and the dissolution of the Working Group, all of the rights and obligations of the respective parties under Section 11 hereof (Indemnification), shall survive expiration or termination (for any reason) and remain in full force and effect.
13. **NOTICE TO PARTIES (AUTHORIZED REPRESENTATIVES)** - Notices given pursuant to the requirements of this MOU shall be by personal service upon the Partner City to be notified by writing upon such notice being deposited into the custody of the United States Postal Service addressed as follows:

Golden Streets Working Group MOU

City of Arcadia  
City Manager  
240 West Huntington Drive  
Arcadia, CA 91066

City of Monrovia  
City Manager  
415 South Ivy Avenue  
Monrovia, CA 91016

City of Azusa  
City Manager  
213 East Foothill Boulevard  
Azusa, CA 91702

City of San Marino  
City Manager  
2200 Huntington Drive  
San Marino, CA 91108

City of Duarte  
City Manager  
1600 Huntington Drive  
Duarte, CA 91010

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

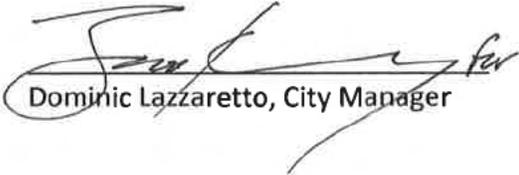
City of Irwindale  
City Manager  
5050 North Irwindale Avenue  
Irwindale, CA 91706

County of Los Angeles  
Public Works Deputy Director  
900 S. Fremont Avenue  
Alhambra, CA 91803

14. **AMENDMENTS** - This MOU may only be amended in writing upon unanimous action by each respective Partner City's city manager.

IN WITNESS WHEREOF, the Parties hereto have caused MOU to be executed by their duly authorized representatives:

CITY OF ARCADIA:



Dominic Lazzaretto, City Manager

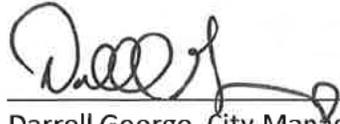
6.14.16  
Date

CITY OF AZUSA:

  
\_\_\_\_\_  
Troy Butzlaff, City Manager

4/5/16  
\_\_\_\_\_  
Date

CITY OF DUARTE:

  
\_\_\_\_\_  
Darrell George, City Manager

6/21/16  
Date

CITY OF IRWINDALE:



John Davidson, City Manager

5.12.14  
Date

CITY OF MONROVIA:



Oliver Chi, City Manager

5/25/16  
Date

CITY OF SAN MARINO:



John Schaefer, City Manager

8/15/18  
Date

CITY OF SOUTH PASADENA:



Sergio Gonzalez, City Manager

6/27/16

Date

COUNTY OF LOS ANGELES:

  
\_\_\_\_\_  
Pat Proano, Deputy Director

  
\_\_\_\_\_  
Date

**EXHIBIT A  
GOLDEN STREETS FESTIVAL  
FUNDING ALLOCATION PLAN  
FISCAL YEAR 2015-16**

**Metro Grant Award: \$393,600**  
**Less Administrative Fee (5%): \$373,920**

<u>Partner City</u>	<u>Route Length</u>	<u># of Hard Closures</u>	<u># of Soft Closures</u>	<u>Funding Allocation*</u>	<u>In-Kind Match Requirement</u>	<u>Traffic Control Allocation</u>	<u>Available Grant Funds**</u>	<u>Total Grant Funding**</u>
Arcadia	4.3	23	3	17%	\$16,728.00	\$28,500.00	\$35,066.40	\$63,566.40
Azusa	1.4	7	3	7%	\$6,888.00	\$12,000.00	\$14,174.40	\$26,174.40
Duarte	3	21	4	16%	\$15,744.00	\$27,000.00	\$32,827.20	\$59,827.20
Irwindale	1.62	3	1	3%	\$2,952.00	\$6,000.00	\$5,217.60	\$11,217.60
Monrovia	2.66	19	2	13%	\$12,792.00	\$22,500.00	\$26,109.60	\$48,609.60
San Marino	2.92	18	8	19%	\$18,696.00	\$31,500.00	\$39,544.80	\$71,044.80
South Pasadena	1.63	19	3	14%	\$13,776.00	\$22,500.00	\$29,848.80	\$52,348.80
Los Angeles County	1.41	16	2	11%	\$10,824.00	-----	\$41,131.20	\$41,131.20
<b>Total</b>	<b>18.94</b>	<b>126</b>	<b>26</b>	<b>100%</b>	<b>\$98,400.00</b>	<b>\$150,000.00</b>	<b>\$223,920.00</b>	<b>\$373,920.00</b>
* <i>Route Length + 2(# of Hard Closures) + 4(# of Soft Closures) = 100%</i>								
** <i>Available funds will be less a 5% administrative fee for the Fiduciary Agent</i>								

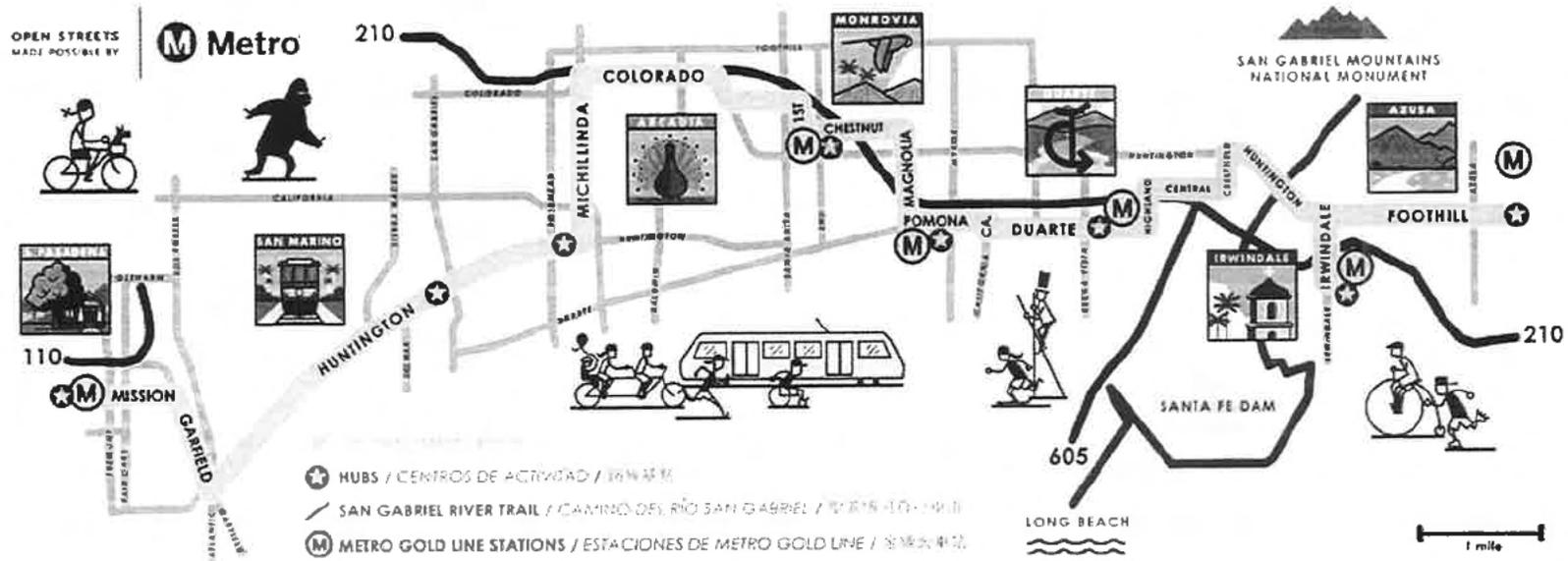
**MSRC Grant Award: \$320,000**  
**Less Administrative Fee (5%): \$304,000**

ATTACHMENT 2

PROPOSED OVERALL 626 GOLDEN STREETS ROUTE



Presented by Metro



# City of San Marino AGENDA REPORT



*Allan Yung, MD  
Mayor*

*Richard Sun, DDS  
Vice Mayor*

*Steven W. Huang  
Council Member*

*Steve Talt  
Council Member*

*Richard Ward  
Council Member*

TO: MAYOR AND CITY COUNCIL

FROM: CINDY COLLINS, INTERIM CITY MANAGER

DATE: OCTOBER 12, 2016

SUBJECT: **TRANSFER OF FUNDS FOR CONTRACT SERVICES  
AND PART TIME SALARIES TO SUPPORT THE  
ADMINISTRATION DEPARTMENT**

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## BACKGROUND

As the City Council is aware, the Finance Director position became vacant on July 1, 2016. In the absence of the Finance Director position, the City hired MV Cheng & Associates to assist with the functions of the Finance Department until a new Finance Director is recruited.

The City desires to retain MV Cheng and Associates for additional time and services; however, such costs will exceed the City Manager's expense authority and City Council approval is required.

MV Cheng & Associates will continue to perform the essential functions of the Finance Department and provide Human Resources support. As part of their services, MV Cheng & Associates will also conduct an evaluation of the current Finance Department's practices and procedures and provide recommendations for improvement, if warranted.

The funds for these services can be transferred from salaries and benefits that were budgeted for the vacant Finance Director and Administrative Analyst positions to Other Contract Services. The total monthly allocation for consultant work by MV Cheng & Associates will not exceed \$23,330 per month, which is within the monthly budget allocation for the vacant Finance Director and Administrative Analyst positions in the Administration Department.

In addition, staff is requesting a transfer of appropriations from Full Time allocations to Part Time salaries and benefits. The funds transferred will be utilized to contract for general administrative assistance in the absence of full time staff. Funds or savings are currently available from the City Manager allocation versus the Interim City Manager actuals in the amount of \$1,000 a month approximately or \$11,000 through the rest of the fiscal year (since August). Services for Part Time support will not exceed the \$11,000 amount.

Should the City Council decide to fill the Finance Director and Administrative Analyst positions at a later date during the fiscal year, any funds remaining in Other Contract Services can be transferred back to salaries and benefits to accommodate the hiring of these positions and the agreement with MV Cheng and Associates can be adjusted accordingly and/or terminated.

#### FISCAL IMPACT

There is no fiscal impact to the City from the proposed transfer of funds to accommodate the MV Cheng and Associates contract and Part Time salaries. Funds are currently budgeted under salaries and benefits in Administration (Acct. 101-07) and are simply being transferred.

#### RECOMMENDATION:

Staff recommends the City Council approve the transfer of funds as proposed from Full Time salaries and benefits to Other Contract Services and Part Time salaries and benefits to enable support for the Administration Department. If the Council concurs, the appropriate motion would be:

A motion to:

- “1) Approve a Professional Services Agreement with MV Cheng & Associates in the amount of \$279,960 for Finance Department Consulting Services;
- 2) Authorize the City Manager to execute the Agreement;
- 3) Approve the transfer of \$279,960 from Full Time Personnel allocations within the Administration accounts to Other Contract Services for Finance Department Consulting Services; and
- 4) Approve the transfer of \$11,000 from Full Time Personnel allocations within the Administration accounts to Part Time salaries and benefits.”

Attachment:

Agreement for Finance Services with MV Cheng and Associates

**PROFESSIONAL SERVICES AGREEMENT  
BETWEEN  
THE CITY OF SAN MARINO AND  
MV CHENG & ASSOCIATES**

This AGREEMENT is entered into as of the 1<sup>st</sup> day of July 2016, by and between the CITY OF SAN MARINO, a California municipal corporation, (“CITY”) and MV CHENG & ASSOCIATES, a California Corporation (“CONSULTANT”).

**1. SCOPE OF SERVICES.**

- A. CONSULTANT will perform services listed in Exhibit “A.”
- B. CONSULTANT will, in a professional manner, furnish all of the labor, technical, administrative, professional and other personnel, supplies and materials, equipment, printing, vehicles, transportation, and all tests, testing and analyses, calculation, except as herein otherwise expressly specified to be furnished by CITY, necessary or proper to perform and complete the work and provide the professional services required of CONSULTANT under this Agreement.
- C. CITY shall provide an office, desk, computer, and other customary office supplies and equipment for employees of CONSULTANT when performing services for CITY at City Hall.

**2. ADDITIONAL WORK.**

- A. CITY’s City Manager (“Manager”) and the CONSULTANT may agree to modify the Scope of Work. Any modification that will cause contract amount to exceed the maximum provided in section is not binding until approved by the City Council.
- B. If CONSULTANT believes Additional Work is needed to complete the Scope of Work, CONSULTANT will provide the Manager with written notification that contains a specific description of the proposed Additional Work, reasons for such Additional Work, and a detailed proposal regarding cost.
- C. All Additional Work will be subject to all of the terms of this Agreement.

**3. CONSIDERATION AND PAYMENT.**

- A. CITY shall pay CONSULTANT at the following hourly rates:

Misty Cheng	Finance Director	\$115
Ken Pun, CPA	Deputy Finance Director	\$135
Jim Raia	Accountant	\$60
Teri Nelson	HR Director	\$70

- B. CONSULTANT shall detailed invoices to CITY by the fifteenth day of each month showing the services provided each day during the prior month, the person performing the services and the hourly rate. CITY shall pay CONSULTANT all undisputed charges by the 15<sup>th</sup> day of the month following receipt of each invoice.
  - C. The maximum compensation CITY shall pay CONSULTANT during the term of this contract shall be Two Hundred Thousand Dollars (\$200,000.00), unless otherwise approved by the City Council and CONSULTANT.
4. **PERFORMANCE STANDARDS...**CONSULTANT and its employees shall comply with generally accepted professional standards in performing the services.
  5. **FAMILIARITY WITH WORK.** CONSULTANT has investigated the City Hall and is fully acquainted with the conditions there existing. Should CONSULTANT be aware of any latent or unknown conditions that may materially affect the performance of the services create a dangerous condition of public property, CONSULTANT will immediately inform CITY of such fact and will not proceed except at CONSULTANT's own risk until written instructions are received from CITY.
  6. **TERM.** The term of this Agreement will be from September 14, 2016 to June 30, 2017, unless extended by the City Council of CITY and the CONSULTANT.
  7. **CHANGES.** CITY may order changes in the services within the general scope of this Agreement, consisting of additions, deletions, or other revisions, and the contract sum and the contract time will be adjusted accordingly. All such changes must be authorized in writing, executed by CONSULTANT and approved by the City Council. The cost or credit to CITY resulting from changes in the services will be determined in accordance with written agreement between the parties.
  8. **PERMITS AND LICENSES.** CONSULTANT, at its sole expense, will obtain and maintain during the term of this Agreement, all necessary permits, licenses, certificates and certifications that are required to perform the services under this Agreement.
  9. **WAIVER.** CITY's review or acceptance of, or payment for, work product prepared by CONSULTANT under this Agreement will not be a waiver of any rights CITY may have under the Agreement or of any cause of action arising against CONSULTANT. A waiver by CITY of any breach of any term, covenant, or condition contained in this Agreement will constitute a waiver of any subsequent breach of the same or any other term, covenant, or condition contained in this Agreement.
  10. **ASSIGNABILITY.** This Agreement is for CONSULTANT's professional services. CONSULTANT shall not assign this Agreement or any portion of the services without approval by the City Council.
  11. **TERMINATION.**
    - A. Except as otherwise provided, CITY may terminate this Agreement at any time with or without cause.

- B. CONSULTANT may terminate this Agreement for failure of CITY to pay undisputed compensation owed to CONSULTANT. Prior to termination, CONSULTANT shall provide CITY with a 30 day notice to cure and may not terminate the Agreement if CITY pays CONSULTANT all undisputed amounts during the thirty (30) day period.
  - C. Upon receiving a termination notice from CITY, CONSULTANT will immediately cease performance under this Agreement unless otherwise provided in the termination notice. Except as otherwise provided in the termination notice, any additional work performed by CONSULTANT after receiving a termination notice will be performed at CONSULTANT's own cost; CITY will not be obligated to compensate CONSULTANT for such work.
  - D. Should either party terminate this Agreement, all finished or unfinished documents, data, studies, surveys, drawings, maps, reports and other materials prepared by CONSULTANT will, at CITY's option, be provided to CITY and become CITY's property. CITY shall pay CONSULTANT for all services satisfactorily completed up to the effective date of termination, not to exceed the total costs under Section 3(C).
  - E. CONSULTANT waives any and all claims for damages that CONSULTANT might incur as a result of CITY's termination of the Agreement.
12. **OWNERSHIP OF DOCUMENTS.** All documents, data, studies, drawings, maps, models, photographs and reports prepared by CONSULTANT under this Agreement are CITY's property. CONSULTANT may retain copies of said documents and materials, but will deliver all original materials to CITY upon CITY's written notice. CITY agrees that use of CONSULTANT's completed work product, for purposes other than identified in this Agreement, or use of incomplete work product, is at CITY's risk.
13. **AUDIT OF RECORDS.** CONSULTANT will maintain full and accurate records with respect to all services and matters covered under this Agreement. CITY will have access at all reasonable times to such records, and the right to examine and audit the same and to make transcripts therefrom, and to inspect all program data, documents, proceedings and activities. CONSULTANT will retain financial and program service records for at least three (3) years after termination or final payment under this Agreement.
14. **PUBLICATION OF DOCUMENTS.** Except as necessary for performance of service under this Agreement, CONSULTANT will not release any copies, sketches, or graphs of materials, including graphic art work, prepared pursuant to this Agreement, to any person or entity without CITY's prior written approval. All press releases, including graphic display information to be published in newspapers or magazines by CONSULTANT will be first approved by CITY.

15. **INDEMNIFICATION.**

A. CONSULTANT indemnifies CITY as follows:

- 1) Indemnification for Professional Services. To the fullest extent permitted by law, CONSULTANT, at its sole cost and expense, will save harmless and indemnify CITY and reimburse attorneys' fees and costs of defense for CITY incurred by CITY from and against any and all damages, costs, expenses, liabilities, demands, suits, actions, claims, proceedings, judgments, penalties, liens and losses, of any character whatever, including fees of accountants and other professionals and all costs associated therewith, brought for, or on account of, any injuries or damages sustained by any person or property resulting or arising from any negligent, reckless or wrongful act, error or omission by CONSULTANT or any of CONSULTANT's officers, agents, employees, or representatives (or any entity or individual that CONSULTANT shall bear the legal liability thereof), whether actual, alleged or threatened, in the performance of this Agreement, except for such loss or damage arising from CITY's sole negligence or willful misconduct.
- 2) Indemnification for other Damages. Other than in the performance of professional services, and to the fullest extent permitted by law, CONSULTANT, at its sole cost and expense, shall indemnify, defend and hold CITY harmless from and against any damages, costs, expenses, liabilities, demands, suits, actions, claims, proceedings, judgments, penalties, liens and losses of any character whatever, whether actual, alleged or threatened, including fees of accountants and other professionals and all costs associated therewith and the payment of all consequential damages, in law or equity, which arise out of, are claimed to arise out of, pertain to, or relate to the acts or omissions of Indemnitor, its officers, agents, servants, employees, subcontractors, materialmen or contractors or their officers, agents, servants or employees (or any entity or individual that Indemnitor shall bear the legal liability thereof) in the performance of this Agreement, including the Indemnitees' active or passive negligence, except for such loss or damage arising from CITY's sole negligence or willful misconduct, as determined by final arbitration or court decision or by the agreement of the parties. Should CITY be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the performance of this Agreement, CONSULTANT will defend CITY (with counsel satisfactory to CITY), pay all costs and expenses, including all attorneys' fees and experts' costs actually incurred in connection with such defense, and indemnify CITY for any judgment rendered against it or any sums paid out in settlement or otherwise. CONSULTANT shall reimburse CITY for any and all legal expenses and costs incurred by CITY in connection therewith.

- B. For purposes of this section “CITY” includes CITY’s officers, officials, employees, agents, representatives, certified volunteers and those CITY agents serving as independent contractors in the role of CITY officers.
- C. It is expressly understood and agreed that the foregoing provisions will survive expiration or termination of this Agreement and is in addition to any other rights or remedies that CITY may have under the law.
- D. This indemnification is effective regardless of any prior, concurrent or subsequent misconduct, negligent acts, errors or omissions of CITY. Payment is not required as a condition precedent to CITY’s right to recover under this indemnification, and an entry of judgment against CONSULTANT shall be conclusive in favor of the CITY’s right to recover under this indemnification. CONSULTANT shall pay CITY for any attorneys’ fees and costs incurred in enforcing this indemnification.
- E. The requirements as to the types and limits of insurance coverage to be maintained by CONSULTANT as required by this Agreement, and any approval of said insurance by CITY, will not limit or qualify the liabilities and obligations otherwise assumed by CONSULTANT pursuant to this Agreement, including, without limitation, to the provisions concerning indemnification.

16. **INSURANCE.**

- A. Before commencing performance under this Agreement, and at all other times this Agreement is effective, CONSULTANT will procure and maintain the following insurance with coverage limits complying, at a minimum, with the limits set forth below:

<u>Type of Insurance</u>	<u>Limits</u>
Commercial General Liability:	\$1,000,000
Professional Liability:	\$1,000,000
Business Automobile liability:	\$1,000,000
Workers’ Compensation	Statutory requirement

- B. Commercial general liability insurance will meet or exceed the requirements of the most recent ISO-CGL Form. The amount of insurance set forth above will be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies will be endorsed to name CITY, its officers, employees, attorneys, and designated volunteers as “additional insureds” under said insurance coverage, state that such insurance will be deemed “primary” and non-contributing with any insurance that may be carried by CITY and waive the insurer’s right of subrogation against CITY and its officers, employees, agents and representatives. Such endorsement must be reflected on ISO Form No. CG 20 10 11 85 or 88, or equivalent and are subject to

City's approval. Such insurance will be on an "occurrence," not a "claims made," basis and will not be cancelable or subject to reduction except after thirty (30) days' prior written notice to CITY by the insurer or CONSULTANT, unless canceled for non-payment, then ten (10) calendar days' notice shall be given.

- C. Professional liability coverage will be on an "occurrence basis," if such coverage is available, or on a "claims made" basis if "occurrence basis" is not available. When coverage is provided on a "claims made basis," CONSULTANT will continue to renew the insurance for a period of three (3) years after this Agreement expires or is terminated. Such insurance will have the same coverage and limits as the policy that was in effect during the term of this Agreement, and will cover CONSULTANT for all claims made by CITY arising out of any errors or omissions of CONSULTANT, or its officers, employees or agents during the time this Agreement was in effect. The professional liability policy shall be endorsed as follows: (1) the insurer waives the right of subrogation against CITY and its officers, employees, agents and representatives; and (2) the policies may not be canceled or materially changed except after thirty (30) calendar days' prior written notice by insurer or CONSULTANT to City, unless canceled for non-payment, then ten (10) calendar days' notice shall be given. The endorsements are subject to City's approval.
- D. Automobile coverage will be written on ISO Business Auto Coverage Form CA 00 01 06 92, including symbol 1 (Any Auto). CITY, its officers, employees, attorneys, and designated volunteers shall be named as additional insureds on the policy(ies) as to automobile liability with respect to liabilities arising out of CONSULTANT'S performance of services under this Agreement. The automobile liability policy shall be endorsed as follows: (1) the insurer waives the right of subrogation against CITY and its officers, employees, agents and representatives; (2) the policies are primary and non-contributing with any insurance that may be carried by CITY; and (3) the policies may not be canceled or materially changed except after thirty (30) calendar days' prior written notice by insurer or CONSULTANT to City, unless canceled for non-payment, then ten (10) calendar days' notice shall be given. The endorsements are subject to City's approval.
- E. CONSULTANT will furnish to CITY duly authenticated Certificates of Insurance and executed required endorsements evidencing maintenance of the insurance required under this Agreement and such other evidence of insurance or copies of policies as may be reasonably required by CITY from time to time. Insurance must be placed with insurers admitted to do business in California and with a current A.M. Best Company Rating equivalent to at least a Rating of "A:VII."
- F. Should CONSULTANT, for any reason, fail to obtain and maintain the insurance required by this Agreement, CITY may obtain such coverage at CONSULTANT's expense and deduct the cost of such insurance from payments due to CONSULTANT under this Agreement or terminate pursuant to Section 11.

17. **SUBCONTRACTORS.** CONSULTANT must obtain CITY's prior written approval to use any consultants to perform any portion of this Agreement.
18. **INDEPENDENT CONTRACTOR.** CONSULTANT will be an independent contractor and will have control of all work and the manner in which it is performed. CONSULTANT will be free to contract for similar service to be performed for other employers while under contract with CITY. Neither CONSULTANT nor its employees are agents or employees of CITY generally and, in particular, not for purposes of the defense and indemnity obligations City has toward its employees provided in Government Code Section 825, *et. seq.*. CONSULTANT and its officers and employees are not entitled to participate in any pension plan, insurance, bonus or similar benefits CITY provides for its employees. Any provision in this Agreement that may appear to give CITY the right to direct CONSULTANT as to the details of doing the work or to exercise a measure of control over the work means that CONSULTANT will follow the direction of the CITY as to end results of the work only.
19. **NOTICES.** All communications to either party by the other party will be deemed made when received by such party at its respective name and address as follows:

If to CITY:

City of San Marino  
 2200 Huntington Drive  
 San Marino, California 91108  
 Attention: Cindy Collins, Interim City  
 Manager

If to CONSULTANT:

MV Cheng & Associates, Inc.  
 2021 Oakdale Street  
 Pasadena, California 91107  
 Attention: Misty Cheng

Any such written communications by mail will be conclusively deemed to have been received by the addressee within three days following deposit thereof in the United States Mail, postage prepaid and properly addressed as noted above. In all other instances, notices will be deemed given at the time of actual delivery. Changes may be made in the names or addresses of persons to whom notices are to be given by giving notice in the manner prescribed in this paragraph.

20. **THIRD PARTY BENEFICIARIES.** This Agreement and every provision herein are for the exclusive benefit of CONSULTANT and CITY and not for the benefit of any other party. There will be no incidental or other beneficiaries of any of CONSULTANT's or CITY's obligations under this Agreement.
21. **INTERPRETATION.** This Agreement was drafted in, and shall be construed in accordance with the laws of the State of California, and exclusive venue for any action involving this agreement will be in Los Angeles County.

22. **COMPLIANCE WITH LAW.** CONSULTANT agrees to comply with all federal, state, and local laws applicable to the services.
23. **ENTIRE AGREEMENT.** This Agreement, and its Attachments, set forth the entire understanding of the parties. There are no other understandings, terms or other agreements expressed or implied, oral or written. There is one (1) Attachment to this Agreement. This Agreement will bind and inure to the benefit of the parties to this Agreement and any subsequent successors and assigns.
24. **RULES OF CONSTRUCTION.** Each Party had the opportunity to independently review this Agreement with legal counsel. Accordingly, this Agreement will be construed simply, as a whole, and in accordance with its fair meaning; it will not be interpreted strictly for or against either Party.
25. **SEVERABILITY.** If any portion of this Agreement is declared by a court of competent jurisdiction to be invalid or unenforceable, then such portion will be deemed modified to the extent necessary in the opinion of the court to render such portion enforceable and, as so modified, such portion and the balance of this Agreement will continue in full force and effect.
26. **AUTHORITY/MODIFICATION.** The Parties represent and warrant that all necessary action has been taken by the Parties to authorize the undersigned to execute this Agreement and to engage in the actions described herein. This Agreement may be modified by written amendment approved by the City Council of CITY. CITY' S City Manager may execute any such amendment on behalf of CITY.
27. **CAPTIONS.** The captions of the paragraphs of this Agreement are for convenience of reference only and will not affect the interpretation of this Agreement.
28. **TIME IS OF ESSENCE.** Time is of the essence for each and every provision of this Agreement.
29. **FORCE MAJEURE.** Should performance of this Agreement be prevented due to fire, flood, explosion, acts of terrorism, war, embargo, government action, civil or military authority, the natural elements, or other similar causes beyond the Parties' reasonable control, then the Agreement will immediately terminate without obligation of either party to the other.

[Signatures begin on next page]

IN WITNESS WHEREOF the parties hereto have executed this Agreement the day and year first hereinabove written.

CITY OF SAN MARINO, a California municipal corporation and general law city

MV CHENG & ASSOCIATES, a California corporation\*

\_\_\_\_\_  
Cindy Collins, Interim City Manager

By: \_\_\_\_\_

ATTEST:

Its: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

\_\_\_\_\_  
Veronica Ruiz, City Clerk

Taxpayer ID #: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
Steven L. Dorsey, City Attorney

\* If Corporation or similar entity, two officer signatures or evidence that one signature binds the company is needed.]

## EXHIBIT A

### SCOPE OF SERVICES

The Consultant shall perform the following services:

1. Serve as Finance Director of City and perform all services and duties required of the Finance Director.
2. Develop and direct all budgetary and fiscal operations of the City, including administration of all financial resources and expenditures, and preparation of financial statements; direct development of the City's annual budget; oversee and direct purchasing, risk management, payroll, accounts payable and receivable, business licenses, auditing and cash/treasury management; recommend and develop fiscal procedures; develop and maintain financial accounting and records systems; and manage the daily finance operations of the City.
3. Direct and manage the City's overall accounting records; prepare budgets for all current funds; prepare financial reports in compliance with all federal and state rules, regulations and laws, City policies and procedures and generally accepted accounting principles.
4. Direct and manage the City's purchasing and information systems.
5. Provide leadership, develop programs, administer and coordinate the City's fiscal operations and services; serve as a liaison between the City and community and professional groups and other necessary persons and organizations related to City financial issues.
6. Coordinate fiscal operations with activities with other departments and staff to ensure compliance with the City's fiscal policies, procedures and requirements.
7. Resolves discrepancies or procedural problems and responds to program administration and/or program delivery questions ensuring necessary follow-up occurs; controls program records for operational and budget accountability.
8. Confer with and advise staff and program participants by providing advice, problem solving assistance, answers to questions and interpretation of program goals and policy.
9. Provide administrative support services for the City's personnel system, including, but not limited to participating in negotiations with the City's recognized bargaining units.

Exhibit A

**Error! Unknown document property name.**

# 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: CINDY COLLINS, INTERIM CITY MANAGER

BY: LUCY GARCIA, ASSISTANT CITY MANAGER  
TERI HOPE NELSON, CONTRACTED ADMIN MANAGER

DATE: OCTOBER 12, 2016

SUBJECT: **RESCIND AND REPLACE RESOLUTION NO. 16-06**  
**APPROVING A SALARY AND BENEFITS SCHEDULE FOR**  
**MANAGEMENT EMPLOYEES FROM JUNE 2016 THROUGH JUNE 2019**

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## **BACKGROUND**

On June 8, 2016, the San Marino City Council approved Resolution No. 16-06, which established Management's salary and benefits schedule from June 26, 2016 through June 22, 2019. This resolution specifically authorized:

- Management salaries at the 55<sup>th</sup> percentile pursuant to a market survey. Salary increases applied to limited positions including the Assistant City Manager, Chief of Police, Parks and PW Director/City Engineer, City Clerk, Public Works Manager, City Librarian, and Recreation Manager.
- The addition of a Police Records Manager (and elimination of a Police Records Supervisor in the Supervisory Confidential Schedule).
- Two percent (2%) cost of living increases each year for Managers in FY 2017-18 and FY 2018-19.
- Elimination of Fire Captains from the Management Schedule (Fire Captains transferred to the Fire Fighters Association).
- A cost impact of \$173,230 over the three years (\$65,937 in FY 2016-17).

Staff is currently requesting to rescind this schedule, retain the enhancements previously applied, however, that the City Council approve an amended version pursuant to the following issues.

At the time the Management schedule was presented to the City Council (June 8, 2016), budget considerations for FY 2016-17 were also being approved. As the Council is aware, some of the highlights of the budget discussion included approving two "Police Commanders" within the Police Department, however, such Commander titles do not currently exist in the Management Schedule; hence, the City is required to amend the schedule to be consistent with recently applied operations.

In addition, as recommended with the City Employees' Association Memorandum of Understanding dated October 12, 2016, there are proposed enhancements to the use of cafeteria benefits for employees hired post July 2012. Essentially, the City will eliminate the 50% use it or lose it restriction and allow employees, effective June 26, 2016, to be eligible for the difference of 100% of their cafeteria benefit; however, any difference above 50% can only be placed in deferred compensation. (Employees hired on or after July 1,

2012, can still cash out up to 50% of what they don't use. Above the 50%, they will have to place the difference in deferred compensation.) Any employees hired on or after June 26, 2016 will be required to place *all of the benefit* in deferred compensation if they don't utilize it.

### **FISCAL IMPACT**

There are no additional fiscal costs associated with the prescribed changes to the Management Schedule and Benefits. The Police Department adjustments/costs for Commanders have already been assumed in the FY 2016-17 budget. As things relate to the cafeteria benefit use enhancements, there are no additional costs since full use of the cafeteria benefit is assumed and budgeted for all eligible employees.

### **RECOMMENDATION**

If Council concurs, the appropriate action would be:

“A motion to rescind and replace Resolution No. R-16-06 approving the Salary and Benefits Schedule for Management Employees.”

Attachments: Resolution No. R-16-06  
Management Salary and Benefits Schedule

**RESOLUTION NO. R-16-06**

**RESOLUTION OF THE CITY OF SAN MARINO, CALIFORNIA APPROVING A SALARY AND BENEFIT SCHEDULE FOR MANAGEMENT EMPLOYEES**

**WHEREAS**, Section 02.05.01(A) of the City Code provides that salary and benefits plans for employees are a part of the City’s personnel rules and regulations when approved by resolution of the City Council; and

**WHEREAS**, Section 02.05.01(D) provides that the City Manager shall prepare salary and benefit schedules for presentation to the City Council.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of San Marino, California as follows:

**SECTION 1.** That the “Management Employees Salary and Benefit Schedule” dated June 26, 2016 to June 22, 2019, as attached hereto, and made a part hereof shall be adopted as the salary and benefit schedule for Management employees in the City of San Marino.

**SECTION 2.** That the “Management Employees Salary and Benefit Schedule” shall become a part of the City’s personnel rules and regulations.

**PASSED, APPROVED, AND ADOPTED** this 12<sup>th</sup> day of October, 2016.

\_\_\_\_\_  
DR. ALLAN YUNG, MAYOR

ATTEST:

\_\_\_\_\_  
VERONICA RUIZ  
CITY CLERK

**I HEREBY CERTIFY** that the foregoing Resolution No. R-16-06 was adopted by the City Council of the City of San Marino at a Regular Meeting of the City Council held on the 12<sup>th</sup> day of October 2016, by the following vote:

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

\_\_\_\_\_  
VERONICA RUIZ  
CITY CLERK

**MANAGEMENT EMPLOYEES  
SALARY AND BENEFITS SCHEDULE  
PERIOD COVERING  
JUNE 26, 2016 THROUGH JUNE 22, 2019**

**SECTION 1. INTRODUCTION**

This salary and benefit schedule shall represent the compensation program provided to management employees of the City of San Marino for the period June 26, 2016 through June 22, 2019.

**SECTION 2. SALARY**

The following shall be the salary ranges for management employees:

<b><u>Effective June 26, 2016</u></b>	
<b><u>CLASSIFICATION</u></b>	<b><u>RANGE</u></b>
<b><i>EXECUTIVE MANAGERS:</i></b>	
Finance Director	\$10,588- \$13,449
Assistant City Manager	\$10,980- \$13,947
Chief of Police	\$11,786- \$15,277
Fire Chief*	\$10,884- \$14,210*
Planning and Building Director	\$9,437- \$11,933
Community Services Director	\$9,437- \$11,933
Parks and Public Works Director/City Engineer	\$10,726- \$13,616
<b><i>GENERAL MANAGERS:</i></b>	
Fire Division Chief	\$9,898- \$12,565
<del>Fire Captain</del>	<del>\$7,054- \$8,834</del>
Public Works Division Manager	\$7,494- \$9,363
Environmental Services Manager	\$6,973- \$8,714
<del>Police Commander</del>	<del>\$10,259- \$13,024</del>
Police Captain	\$9,898- \$12,565
Police Lieutenant	\$8,759- \$11,187
Police Records Manager	\$6,052- \$8,193
City Clerk	\$7,820- \$9,540
Recreation Manager	\$7,501- \$9,352
City Librarian	\$7,501- \$9,352

<b><u>Effective June 25, 2017 (2%)</u></b>	
<b><u>CLASSIFICATION</u></b>	<b><u>RANGE</u></b>
<b><i>EXECUTIVE MANAGERS:</i></b>	
Finance Director	\$10,800- \$13,718
Assistant City Manager	\$11,200- \$14,226
Chief of Police	\$12,022- \$15,583
Fire Chief*	\$11,102- \$14,494*
Planning and Building Director	\$9,626- \$12,172
Community Services Director	\$9,626- \$12,172
Parks and Public Works Director/City Engineer	\$10,941- \$13,888

<b>GENERAL MANAGERS:</b>	
Fire Division Chief	\$10,096- \$12,816
<del>Fire Captain</del>	<del>\$7,054- \$8,834</del>
Public Works Division Manager	\$7,644- \$9,550
Environmental Services Manager	\$7,112- \$8,888
<b>Police Commander</b>	<b>\$10,464- \$13,284</b>
Police Captain	\$10,096- \$12,816
Police Lieutenant	\$8,934- \$11,411
Police Records Manager	\$6,173- \$8,357
City Clerk	\$7,976- \$9,731
Recreation Manager	\$7,651- \$9,539
City Librarian	\$7,651- \$9,539

<b>Effective June 24, 2018 (2%)</b>	
<u>CLASSIFICATION</u>	<u>RANGE</u>
<b>EXECUTIVE MANAGERS:</b>	
Finance Director	\$11,016- \$13,992
Assistant City Manager	\$11,424- \$14,511
Chief of Police	\$12,261- \$15,895
Fire Chief*	\$11,324- \$14,784
Planning and Building Director	\$9,819- \$12,415
Community Services Director	\$9,819- \$12,415
Parks and Public Works Director/City Engineer	\$11,159- \$14,166
<b>GENERAL MANAGERS:</b>	
Fire Division Chief	\$10,298- \$13,073
<del>Fire Captain</del>	<del>\$7,054- \$8,834</del>
Public Works Division Manager	\$7,797- \$9,741
Environmental Services Manager	\$7,254- \$9,066
<b>Police Commander</b>	<b>\$10,674- \$13,550</b>
Police Captain	\$10,298- \$13,072
Police Lieutenant	\$9,113- \$11,639
Police Records Manager	\$6,296- \$8,524
City Clerk	\$8,136- \$9,926
Recreation Manager	\$7,804- \$9,730
City Librarian	\$7,804- \$9,730

\*NOTE: The Fire Chief shall be eligible for Special Assignment Pay as a result of the Tri City Fire Command Agreement. Special Assignment Pay is at the City Manager’s discretion and subject to Council approval.

Management employees promoted to their position from within City employment shall receive at least a five percent (5%) salary increase. Management employees appointed from outside City employment shall receive a salary at the level approved by the City Manager.

Management employees shall be eligible for a merit increase within their appropriate salary range following their initial probationary period, and each twelve (12) months thereafter, following an evaluation of the employee by the City Manager.

Employees with unsatisfactory performance shall not receive a merit increase or any other salary increase granted by the City Council, including cost of living adjustments.

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Management employees appointed to a position from outside the City may be paid at a salary range higher than those indicated in this Section upon recommendation of the City Manager and ~~minute~~ approval of the City Council.

The technology allowance for management employees may be up to \$200 per month, at the City Manager's discretion.

### **SECTION 3. VEHICLE USE**

Management employees required to use their own vehicles for City business may be reimbursed for mileage at the rate established by the Internal Revenue Service.

The following positions ~~may-will~~ be assigned City vehicles, with the approval of the City Manager, for their use due to the unique nature of these positions and their responsibility at any and all times to be called upon to respond to emergency situations:

- Police Chief
- Police Commander
- Police Captain
- Police Lieutenant
- Fire Chief
- Fire Division Chief
- Parks and Public Works Director/City Engineer
- Parks and Public Works Manager

The City will provide all maintenance upkeep, fuels, and insurance on the assigned City vehicle. Personal use of the assigned City vehicle beyond commuting from home to work and work to home is prohibited, except during those times when the employee is on call during which time the employees personal use is limited to the local area. Any employee issued a City vehicle agrees to hold the City harmless to waive all rights to seek damages for injury to him/herself for personal use of the vehicle. The waiver shall be prepared by the City.

Assignment of a City vehicle may be revoked or modified by the City Council or City Manager or respective department manager without recourse by the employee.

### **SECTION 4. RETIREMENT**

~~EThe Employees~~ shall pay the full amount of the employee's seven percent (7%) contribution for non- public safety managers and nine percent (9%) for public safety managers to the California Public Employees Retirement System. Police managers hired after November 18, 2012, shall pay seven percent (7%) contribution to the California Public Employees Retirement System. Employees hired on or after January 1, 2013 shall pay 6.5% for non-public safety managers and 10.25% for public safety managers (or half of the normal costs of the employee's contribution) to the California Public Employees Retirement System. The contribution shall be reported as being those of the affected employee so they will be credited to the particular employee's account with P.E.R.S. The retirement program shall be the same as for general or public safety employees of the City, as applicable.

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Classic Management employees (hired prior to July 1, 2012) (not public safety) shall be eligible to retire 2% at 55 upon the single highest compensation for the retiring employee. Management employees

(except for public safety employees which are subject to their established P.E.R.S. retirement benefit ) hired on or after July 1, 2012, shall be eligible to retire under the 2% at 60 formula based on highest average annual pensionable compensation earned during the last three years. Pursuant to Pension Reform Act, non-public safety employees hired on or after January 1, 2013 shall be eligible to retire 2% at 62 based on highest average pensionable compensation earned during the last three years.

**SECTION 5. MEDICAL AND OTHER HEALTH BENEFITS**

(a) FLEXIBLE MEDICAL BENEFITS. Effective February 1, 2009 the City of San Marino commenced participation in the Public Employees’ Medical and Hospital Care Act, Government Code Sections 22750 et. seq. The employer contribution for annuitants shall at all times equal employer contribution paid for active employees. Medical benefits shall be under the P.E.R.S. medical program.

(b) OTHER HEALTH BENEFITS. The City shall make available to current employees group dental, vision and life insurance and long term disability insurance programs, for as long as employee participation permits such programs to be provided. Employees may join or remove themselves or their dependents from participation in any program once annually. The City shall notify employees of the join/remove period by providing a notice with payroll at least three (3) weeks prior to the time period.

(c) EMPLOYEE PARTICIPATION. All employees shall be covered under the P.E.R.S. medical program, except as provided for herein. The employee may select from the P.E.R.S. plans which health program is best for the employee's family once annually. Employees may modify their dependent medical coverage under the P.E.R.S. health plan as permitted by the insurance company. Should the program cost more than the City's contribution provided in this Article, the City shall deduct the additional funds from the employee's paycheck to pay the difference.

(d) CITY CONTRIBUTION. The City's contribution is established at two-hundred seventy-five dollars (\$275.00) per month per annuitant and active employee, ~~except for Fire Department personnel, who shall receive two hundred dollars (\$200.00).~~ This monthly contribution shall only increase as required by the Board of Administration of the Public Employees’ Retirement System or the State Legislature, as set forth in Government Code Section 22892.

The City of San Marino will establish a flexible floating fringe benefit pool (“FFBP”) for currently active employees. This “FFBP” shall not be used by any current annuitants or future annuitants. The purpose of the “FFBP” is to provide current active employees with additional health insurance, life insurance, vision insurance and dental insurance. The City of San Marino shall contribute a flat rate of nine hundred and twenty five dollars (\$925.00) per month on behalf of each currently active employee to the “FFBP”, ~~except for Fire Department personnel, who shall receive a flat rate of one thousand (\$1000.00) dollars.~~

Should the employee select a program which is less than the City's current contribution, employees hired prior to July 1, 2012, the difference may be placed in a deferred compensation plan provided by the City for each dollar remaining or receive the entire “FFBP” allotment of \$1,200.00 in cash, less applicable taxes. Said cash out, shall not be compensable to CalPERS as salary pursuant to California Code of Regulations Chapter 2, Article 5, Section 571 (2CCR571).

For employees hired on or after July 1, 2012, should the employee select a program which is less than the City’s current contribution, ~~only fifty percent (50%) of the difference may be placed in a deferred compensation plan provided by the City for each dollar remaining or receive fifty percent (50%) of the FFBP allotment in cash, less applicable taxes.—Said cash out shall not be compensable to CALPERS as~~

~~salary pursuant to the California Code of Regulations Chapter 2, Article 5, Section 571 (2CCR571)-the employee shall be eligible to cash out, or place in deferred compensation the difference of 50%; they may continue to do so with the same amounts in effect June 25, 2016. Said 50% of the cash out shall not be compensable to CalPERS as salary pursuant to the California Code of Regulations Chapter 2, Article 5, Section 571 (2CCR571). Effective June 26, 2016, those employees are eligible for 100% of the difference; however, this additional FFBP may only be placed in deferred compensation. Employees hired on or after June 26, 2016 will be required to place all FFBP in deferred compensation if not utilized.~~

In the event that the "FFBP" fails to cover the actual costs of the additional health insurance, life insurance, vision insurance, and dental insurance, the individual employee shall pay the difference.

If an employee is able to provide proof of coverage under a spouse's or other health insurance plan, the employee need not obtain health insurance under the City's provided P.E.R.S. medical program. All employees electing not to participate in the City's P.E.R.S. medical program shall be required to:

1. Submit adequate written proof of medical coverage;
2. Provide the City with no less than thirty (30) days written notice before any such medical coverage is canceled; and
3. Execute a liability and hold harmless release form removing the City from all liability resulting from medical coverage or the lack thereof.

(e) RETIREE PARTICIPATION. Retirees, who have retired under a P.E.R.S. retirement program after a minimum of five (5) years of full-time employment with the City or who have been authorized by the City Manager, shall be eligible to participate in the P.E.R.S. medical program, the dental program and the vision plan provided by the City for current employees as provided in this Article.

Retirees and their dependents shall be eligible to remain in the P.E.R.S. medical program for as long as they shall meet the requirements of said program. Retirees shall be eligible to participate in the other health programs provided for herein until they reach the age of sixty-five (65). Retirees may carry dependent coverage under the health programs (other than P.E.R.S. medical) provided for herein until the dependent reaches the age of sixty-five (65).

Retirees shall be provided \$275 per month ~~except Fire Department Personnel who shall receive \$200.00 per month~~, to be used for payment toward the medical and health benefits contained herein. If a retiree selects a program(s) in excess of the amount provided by the City, the Retiree shall be responsible for paying the balance due. Should the retiree select a program(s) costing less than the amount provided by the City or elect not to have any coverage, the employee shall have no rights to the balance available.

Each August 1st thereafter, the City shall increase the contribution available to retirees by the amount required by the P.E.R.S. medical program.

## **SECTION 7. HOLIDAYS**

All management employees shall be entitled to the following eleven (11) holidays as days off with pay:

New Year's Day  
President's Day  
Memorial Day

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Fourth of July  
Labor Day  
Veteran's Day  
Thanksgiving Day  
Friday after Thanksgiving  
Christmas Eve  
Christmas Day  
New Year's Eve

## **SECTION 8. SICK LEAVE**

Sick leave shall be used solely for:

- Diagnosis, care or treatment of an existing health condition or preventative care for an employee or an employee's family member(s). Family member includes parent, child, spouse, registered domestic partner, parent-in-law, sibling, grandchild, or grandparent.
- To obtain relief or services related to being a victim of domestic violence, sexual assault, or stalking as described in Labor Code Section 230(c) and 230.1(a).

In the event an employee experiences a catastrophic illness, the employee may be credited donated sick leave hours from other employees' sick leave accruals upon prior approval of the City Manager. The employee must first exhaust all their sick and vacation leave prior to receiving any sick leave donation.

Each employee shall accrue five (5) hours of sick leave time at the end of each pay period not to exceed ten (10) hours per month, up to a maximum of two-hundred and forty (240) hours. Upon reaching the maximum accrual allowed, accrued hours received above the maximum shall be placed in a "bank," only to be used in the event of a catastrophic illness with the approval of the City Manager.

An employee shall submit a "Leave Request" form to the City Manager no less than twenty-four (24) hours prior to taking sick leave for pre-scheduled medical appointments. An employee who has been absent from work due to illness shall complete a "Leave Request" form on the day he/she returns to work indicating the date, times and nature of illness.

Newly hired employees shall receive sixty (60) hours of sick leave time on the date of initial hire as an advance for accruals, and shall be eligible to begin the monthly accrual provided for herein beginning the first day of the month following completion of six (6) months of employment.

Employees leaving employment with the City for any reason within the first six (6) months of employment, having received an advance for accruals of sick leave time and having used said sick leave time at a rate greater than ten (10) or twelve (12) hours as applicable of sick leave time off for each month of actual employment during the six (6) month period of the advance, shall have the amount of sick leave time off in excess of ten (10) or twelve (12) hours per month deducted from the employee's final payroll on an hour for hour basis at the employee's hourly salary rate at the time of separation.

No portion of this Section shall be deemed to prevent an employee from utilizing other accrued leave time for the purpose of medical or sick leave.

Management employees may elect to cash out sick leave balances in excess of 160 hours at a rate of .50 on the dollar at their regular hourly rate of pay. Employees must maintain a minimum of 160 hours of

**AGENDA ITEM NO. [ ]**

sick leave in order to be compensated. Accruals will be based on balances during the last pay period of each fiscal year covered by the contract. Employees shall have no vested rights in the accrued sick leave time upon termination with the City.

**SECTION 9. BEREAVEMENT LEAVE**

On the death of a member of an employee's immediate family; meaning spouse, natural or adopted child, step-child, grandchild, brother, sister, parent, grandparent, parent-in-law, brother-in-law or sister-in-law, step-parent, step-brother, step-sister, or other relative living in the same household, the employee shall be granted bereavement leave as follows:

- (a) If the death occurred within a two hundred (200) mile radius of the City of San Marino, the employee shall be granted up to three (3) days bereavement leave.
- (b) If the death occurred outside a two hundred (200) mile radius of the City of San Marino, the employee shall be granted up to five (5) days bereavement leave.

Upon request, the City Manager may grant paid bereavement leave in excess of the leave provided herein.

**SECTION 10. VACATION LEAVE**

All management employees, ~~except Fire Captains~~, shall accrue vacation leave in accordance with the following formula:

- (a) 7.5 hours for each month during the first (1<sup>st</sup>) through fifth (5<sup>th</sup>) year of employment (90.0 hours annually).
- (b) 8.0 hours for each month during the sixth (6<sup>th</sup>) year of employment (96.0 hours annually).
- (c) 9.0 hours for each month during the seventh (7<sup>th</sup>) year of employment (108.0 hours annually).
- (d) 9.5 hours for each month during the eighth (8<sup>th</sup>) year of employment (114.0 hours annually).
- (e) 10.0 hours for each month during the ninth (9<sup>th</sup>) through the nineteenth (14<sup>th</sup>) year of employment (120.0 hours annually).
- (f) 11.5 hours for each month during the fifteenth (15<sup>th</sup>) through the nineteenth (19<sup>th</sup>) year of employment (138 hours annually).
- (g) 13.5 hours for each month during the twentieth (20<sup>th</sup>) through the twenty-fifth (25<sup>th</sup>) year of employment (162.0 hours annually).
- (h) 15.0 hours for each month beginning with the twenty-sixth (26<sup>th</sup>) year of employment (180.0 hours annually).

Vacation leave shall be deemed as having been accrued by the employee only at the end of the pay period in which the employee was in the service of the City. If employment begins prior to the fifteenth (15<sup>th</sup>) of the month, vacation leave shall be accrued for that month. If employment begins after the fifteenth

(15<sup>th</sup>) of the month vacation leave shall be accrued beginning with the first (1<sup>st</sup>) day of the following month. If termination occurs prior to the sixteenth (16<sup>th</sup>) day of the month no vacation leave shall be accrued for that month.

Accrual at the next highest incremental rate shall begin at the end of the first pay period ending after the employee's anniversary date of original employment with the City, regardless of any promotions or demotions. If the anniversary date is the first (1<sup>st</sup>) of the month the higher rate shall be credited for that month. If the anniversary date is the sixteenth (16<sup>th</sup>) of the month the higher rate shall begin with the first (1<sup>st</sup>) day of the following month.

Management employees shall be eligible to accrue a maximum of two (2) times the annual vacation leave for which the employee is eligible pursuant to this Section. Vacation leave in excess of the maximum accrual shall be compensated on the regular payroll following the month in which the maximum accrual was attained at the hourly rate pay in effect in the month of accrual. Accrual in excess of the maximum permitted herein may be granted by the City ~~m~~Manager if special circumstances so warrant.

#### **SECTION 11. ADMINISTRATIVE LEAVE**

Management employees shall be eligible for administrative leave in recognition of the additional hours required in performance of their duties. Administrative leave shall be taken only upon the approval of the City Manager. Administrative leave shall be accrued at the end of the first pay period beginning after July 1<sup>st</sup> of each year and shall not be carried beyond the fiscal year in which it is accrued, and remaining administrative leave time shall not be compensated.

Management employees may accrue up to eighty 80 hours of administrative leave annually at the discretion of the ~~D~~department ~~h~~Head or City Manager.

#### **SECTION 12. OTHER LEAVES OF ABSENCE**

Management employees may be eligible for absence without pay for periods of up to thirty (30) days upon approval of the City Manager.

Management employees may be eligible for absence with or without pay for a period of not more than one (1) year upon approval of the City Manager and the City Council.

#### **SECTION 13. PROBATION UPON APPOINTMENT**

All management employees shall be subject to a six (6) month probationary period following their appointment to a management position, unless extended further by the City Manager.

#### **SECTION 14. UNIFORMS**

Management employees required to wear a uniform regularly as part of their duties for the City shall have the uniforms provided by the City. Fire Division Chiefs shall be provided the sum of \$200 each year for maintenance of regular fire ~~uniforms~~wear.

~~The~~ Parks & Public Works Division Managers shall be provided the sum of \$100 each year for replacement of work boots.

**AGENDA ITEM NO. [ ]**

**SECTION 15. RETIREMENT HEALTH SAVINGS PLAN**

The City agrees to sponsor a Retirement Health Savings Plan (RHS), pursuant to the employee group agreeing on contributions and meeting the RHS plan criteria.

At this time, mid-managers (non-public safety) have not elected to form a RHS group.

The Executive Managers portion of this group (non-public safety) has elected to consolidate for the purposes of forming a Retirement Health Savings Plan, which requires the Executive members to deposit one hundred percent (100%) of excess vacation as accrued by paycheck and one hundred percent (100%) of sick leave cash out of time above the required balance of 160 hours at the end of the fiscal year.

Fire Managers have elected to participate in RHS, requiring 100% of excess sick leave payout on annual basis (above 160 hours); 100% of excess vacation payout as accrued (by paycheck); 100% of vacation payout upon separation of service; and 100% of holiday pay on annual basis.

Police Managers have elected to participate in RHS, requiring 3% of earning for the plan (effective July 1, 2011) and 100% of sick leave cash out at the end of the fiscal year (above 160 hours).

# 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: CINDY COLLINS, INTERIM CITY MANAGER

BY: LUCY GARCIA, ASSISTANT CITY MANAGER  
TERI HOPE NELSON, CONTRACTED ADMIN MANAGER

DATE: OCTOBER 12, 2016

SUBJECT: **RESCIND AND REPLACE RESOLUTION NO. 16-07**  
**APPROVING A SALARY AND BENEFITS SCHEDULE FOR**  
**SUPERVISORY/ CONFIDENTIAL EMPLOYEES FROM**  
**JUNE 2016 THROUGH JUNE 2019**

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## **BACKGROUND**

On June 8, 2016, the San Marino City Council approved Resolution No. 16-07, which established Supervisory/ Confidential's Salary and Benefits Schedule from June 26, 2016 through June 22, 2019. This resolution specifically authorized:

- Supervisory/ Confidential salaries at the 55<sup>th</sup> percentile pursuant to a market survey. Salary increases applied to limited positions including the Senior Planner, Recreation Supervisor, Associate Planner and Assistant Planner.
- The elimination of a Police Records Supervisor (and addition of a Police Records Manager in the Management Schedule).
- Two percent (2%) cost of living increases each year for Supervisory/Confidential employees in FY 2017-18 and FY 2018-19.
- A cost impact of \$100,945 over the three years (\$50,907 in FY 2016-17).

Staff is currently requesting to rescind this schedule, retain the enhancements previously applied, however, that the City Council approve an amended version pursuant to the following issues.

As recommended with the City Employees' Association Memorandum of Understanding dated October 12, 2016, there are proposed enhancements to the use of cafeteria benefits for employees hired post July 2012. Essentially, the City will eliminate the 50% use it or lose it restriction and allow employees, effective June 26, 2016, to be eligible for the difference of 100% of their cafeteria benefit; however, any difference above 50% can only be placed in deferred compensation. (Employees hired on or after July 1, 2012, can still cash out up to 50% of what they don't use. Above the 50%, they will have to place the difference in deferred compensation.) Any employees hired on or after June 26, 2016 will be required to place *all of the benefit* in deferred compensation if they don't utilize it.

## **FISCAL IMPACT**

There are no additional fiscal costs associated with the prescribed changes to the Supervisory/Confidential Schedule and Benefits. There are no additional costs related to the cafeteria benefit use enhancements since full use of the cafeteria benefit is assumed and budgeted for all eligible employees.

## **RECOMMENDATION**

If Council concurs, the appropriate action would be:

“A motion to rescind and replace Resolution No. R-16-07 approving the Salary and Benefits Schedule for the Supervisory/ Confidential employees from June 2016 through June 2019.”

Attachments: Resolution No. R-16-07  
Supervisory/Confidential Salary and Benefits Schedule

**RESOLUTION NO. R-16-07**

**RESOLUTION OF THE CITY OF SAN MARINO, CALIFORNIA APPROVING A SALARY AND BENEFIT SCHEDULE FOR SUPERVISORY/CONFIDENTIAL EMPLOYEES**

**WHEREAS**, Section 02.05.01(A) of the City Code provides that salary and benefits plans for employees are a part of the City’s personnel rules and regulations when approved by resolution of the City Council; and

**WHEREAS**, Section 02.05.01(D) provides that the City Manager shall prepare salary and benefit schedules for presentation to the City Council.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of San Marino, California as follows:

**SECTION 1.** That the “Supervisory/Confidential Employees Salary and Benefit Schedule” dated June 26, 2016 through June 22, 2019 is attached hereto, and made a part hereof shall be adopted as the salary and benefits schedule for Supervisory/Confidential employees in the City of San Marino.

**SECTION 2.** That the “Supervisory/Confidential Employees Salary and Benefit Schedule” shall become a part of the City’s personnel rules and regulations.

**PASSED, APPROVED, AND ADOPTED** this 12th day of October, 2016.

\_\_\_\_\_  
DR. ALLAN YUNG, MAYOR

ATTEST:

\_\_\_\_\_  
VERONICA RUIZ  
CITY CLERK

**I HEREBY CERTIFY** that the foregoing Resolution No. R-16-07 was adopted by the City Council of the City of San Marino at a Regular Meeting of the City Council held on the 12<sup>th</sup> day of October 2016, by the following vote:

AYES :

NOES :

ABSENT :

ABSTAIN :

\_\_\_\_\_  
VERONICA RUIZ  
CITY CLERK

**SUPERVISORY/CONFIDENTIAL EMPLOYEES  
SALARY AND BENEFITS SCHEDULE  
PERIOD COVERING  
JUNE 26, 2016 THROUGH JUNE 22, 2019**

**SECTION 08.01 INTRODUCTION**

This salary and benefit schedule shall represent the compensation program provided to Supervisory/Confidential employees of the City of San Marino for the period June 26, 2016 through June 22, 2019.

**SECTION 08.02 SALARY**

The following shall be the salary ranges for Supervisory/Confidential employees:

<b><u>EFFECTIVE JUNE 26, 2016</u></b>	
<u>CLASSIFICATION</u>	<u>RANGE</u>
<u>Exempt</u>	
Senior Planner	\$6,343- \$7,866
<del>Police Records Communications Supervisor</del>	<del>\$5,019 - \$6,203</del>
Recreation Supervisor	\$5,735- \$7,103
<u>Non-Exempt</u>	
Administrative Analyst	\$5,020-- \$6,124
Administrative Assistant	\$4,275-- \$5,225
Associate Planner	\$5,346- \$6,526
Assistant Planner	\$4,924- \$6,008
Code Compliance Coordinator	\$4,874-- \$6,022
Executive Secretary	\$4,070-- \$4,965
Police Records Clerk	\$3,952-- \$4,820
Accountant I	\$4,369-- \$5,352

<b><u>EFFECTIVE JUNE 25, 2017 (2%)</u></b>	
<u>CLASSIFICATION</u>	<u>RANGE</u>
<u>Exempt</u>	
Senior Planner	\$6,470- \$8,023
<del>Police Records Communications Supervisor</del>	<del>\$5,019 - \$6,203</del>
Recreation Supervisor	\$5,848- \$7,245
<u>Non-Exempt</u>	
Administrative Analyst	\$5,120- \$6246
Administrative Assistant	\$4,361- \$5,330
Associate Planner	\$5,453- \$6,657
Assistant Planner	\$5,022- \$6,128
Code Compliance Coordinator	\$4,971- \$6,142
Executive Secretary	\$4,151- \$5,064
Police Records Clerk	\$4,031- \$4,916
Accountant I	\$4,456- \$5,459

SUPERVISORY/CONFIDENTIAL EMPLOYEES – SALARY AND BENEFITS SCHEDULE  
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<b><u>EFFECTIVE JUNE 24, 2018 (2%)</u></b>	
<u>CLASSIFICATION</u>	<u>RANGE</u>
<u>Exempt</u>	
Senior Planner	\$6,599- \$8,183
<del>Police Records Communications Supervisor</del>	<del>\$5,019- \$6,203</del>
Recreation Supervisor	\$5,965- \$7,390
<u>Non-Exempt</u>	
Administrative Analyst	\$5,222- \$6,371
Administrative Assistant	\$4,448- \$5,437
Associate Planner	\$5,562- \$6,790
Assistant Planner	\$5,122- \$6,251
Code Compliance Coordinator	\$5,070- \$6,265
Executive Secretary	\$4,234- \$5,165
Police Records Clerk	\$4,112- \$5,014
Accountant I	\$4,545- \$5,568

Supervisory/Confidential employees promoted to their position from within City employment shall receive a salary at the step within the appropriate range, which shall provide at least a five percent (5%) salary increase. Supervisory/Confidential employees appointed from outside City employment shall receive a salary at the step approved by the City Manager.

Supervisory/Confidential employees shall be eligible for a merit increase within their appropriate salary range following their initial probationary period, and each twelve (12) months thereafter, following an evaluation of the employee by the immediate supervisor and approval by the Department Head.

Employees with unsatisfactory performance shall not receive a merit increase or any other salary increase granted by the City Council, including cost of living adjustments.

**SECTION 08.03 TUITION REIMBURSEMENT**

With the approval of the Department Head and City Manager, Supervisory/Confidential employees may receive reimbursement of tuition, books, and other fees incurred in the completion of college course work relating to their city employment. The amount to be reimbursed is to be determined by the Department Head, and is subject to City Manager approval, pending availability of funds.

**SECTION 08.04 RETIREMENT**

Employees shall pay the seven percent (7%) of the employee's contribution to the California Public Employees Retirement System. Employees hired on or after January 1, 2013 shall pay 6.5% or half of non-Classic normal costs of the employee's contribution to the California Public Employees Retirement System. The contribution shall be reported as those of the affected employees so they will be credited to the particular employee's account with P.E.R.S. The retirement program shall be the same as for general or public safety employees of the City, as applicable.

Classic employees (hired prior to July 1, 2012) shall be eligible to retire 2% at 55 upon the single highest year compensation for the retiring employee. Employees hired on or after July 1, 2012 shall be eligible to retire under the 2% at 60 formula based on highest average annual pensionable compensation earned during the last three years. Pursuant to the Pension Reform Act, employees hired on or after January 1, 2013 shall be eligible to retire at 2% at 62 based on highest average annual pensionable compensation earned during the last three years. ~~Employees in any of these tiers shall pay the seven percent (7%) employee P.E.R.S. share.~~

#### **SECTION 08.05 MEDICAL AND OTHER HEALTH BENEFITS**

(a) FLEXIBLE MEDICAL BENEFITS. Effective February 1, 2009 the City of San Marino commenced participation in the Public Employees' Medical and Hospital Care Act, Government Code Sections 22750 et. Seq. The employer contribution for annuitants shall at all times equal employer contribution paid for active employees. Medical benefits shall be under the P.E.R.S. medical program.

(b) OTHER HEALTH BENEFITS. The City shall make available to current employees group dental, vision and life insurance and long term disability insurance programs, for as long as employee participation permits such programs to be provided. Employees may join or remove themselves or their dependents from participation in any program once annually. The City shall notify employees of the join/remove period by providing a notice with payroll at least three (3) weeks prior to the time period.

(c) EMPLOYEE PARTICIPATION. All employees shall be covered under the P.E.R.S. medical program, except as provided for herein. The employee may select from the P.E.R.S. plans which health program is best for the employee's family once annually. Employees may modify their dependent medical coverage under the P.E.R.S. health plan as permitted by the insurance company. Should the program cost more than the City's contribution provided in this Article, the City shall deduct the additional funds from the employee's paycheck to pay the difference.

(d) CITY CONTRIBUTION. The City's contribution is established at one hundred seventy five (\$175.00) per month per annuitant and active employee. This monthly contribution shall only increase as required by the Board of Administration of the Public Employees' Retirement System or the State Legislature, as set forth in Government Code Section 22892.

The City of San Marino will establish a flexible floating fringe benefit pool ("FFBP") for currently active employees. This "FFBP" shall not be used by any current annuitants or future annuitants. The purpose of the "FFBP" is to provide currently active employees with additional health insurance, life insurance, vision insurance and dental insurance. The City of San Marino shall contribute a flat rate of one thousand and twenty five dollars (\$1,025.00) per month on behalf of each currently active employee to the "FFBP".

Should the employee select a program which is less than the City's current contribution, employees hired prior to February 26, 2012 are eligible to place the difference in a deferred

compensation plan provided by the City for each dollar remaining or receive the entire “FFBP” allotment of \$1,200 in cash, less applicable taxes. Said cash out, shall not be compensable to CalPERS as salary pursuant to California Code of Regulations Chapter 2, Article 5, Section 571 (2CCR571).

~~For employees hired on or after February 26, 2012, should the employee select a program which is less than the City’s current contribution, only fifty percent (50%) of the difference may be placed in a deferred compensation plan provided by the City for each dollar remaining or receive fifty percent (50%) of the FFBP allotment in cash, less applicable taxes. Said cash out shall not be compensable to CALPERS as salary pursuant to the California Code of Regulations Chapter 2, Article 5, Section 571 (2CCR571).~~

~~For employees hired on or after February 26, 2012, should the employee select a program which is less than the City’s current contribution, the employee shall be eligible to cash out, or place in deferred compensation the difference of 50%; they may continue to do so with the same amounts in effect June 25, 2016. Said 50% of the cash out shall not be compensable to CalPERS as salary pursuant to the California Code of Regulations Chapter 2, Article 5, Section 571 (2CCR571). Effective June 26, 2016, those employees are eligible for 100% of the difference; however, this additional FFBP may only be placed in deferred compensation. Employees hired after on or after June 26, 2016 will be required to place all FFBP in deferred compensation if not utilized.~~

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In the event the FFBP fails to cover the actual costs of the additional health insurance, life insurance, vision insurance, and dental insurance, the individual employee shall pay the difference.

If an employee is able to provide proof of coverage under a spouse's or other health insurance plan, the employee need not obtain health insurance under the City's provided P.E.R.S. medical program. All employees electing not to participate in the City's P.E.R.S. medical program shall be required to:

1. Submit adequate written proof of medical coverage;
2. Provide the City with no less than thirty (30) days written notice before any such medical coverage is canceled; and
3. Execute a liability and hold harmless release form removing the City from all liability resulting from medical coverage or the lack thereof.

**Section 8.06. RETIREE PARTICIPATION**

Retirees shall be provided \$175 per month to be used for payment toward the medical and health benefits contained herein. If a retiree selects a program(s) in excess of the amount provided by the City, the Retiree shall be responsible for paying the balance due. Should the retiree select a program(s) costing less than the amount provided by the City, the employee shall have no rights to the balance available.

Each August 1st thereafter, the City shall increase the contribution available to retirees by the amount required by the P.E.R.S. medical program.

**SECTION 08.07 HOLIDAYS**

All Supervisory/Confidential employees shall be entitled to the following holidays as days off with pay:

New Year's Day  
President's Day  
Memorial Day  
Fourth of July  
Labor Day  
Veteran's Day  
Thanksgiving Day  
Friday after Thanksgiving  
Christmas Eve  
Christmas Day  
New Year's Eve

**SECTION 08.08 SICK LEAVE**

Sick leave shall be used solely for:

- Diagnosis, care or treatment of an existing health condition or preventative care for an employee or an employee's family member(s). Family member includes parent, child, spouse, registered domestic partner, parent-in-law, sibling, grandchild, or grandparent.
- To obtain relief or services related to being a victim of domestic violence, sexual assault, or stalking as described in Labor Code Section 230(c) and 230.1(a).

In the event an employee experiences a catastrophic illness, the employee may be credited donated sick leave hours from other employees' sick leave accruals upon prior approval of the City Manager. The employee must first exhaust all their sick and vacation leave prior to receiving any sick leave donation on use of catastrophic leave.

Each employee shall accrue five (5) hours of sick leave time at the end of each pay period, not to exceed 10 hours per month, up to a maximum of two-hundred and forty (240) hours. Upon reaching the maximum accrual allowed, accrued hours received above the maximum shall be placed in a "bank," only to be used in the event of a catastrophic illness with the approval of the City Manager. In addition, this catastrophic leave cannot be converted to PERS service credit upon retirement.

An employee shall submit a "Leave Request" form to the Department Head no less than twenty-four (24) hours prior to taking sick leave for pre-scheduled medical appointments. An employee who has been absent from work due to illness shall complete a "Leave Request" form on the day he/she returns to work indicating the date, times and nature of illness.

Newly hired employees shall receive sixty (60) hours of sick leave time on the date of initial hire as an advance for accruals, and shall be eligible to begin the monthly accrual provided for herein

beginning the first day of the month following completion of six (6) months of employment.

Employees leaving employment with the City for any reason within the first six (6) months of employment, having received an advance for accruals of sick leave time and having used said sick leave time at a rate greater than ten (10) or twelve (12) hours as applicable, of sick leave time off for each month of actual employment during the six (6) month period of the advance, shall have the amount of sick leave time off in excess of ten (10) or twelve (12) hours as applicable, hours per month deducted from the employee's final payroll on an hour for hour basis at the employee's hourly salary rate at the time of separation.

No portion of this Section shall be deemed to prevent an employee from utilizing other accrued leave time for the purpose of medical or sick leave.

Supervisory/Confidential employees may elect to cash out sick leave balances in excess of 160 hours at a rate of .50 on the dollar at their regular hourly rate of pay. Employees must maintain a minimum of 160 hours of sick leave in order to be compensated. Accruals will be based on balances during the last pay period of each fiscal year covered by the contract. Employee shall have no vested rights in the accrued sick leave time upon termination with the City.

#### **SECTION 08.09 BEREAVEMENT LEAVE**

On the death of a member of an employee's immediate family; meaning spouse, natural or adopted child, step-child, grandchild, brother, sister, parent, grandparent, parent-in-law, brother-in-law or sister-in-law, step-parent, step-brother, step-sister, or other relative living in the same household, the employee shall be granted bereavement leave as follows:

- (a) If the death occurred within a two hundred (200) mile radius of the City of San Marino, the employee shall be granted up to three (3) days bereavement leave.
- (b) If the death occurred outside a two hundred (200) mile radius of the City of San Marino, the employee shall be granted up to five (5) days bereavement leave.

Upon request, the City Manager may grant paid bereavement leave in excess of the leave provided herein.

#### **SECTION 08.10 VACATION LEAVE**

All Supervisory/Confidential employees shall accrue vacation leave in accordance with the following formula:

- (a) 7.5 hours for each month during the first (1<sup>st</sup>) through fifth (5<sup>th</sup>) year of employment (90.0 hours annually).
- (b) 8.0 hours for each month during the sixth (6<sup>th</sup>) year of employment (96.0 hours annually).

- (c) 9.0 hours for each month during the seventh (7<sup>th</sup>) year of employment (108.0 hours annually).
- (d) 9.5 hours for each month during the eighth (8<sup>th</sup>) year of employment (114.0 hours annually).
- (e) 10.0 hours for each month during the ninth (9<sup>th</sup>) through the nineteenth (19<sup>th</sup>) year of employment (120.0 hours annually).
- (f) 11.5 hours for each month during the fifteenth (15<sup>th</sup>) through the nineteenth (19<sup>th</sup>) year of employment (138 hours annually).
- (g) 13.5 hours for each month during the twentieth (20<sup>th</sup>) through the twenty-fifth (25<sup>th</sup>) year of employment (162.0 hours annually).
- (h) 15.0 hours for each month beginning with the twenty-sixth (26<sup>th</sup>) year of employment (180.0 hours annually).

Vacation leave shall be deemed as having been accrued by the employee only at the end of the pay period in which the employee was in the service of the City. If employment begins prior to the fifteenth (15<sup>th</sup>) of the month, vacation leave shall be accrued for that month. If employment begins after the fifteenth (15<sup>th</sup>) of the month vacation leave shall be accrued beginning with the first (1<sup>st</sup>) day of the following month. If termination occurs prior to the sixteenth (16<sup>th</sup>) day of the month no vacation leave shall be accrued for that month.

Accrual at the next highest incremental rate shall begin at the end of the first pay period beginning after the employee's anniversary date of original employment with the City, regardless of any promotions or demotions. If the anniversary date is the first (1<sup>st</sup>) of the month the higher rate shall be credited for that month. ~~If the anniversary date is the sixteenth (16<sup>th</sup>) of~~

the month the higher rate shall begin with the first (1<sup>st</sup>) day of the following month.

Supervisory/Confidential employees shall be eligible to accrue a maximum of two (2) times the annual vacation leave for which the employee is eligible pursuant to this section. Vacation leave in excess of the maximum accrual shall be compensated on the regular payroll following the month in which the maximum accrual was attained at the hourly rate pay in effect in the month of accrual. Accrual in excess of the maximum permitted herein may be granted by the City Manager if special circumstances so warrant.

#### **SECTION 08.11 ADMINISTRATIVE LEAVE**

Supervisory/Confidential exempt employees shall be eligible for administrative leave in recognition of the additional hours required in performance of their duties. Administrative leave

shall be taken only upon the approval of the Department Head. Administrative leave shall be accrued at the end of the first pay period beginning after July 1<sup>st</sup> of each year and shall not be carried beyond the fiscal year in which it is accrued, and remaining administrative leave time shall not be compensated for.

Supervisory/Confidential exempt employees may accrue up to sixty (60) hours of administrative leave time annually at the discretion of their supervisor.

**SECTION 08.12 OTHER LEAVES OF ABSENCE**

Supervisory/Confidential employees may be eligible for absence without pay for periods of up to thirty (30) days upon approval of the City Manager.

Supervisory/Confidential employees may be eligible for absence with or without pay for a period of not more than one (1) year upon approval of the City Manager and the City Council.

**SECTION 08.13 PROBATION UPON APPOINTMENT**

All Supervisory/Confidential employees shall be subject to a six (6) month probationary period following their appointment to a Supervisory/Confidential position unless extended further by the City Manager.

**SECTION 08.14 UNIFORMS**

Supervisory/Confidential employees required to wear a uniform as part of their duties for the City shall have the uniforms provided by the City.

Code Compliance Coordinator shall be provided the sum of \$100 each year for replacement of work boots.

**SECTION 08.15 MILEAGE**

Supervisory/Confidential employees required to use their own vehicles for City business, and who do not receive a monthly vehicle allowance or are not provided a City vehicle, may be reimbursed for mileage at the rate established by the Internal Revenue Service.

**SECTION 08.16 RETIREMENT HEALTH SAVINGS**

The City agrees to sponsor a Retirement Health Savings (RHS) Plan, pursuant to the employee group agreeing on contributions and meeting the RHS plan criteria. At this time, there has been no RHS group designated under this schedule.

# City of San Marino AGENDA REPORT



TO: MAYOR AND CITY COUNCIL

FROM: CINDY COLLINS, INTERIM CITY MANAGER

BY: LUCY GARCIA, ASSISTANT CITY MANAGER

DATE: OCTOBER 12, 2016

SUBJECT: **RESCIND AND REPLACE RESOLUTION NO 16-08,  
APPROVING THE PART TIME RATE SCHEDULE  
FOR FY 16-17**

*Allan Yung, MD, Mayor*

*Richard Sun, DDS, Vice Mayor*

*Steven W. Huang, DDS, Council  
Member*

*Steve Talt, Council Member*

*Richard Ward, Council Member*

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## **BACKGROUND**

On June 8, 2016 the San Marino City Council approved Resolution No. 16-08, which amended the pay rates for part time employees for the 2016-17 Fiscal Year. The Council's approval specifically authorized the installation of minimum wages in 2017 pursuant to Senate Bill 3, which gradually increases California's minimum wage from \$10 to \$15 by January 1, 2022. The proposed San Marino Part Time Rate Schedule addresses the first installation of the minimum wage pay rate changes from the current \$10 per hour to \$10.50 an hour by January 1, 2017. The change applies to five City positions, including Library Page, Library Clerk I, Park Attendant, Cashier, and Counselor. To accommodate the minimum wage obligation, the entry pay step of the three-step range for these part time positions was eliminated to comply with California's requirement.

Other adjustments to the part-time schedule included updates to the Recreation Manager position, which based on the proposed Management Schedule for FY 2016-17, required increasing its hourly equivalency.

The changes—minimum wage and the Recreation Manager hourly rate-- are intended to remain as previously adopted by the City Council. However, the schedule must return to the Council for amendment to enable the installation of a Librarian II, part time. The position was previously discussed (and later approved) during the Library's FY 2016-17 budget presentation with the Council. The Librarian II position already exists in the full time schedule; hence, the proposed amendment does not require the development of a new classification. Rather, the installation of the part time position enables flexibility and longevity needed to address the obligations of the Library. There are currently two part time librarians allocated in the budget, with one of these position budgeted at the Librarian II rate in FY 2016-17.

In addition, based on the salary adjustments moving forward for the City Employees Association's Memorandum of Understanding on October 12, 2016, the full time Account Clerk position is under the 55<sup>th</sup> percentile; consequently, this position will receive an increase in salary contingent on Council approval. The Account Clerk classification also exists in the part time schedule. As a result, the part time rate must also be adjusted to match its full time equivalency.

## **FISCAL IMPACT**

There is no fiscal impact from the addition of the Librarian II position. The costs of the position were considered in the Library Department's estimates and have been incorporated in the FY 2016-17 Budget.

There is also no fiscal impact from the Account Clerk part time rate increase. The part time position is currently vacant.

## **RECOMMENDATION**

Staff recommends the City Council approve the proposed amendments to the part time rate schedule, effective June 26, 2016. If the Council concurs, the appropriate action would be:

“A motion to rescind and replace Resolution No. R-16-08 approving the Part Time Rate Schedule for Fiscal Year 2016-17, effective June 26, 2016.

Attachments: Resolution No. R-16-08

Part Time Rate Schedule

**RESOLUTION NO. R-16-08**

**RESOLUTION OF THE CITY OF SAN MARINO, CALIFORNIA APPROVING A RATE SCHEDULE FOR PART TIME EMPLOYEES**

**WHEREAS**, Section 02.05.01(A) of the City Code provides that salary and benefits plans for employees are a part of the City's personnel rules and regulations when approved by resolution of the City Council; and

**WHEREAS**, Section 02.05.01(D) provides that the City Manager shall prepare salary and benefit schedules for presentation to the City Council.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of San Marino, California as follows:

**SECTION 1.** That the "Part Time Rate Schedule" dated June 26, 2016 as attached hereto, and made a part hereof shall be adopted as the salary and benefit schedule for part time employees in the City of San Marino.

**SECTION 2.** That the "Part Time Rate Schedule" shall become a part of the City's personnel rules and regulations.

**PASSED, APPROVED, AND ADOPTED** this 12<sup>th</sup> day of October, 2016.

\_\_\_\_\_  
DR. ALLAN YUNG, MAYOR

ATTEST:

\_\_\_\_\_  
VERONICA RUIZ  
CITY CLERK

**I HEREBY CERTIFY** that the foregoing Resolution No. R-16-08 was adopted by the City Council of the City of San Marino at a Regular Meeting of the City Council held on the 12th day of October 2016, by the following vote:

AYES :

NOES :

ABSENT :

ABSTAIN :

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VERONICA RUIZ  
CITY CLERK

**City of San Marino  
Part Time Schedule**

**Effective June 26, 2016 Effective January 1, 2017**

<b>SALARY RANGE</b>	<b>POSITION</b>	<b>STEP A</b>	<b>STEP B</b>	<b>STEP C</b>
\$10.00 - \$11.03	PAGE*	<del>10.00</del>	10.51	11.03
\$10.44 - \$11.51	LIBRARY CLERK I**	<del>10.44</del>	10.96	11.51
\$12.53 - \$13.81	LIBRARY CLERK II	12.53	13.16	13.81
\$16.23 - \$17.90	SUPERVISOR	16.23	17.05	17.90
\$16.23 - \$17.90	LIBRARY MONITOR	16.23	17.05	17.90
\$16.70 - \$18.41	LIBRARY ASSISTANT I	16.70	17.53	18.41
\$24.65 - \$27.18	LIBRARIAN I	24.65	25.87	27.18
\$29.38- \$32.39	LIBRARIAN II	29.38	30.85	32.39
\$10.00 - \$11.03	PARK ATTENDANT**	<del>10.00</del>	10.51	11.03
\$12.14 - \$13.39	MAINTENANCE AIDE	12.14	12.75	13.39
\$17.86 - \$19.69	MAINTENANCE ASSISTANT	17.86	18.75	19.69
\$23.39 - \$25.79	CODE COMPLIANCE OFFICER	23.39	24.56	25.79
\$10.62 - \$11.71	CADET	10.62	11.16	11.71
\$21.35 - \$26.22	DISPATCHER*	21.35	23.80	26.22
\$16.52 - \$18.22	PARKING ENFORCEMENT	16.52	17.35	18.22
\$17.65 - \$19.45	COMMUNITY SVC OFFICER	17.65	18.53	19.45
\$17.81 - \$19.64	RECORDS CLERK	17.81	18.70	19.64
\$28.32 - \$34.03	FIREFIGHTER*	28.32	31.18	34.03
\$10.00 - \$11.03	CASHIER**	<del>10.00</del>	10.51	11.03
\$10.00 - \$11.03	COUNSELOR**	<del>10.00</del>	10.51	11.03
\$16.52 - \$18.21	CLERK TYPIST II	16.52	17.35	18.21
\$10.94 - \$12.06	PROGRAM LEADER	10.94	11.49	12.06
\$13.48 - \$14.86	LIFEGUARD	13.48	14.15	14.86
\$13.48 - \$14.86	ASSISTANT REC SPECIALIST	13.48	14.15	14.86
\$16.39 - \$18.07	WATER SAFETY INSTRUCTOR	16.39	17.21	18.07
\$16.39 - \$18.07	RECREATION SPECIALIST	16.39	17.21	18.07
\$18.54 - \$20.44	ASSISTANT POOL MANAGER	18.54	19.46	20.44
\$18.54 - \$20.44	PRIVATE SWIM LESSONS	18.54	19.46	20.44
\$21.18 - \$23.35	POOL MANAGER	21.18	22.24	23.35
\$21.18 - \$23.35	CHILD DEVPMNT SPECIALIST	21.18	22.24	23.35
\$23.64 - \$26.06	RECREATION COORDINATOR	23.64	24.82	26.06
\$33.62 - \$37.07	RECREATION MANAGER	43.28	45.44	47.72
\$18.59 - \$20.50	ACCOUNT CLERK	19.07	20.02	21.02
\$17.36 - \$19.14	RECEPTIONIST I	17.36	18.23	19.14
\$19.10 - \$21.06	PROFESSIONAL INTERN	19.10	20.06	21.06

\* Firefighter and Dispatcher position are subject to the hourly rate equivalency and range of a full time position (pro-rated)

\*\*Step A is eliminated for Page, Library Clerk I, Park Att, Cashier, and Counselor positions, effective January 1,2017.

# City of San Marino AGENDA REPORT



TO: MAYOR AND CITY COUNCIL

FROM: CINDY COLLINS, INTERIM CITY MANAGER

BY: RON SERVEN, ENVIRONMENTAL SERVICES MANAGER

DATE: OCTOBER 12, 2016

SUBJECT: **MEMBER AGENCY ALLOTMENT-RAIN BARRELS**

*Allan Yung, MD, Mayor*

*Richard Sun, DDS, Vice Mayor*

*Steven W. Huang, DDS, Council Member*

*Steve Talt, Council Member*

*Richard Ward, Council Member*

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## **BACKGROUND:**

The City of San Marino is a Metropolitan Water District (MWD) Member Agency which allows for funds to be allocated to individual communities. These funds are to be utilized for purchase and installment of water conservation devices, turf, or custom projects. San Marino has a total allocation of \$11,000 that may be used for both residential and commercial purposes. In the past the City has used the allotment for a citywide replacement of irrigation controllers, large area water audits, and for the City's Oak Tree Preservation Program.

## **ANALYSIS:**

Staff received inquiries from residents regarding the availability of rain barrels for capturing rainwater at their properties. In response, Staff proposed a rain barrel giveaway program to MWD and the program was recently approved. The \$11,000 City allocation will cover most of the cost for the rain barrel giveaway. Cal American Water will also be committing an additional \$10,000 in funding to cover all additional costs. Based on the funds thus available, staff anticipates 110 rain barrels will be made available to residents.

## **FISCAL IMPACT:**

There will be no fiscal impact to the City.

## **RECOMMENDATION:**

If Council concurs the appropriate action would be:

“A motion to appropriate \$11,000 in expenditures to account 101-07-4150-0000 (Contract Services) and \$11,000 in revenues to account 101-07-3702-0000.”

# City of San Marino AGENDA REPORT



TO: MAYOR AND CITY COUNCIL

FROM: CINDY COLLINS, INTERIM CITY MANAGER

BY: DANIEL S. WALL, PE, PARK & PUBLIC WORKS  
DIRECTOR / CITY ENGINEER  
JASMIN ELEPANO, ADMINISTRATIVE ANALYST

*Allan Yung, MD, Mayor*

*Richard Sun, DDS, Vice Mayor*

*Steven W. Huang, DDS, Council Member*

*Steve Talt, Council Member*

*Richard Ward, Council Member*

DATE: OCTOBER 12, 2016

SUBJECT: **REQUEST FOR ADDITIONAL ALLOCATION AND AUTHORIZATION TO  
PROCEED WITH THE PURCHASE OF CAPITALIZED EQUIPMENT FOR  
THE PARK AND PUBLIC WORKS DEPARTMENT**

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## BACKGROUND

The Park & Public Works Department was approved to purchase a *dump truck* for the Streets Division and a *boom truck* for the Park Division in the current fiscal year, FY 2016-2017.

The City has obtained three quotes for a dump truck, a 2017 Ford F-550 Dump Body. The quotes received were \$62,881.48 from the National Auto Fleet Group, \$72,259.44 from Trans West Truck Center, and \$74,246.70 from Rush Truck Center.

The City has obtained three quotes for a new boom truck, a 2017 Ford F-550 with Dur-A-Lift. The quotes were from Rush Truck Center in the amount of \$121,116.70, Trans West Truck Center in the amount of \$125,164.30, and National Auto Fleet Group in the amount of \$144,905.33.

The new boom truck is electrically insulated and will replace the non-insulated boom truck currently used by the Streets Division. To help partially offset the cost of the new boom truck, a 2004 Ford F650, declared surplus by the City Council at the September 14, 2016, was sold at auction for \$29,600.

In the FY2016-2017 Budget, the purchase of a boom truck, listed in account number 591-48-4613-0000 as Street Capitalized Equipment, is budgeted at \$27,000. At the September 14, Council meeting, staff requested a budget adjustment of \$100,000 for the purchase of the boom truck. The request was denied and staff was directed to come back with the actual amount needed for the purchase, after completion of the sale of the surplus 2004 Ford F650.

## FISCAL IMPACT

The *dump truck* is budgeted in account number 591-50-4613-0000 in the amount of \$67,000. The purchase price is \$62,881.48. This leaves a fund balance of \$4,118 that can be allocated to the purchase of the boom truck.

The *boom truck* is budgeted in account number 591-48-4613-0000 for \$27,000. The proceeds from the sale of the 2004 Ford F650 is \$29,600. The fund balance from the dump truck is \$4,118. This provides \$60,718 for the purchase of the new boom truck. The cost for the new boom truck is \$121,116.70. An additional budget allocation of \$60,448.70 is needed to purchase this truck. |

## RECOMMENDATION

Staff recommends the City Council allocate an additional amount and authorize staff to proceed with the purchase of capital equipment. If Council concurs, the appropriate action would be:

“A motion to transfer \$4,118 from the *dump truck* account number 591-50-4613-0000 to *boom truck* account number 591-48-4613-0000; and

Allocate an additional \$60,448.70 from the General Fund to the *boom truck* account number 591-48-4613-0000; and

Authorize staff to proceed with the purchase of a new *boom truck*, for \$121,116.70 from Rush Truck Center of Whittier, California; and

Authorize staff to proceed with the purchase of a *dump truck*, for \$62,881.48 from National Auto Fleet Group of Watsonville, California.”

Attachments:

Quotes for the boom truck

Quotes for the dump truck





www.rushtruckcenters.com

Rush Truck Center, Whittier
2450 Kella Avenue
Whittier, CA 90601

Retail Sales Order

Date 09/26/2016

SALES ORDER

Please enter my order for the following:

- Checkboxes for New/Used, F.E.T. Applicable/Exempt

Make Ford, Series F-550, Year 2017, Body Type Duralift Bucket DTAX 39, Color Oxford White, Trim XL Diesel/Auto Trans

Serial #, Stock #, To be delivered on or about 1/27/2017

Duralift Bucket Truck/No Outriggers DTAX-39, Power Group-Extra Heavy Duty Suspension, 19,500 GVWR

Table with 2 columns: Description, Amount. Includes Sales Price (110,750.00), Dealer Paid F.E.T., Local Taxes, Vehicle License, etc.

Customer information form including City of San Marino, Customer's Name, Address, Phone, and Purchaser's Name.

LIENHOLDER INFORMATION

Lienholder information table with columns for Description and Amount, including Total Used Vehicle Allowance and Total Net Allowance.

A DOCUMENT PROCESSING CHARGE IS NOT A GOVERNMENTAL FEE. A DOCUMENT PROCESSING CHARGE IS NOT REQUIRED BY LAW, BUT MAY BE CHARGED TO CUSTOMERS FOR HANDLING DOCUMENTS RELATING TO THE SALE.

\*\* THE ADMINISTRATIVE FEE IS NOT A GOVERNMENTAL FEE \*\*

\*SUBJECT TO ADJUSTMENT - FINAL F.E.T. MAY VARY. ANY F.E.T. VARIANCE RESPONSIBILITY OF DEALER

NOTICE: THE FOLLOWING ARE IMPORTANT PROVISIONS OF THIS ORDER. THIS ORDER CANCELS AND SUPERCEDES ANY PRIOR AGREEMENTS AND, AS OF THE DATE HEREOF, COMPRISES THE COMPLETE AND EXCLUSIVE STATEMENT OF THE TERMS OF THE AGREEMENT BETWEEN THE PARTIES.

Customer, by the execution of this Order, offers to purchase the Product(s) described above upon the Terms and Conditions contained herein.

INSURANCE. UNLESS A CHARGE IS INCLUDED IN THIS ORDER FOR PUBLIC LIABILITY OR PROPERTY DAMAGE INSURANCE, PAYMENT FOR SUCH COVERAGE IS NOT PROVIDED BY THIS ORDER.

NOTICE. No person is required as a condition precedent to financing the purchase of an automobile that any insurance be negotiated or purchased through a particular insurance agent or broker.

Signature and date lines for Customer's Signature, Offer Received By (Sales Representative), and Offer Accepted By (Authorized Representative).



10150 Cherry Ave., Fontana, CA 92335

City of San Marino  
2200 Huntington Drive  
San Marino, CA 91108

RE: "Sealed Bid for Ford F550 with Versalift SST-40-EIH Aerial Platform and Utility Body" enclosed.

Attention: Mr. Rob Hancock

Hello Sir,

Thank you for this opportunity to be a part of your equipment purchasing process. Enclosed you will find our proposal for a 2017 Ford F550 chassis and a Versalift SST-40-EIH Aerial Lift with a "Dakota" Utility Body. The specifications are attached for your review on both the Ford chassis and the Versalift Aerial and they are tailored to meet your specific application.

Please if you have any questions or concerns contact myself or David Pratt or Jim Coates from UCE and we will get you the information you need.

Thank you again for this opportunity and we look forward to assisting you in anyway possible.

A handwritten signature in black ink, appearing to read "Chris Burlew". The signature is fluid and cursive, with a long horizontal stroke at the end.

Chris Burlew  
Municipal Sales / Transwest Truck Center LLC  
10150 Cherry Ave.,  
Fontana, CA 92335  
(909)510-5061



# National Auto Fleet Group

A Division of Chevrolet of Watsonville

490 Auto Center Drive, Watsonville, CA 95076  
 (855) 289-6572 • (855) BUY-NJPA • (831) 480-8497 Fax  
 Fleet@NationalAutoFleetGroup.com

9/12/2016

QuotelD: 2196

Mr Rob Hancock  
 City of San Marino  
 2200 Huntington Drive  
 San Marino, California, 91108

Dear Rob Hancock,

National Auto Fleet Group is pleased to quote the following vehicle(s) for your consideration.  
 One (1) New/Unused (2017 Ford Super Duty F-550 DRW (F5G) XL 2WD Reg Cab 169" WB 84" CA, CTEC Service Body with Dur-A-Lift) and delivered to your specified location, each for

#### One Unit

Base Price	\$44,933.04
CTEC Service Body with Dur-A-Lift	\$87,998.00
Tax (9.0000 %)	\$11,963.79
Tire fee	\$10.50
Total	\$144,905.33

- per the attached specifications.

This vehicle(s) is available under the **National Joint Powers Alliance Contract 102811**. Please reference this Bid number on all purchase orders to National Auto Fleet Group. Payment terms are Net 30 days after receipt of vehicle.

Thank you in advance for your consideration. Should you have any questions, please do not hesitate to call.

Sincerely,

Jesse Cooper  
 National Fleet Manager  
 Email: Fleet@NationalAutoFleetGroup.com  
 Office: (855) 289-6572  
 Fax: (831) 480-8497

Neil Carroll  
 BodyUpfitter  
 Fleet@nationalautofleetgroup.com  
 (855) 289-6572



GMC



**PURCHASE ORDER**  
**No. 000000756**

**VENDOR:**

National Auto Fleet Group  
 490 Auto Center Drive  
  
 Watsonville, CA 95076-3726

**SHIP TO:**

City Hall  
  
 2200 Huntington Drive  
  
 San Marino, CA 91108-2591

**BILL TO:**

City of San Marino  
 2200 Huntington Drive  
  
 San Marino, CA 91108-2691

VENDOR NO.	VENDOR PHONE NUMBER	TERMS	DATE	REQUIRED DELIVERY DATE
NAFG		0	10/03/2016	
<b>SHIPPING INSTRUCTIONS</b>				
(none)				
PRD CODE	QTY	DESCRIPTION	UNIT PRICE	AMOUNT
	1.00	Dump Truck CTEC Dump Body	11,586.00	11,586.00
	1.00	Dump Truck Base Price	46,093.80	46,093.80
	1.00	Taxes 9.00 %	5,191.18	5,191.18
	1.00	Tire Fee	10.50	10.50

SUBTOTAL: 62,881.48  
 TAX: 0.00  
 SHIPPING: 0.00  


---

**TOTAL:** 62,881.48  


---

TAXABLE: No  
 CONFIRMING:

\_\_\_\_\_  
 AUTHORIZED SIGNATURE

---

IMPORTANT: OUR ORDER NUMBER MUST APPEAR ON EVERY INVOICE AND PACKAGE

---

# Purchase Orders

## Budget Proof List for Purchase Orders

User: lcarlson  
 Printed: 10/03/2016 - 10:49AM  
 Batch: 00004.10.2016



PO Line Description	PO Number	Amount	Outstanding Amt	Budget	Activity	Encumbered	Remaining Budget
591-50-4613-0000	Capitalized Equipment						
Dump Truck Base Price	0000000756	\$46,093.80	46,093.80				
Dump Truck CTEC Dump Body	0000000756	\$11,586.00	11,586.00				
Taxes 9.00 %	0000000756	\$5,191.18	5,191.18				
Tire Fee	0000000756	\$10.50	10.50				
591-50-4613-0000 Totals:		\$62,881.48	62,881.48	76,500.00	9,306.10	62,881.48	4,312.42
Grand Total:			62,881.48	76,500.00	9,306.10	62,881.48	4,312.42

# Purchase Orders

## PO Proof List

User: lcarlson  
 Printed: 10/03/2016 - 10:47AM  
 Batch: 00004.10.2016



### Ship Location

#### Line Item Description

PO No.	Vendor No.	Vendor Name	PO Date	Acct No.	Account Description	Amount	Qty
City Hall							
Dump Truck CTEC Dump Body							
0000000756	NAFG	National Auto Fleet Group	10/3/2016	591-50-4613-0000	Capitalized Equipment	\$11,586.00	1.00
Taxes 9.00 %							
0000000756	NAFG	National Auto Fleet Group	10/3/2016	591-50-4613-0000	Capitalized Equipment	\$5,191.18	1.00
Tire Fee							
0000000756	NAFG	National Auto Fleet Group	10/3/2016	591-50-4613-0000	Capitalized Equipment	\$10.50	1.00
Dump Truck Base Price							
0000000756	NAFG	National Auto Fleet Group	10/3/2016	591-50-4613-0000	Capitalized Equipment	\$46,093.80	1.00
						<u>\$62,881.48</u>	<u>4.00</u>
Grand Total:						<u>\$62,881.48</u>	<u>4.00</u>





# National Auto Fleet Group

A Division of Chevrolet of Watsonville

490 Auto Center Drive, Watsonville, CA 95076

(855) 289-6572 • (855) BUY-NJPA • (831) 480-8497 Fax

Fleet@NationalAutoFleetGroup.com

9/9/2016

QuotelID: 2183

Mr Rob Hancock  
City of San Marino  
2200 Huntington Drive  
San Marino, California, 91108

Dear Rob Hancock,

National Auto Fleet Group is pleased to quote the following vehicle(s) for your consideration.  
One (1) New/Unused (2017 Ford Super Duty F-550 DRW (F5G) XL 2WD Reg Cab 169" WB 84" CA, CTEC Dump Body) and delivered to your specified location, each for

#### One Unit

Base Price	\$46,093.80
CTEC Dump Body	\$11,586.00
Tax (9.0000 %)	\$5,191.18
Tire fee	\$10.50
Total	\$62,881.48

- per the attached specifications.

This vehicle(s) is available under the **National Joint Powers Alliance Contract 102811**. Please reference this Bid number on all purchase orders to National Auto Fleet Group. Payment terms are Net 30 days after receipt of vehicle.

Thank you in advance for your consideration. Should you have any questions, please do not hesitate to call.

Sincerely,

Jesse Cooper  
National Fleet Manager  
Email: Fleet@NationalAutoFleetGroup.com  
Office: (855) 289-6572  
Fax: (831) 480-8497

Neil Carroll  
BodyUpfitter  
Fleet@nationalautofleetgroup.com  
(855) 289-6572

CHEVROLET



GMC



10150 Cherry Ave., Fontana, CA 92335

City of San Marino  
2200 Huntington Drive  
San Marino, CA 91108

RE: "Sealed Bid for Ford F550 with Rugby FDS-12-4 Contractor Dump Body" enclosed.

Attention: Mr. Rob Hancock

Hello Sir,

Thank you for this opportunity to be a part of your equipment purchasing process. Enclosed you will find our proposal for a 2017 Ford F550 chassis and a Rugby model FDS-12-4 Contractor Dump Body from Pacific Equipment. The specifications are attached for your review on both the Ford chassis and the Rugby Dump body from Pacific Equipment, both are tailored to meet your specific application.

Please if you have any questions or concerns contact myself or David Pratt and we will gladly get you the information you need.

Thank you again for this opportunity and we look forward to assisting you in anyway possible.

A handwritten signature in black ink, appearing to read "Chris Burlew", with a long horizontal flourish extending to the right.

Chris Burlew  
Municipal Sales / Transwest Truck Center LLC  
10150 Cherry Ave.,  
Fontana, CA 92335  
(909)510-5061



**Rush Truck Center, Whittier**  
 2450 Kella Avenue  
 Whittier, CA 90601

www.rushtruckcenters.com

# Retail Sales Order

SALES ORDER		Date <b>08/26/2016</b>	
Please enter my order for the following: <input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> F.E.T. Applicable <input type="checkbox"/> Used <input type="checkbox"/> F.E.T. Exempt		City of San Marino	
Make <b>Ford</b>	Series <b>F-550</b>	Customer's Name <b>2200 Huntington Dr</b>	
Year <b>2017</b>	Body Type <b>11.5' 3/4 Yard Dump Body Twin Side Gates</b>	<b>San Marino</b>	<b>CA</b> <b>91108-2639</b>
Color <b>Oxford White</b>	Trim <b>XL Diesel/Auto Trans 19,500 GVWR</b>	Street	City      State      Zip <b>(626) 300-0794</b> <b>(626) 300-0797</b>
Serial #		Federal Tax ID #	Business Phone      Fax
Stock #		Purchaser's Name	
To be delivered on or about <b>9/29/2016</b>		Street	City      State      Zip
<b>11.5' 3/4 Yard Dump Body Steel Twin Side Gates</b>		Federal Tax ID #	Business Phone      Fax
<b>Scelzi Enterprises</b>		<b>Randall Zuniga</b>	
		By Salesman	
		Truck Will be Titled in _____ County.	
		<b>LIENHOLDER INFORMATION</b>	
Sales Price	67,750.00	Date of Lien	
Factory Paid F.E.T.	0.00	Lien Holder	
F.E.T. Tire Credit	0.00		
Total Factory Paid F.E.T.	0.00		
Optional Extended Warranties	0.00		
Sub-Total	67,750.00		
Dealer Paid F.E.T. *	0.00	Draft Through	
Local Taxes	6,127.20		
Vehicle License, Transfer, Title, Registration Fee	0.00		
Electronic Vehicle Registration or	29.00		
Transfer Charge (not a governmental fee)			
(paid to Motor Vehicle Software Corp.)			
Tire Recycling Fee	10.50	Total Used Vehicle Allowance *	0.00
Document Processing Charge	80.00	Less Total Balance Owed	0.00
** Administrative Fee **	250.00	Total Net Allowance on Used Vehicle(s)	0.00
Total Cash Delivered Price	74,246.70	Deposit or Credit Balance	0.00
Total Down Payment	0.00	Cash with Order	0.00
Unpaid Cash Balance Due on Delivery	74,246.70	← - - - - -	0.00
<b>A DOCUMENT PROCESSING CHARGE IS NOT A GOVERNMENTAL FEE. A DOCUMENT PROCESSING CHARGE IS NOT REQUIRED BY LAW, BUT MAY BE CHARGED TO CUSTOMERS FOR HANDLING DOCUMENTS RELATING TO THE SALE. A DOCUMENT PROCESSING CHARGE MAY NOT EXCEED \$80.00. THIS NOTICE IS REQUIRED BY LAW.</b>		*See Trade-in details on page 4	
** THE ADMINISTRATIVE FEE IS NOT A GOVERNMENTAL FEE **		Customer, by the execution of this Order, offers to purchase the Product(s) described above upon the Terms and Conditions contained herein. Customer acknowledges that Customer has read the Terms and Conditions of this Order on Page 2 and has received a true copy of this Order and the Terms and Conditions.	
*SUBJECT TO ADJUSTMENT - FINAL F.E.T. MAY VARY. ANY F.E.T. VARIANCE RESPONSIBILITY OF DEALER		<b>INSURANCE</b>	
NOTICE: THE FOLLOWING ARE IMPORTANT PROVISIONS OF THIS ORDER		UNLESS A CHARGE IS INCLUDED IN THIS ORDER FOR PUBLIC LIABILITY OR PROPERTY DAMAGE INSURANCE, PAYMENT FOR SUCH COVERAGE IS NOT PROVIDED BY THIS ORDER.	
THIS ORDER CANCELS AND SUPERCEDES ANY PRIOR AGREEMENTS AND, AS OF THE DATE HEREOF, COMPRISES HE COMPLETE AND EXCLUSIVE STATEMENT OF THE TERMS OF THE AGREEMENT BETWEEN THE PARTIES.		NOTICE. No person is required as a condition precedent to financing the purchase of an automobile that any insurance be negotiated or purchased through a particular insurance agent or broker.	
IF ANY REPRESENTATIONS, SPECIFICATIONS OR OTHER AGREEMENTS ARE RELIED UPON BY CUSTOMER, THEY MUST BE IN WRITING AND SPECIFICALLY IDENTIFIED AND REFERENCED IN THIS ORDER; OTHERWISE, THEY WILL NOT BE BINDING ON OR ENFORCEABLE AGAINST DEALER.		Customer's Signature _____ Date _____	
THERE ARE NO UNWRITTEN ORAL AGREEMENTS BETWEEN THE PARTIES.		OFFER RECEIVED BY: _____ SALES REPRESENTATIVE      Date _____	
		OFFER ACCEPTED BY: _____ AUTHORIZED REPRESENTATIVE      Date _____	

# 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: CINDY COLLINS, INTERIM CITY MANAGER

BY: LUCY GARCIA, ASSISTANT CITY MANAGER  
TERI HOPE NELSON, CONTRACTED ADMIN MANAGER

DATE: OCTOBER 12, 2016

SUBJECT: **RESOLUTION NO. 16-15 APPROVING A  
MEMORANDUM OF UNDERSTANDING WITH THE  
SAN MARINO CITY EMPLOYEES' ASSOCIATION FROM  
JUNE 26, 2016 THROUGH JUNE 22, 2019**

---

## **BACKGROUND**

The San Marino City Employees' Association Memorandum of Understanding (MOU) expired on June 25, 2016. Under the expired two-year agreement, the miscellaneous employees received salary increases subject to a 55<sup>th</sup> percentile compensation survey; adjustments to use of medical benefits for employees hired after July 1, 2012; a survivor benefit; and enhancements to vacation accruals.

The City has reached a new agreement with the City Employees' Association, which shall be retroactive to June 26, 2016. The three-year agreement, which expires on June 22, 2019, allows for salary increases pursuant to a 55<sup>th</sup> percentile compensation survey; however, such increases are limited to year one of the agreement and are specific to positions throughout the pool which have fallen below the labor market range. Thereafter, in years two and three of the agreement, salary adjustments will reflect a 2% change in each year for all Association members. In addition, the agreement allows for cafeteria benefit increases in years two and three; changes to the use of cafeteria benefits; and reopener language subject to potential changes in personnel rules and work schedules.

The following specifies the proposed MOU changes:

- **Salary Adjustments:** The total costs of these salary adjustments are \$56,241 in year one (55<sup>th</sup> Percentile); \$43,813 in year two (2%); and \$44,690 in year three (2%). These salary adjustments shall be published in the salary schedule attached to the City Employees' Association MOU with the City.
- **Increases to Cafeteria Benefits:** A \$100 increase per month per employee on June 25, 2017 and another \$100 increase per month per employee on June 24, 2018. The miscellaneous employees currently receive \$1,000 per month per employee for the purchase of health benefits. The increase to \$1,200 per month per employee by year 2018 will be consistent with the benefit currently applied to Management, Supervisory Confidential, and Police Association members. The total cost of the

cafeteria increase is \$36,000 in year two plus \$36,000 in year three. There are currently 30 members in the City Employees Association.

- **Use of Cafeteria Benefits:** Members hired on after July 1, 2012 are currently precluded from cashing out more than 50% of their cafeteria benefit if unused; however, under the new agreement:
  - **Employees hired prior to July 1, 2012** can cash out, or place in deferred compensation, the difference of 100%; they may continue to do so with the same amounts in effect June 25, 2016. The additional two hundred dollars (\$200.00) contributed to the Floating Fringe Benefit Pool (FFBP) (Section 16.04) over the term of the MOU may not be cashed out and may only be placed in deferred compensation.
  - **Employees Hired On or After July 1, 2012** can cash out, or place in deferred compensation, the difference of 50%; they may continue to do so with the same amounts in effect June 25, 2016. Effective June 26, 2016 those employees are eligible for the difference of 100%. However, the additional FFBP may only be placed in deferred compensation; the current amount of "cash out" is frozen at the amount in effect June 25, 2016 and may not be increased.
  - **Employees Hired on or After June 26, 2016** will be required to place all FFBP in deferred compensation if not utilized.
- **Federal Labor Standards Act (FLSA) Overtime:** On June 2, 2016, the United States Court of Appeals for the Ninth Circuit published its opinion in Danny Flores v. City of San Gabriel (the "decision"), which indicated that that the City's payment of unused health benefits must be included in the regular rate of pay and thus in the calculation of the overtime. The City and the Association understand that the City of San Gabriel will be petitioning the United States Supreme Court for review. Until such time as a final decision is in effect (either denial of the petition by the United States Supreme Court or a decision by the United States Supreme Court), the City and the Association mutually agree to hold implementation of that decision in abeyance.
  - If, and when, the decision becomes final in favor of the individual plaintiffs, the City will:
    - Recalculate FLSA overtime retroactive to June 28, 2015 according to the decision;
    - Prospectively pay FLSA overtime according to the decision;
    - Cease allowing employees to "cash out" FFBP and require employees to place all monies in deferred compensation. This paragraph will not go into effect unless, and until, the same provision is implemented with Police and Fire employees.

The City and the City Employees' Association acknowledge that this language completes satisfaction of any liability, both retroactive and prospective, for FLSA overtime under the decision. If, and when, the decision becomes final in favor of the City of San Gabriel, the City will allow employees to cash out and/or place monies in deferred compensation at the employees' option.

- **Updated Sick Leave** language pursuant to California Labor Law.
- **Work Schedules:** The Association agrees to a reopener in the MOU for the purposes of discussing work schedules.
- **Personnel Rules:** The City Employees Association further agrees to a reopener for the purposes of enabling updates to the City's Personnel Rules and Regulations.

## **FISCAL IMPACT**

The total fiscal impact to the City is estimated at \$216,744 over the three years. The fiscal impacts have not been assumed in the 2016-17 Fiscal Year Budget; as such, additional appropriations (\$56,241 in FY 2016-17) are required to realize the enhancements specified in this agreement.

## **RECOMMENDATION**

If Council concurs, the appropriate action would be:

“A motion to adopt Resolution No. R-16-15 approving the Memorandum of Understanding with the San Marino City Employees’ Association; and

A motion to approve additional appropriations in the amount of \$56,241 in FY 2106-17 spread over the affected full time personnel budget line items as shown in the attached appropriation spreadsheet.”

Attachments: Resolution No. R-16-15  
Additional Appropriation Spreadsheet  
Memorandum of Understanding

**RESOLUTION NO. R-16-15**

**RESOLUTION OF THE CITY OF SAN MARINO, CALIFORNIA APPROVING A MEMORANDUM**

**WHEREAS**, Section 02.05.01(A) of the City Code provides that salary and benefits plans for employees are a part of the City's personnel rules and regulations when approved by resolution of the City Council; and

**WHEREAS**, Section 02.05.01(D) provides that the City Manager shall prepare salary and benefit schedules for presentation to the City Council.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of San Marino, California as follows:

**SECTION 1.** The "San Marino City Employees' Association Memorandum of Understanding" dated June 26, 2016 shall be adopted at the memorandum of understanding representing the San Marino City Employees' Association Min the City of San Marino.

**SECTION 2.** That the "San Marino Employees' Association Memorandum of Understanding" shall become a part of the City's personnel rules and regulations.

**PASSED, APPROVED, AND ADOPTED** this 12th day of October, 2016.

\_\_\_\_\_  
DR. ALLAN YUNG , MAYOR

ATTEST:

\_\_\_\_\_  
VERONICA RUIZ  
CITY CLERK

**I HEREBY CERTIFY** that the foregoing Resolution No. R-16-15 was adopted by the City Council of the City of San Marino at a Regular Meeting of the City Council held on the 12<sup>th</sup> day of October 2016, by the following vote:

AYES :

NOES :

ABSENT :

ABSTAIN :

---

VERONICA RUIZ  
CITY CLERK

Additional  
Appropriations:  
Misc Group  
FY 16-17

Department	Acct	Salaries	EI Holiday	PERS	PARS	Medicare	Cafeteria	Total
Administration	101-07	4,608.00		317.95		66.82		4,992.77
P & B	101-14	3,960.00		273.24		57.42		4,290.66
PW	Streets 101-48	324.00		30.98		-		354.98
PW	Parks 101-50/ 101-52	6,288.00		601.12		91.16		6,980.28
Police	103-30	11,280.00	216.91	982.97		163.57		12,643.45
Library	Admin 101-90	5,064.00		484.12		73.43		5,621.55
Library	Adult 101-91	5,312.28		507.85		77.03		5,897.15
Library	Circulation 101-94	4,348.80		415.74		63.06		4,827.61
Library	Childrens 101-92	5,436.00		519.68		78.83		6,034.51
Library	Processing 101-93	494.40		47.26		7.17		548.83
Recreation	Admin 101-60	1,532.16		146.47		22.21		1,700.84
Recreation	Preschool 101-74	1,824.00		174.37		26.45		2,024.82
Recreation	San Marnio Ctr 105-82	109.44		10.46		1.59		121.49
Recreation	Senior Outreach 204-88	182.40		17.44		2.64		202.48
<b>Total Increase</b>		<b>50,763.48</b>	<b>216.91</b>	<b>4,529.65</b>	<b>-</b>	<b>731.38</b>		<b>56,241.42</b>

CITY OF SAN MARINO  
AND  
SAN MARINO CITY EMPLOYEES' ASSOCIATION  
REPRESENTING  
GENERAL EMPLOYEES

MEMORANDUM OF UNDERSTANDING

~~June 29, 2014 through June 25, 2016~~  
June 26, 2016 through June 22, 2019

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MEMORANDUM OF UNDERSTANDING

ARTICLE 01  
RECOGNITION OF THE ORGANIZATION

Section 01.01. RECOGNITION. The City of San Marino (hereinafter called the "City") has recognized San Marino City Employees' Association (hereinafter called the "Association") as the majority representative of employees in the classifications designated in Attachment "A" to this Memorandum of Understanding (affected employees).

Section 01.02. MAJORITY REPRESENTATION. The City shall recognize the Association as the majority representative of all employees in these classifications for the purpose of meeting its obligations under this Contract, the Meyers-Milias-Brown Act, Government Code 3500 et seq., when the City rules, regulations, or laws affecting wages, hours, and other terms and conditions of employment are appropriately amended or changed.

Section 01.03. FILING OF PETITIONS. This written Contract shall bar the filing of a Petition for Certification or Petition for Decertification of a recognized employee organization for this employee representation unit during the term of the contract; except that a Petition for Certification or Decertification may be filed during a period beginning not earlier than 120 calendar days and ending not less than 90 calendar days before expiration of said contract.

ARTICLE 02  
NON-DISCRIMINATION PLEDGE

Section 02.01. EMPLOYEE RIGHTS. The parties mutually recognize and agree to protect the rights of all employees hereby to join and/or participate in protected Association activities or to refrain from joining or participating in such activities in accordance with Government Code Sections 3500 et seq.

Section 02.02. NO DISCRIMINATION. The City and the Association agree that they shall not discriminate against any employee because of race, color, sex, age, national origin, ancestry, political or religious opinions or affiliations, marital status, disability, Association membership, or medical condition as defined by State and Federal law.

The City and the Association shall reopen any provision of this Contract for the purpose of complying with any final order of a Federal or State agency or court of competent jurisdiction requiring a modification or change in any provision or provisions of this Contract in compliance with State or Federal anti-discrimination laws.

Section 02.03. SAFETY. The City shall fairly apply all laws regarding work

related injuries. The City and Association shall utilize the City's safety committee to address employee safety concerns. The City and Association are mutually committed to maintaining a safe workplace and providing adequate training.

ARTICLE 03  
CITY RIGHTS

Section 03.01. RESERVED RIGHTS. The City reserves, retains, and is vested with, solely and exclusively, all rights of Management which have not been expressly abridged by specific provision of this Memorandum of Understanding or by law to manage the City, as such rights existed prior to the execution of this Memorandum of Understanding. The sole and exclusive exercise of rights of Management, as they are not abridged by this Contract or by law, shall include but not be limited to the following rights:

- (A) To manage the City generally and to determine the issues of policy;
- (B) To determine the existence or nonexistence of facts which are the basis of the Management decision;
- (C) To determine the necessity of organization of any service or activity conducted by the City and expand or diminish services;
- (D) To determine the nature, manner, means and technology and extent of services to be provided to the public;
- (E) To establish methods of financing;
- (F) To establish types of equipment or technology to be used;
- (G) To determine and/or change the facilities, methods, technology, means, and size of the work force by which the City operations are to be conducted;
- (H) To determine and change the number of locations, relocations, and types of operations, processes, and materials to be used in carrying out all City functions including but not limited to the right to contract for or subcontract any work or operation of the City;
- (I) To assign work to and schedule employees in accordance with requirements as determined by the City, and to establish and change work schedules and assignments;
- (J) To relieve employees from duties for lack of work or similar nondisciplinary reasons;

- (K) To establish and modify productivity and performance programs and standards for City operations;
- (L) To discharge, suspend, demote, or otherwise discipline employees for proper cause;
- (M) To determine job classifications and to reclassify employees;
- (N) To hire, transfer, promote, and demote employees for nondisciplinary reasons, in accordance with this Memorandum of Understanding and the City's Rules and Regulations;
- (O) To determine policies, procedures, and standards;
- (P) To establish employee performance standards, including but not limited to quality and quantity standards; and to require compliance therewith;
- (Q) To maintain order and efficiency in its facilities and operations;
- (R) To establish and promulgate and/or modify rules and regulations to maintain order and safety in the City which are not in contravention with this Contract;
- (S) To take any and all necessary action to carry out the mission of the City in emergencies;
- (T) To determine the mission of its constituent departments, boards and commissions;
- (U) To establish the need and use of personnel information for employees and the means by which that information is to be provided. Employees retain their rights to privacy as provided by law.

Section 03.02. IMPACT OF CITY RIGHTS. Except in emergencies, or where the City is required to make changes in its operations because of the requirements of law, whenever the contemplated exercise of Management's rights shall impact upon employees of the bargaining unit, the City agrees to meet and confer in good faith with representatives of the Association regarding the impact of the contemplated exercise of such rights prior to exercising such rights, unless the matter of the exercise of such rights is provided for in this Memorandum of Understanding.

ARTICLE 04  
ORGANIZATION RIGHTS

Section 04.01. DUES DEDUCTIONS. The City shall continue its present policy of payroll deductions on a twice a month basis of Association dues and assessments, and insurance payments, in the amount certified to be current by the Treasurer of the Association as authorized in writing by the individual employees. The total amount of deductions, together with a current list of Association members, shall be remitted by the City to the Treasurer of the Association within five (5) calendar days after each pay period.

Section 04.02. INDEMNIFICATION. The Association agrees to hold the City harmless and indemnify the City against any claims, causes of actions, or lawsuits arising out of the deductions or transmittal of such funds to the Association caused by the Association's negligence. The Association shall notify the City within ten (10) calendar days of any discrepancy(ies) concerning Association dues or other payroll deductions pursuant to this Article. If the Association does not notify the City of any discrepancy within ten (10) days, the City shall be relieved of any responsibility for any asserted discrepancy.

Section 04.03. DEFINITIONS. For the purposes of this Contract, the following definitions shall be used:

- A. Reasonable number of stewards should be interpreted to mean one steward for each department.
- B. Reasonable amount of time to promptly and expeditiously investigate and process grievances shall not be specifically defined in this context for it might be viewed as encouraging abuse. "Promptly and expeditiously" obviously relate to the amount of time spent. The word "process" in this context means only to discuss the matter with the grievant, record information, advise or recommend action, assist in the completion of documents necessary to formal grievance processing, investigate allegations which may form the basis for the grievance, and, if so requested, appearance with the grievant at the first formal level of grievance resolution.
- C. Grievance for the purpose of this Contract, a grievance is defined as:
  - (1) A claimed violation, misinterpretation, inequitable application, or noncompliance with the provisions of the current Memorandum of Understanding or any supplemental contracts; and
  - (2) A claim by any employee or by the Association in his/her, their, or its own behalf, of a violation, misinterpretation, or inequitable application of existing policy, orders, rules and regulations, or then

existing policy, orders, rules and regulations, or then existing practice, applicable to the public jurisdiction or its employees or the Association.

D. Cognizant supervisor means the most immediate supervisor present at the work location.

Section 04.04. STEWARDS' RIGHTS. The Association may select a reasonable number of stewards for the unit. The Association shall give to the City a written list of employees who have been selected as stewards. This list shall be kept current by the Association.

Stewards may spend a reasonable amount of time to promptly and expeditiously investigate and process grievances without loss of pay or benefits of any kind. Stewards shall be free from reprisal and shall not in any way be coerced, intimidated, or discriminated against as a result of their activities and roles as stewards.

Stewards, when leaving their work locations to transact such investigations or processing, shall first obtain permission from their immediate supervisor and inform him of the nature of the business. Permission to leave will be granted promptly unless such absence would cause undue interruption of work. If such permission cannot be granted promptly, the steward will be immediately informed of an available time.

Upon entering a work location, the steward shall inform the cognizant supervisor of the nature of his/her business. Employee will promptly be given permission to leave the job unless such absence would cause an undue interruption of work. If the employee cannot be made available at that time, the steward will immediately be informed when the employee will be made available.

The Association agrees that a steward shall not log compensatory time or overtime pay for the time spent performing any function of a steward.

The role of the steward is to provide timely grievance representation at the first steps of the grievance procedure in an effort to resolve grievance at the lowest possible level and to increase communications between the Association and the City.

Section 04.05. REPORTING FORM. The Association does not object to the use of a form for the purpose of recording the amount of time spent on grievances by stewards. Such a form might provide for signatures of affected supervisors, reasons for refusals if release time is not granted, and exact time in and time out notations. An evaluation of such forms could be of value in determining what a "reasonable amount of time" is, and might point to the "personnel problem areas."

Section 04.06. STEWARD'S PERMISSION TO LEAVE WORK LOCATION. As indicated above, both permission and denial of a request to leave a work location by a steward shall be recorded with the date and time and signed by supervisor on the

appropriate form. Notations as to the reasons for a possible denial of the request and a time when the request to leave the work location is expected to be made available should also be recorded on this form.

Section 04.07. INCREASED COMMUNICATION BETWEEN THE ASSOCIATION AND THE CITY. The City might reasonably expect that the Association would report the results of any meeting wherein employees have been permitted to participate on City time in their role as shop stewards. This would be intended specifically to cover those situations wherein the grievance might not be pursued beyond the initial or informational stage.

Section 04.08. ALLOWED TIME FOR STEWARDS. City agrees to allow stewards a maximum of two (2) hours per week to transact and discuss Association business during their regular working hours, unless prior approval of an amount greater than two (2) hours has been given by the City Manager and approved by the immediate supervisor.

ARTICLE 05  
NO STRIKE - NO LOCKOUT PLEDGE

Section 05.01. ASSOCIATION PROHIBITED CONDUCT. The Association, its officers, agents, representatives and/or members agree that during the term of this Contract they will not cause or condone any strike, walkout, slowdown, or any other concerted job action by withholding or refusing to perform services. A violation of this Section by any employee shall constitute just cause for discharge pursuant to Article 03. Compliance with the request of other labor organizations to engage in such activity is included in this prohibition.

Section 05.02. CITY PROHIBITED CONDUCT. The City agrees that it shall not lockout its employees during the term of this Contract. The term "lockout" is hereby defined so as not to include the discharge, suspension, termination, layoff, failure to recall, or failure to return to work of the employees of the City in the exercise of its rights as set forth in any provisions of this Contract or applicable ordinance or law.

Section 05.03. ASSOCIATION RESPONSIBILITY. In the event that the Association, its officers, agents, representatives, or members engage in any of the conduct prohibited in Section 05.01 herein, the Association shall immediately instruct any persons engaging in such conduct that their conduct is in violation of this Memorandum of Understanding, and request that all such persons immediately cease engaging in conduct prohibited in Section 05.01, and return to work.

If the Association acts in good faith to meet its responsibilities as set forth above, the Association, its officers, agents, representatives and its members shall not be liable for any damages for prohibited conduct engaged in any employees who are covered by this Contract.

Section 05.04. CITY RIGHT TO SUE. Notwithstanding Section 05.03 herein, the City shall have the right to bring suit for damages and/or equitable relief in the Courts for breach of this Article against the Association, its officers, agents, representative or members.

ARTICLE 06  
PROBATION

Section 06.01. PROBATION PERIOD. An employee initially appointed to a class shall serve a probationary period during which the employee shall have an opportunity to demonstrate suitability for the job. For all general non-management employees, except Dispatcher/Clerks, the initial probationary period shall be six (6) months. Dispatcher/Clerks shall be subject to an initial probationary period of eighteen (18) months. An employee who has been promoted to a higher classification shall be on probation for six (6) months. Under certain conditions, if necessary to adequately evaluate such employee, with the approval of the City Manager and the ~~De~~partment ~~H~~head, the probationary period may be shortened or extended for no more than an additional six (6) months.

Section 06.02. PERMANENT STATUS. The employee shall attain permanent status in the class upon successful completion of the probationary period.

Section 06.03. APPEAL. Any probationary employee shall be entitled to appeal termination or demotion pursuant to Government Code Section 3500et seq.

ARTICLE 07  
GRIEVANCES

Section 07.01. PURPOSE OF GRIEVANCE PROCEDURE. This grievance procedure as defined in Section 04.03 (c) establishes a means by which an employee grievance may be considered, discussed, and resolved in a timely manner and at the closest possible level to the point of origin.

Section 07.02. GRIEVANCE. A grievance shall be defined as:

- (1) A claimed violation, misinterpretation, inequitable application, or noncompliance with the provisions of the current Memorandum of Understanding or any supplemental contracts; and
- (2) A claim by any employee or by the Association in his/her, their, or its own behalf, of a violation, misinterpretation, or inequitable application of existing policy, orders, rules and regulations, or then existing policy, orders, rules and regulations, or then existing practice, applicable to the public jurisdiction or its employees or the Association.

Section 07.03. GUIDELINES.

- (1) The grievant is entitled to representation of his/her choice.
- (2) Employees are assured freedom from reprisal for using the grievance procedure. An employee who has initiated a grievance, or assisted another employee in initiating and/or processing a grievance, shall not in any way be coerced, intimidated, or discriminated against.
- (3) The grieving employee and/or his/her representative may use a reasonable amount of work time in conferring and presenting the grievance and appeal. However, no employee shall be absent from the assigned work place without first obtaining approval from the employee's supervisor.
- (4) There shall be an earnest effort on the part of both parties to settle the grievance promptly through the earliest of the steps listed below:

Step 1. An employee's grievance must be submitted to the employee's first line supervisor or management representative immediately in charge of the aggrieved employee within fifteen (15) calendar days after the event giving rise to the grievance, or reasonable knowledge of the event giving rise to the grievance. In cases where an immediate supervisor was not available for some unforeseen circumstance, an additional 7 calendar days is allowed. The supervisor or management representative shall give his/her answer to the employee by the end of the fifth (5th) calendar day following the presentation of the grievance, and the giving of such answer will terminate Step 1.

Step 2. If the grievance is not settled in Step 1, the grievance will be reduced to writing by the employee, fully stating the facts surrounding the grievance and detailing the specific provisions of this Contract alleged to have been violated, signed and dated by the employee, and presented to the ~~department head~~Department Head within ten (10) calendar days after termination of Step 1. A meeting with the employee, employee's representative and ~~department head~~Department Head will be arranged at a mutually agreeable location and time to review and discuss the grievance. Such meeting will take place within ten (10) calendar days from the date the grievance is received by the ~~department head~~Department Head. The ~~department head~~Department Head may invite other members of management to be present at such meeting. The ~~department head~~Department Head shall give a written reply by the end of the tenth (10th) calendar day following the date of the meeting, and the giving of such reply will terminate Step 2.

Step 3. If the grievance is not settled in Step 2, the employee shall

reduce his/her grievance to writing and submit it to the City Manager within ten (10) calendar days after the termination of Step 2. The City Manager shall arrange a meeting to be held at a mutually agreeable location and time to review and discuss the grievance. Such meeting will take place within ten (10) calendar days from the date the grievance is referred to Step 3. A written decision shall be rendered within ten (10) days from the date of such meeting.

Section 07.04. TIME LIMITS. The limits set forth above may be extended by mutual written consent between the parties, but neither party shall be required to so agree.

Section 07.05. NO CHANGES. It is not intended that the grievance procedure be used to effect changes in the established salary and fringe benefits.

Section 07.06. ADVISORY ARBITRATION. Grievances which are not settled pursuant to the grievance procedure above and which employee desires to contest further, shall be submitted to arbitration as provided below:

- (A) As soon as possible and in any event not later than ten (10) calendar days after the City Manager has received written notice from the employee of the desire to arbitrate, the parties shall agree upon an arbitrator. If no agreement is reached within said ten (10) calendar days, an arbitrator shall be selected from a list of five (5) arbitrators submitted by the State Conciliation Service or Federal Mediation and Conciliation Service by alternate striking of names until one name remains. The party who strikes the first name from the panel shall be determined by lot.
- (B) Either the City or the employee may call any employee as a witness, and the City agrees to release said witness from work if he/she is on duty.
- (C) The arbitrator shall have no power to alter, amend, change, add to, or subtract from any of the terms of this Contract. The decision of the arbitrator shall be based solely upon the evidence and arguments presented to him by the respective parties in the presence of each other.
- (D) The decision of the arbitrator within the limits herein prescribed shall be advisory to the City Council.
- (E) The arbitrator may hear and determine only one grievance at a time without the expressed agreement of the City and the Association.
- (F) The cost of the arbitration shall be shared equally between the City and the Association.

ARTICLE 08  
WAGE AND SALARY POLICY

Section 08.01. BASIC COMPENSATION PLAN. There is hereby established a basic compensation plan for all employees subject to this Contract who are now employed or will in the future be employed in any of the designated classifications of employment listed in Attachment A.

Section 08.02 SALARY AND WAGE SCHEDULES. Salaries effective for employees covered by this contract are listed in Attachment B and represents increases ~~for some positions in year one and increases for some positions in year two over the three year agreement period-~~

The salary and wage schedules attached hereto shall constitute the basic compensation plan consisting of five (5) steps or rates of pay in each range.

The respective ranges shall be identified by steps, by the letters "A" to "E" inclusive.

Section 08.03. ADMINISTRATION OF BASIC COMPENSATION PLAN. The compensation ranges and steps contained in the monthly salary schedule in Attachment "B" hereof are monthly compensation rates.

For all employees covered by this Memorandum of Understanding, ~~with the exception of city hall employees~~, the work schedule shall be considered to be forty (40) hours per week. ~~City hall employees shall be considered to have a weekly work schedule of forty (40) hours.~~ The City and Association agree that work schedules will be set on a department basis and may change during the term of this Contract as agreed to by employees, management and the City Council.

The hourly rate of pay shall be the monthly rate multiplied by twelve (12) and divided by 2080. In determining the hourly rate as herein provided, compensation shall be made to the nearest cent.

Section 08.04. BEGINNING RATES. A new employee of the City of San Marino shall be paid the rate shown in Step "A" of the range allocated to the classification of employment for which the employee has been hired, except that on the request of the ~~department head~~ Department Head under whom the employee will serve, and with the authorization of the City Manager, such employee may be placed in Step "B", "C", "D", or "E", depending upon the employee's qualifications.

Section 08.05. SERVICE. The word "service," as used in this Memorandum of Understanding, shall be defined to mean continuous, full-time service in the employee's present classification, service in a higher classification, or service in a classification allocated to the same salary range and having generally similar duties and

requirements. A lapse of service by any employee for a period of time longer than thirty (30) calendar days by reason of resignation or discharge, shall serve to eliminate the accumulated length of service time of such employees for the purpose of this Contract. Such employees reentering the service of the City shall be considered as a new employee, except that the employee may be reemployed within one (1) year and placed in the same salary step in the appropriate compensation range as the employee was at the time of the termination of employment, at the discretion of the ~~department~~ Department Head and approved by the City Manager.

Section 08.06. ADVANCEMENT WITHIN SCHEDULE. The following regulations shall govern salary advancement within ranges:

(A) Service Advancements. After the salary of an employee has been first established and fixed under this plan, such employee shall be advanced from Step "A" to Step "B" effective the first day of the next pay period following the date of successful completion of initial probation.

(B) Merit Advancement. An employee shall be considered for advancement from one Step to the next highest Step upon completion of the minimum length of service as required. If it is determined that an employee is eligible for a merit advancement, the effective date of the merit advancement shall be the employee's anniversary date. Advancement to any step may be granted if an employee demonstrates ability and proficiency in the performance of his/her duties. Such merit advancement shall require the following:

(1) The ~~Department~~ Head shall file with the City Manager a statement recommending the grant or denial of the merit increase and supporting such recommendation with specific reasons therefor.

(2) If the recommendation is approved by the City Manager, the City Manager shall forward the approved recommendation to the Finance Officer to effect a change in payroll status.

(C) Special Merit Advancement. In such cases as may occur wherein an employee shall demonstrate exceptional ability and proficiency in the performance of the employee's duties, the ~~Department~~ Head may recommend to the City Manager that said employee be advanced to a higher step without regard to the minimum length of service provisions contained in this Memorandum of Understanding. The City Manager may, on the basis of the ~~Department~~ Head's recommendation, approve or deny such advancement.

(D) Length of Service Required When Advancement is Denied. When an employee has not been approved for advancement to a higher salary step, the employee may be reconsidered for such advancement at any subsequent time. This reconsideration shall follow the same steps and shall be subject to the same actions as provided in subsection (B) herein.

Section 08.07. REDUCTION IN SALARY STEPS. Any employee who is being paid on a salary step higher than Step "A" may have his/her salary reduced by one or more steps upon the recommendation of the ~~eD~~Department ~~hH~~Head with the approval of the City Manager. Procedure for such reduction shall follow the same procedure as outlined for merit advancements in Section 08.06, and such employee may be considered for re-advancement under the provisions as contained in subsection (C) of Section 08.06. An employee's salary cannot be reduced until his or her due process appeal rights to the City Manager have been exhausted, with exception to terminations.

Section 08.08. COMPENSATION INCREASES FOR PROMOTIONS. Any full-time employee promoted to a higher classification shall receive an increase in compensation which is at least five percent (5%) higher than the employee's last salary. The date of promotion shall then be considered the new anniversary date for purposes of eligibility for further compensation increases, except that no merit increase shall be given until after six (6) months in the higher classification regardless of the requirement for a probationary period.

Any part-time employee promoted to a full-time position within the classified service shall receive compensation at the minimum step for the classification range. The schedule for eligibility for increases as stated in Section 08.06 of this Article shall apply for such employees.

Section 08.09. COMPENSATION ON DEMOTION. When an employee is demoted, the employee shall retain the same step as the employee held in the previous salary range. Increases in compensation shall thenceforth be in accordance with the schedule set forth in Section 08.06 of this Article as if the employee was originally employed in the new classification range.

Section 08.10. DISPATCHER ACTING DUTY PAY. An employee directed to work as a dispatcher for four or more hours shall be paid for the time worked as a dispatcher at his/her current step on the dispatcher salary range. Overtime shall be paid after 40 hours in a work period.

Section 08.11. SEWER PAY. An employee directed by his or her department manager to work in a sewer shall receive an additional three (3) hours of pay at the rate of time and one-half.

Section 08.12. PERFORMANCE PAY. Affected employees shall be eligible to receive performance pay in recognition of continued exceptional performance or a singular exceptional achievement. Whether a bonus is to be given, and the timing and amount thereof, shall be in an atmosphere of fairness and mutual understanding subject to the discretion of the ~~Department-Department Head~~Manager, with approval of the City Manager. No bonus shall exceed seven percent (7%) of the employee's fiscal year salary. Award of performance pay shall be accompanied by a written performance evaluation.

ARTICLE 09  
OTHER WAGE AND HOURLY BENEFITS

Section 09.01. OVERTIME WORKED. Overtime is defined as time assigned and worked beyond forty (40) hours in a seven-day work period, running from Sunday to Saturday unless otherwise adjusted by a respective Department.. Overtime shall not include: (1) overtime not authorized by a supervisor; (2) overtime of ten (10) minutes or less or voluntary early reporting.

In determining an employee's eligibility for overtime compensation under this Section, paid leave of absences and unpaid leave of absences shall be deducted from the total hours worked. Paid leaves which shall be deducted from "hours worked" include but may not be limited to:

- Vacation
- Sick leave
- Compensatory leave
- Administrative leave
- Workers' Compensation leave
- Jury duty
- Bereavement leave
- Military leave
- Holiday leave

All employees affected by this contract who are required to work forty (40) hours or less in a seven-day work period shall receive overtime compensation at the regular rate. If compensatory time off is accumulated instead of pay, it shall be accumulated on an hour for hour basis.

Employees required to work in excess of forty (40) hours in a seven-day work period shall receive overtime compensation at time and one-half. If compensatory time off is accumulated instead of pay, it shall be accumulated on a time and one-half basis.

An exception is made for vacation scheduled in advance for three (3) or more consecutive days. This shall count as hours worked in the case of an emergency call in within the work period.

Dispatcher/Clerks in the Police Department shall receive a minimum of two (2) hours compensation at time and one-half for court-time, if court duty falls on a day not specified as an off-duty day regularly scheduled in advance; provided, however, no additional compensation shall be paid for court-time during regular work hours.

Section 09.01.A. OVERTIME (COMPENSATORY TIME). For Dispatcher/Clerk position, in determining eligibility for overtime compensation under this Section, sick leave and unscheduled vacation do not count as hours worked; other paid leaves are considered hours worked.

~~All employees affected by this contract who are required to work 40 hours or less in a seven (7) day period shall receive overtime compensation at their regular rate. If compensatory time off is accumulated instead of pay, it shall be accumulated on an hour for hour basis.~~

Section 09.02. COMPENSATORY TIME. Employees shall be eligible to earn compensatory time up to a maximum of one hundred (100) hours. If an employee reduces his/her compensatory time off balance below the 100 hour maximum the employee shall be permitted to accumulate compensatory time off until he/she reaches the 100 hour maximum. All other overtime hours shall be compensated by cash payment.

Use of compensatory time shall be subject to the approval of the ~~e~~Department ~~H~~Head.

Compensatory time shall be paid out annually in July of each year at the rate in which the compensatory time was accrued or earned.

Section 09.03. CALL BACK COMPENSATION. Notwithstanding the Sections in this Article, affected employees called back for work shall be paid a minimum of three (3) hours compensation at time and one-half. An affected employee shall be deemed to have been called back if the employee has been released by the ~~e~~Department ~~H~~Head as having completed the employee's assigned duties at the end of his/her work day and is called back to duty.

Section 09.04. CONSECUTIVE SHIFTS. Notwithstanding the above, affected employees ordered to remain at work beyond the normal work day, or receiving less than two weeks notice, to provide shift coverage, shall receive compensation at time and one-half for those hours worked in excess of the normal work day.

Section 09.05. EMERGENCY RESPONSE. Employees who are placed on-call to respond to emergency situations will be assigned the use of a pager, cellular phone, and City-owned vehicle. All City property may not be used for personal use. The method/scheduling of employees who are placed on-call shall be in accordance with each department's own policy. The employee will remain capable of returning to work while on-call and capable of performing required duties when called upon.

The City will provide all maintenance upkeep, fuels, and insurance on the vehicle. City vehicles shall not be used for personal business except for a short stop on a reasonable route between the employee's home and place of business. Employees operating the City vehicle will at all times maintain and operate the vehicle in a safe and reasonable manner and in conformance with all applicable state and local laws. No one may operate the City vehicle except a bona-fide employee of the City. Assignment of a City vehicle may be revoked or modified at any time by the City Council, City Manager or the employee's ~~D~~epartment ~~H~~Head without recourse by the employee.

ARTICLE 10  
EDUCATION WAGE BENEFIT AND CAREER  
DEVELOPMENT PROGRAM

Section 10.01. TUITION REIMBURSEMENT PLAN. Permanent employees receiving prior approval from their Department Head and from the City Manager shall be eligible to receive tuition reimbursement pursuant to this Memorandum of Understanding. Course work must be job related as determined by the Department Head with final approval by the City Manager.

The City shall reimburse employee's costs for required school fees such as tuition, registration fees, and books, subject to the limits set forth in this Article. Other fees, such as mileage, activity cards and other optional fees shall not be reimbursed. The following rules shall apply for reimbursement:

- (A) Courses must relate to the employee's present job or directly relate to the employee's potential development with the City.
- (B) Course work taken at recognized accredited institutions shall be considered for reimbursement. Reimbursement for course work taken at a non-accredited institution shall be subject to the sole discretion of the City Manager.
- (C) Employees shall not receive tuition reimbursement if they fail to satisfactorily complete the approved course and/or fail to receive a grade of "C" or better.
- (D) In the event an employee receives assistance under federal or state government legislation or other student aid programs for education charges for an approved course, only the difference, if any, between such assistance and the education charges an employee actually incurs, shall be eligible for reimbursement under this plan.
- (E) Course books for which an employee receives reimbursement shall become the property of the City. Books may be sold by the City back to the educational institution bookstore and monies received returned to the City. Employees who wish to keep course books shall not be reimbursed for same.
- (F) If an employee, of his/her own volition, withdraws from a course before completion, he/she will refund to the City all monies paid by the City toward that course. If an employee is forced to withdraw due to job reasons, and with the City Manager's approval, no refund will be necessary.
- (G) An employee who leaves the employment of the City before completion of the semester, and therefor does not complete the course(s) while working for the City, shall refund all monies paid to him/her by the City for the course(s). No prorating will be permitted.

(H) Upon completion of each semester, the employee shall be responsible for reporting grades received to the Administrative Services Officer for recording purposes and for supplying a copy of the grade receipt for the employee's personnel file.

Reimbursement for books and registration fees shall be paid upon receipt of proof of payment by the employee. Tuition costs shall be reimbursed following completion of the course and submittal of proof for the successful completion of the course as required by this Section. If the City requires the employee to withdraw from the course, the City shall reimburse the employee for the cost of tuition. All payments shall be made as part of the regular City warrant.

Failure on the part of an employee to provide any information required to determine eligibility for reimbursement, or providing false information for reimbursement requests, shall result in the employee being ineligible for any future tuition reimbursements, and may result in disciplinary actions.

Section 10.02. LIMITATIONS ON TUITION REIMBURSEMENT. No employee shall be reimbursed for an individual course in an amount greater than the cost for the same level of course (i.e., undergraduate, graduate) as charged by a school in the California State University system.

An employee may request reimbursement for general tuition for a degree program in lieu of reimbursement for an individual course. In such case the amount of tuition reimbursement shall not exceed the cost of general tuition for a California State resident in a school in the California State University system under the same semester periods as the degree program requested.

In no case shall the total amount of tuition reimbursement for individual courses to an employee in a given fiscal year exceed the amount of general tuition in a school in the California State University system for two (2) semesters or three (3) quarters.

All reimbursements shall be approved based on the availability of funds budgeted for that purpose during any given fiscal year. Availability of funds shall be determined by the City Manager.

## ARTICLE 11 TRAVEL ALLOWANCE

Section 11.01. AUTOMOBILE ALLOWANCE. Expense claims for the use of private automobiles must be submitted to the ~~Department Head~~ ~~Department Head~~ for approval. Such use, if approved, will be reimbursed at a minimum at the rate established by the Internal Revenue Services or the calculated P.O.S.T. rate when applicable, making unnecessary the IRS form 1099 reporting on mileage. Use of city vehicles will be encouraged when possible. Prior approval for reimbursement of

mileage is necessary when possible.

ARTICLE 12  
UNIFORM ALLOWANCE

Section 12.01. FIELD EMPLOYEES. All field employees shall be provided with ten (10) sets of shirt and pant uniforms by the City, annually by May 1. The City shall also be responsible for maintaining such uniforms. A field jacket shall be provided to field employees every other fiscal year by October 15. Any other jacket purchase will be a light weight, windbreaker-type jacket. Staff uniform -t-shirts and field jackets shall be maintained by the employee.

The City shall contribute \$100.00 on a separate check on July 15 each year for purchase of safety boots, the standard for which is to be set by the City Safety Committee. Boots shall be maintained in appropriate condition as determined by the department manager. Based on verifiable need as determined by the department manager, an employee may receive a reimbursement for the amount spent on boots in excess of \$100 in any fiscal year with supporting documentation, such as receipts.

Section 12.02. POLICE DISPATCHER/CLERKS. Police Dispatcher/Clerks shall receive the sum of \$500 in one lump payment for uniform maintenance payable on a separate check on July 15<sup>th</sup> each year.

Section 12.03. DRESS GUIDELINES. Each department will develop a policy regarding dress guidelines. The policy will be mutually agreed upon by employees, department supervisors and the ~~Department Head~~Department Head. All policies are subject to the approval of the City Manager.

ARTICLE 13  
VACATION BENEFIT

Section 13.01. INCREMENTS OF ACCRUAL AND USE.

(A) Accrual Increments. All increments for accrual and use of vacation leave time shall be in hours or portions thereof.

(B) Vacation Accrual. Effective January 1, 1989, each permanent, full-time and probationary employee shall accrue vacation leave in accordance with the following formula:

(1) 7.4 hours for each month during the first (1st) through fifth (5th) year of employment (88.8 hours annually).

(2) 8.0 hours for each month during the sixth (6th) year of employment (96.0 hours annually).

- (3) 8.7 hours for each month during the seventh (7th) year of employment (104.4 hours annually).
- (4) 9.4 hours for each month during the eighth (8th) year of employment (112.8 hours annually).
- (5) 10.0 hours for each month during the ninth (9th) year through the fourteenth (14th) year of employment (120.0 hours annually).
- (6) 11.7 hours for each month during the fifteenth (15<sup>th</sup>) year through the nineteenth (19<sup>th</sup>) year of employment (140 hours annually).
- (7) 13.4 hours for each month beginning with the twentieth (20th) to twenty-fifth (25th) year of employment (160.8 hours annually).
- (8) 15.0 hours for each month beginning with the twenty-sixth (26th) year of employment (180.0 hours annually).

Vacation leave shall be deemed as having been accrued by the employee at the end of the pay period in which the employee was in the service of the City not to exceed the monthly formula as calculated in Section 13.01.B.

Accrual at the next highest incremental rate shall begin at the end of the first pay period ending after the employee's anniversary date of original employment with the City, regardless of any promotions or demotions.

(C) Maximum Vacation Accrual. An employee's available vacation hours shall not exceed the following maximum amounts at any given time:

- (1) 177.6 hours in the first (1st) through fifth (5th) year of employment.
- (2) 192.0 hours in the sixth (6th) year of employment.
- (3) 208.8 hours in the seventh (7th) year of employment.
- (4) 225.6 hours in the eighth (8th) year of employment.
- (5) 240.00 hours in the ninth (9th) through fourteenth (14h) year of employment.
- (6) 280 hours for the fifteenth (15<sup>th</sup>) through nineteenth (19<sup>th</sup>) year of employment.
- (7) 321.6 hours for the twentieth (20th) through twenty-fifth (25th) year of employment.

(8) 360.0 hours for the twenty-sixth (26th) and subsequent years of employment.

The City Manager shall be empowered to authorize an employee to accrue vacation leave in excess of the maximums established herein if special circumstances, as determined by the City Manager, so warrant.

No accumulation of vacation leave may be made beyond the limits prescribed except as described above.

Section 13.02. USE OF VACATION. The dates of vacation leave may be selected by the employee, but shall be subject to prior approval by the Department Head who shall consider the wishes of the employee and the needs of the City.

An employee shall not be eligible to utilize accrued vacation during the first twelve (12) months of initial full-time employment. While in a probationary period following a promotion, the probationary period may be extended an equivalent time spent on vacation at the discretion of the Department Head with the approval of the City Manager.

Section 13.03. VACATION PAYMENT AT TERMINATION. Permanent employees voluntarily or involuntarily terminating employment with the City shall be paid in a lump sum for all accrued vacation leave earned to the effective date of the termination, up to the maximums as prescribed in Section 13.01(C) of this Article. Payment shall be at the same hourly rate as was authorized for the employee at the time of submittal of termination notice.

Employees dismissed by the City prior to the completion of the initial hire probationary period shall be entitled to payment of accrued vacation leave to the effective date of termination, at the same hourly rate as was authorized for the initial employment. There shall be no proration of vacation time for partial months of employment.

Employees voluntarily resigning from City service prior to the completion of their initial hire probationary period or six (6) months, whichever is sooner, shall be entitled to payment of accrued vacation leave to the effective date of resignation. There shall be no proration of vacation time for partial months of employment.

When termination is caused by the death of the employee, said payment for unused vacation shall be paid to the beneficiary designated by the employee. Such designation shall have been in writing, signed by the employee and filed with the Personnel Office. In the event an employee has not designated a beneficiary, the payment shall be made to the estate of the employee.

All payments for accrued vacation leave shall be made at the time of the next regular pay period following the final date of employment with the City.

Section 13.04. ELIGIBILITY. All permanent employees who have successfully completed their initial hire probationary period shall be eligible for paid vacation leave after twelve (12) months of employment, based on the standard vacation accrual formula described in Section 13.01(B) of this Article. If the initial hire probationary period is greater than twelve (12) months, the employee shall be eligible for paid vacation leave after twelve (12) months of employment.

No part-time, provisional, or temporary employees shall be eligible for any vacation accrual.

ARTICLE 14  
HOLIDAY BENEFIT

Section 14.01. HOLIDAY DATES. All employees covered by the terms of this Contract, except Dispatcher/Clerk employees in the Police Department, shall have the following legal holidays:

New Year's Day  
President's Day  
Memorial Day  
Fourth of July  
Labor Day  
Veterans Day  
Thanksgiving Day  
Friday after Thanksgiving  
Christmas Eve  
Christmas Day  
New Year's Eve

Dispatcher/Clerk employees in the Police Department shall have the following six (6) paid holidays per calendar year:

New Year's Day  
Memorial Day  
Fourth of July  
Labor Day  
Thanksgiving Day  
Christmas Day

In addition, the Dispatcher/Clerk employees in the Police Department shall have five (5) days which shall be used as vacation days. These five (5) days shall be credited to the employee on the following dates:

President's Day  
Veterans Day

Friday after Thanksgiving  
Christmas Eve  
New Year's Eve

Section 14.02. HOLIDAYS WORKED. If an employee works his/her regular scheduled workday on a holiday, in addition to his/her regular pay, he/she will be paid time and one-half for all hours worked.

Section 14.03. ELIGIBILITY. In order to be eligible to receive holiday pay, an employee must have worked, or be deemed to have worked because of lawful absence, the employee's regular scheduled day before and regularly scheduled day after the holiday.

Section 14.04. HOLIDAY ON VACATION DAY. Should one of the holidays listed above for employees other than dispatcher/Clerk in the Police department fall during an employee's vacation period, or while an employee is lawfully absent with pay, the employee shall be credited for the holiday and no charge shall be made against the employee's accumulated vacation.

For Dispatcher/Clerks in the Police Department, should one of the six (6) holidays listed above fall during an employee's regular day off, the employee shall receive eight (8) hours of holiday pay. For the five (5) days per calendar year which shall be used as vacation days, dispatcher/clerk employees of the Police Department shall be credited the equivalent -to the current contract work day to the employee's accumulated vacation. The current contract work day is 12 hours.

Section 14.05. HOLIDAY ON A WEEKEND. Except for Dispatcher/ Clerks, should one of the holidays listed in Section 14.01, fall on a Saturday, the preceding Friday shall be observed as the holiday. Except for Dispatcher/Clerks, should one of the holidays listed in Section 14.01, fall on a Sunday, the following Monday shall be observed as the holiday.

Dispatcher/Clerks' holidays shall be deemed to be the actual date of the holiday and not days which may be recognized in lieu of the actual holiday date.

Section 14.06. FLOATING HOLIDAY. All employees covered by the terms of this Contract shall have one floating holiday per calendar year on a use it or lose it basis. A floating Holiday is equivalent to the number of hours normally scheduled for each employee (i.e., 8 hours for an employee who is on a 5/8 schedule, and 10 hours for an employee who is on a 4/10 schedule). The date of the floating holiday may be selected by the employee, but shall be subject -to prior approval by the Department Head or his/her designee who shall consider the wishes of the employee and the needs of the City.

For Dispatcher/Clerk employees in the Police Department, the Floating Holiday

shall be equivalent to the current contract work day. Currently, the contract work day is 12 hours.

ARTICLE 15  
LEAVES OF ABSENCE

Section 15.01. AUTHORIZED LEAVE OF ABSENCE WITHOUT PAY. Upon recommendation from the ~~department head~~Department Head, and with the approval of the City Manager, a permanent, full-time employee may be granted a leave of absence without pay in cases of personal emergency or necessity, or where such absence would not be contrary to the best interests of the City, for a period not to exceed ninety (90) calendar days. The request for and the approval of such leave shall be in writing and a copy placed in the employee's personnel file.

At the expiration of the approved leave, or within a reasonable period of time after notice to return to duty, the employee shall be reinstated to the position held at the time leave was granted. Failure on the part of the employee on leave to report promptly at such leave's expiration, or within a reasonable time after receiving a notice to return to duty, shall be cause for discharge. The depositing in the United States Postal Service mail of a first class letter, postage paid, addressed to the employee's last known place of residence, shall meet the requirements of reasonable notice.

During any authorized leave of absence without pay, an employee shall not be eligible to accumulate or receive benefits except as specifically provided for in this Contract. The City shall contribute to an employee's medical health plan, dental and vision insurance plan, and life insurance plan for the first thirty (30) calendar days of an employee's authorized leave of absence. Thereafter, the City shall not have any obligation to contribute to an employee's medical health plan, dental and vision insurance plan, or life insurance plan until the employee is reinstated in a permanent position. Vacation leave shall not be accrued beyond the first thirty (30) calendar days of an absence without pay.

Section 15.02. EXTENDED LEAVE OF ABSENCE. Upon written request of the employee and approval of the City Manager, the City Council may grant an extended leave of absence with or without pay for a period not to exceed one (1) year.

All provisions of Section 15.01 of this Article shall apply to extended leaves of absence, unless specifically authorized otherwise by the City Council.

Section 15.03. MILITARY LEAVE OF ABSENCE. Military leave shall be granted in accordance with the provisions of state and federal law. All employees entitled to military leave shall give the ~~department head~~Department Head an opportunity, within the limits of applicable laws, to determine when such leave shall be taken. Whenever possible, the employee involved shall notify his/her ~~department head~~Department Head of such leave at least ten (10) working days in advance of the beginning date of such leave.

Section 15.04. SICK LEAVE. Sick leave shall be utilized solely for ~~illness or medical appointment of an affected employee or his/her immediate family, meaning spouse, natural or adopted child, brother, sister, parent, step parent, step brother, or step sister.~~

- Diagnosis, care or treatment of an existing health condition or preventative care for an employee or an employee's family member(s). Family member includes parent, child, spouse, registered domestic partner, parent-in-law, sibling, grandchild, or grandparent.
- To obtain relief or services related to being a victim of domestic violence, sexual assault, or stalking as described in CA Labor Code Section 203(c) and 230.1(a).

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The City Manager, upon consultation with the ~~Department~~ Department Head ~~Manager~~, may permit an employee to use sick leave for the illness or medical appointment of an individual not included in the above definition of immediate family. The City Manager's decision regarding any request submitted under this paragraph shall not be subject to the grievance and arbitration procedure contained in Article 07.

Employees subject to this Contract shall accrue four (4) hours of sick leave time on the last day of each pay period, not to exceed eight (8) hours a month, up to a maximum of two hundred and forty (240) hours. Upon reaching the maximum accrual allowed, the employee shall cease to accrue sick leave time until such time as the total accrued hours is less than the maximum permitted, at which time the hours shall accrue in the amount stated herein up to the maximum permitted. The employee shall continue to accrue sick leave, but the amount over the cap will be moved to a catastrophic sick leave bank. The employee may use this time for a catastrophic illness of the employee only, and upon approval of the City Manager. These hours cannot be cashed out at \$0.50 on the dollar as described below, once they have been placed in the leave bank. In addition, the catastrophic sick leave cannot be converted to PERS service credit upon retirement.

An employee who has been employed by the City for five (5) or more years and who has accumulated two hundred and forty (240) hours of sick leave may on an annual basis use eight (8) hours of sick leave as personal leave. The employee shall request the use of sick leave as personal leave in writing and in advance. The use of sick leave as personal leave is subject to approval by the City.

An employee shall submit a "Leave Request" form to his/her immediate supervisor no less than twenty-four (24) hours prior to taking sick leave for pre-scheduled medical appointments.

An employee who has been absent from work due to illness shall complete a "Leave Request" form on the day he/she returns to work indicating the date, times and nature of illness.

Newly hired employees shall receive forty-eight (48) hours of sick leave time on the date of initial hire as an advance for accruals, and shall be eligible to begin using the monthly accrual provided for herein beginning on the first day of the month following completion of six (6) months of employment.

Employees leaving employment with the City for any reason other than a retirement separation, who have received an advance for accruals of sick leave time and who have used said sick leave time at a rate greater than eight (8) hours of sick leave time off for each month of actual employment during the six (6) month period of the advance, shall have the amount of sick leave time off used in excess of eight (8) hours per month deducted from the employee's final payroll on an hour for hour basis at the employee's hourly salary rate at the time of separation.

General employees may elect to cash out sick leave balances in excess of 160 hours at a rate of .50¢ on the dollar at their regular hourly rate of pay. Employees must maintain a minimum of 160 hours of sick leave in order to be compensated. Accruals will be based on balances during the last pay period of each fiscal year covered by the contract.

No portion of this Section shall be deemed to prevent an employee from utilizing other accrued leave time for the purpose of medical or sick leave.

Employee shall have no vested rights in the accrued sick leave time upon termination with the City.

Section 15.05. BEREAVEMENT LEAVE. On the death of a member of an affected employee's immediate family; meaning spouse, natural or adopted child, step child, grandchild, brother, sister, parent, grandparent, parent-in-law, brother or sister-in-law, step-parent, step-brother, step-sister, or other relative living in the same household, the employee shall be granted bereavement leave as follows:

(A) If the death occurred within a two hundred (200) miles radius of the City of San Marino, the employee shall be granted up to three (3) days bereavement leave.

(B) If the death occurred outside a two hundred (200) miles radius of the City of San Marino, the employee shall be granted up to five (5) days bereavement leave.

(C) The City Manager, upon consultation with the ~~Department-Department~~ ~~HeadManager~~, may permit an employee to use paid bereavement leave for an individual who is not included in the above definition of immediate family. The City Manager's decision regarding any request submitted under this subsection shall not be subject to the grievance and arbitration procedure contained in Article 07.

ARTICLE 16  
INSURANCE AND RELATED BENEFITS

Section 16.01. MEDICAL BENEFITS. Medical benefits shall be under the P.E.R.S. medical program.

Section 16.02. OTHER HEALTH BENEFITS. The City shall make available to current employees group dental, vision, life and long term disability insurance programs, for as long as employee participation permits such programs to be provided. Employees may join or remove themselves or their dependents from participation in any program once annually during the open enrollment period set by the CalPERS. The City shall notify employees of the open enrollment period by providing a notice with payroll at least three (3) weeks prior to the open enrollment period. Employees may modify their dependent coverage under any such insurance program as needed, or as may be permitted by the insurance program.

Section 16.03. EMPLOYEE PARTICIPATION. All employees shall be covered under the P.E.R.S. medical program, except as provided for herein. The employee may select from the P.E.R.S. plans which health program is best for the employee's family once annually. Employees may modify their dependent medical coverage under the P.E.R.S. health plan as permitted by the insurance company.

Should the program cost more than the City's contribution provided in this Article, the City shall deduct the additional funds from the employee's paycheck to pay the difference.

Should the employee select a program that is less than the City's current contribution the difference minus the Long Term Disability Cost may be cashed or placed in a deferred compensation plan provided by the City ~~as follows: for employees hired prior to July 1, 2012. For employees hired on or after July 1, 2012, the difference of 50% may be cashed or placed in a deferred compensation plan provided by the City.~~

- o **Employees hired prior to July 1, 2012** can cash out, or place in deferred compensation, the difference of 100%; they may continue to do so with the same amounts in effect June 25, 2016. The additional two hundred dollars (\$200.00) contributed to the FFBP (Section 16.04) over the term of this MOU may not be cashed out and may only be placed in deferred compensation.
- o **Employees Hired On or After July 1, 2012** can cash out, or place in deferred compensation, the difference of 50%; they may continue to do so with the same amounts in effect June 25, 2016. Effective June 26, 2016 those employees are eligible for the difference of 100%. However, the additional FFBP may only be placed in deferred compensation; the current

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amount of "cash out" is frozen at the amount in effect June 25, 2016 and may not be increased.

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- o Employees Hired On or After June 26, 2016 will be required to place all FFBP in deferred compensation if not utilized.

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Said cash out shall not be compensable to CalPERS as salary pursuant to the California Code of Regulations Chapter 2, Article 5, Section 571 (2CCR571). If, during the term of this Contract, the Internal Revenue Service should enact regulations by which the cash payout would jeopardize the tax deferral of the deferred compensation program, all employees agree to place all of the difference in deferred compensation.

On June 2, 2016, the United States Court of Appeals for the Ninth Circuit published its opinion in Danny Flores v. City of San Gabriel (the "decision"), which indicated that that the City's payment of unused health benefits must be included in the regular rate of pay and thus in the calculation of the overtime. The City and the Association understand that the City of San Gabriel will be petitioning the United States Supreme Court for review. Until such time as a final decision is in effect (either denial of the petition by the United States Supreme Court or a decision by the United States Supreme Court), the City and the Association mutually agree to hold implementation of that decision in abeyance.

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If, and when, the decision becomes final in favor of the individual plaintiffs, the City will:

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- Recalculate FLSA overtime retroactive to June 28, 2015 according to the decision;
- Prospectively pay FLSA overtime according to the decision;
- Cease allowing employees to "cash out" FFBP and require employees to place all monies in deferred compensation. This paragraph will not go into effect unless, and until, the same provision is implemented with Police and Fire employees.

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The City and the City Employees' Association acknowledge that this language completes satisfaction of any liability, both retroactive and prospective, for FLSA overtime under the decision. If, and when, the decision becomes final in favor of the City of San Gabriel, the City will allow employees to cash out and/or place monies in deferred compensation at the employees' option.

**SECTION 16.04. CITY CONTRIBUTION.** Employees shall only receive a City contribution for the P.E.R.S. medical program, and for dental, vision, life and long term disability insurance programs in an amount that equals the actual premium costs for the insurance benefits selected by the employee but not to exceed the total City contribution provided for in this Section. ~~Should the program cost less than the City's~~

~~contribution provided in this Article, the City shall deduct the additional funds from the employee's paycheck to pay the difference.~~

The City's contribution is established at two-hundred dollars (\$200.00) per month per annuitant and active employee. This monthly contribution shall only increase as required by the Board of Administration of the Public Employees' Retirement System or the State Legislation, as set forth in Government Code Section 22892.

The City of San Marino will establish a flexible floating fringe benefit pool ("FFBP") for currently active employees. This "FFBP" shall not be used by any current annuitants or future annuitants. The purpose of the "FFBP" is to provide currently active employees with additional health insurance, life insurance, vision insurance and dental insurance.

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~~Effective June 26, 2016, the City of San Marino shall contribute a flat rate of eight hundred dollars (\$800.00) per month on behalf of each currently active employee to the "FFBP".~~

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~~Effective June 25, 2017, the City shall contribute a flat rate of nine hundred (\$900.00) per month on behalf of each currently active employee to the "FFBP".~~

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~~Effective June 24, 2018, the City shall contribute a flat rate of one thousand (\$1,000.00) per month on behalf of each currently active employee to the "FFBP".~~

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These rates shall remain unchanged unless agreement is reached through the meet and confer process.

In the event that the "FFBP" fails to cover the actual costs of the additional health insurance, life insurance, vision insurance, and dental insurance, the individual employee shall pay the difference

If an employee is able to provide proof of coverage under a spouse's or parent's health insurance plan, the employee need not obtain health insurance under the City's provided PERS medical program.

All employee electing not to participate in the City's PERS medical program shall be required to: (1) provide the City with adequate written proof of medical coverage; (2) provide the City with no less than thirty (30) days written notice before any such medical coverage is cancelled; and (3) sign a liability and hold harmless release form removing the City from all liability resulting from not participating in the City's medical health coverage.

Section 16.05. RETIREE PARTICIPATION. Retirees shall be provided two hundred dollars (\$200) per month to be used for payment toward the medical and health benefits contained herein. If a retiree selects a program(s) in excess of the amount provided by the City, the Retiree shall be responsible for paying the balance due. Should the retiree select a program(s) costing less than the amount provided by

the City, the employee shall have no rights to the balance available.

Each August 1st thereafter, the City shall increase the contribution available to retirees by the amount required by the P.E.R.S. medical program.

Section 16.06. LONG TERM DISABILITY INSURANCE. The City shall provide a Long Term Disability (LTD) insurance program for affected employees. The cost for said LTD insurance shall be paid by the employee from the monthly City contribution provided for in Section 16.04 of this Article, or through payroll deduction, if necessary. All affected employees shall be required to participate in the Long Term Disability insurance program.

The Short/Long Term Disability program shall be with a thirty (30) day elimination period up to age 65.

Section 16.07. INJURED ON DUTY INSURANCE CONTRIBUTION CONTINUATION. If an employee who has been employed by the City for five (5) or more years suffers a work related injury and is absent from work the City shall continue to make the insurance contribution provided for in Section 16.04 for a maximum of six (6) months. The employee may only continue to participate in the same type (medical, dental, vision, etc.) of benefit plan(s) and level of benefits (employee, employee plus one or employee plus two or more) that the employee participated in immediately prior to his/her work related injury.

Section 16.08 HEPATITIS B VACCINATIONS. Upon request, employees required to work in the sewer shall receive Hepatitis B vaccinations.

Section 16.09. RETIREMENT HEALTH SAVINGS PLAN. The City agrees to sponsor a Retirement Health Savings (RHS) Plan, pursuant to the employee group agreeing on contributions and meeting the RHS plan criteria.

## ARTICLE 17 RETIREMENT BENEFIT

Section 17.01. P.E.R.S. MEMBERSHIP. The City is a contract member of the Public Employees' Retirement System. Such membership shall be maintained and employee eligibility, classification, contributions, and benefits are as prescribed in the contract between the City and the Public Employees' Retirement System heretofore approved by the City Council. -The Classic employees shall pay the employees' share of the required retirement contribution to P.E.R.S. which equals seven percent (7%) of the employee's base compensation as defined by the Public Employee's Retirement Law, Government Code Section 20000 et seq. Pursuant to Pension Reform, Employees hired on or after January 1, 2013 shall pay 6.5% or half of non-Classic normal costs of the employee's contribution to the California Public Employees Retirement System. The City will report these payments as being those of the affected employee's so that they will be credited to the particular employee's individual account

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with P.E.R.S. The City shall maintain a retirement benefit based upon the single highest year compensation for the retiring employee and the ~~2%two (2)~~ percent at 55 plan for employees hired before July 1, 2012.

Employees hired on or after July 1, 2012 but before January 1, 2013 shall be subject to the 2% at 60 formula with a three year average final compensation.

Pursuant to Pension Reform Act, employees hired on or after January 1, 2013, shall be eligible to retire at 2% at 62 formula with a three year average final compensation.

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~~Employees in any tier shall pay the seven percent (7%) employee's share of PERS.~~

The City shall provide employees covered under this agreement with that certain retirement option program commonly referred to as 1959 Survivor Benefit, Fourth Level based on the schedule of benefits as set forth in the California Public Employees Retirement System Section 21382.4 of the California Government Code. Each employee will contribute ninety-three cents (\$.93) per pay period. The City will contribute a \$4 premium rate. Any future increases in premium rates will be borne by the employee.

#### ARTICLE 18 SMOKING

To further employee health and productivity by the elimination of primary and secondary effects of smoke in the workplace, smoking shall be banned on all City property and while on duty at all times.

#### ARTICLE 19 CONDITIONS OF CONTINUED EMPLOYMENT

~~Section 19.2 NOTICE OF DRIVER'S LICENSE SUSPENSION. The language in Section 19.2 shall be amended to read as follows:~~

"Section 19.012. NOTICE OF DRIVER'S LICENSE SUSPENSION. All employees shall maintain a valid California driver's license in order to operate city equipment. In the event an employee's driver's license is suspended, the employee shall immediately notify his/her respective supervisor. Failure to do so may result in disciplinary action including termination."

~~NOTICE OF DRIVER'S LICENSE SUSPENSION. All employees shall maintain a driver's license in order to operate city equipment. In the event the employee's drivers license is suspended, the employee shall immediately notify their respective department head/Department Head. Failure to do so may result in disciplinary action.~~

#### ARTICLE 20 LAYOFF PROCEDURE

Section 20.01. NEED FOR LAYOFF. Whenever it becomes necessary, in the opinion of the City Council, to abolish a position or to reduce the number of employees in a given class in the classified service, the City Council may do so by stating in its proceedings its reasons therefore. However, no permanent full-time employee shall be separated from any department while there are emergency, seasonal, probationary, part-time or temporary employees serving in the same class of positions in the City.

Section 20.02. ORDER OF SEPARATION. In each classification in which there is to be a layoff, employees shall be separated from employment according to the employee's seniority within service. In case of the same hiring date, seniority shall be based upon hiring order.

Section 20.03. BUMPING RIGHTS. The employees laid off shall be entitled to be displaced to a position in the next lower class. Any employee so displaced shall be considered as laid off for the same reason as the person who displaced the employee and shall in the same manner be eligible to displace to the next lower class.

Section 20.04. WRITTEN NOTICE OF LAYOFF/REEMPLOYMENT RIGHTS. The employee laid off shall be given written notice of layoff not less than fifteen (15) calendar days prior to the effective date of the layoff and shall be informed of their reemployment status in writing.

The name of permanent employees who have been laid off due to reduction in force shall be placed on an appropriate layoff reemployment list according to the date of separation and shall be based on: last employee laid off is the first employee on the list, with other employees eligible in sequential order thereafter. Such list shall be used by the appointing officer when a vacancy for that class is to be filled before certification. Said reemployment list shall exist for one year.

Section 20.05. REAPPOINTMENT. The appointing officer shall reinstate the former employee to the highest available position in the layoff reemployment list, if any.

Section 20.06. REEMPLOYMENT PROCEDURE. The names of all permanent and nonpermanent employees who have been laid off due to reduction in force shall be placed on an appropriate layoff reemployment list according to the date of separation and shall be eligible for reemployment. Such reemployment list shall be based on: last employee laid off is the first employee on the list and first to be reemployed, with other employees being eligible in sequential order thereafter. Said list shall exist for one year and shall have preference over all other employment lists.

## ARTICLE 21 AMERICANS WITH DISABILITIES ACT

Because the Americans with Disabilities Act (ADA) requires accommodations for individuals protected under the Act, and because these accommodations must be

determined on an individual, case-by-case basis, the parties agree that the provisions of this Contract may be disregarded in order for the City to avoid discrimination relative to hiring, promotion, granting permanency, transfer, layoff, reassignment, termination, rehire, rates of pay, job and duty classification, seniority, leaves, fringe benefits, training opportunities, hours of work or other terms and privileges of employment.

The Association recognizes that the City has the legal obligation to meet with the individual employee to be accommodated before any adjustment is made in working conditions. The Association will be notified of these proposed accommodations prior to implementation by the City.

Any accommodation provided to an individual protected by the ADA shall not establish a past practice, nor shall it be cited or used as evidence of a past practice in the grievance/arbitration procedure.

ARTICLE 22  
SOLE AND ENTIRE MEMORANDUM OF UNDERSTANDING

It is the intent of the parties hereto that the provisions of this Memorandum of Understanding shall supersede all prior contracts and memorandums of contract, or memorandums of understanding, or contrary salary and/or personnel resolutions or Administrative Codes, provisions of the City, oral and written, expressed or implied, between the parties, and shall govern the entire relationship and shall be the sole source of any and all rights which may be asserted hereunder. This Memorandum of Understanding is not intended to conflict with Federal or State law.

ARTICLE 23  
WAIVER OF BARGAINING DURING THE TERM OF THIS CONTRACT

It is agreed that this Memorandum of Understanding contains the full and complete contract on all subjects upon which the parties did bargain or could have bargained. Neither party shall be required, during the term of this Memorandum, to negotiate or bargain upon any other issue. All matters not included in this Memorandum shall be deemed to have been raised and disposed of as if covered herein. All subjects referred to in the management right's clause shall likewise be deemed to have been raised and bargained to a conclusion.

ARTICLE 24  
EMERGENCY WAIVER PROVISION

In the event of circumstances beyond the control of the City, such as acts of God, fire, flood, earthquake, insurrection, civil disorder, national emergency, or similar circumstances, provisions of this Memorandum of Understanding or the Personnel Rules and Regulations of the City, which restrict the City's ability to respond to these emergencies, shall be suspended for the duration of such emergency. After the emergency is declared over, this Memorandum of Understanding will be reinstated

immediately. The Association shall have the right to meet and confer with the City regarding the impact on employees of the suspension of provisions in the Memorandum of Understanding during the course of the emergency. Any rights and benefits suspended by virtue of the emergency shall be restored as soon as practicable at the conclusion of the emergency.

ARTICLE 25  
SEPARABILITY PROVISION

Should any provisions of this Memorandum of Understanding be found to be inoperative, void, or invalid by a court of competent jurisdiction, all other provisions of this Memorandum of Understanding shall remain in full force and effect for the duration of this Memorandum of Understanding. The parties shall meet and confer over a new provision to replace any such provision stricken by law.

ARTICLE 26  
TERM OF MEMORANDUM OF UNDERSTANDING

The term of this Memorandum of Understanding shall commence upon ratification by the Association member bargaining unit members and adoption by the City Council, and shall continue in full force and effect until ~~JUNE 25, 2016~~June 22, 2019.

**REOPENER:** Both parties agree to meet and confer in good faith ~~in May 2015 on salary increase considerations based on the April to April Consumer Price Index (CPI) for Los Angeles, Riverside and Orange Counties. It is the intent to recommend a salary increase between 1% and 3%, if economically feasible for positions that are not at market rate (55<sup>th</sup> percentile). If the CPI is less than 1%, no salary increase will be provided. No more than 3% CPI shall be provided even if the CPI is greater than 3%.~~ on the issues of Work Schedules and changes to City Personnel Rules and Regulations during the term of this MOU.

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ARTICLE 27  
RATIFICATION AND EXECUTION

The City's representatives and the Association have reached an understanding as to certain recommendations to be made to the City Council for the City of San Marino and have agreed that the parties hereto will jointly urge said Council to adopt a new wage and salary resolution which will provide for the changes contained in said joint recommendations. The City and the Association acknowledge that this Memorandum of Understanding shall not be in full force and effect until adopted by the City Council of this City. Subject to the foregoing, this Memorandum of Understanding is hereby executed by the authorized representatives of the City and the Association and entered into this ~~1<sup>st</sup> day of October, 2016~~<sup>1<sup>st</sup> day of June, 2014</sup>.

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CITY OF SAN MARINO

SAN MARINO CITY EMPLOYEES'  
ASSOCIATION

BY: \_\_\_\_\_  
| Cindy Collins

BY: \_\_\_\_\_  
| Sam Estrada

BY: \_\_\_\_\_  
| Lucy Garcia

BY: \_\_\_\_\_

BY: \_\_\_\_\_  
| Steve Filarsky

BY: \_\_\_\_\_  
| Oshea Orchid

|

ATTACHMENT "A"  
EMPLOYEE CLASSIFICATIONS

Account Clerk	Permit Tech II
Accountant I	Permit Tech I
Building Inspector	Police Recruit
Building Inspector II	Shop Foreman
Building & Planning Assistant	Street Foreman
Clerk Typist I	Tree Trimmer I
Clerk Typist II	Tree Trimmer II
Police Dispatcher/Clerk	
Gardener I	
Gardener II	
Groundsman	
Librarian I	
Librarian II	
Librarian III	
Library Clerk III	
Maintenance Worker I	
Maintenance Worker II	
Maintenance Worker III	
Park Foreman	
Park Leadman	
Park Maintenance	

ATTACHMENT B:  
~~GENERAL EMPLOYEES SALARY SCHEDULE~~  
EFFECTIVE: ~~June 29, 2014~~

<u>Classification</u>	<u>Step A</u>	<u>Step B</u>	<u>Step C</u>	<u>Step D</u>	<u>Step E</u>
Account Clerk*	2,898	3,047	3,202	3,365	3,537
Accountant I*	4,202	4,417	4,640	4,878	5,127
Building Inspector*	4,230	4,445	4,672	4,911	5,160
<b>Building Inspector II</b>	<b>5,055</b>	<b>5,321</b>	<b>5,601</b>	<b>5,896</b>	<b>6,206</b>
Bldg. & Plnng. Assistant*	4,535	4,766	5,010	5,266	5,535
Clerk Typist I*	2,521	2,650	2,785	2,928	3,076
<b>Clerk Typist II</b>	<b>2,865</b>	<b>3,015</b>	<b>3,174</b>	<b>3,341</b>	<b>3,517</b>
<b>Dispatcher/Clerk</b>	<b>3,541</b>	<b>3,727</b>	<b>3,923</b>	<b>4,130</b>	<b>4,347</b>
Gardener I*	3,365	3,537	3,719	3,908	4,107
Gardener II*	3,908	4,107	4,316	4,536	4,766
Groundsman*	3,139	3,300	3,467	3,644	3,830
Librarian I*	3,830	4,025	4,231	4,447	4,673
<b>Librarian II</b>	<b>4,398</b>	<b>4,629</b>	<b>4,873</b>	<b>5,129</b>	<b>5,399</b>
<b>Librarian III</b>	<b>4,938</b>	<b>5,198</b>	<b>5,472</b>	<b>5,760</b>	<b>6,063</b>
Library Clerk III*	3,234	3,399	3,572	3,755	3,945
<b>Maintenance Wkr I</b>	<b>3,339</b>	<b>3,514</b>	<b>3,699</b>	<b>3,894</b>	<b>4,089</b>

<b>Maintenance Wkr II</b>	<b>3,537</b>	<b>3,719</b>	<b>3,908</b>	<b>4,108</b>	<b>4,317</b>
<b>Maintenance Wkr III</b>	<b>4,107</b>	<b>4,316</b>	<b>4,536</b>	<b>4,766</b>	<b>5,010</b>
<b>Park Foreman</b>	<b>4,834</b>	<b>5,089</b>	<b>5,356</b>	<b>5,638</b>	<b>5,935</b>
Park Leadman*	3,719	3,908	4,108	4,317	4,536
Park Maintenance*	3,365	3,537	3,719	3,908	4,107
<b>Permit Tech</b>	<b>3,623</b>	<b>3,813</b>	<b>4,104</b>	<b>4,215</b>	<b>4,425</b>
Permit Technician II*	3,717	3,904	4,100	4,304	4,520
Police Recruit*	2,785	2,928	3,076	3,233	3,399
Rec Coordinator	3,717	3,906	4,105	4,315	4,535
Senior Account Clerk*	4,002	4,207	4,420	4,646	4,882
<b>Shop Foreman</b>	<b>4,834</b>	<b>5,089</b>	<b>5,356</b>	<b>5,638</b>	<b>5,935</b>
<b>Street Foreman</b>	<b>4,834</b>	<b>5,089</b>	<b>5,356</b>	<b>5,638</b>	<b>5,935</b>
Tree Trimmer I*	3,528	3,708	3,896	4,094	4,304
Tree Trimmer II*	3,986	4,188	4,405	4,628	4,863

Salaries increases vary by position. Adjusted positions identified in bold.  
Asterisk positions vacant and not surveyed.  
Merit increases are based on the following table for all employees hired:  
Step A — for first six (6) months of employment.  
Step B (\*) — eligible after six (6) months of employment.  
Step C (\*\*) — eligible after eighteen (18) months of employment.  
Step D (\*\*) — eligible after thirty (30) months of employment

ATTACHMENT B:  
GENERAL EMPLOYEES SALARY SCHEDULE  
EFFECTIVE: ~~Effective first payroll of 2015~~

<u>Classification</u>	<u>Step A</u>	<u>Step B</u>	<u>Step C</u>	<u>Step D</u>	<u>Step E</u>
Account Clerk*	2,898	3,047	3,202	3,365	3,537
Accountant I*	4,202	4,417	4,640	4,878	5,127
Building Inspector*	4,230	4,445	4,672	4,911	5,160
<b>Building Inspector II</b>	<b>5,392</b>	<b>5,676</b>	<b>5,975</b>	<b>6,289</b>	<b>6,620</b>
Bldg. & Plnng. Assistant*	4,535	4,766	5,010	5,266	5,535
Clerk Typist I*	2,521	2,650	2,785	2,928	3,076
<b>Clerk Typist II</b>	<b>2,961</b>	<b>3,117</b>	<b>3,281</b>	<b>3,453</b>	<b>3635</b>
<b>Dispatcher/Clerk</b>	<b>3,702</b>	<b>3897</b>	<b>4102</b>	<b>4318</b>	<b>4545</b>
Gardener I*	3,365	3,537	3,719	3,908	4,107
Gardener II*	3,908	4,107	4,316	4,536	4,766
Groundsman*	3,139	3,300	3,467	3,644	3,830
Librarian I*	3,830	4,025	4,231	4,447	4,673
<b>Librarian II</b>	<b>4672</b>	<b>4918</b>	<b>5177</b>	<b>5449</b>	<b>5736</b>
<b>Librarian III</b>	<b>5325</b>	<b>5606</b>	<b>5901</b>	<b>6211</b>	<b>6538</b>
Library Clerk III*	3,234	3,399	3,572	3,755	3,945
<b>Maintenance Wkr I</b>	<b>3559</b>	<b>3740</b>	<b>3938</b>	<b>4144</b>	<b>4351</b>

<del>Maintenance-Wkr II</del>	<del>3,643</del>	<del>3831</del>	<del>4025</del>	<del>4231</del>	<del>4447</del>
<del>Maintenance-Wkr III</del>	<del>4230</del>	<del>4446</del>	<del>4672</del>	<del>4909</del>	<del>5160</del>
<del>Park Foreman</del>	<del>5160</del>	<del>5431</del>	<del>5717</del>	<del>6018</del>	<del>6335</del>
<del>Park Leadman*</del>	<del>3,719</del>	<del>3,908</del>	<del>4,108</del>	<del>4,317</del>	<del>4,536</del>
<del>Park Maintenance*</del>	<del>3,365</del>	<del>3,537</del>	<del>3,719</del>	<del>3,908</del>	<del>4,107</del>
<del>Permit Tech</del>	<del>3895</del>	<del>4100</del>	<del>4316</del>	<del>4532</del>	<del>4758</del>
<del>Permit Technician II*</del>	<del>3,717</del>	<del>3,904</del>	<del>4,100</del>	<del>4,304</del>	<del>4,520</del>
<del>Police Recruit*</del>	<del>2,785</del>	<del>2,928</del>	<del>3,076</del>	<del>3,233</del>	<del>3,399</del>
<del>Rec Coordinator</del>	<del>3,717</del>	<del>3,906</del>	<del>4,105</del>	<del>4,315</del>	<del>4,535</del>
<del>Senior Account Clerk*</del>	<del>4,002</del>	<del>4,207</del>	<del>4,420</del>	<del>4,646</del>	<del>4,882</del>
<del>Shop Foreman</del>	<del>5160</del>	<del>5431</del>	<del>5717</del>	<del>6018</del>	<del>6335</del>
<del>Street Foreman</del>	<del>5160</del>	<del>5431</del>	<del>5717</del>	<del>6018</del>	<del>6335</del>
<del>Tree Trimmer I*</del>	<del>3,528</del>	<del>3,708</del>	<del>3,896</del>	<del>4,094</del>	<del>4,304</del>
<del>Tree Trimmer II*</del>	<del>3,986</del>	<del>4,188</del>	<del>4,405</del>	<del>4,628</del>	<del>4,863</del>

Salaries increases vary by position. Adjusted positions identified in bold.  
Asterisk positions vacant and not surveyed.  
Merit increases are based on the following table for all employees hired:  
Step A — for first six (6) months of employment.  
Step B (\*) — eligible after six (6) months of employment.  
Step C (\*\*) — eligible after eighteen (18) months of employment.  
Step D (\*\*) — eligible after thirty (30) months of employment

**GENERAL EMPLOYEES' SALARY SCHEDULE**

EFFECTIVE:	6/26/16	(Based on 55 <sup>th</sup> Percentile)			
<u>Classification</u>	<u>Step A</u>	<u>Step B</u>	<u>Step C</u>	<u>Step D</u>	<u>Step E</u>
<b><u>Account Clerk</u></b>	<b><u>3,306</u></b>	<b><u>3,471</u></b>	<b><u>3,645</u></b>	<b><u>3,827</u></b>	<b><u>4,019</u></b>
<u>Accountant I</u>	<u>4,202</u>	<u>4,417</u>	<u>4,640</u>	<u>4,878</u>	<u>5,127</u>
<u>Building Inspector</u>	<u>4,230</u>	<u>4,445</u>	<u>4,672</u>	<u>4,911</u>	<u>5,160</u>
<u>Building Inspector II</u>	<u>5,392</u>	<u>5,676</u>	<u>5,975</u>	<u>6,289</u>	<u>6,620</u>
<u>Bldg. &amp; Plnng. Assitant</u>	<u>4,535</u>	<u>4,766</u>	<u>5,010</u>	<u>5,265</u>	<u>5,535</u>
<u>Clerk Typist I</u>	<u>2,521</u>	<u>2,650</u>	<u>2,785</u>	<u>2,928</u>	<u>3,076</u>
<b><u>Clerk Typist II</u></b>	<b><u>3,241</u></b>	<b><u>3,403</u></b>	<b><u>3,573</u></b>	<b><u>3,752</u></b>	<b><u>3,939</u></b>
<b><u>Dispatcher/Clerk:</u></b>	<b><u>3,979</u></b>	<b><u>4,178</u></b>	<b><u>4,387</u></b>	<b><u>4,606</u></b>	<b><u>4,837</u></b>
<u>Gardener I</u>	<u>3,365</u>	<u>3,537</u>	<u>3,719</u>	<u>3,908</u>	<u>4,107</u>
<u>Gardener II</u>	<u>3,908</u>	<u>4,107</u>	<u>4,316</u>	<u>4,536</u>	<u>4,766</u>
<u>Groundsman</u>	<u>3,139</u>	<u>3,300</u>	<u>3,467</u>	<u>3,644</u>	<u>3,830</u>
<u>Librarian I</u>	<u>3,830</u>	<u>4,025</u>	<u>4,231</u>	<u>4,447</u>	<u>4,673</u>
<b><u>Librarian II</u></b>	<b><u>5,092</u></b>	<b><u>5,347</u></b>	<b><u>5,614</u></b>	<b><u>5,895</u></b>	<b><u>6,189</u></b>
<b><u>Librarian III</u></b>	<b><u>5,464</u></b>	<b><u>5,737</u></b>	<b><u>6,024</u></b>	<b><u>6,325</u></b>	<b><u>6,641</u></b>
<u>Library Clerk III</u>	<u>3,234</u>	<u>3,399</u>	<u>3,572</u>	<u>3,755</u>	<u>3,945</u>
<u>Maintenance Wkr I</u>	<u>3,559</u>	<u>3,740</u>	<u>3,938</u>	<u>4,144</u>	<u>4,351</u>
<b><u>Maintenance Wkr II</u></b>	<b><u>3,767</u></b>	<b><u>3,955</u></b>	<b><u>4,153</u></b>	<b><u>4,360</u></b>	<b><u>4,578</u></b>
<u>Maintenance Wkr III</u>	<u>4,230</u>	<u>4,446</u>	<u>4,672</u>	<u>4,909</u>	<u>5,160</u>
<u>Park Foreman</u>	<u>5,160</u>	<u>5,431</u>	<u>5,717</u>	<u>6,018</u>	<u>6,335</u>

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<u>Park Leadman</u>	<u>3,719</u>	<u>3,908</u>	<u>4,108</u>	<u>4,317</u>	<u>4,536</u>
<u>Park Maintenance</u>	<u>3,365</u>	<u>3,537</u>	<u>3,719</u>	<u>3,908</u>	<u>4,107</u>
<b><u>Permit Tech</u></b>	<b><u>4,186</u></b>	<b><u>4,395</u></b>	<b><u>4,615</u></b>	<b><u>4,846</u></b>	<b><u>5,088</u></b>
<u>Permit Technician II</u>	<u>3,717</u>	<u>3,904</u>	<u>4,100</u>	<u>4,304</u>	<u>4,520</u>
<b><u>Police Recruit</u></b>	<b><u>4,187</u></b>	<b><u>4,396</u></b>	<b><u>4,616</u></b>	<b><u>4,847</u></b>	<b><u>5,089</u></b>
<u>Rec Coordinator</u>	<u>3,717</u>	<u>3,906</u>	<u>4,105</u>	<u>4,315</u>	<u>4,535</u>
<u>Senior Account Clerk</u>	<u>4,002</u>	<u>4,207</u>	<u>4,420</u>	<u>4,646</u>	<u>4,882</u>
<b><u>Shop Foreman</u></b>	<b><u>5,234</u></b>	<b><u>5,495</u></b>	<b><u>5,770</u></b>	<b><u>6,059</u></b>	<b><u>6,362</u></b>
<u>Street Foreman</u>	<u>5,160</u>	<u>5,431</u>	<u>5,717</u>	<u>6,018</u>	<u>6,335</u>
<u>Tree Trimmer I</u>	<u>3,528</u>	<u>3,708</u>	<u>3,896</u>	<u>4,094</u>	<u>4,304</u>
<u>Tree Trimmer II</u>	<u>3,986</u>	<u>4,188</u>	<u>4,405</u>	<u>4,628</u>	<u>4,863</u>

Salaries increases vary by position. Adjusted positions identified in bold.  
Asterisk positions vacant and not surveyed.  
Merit increases are based on the following for all employees hired:  
Step A \_\_\_\_\_ - for first six (6) months of employment.  
Step B (\*) - eligible after six (6) months of employment.  
Step C (\*\*) - eligible after eighteen (18) months of employment.  
Step D (\*\*) - eligible after thirty (30) months of employment.

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**GENERAL EMPLOYEES' SALARY SCHEDULE**

<u>EFFECTIVE:</u>	<u>06/25/17</u>	<u>(2% Increase)</u>			
<u>Classification</u>	<u>Step A</u>	<u>Step B</u>	<u>Step C</u>	<u>Step D</u>	<u>Step E</u>
<u>Account Clerk</u>	<u>3,372</u>	<u>3,540</u>	<u>3,718</u>	<u>3,904</u>	<u>4,099</u>
<u>Accountant I</u>	<u>4,286</u>	<u>4,505</u>	<u>4,733</u>	<u>4,976</u>	<u>5,230</u>
<u>Building Inspector</u>	<u>4,315</u>	<u>4,534</u>	<u>4,765</u>	<u>5,009</u>	<u>5,263</u>
<u>Building Inspector II</u>	<u>5,500</u>	<u>5,790</u>	<u>6,095</u>	<u>6,415</u>	<u>6,752</u>
<u>Bldg. &amp; Plnng. Assitant</u>	<u>4,626</u>	<u>4,861</u>	<u>5,110</u>	<u>5,370</u>	<u>5,646</u>
<u>Clerk Typist I</u>	<u>2,571</u>	<u>2,703</u>	<u>2,841</u>	<u>2,987</u>	<u>3,138</u>
<u>Clerk Typist II</u>	<u>3,306</u>	<u>3,471</u>	<u>3,644</u>	<u>3,827</u>	<u>4,018</u>
<u>Dispatcher/Clerk:</u>	<u>4,059</u>	<u>4,262</u>	<u>4,475</u>	<u>4,698</u>	<u>4,934</u>
<u>Gardener I</u>	<u>3,432</u>	<u>3,608</u>	<u>3,793</u>	<u>3,986</u>	<u>4,189</u>
<u>Gardener II</u>	<u>3,986</u>	<u>4,189</u>	<u>4,402</u>	<u>4,627</u>	<u>4,861</u>
<u>Groundsman</u>	<u>3,202</u>	<u>3,366</u>	<u>3,536</u>	<u>3,717</u>	<u>3,907</u>
<u>Librarian I</u>	<u>3,907</u>	<u>4,106</u>	<u>4,316</u>	<u>4,536</u>	<u>4,766</u>
<u>Librarian II</u>	<u>5,194</u>	<u>5,454</u>	<u>5,726</u>	<u>6,013</u>	<u>6,313</u>
<u>Librarian III</u>	<u>5,573</u>	<u>5,852</u>	<u>6,144</u>	<u>6,452</u>	<u>6,774</u>
<u>Library Clerk III</u>	<u>3,299</u>	<u>3,467</u>	<u>3,643</u>	<u>3,830</u>	<u>4,024</u>
<u>Maintenance Wkr I</u>	<u>3,630</u>	<u>3,815</u>	<u>4,017</u>	<u>4,227</u>	<u>4,438</u>
<u>Maintenance Wkr II</u>	<u>3,842</u>	<u>4,034</u>	<u>4,236</u>	<u>4,447</u>	<u>4,670</u>
<u>Maintenance Wkr III</u>	<u>4,315</u>	<u>4,535</u>	<u>4,765</u>	<u>5,007</u>	<u>5,263</u>

<u>Park Foreman</u>	<u>5,263</u>	<u>5,540</u>	<u>5,831</u>	<u>6,138</u>	<u>6,462</u>
<u>Park Leadman</u>	<u>3,793</u>	<u>3,986</u>	<u>4,190</u>	<u>4,403</u>	<u>4,627</u>
<u>Park Maintenance</u>	<u>3,432</u>	<u>3,608</u>	<u>3,793</u>	<u>3,986</u>	<u>4,189</u>
<u>Permit Tech</u>	<u>4,270</u>	<u>4,483</u>	<u>4,707</u>	<u>4,943</u>	<u>5,190</u>
<u>Permit Technician II</u>	<u>3,791</u>	<u>3,982</u>	<u>4,182</u>	<u>4,390</u>	<u>4,610</u>
<u>Police Recruit</u>	<u>4,271</u>	<u>4,484</u>	<u>4,708</u>	<u>4,944</u>	<u>5,191</u>
<u>Rec Coordinator</u>	<u>3,791</u>	<u>3,984</u>	<u>4,187</u>	<u>4,401</u>	<u>4,626</u>
<u>Senior Account Clerk</u>	<u>4,082</u>	<u>4,291</u>	<u>4,508</u>	<u>4,739</u>	<u>4,980</u>
<u>Shop Foreman</u>	<u>5,339</u>	<u>5,605</u>	<u>5,885</u>	<u>6,180</u>	<u>6,489</u>
<u>Street Foreman</u>	<u>5,263</u>	<u>5,540</u>	<u>5,831</u>	<u>6,138</u>	<u>6,462</u>
<u>Tree Trimmer I</u>	<u>3,599</u>	<u>3,782</u>	<u>3,974</u>	<u>4,176</u>	<u>4,390</u>
<u>Tree Trimmer II</u>	<u>4,066</u>	<u>4,272</u>	<u>4,493</u>	<u>4,721</u>	<u>4,960</u>

Salaries increases vary by position.  
Asterisk positions vacant and not surveyed.  
Merit increases are based on the following for all employees hired:  
Step A \_\_\_\_\_ - for first six (6) months of employment.  
Step B (\*) \_\_\_\_\_ - eligible after six (6) months of employment.  
Step C (\*\*) \_\_\_\_\_ - eligible after eighteen (18) months of employment.  
Step D (\*\*) \_\_\_\_\_ - eligible after thirty (30) months of employment.

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**GENERAL EMPLOYEES' SALARY SCHEDULE**

<u>EFFECTIVE:</u>	<u>06/24/18</u>				
	<u>(2% Increase)</u>				
<u>Classification</u>	<u>Step A</u>	<u>Step B</u>	<u>Step C</u>	<u>Step D</u>	<u>Step E</u>
<u>Account Clerk</u>	<u>3,440</u>	<u>3,611</u>	<u>3,792</u>	<u>3,982</u>	<u>4,181</u>
<u>Accountant I</u>	<u>4,372</u>	<u>4,595</u>	<u>4,827</u>	<u>5,075</u>	<u>5,334</u>
<u>Building Inspector</u>	<u>4,401</u>	<u>4,625</u>	<u>4,861</u>	<u>5,109</u>	<u>5,368</u>
<u>Building Inspector II</u>	<u>5,610</u>	<u>5,905</u>	<u>6,216</u>	<u>6,543</u>	<u>6,887</u>
<u>Bldg. &amp; Plnng. Assitant</u>	<u>4,718</u>	<u>4,959</u>	<u>5,212</u>	<u>5,478</u>	<u>5,759</u>
<u>Clerk Typist I</u>	<u>2,623</u>	<u>2,757</u>	<u>2,898</u>	<u>3,046</u>	<u>3,200</u>
<u>Clerk Typist II</u>	<u>3,372</u>	<u>3,540</u>	<u>3,717</u>	<u>3,904</u>	<u>4,098</u>
<u>Dispatcher/Clerk:</u>	<u>4,140</u>	<u>4,347</u>	<u>4,564</u>	<u>4,792</u>	<u>5,032</u>
<u>Gardener I</u>	<u>3,501</u>	<u>3,680</u>	<u>3,869</u>	<u>4,066</u>	<u>4,273</u>
<u>Gardener II</u>	<u>4,066</u>	<u>4,273</u>	<u>4,490</u>	<u>4,719</u>	<u>4,959</u>
<u>Groundsman</u>	<u>3,266</u>	<u>3,433</u>	<u>3,607</u>	<u>3,791</u>	<u>3,985</u>
<u>Librarian I</u>	<u>3,985</u>	<u>4,188</u>	<u>4,402</u>	<u>4,627</u>	<u>4,862</u>
<u>Librarian II</u>	<u>5,298</u>	<u>5,563</u>	<u>5,841</u>	<u>6,133</u>	<u>6,439</u>
<u>Librarian III</u>	<u>5,685</u>	<u>5,969</u>	<u>6,267</u>	<u>6,581</u>	<u>6,909</u>
<u>Library Clerk III</u>	<u>3,365</u>	<u>3,536</u>	<u>3,716</u>	<u>3,907</u>	<u>4,104</u>
<u>Maintenance Wkr I</u>	<u>3,703</u>	<u>3,891</u>	<u>4,097</u>	<u>4,311</u>	<u>4,527</u>
<u>Maintenance Wkr II</u>	<u>3,919</u>	<u>4,115</u>	<u>4,321</u>	<u>4,536</u>	<u>4,763</u>
<u>Maintenance Wkr III</u>	<u>4,401</u>	<u>4,626</u>	<u>4,861</u>	<u>5,107</u>	<u>5,368</u>

<u>Park Foreman</u>	<u>5,368</u>	<u>5,650</u>	<u>5,948</u>	<u>6,261</u>	<u>6,591</u>
<u>Park Leadman</u>	<u>3,869</u>	<u>4,066</u>	<u>4,274</u>	<u>4,491</u>	<u>4,719</u>
<u>Park Maintenance</u>	<u>3,501</u>	<u>3,680</u>	<u>3,869</u>	<u>4,066</u>	<u>4,273</u>
<u>Permit Tech</u>	<u>4,355</u>	<u>4,573</u>	<u>4,801</u>	<u>5,042</u>	<u>5,294</u>
<u>Permit Technician II</u>	<u>3,867</u>	<u>4,062</u>	<u>4,266</u>	<u>4,478</u>	<u>4,703</u>
<u>Police Recruit</u>	<u>4,356</u>	<u>4,574</u>	<u>4,802</u>	<u>5,043</u>	<u>5,295</u>
<u>Rec Coordinator</u>	<u>3,867</u>	<u>4,064</u>	<u>4,271</u>	<u>4,489</u>	<u>4,718</u>
<u>Senior Account Clerk</u>	<u>4,164</u>	<u>4,377</u>	<u>4,599</u>	<u>4,834</u>	<u>5,079</u>
<u>Shop Foreman</u>	<u>5,445</u>	<u>5,717</u>	<u>6,003</u>	<u>6,304</u>	<u>6,619</u>
<u>Street Foreman</u>	<u>5,368</u>	<u>5,650</u>	<u>5,948</u>	<u>6,261</u>	<u>6,591</u>
<u>Tree Trimmer I</u>	<u>3,671</u>	<u>3,858</u>	<u>4,053</u>	<u>4,259</u>	<u>4,478</u>
<u>Tree Trimmer II</u>	<u>4,147</u>	<u>4,357</u>	<u>4,583</u>	<u>4,815</u>	<u>5,059</u>

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Step A \_\_\_\_\_ - for first six (6) months of employment.  
Step B (\*) \_\_\_\_\_ - eligible after six (6) months of employment.  
Step C (\*\*) \_\_\_\_\_ - eligible after eighteen (18) months of employment.  
Step D (\*\*) \_\_\_\_\_ - eligible after thirty (30) months of employment.

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# 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: CINDY COLLINS, INTERIM CITY MANAGER

BY: DANIEL S. WALL, P.E., PARKS AND PUBLIC WORKS  
DIRECTOR/ CITY ENGINEER

DATE: OCTOBER 12, 2016

SUBJECT: **INTRODUCTION OF ORDINANCE No 0-16--1311**  
**AMENDING CHAPTER 16 OF THE MUNICIPAL CODE**  
**TO PROVIDE PROTECTION FOR RECENTLY IMPROVED STREETS**

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## **BACKGROUND**

This ordinance will amend the Municipal Code to prohibit non-emergency street cuts on newly paved, reconstructed or sealed streets in order to preserve the integrity and extend the life of pavement in City streets.

Too often, streets are newly paved only to be cut into so that work can be performed on water, gas, sewer or telecommunications lines buried underneath. When utilities excavate holes in streets, the road surface is weakened and the life of the pavement is shortened. These excavations, or street cuts are familiar to motorists as the holes that get covered with metal plates and then refilled and repaved. Even after being repaved, these street cuts result in bumps or potholes in an otherwise smooth street.

The City Council was presented with a Pavement Management Program at the September 30, 2016, meeting. This program included ten-years of planned paving projects throughout the City. Without the street cut moratorium there is nothing to stop a utility company from excavating a street right after it has been paved. This moratorium will prevent non-emergency street cuts in streets or alleys that have been reconstructed, overlaid, or sealed for a period of five years from the date of completion.

## **FISCAL IMPACT**

The approval of this item will increase the lifespan of newly improved streets and may over a period of years result reduce future expenditures for paving.

## **RECOMMENDATION**

If Council concurs, the appropriate action would be:

“A motion to introduce by first reading its title only, Ordinance No. 0-16-1311- “An ordinance amending Chapter 16 of the City of San Marino Municipal Code to Provide Protection for Recently Improved Streets.”

Attachments: [ Ordinance No. 0-16-1311 ]

**ORDINANCE NO. 0-16-1311**

**AN ORDINANCE OF THE CITY OF SAN MARINO, CALIFORNIA AMENDING CHAPTER 16 OF THE MUNICIPAL CODE BY ADDING SECTION 16.02.16 TO PROVIDE PROTECTION FOR RECENTLY IMPROVED STREETS**

THE CITY COUNCIL OF THE CITY OF SAN MARINO DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 16 is added to Article 2, Chapter 16 of the San Marino City Code to read as follows:

**“16.02.16: PROTECTION OF RECENTLY IMPROVED STREETS AND OTHER PUBLIC THOROUGHFARES**

The City shall not issue any permit to allow a cut on a public street, avenue, ally, court, place, highway or public way in the City that had been reconstructed, overlaid or sealed within the preceding five years unless the Director of Public Works determines that an emergency condition exists and the permittee complies with the following street protection provisions:

- a. For emergency work involving a transverse street cut, the permittee shall grind at least one and one-half (1-1/2) inches of existing asphalt and repave a minimum distance of twenty-five (25) feet from the edges of the cut from curb-to-curb of the street.
- b. For emergency work involving a longitudinal street cut, the permittee shall grind at least one and one-half (1-1/2) inches of existing asphalt and repave from the curb to the center line of the street for the length of the cut plus a minimum of two feet on either end of the cut.

For purposes of this Section “Emergency condition” is defined to mean any the following:

1. An emergency that endangers life or property, or
2. A situation involving the interruption of an essential utility service, or
3. Work that is mandated by the city or a state of federal agency, or
4. Work necessary to provide utility service for buildings or properties where no other reasonable means of providing service exists.

SECTION 2. If any provision of this Code is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect remaining provisions of this Code and are declared to be severable.

SECTION 3. This Ordinance shall become effective thirty days after final adoption by a vote of the City Council.

Section 4 The City Clerk shall certify passage of this Ordinance and have it published and/or posted in accordance with state and local law.

PASSED, APPROVED, AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2016,

\_\_\_\_\_  
MAYOR

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

ATTEST:

\_\_\_\_\_  
CITY CLERK

# City of San Marino AGENDA REPORT



TO: MAYOR AND CITY COUNCIL

FROM: CINDY COLLINS, INTERIM CITY MANAGER

BY: ALDO CERVANTES  
PLANNING AND BUILDING DIRECTOR

DATE: OCTOBER 12, 2016

SUBJECT: **RESOLUTION NO. R-16-18**  
GENERAL PLAN UPDATE

*Allan Yung, MD, Mayor*

*Richard Sun, DDS, Vice Mayor*

*Steven W. Huang, DDS, Council  
Member*

*Steve Talt, Council Member*

*Richard Ward, Council Member*

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## **BACKGROUND:**

At its September 14, 2016 meeting, the City Council found that the Land Use Map designation of the parcels located at 375, 2233, 415, 475, 825, 835 Huntington Drive, 1625 and 1635 Chelsea Road was intended to reflect the use of the parcels for low intensity commercial uses as provided in the variances and was not intended to implement a change in the status quo to permit the parcels to be used for all Commercial uses. The City Council finds that General Plan Land Use Map designation of Commercial are consistent and that the remaining parcels can be used for residential uses consistent with the zoning and commercial uses consistent with the variances granted to the remaining parcels, but to clarify that the Commercial use designation was intended to identify the uses pursuant to the use variances. The attached Resolution memorializes the City Council's decision.

## **RECOMMENDATION**

Staff recommends the City Council approve the attached Resolution No. R-16-18. If the Council concurs, the appropriate action would be:

“A motion to approve Resolution No. R-16-18”

Attachments: Resolution R-16-18

**RESOLUTION NO. R-16-18**

**A RESOLUTION OF THE CITY OF SAN MARINO CITY COUNCIL INTERPRETING THE SAN MARINO GENERAL PLAN LAND USE DESIGNATION FOR 375, 415, 475, 825, 835, 2233 HUNTINGTON DRIVE, 1625 AND 1635 CHELSEA ROAD**

THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:

**SECTION 1.** The City of San Marino adopted its first General Plan in 1973 and subsequently adopted an update to the General Plan in 2003. An updated Circulation Element was adopted in 1995 and an updated Housing Element was adopted in 2014.

**SECTION 2.** Confusion arose over the last several years concerning the appropriate uses for properties which are designated as Commercial on the Land Use Map in the General Plan, zoned Residential and which are utilized for limited commercial uses pursuant to variances granted by the City prior to adoption of the updated General Plan in 2003.

**SECTION 3.** In July 2014, the City adopted Urgency Ordinance O-14-1280-U Imposing a 45-day moratorium prohibiting approval of any permit or entitlement to develop for properties designated Commercial on the General Plan Land Use Map and zoned Residential. Urgency Ordinance O-14-1280-U was enacted to prevent these parcels from being developed with more intensive commercial uses than permitted under the variances before the City had an opportunity to study and resolve these apparent inconsistencies. In August 2014, the Urgency Ordinance was extended by the Council for an additional 10 months and 15 days. On July 8, 2015, the City Council extended Urgency Ordinance to July 24, 2016.

**SECTION 4.** During the two year moratorium period, Staff researched the property files, City Council and Planning Commission meeting minutes, Variance files and City covenants to locate all properties that have a General Plan Land Use designation of Commercial while the underlying zoning of Residential. The following properties were found to meet these criteria:

- a. 2233 Huntington Drive
- b. 1270 Belhaven Road (APN# 5332-002-010)
- c. 1265 San Gabriel Blvd. (APN# 5332-002-009)
- d. 1635 Chelsea Road
- e. 1625 Chelsea Road
- f. 1620 Chelsea Road (APN# 5335-005-001)
- g. 1630 Chelsea Road (APN# 5335-005-005)
- h. 2010 Huntington Drive (APN# 5334-016-017)
- i. 2020 Huntington Drive (APN# 5334-016-018)
- j. 2000 Huntington Drive (APN# 5334-016-016)
- k. 375 Huntington Drive

- l. 415 Huntington Drive
- m. 475 Huntington Drive
- n. 825 Huntington Drive
- o. 835 Huntington Drive

Staff determined during this research that each of these parcels, except parcels b, c, h, i and j, which were developed as parking lots to serve the adjoining commercial uses, was being used for limited commercial uses pursuant to variances granted prior adoption of the General Plan.

**SECTION 5.** The Planning Commission conducted public hearings on March 23, 2016, and April 27, 2016 to consider changing the General Plan Land Use Map for these parcels from Commercial to Residential. Both oral and written testimony was received at said hearings.

**SECTION 6.** Following these public hearings, the Planning Commission recommended the City Council approve the proposed General Plan Land Use Map amendments.

**SECTION 7.** The City Council conducted a public hearing on the proposed amendments on July 13, 2016. At the hearing, the City Council approved changing the General Plan Land Use designation from Commercial to Residential for the parking lots (parcels b, c, f, g, h, i and j). Action on the remaining parcels was continued to September 14, 2016.

**SECTION 8.** The following facts were discovered by staff during the moratorium period and presented to the City Council:

- A. The only reference in the General Plan concerning commercial use is an overview of the then existing commercial areas along Mission Street district and three areas on Huntington Drive: Huntington Drive East, Huntington Drive Central, and Huntington Drive West.
- B. The General Plan also discusses the commercial uses on the south side of Huntington Drive in the Huntington Drive West area, but, with the exception of 375 Huntington Drive, does not discuss the commercial uses on the north side of the Huntington Drive West area. With respect to 375 Huntington Drive, the General Plan states: “There is also only one property for commercial use at the five-point intersection of Garfield, Los Robles and Huntington. Although it is a small area, this is a viable commercial area. The architecture is attractive, there is a low vacancy rate, and there is a mix of retail, restaurant, office, and service businesses that are appropriate for this location.”
- C. Research from the past year found no records referencing the six remaining properties and their use variances or commercial entitlements during the Planning Commission and City Council General Plan Update proceedings that took place between 2002 and 2003. The minutes from the Planning Commission meetings and City Council meetings only discuss certain

properties that were found to have inaccurate zoning versus the then current use. These properties included the San Marino High School, Middle School, Valentine Elementary School, San Marino Public Library, the San Marino Women's Club and some churches. Nevertheless, the Planning Commission and the City Council rejected establishing a General Plan designation for these properties.

- D. The General Plan contains a number of references indicating that the intent was not to expand the commercial districts in the City. For example, the first goal in the "Goals, Objectives and Policies" of the "Land Use Designations" of the General Plan is to "Maintain the residential character of San Marino." Goals 5, 10 and 13, listed below, reinforce an interpretation that the General Plan Land Use Map was not intended to expand commercial uses in the City, but was intended to merely show existing land uses.

"5. Perpetuate a healthy, but contained and limited, commercial environment as a service and convenience to San Marino residents, without detrimental encroachment upon the single-family areas of the community."

"10. Ensure that new development is compatible with established neighborhoods."

"13. Maintain reasonable buffers between residential neighborhoods and commercial uses in the City."

Objective L.8 of the General Plan includes the following language:

"Huntington Drive – designate areas for commercial uses on Huntington Drive consistent with existing commercial locations."

"Prohibit uses that would have a significant negative impact on adjacent residential uses."

- E. The "Purpose" portion of Section Two of the Economic Development section of the General Plan provides, in part, that "the amount and location of commercial areas in the City is well established." This portion of the General Plan also states that "it has not been the policy of the City to change the nature of its commercial areas to increase tax revenues." The first goal in the "Goals, Objectives and Policies" section of the Economic Development section of the General Plan is that the City should "maintain commercial land use patterns."
- F. The "Discussion of Environmental Impacts" portion of the Negative Declaration that was adopted with the 2003 General Plan has language indicating that the City intended the new General Plan to retain the status quo and not provide for intensification of land uses, as shown below:

Item 35 provides, in part, that “the General Plan Update does not change the density or intensity of land uses in the City.”

Item 36 provides, in part, that “no change in land uses or development patterns will result from this project.”

Item 39 provides, in part, that “no intensification of land uses is proposed.”

Item 46 provides, in part, that “The project will not result in an alternation of present land uses.”

Item 47 provides, in part, that there will be no change in “land uses and densities.”

Item 54 provides, in part, that “the project does not change the land uses...of the City.”

- G. One member of the Planning Commission at the time the General Plan was adopted testified that the City did not intend the Map to expand the permitted Commercial uses of these parcels. Rather, the parcels were designated Commercial, to reflect the fact they were being used for limited Commercial pursuant to the existing variances.

**SECTION 9.** Based on the facts contained in Section 8, the City Council finds that the Land Use Map designation of the remaining parcels was intended to reflect the use of the parcels for low intensity commercial uses as provided in the variances and was not intended to implement a change in the status quo to permit the parcels to be used for all Commercial uses. The City Council hereby finds that General Plan Land Use Map designation of Commercial are consistent and that the remaining parcels can be used for residential uses consistent with the zoning and commercial uses consistent with the variances granted to the remaining parcels.

**SECTION 10.** The custodian of the documents and other materials that constitute the record of proceedings on which any action on this matter is based is the City Clerk of the City of San Marino, 2200 Huntington Drive, San Marino, California, 91108.

PASSED, APPROVED, AND ADOPTED this 12th day of October 2016.

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Allan Yung, Mayor

ATTEST:

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Veronica Ruiz, City Clerk

# 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: CINDY COLLINS, INTERIM CITY MANAGER

BY: ALDO CERVANTES,  
PLANNING AND BUILDING DIRECTOR  
EVA CHOI, ASSISTANT PLANNER

DATE: OCTOBER 12, 2016

SUBJECT: **DESIGNATION OF HISTORICAL LANDMARK**  
**1470 VIRGINIA ROAD, (JAGELS)**

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## **PROPOSAL:**

The applicant is requesting the City Council to designate 1470 Virginia Road as a local historical landmark. In accordance with City Code Sections 2.12.01 and 2.12.02, the City Council may designate a building, landmark or other property within the City as a local historical landmark in recognition of the property's role during the formation and existence of the City.

## **BACKGROUND:**

On June 22, 2016, the Planning Commission approved a new two-story residence and a detached garage with conditions at 1470 Virginia Road. Prior to the Planning Commission approving the project, there were questions on the potential historic significance of the existing structures, a 1938 English Tudor residence designed by Theodore Pletsch. At the Planning Commission's request, the applicant submitted a historic resources assessment report, prepared by The Historic Resources Group. The historic resources assessment report evaluated the property based on applicable criterion from the National Register and California Register and found the structure to be ineligible for listing. The historic resources assessment report identified the existing residence exhibiting character-defining features of the Tudor Revival-style and that the structure is a good local example of the particular architectural style. The report concluded that the property appears eligible for local designation as a historic landmark.

On July 7, 2016, the Planning Commission's approval was appealed. On September 14, 2016, the subject petition to designate the property as a local historic landmark was submitted during the appeal hearing.

## **ANALYSIS:**

Mr. Pletsch designed over 500 residential projects between the 1930s and 1980s, including the English Tudor structures at 1470 Virginia Road; there is no evidence to support that this particular project played a significant role in Mr. Pletsch's career or his residential design in the City of San Marino. The City of Pasadena dedicated March 24, 1986 as the Theodore Pletsch Day in recognition of Mr. Pletsch's work in Pasadena. It should be noted that Mr. Pletsch graduated from Pasadena High School and designed many projects in Pasadena.

In 1989, City leaders codified City Code Sections 2.12.01 and 2.12.02 to address the City’s desire to preserve the historical heritage of the community. The Codes stated the purpose and method to recognize “a building, landmark or other property within the City as a local historical landmark in special recognition of the property's role during the formation and existence of the City. (Ord. 951, 3-8-89)”.

A review of the property history file revealed past ownerships included J.D. Hensley as the original owner and Sava Jerry Stathatos as the second owner from 1966 to September 2014. Staff was unsuccessful in gathering information on the original owner. The Stathatos Family founded and operated the Stats Floral Supply in Old Town Pasadena. A letter dated 1991, showed that the property had held charity events benefiting the University of California Marching Band. While the Stathatos Family was notable in the floral industry and well-known in the San Gabriel Valley area, there is no evidence that the Stathatos Family or the property played a role in the formation or existence of the City of San Marino. Therefore, staff cannot make the required findings to support the designation of 1470 Virginia Road as a local historical landmark.

The City Council has the discretion to obtain a historic assessment report from a qualified historic consultant to ascertain the property’s local historic significance based on the current City Code. Based on a prior completed historic assessment report for another residential project, staff estimated the process would take approximately five-week to complete and the cost of the assessment report ranges from \$3,000 to \$4,000.

**RECOMMENDATION:**

[Staff recommends the Council deny the local historical landmark request since 1470 Virginia Road does not appear to have played a role during the formation and existence of the City. Alternatively, the City Council can retain a consultant to provide additional analysis on whether the property qualifies as a local historical landmark under the City Code. ]

If Council concurs, the following motion is recommended:

“A motion to [deny the request to designate 1470 Virginia Road as a local historical landmark under City Code Chapter 2 Article 12.”]

Or

“A motion to [continue the request to designate 1470 Virginia Road as a local historical landmark and direct staff to retain a consultant to provide a historic assessment report.”]

Attachments: [Request by Shirley Jagels  
Excerpt from Ordinance 951]

①  
9/14/2016

July 6, 2010

9/14/16 Submitted by Shirley Jagels  
**STOP THE BULLDOZERS**  
**PROTECT OUR**  
**HERITAGE**

Hon. Members of the San Marino City Council,  
San Marino City Council  
C/o San Marino City Clerk Veronica Ruiz  
City of San Marino  
2200 Huntington Dr.  
San Marino, CA 91108

**SAVE OUR  
HISTORIC HOMES!**

RE: 1470 Virginia Road

Dear Mayor Yung and Councilmen:

There are many reasons for you to overturn the Planning Commission decision to demolish another historic resource in San Marino. The Stathatos Estate at 1470 Virginia Road exemplifies the English Tudor style and appears to be in an exceptional state of preservation, retaining a high degree of historic and structural integrity and character-defining features from the period of significance. In addition, the community has petitioned for this house to be saved. Further, we have failed to comply with state law by following the goals and objectives of the Land Use section of our own 2003 General Plan. For these and many other reasons, therefore, I urge you therefore to overturn the decision of the Planning Commission.

The Stathatos Estate at 1470 Virginia Road is a significant example of residential design by regionally prominent master architect Theodore Pletsch, and its demolition would be a significant loss to the community. The applicant proposing demolition did complete a Historic Resource Report, which determined that, although the structure "appears to be" ineligible for national and state recognition, the report does declare 1470 Virginia to be eligible for local historic recognition, were it to be nominated. Further, although the report "did not identify" particular facts that would be relevant, this client-driven report was not exhaustive and therefore the findings could not be adequately determinative.

When reviewing this application, please keep in mind that many things the process of this application are questionable. First, by allowing this or any applicant with a goal of demolition to pay for and manage a historic report has the potential to compromise the process. When at hearings, representatives are often compelled to minimize the historic findings of the report to please the client. Further, while the PC was guided by staff reports during the hearing process, staff failed to include and share important findings from the report with the Planning Commission in the

Staff Report. After reviewing the June 22<sup>nd</sup> audio, I further find that the Minutes are misleading and incomplete. Alarm bells continue to ring.

The house exhibits a high quality of design, construction, and craftsmanship, and has had little alteration since its construction, with the exception of an addition in 1950 by Mr. Pletsch. At the Stathatos Estate, Mr. Pletsch illustrated his ability to fully integrate historical elements into his designs as more than superficial decoration.

Most importantly, we have also failed in meeting the goals and objectives and policies in identifying our historic resources and providing incentives for preservation. As stated in our 2003 General Plan goals and objectives for Land Use, Section III, Historic Preservation starting on Page 36 of our 2003 General Plan, The purpose of establishing a policy is to recognize historic resources in the community. Preservation ...is desirable in San Marino to ensure the city's unique sense of place." Without complying with the Goals, Objectives, the City is exposed to potential litigation and varying legal ramifications.

A main objective of CEQA is full public disclosure of environmental effects. There are a range of environmental concerns that must be addressed; the concerns of the community in the loss of a historic resource and the impact on the natural environment have not been fully evaluated. Therefore, we must have a CEQA review of the proposed demolition at 1470 Virginia Road.

The CEQA exemption argument does not apply here. Public Resources Code Section 21084 provides several exceptions to the use of categorical exemptions. Pursuant to that statute, neither of the following may qualify as a categorical exemption: a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources within a scenic highway; and, a project which may cause a substantial adverse change in the significance of a historical resource. Let us review the law:

**Article 19. Categorical Exemptions §15300.2 (d). Exceptions**

A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources. We can find appropriate application in the law within the CEQA Implementation Handbook for the City of Laguna Beach as it refers to "Significant Effects" and "Historic Resources"

**Significant Effect.** A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. An example of such an exception might be construction of a single-family residence (Categorical

Exemption, Class 3) which, due to its unusual size, has the potential to substantially degrade the existing visual character or quality of the site and its surroundings. Individual projects must be reviewed carefully for applicability of this exception due to the prevalence of diverse circumstances... many of which present potentially significant environmental constraints. A review of unusual circumstance must consider the full range of adopted policies that determine local findings of significant environmental effect.

**Historical Resources.** A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

In *McQueen v. Mid-Peninsula Regional Open Space* (1988) 202 Cal. App. 3d 1136, the court reiterated that categorical exemptions are construed strictly, shall not be unreasonably expanded beyond their terms, and may not be used where there is substantial evidence that there are unusual circumstances (including future activities) resulting in (or which might reasonably result in) significant impacts which threaten the environment.

The May 27, 2016 report by Historic Resources Group stated the following:

“Virginia Road does appear eligible for local designation for its architectural merit. Under the current ordinance, there is a basis for such designation as the property retains a high degree of integrity, and was designed by noted local architect Theodore Pletsch. The residence represents one of Pletsch’s earliest known residential designs in San Marino and appears to be the earliest example of his work constructed on Virginia Road.....It appears eligible for local designation under Current code, as an intact example of Tudor Revival architecture by noted local architect Theodore Pletsch. .... Retains all seven aspects of integrity....retaining sufficient history integrity to convey the significants.... [including] location, design, setting, materials, workmanship, feeling and association.”

The City of Moreno Valley reminds us that, “State law requires each city and county to adopt a General Plan ‘for the physical development of the county or city, and any land outside its boundaries which bears relation to its planning.’ The General Plan is a broad policy document that identifies the City’s land use, circulation, environmental, economic and social goals and policies as they relate to land use and development; thereby, providing guidance to citizens, developers and decision-makers on the City’s ‘ground rules’ for development activity.”

Objective L.7 in our 2003 General Plan, Section *Residential Land Uses Objectives and Policies* also stated that, “San Marino’s mature urban forest should be

protected.” However, during the hearings to discuss the new construction, there did not appear to be any comment, concern or question about risk to the amazing and stately Magnolia tree near the front entry, nor any tree or landscaping plant on the property.

On a different but important issue, I was further appalled by a review of the Historic Resources Report which clearly showed a photograph of the property’s abandoned swimming pool and standing water within it, which provides a clear breeding ground for mosquitoes, many of which are highly dangerous. This puts the community health at risk. I am also clear why the fire department is not involved with the dry brush issue, but certainly vector control should be called.

Preservation is an important topic and close to my heart. Therefore, I look forward to working with you here locally on preserving the heritage of San Marino and abiding by the Land Use guidelines set forth in our General Plan, guided by state law and the community’s desire to preserve and protect our architectural and natural resources.

Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Shirley Jagels".

Shirley Jagels

2

9/14/16 submitted by Shirley Jagels



Join your support to the appeal to prevent another demolition in San Marino, this time a wonderful estate by a noted architect of local fame, Theodore Pletsch. This well-built and stately home -- along with the lovely mature landscaping -- has been well-maintained for decades and has been one of many sparkling jewels in San Marino's crown. Please add your voice to this petition, and tell our city council to stop the bulldozers.

**TURN OVER FOR  
COMMENTS** →

Join Residents, Writers, Architects,  
Realtors & Other Preservationists  
in protecting our history

<b>Elizabeth Randall</b> United States, Nashville	Sep 13, 2016
Please save the integrity, architecture and charm of San Marino. We have seen what has happened in neighboring communities, like Arcadia, whose planning committees lacked foresight. They have now tightened planning approval but the damage has been done and Arcadia is a shadow of it's former self. San Marino please consider a long-term view and preserve what we have and the beautiful community we enjoy. If one buys a home that does not meet one's needs, they need to consider another one that will - small additions, extensions are fine but doubling and tripling the size of the home is ludicrous. Yes, there are homeowner's rights but they do not trump the rights of neighbors and the community.	4   0
<b>Eva Comi</b> United States, South Pasadena	Sep 13, 2016
We need to preserve the integrity of this wonderful little town. These classic beautiful homes are our towns heritage, save it please	4   0
<b>Anne D Kennedy</b> United States, Baldwin Park	Sep 13, 2016
It would be a shame and a loss for our community to allow this beautiful home to be torn down.	4   0
<b>Joanne McCloskey</b> United States, South Pasadena	Sep 13, 2016
It's truly amazing to me that another beautiful home in our town was approved to be torn down. San Marino is starting to look like a tract home neighborhood. Sickening!!!!	4   0
<b>Gene Powell</b> United States, Canoga Park	Sep 13, 2016
Please stop the tear down	4   0
<b>Curtis Horton</b> United States, Pasadena	Sep 13, 2016
Protect the character of our neighborhoods!	4   0
<b>Anonymous</b>	Sep 13, 2016
The destruction of the beautiful and historical architecture in San Marino has got to STOP! This property needs to be preserved, including its landscape!	4   0
<b>John Tegtmeyer</b> United States, Los Angeles	Sep 13, 2016
This house is an important contribution to the architectural heritage of San Marino and it would be a terrible loss.	4   0
<b>Michelle May</b> United States, Los Angeles	Sep 13, 2016
This architectural gem MUST be preserved!	4   0
<b>karen beardsley</b> United States, South Pasadena	Sep 13, 2016
stop tearing down houses!	4   0
<b>Michele Lumley</b> United States, South Pasadena	Sep 13, 2016
As one of the first Theodore Pletsch's properties in San Marino this home should be retained as part of the City of San Marino's Heritage to treasure for future generations.	4   0
<b>Leisa Collins</b> United States, Los Angeles	Sep 13, 2016
It would be a tragedy for this beautiful home to be destroyed.	4   0
<b>Carol Soucek King</b> United States, Santa Ana	Sep 13, 2016
What a glorious residential legacy -- that must be preserved !	4   0
<b>Anonymous</b>	Sep 13, 2016
Please save our beautiful historical architecture To allow this home to be demolished is a travesty.	4   0
<b>Erik Wanson</b> United States, Austin	Sep 13, 2016
What San Marino has come to be known as is based largely on preservation. City officials cannot and should not lose sight of this .	4   0
<b>Shirley Jagels</b> United States, South Pasadena	Sep 13, 2016
This is an important issue and I believe the city council must understand that preservation matters. Thank you.	4   0

# SAD ABOUT TREES

9/14/16 submitted by Shirley Jagels

## LETTER TO THE EDITOR

**Regarding our Planning Commission's decision to approve new construction at 1470 Virginia Road, thereby approving the demolition of a 1938 historic resource by noted architect Mr. Theodore Pletsch.**

At the public meeting on Wednesday, June 22, 2016, I watched as our Planning Commission approved the demolition of yet another amazing, historic, well-built home here in San Marino. I thought mostly about the loss of our cultural and architectural legacy – our local history. But I also thought as well about past promises by applicants which were never kept, the lessening quality of our building materials, applicants' representatives whose identities are sometimes unclear... I also reflected on the noise and the dust, our landfills, the added crime construction sites can attract, and the burden on city staff to oversee the dozens of construction sites within San Marino. Therefore, I exercised my right to appeal the Planning Commission decision, and enjoy the support of other community members who are equally concerned about this issue.

While I am not clear about the motivations of the applicants on this particular application, I know that we cannot continue to scaffold the

interests of developers, whose interests venture broadly beyond our city limits.

Ownership involves responsibilities as well as rights, and through the public hearing process, we are more able to fully evaluate the environmental and cultural impact demolitions create. Home ownership does not give individuals (or LLCs, for that matter) the right to demolish community resources and put our cultural heritage and trees at risk without diligence and scrutiny. This matter is crucial to the community on many levels, and appeal is the primary legal tool used to municipally protect historic resources in San Marino.

I feel strongly that in reviewing this proposed development plan, we have failed to adequately and objectively identify a potential historic resource as part of a project's environmental review. When this happens, historically significant buildings go unrecognized as such and are demolished without even an evaluation of creative alternatives, which our own governing document "Residential Design Guidelines" encourages on Page 1 in its statement,

"The City is renowned (sic) for its beautiful homes, which result from the residents' concern about their community and efforts to maintain properties." Page 1 also serves to "stress the importance of tree preservation," not replacement.

I look forward to the **San Marino City Council hearing on September 14, 2016 at 6pm in our public library**, when our dedicated council and current staff can add a further review to this application on behalf of the community, and hear from members of the community about why preservation matters and why the loss of this irreplaceable, current historic home would have a negative impact on our community. I ask that if community members cannot attend, you would please consider recording your support for this appeal through emails and letters to our city clerk, Veronica Ruiz, who will forward them to our dedicated city council. Thank you.

**Shirley Jagels**  
San Marino

### WE WANT TO HEAR FROM YOU!

Have an opinion about something happening in the city? Tell us about it. Send your thoughts to the

Editor of The Tribune at

[mitchlehman@sanmarinotribune.com](mailto:mitchlehman@sanmarinotribune.com).

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1470 Virginia Rd, San Marino, CA 91108-1064, Los Angeles County

9/14/16 Submitted by Shirley Jagels



<b>4</b>	<b>3,398</b>	<b>50,264</b>	<b>\$5,998,000</b>
<b>MLS Beds</b>	<b>MLS Sq Ft</b>	<b>Lot Sq Ft</b>	<b>MLS Sale Price</b>
<b>1</b>	<b>1938</b>	<b>SFR</b>	<b>09/25/2014</b>
<b>MLS Baths</b>	<b>Yr Built</b>	<b>Type</b>	<b>MLS Sale Date</b>

**Owner Information**

Owner Name:	<b>Century Winner Inc</b>	Tax Billing Address:	<b>135 Ho1 Bun Road</b>
Mail Owner Name:	<b>Century Winner Inc</b>	Tax Billing City & State:	<b>Kwun Tong #1305 China Hong Kong</b>

**Location Information**

Zoning:	<b>SOR122500*</b>	Carrier Route:	<b>C007</b>
Tract Number:	<b>8316</b>	Subdivision:	<b>8316</b>
School District:	<b>San Marino</b>	Old Map:	<b>37-C1</b>
Census Tract:	<b>4641.00</b>		

**Tax Information**

APN:	<b>5328-021-008</b>	Tax Area:	<b>8541</b>
% Improved:	<b>20%</b>	Lot Number:	<b>5</b>
Legal Description:	<b>TRACT # 8316 LOT 5</b>		

**Assessment & Tax**

Assessment Year	2016	2015	2014
Assessed Value - Total	\$6,089,468	\$5,998,000	\$346,346
Assessed Value - Land	\$4,871,575	\$4,798,400	\$177,986
Assessed Value - Improved	\$1,217,893	\$1,199,600	\$168,360
YOY Assessed Change (\$)	\$91,468	\$5,651,654	
YOY Assessed Change (%)	1.52%	1,631.79%	

Tax Year	Total Tax	Change (\$)	Change (%)
2013	\$5,258		
2014	\$6,499	\$1,241	23.6%
2015	\$67,766	\$61,267	942.67%

Jurisdiction	Tax Type	Tax Amount
Flood Control 62	Actual	\$68.44
City Police/Fire62	Actual	\$1,181.00
Mwd Standby #10 86	Actual	\$9.22
San Marino Usd#162	Actual	\$338.63
San Marino Usd#262	Actual	\$872.61
Laco Vectr Cntrl80	Actual	\$9.47
Cnty San Dist 1656	Actual	\$145.00
County Park Dist21	Actual	\$18.30
Trauma/Emerg Srv86	Actual	\$144.07
Total Of Special Assessments	Actual	\$2,786.74

**Characteristics**

County Use Code:	<b>Single Family Resid</b>	Half Baths:	<b>MLS: 1</b>
Universal Land Use Code:	<b>SFR</b>	Fireplaces:	<b>1</b>
Lot Frontage:	<b>271</b>	Water:	<b>Public</b>
Lot Depth:	<b>180</b>	Sewer:	<b>Type Unknown</b>

Courtesy of Frances Benuska, member of DAMLS, i-Tech MLS or VCRDS MLS

The data within this report is compiled by Carraigie from public and private sources. It is not intended to be used as a substitute for a professional appraisal. The accuracy of the data contained herein can be independently verified by the recipient of this report with the applicable county or municipality.

**Property Detail**

Generated on 09/04/2016  
Page 1 of 3

Lot Acres:	<b>1.1539</b>	Heat Type:	<b>Central</b>
Lot Area:	<b>50,264</b>	Garage Type:	<b>Parking Avail</b>
Lot Shape:	<b>Irregular</b>	Garage Capacity:	<b>Tax: 2 MLS: 3</b>
Basement Sq Feet:	<b>150</b>	Parking Type:	<b>On Site</b>
Building Sq Ft:	<b>3,398</b>	Roof Material:	<b>Wood Shake</b>
# of Buildings:	<b>1</b>	Roof Shape:	<b>Gable</b>
Stories:	<b>2</b>	Interior Wall:	<b>Plaster</b>
Style:	<b>Tudor</b>	Exterior:	<b>Stucco</b>
Condition:	<b>Average</b>	Foundation:	<b>Raised</b>
Quality:	<b>Average</b>	Pool:	<b>Pool</b>
Total Units:	<b>1</b>	Year Built:	<b>1938</b>
Total Rooms:	<b>9</b>	Effective Year Built:	<b>1940</b>
Bedrooms:	<b>4</b>	Other Impvs:	<b>Fence, Addition</b>
Total Baths:	<b>Tax: 4 MLS: 5</b>	Other Rooms:	<b>Dining Room, Family Room</b>
Full Baths:	<b>Tax: 4 MLS: 1</b>	Equipment:	<b>Disposal, Range Hood</b>

### Estimated Value

RealAVM™ (1):	<b>\$5,940,446</b>	Confidence Score (2):	<b>69</b>
RealAVM™ Range:	<b>\$4,811,761 - \$7,069,131</b>	Forecast Standard Deviation (3):	<b>19</b>
Value As Of:	<b>08/26/2016</b>		

(1) RealAVM™ is a ComLogic® derived value and should not be used in lieu of an appraisal.

(2) The Confidence Score is a measure of the extent to which sales data, property information, and comparable sales support the property valuation analysis process. The confidence score range is 60 - 100. Clear and consistent quality and quantity of data drive higher confidence scores while lower confidence scores indicate diversity in data, lower quality and quantity of data, and/or limited similarity of the subject property to comparable sales.

(3) The FSD denotes confidence in an AVM estimate and uses a consistent scale and meaning to generate a standardized confidence metric. The FSD is a statistic that measures the likely range or dispersion an AVM estimate will fall within, based on the consistency of the information available to the AVM at the time of estimation. The FSD can be used to create confidence that the true value has a statistical degree of certainty.

### Listing Information

MLS Listing Number:	<b>AR14206748</b>	Closing Date:	<b>09/25/2014</b>
MLS Status:	<b>Closed</b>	Closing Price:	<b>\$5,998,000</b>
MLS Status Change Date:	<b>09/25/2014</b>	MLS List. Agent Name:	<b>A30424-Gary Lorenzini</b>
MLS Listing Date:	<b>09/25/2014</b>	MLS List. Broker Name:	<b>COLDWELL BANKER ARCADIA</b>
MLS Current List Price:	<b>\$5,998,000</b>	MLS Selling Agent Name:	<b>Ash Rizk</b>
MLS Orig. List Price:	<b>\$5,998,000</b>	MLS Selling Broker Name:	<b>COLDWELL BANKER ARCADIA</b>

### Last Market Sale & Sales History

Recording Date:	<b>08/22/2014</b>	Sale Type:	<b>Full</b>
Settle Date:	<b>Tax: 07/31/2014 MLS: 09/25/2014</b>	Deed Type:	<b>Grant Deed</b>
Sale Price:	<b>\$5,998,000</b>	Owner Name:	<b>Century Winner Inc</b>
Price Per Square Feet:	<b>\$1,765.16</b>	Seller:	<b>Stathatos S &amp; H Trust</b>
Document Number:	<b>883215</b>		

<b>Recording Date</b>	08/22/2014	11/12/2004	09/28/1999	08/16/1962
<b>Sale/Settlement Date</b>	07/31/2014	09/21/2004		
<b>Sale Price</b>	\$5,998,000			
<b>Nominal</b>		Y	Y	
<b>Buyer Name</b>	Century Winner Inc	Stathatos Savas & Helen Trust	Gleason Stephen M Trustee	Stathatos Savas J & Stathatos Helen
<b>Seller Name</b>	Stathatos S & H Trust	Stathatos Savas J & Helen	Gleason S M	
<b>Document Number</b>	883215	2934297	1854340	
<b>Document Type</b>	Grant Deed	Quit Claim Deed	Quit Claim Deed	Deed (Reg)

### Mortgage History

<b>Mortgage Date</b>	05/31/1996	04/25/1996	10/19/1993	04/18/1991	04/18/1991
<b>Mortgage Amount</b>	\$100,000	\$660,000	\$370,000	\$300,000	\$360,000
<b>Mortgage Lender</b>	Bank Of America	Bank Of America	Bank Of America	Security Pacific Nat'l Bk	Security Pacific Nat'l Bk
<b>Mortgage Type</b>	Refi	Refi	Refi	Refi	Refi
<b>Mortgage Code</b>	Conventional	Conventional	Conventional	Conventional	Conventional

**Mortgage Date** 05/08/1989

Courtesy of Frances Benuska, member of DAMLS, i-Tech MLS or VCRDS MLS

The data within this report is compiled by ComLogic from public and private sources. If desired, the information can be independently verified by the recipient of this report with the appropriate county or municipality.

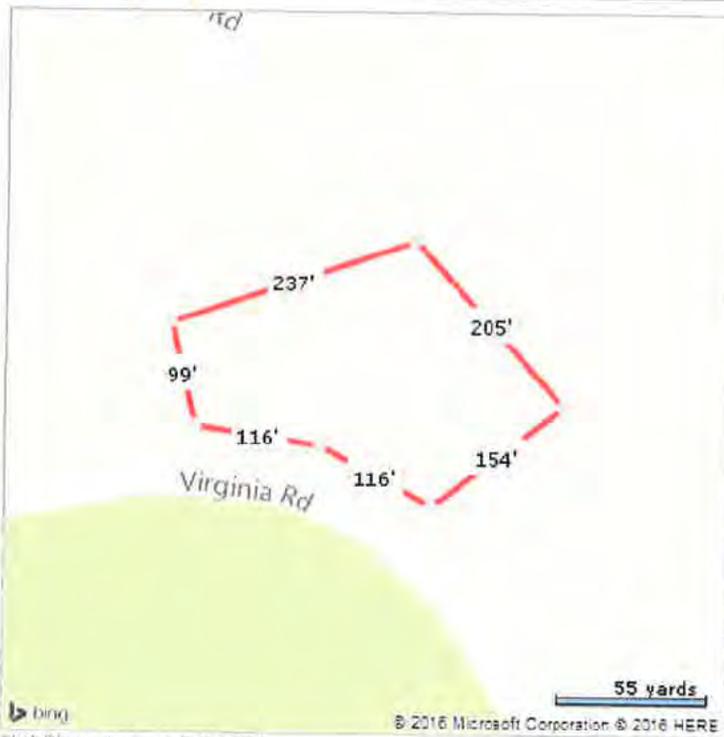
### Property Detail

Generated on 09/04/2016

Page 2 of 3

<b>Mortgage Amount</b>	\$163,000
<b>Mortgage Lender</b>	Security Pacific Nat'l Bk
<b>Mortgage Type</b>	Refi
<b>Mortgage Code</b>	Conventional

### Property Map



\*Lot Dimensions are Estimated



Courtesy of Frances Benuska, member of DAMLS, i-Tech MLS or VCRDS MLS

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**Property Detail**

Generated on 09/04/2016

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Property History

Listing Summary

Interactive Map

Report Violation

**Listing #AR14206748**    **1470 Virginia Rd, San Marino, CA 91108-1064**    **Sold** (09/25/14) DIM: 0  
**\$5,998,000 (LP)**    **Bed: 4**    **Baths: 5 (1 3 1 0) (FTHQ)**    **Sq Ft: 3398**    **Lot Sz: 50264**  
**\$5,998,000 (SP)**    **Association: CMRL**    **Area: 655**    **Yr: 1938**  
Price/SqFt: **1765.16**  
SP % LP: 100.00

Remarks

**SOLD BEFORE PROCESSING.**

Pictures (34)



Agent Office

Gary Lorenzini (ID: MRM-A30424) Primary:626-688-1698 Other:626-303-1212 CalBRE: 00552465  
Coldwell Banker Arcadia (ID:MRM-3102) Phone: 626-445-5500, FAX: 626-447-0388 Office Lic.:

Preferred Contact Phones

Contact Order 1    Agent Cell Ph  
Contact Phone 1    626-688-1698  
Contact Order 2    Agent Pager Ph  
Contact Order 3    Agent Cell Ph  
Contact Phone 3    626-688-1698  
Contact Order 4    Office Fax  
Contact Order 5    Agent Voice Mail  
Contact Phone 5    626-574-2352  
Contact Order 6    Agent Email  
Contact Phone 6    glorenzini@coldwellbanker.com

General Information

<b>Property Type</b>	Residential	<b>Property Subtype(s)</b>	Single Family
<b>Status</b>	<b>Sold</b> (09/25/14)		
<b>Area</b>	San Marino		
<b>Subdiv/Tract Code</b>	Not Applicable-655		
<b>County</b>	LOS ANGELES	<b>APN/Tax ID</b>	5328021008
<b>State</b>	CA		
<b>Country</b>	USA		
<b>Agreement Type</b>	Excl Rt Sell/Lease	<b>Variable Rate</b>	No
<b>Commission Amount</b>	<b>Selling Office</b>		
	2.50%		
<b>DIM</b>	0	<b>Baths (FTHQ)</b>	5 (1 3 1 0)
<b>Beds</b>	4	<b>Sq Ft Source</b>	Public Records
<b>Approx Square Feet</b>	3398	<b>Price / SqFt</b>	1,765.16
<b>Lot Sq Ft (approx)</b>	50264	<b>Lot Acres (approx)</b>	1.1539
<b>Year Built</b>	1938	<b>Lot Size Source</b>	(Public Records)
<b>Year Built Source</b>	Assessor		
<b>Map Book</b>	TG - Los Angeles	<b>Map Coordinates</b>	
<b>CrossStreets</b>	N/ MONTEREY RD		
<b>Agent Remarks</b>	SOLD BEFORE PROCESSING		

Selling Information

**Selling Price**    5,998,000    **Selling Date**    09/25/14

<b>Listing Price</b>	5,998,000	<b>Pending Date</b>	09/25/14
<b>SP % LP</b>	100.00	<b>Original Price</b>	5,998,000
<b>Comments</b>			
<b>Selling Agent</b>	Ash Rizk (MRM-A37312)	<b>Selling Office</b>	Coldwell Banker Arcadia (MRM-3102)
<b>Selling Co-Agent</b>		<b>Selling Co-Office</b>	
<b>Concessions Comments</b>	0		
<b>Financing</b>	Cash		
<b>Sold Terms</b>	Standard Sale		

### Property Listing Information

<b>Entry Date</b>	09/25/14
<b>Original Price</b>	5,998,000
<b>Service Level</b>	Full Service
<b>Special Conditions</b>	Standard Sale
<b>Terms</b>	Cash, Cash To New Loan, Submit
<b>Will Consider Lease</b>	No
<b>Land Lease Type</b>	Fee Simple
<b>Unit Ttl in Complex</b>	1
<b>School District</b>	San Marino USD

### Showing Information

<b>Showing Access</b>	Appointment Only
<b>Lock Box Type</b>	No Lockbox
<b>Lock Box Location</b>	No Lockbox
<b>Owner Name</b>	
<b>Sign On Property</b>	No

### Property Details

<b>TaxLegalLotNumber</b>	5
<b>TaxLegalTractNumber</b>	8316
<b>Lot Description</b>	Back Yard, Curbs, Front Yard, Landscaped, Lawn, Wooded, Yard
<b>View</b>	Yes
<b>View Type</b>	Park Or Green BeltVw
<b>Other Structures</b>	Guest House/Casita
<b>Sprinklers</b>	Front, Rear, Side, Sprinkler System
<b>Disclosures</b>	Prop Assessments Unk

### Structure Details

<b>Building Style</b>	Cottage
<b>Common Walls</b>	Detached
<b>Stories/Levels</b>	Two Level
<b>Dwelling Stories</b>	0
<b>Total Floors</b>	2
<b>Entry Location</b>	Ground Level w/Steps
<b>Appliances</b>	Dishwasher, Garbage Disposal, Refrigerator
<b>Cooking Appliances</b>	Double Oven, Gas, Microwave
<b>Kitchen Features</b>	Ceramic Counters
<b>Eating Areas</b>	Formal Dining Rm
<b>Bathroom Features</b>	Shower and Tub, Shower Stall, Tub Only
<b>Ext Construction</b>	Stucco
<b>Flooring</b>	Carpet, Ceramic Tile, Hardwood, Sheet Vinyl
<b>Cooling Type</b>	Central A/C
<b>Pool Y/N</b>	Yes
<b>Pool Accessories</b>	Diving Board
<b>Pool Construction</b>	In Ground
<b>Spa Y/N</b>	No
<b>Spa Descriptions</b>	None
<b>Heating Type</b>	Floor Furnace
<b>Fireplace Y/N</b>	Yes
<b>Fireplace Location</b>	Guest House, Living Room
<b>Fireplace Fuel</b>	Gas Starter
<b>Rooms</b>	Basement, Entry, Living Room, Master Bedroom, Separate Family Room, Study/Office, Walk-In Closet
<b>Interior Features</b>	Beamed Ceiling(s), Built-Ins, Crown Moldings, Storage Space
<b>Laundry Locations</b>	Individual Room, Inside
<b>Security/Safety</b>	CarbonMonoDetectr(s), Smoke Detector
<b>Windows</b>	Plantation Shutters
<b>Roofing</b>	Shake, Wood
<b>Patio Features</b>	Patio Open
<b>Sewer</b>	Connected on Bond
<b>Water</b>	District/Public, Public, Water District
<b>Water Htr Features</b>	Gas

**Parking Features**

Number of Remotes 0  
Total Parking Spaces #3  
Parking Type Garage, Garage - 1 Door  
Parking Features Driveway  
Garage Space 3

**Association Information**

HOA No  
Public Viewable Yes

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All information herein has not been verified, is not guaranteed, and is subject to change.

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[For immediate release]



email Y/L scallyhansen / P/W: 4Donald23

## Rykadan Capital Maintains Profitability in 2014/15 Interim Period

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*Group reallocates capital into high-potential U.S. real estate property projects*

### Financial Highlights

HK\$'000	For the six-month period ended 30 September	
	2014	2013
Revenue from continuing operations	130,323	33,851
Gross profit from continuing operations	24,468	14,607
Profit for the period	294	21,987
Profit attributable to shareholders of the Company	2,052	14,936
(Loss)/earnings per share from continuing operations (HK cents)	(2.0)	2.9
Interim dividends per share (HK cents)	-	5

	For the period / year ended	
	30 Sept 2014	31 Mar 2014
Net assets per share (HK dollars)	2.38	3.00

**Hong Kong, November 27, 2014** – Rykadan Capital Limited (“Rykadan Capital” or the “Company”, together with its subsidiaries, the “Group”; SEHK: 2288) today announced its unaudited interim results for the six-month period ended 30 September 2014.

### Financial Performance

The six-month period ended 30 September 2014 saw Rykadan Capital invest in the high-potential United States property sector for the first time, as it sought to reallocate its capital into opportunities that offer better potential returns for shareholders.

During the interim period, the Group recorded consolidated revenue of HK\$130 million from business segments under continuing operations, up 285% compared to the corresponding period of last year (six-month period ended 30 September 2013: HK\$34 million). Gross profit for these segments was HK\$24 million (six-month period ended 30 September 2013: HK\$15 million)

Net profit for the period from continuing and discontinued operations was HK\$0.3 million. Profit attributable to shareholders of the Company was HK\$2 million.

Basic earnings per share from continuing operations for the six-month period ended 30 September 2014 was HK 2.0 cents (loss) (six-month period ended 2013: HK 2.9 cents).

The Board of Directors does not recommend the payment of an interim dividend for the six-month period ended 30 September 2014.

As of 30 September 2014, the Group remained in a strong financial position, with bank deposits and cash of HK\$581 million (31 March 2014: HK\$958 million), or 32.4% of total assets.

Net assets per share as of 30 September 2014 amounted to HK\$2.38 (31 March 2014: HK\$3.00), corresponding to total net assets of HK\$1,135 million (31 March 2014: HK\$1,432 million).

#### Investment highlights

As of 30 September 2014, the Group held a series of investments in hand, with a view of growing asset values, achieving stable yields and exiting within a three to five year horizon. These investments include:

- *U.S.A. property*: two high-potential properties in the cities of San Marino and Pasadena in Los Angeles County, California – both popular cities with high-end investors, particularly from Asia. The Group is in the initial stages of redeveloping the properties, with a view of materializing its investments within 2-3 years. In addition, the Group invested in two additional residential properties in Los Angeles County after the end of the reporting period.
- *Kailong Nanhui Business Park*: a high potential 52,304 square metres business park in Shanghai Pudong, located near the newly created Shanghai Free Trade Zone.
- *Kwun Chung Street Property Project*: a planned mixed residential/commercial 25-storey tower with a total gross floor area of approximately 25,333 square feet in Kowloon's Jordan district, close to the planned terminus of the Guangzhou-Shenzhen-Hong Kong Express Rail Link.
- *Rykadan Capital Tower*: the Group continues to retain two floors of 135 Hoi Bun Road, Kwun Tong.
- *Q-Stone Building Materials Limited*: a wholly owned subsidiary of the Group and the exclusive PRC distributor of Quarella, a world leader in the production of marble-based and quartz-based stone composite surfaces products, popularly used for benchtops, bathroom surfaces and floor tiles.
- *Rykadan Hospitality Investments Pte Ltd.*: a wholly owned subsidiary of the Group based in Singapore, which invests in high potential hospitality and tourism related assets. In early 2014, it opened its first resort in Bhutan under the Dhensa brand, a joint-venture with a local partner.

- *Sundart Holdings Limited*: the Group's former fitting out business, in which it retains a 15% stake.
- *Kailong Holdings Limited*: the Group's strategic partner in the Greater China region and former real estate investment, asset management and fund management subsidiary, in which it retains a 9.74% stake.

### Future Prospects

The Group believes that its recent investments in United States properties will diversify its investment portfolio and mitigate any possible slowdowns in Hong Kong and the PRC property sectors in the coming years. The Group expects global capital to continue to flow into the United States, despite the conclusion of the Federal Reserve's quantitative easing program, as investors seek better returns in the context of weakening economic conditions in Europe and emerging markets including China. The Group further expects much of this capital will flow into real estate, particularly in large cities such as Los Angeles.

The Group will continue to leverage on its experienced management team and business partners to evaluate future real estate investment opportunities in order to maximise future returns for shareholders. It will also continue to actively manage its ongoing investments in the Greater China region, South-East Asia and the United States to support its future performance and unlock value for shareholders in a timely manner.

**Mr. William Chan, Chairman and CEO of Rykadan Capital Limited** said, "We are excited to be increasing our exposure in the United States, which is leading the developed world in economic growth and investor returns. We are confident that these investments will boost Rykadan Capital's future financial performance."

####

### **About Rykadan Capital Limited**

Rykadan Capital Limited is a Hong Kong-based investment holding company. It invests in a growing number of real estate and high-potential projects with a view to grow asset values and provide strong returns for shareholders. For more information, please visit [www.rykadan.com](http://www.rykadan.com).

*For further information, please contact:*

#### **Instinctif Partners**

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9-14-16 Submitted by Shirley Jagels




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## DEMOLITION BY NEGLECT

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As described by the National Trust for Historic Preservation, “Demolition by Neglect” is the term used to describe a situation in which a property owner intentionally allows a historic property to suffer severe deterioration, potentially beyond the point of repair. Property owners may use this kind of long-term neglect to circumvent historic preservation regulations.

### Current Pleasanton Municipal Code Sections:

#### **Section 18.74.200 Duty to maintain structures and premises—Demolition by neglect prohibited.**

Every person in possession or control of a non-single-family residence structure and appurtenant premises in the district shall maintain and keep in good repair such structure and premises. Structures and appurtenant premises in good repair present no material variance in apparent condition from surrounding structures in compliance with these requirements. “Good repair” means and includes that level of maintenance and repair which: (1) clearly ensured the continued availability of such structure and premises for lawful reasonable uses; (2) prevents deterioration, dilapidation and decay of any exterior portion of such structure and premises; and (3) avoids impairment to surrounding structures of the benefits of the district.

Staff Comment: Section 18.74.200 does not apply to single-family homes. It applies to other structures (e.g., multi-family dwellings and commercial structures) within the Downtown Revitalization District only, which is smaller area than the Downtown Specific Plan Area.

### **Excerpts of Chapter 9.28, Property Maintenance**

#### **9.28.020 Unlawful Property Nuisances**

It is unlawful for any person owning, leasing, renting, occupying or having charge or possession of any property in the city to maintain or to allow to be maintained such property in such manner that any of the following conditions are found to exist thereon, except as may be allowed by this code:

- H. Buildings which are abandoned, partially destroyed, left in an unreasonable state of partial construction or have been declared substandard or dangerous by the building official;
- I. Unpainted buildings and those having dry rot, warping or termite infestation. Any building on which the condition of the paint has become so deteriorated as to permit decay, excessive checking, cracking, peeling, chalking, dry rot, warping or termite infestation as to render the building unsightly and in a state of disrepair;
- J. Buildings with windows containing broken glass or no glass at all, where the window is of a type which normally contains glass, which constitutes a hazard and/or invites trespassers and malicious mischief. Plywood or other material used to cover such window space, if permitted under this code, shall be painted in a color or colors compatible with the remainder of the building;

- K. Building exteriors, walls, fences, driveways, sidewalks or walkways which are maintained in such condition as to become defective or unsightly or are materially detrimental to nearby properties and improvements;

Staff Comment: While Chapter 9.28 applies to all properties/structures in the City, it does not specifically address demolition by neglect.

Possible Option: Create a new Municipal Code section similar to Pleasanton's Section 18.74.200 or similar to another city's section (examples below) which would apply to all structures within the Downtown Specific Plan Area. Below is how the section could possibly read:

Every person in possession or control of a structure and appurtenant premises in the Downtown Specific Plan Area shall maintain and keep in good repair such structure and premises. "Good repair" means and includes that level of maintenance and repair which: (1) clearly ensures the continued availability of such structure and premises for lawful reasonable uses; (2) prevents deterioration, dilapidation, and decay of any exterior portion of such structure and premises; and (3) prevents deterioration, dilapidation, and decay of interior portions whose maintenance is necessary to prevent deterioration, dilapidation, and decay of an exterior feature.

Enforcement of this section could follow the process outlined in the Property Maintenance Chapter of the Municipal Code (starting with Section 9.28.030, attached).

Examples from a few other Cities:

Danville

**32-72.9 Maintenance of Heritage Resources.**

- a. The owner of a historically significant resource, a heritage resource or a contributing property within an historic district shall maintain in good condition the exterior of the resource consistent with the Design Guidelines and all interior portions whose maintenance is necessary to prevent deterioration and decay of an exterior feature.
- b. Nothing in this section shall be construed to prevent the ordinary maintenance or repair of an exterior feature that does not involve a change in design, material or external appearance.

Pasadena

**Demolition by Neglect.** The failure to provide ordinary and necessary maintenance and repair to a historic resource, whether the neglect is willful or unintentional or by design, by the owner or any party in possession of the property, which results in one or both of the following conditions:

- a. The severe deterioration of exterior features so as to create or permit a dangerous or unsafe condition to exist, as defined in Title 14 of the Municipal Code.
- b. The severe deterioration of exterior walls, roof, chimneys, doors, windows, porches, structural or ornamental architectural elements, or foundations, that could result in permanent damage and loss of the architectural and/or historic significance of a historic resource.

### **Sunnyvale**

#### **19.96.140. Duty to keep in good repair.**

The owner, occupant, or other person in actual charge of a landmark or an improvement, building or structure in a landmark district shall keep in good repair all of the exterior portions of such improvement, building or structure; all of the interior portions thereof when subject to control by reason of designation or permit; and all interior portions thereof whose maintenance is necessary to prevent deterioration and decay of any exterior architectural feature. It shall be the duty of the director of community development to enforce this section.

### **Los Gatos**

#### **Sec. 29.80.315. - Duty to keep in good repair.**

The owner, lessee, and any other person in actual charge or possession of a pre-1941 structure, designated landmark or structure in the LHP or landmark and historic preservation overlay zone shall keep all of the exterior portions in good repair as well as all of the interior portions which are subject to control by the terms of the designating ordinance, and all portions whose maintenance is necessary to prevent deterioration or decay of any exterior portion.

### **Benicia**

#### **17.54.120 Maintenance of structures and premises.**

All property owners in H districts and owners of designated landmarks shall have the obligation to maintain structures and premises in good repair. Structures and premises in good repair shall present no material variance in apparent condition from surrounding structures in compliance with the provisions of this chapter. Good repair includes and is defined as the level of maintenance that ensures the continued availability of the structure and premises for a lawfully permitted use, and prevents deterioration, dilapidation, and decay of the exterior portions of the structure and premises.

### **Palo Alto**

#### **16.49.080 Maintenance of historic structures in the downtown area.**

The owner, lessee or other person legally in possession of a historic structure in the downtown area shall comply with all applicable codes, laws and regulations governing the maintenance of property. Additionally, it is the intent of this section to preserve from deliberate or inadvertent neglect the exterior features of buildings designated as significant or contributory in the downtown area, and the interior portions thereof when such maintenance is necessary to prevent deterioration and decay of the exterior. All such buildings shall be preserved against such decay and deterioration, and shall remain free from structural defects through prompt corrections of any of the following defects:

- (a) Facades which may fall and injure members of the public or property;
- (b) Deteriorated or inadequate foundation, defective or deteriorated flooring or floor supports, deteriorated walls or other vertical structural supports;
- (c) Members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration;
- (d) Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations or floors, including broken windows or doors;
- (e) Defective or insufficient weather protection for exterior wall covering, including lack of paint or other protective covering;
- (f) Any fault or defect in the building which renders it not properly watertight or structurally unsafe.

Purpose

The purpose of establishing a policy is to recognize historic resources in the community. Preservation of significant historic structures is desirable in San Marino to ensure the city's unique sense of place.

Because of changes in the California Environmental Quality Act in the last few years (Section 15064.5), it is increasingly likely that the issues of historic status and integrity are going to be introduced into the public discussion of demolitions, major alterations, and new construction that occurs in the city. A review of buildings that are potential historic resources potentially allows the City to quickly respond and justify its position when issues arise as to whether or not a property has historic value.

Goal, Objectives and Policies

Protect the historical and culturally significant resources that contribute to community identity and a sense of history.

Objective L.23      Review existing listed resources and determine appropriate action for state and national listings.

**Policies:**

Consider whether or not resources are appropriately placed on current lists.

Recognize, publicize, and maintain the sites that are locally significant.

Identify significant architectural, cultural, and historic resources within the city that would qualify for the state or national register.

Cooperate with the San Marino Historical Society and other community groups involved in recognizing the City's history.

Objective L.24      Encourage the preservation of significant architectural, historic, and cultural resources.

**Policies:**

Encourage the identification of areas and structures of historic, architectural, and cultural significance within the city.

Any designation based upon area, site or structure within the city should be subject to the City's approval.

Any designation of a property within the City should be subject to the property owner's approval.

Objective L.25

Encourage and provide incentives to achieve preservation of significant architectural, historical, and cultural buildings and neighborhoods.

**Policies:**

Support tax incentives and other methods deemed mutually agreeable to the City and the property owner, which will help to preserve historic resources.

Consider the relaxation of current building and zoning codes, as necessary, to preserve significant structures, while ensuring that basic health and safety goals are met.

Provide information to property owners who desire such information on how to rehabilitate, research, and appreciate their architecturally, historically, and culturally significant property.

## Implementation Measures

The following measures are suggested to implement the goals, objectives and policies of the Land Use Chapter. Please refer to the corresponding objectives and policies for the specific language associated with each implementation measure. These are noted as “R” – Required, “C” – Currently in place, and “O” – Optional, only if corresponding policy is implemented.

<u>Implementation Measure</u>	<u>Related Objective(s)</u>	<u>Status</u>	<u>Time Frame</u>	<u>Responsible party</u>
Zoning Ordinance	L.1-L.12, NR.17	Update <b>R</b>	Completion 2004	Planning Department
Residential Design Guidelines	L.5	<b>C</b>	ongoing	Planning Department
Tree Preservation Ordinance	L.7	<b>C</b>	ongoing	Planning and Public Works Departments
Commercial Design Guidelines	L.8, L.9, L.17, L.18	<b>C</b>	ongoing	Planning Department
Zoning Map	L.12	<b>R</b>	Completion 2004	Planning Department
Mission Street Specific Plan	L.9	<b>O</b>	2006	Planning Department
Huntington Drive Specific Plan	L.8	<b>O</b>	2006	Planning Department
Commercial parking districts	L.14	<b>O</b>	As appropriate	City Manager's Office
Streetscape Master Plan	L.19	<b>O</b>	2005	Planning and Public Works Departments
Reconfiguration of Huntington Drive	L.19, L.20	<b>O</b>	2015	Planning and Public Works Departments; Police and Fire Departments
Business marketing information	L.21, L.22	<b>R</b>	2005	Chamber of Commerce and Planning Department
Historic Preservation Program	L.23-L.25	<b>O</b>	2008	Planning Department
<ul style="list-style-type: none"> <li>• Ordinance</li> <li>• Protect Designated Properties</li> <li>• Adopt state historic building code</li> <li>• Implement tax incentives</li> </ul>		<b>O</b> <b>O</b> <b>O</b> <b>O</b>		

### **Section Three - Preservation**

#### Overview of Existing Conditions

Most of the housing stock and other buildings in the City were built prior to 1950. There are eight sites in the City that have been designated by the State and/or Federal government as historic landmarks in the City. These are:

Name	Address	State	National
City Hall/Fire Department	2200 Huntington Drive	Listed on register	N/A
Michael White Adobe	2701 Huntington Drive	Listed on register	N/A
Governor Stoneman Adobe	1912 Montroble Place	Landmark #669	N/A
El Molino Viejo	1120 Old Mill Road	Landmark #302	National Register
The Huntington Library, Art Collections, and Botanical Gardens	1151 Oxford Road	Listed on register	N/A
Stoneman School	1560 Pasqualito Drive	Listed on register	N/A
Lacy Park Restroom	1485 Virginia Avenue	Listed on register	N/A
Edwin Hubble House	1340 Woodstock Road		National Register
Thurnher House (Locally Designated)	1475 Virginia Avenue	N/A	N/A

The City has an intensive design review process and has adopted residential design guidelines. These include detailed text and illustrations intended to ensure the compatibility of overall architecture as well as architectural detailing with existing development. Currently, a design review committee appointed by the Council reviews development plans to ensure compatibility with the existing historic fabric of San Marino neighborhoods. Alterations to property visible from public view as well as all new construction are scrutinized. The City has been satisfied that this process has protected properties that would otherwise be inappropriately altered.

## Integrity

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submitted by Shirley Jagel

Though minor alterations have been made to the main residence, 1470 Virginia Road retains character-defining features of its original Tudor Revival-style design, and therefore retains all seven aspects of integrity. Therefore, should the property meet eligibility criteria for designation, it retains sufficient history integrity to convey that significance.

- Location: The buildings on the property remain in their original location and therefore retain integrity of location.

<sup>17</sup> California Historical Resources Inventory, August 15, 2011. 2011 reflects the last comprehensive update to the Historical Resources Inventory.

### **HISTORIC RESOURCE ASSESSMENT**

# 1470 Virginia Road

### **HISTORIC RESOURCES GROUP**

12 S. Fair Oaks Avenue, Suite 200, Pasadena, CA 91105-1915  
Telephone 626 793 2400, Facsimile 626 793 2401  
historicresourcesgroup.com

- **Design:** The residence retains nearly all of the character-defining features of its original Tudor Revival-style design, including irregular massing, asymmetrically-composed façades, steeply-pitched cross-gabled roofs, cement plaster and stone veneer cladding, arched entrance, and divided-light windows. Therefore, the building retains integrity of design.
- **Setting:** There has been some infill of mid- to late-20<sup>th</sup> century single-family residences in the surrounding area since the residence at 1470 Virginia Road was constructed in 1938, but over time the neighborhood has retained the character and identity of an early 20<sup>th</sup>-century single-family residential neighborhood. Therefore, the property retains integrity of setting.
- **Materials:** The building is largely intact and retains many of its original construction materials, including stone veneer and cement plaster cladding, steel casement windows, and paneled wood doors. Therefore, the property retains integrity of materials.
- **Workmanship:** The residence retains the physical evidence of period construction techniques and therefore retains integrity of workmanship.
- **Feeling:** The property retains significant physical features that convey its historic character as a late-1930s single-family residence, and therefore retains integrity of feeling.
- **Association:** The property continues to convey its historic character as a late-1930s single-family residence, and therefore retains its integrity of association.

### Eligibility

#### **National Register/California Register Criterion A/1 (Events, Trends)<sup>18</sup>**

This investigation did not identify any specific associations with important historical events or trends that have made a significant contribution to social, historic, or cultural heritage at the national, state, or local level. Although the subject property reflects single-family residential development in San Marino, which is a significant part of the City's history, it does not meet guidelines established by the National Park Service for evaluating properties that are potentially eligible for a historical event or trend.

According to the National Park Service, a property eligible under Criterion A "must be documented, through accepted means of historical or archeological research (including oral history), to have existed at the time of the event or pattern of events and to have been associated with those events. A property is not eligible if its associations are

<sup>18</sup> The current City of San Marino designation program does not specifically identify eligibility criteria. Therefore, the property is evaluated for local eligibility under Criteria A and B as defined by the National Park Service.

## HISTORIC RESOURCE ASSESSMENT

# 1470 Virginia Road

### HISTORIC RESOURCES GROUP

12 S. Fair Oaks Avenue, Suite 200, Pasadena, CA 91105-1915  
 Telephone 626 793 2400, Facsimile 626 793 2401  
 historicresourcesgroup.com



City of San Marino  
2200 Huntington Drive  
San Marino, CA 91108  
(626) 300-0711

PLANNING  
COMMISSION HEARING

" APPLICATION "

Calculation of Planning and Design Review Fees

For up to three conditional use permit, variance and/or design review applications for a project to be processed concurrently, the fee collected shall be the fee required for the single highest application. For more than three such applications, the fee collected shall be the cost as provided, plus the cost for each additional individual application.

Please complete the following:

COMPARE TO SMUSD PROP TAX EXEMPTION VERIFICATION

- 1. Date: 11/13/2015
- 2. The undersigned applicant(s) is (are) the owner(s) of property located at: 1470 Virginia Road, San Marino, CA 91108
- 3. And legally described as follow (Lot No., Block No., Tract No.): Lot No. 5, Block No. 7; Tract No. 8316  
(legal description may be attached separately if necessary)
- 4. State in your own words:
  - a. The use (or improvement) you intend to make to the above described property:  
New custom residence and site improvements; primary structure shall be two stories; there may be a ~~one-story detached accessory structure (pool cabana).~~
  - b. The provisions or restrictions of the code which prompts the need for this application:  
Proposed residential building shall have seven bedrooms, which exceeds the limitation on number of permitted bedrooms (six), as defined in City Code Section 23.02.14.

5. I (we) certify or declare under penalty of perjury, that the foregoing is true and correct\*. I (we) also understand that in submitting this application that I (we) am (are) to expect City officials to conduct exterior inspections of my (our) property.

SHOULD ATTACH COUNTY RECORD

owner's name not clearly identified

Signatures of all owners of record of the property herein described: [Signature]

Mailing Address: 205 W. NORMAN AVE. ARCADIA, CA 91007

Owner's Phone Number (Home): ( )

Owner's Phone Number (Work): (626) 374-8881

Agent's Name and Address: \_\_\_\_\_

Agent's Phone Number: ( )

\*The verification form being signed under penalty of perjury does not require notarization.

SHOULD HAVE NAME AND MEDALLION SIGNATURE

11

Submitted by Shirley Jagels



*Pool and patio, view looking northeast to guest quarters.*

**HISTORIC RESOURCE ASSESSMENT**

# 1470 Virginia Road

**HISTORIC RESOURCES GROUP**

12 S. Fair Oaks Avenue, Suite 200, Pasadena, CA 91105-1915

Telephone 626 793 2400, Facsimile 626 793 2401

[historicresourcesgroup.com](http://historicresourcesgroup.com)



<http://onforb.es/1jUrWgc>

See how we can help you say yes



**Tim Worstall** Contributor

*I have opinions about economics, finance and public policy.*

Opinions expressed by Forbes Contributors are their own

OPINION 6/27/2014 @ 8:15AM 2,555 views

# Why So Much US Infrastructure And Housing Is Lousy, Built With Shoddy Materials

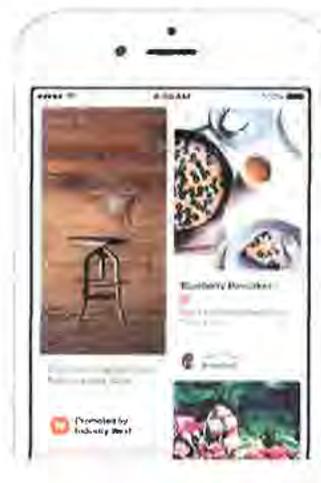
There's an interesting complaint over in the New York Times about how things just aren't built like they used to be. We use lower skilled labour these days, we use lower quality materials. And this is one explanation for why modern housing, bridges and infrastructure seems so inadequate compared to that bequeathed to us by the past. All of which could be said to be true but the reason why is a surprising, economic, one. This all actually shows that we've got better at building houses and bridges and [the rest](#):

“ Workmanship has declined in parallel. There continue to be expert craftsmen — carpenters, roofers, painters — who work with precision and pride, but they are increasingly being pushed out by cheaper labor with inferior skills (which is, of course, why the labor is cheaper). I have had paint jobs that blistered within days and had to be redone — at my expense. And I have heard and read of many analogous experiences.

This is not the fault of homeowners, but of the industries whose practices favor the use of inferior products and labor that drive modern construction: the developers, lenders, builders and Realtors who, to make quick money, have created a stock of domestic and commercial infrastructure that is a waste of resources and will not last.

I can't help but think that this experience, multiplied by those of millions of homeowners, affects how we as a country view our public infrastructure. We have seen short-term fixes and shoddy workmanship at home, and we see our bridges and roads the same way.

Professor Petroski uses as an example how his house in Maine was built of good quality timber well carpentered and it thus still stands, near maintenance free, 60 years later. As opposed to modern housing which seems to be built of whatever scraps they found at the timber yard with a bit of drywall stick inbetween the sticks. However, we should realise that this is telling us an



important economic lesson: we can now make houses using lower skilled labour and cheaper materials. That is, we've become better at building housing.

This was brought home to me one day during a conversation with my father, a skilled engineer (well, I assume he is skilled, none of the subs or missiles he worked on ever sank when they weren't supposed to nor went where they shouldn't have done). Isambard Kingdom Brunel's great creation, the Great Western Railway, runs through my native [Bath, England](#). And I remarked one day that Brunel must have been a pretty good engineer. For the modern railway was still using those old bridges of his. 160 years old and carrying 10 times the weight in new trains as those they were originally designed for.

"Yes, that shows how bad an engineer Brunel was,"

Huh? The answer being that it's pretty easy to build a bridge that will fall over quickly. It's also pretty easy to build a bridge that will stay up this side of anything short of the Second Coming. The difficult bit is to build a bridge that is only as strong as it needs to be and to be able to do that both safely and cheaply. We do, after all, live in a world of restricted resources so we'd rather not use more material or effort on any one bridge than we absolutely have to. That way we've enough resources to also build the next bridge and thus complete the railway.

Brunel's bridges, wonders of the age though they were, were massively over-engineered. Too much was spent on building them when shoddier design and or materials would have done just as well in keeping Victorian trains safely on the rails. It should have been necessary to refit those bridges when trains went from 200 tonnes a time to 2,000. That it wasn't is all the evidence we need that they were over-engineered.

And that's what's happening with our infrastructure and our housing today. Yes, we are building them out of cheaper and more fragile materials. We are indeed using less labour and lower skilled labour in doing so. This is because we now know more about the stresses and strains that buildings will be subject to and we can now design them to be strong enough but not waste resources on making them too strong. That we can now use the bits from the corner of the junkyard to build a house is evidence that we're better at building houses these days. We simply know more about engineering than we did.

And there's a wider application to this thought as well. Much of the current wealth of the world exists precisely because we have gained more knowledge over the centuries and can now make all sorts of things with low skilled labour and out of the bits and bobs of bad materials that we have lying around.

#### RECOMMENDED BY FORBES

[Mispriced Green Infrastructure Stocks](#)

[Averting a National Blackout: Cybersecurity and the Critical Energy Infras..](#)

[To Fix America's Infrastructure, Washington Needs To Get Out Of The Way](#)

[4 Hot Energy Infrastructure Plays](#)



13

**The New York Times** <http://nyti.ms/TCRnMO>

The Opinion Pages | OP-ED CONTRIBUTOR

# They Don't Make 'Em Like They Used To

## Inferior Products and Labor Drive Modern Construction

By HENRY PETROSKI JUNE 26, 2014

ARROWSIC, Me. — TO reach our house in Maine, my wife and I drive hundreds of miles on highways, cross scores of bridges and even go through a tunnel or two. And as we come down the home stretch on a dirt lane full of rocks and ruts, I am reminded of how a piece of private real estate is a microcosm of our national infrastructure.

These days the word “infrastructure” is mostly associated with large, extensive public works: airports, harbors and highway systems. Although they play a key role in the nation’s economic well-being, these facilities are too often poorly designed, built, maintained and funded.

But infrastructure can also refer to things on a much smaller scale, like private homes and their appurtenances. Thinking about the construction, aging and care of this domestic infrastructure can provide insight into how we as a nation might better respond to our mounting public works problems.

Our 60-year-old home is an example of how infrastructure can be built to stand strong, age gracefully and be almost maintenance-free. The foundation sits firmly on solid granite. From the full basement you can see how the exposed beams, joists and underside of the flooring were made of good wood, built to last.

When I see a commercial building under construction today, I see nothing like this in the materials and workmanship, perhaps because it is simply a function of finance, expected to survive only until it is fully amortized in a company's budget.

I can see the same decline in quality when I try to do work on our house. When it was built, two-by-fours were actually only an eighth of an inch short of those nominal dimensions. Today, a two-by-four is a full half-inch shy. This sort of thing frustrates carpenters and do-it-yourselfers alike, making old construction more difficult to fix and encouraging tearing down and starting over with inferior newer materials and less skilled labor. What a waste of time, effort and money — and, more important, superior infrastructure.

Our house's sturdy balloon frame is covered outside with cedar clapboards and inside with knotty-pine paneling, whose stained and varnished finish looks as good as new. In contrast, newer homes have been clad outside in shingles that have deteriorated and inside with imported drywall, which, as it breaks down, releases fumes that sicken the occupants.

Workmanship has declined in parallel. There continue to be expert craftsmen — carpenters, roofers, painters — who work with precision and pride, but they are increasingly being pushed out by cheaper labor with inferior skills (which is, of course, why the labor is cheaper). I have had paint jobs that blistered within days and had to be redone — at my expense. And I have heard and read of many analogous experiences.

This is not the fault of homeowners, but of the industries whose practices favor the use of inferior products and labor that drive modern construction: the developers, lenders, builders and Realtors who, to make quick money, have created a stock of domestic and commercial infrastructure that is a waste of resources and will not last.

I can't help but think that this experience, multiplied by those of millions of homeowners, affects how we as a country view our public infrastructure. We have seen short-term fixes and shoddy workmanship at home, and we see our bridges and roads the same way.

Understandably, many people wonder about throwing good money after bad. They wonder why hastily repaired potholes reappear in weeks, if not days; why a newly repaved highway feels like a washboard; why a bridge that seems to be perfectly serviceable is being replaced when the road leading to and from it appears to be in worse shape; and why it seems to take forever to complete a highway project.

We do not have to be citizen-craftsmen who work on our own homes to know that it does not have to be this way. And we do not have to be homeowners or highway engineers to know that good materials are better than poor and a job done well from the outset will outlast one done shabbily.

As we debate how to pay for infrastructure, we should also have a discussion about raising expectations for what we're buying. Homeowners, project managers and legislatures alike must call to account suppliers and contractors who do not produce the quality of materials and work they promise. A roof or road that does not meet agreed-upon standards needs to be redone, at the irresponsible party's expense.

Such challenges will naturally lead to delays and legal proceedings, but this is the price for getting things done right. In time, doing it right the first time will once again become wise and standard business practice, and we can look forward to infrastructure that looks good, works well and lasts.

Henry Petroski is a professor of engineering and history at Duke and the author, most recently, of "The House With Sixteen Handmade Doors: A Tale of Architectural Choice and Craftsmanship."

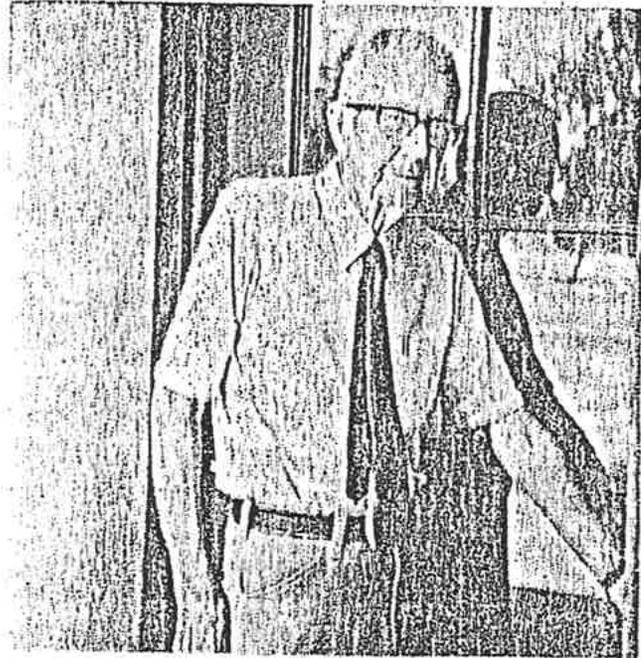
A version of this op-ed appears in print on June 27, 2014, on page A29 of the New York edition with the headline: They Don't Make 'Em Like They Used To.

# Architect Ted Pletsch Helped Build San Marino

by Gerry Phlander

Architect Theodore L. Pletsch has played an important part in the building of San Marino. During the 1930s and 1940s he designed and built several hundred homes and

prominent commercial buildings. Ted, as he is better known, will reach his 80th birthday this November 29. He has been in business 51 years and is still active with building projects. The San Marino Tribune



**THEODORE L. PLETSCHE, ARCHITECT,** stops by the San Marino Tribune office for a look at the building he designed and built in 1935. The 79-year-old designer wanted to see how the place looked after all these years. Pletsch designed and built many homes and buildings in San Marino.

San Marino Tribune Photo

Building was one of his projects built in 1935. It was designed to house the newspaper for owner and publisher at that time, Franklin W. Collins. The two-story English style building shared the 2200 block on Huntington Drive with City Hall and an orange grove.

Pletsch remembers San Marino when it had only a few wooden stores on Huntington Drive, and the drive was mostly a dirt road with the Pacific Electric tracks running down the center.

USC Graduate After his graduation from University of Southern California in 1925, with a degree in architecture, he said development in San Marino was very slow getting started.

However, he and two other architects opened an office in 1930 at 170 East California Boulevard in Pasadena. Office rent was \$30 a month. His share of \$10 was taken out in drafting. Even though times were hard, he had houses to do.

In 1933 Pletsch had two houses being built in San Marino. One cost \$1.50 a square foot, and the other one, which had a full tile roof, was \$1.75.

This was during the bank holiday in the United States and 8,000 banks had gone broke. Every bank in the country was

closed. Price Of A Lot

"You could buy any one-acre lot in the new development in the Chester-Chaucer area of San Marino for \$3,000. And the code here required that you spend \$8,000 for a house," Pletsch recalled.

Building in the early days was much simpler than it is now. Building permits were not issued before 1933. According to Pletsch, and in the first decades, a builder could erect just about any sort of a home he wished without running into zones, prescribed values or set styles of architecture.

The veteran designer-builder said that all kinds of codes sprang up following the Long Beach earthquake in 1933. The day after the tremor he rode the Pacific Electric Red Car to Long Beach to view the damage.

He said, "Every two-story school building in Long Beach was reduced to about 5 feet high. Had the quake happened at 2 p.m. it would have killed 50,000 children. But thank goodness it happened at 6 p.m. instead."

"Codes and building in San Marino were ruled by George H. Cronshey, the city's first full-time building inspector. He had a building code of his own,

Everything was different," Pletsch remembers.

Lead Trap Problems Cronshey dictated that plumbing pipes have lead traps, which were later discontinued because it was discovered that rats like to chew on lead pipes to sharpen their teeth. People were always having trouble with those traps.

"Up until 1933 nobody ever heard about putting bars inside the masonry walls for support. I can remember, even as late as 1950 when I was doing a building at the corner of Huntington Drive and Del Mar, I was trying to get the brick layers to put in the bars. They had to be watched to make sure they would put bars in," Pletsch commented.

One of his first buildings in San Marino was on the south side of Huntington Drive for people who were in the seed and feed business. Some of his projects have been torn down but others are still being used.

Pletsch has done over 500 custom homes and more than 1300 building projects. His house designs were extremely varied, from very modern, to Oriental, or to almost any style the customer wanted.

He did many district office buildings for Metropolitan Life Insurance Company which took him to many cities.

Won Competition

A big break in his building career came when he won an architecture competition in 1935 to build a model home in front of the Pasadena City Hall. The purpose of this project was to stir up construction because things were very slow at that time.

Visitors paid a dime to see the house. The project was so successful for him that he could trace 400 jobs from people who saw it, Pletsch recalled. "That house changed the philosophy of small house design.

"Up until that time in the average small house, you had to walk through the living room to go to other rooms. In my design, you didn't walk through rooms to get to others. Well, it really took hold. From then on practically everyone insisted that you didn't walk through the living room," he beamed.

A native of Amarillo, Texas, 12-year-old Ted came to Pasadena with his family. During his early years he and his friends traveled as far as they could go on their bicycles. He said that San Marino looked quite different in those days than it does now.

"San Gabriel was a little village; Arcadia didn't exist;

Turn to Page 8

# Ted Pletsch

Continued from Page 8

small house design.

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A native of Amarillo, Texas, 12-year-old Ted came to Pasadena with his family. During his early years he and his friends traveled as far as they could go on their bicycles. He said that San Marino looked quite different in those days than it does now.

"San Gabriel was a little village; Arcadia didn't exist; many of our main streets weren't here. The Huntington Estate was there, but it only had the family home on it.

## First Radio

In 1920, when Pletsch graduated from Pasadena High School, he remembers the time he first heard a radio.

He said, "I went with a girlfriend out to visit her brother at the Balloon School located near the racetrack in Arcadia. The radio was a did-da-dit-dit thing, and we heard a distress signal from a ship with engine trouble. Balloons were used to lift a man to observe what was going on in the trenches during World War I.

"My first radio was a cat whisker set with an ordinary round battery. There were two radio stations, KFI and KHJ.

That was all."

Pletsch attended Caltech for a year, but decided he didn't want to be an organic chemist, so he stayed out of school a year doing carpentry and painting until he could find his direction.

He had always liked to draw, but had never heard about being an architect. A friend convinced him to study architecture at USC.

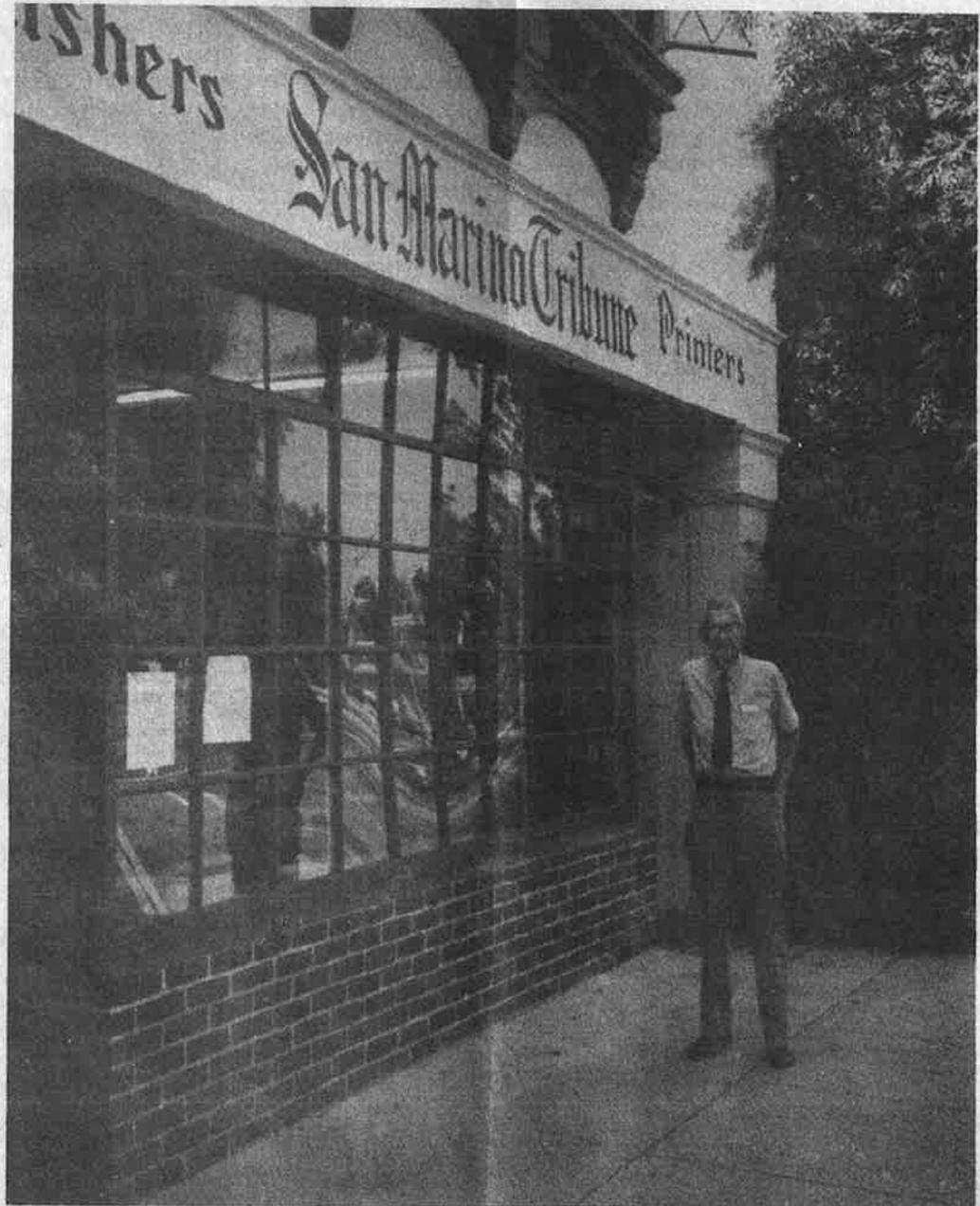
He finds designing environments for human beings to be a fascinating way to make a living. He doesn't intend to quit now.

## Enjoys Hiking

Another pastime he enjoys is hiking. Every weekend he walks 10 miles from his home in Altadena up into the forest. He has tallied more than 5,000 miles in the Sierras.

In 1925, after he graduated from USC, he was turned down for life insurance. Two doctors told him he did not have much of a life expectancy.

"Well, it jarred me a little and it made a philosopher out of me. I became interested in the Bible, psychology and people." He made a hobby out of studying people—the most fascinating thing in life is in the peo-



**MAJOR CONTRIBUTOR.** Ted Pletsch built many San Marino homes, as well as business establishments which now dot Huntington Drive. Here, he stands in front of the San Marino Tribune building which he built for the paper's first owner and publisher, Frank W. Collins, in 1935.

ple you meet going through it, he commented.

Another interest of his is nutrition. He believes people should eat a large variety of everything so the body can get all the nutrients it needs. He must be doing something right, because this wiry gentleman has a full head of hair and not one bit of flab around his middle.

In building homes, (he won't touch a tract home), he has always dealt with a woman who has a successful husband. "When working with this type of person she is really in there pitching when it comes to designing a house."

He went on, "Every woman has a house buzzing around in her head. Back ages ago, it was

the woman who was searching for a dry cave for the family dwelling. The men were too busy out fighting each other to prove their egos all the time."

#### Women Smarter Than Men

"One thing I have learned in dealing with 500 women is that the female of the species has 60 percent of the brains. She knows she is smarter than the male," he said.



PROFILE: LS  
**Ted Pletsch:**  
**Veteran Architect**

*He's been designing Pasadena buildings for more than a half-century*

by Karen Early

ARCHITECT Theodore Pletsch, 84, has witnessed a half-century of buildings come and go and come back again.



A case in point is Pasadena's Hen's Teeth Square, located at Los Robles and Woodbury. Designed by Pletsch over 56 years ago as one of the first drive-in shopping centers, Hen's Teeth Square is completely renovated and has been designated by the City of Pasadena as a Cultural Heritage Landmark. A group of friends and associates recently joined to honor Pletsch.

As the oldest living graduate of the architectural department at USC (he graduated in 1925), he quips, "All of my peers are gone. I went to a reunion of my graduating class and nobody was left."

Considering his longevity, he chuckles about the irony of having been turned down for life insurance when he was 23. "I was a skinny, sickly looking character and two doctors told me I didn't have much of a life expectancy. Apparently, I was diagnosed with extremely low blood pressure (80 over 40), a thyroid deficiency and a heart murmur."

Pletsch now considers the denial a big favor because it made him learn how to live with himself and to take care of his 5-foot-10, 140-pound body. He attributes his good health and quick wit to eating a variety of foods every day, to hiking halfway to Mount Wilson on a weekly basis, and to making a hobby out of studying and learning from people.

Although semi-retired, Ted — as he is better known — is fit and going strong, and telling lots of tales with verve and relish.

When Pletsch was asked to design Hen's Teeth Square (as it now is named) in 1930 as a drive-

up shopping center, he thought it was crazy. "Only the very rich had cars and I didn't think it would go over well." Pletsch went ahead and designed it anyway; he needed the money.

And when Winston and Jeanette Henderson purchased the dilapidated structure for redevelopment, they appropriately called it Hen's Teeth Square when they found that money to renovate was as scarce as the proverbial barnyard bispids.

Another big break came in Pletsch's building career in 1935 when he won an architectural design competition to build a model home in front of the Pasadena City Hall. The purpose of the project: to stir up the depressed construction industry.

Visitors paid a dime each to see the house. It was such a success Pletsch figured he got some 400 jobs from people who toured the home. Pletsch recalls, "That house changed the philosophy of small house design. Up until that time in the average small house, you had to walk through the living room to go to other rooms. In my design, you didn't walk through rooms to get to others."

PROFILE:

*Continued from page 1*

*The key to success*

Ted sums up his attitude towards work in three words: "Please the customer." He continues, "Once you forget whom you're serving, you're in trouble."

Between the 1930s and 1980s, Ted worked on more than 1,300 buildings and designed over 500 custom homes, many of them in Pasadena, Altadena and San Marino. When asked what he takes the most pride in, he repeats "pleasing the customer," especially the 500 women he designed homes for, 300 of which were in San Marino.

*The saying that 'behind every successful man is a smart woman' is true... Most of the time, they'd have more sense than their husbands. And the really smart ones wouldn't let their husbands know it."*

"One thing I have learned in dealing with 500 women is that the female of the species has 60 percent of the brains... You build a house for a woman and you know more about that lady than her husband... The saying that 'behind every successful man is a smart woman' is true... Most of the time, they'd have more sense than their husbands. And the really smart ones wouldn't let their husbands know it."

Other projects he'd worked on: Pletsch's first commercial building still stands, at the northeast corner of Holliston Avenue and Colorado Boulevard. He designed the first black building in Pasadena, at 609 East Green Street; using black tile to cover the front. Pletsch redesigned the fronts of all the commercial buildings between Fair Oaks and Marengo when Colorado Boulevard was widened in the late 1920s. And the San Marino Tribune still occupies the Huntington Drive building he designed for the paper in 1935.

*There is nothing in the world that will take the chip off one's shoulder like a feeling of success.*

*Thomas Wolfe*

Aside from the mainstream-type of buildings, he points out that his buildings continue to serve all stages of the human being, from the unborn to the deceased. He has designed 12 Planned Parenthood clinics and a cemetery project, the colonial-style Memory Garden Memorial Park and Mortuary in Brea.

Pletsch philosophizes, "Designing environments for human beings to live and work in is a fascinating profession. Environments have more influence on people's lives than anything except their social contacts. Surroundings have a tremendous effect on how they feel, work, and even how they live."

Pletsch found out what he wanted to do most by doing what he least liked to do. After graduating from Pasadena High School in 1920, he entered Caltech to study chemistry. Becoming disillusioned by sitting behind test tubes in dry-walled labs, he quit. After spending one year doing carpentry and painting, he found he needed a focus.

"I always liked to draw but never thought of becoming an architect, until a friend convinced me to study at USC. Designing buildings and seeing them come into existence seemed rewarding." In 1925 he received his bachelor's degree in architecture.

*Taking a hike*

To escape "the rat race," as he calls it, he frequently hikes to Henninger Flats, about 2,800-foot elevation (Mt. Wilson is 5,710-foot elevation). His love for the mountains began in 1912 when he hiked for the first time at age 11 with his father. They carried blanket rolls ("This was before sleeping bags were invented.") to spend the night.

*Once you forget whom you're serving, you're in trouble.*

His love for mountain hiking grew when he joined the Boy Scouts in 1915 and thrived during a 40-year membership in the Sierra Club.

"I often do mathematical calculations while I'm hiking to keep my mind active." Pletsch says he averages 10 miles a week; multiplied by 50

*Before everything else, getting ready is the secret of success.*

*Henry Ford*

weeks a year, that's 500 miles a year. Over 70 years it totals 35,000 miles; he subtracts 5,000 miles to avoid any possible exaggeration.

His weekly trips in the San Gabriel Mountains have made him something of a self-professed authority on local trails. He enjoys reciting bits of history and folklore to strangers he meets on the trail if they show the least bit of interest.

*Designing environments for human beings to live and work in is a fascinating profession. Environments have more influence on people's lives than anything except their social contacts. Surroundings have a tremendous effect on how they feel, work, and even how they live.*

Combined with his diet (he tries to eat over 25 different kinds of food every day) Pletsch does not plan on stopping his 2½ mile hike to Henninger Flats, an elevation gain of 1,400 feet. His blood pressure is 120 over 70, which he says is normal for a 20-year-old.

Pletsch lives in Altadena in a home he designed and built in 1936. His wife, Amy, died of cancer just after their fiftieth wedding anniversary in 1979.

For Pletsch, a constant symbol of encouragement is what stands tall in his front yard — a huge oak tree. It serves as a daily inspiration. He comments, "Every morning when I wake up, I look out the window and see that old tree... knowing it's coping with life just the same way I am has done more for me than anything I can think of."

*It takes twenty years to make an overnight success.*

*Eddie Cantor*

*All you need in this life is ignorance and confidence, and then success is sure.*

*Mark Twain*

*If you want to succeed, you should strike out on new paths rather than travel the worn paths of accepted success.*

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# City of Pasadena



## Proclamation

WHEREAS, Theodore Pletsch was born in Iowa Falls, Iowa in 1901; came to Pasadena with his family when he was eleven years old; graduated from Pasadena High School in 1920 and earned his Bachelor's Degree from USC's School of Architecture in 1925; and

WHEREAS, before establishing his own business, one of his first jobs was to redesign the store fronts of all the buildings on Colorado Boulevard between Fair Oaks and Marengo Avenues when the boulevard was widened in the late 1920s; and

WHEREAS, he designed the first auto-oriented shopping center in Pasadena which has now been completely restored, designated a Cultural Heritage Landmark and is called "Hens Teeth Square"; and

WHEREAS, he has designed many buildings, including over 500 homes in his fifty-five years of practice; and

WHEREAS, at the young age of 84, while not designing as many homes and buildings as before, he still hikes to Henninger Flats in the San Gabriel Mountains every Saturday, a ten-mile round trip; he has made this trip over 3000 times.

NOW, THEREFORE, I, William J. Bogaard, Mayor of the City of Pasadena, on behalf of the Board of Directors, do hereby proclaim, Monday, March 24, 1986 as

### THEODORE PLETSCH DAY

in Pasadena in recognition of his many architectural contributions to our community.

DATED: March 24, 1986



*William J. Bogaard*  
\_\_\_\_\_  
CHAIRMAN OF THE BOARD OF DIRECTORS  
of the  
CITY OF PASADENA, CALIFORNIA

ATTEST:  
*[Signature]*  
\_\_\_\_\_  
CITY CLERK

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VERONICA RUIZ

1404 Wilson Avenue  
San Marino, CA 91108  
(626)441-1404

September 14, 2016

Hon. Members of the San Marino City Council,  
San Marino City Council  
C/o San Marino City Clerk Veronica Ruiz  
City of San Marino  
2200 Huntington Dr.  
San Marino, CA 91108

RE: 1470 Virginia Road

Dear Mayor Yung and Councilmen:

The Stathatos Estate at 1470 Virginia Road exemplifies the English Tudor style and appears to be in an exceptional state of preservation, retaining a high degree of historic and structural integrity and character-defining features from the period of significance. An outstanding example of residential design by regionally prominent master architect Theodore Pletsch, it retains its historic character and context as a late 1930's single family residence. It connects us to our local history.

The Historic Resource Report for the property dated May 27, 2016, determined that 1470 Virginia would be eligible for local historic recognition if so nominated, stating, *"Virginia Road does appear eligible for local designation for its architectural merit. Under the current ordinance, there is a basis for such designation as the property retains a high degree of integrity, and was designed by noted local architect Theodore Pletsch. The residence represents one of Pletsch's earliest known residential designs in San Marino and appears to be the earliest example of his work constructed on Virginia Road.....It appears eligible for local designation under Current code, as an intact example of Tudor Revival architecture by noted local architect Theodore Pletsch. .... Retains all seven aspects of integrity....retaining sufficient history integrity to convey the significance.... [including] location, design, setting, materials, workmanship, feeling and association."*

Archiving sketches and photos of this home cannot replace it. And so, I hereby exercise my right to nominate this local architectural resource for local historic landmark status, in support of the community and the City of San Marino's policy, objectives and goals for historic preservation as set forth in San Marino's 2003 General Plan.

Thank you.

Sincerely,



Shirley Jagels

ORDINANCE NO. 951

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARINO, CALIFORNIA ADOPTING A NEW CHAPTER II OF THE CITY CODE.

THE CITY COUNCIL OF THE CITY OF SAN MARINO, CALIFORNIA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. CHAPTER II OF THE CITY CODE.

Chapter II of the City Code shall be adopted to read as contained in Exhibit "A" attached hereto and made a part hereof.

SECTION 2. SEVERABILITY.

If any section, subsection, sentence, clause or phrase, of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more of the sections, subsections, clauses or phrases thereof be declared invalid or unconstitutional.

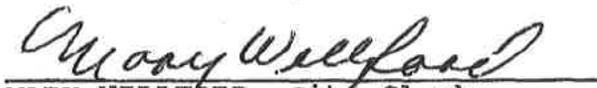
SECTION 3. CERTIFICATION.

The City Clerk shall certify to the passage of this ordinance and shall cause same to be published in a manner provided by law.

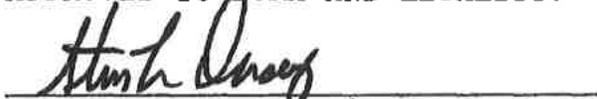
PASSED, APPROVED AND ADOPTED this 8TH day of MARCH, 1989.

  
\_\_\_\_\_  
PAUL CROWLEY, Mayor

ATTEST:

  
\_\_\_\_\_  
MARY WILLFORD, City Clerk

APPROVED TO FORM AND LEGALITY:

  
\_\_\_\_\_  
STEVE L. DORSEY, City Attorney

ORDINANE NO. 951 - Page 2

I hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of San Marino, held on the 8th day of February 1989, and was duly passed, approved and adopted by said Council on March 8, 1989, by the following vote:

AYES: Crowell, Dryden, Johnson, Simmons, Crowley

NOES: None

ABSENT: None

*Mary Weeford*  
City Clerk

ARTICLE 12  
DESIGNATION OF HISTORICAL LANDMARKS

SECTION 02.12.01 PURPOSE

The City Council may designate a building, landmark or other property within the City as a local historical landmark in special recognition of the property's role during the formation and existence of the City.

SECTION 02.12.02 METHOD OF DESIGNATION

Local historical landmarks may be designated as follows:

A. PETITION

An individual or organization may petition the Council stating the name and location of the building, landmark or other property proposed for designation as a local historical landmark and the basis for such designation.

B. COUNCIL REVIEW

Upon review of the facts presented, the Council may approve or deny the designation of the proposed building, landmark or other property as a "Local Historical Landmark." Approval of such designation shall be by resolution of the Council based on findings of the property's role during the formation and existence of the City.

C. CERTIFICATION

When a building, landmark or other property is designated as a "Local Historical Landmark" the city clerk shall submit a certified copy of the resolution indicating such designation to the state historical society, the city historical society, and the individual or organization originally submitting the petition for designation.

# 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: CINDY COLLINS, INTERIM CITY MANAGER

BY: LUCY GARCIA, ASSISTANT CITY MANAGER

DATE: OCTOBER 12, 2016

SUBJECT: **ESTABLISHMENT OF AD HOC COMMITTEE WITH  
CITIZEN ADVISORS TO PROVIDE INPUT ON THE  
RECREATION DEPARTMENT**

---

## **BACKGROUND**

At the September 30<sup>th</sup> meeting of the City Council, Council Member Steve Talt requested the City agendize the establishment of an Ad Hoc Committee specific to the Recreation Department. This, pursuant to ongoing discussions regarding needed facility improvements at Stoneman School (and other facilities) and the City's need to "prioritize" these investments. As a result of the Ad Hoc Committee's work, the Department's various services and participants and, thus, their relationship and reliance on the facilities could be better understood. In addition, the Department's business model could be reviewed and enhanced perhaps to maximize revenues and efficiency and, consequently, improve the Department's cost recovery. The Recreation Department's current cost recovery is budgeted in FY 2016/17 at 85% with \$2.23 million in expenditures and \$1.9 million in revenues (\$1.72 from fees and \$187,000 from restricted sources) for a subsidy of \$326,000 approximately.

The formation of a Recreation Ad Hoc Committee, as proposed, would be consistent with the current Ad Hoc work underway for the Parks and Public Works Department and the Administration Department. As the Council is aware, on December 9, 2015, the City Council approved the formation of Departmental Ad Hocs to better understand all of the City's services and operations and seek ways to control or reduce costs citywide. In consideration, the Council established that two Council liaisons would sit on an Ad Hoc and receive assistance and input from Citizen Advisors representing the skills and experiences necessary to benefit the analysis or audit of the Department. At the conclusion of the Citizen Advisors' work, any observations or recommendations submitted would be shared with the Council liaisons and thereafter with all members of the City Council.

The Citizen Advisors working with Parks and Public Works and Administration have yet to conclude their work; however, they are near completion with a summary pending soon. Note that at the December 9, 2015 City Council meeting, the Council specifically indicated they would complete the first Departmental Ad Hoc review before moving on to the next. This would allow the Council to assess if the Departmental Ad Hoc work should continue. In addition, it would allow for the Council to establish the "next Department" and appoint new Council liaisons onto the next Ad Hoc. According to the City Attorney, this staggering of one Departmental Ad Hoc at a time would also ensure compliance with the Brown Act, by intentionally avoiding more than two Council members discussing Ad Hoc topics.

**FISCAL IMPACT**

There are some in-kind staff costs expected with the formation of the Recreation Ad Hoc in relation to any assistance or materials needed to support the Ad Hoc and Citizen Advisors. The in-kind costs will vary depending on the depth of review or needs of the Ad Hoc.

**RECOMMENDATION**

The City Council is requested to provide direction on the formation and implementation of the Recreation Ad Hoc.

# 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: CINDY COLLINS, INTERIM CITY MANAGER

BY: [ DANIEL S. WALL, PE. PARK & PUBLIC WORKS  
DIRECTOR / CITY ENGINEER ]

DATE: [ OCTOBER 12, 2016 ]

SUBJECT: [ **RECEIVE AND FILE: HUNTINGTON DRIVE  
REHABILITATION PROJECT NO. 2882 - UPDATE** ]

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## **BACKGROUND**

[ On July 29, 2016, the contract for the construction of the Huntington Drive Rehabilitation Project was awarded to All American Asphalt. This contract includes the replacement of damaged curb and gutter, and sidewalks; and asphalt pavement grinding and replacement on Huntington Drive from Winston Avenue to Virginia Road. The \$971,694 contract requires the contractor to complete its work within ninety days (90) of the start of construction. The construction started September 12, 2016. While the contractor has until December 12, 2016 to complete this project, the Contractor had originally scheduled the work to be completed by December 2, 2016.

Soon after the start of construction, several business owners, the Chamber of Commerce, school staff and faculty, and residents voiced their concern about the impact that this project is having on their business, and on community events traditionally held this time of year. In order to address these concerns, staff has instructed the contractor to suspend work and make the project safe for the public use. The Contractor will remobilize in the spring to complete this project. ]

The public should have been notified in advance of the award of this construction project. This notification would have allowed for stakeholder input to avoid these scheduling issues. All projects are being reviewed to ensure that they have been properly communicated to the public and in order to avoid scheduling issues and minimize construction impacts.

## **FISCAL IMPACT**

[ The cost of remobilizing the Contractor in the spring should not exceed \$5,000 ]

## **RECOMMENDATION**

It is recommended that the Council receive and file this item.

# 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: CINDY COLLINS, INTERIM CITY MANAGER

BY: ALDO CERVANTES,  
PLANNING AND BUILDING DIRECTOR  
EVA CHOI, ASSISTANT PLANNER

DATE: OCTOBER 12, 2016

SUBJECT: **APPEAL OF THE PLANNING COMMISSION DECISIONS  
OF DRC15-99 AND DRC16-23  
1470 VIRGINIA ROAD, (CHAN/TYLER)**

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## **BACKGROUND**

The applicant filed an application for a new residence on November 13, 2015. The Planning Commission considered the proposed project during its March 23, 2016 and April 27, 2016 meetings, and requested a historic resources assessment report for the existing residence and redesign of the proposed residence for neighborhood compatibility reasons.

At the March 23, 2016 meeting, the Planning Commission considered the initial project plans, which involved one conditional use permit request for a main structure with more than six bedrooms, and two design review actions for the new structures and front yard driveway gate and fencing.

A revised design was presented to the Planning Commission at its April 27, 2016 meeting, the revised project involved two conditional use permits for a structure with more than six bedrooms and a bathroom within a detached structure, and three design review actions for the new structures, a detached three-car garage and a detached structure greater than six-hundred square feet.

On June 22, 2016, the applicant presented to the Planning Commission a historic resources assessment report along with a final design program that only required two design review actions for the new structures and the detached three-car garage. The Planning Commission approved the project with conditions. A summary chart illustrating the proposed design program from initial submittal to the final design is provided in Attachment 5. On July 7, 2016, a City resident filed a timely appeal of the Planning Commission's approval, the appeal letter is provided in Attachment 1.

At the September 14, 2016 City Council meeting, the project was continued due to discrepancies on the basement floor plan layout between submitted plans and the presentation provided by the architect. Additionally, a petition was filed for designation of the existing structures as local historic landmarks in accordance with adopted City Codes. The City Council directed staff to process the petition, and return with information on the existing structures' contribution to the City's history, concurrently with the appeal hearing.

## **EXISTING RESIDENCE**

The existing residence was constructed in 1938 and designed by Theodore Pletsch, a well-known local architect. Mr. Pletsch designed both residential and commercial projects in San Marino and Pasadena from the 1930s through the 1960s. Available online reference materials revealed that Mr. Pletsch's residential design included a variety of architectural styles, it is also stated that his design work was mostly client-driven. The existing two-story English Tudor residence is not a style that commonly associated with Mr. Pletsch's work. Staff cannot find evidence that Mr. Pletsch played a significant role in influencing the development of English Tudor style homes in the City. Staff is also unable to establish the connection between the subject house and the potential influence of Mr. Pletsch's work in the development of English Tudor style homes in the local region. Therefore, staff does not find the house to be a potential historic resource and finds that the project is exempt from review under the California Environmental Quality Act (CEQA).

As requested by the Planning Commission, the applicant submitted a historic resources assessment report prepared by The Historic Resources Group<sup>1</sup>, provided as Attachment 3. The historic resources assessment report evaluated the existing structure under applicable criterion of the National Register and California Register and found the structure to be ineligible for listing. The historic resources assessment report identified the existing residence exhibiting character-defining features of the Tudor Revival-style and that the structure is a good local example of the particular architectural style. The report recommended documenting the existing condition of the structure, archiving architectural plans and photographs at the City and at the Pasadena Museum of History.

## **SITE AND PROJECT DESCRIPTIONS**

General Plan:	Estate Residential (0-2 dwelling unit per acre of land area)
Zoning:	R-1, District I
Location:	The subject property is located on the east side of Virginia Road, between Euston Road and Shenandoah Road.
Lot Size:	49,910 square feet
Existing Use:	Two-story residence, detached garage, and pool
Surrounding Uses:	Lacy Park is located west of the property. The site abuts other residential properties in Area Districts I and IV.
Proposed Square-Footage:	Livable Area: 6,845 square feet/ 6 Bedrooms, 8 Baths Lot Coverage: 5,453 square feet
Environmental Determination:	Categorically Exempt, Class 3 – new construction

The applicant requests to construct a new two-story residence with a basement, a detached three-car garage and an opened cabana structure. The proposed residence contains six bedrooms, six bathrooms and two powder rooms in the main residence. Part of the design program also included a detached three-car garage and an opened cabana structure. The proposed project complies with zoning standards, including setbacks, building height, maximum livable area and lot coverage. Pursuant to City Code Sections 23.15.03B and 23.15.03C, the project requires Design Review actions for the new residence (DRC15-99) and the detached three-car garage (DRC16-23).

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<sup>1</sup> Authors of the historic resources assessment report are qualified professionals meeting the Secretary of the Interior's Professional Qualifications Standards for architecture, historic architecture, history and architectural history.

The project proposed the following front yard improvements: a paved driveway leading to the side yard motor court, a raised seating patio with a fountain and a terraced entry walkway. Rear yard amenities included a swimming pool, a spa, and an existing arbor. Submitted property survey shows the existing driveway gate, pilasters and fencing are located within the public right-of-way, the architect stated that improvements beyond private property lines will not be altered and is not part of the project. Landscaping within the public right-of-way will remain and continues to screen the project site.

**DESIGN REVIEW FINDINGS:**

In examining the design review requests, the Planning Commission must make sure that the conditions will be consistent with the required findings for compatibility. Section 23.15.08 of the San Marino City Code states that the reviewing body shall approve the application if it finds all of the following to be true:

***That the proposed structures are compatible with the neighborhood.***

The property is zoned R-1, Area District I, and designated as Estate Residential (0-2 dwelling unit per acre of land area) in the General Plan. The property is an interior lot, located on the east side of Virginia Road, between Euston Road and Shenandoah Road. Surrounding uses include Lacy Park to the west and residential properties in Area Districts I and IV to the north, south and east.

For purposes of design review, a neighborhood is defined as the two (2) properties on each side of the lot; all properties adjoining the rear of the lot and each property on either side of the adjoining property(ies); and extending the lot's property line across the street, all property(ies) across the street within the parameters of the extension and the property on either side of those properties. Staff applied a conservative approach and included all properties adjoining the lots that are adjacent to the subject property's rear lot lines. Attachment 4 shows the properties that comprise the neighborhood for design review purposes.

The neighborhood comprises of various architectural styles ranging from traditional Spanish to minimal traditional to modern style; both single-story and two-story residences exist in the neighborhood. The architect and property owners have chosen a Spanish Colonial Revival design for the new residence and the detached garage. Staff finds the proposed architectural style and the two-story approach appropriate for the established neighborhood. The proposed building placement are in similar locations as existing structures on the property, this helps to minimizes excavation or altering land forms in order to preserve the natural features on the northern portion property.

The neighborhood contains both attached and detached garages, the proposed detached garage in the rear yard will be minimally visible from public view. Adequate distance is provided between the main residence, the detached garage and rear yard recreation amenities to maintain a sense of open space. The detached garage is compatible in size and height to garages found in the neighborhood. Staff finds the visual massing, scale, and height of the residence and the detached garage to be compatible with the development in the neighborhood.

Staff supports the front terraced design as it helps to define the front entry area, however the adjacent short walls is an uncommon feature in the neighborhood and staff cannot find the front short walls adjacent to the terraced walkway compatible with the neighborhood.

*That the proposed structures are designed and will be developed in a manner which balances the reasonable expectation of privacy of persons residing on contiguous properties with the reasonable expectations of the applicants to develop their property within the restrictions of this Code.*

The proposed two-story residence and detached garage sit naturally on a lower building pad than its north and east neighbors at 1365 Woodstock Road, 1380 Shenandoah Road, 1464 and 1480 Virginia Road. Property to the south (1505 Euston Road) of the subject site is on a lower elevation and privacy concern is buffered by a 30-foot wide private roadway. A large rear facing, uncovered balcony is proposed on the second level and it is approximately 60 feet from the side and rear property lines. With adequate setback and naturally descending slope of the lot, staff finds the proposed two-story residence and detached garage to be respectful of neighbors' privacy.

*In the case of a building addition, the proposal is compatible with the existing building which includes the rooflines.* This finding is not applicable because the proposed project comprises of new structures.

*That the colors and materials are consistent and match the existing building or structure.*

The project provides a common color scheme for the Spanish home with the two-piece barrel clay tile roofing material, aluminum clad wood casement windows in light green and an off white textured exterior wall finish. Architectural details include dark brown rafter tails and columns, and dark gray railings and decorative grills. Staff finds the proposed exterior finishes, materials and colors to be complimentary and compatible with the chosen architectural style. The proposed exterior finishes, materials and colors are consistently carried throughout the project. |

The Planning Commission's June 22, 2016 deliberation is available in audio format online. The attached Planning Commission Resolution PCR-16-04 in Attachment 2 provides the required findings and conditions of approval adopted by the Planning Commission on August 24, 2016.

## **RECOMMENDATION**

Staff recommends the Council to continue the appeal of Design Review Nos. DRC15-99 and DRC16-23 until such time that sufficient information is available for the Council to render a decision on the petition to designate 1470 Virginia Road as Local Historic Landmarks. |

If Council concurs, the following motion is recommended:

“A motion to continue the appeal of Design Review Nos. DRC15-99 and DRC16-23 to a future meeting.” |

Attachments: | Appeal Letter  
| Planning Commission Resolution PCR-16-04  
| Historic Resources Assessment Report  
| Location and Radius Map  
| Project Program Summary Chart |

CITY OF SAN MARINO

PLANNING COMMISSION APPEAL

RECEIVED

(Please type or  
print in ink)

Appeal Fee \$805.00  
Non-Refundable 2016 JUL -7 P 3:49

CITY OF SAN MARINO  
CITY CLERK'S OFFICE

Pursuant to City Code, the City Council has the following options:

- a. Affirm the action of the Planning Commission; or
- b. Overturn the Planning Commission action; or
- c. Refer the matter back to the Planning Commission, with or without instructions for further proceedings; or
- d. Set the matter as a de novo hearing.

TO THE CITY COUNCIL OF THE CITY OF SAN MARINO:

Date of Planning Commission Meeting JUNE 22, 2016

Date of Appeal (within 15 days) JULY 7, 2016

Resolution of Findings No. \_\_\_\_\_

Appeal by SHIRLEY JAGELS  
(Name)

Regarding: DRC-1599 & DRC-16-23 at 1470 Virginia Rd.  
(Case No.) (Address)

The undersigned hereby appeals from the decision of the Planning Commission, referenced above, upon the following grounds: (State reasons why you think the City Council should render a different decision than that rendered by the Planning Commission. Attach additional pages if necessary). **The narrative statement and nine (9) sets of drawings (if applicable) are due at the time the appeal is filed.**

SEE ATTACHED

Dated: 7/7/2016

SHIRLEY JAGELS  
Appellant Name

1404 WILSON AVENUE  
Appellant Address

1404 Wilson Avenue  
San Marino, CA 91108  
626-441-1404

July 7, 2016

Hon. Members of the San Marino City Council,  
Planning Commission & DRC  
C/o San Marino City Clerk Veronica Ruiz  
City of San Marino  
2200 Huntington Dr.  
San Marino, CA 91108

RE: DRC-1599 & DRC-16-23  
1470 Virginia Road

Regarding the decision of our current Planning Commission at the public meeting  
Wednesday, June 22, 2016 re the property at 1470 Virginia Road by noted architect Mr.  
Theodore Pletsch.

Dear Members:

Pursuant to City Code, I hereby exercise my right to appeal the Planning Commission approval of DRC-1599 & DRC-16-23 pertaining to the proposed new construction at 1470 Virginia Road, which would involve the demolition of a 1938 architectural resource by noted architect Theodore Pletsch.

Architect Theodore Pletsch has been credited with helping to build San Marino. According to the San Marino Historical Society's Grapevine newsletter of August, 1993, Mr. Pletsch built more than 300 quality, custom homes in San Marino over the course of his award-winning career. Some historical information about the architect can be reviewed in the LA Times article from April 24, 1986 (see attached). Please see Page 93 of OHP document: Cultural Resources of the Recent Past Historic Context Report, City of Pasadena to find additional information on the architect.

This issue is a crucial matter to the community on many levels, and appeal is the primary legal tool used to municipally protect historic resources in San Marino. Home ownership does not give individuals (or an LLC for that matter) the right to demolish community resources and put our cultural heritage and trees at risk without diligence and scrutiny. Ownership involves responsibilities as well as rights, and through the public hearing process, we more fully evaluate the environmental and cultural impact demolitions create.

I feel strongly that in reviewing this proposed development plan, we have failed to adequately and objectively identify a potential historic resource as part of a project's

environmental review. When this happens, historically significant buildings go unrecognized as such and are demolished without even an evaluation of creative alternatives, which our own governing document "Residential Design Guidelines" encourages on Page 1 in its statement, "The City is renown for its beautiful homes, which result from the residents' concern about their community and efforts to maintain properties." Page 1 also serves to "stress the importance of tree preservation," not replacement.

This particular proposal is quite ambitious, and asks for many variances and subterranean livable space. Because of this, along with the historic context of the current home within our cultural heritage – as well as overriding concern that our city staff is also overly-burdened with the myriad of duties involved in overseeing the plethora of construction projects within the city -- I seek this hearing and request a further review by the City Council.

Indeed it is our duty as a community to provide a thorough, public review of the potential environmental and community impacts of a proposed development project. It also behooves us to avoid or minimize these impacts to the extent feasible by examining and considering alternative approaches to any proposed project which has the potential to damage the community's cultural legacy.

While I do not dispute of the authority of the Planning Decision to render a decision, we believe it is the duty of the City Council to override this decision and render the approval null and void. I look forward to the hearing at which our dedicated City Council and current staff can add further review to this application on behalf of the community.

I further ask you to consider re-enacting the moratorium on the issuance of building permits for new construction where it would involve the demolition of our architectural resources until such time as we have, as a community, completed a thorough survey of our historic architectural resources and enacted a historic preservation ordinance.

Thank you for your consideration to this matter.

Most sincerely,



Shirley Jagels  
626-441-1404 home  
626-926-3126 cell

Attachments:

Check #3909 in the amount of \$805.00  
Article on Theodore Pletsch

← Back to Original Article

SNAPSHOTS

## Architect's Works Were Built to Last--So Was He

April 24, 1986 | MARY BARBER | Times Staff Writer

The West's first drive-up shopping center, built on the Pasadena-Altadena border in 1930, was unique and somewhat daring in its time. Today, with its integrity still intact, it qualifies as a historical treasure.

The same can be said of its architect, Theodore Pletsch.

Both are enjoying a renaissance this spring. The 56-year-old complex has been renovated for a grand reopening, and the 84-year-old Pletsch is being honored for having designed hundreds of Pasadena-area buildings that stand as testimonials to his talents.

The mini-mall, now known as Hen's Teeth Square, is on the corner where Los Robles Avenue meets Woodbury Road. It was built when cars were rare and roads leading to it were narrow and unpaved. After more than five decades of abuse by nature and people, it still has its original Italian tiles, thick brick walls and classic beauty.

Standing in front, where gasoline pumps once lured the automobile trade, Pletsch gazed at his creation and said, "This place didn't make any sense to me at the time. The only people who had cars in 1930 were rich people who had chauffeurs to drive their limousines. Never did think much of it."

He pointed to a nearby building which he liked more than the shopping center. It was a building he designed in the 1940s as an A & P grocery store and which now houses a plumbing business.

"They gave me jobs for 50 more buildings," the architect said of the grocery chain.

Pletsch says that kind of thing often, telling of a string of Planned Parenthood clinics, insurance offices, stores along Pasadena's Colorado Boulevard and homes for the upper crust--built for customers who were so pleased with his work they kept ordering more.

There is a map at Hen's Teeth Square with pins marking the sites of buildings Pletsch designed, but it is incomplete because he ran out of pins after several hundred were used. Most of the pins are poked in the Pasadena and San Marino areas, where Pletsch designed hundreds of homes in a variety of architectural styles. There are at least 20 pins along San Marino's elegant Lombardy Road.

Pletsch said he has designed 1,300 buildings; most of them are in the San Gabriel Valley, but some are in other states. Some notable local works still standing are three blocks of Colorado Boulevard storefronts done in the 1920s when the street was widened, a house that won a local design competition in 1935, a 1950s office building on Huntington Drive at Del Mar Avenue, the classic San Marino Tribune building, and a two-story store at 609 E. Green St. in Pasadena with a black tile facade.

"No way I could make sense of a black building," Pletsch said of the landmark.

"I did those Planned Parenthood buildings and a mausoleum in Brea. See, I've designed for people before they're born and after they're dead.

"I only design what the customer wants. I'm no Frank Lloyd Wright--never wanted to be. It's been so much fun I've never worked a day in my life. I've never been sued, and now one in six architects is sued every year."

In his youth, Pletsch said, he was an unlikely candidate for success.

"I was a sickly, skinny kid," who came from the Midwest to California in 1912, he said. "I barely survived the flu epidemic that killed millions of people all over the world in 1918."

He graduated from the USC School of Architecture in 1925, and was denied life insurance because of his fragile health.

"That was one of the best things that ever happened to me," Pletsch said. He learned to struggle against odds, to build up his strength by mountain climbing, and to work as hard as he could.

Pletsch still lives in the Altadena home he designed in 1936 for his late wife and two children. He is a sprightly, slender man who claims to have logged at least 30,000 miles hiking in the San Gabriel Mountains. Almost weekly he takes his favorite trail from Eaton Canyon to Henninger Flats, a 10-mile round trip that can exhaust people a fraction of his age.

Although he never formally retired, Pletsch works only occasionally now. He might have gone unrecognized for his enormous output had it not been for the owners of Hen's Teeth Square, who tracked him down after finding old documents in the building's basement.

Jeanette Henderson, who with her husband, Winston, bought the building in 1978, said they named it Hen's Teeth because money for development was scarce then. Also, she said, "We want this to be for things that are as rare as hen's teeth--things you can't get anywhere else in this area."

The building, designated a historic landmark in 1982, is scheduled to reopen in mid-May with a sidewalk cafe, specialty food shops, a produce market and space for a museum of local history.

Pletsch said he is not involved with the restoration but is pleased with what he sees. He pointed out that even though it was built long before reinforcement was required for masonry structures, he used special reinforcing beams in the building and to this day it has only one crack, which he attributes to an underground weakness, perhaps an old cesspool nobody knew about.

Asked why the building survived countless earthquakes, Pletsch had a ready answer.

"Because I designed it."

RESOLUTION NO. R-16-04

**A RESOLUTION OF THE CITY OF SAN MARINO PLANNING COMMISSION APPROVING DESIGN REVIEW CASE NUMBERS DRC15-99 AND DRC16-23, A REQUEST TO CONSTRUCT A NEW TWO-STORY RESIDENCE WITH A BASEMENT AND A NEW DETACHED THREE-CAR GARAGE ON THE PROPERTY LOCATED AT 1470 VIRGINIA ROAD, AND LEGALLY DESCRIBED AS TRACT #8316, LOT 5**

THE SAN MARINO PLANNING COMMISSION DOES HEREBY FIND, ORDER, AND RESOLVE AS FOLLOWS:

**SECTION 1.** An application for design review was submitted to the City of San Marino by Century Winner Inc. The applicant requests to construct a new two-story residence with basement and a new detached three-car garage on the property located at 1470 Virginia Road. This requires design review in accordance with Section 23.15.03B and 23.15.03C of the San Marino City Code.

**SECTION 2.** The Planning Commission conducted duly noticed public hearings on the application on March 23, 2016, April 27, 2016, and June 22, 2016.

**SECTION 3.** The Planning Commission received and considered both oral and written testimony during the public hearings and considered all the evidence in the record of the City's proceedings on the application as well as the evidence received and presented at the hearings. The following facts were presented to the Planning Commission:

- A. The property is zoned R-1 Single-Family Residential, Area District I. The property is located on the east side of Virginia Road, between Euston Road and Shenandoah Road. Other surrounding properties are also zoned R-1, Area District I to the north and east, and Area District IV to the east. City owned Lacy Park is located to the west.
- B. The property contains 49,910 square feet of land and is improved with a two-story residence and a detached garage designed by Theodore Pletsch. The proposed project was found to satisfy all zoning requirements in the San Marino City Code.
- C. The proposed architectural style is Spanish Colonial Revival, with materials that include exterior cement plaster finish, two-piece clay tile roof, aluminum clad casement windows, wood rafter tails, and decorative wrought grills.
- D. The legal neighborhood contains large estate style homes of various architectural styles.

- E. Historic Resources Group, a qualified consultant meeting the Secretary of the Interior's Professional Qualifications Standards for architecture, historic architecture, history and architectural history, evaluated the existing structures under applicable criterion of the National Register and California Register and found the structures to be ineligible for listing as historical landmark. Historic Resources Group's conclusions are contained in an historic resource assessment report dated May 27, 2016, which is incorporated herein by reference.

**SECTION 4.** The Planning Commission hereby finds as follows with respect to the applications for Design Review case numbers DRC15-99 and DRC16-23:

- A. Pursuant to San Marino City Code 23.15.08, the Planning Commission finds that the proposed new two-story Spanish Colonial Revival style residence and detached garage are compatible with the neighborhood. The legal neighborhood consists of one and two-story structures. The legal neighborhood also contains attached and detached accessory structures. Further, the proposed main residence and detached garage are in similar location to the existing main structure on the property, which helps to minimize excavation and preserves the natural landforms on the northern portion of the property.
- B. The proposed structures are designed and will be developed in a manner which balances the reasonable expectation of privacy of persons residing on contiguous properties with reasonable expectations of the applicant to develop the property within the restrictions of the Municipal Code in that the placement of the new two-story residence and detached garage provides adequate distance from neighboring properties to mitigate noise and privacy impacts.
- C. The proposed project consists of new structures, therefore the finding regarding compatibility with existing buildings is inapplicable.
- D. The colors and materials of the project are similar with existing structures in the legal neighborhood, the proposed Spanish Colonial Revival style incorporates exterior materials and colors found on neighboring structures.
- E. The proposed project is found to be exempt from the provisions of the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15303, because the project is new construction of a single family residence. Further, based on the Historic Resources Group historic resource assessment, the existing structures on the site are not considered historic resources.

**SECTION 5.** Based upon the foregoing findings in Section 4 the Planning Commission hereby approves the Design Review Case Nos. DRC15-99 and DRC16-23 subject to the following conditions:

1. The front yard wall shall not exceed eighteen inches (18") in height. At certain limited locations, the wall may be up to two feet (2') in height subject to staff approval.
2. The existing condition of 1470 Virginia Road shall be documented by a qualified preservation professional in accordance with Historic American Building Survey (HABS) short format guidelines and standards. Documentation shall include a historic narrative, existing drawings and plans (if available), and large-format photographs of the property. Copies of the documentation will be submitted to the City of San Marino Planning Department and the Theodore Pletsch archives at the Pasadena Museum of History.

**PASSED, APPROVED AND ADOPTED** on this 24<sup>th</sup> day of August, 2016.

  
\_\_\_\_\_  
MARCOS VELAYOS,  
CHAIRMAN

ATTEST:

  
\_\_\_\_\_  
ALDO CERVANTES,  
PLANNING AND BUILDING DIRECTOR

To: Tyler Gonzalez Architects

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Attn: Rob Tyler

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From: Peyton Hall, FAIA; Christine Lazzaretto;  
Heather Goers; John LoCascio, AIA

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Date: May 27, 2016

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**INTRODUCTION**

We have evaluated the property at 1470 Virginia Road in the City of San Marino, California for potential historic significance. This evaluation is based on a review of the relevant historic contexts and an analysis of the eligibility criteria and integrity thresholds for listing in the National Register of Historic Places, the California Register of Historical Resources, and local designation. A site visit was conducted on May 24, 2016.

**HISTORIC CONTEXT**

**Development of San Marino**

The City of San Marino is located in an area that was once inhabited by the Gabrielino Indians. The area was part of the land that later belonged to the Mission San Gabriel Arcángel, which was the fourth mission constructed as part of the vast California mission system of the late 1700s and early 1800s. In circa 1816, a large mill was constructed to process the abundance of grains produced by the mission. El Molino Viejo (the Old Mill) is extant and represents the oldest building in San Marino.

San Marino's most famous resident was Benjamin D. Wilson, who, in 1854, established his Lake Vineyard Ranch home on former Mexican Land Grant property owned by Senora Victoria Reid. Wilson lived on the property until his death in 1878. He described the region as "one of the most beautiful places that heart could desire." Serving as Mayor of Los Angeles and as a State Senator for two successive terms, Wilson often entertained important Southland visitors at his ranch. When Wilson's daughter Maria married James De Barth Shorb, Wilson gave them the top knoll of his estate as a wedding gift. The

**HISTORIC RESOURCE ASSESSMENT**

# 1470 Virginia Road

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Shorbs built a home and named their 600-acre ranch San Marino after his grandfather's plantation in Maryland, which in turn had been named for the tiny Republic of San Marino.<sup>1</sup> In 1903, the Shorb Estate was purchased by Henry E. Huntington, Huntington was a noted railroad builder, land developer, and collector of art, rare books and manuscripts, and botanical species. He envisioned the area surrounding his own estate (now The Huntington Library, Art Gallery, and Botanical Gardens) as a fine, single-family community. In 1913, the Wilson and Huntington ranches, along with the property of George S. Patton, Sr. and subdivided areas from smaller ranches, were incorporated as the City of San Marino. Following the City's incorporation, Huntington loaned his Mayberry house, on the corner of Oak Knoll and Monterey Road, to serve as school and city hall.<sup>2</sup>

Residential development in the early 20<sup>th</sup> century evolved from Huntington's vision for the City. From its inception, San Marino attracted some of the wealthiest families from nearby Pasadena's well-heeled upper class. George S. Patton, Sr., the patrician father of the famed American general, served as the City's first elected mayor. In the early 20<sup>th</sup> century, the City remained small and protective of its elite character. Its population and number of residential parcels were effectively stabilized by stringent minimum lot size requirements.<sup>3</sup>

Early residential development followed the electric railway system, which was heavily subsidized by developers to encourage access to the new communities they promoted.<sup>4</sup> The Sierra Madre Line to San Marino carried about 300,000 passengers annually prior to World War II, reaching a peak in 1944 of 625,000 passengers. Use declined rapidly following the war, as gas and rubber shortages ended and people made more use of their automobiles for transportation. As the popularity of the automobile increased, access was available to developments not adjacent to the electric railways. The resulting increased need for improved streets and roads led to plans in the 1930s for a system of motorways to connect major communities, the first being the Arroyo Seco in 1939, which is now the Pasadena Freeway. Increased auto use, combined with the withdrawal of developer subsidies for electric railways as development built out, resulted in the continuing decline of the Pacific Electric. Ultimately the railway was sold to the government, which determined it was obsolete and discontinued it in 1961.

<sup>1</sup> "San Marino," San Marino Historical Society, <http://sanmarinohistoricalsociety.org/history.html> (accessed May 2016).

<sup>2</sup> "The San Marino Public Library: A History of Civic Support," City of San Marino, <https://ca-sanmarino.civicplus.com/702/Library-History> (accessed May 2016).

<sup>3</sup> "How an Exclusive Los Angeles Suburb Lost Its Whiteness," Citylab, <http://www.citylab.com/politics/2012/08/how-exclusive-los-angeles-suburb-lost-its-whiteness/3046/> (accessed May 2016).

<sup>4</sup> Description of residential development in San Marino excerpted from City of San Marino, "General Plan 2003," <https://ca-sanmarino.civicplus.com/DocumentCenter/View/53> (accessed May 2016).

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Huntington Drive and Sierra Madre Boulevard continue to be principal arterials for movement within and through San Marino, although they are no longer rail routes. Today, landscaped medians have replaced the railroad rights of way along these major automobile corridors. During the 1940s and 1950s, residential development continued in the eastern neighborhoods of the City. The City was largely built-out by the mid-20<sup>th</sup> century.

San Marino is characterized by its single-family residential neighborhoods. Residential development is the overwhelming land use in the City, comprising 85% of the land area. The majority of the City's housing stock was built between 1920 and 1950. The upscale nature of San Marino, originally envisioned by Henry Huntington, resulted in the construction of excellent examples of period architectural styles designed by master architects.

#### **Site Development History<sup>5</sup>**

The subject property is located at 1470 Virginia Road in the western portion of the City of San Marino. The property is situated in a residential neighborhood, across the street from Lacy Park. The property is improved with a single-family residence, which was constructed in 1938, as well as a swimming pool and patio, and a detached garage with guest quarters.

The land comprising the subject property was subdivided for residential development in 1924 as Lot 5 of Tract No. 8316. In 1938, owner Jack D. Hensley commissioned architect Theodore Pletsch to design a two-story, eight-room Tudor Revival-style residence on the property for Hensley and his wife, Neva. In 1950, Pletsch returned to design a one-story sunroom addition to the rear of residence. The Hensleys continued to reside in the home until the mid-1950s, at which point the couple relocated and the property changed hands. By the mid-1960s the property had been purchased by the Stathatos family, who lived there through the mid-1990s.

#### **Theodore Pletsch**

The residence at 1470 Virginia Road was designed by Theodore Pletsch, a noted and prolific local architect who was responsible for a number of single-family residences in San Marino from the 1930s through the 1960s. Pletsch was born on November 29, 1901, in Iowa Falls, Iowa, to Theodore and Grace Pletsch. The family moved frequently when Pletsch was a child, eventually settling in Pasadena. Pletsch attended Pasadena High School, graduating in 1920. He then enrolled at Caltech, intending to study organic chemistry, but eventually dropped out and spent a year working as a carpenter and house

<sup>5</sup> The site development history was compiled based on a visual inspection of the property and a review of land records and building permits.

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painter before enrolling at the University of Southern California. Pletsch's decision to pursue architecture occurred almost by accident.

"I met a fellow by the name of Mel Lemmon who I had known in grammar school and Mel Lemmon was going to USC and studying architecture. And he said, "Ted, why don't you come over and study architecture, if you like to draw?" Well, I never heard of an architect and we didn't have any counseling or anything in those days. So anyway, I decided I would go to USC and study architecture."<sup>6</sup>

Pletsch graduated in 1925 with a Bachelor of Science degree in Architecture and spent the next several years working as a draughtsman for various architects and architectural firms, including Clarence Jay, Wallace Neff, Bennett and Haskell, and Marston, Van Pelt and Mayberry. Pletsch opened his own practice in 1930, splitting the cost of an office in Pasadena with two other architects. In 1935, he entered an architectural contest sponsored by the Better Housing Bureau of Pasadena and won; Pletsch's winning design for a small model home was constructed in downtown Pasadena. The publicity he received from the contest sparked a flurry of residential commissions.

Within a few years of establishing his architectural practice, Pletsch received several commissions in San Marino, and as early as 1933 had designed several residences in the city. Pletsch also designed several commercial buildings along Huntington Drive in the 1930s, including the *San Marino Tribune* building, which was completed in 1935. His most active period of residential design in San Marino took place in the years following World War II, when he designed more than fifty homes in the area. In particular, concentrations of Pletsch-designed homes were constructed around Lombardy Road, Orlando Place, and Virginia Road. There is a concentration of single-family residences designed by Pletsch along Virginia Road. The subject property at 1470 Virginia Road, constructed in 1938, is the earliest known example; five additional Pletsch-designed residences were constructed between 1939 and 1959.

A factor in Pletsch's success as a designer of residences was likely his attitude toward the client. "One of the things that I learned," he later recalled, "is that if you please a customer, please a client, that he will come back or send you another one...I don't do my own

<sup>6</sup> "Interviews with Theodore Pletsch."

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thing; I try to do the client's thing."<sup>7</sup> Over the course of his career, Pletsch designed over 1,300 architectural projects – many for repeat clients – including new construction, additions, and alterations.<sup>8</sup> In addition to five hundred custom homes throughout Southern California, Pletsch also completed a number of commercial and institutional projects, including a series of district office buildings for the Metropolitan Life Insurance Company, twelve Planned Parenthood clinics, and the Memory Garden Memorial Park and Mortuary in Brea. Although he never formally retired, in his later years Pletsch took on fewer projects. As he looked back on his career, he insisted that he still had “the most fascinating job that exists. I design environment for human beings and I have more influence on human beings’ lives than anything except their social contacts through life. Your environment does a lot more to you than you have any idea.”<sup>9</sup>

Theodore Pletsch died on May 27, 1994 in San Diego, California.

### **Tudor Revival Style**

The Tudor Revival style is loosely based on a variety of late medieval English building traditions including Perpendicular Gothic, Tudor, Elizabethan, and Jacobean. It has its origins in the late 19<sup>th</sup>-century English Arts and Crafts movement, whose leaders drew inspiration in part from English domestic architecture of the 16<sup>th</sup> and 17<sup>th</sup> centuries because of its picturesque qualities and sympathetic relationship to the natural landscape. The earliest examples of the style appeared in the United States in large estates of the 1890s. The Tudor Revival style grew in favor after World War I and reached its peak of popularity in the 1920s, as architects and developers adapted it to the country's rapidly growing suburban residential communities and advancements in masonry veneering techniques allowed even the most modest examples to emulate the brick and stone exteriors of English prototypes.

High style Tudor Revival houses are typically two and sometimes three stories in height with steeply-pitched, multi-gable roofs; slate roof shingles are found in the finer examples, but wood shakes and composition shingles are also common. At least one front-facing gable is almost universally present as a dominant façade element. The buildings are usually rambling compositions of multiple volumes in a variety of sizes and shapes. Exterior walls are veneered in brick or stone, or feature decorative half-timbering, sometimes in elaborate patterns, with plaster between, which mimics the appearance of medieval construction techniques. Tall, narrow casement windows, sometimes with leaded diamond-shaped

<sup>7</sup> “Interviews with Theodore Pletsch,” Nancy Impastato and Anja Wendel (Pasadena, CA: Pasadena Oral History Project, October 30, 1981 and April 5, 1985).

<sup>8</sup> “Architect Ted Pletsch Helped Build San Marino,” undated newspaper article held at the Pasadena Museum of History, Pasadena, CA.

<sup>9</sup> “Interviews With Theodore Pletsch.”

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lights, are frequently set in horizontal groupings or projecting bays. Main entrances are frequently set in crenellated turrets or under secondary gables with cat slides, and feature paneled wood doors framed by four-centered pointed arches. Projecting exterior chimneys with multiple flues and elaborate brickwork are sometimes located on the primary façade. Tudor Revival architecture was applied with equal success to the design of large estates, middle-class homes, and modest bungalows, as well as multi-family residential buildings and small-scale commercial buildings.

Character-defining features of the style include:

- Asymmetrical façade and irregular massing
- Steeply-pitched multi-gabled roof with a prominent front-facing gable and slate, wood shake, or composition roofing
- Brick or plaster exterior wall cladding, typically with half-timbering and decorative details in stone or brick
- Tall, narrow divided-light windows, usually casement, often grouped horizontally or in bays; may have leaded diamond-shaped lights
- Entrance with pointed or "Tudor" arch, set in turret or under secondary gable
- Prominent chimney with elaborate brickwork

#### **PHYSICAL DESCRIPTION**

The subject property at 1470 Virginia Road is located on the north side of Virginia Road, between Shenandoah Road to the west and Euston Road to the east. The property fronts Virginia Road to the south and is surrounded on the west, north, and east by single-family residences. The lot is situated on a hillside which slopes gently down from the northwest and is bordered on all sides by mature trees and landscaping. The property is obscured from the street by a continuous row of tall hedges and mature trees, and is accessed via a curving concrete driveway, bordered in stone, which is flanked by stone piers and spanned by a metal security gate.

The lot is improved with a single-family residence, originally constructed in 1938, and a multi-car garage with guest quarters, pool, and patio. The main residence is situated in the approximate center of the lot. The northernmost portion of the lot is situated on the hillslope and is improved with terraced landscaping marked by dirt paths and rough stone steps set into the hillside. The eastern portion of the lot is occupied by the garage and guest house, pool, and patio area, and is connected to the main residence by a paved service court bordered to the north by a low stone retaining wall. The southern and western portions of the lot are occupied by expansive lawns bordered by landscaped planting beds which contain mature trees, shrubbery, and foliage. There are several

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associated garden structures and objects located throughout the property, including a gazebo, latticed wood arbors and privacy fences, and a stone garden bench.

The main residence is set back from the street and is accessed via a stone walkway which leads from the driveway. The two-story Tudor Revival-style house is of wood frame construction with exterior walls veneered in stone and cement plaster. A continuous band of carved wood molding separates the first story from the second story. The house has a rectangular plan with irregular volumes, with an overhanging front-gabled volume on the primary (south) façade. The roof is a combination cross-gable and hip roof with shallow open eaves and exposed rafter tails. An exterior chimney is located on the west façade. A shed roof sunroom addition projects from the rear (north) façade.

The primary (south) façade is asymmetrically composed. The primary entrance is accessed by shallow stone steps leading to a paneled wood embrasure within a four-centered Tudor arch. The paneled wood door with metal hardware is partially glazed with stained and leaded bottle glass.

There are two secondary entrances at the northern end of the house; one is located on the primary (south) façade and is accessed via a stone patio. It has a paneled wood Dutch door with leaded diamond panes and metal hardware. The second entrance is located on the secondary (north) façade and is accessed via a shallow concrete stoop. The door is paneled wood with partial glazing and metal hardware.

Fenestration consists of steel casements with divided lights, some of which are set in fixed bays, dormers, and wall dormers. Additional fenestration includes fixed picture windows with wood or steel frames, fully-glazed wood-framed panels paired with wood-framed sliding doors, and a metal skylight with divided lights.

A three-car garage with guest quarters is situated to the east of the house. It has an irregular plan with low horizontal massing and a shallow hipped roof finished in shingles. The primary entrance is located on the south façade and is accessed via shallow stone steps, which lead to a paneled wood Dutch door with leaded diamond panes and metal hardware. Fenestration consists of steel casement windows with divided lights or single panes, and a projecting bay with fixed steel windows with divided lights. The adjacent pool and patio area is finished in concrete and surrounded by a low retaining wall.

#### **Alterations**

In 1950, a one-story sunroom was added to the rear of residence, designed by Theodore Pletsch. By 1966 a lath house had been constructed, and a fence and gate were added

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that same year. In 1967, a swimming pool was constructed, along with a wrought iron fence surrounding the pool area. The roof was replaced in 1979 with new shakes.

The first substantial addition to the property was made in 1989, when a three-car garage with attached pool house was constructed to the east of the main residence. It is likely that the new garage/pool house replaced the original garage, which was attached to the house and appears to have been converted into a family room around this time. In 1992, the family room was remodeled to raise the height of the ceiling height, and the skylight was likely added at this time.

#### **Character-Defining Features**

Character-defining features are those visual aspects and physical features or elements that give the building its character and help to convey its significance. Character-defining features can identify the building as an example of a specific building type, usually related to the building's function; they can exemplify the use of specific materials or methods of construction, or embody a historical period or architectural style; and they can convey the sense of time and place in buildings associated with significant events or people.

The residence at 1470 Virginia Road is a good local example of Tudor Revival-style architecture. Exterior character-defining features include:

- Deep setback on large lot
- Mature trees and landscaping
- Expansive lawns and hillside terraces
- Two-story height
- Rectangular plan
- Irregular volumes
- Steeply-pitched cross gable roof with shallow open eaves and exposed rafter tails
- Asymmetrical composition
- Stone and cement plaster wall cladding
- Exterior chimney
- Recessed entrance with paneled embrasure and Tudor arch
- Paneled wood door with stained and leaded bottle glass and metal hardware
- Steel casement windows
- Wood paneled secondary entrance doors with metal hardware

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## EVALUATION CRITERIA

9

### National Register of Historic Places

The National Register of Historic Places is "an authoritative guide to be used by federal, state, and local governments, private groups, and citizens to identify the nation's cultural resources and indicate what properties should be considered for protection from destruction or impairment,"<sup>10</sup> and is administered by the National Park Service. Listing in the National Register assists in preservation of historic properties through recognition that a property is of significance to the nation, the state, or the community; consideration in the planning for Federal or Federally-assisted projects; eligibility for Federal tax benefits; and qualification for Federal assistance for historic preservation, when funds are available.

In order for a building to qualify for listing in the National Register of Historic Places, it must meet one or more identified criteria of historic significance. "Historic significance" is defined by the National Park Service as "the importance of a property to the history, architecture, archaeology, engineering, or culture of a community, state, or the nation."<sup>11</sup> Historic significance is achieved by association with important events, activities, or patterns; association with important persons; distinctive physical characteristics of design, construction, or form; or potential to yield important information.<sup>12</sup> The criteria for listing in the National Register follow established guidelines for determining the significance of properties. Sites, districts, structures, or landscapes of potential significance are eligible for listing if they meet any or all of the following criteria:

- A. Associated with events that have made a significant contribution to the broad patterns of our history;
- B. Associated with the lives of persons significant in our past;
- C. Embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

<sup>10</sup> U.S. Department of the Interior, *National Register Bulletin 16A: How to Complete the National Register Registration Form* (Washington, D.C.: National Park Service, 1997).

<sup>11</sup> *National Register Bulletin 16A*, 3.

<sup>12</sup> *National Register Bulletin 16A*, 3.

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D. Yield, or may be likely to yield, information important in prehistory or history.<sup>13</sup>

### Integrity

In addition to meeting one or more of the eligibility criteria listed above, a property must retain historic integrity in order to be eligible for listing in the National Register of Historic Places. Historic integrity is the ability of a property to convey its significance and is defined as the "authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's prehistoric or historic period."<sup>14</sup> The National Park Service defines seven aspects of integrity: location, design, setting, materials, workmanship, feeling, and association. These qualities are defined as follows:

- *Design* is the combination of elements that create the form, plan, space, structure, and style of a property.
- *Setting* is the physical environment of a historic property.
- *Materials* are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.
- *Workmanship* is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.
- *Feeling* is a property's expression of the aesthetic or historic sense of a particular period of time.
- *Association* is the direct link between an important historic event or person and a historic property.<sup>15</sup>

### **California Register of Historical Resources**

The California Register is an authoritative guide used by State and local agencies, private groups, and citizens to identify the State's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change.

The criteria for listing in the California Register are based on the National Register criteria:

<sup>13</sup> Criterion D generally applies to potential archaeological resources, which is outside the scope of this study. Therefore, 1470 Virginia Road was not evaluated for potential eligibility under Criterion D.

<sup>14</sup> *National Register Bulletin 16A*, 4.

<sup>15</sup> *National Register Bulletin 15*, 44-45.

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1. Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States;
2. Associated with the lives of persons important to local, California, or national history;
3. Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic value; or
4. Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

Resources eligible for listing in the California Register must retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. It is possible that resources lacking sufficient integrity for listing in the National Register may still be eligible for the California Register.

#### **Local Designation Program**

The City of San Marino City Council may designate a building, landmark or other property within the City as a local historical landmark in special recognition of the property's role during the formation and existence of the City.<sup>16</sup> Local historical landmarks may be designated by one of three methods:

- **Petition:** An individual or organization may petition the Council stating the name and location of the building, landmark or other property proposed for designation as a local historical landmark and the basis for such designation.
- **Council Review:** Upon review of the facts presented, the Council may approve or deny the designation of the proposed building, landmark or other property as a "Local Historical Landmark." Approval of such designation shall be by resolution of the Council based on findings of the property's role during the formation and existence of the City.
- **Certification:** When a building, landmark or other property is designated as a "Local Historical Landmark", the City Clerk shall submit a certified copy of the resolution indicating such designation to the State Historical Society, the City Historical Society and the individual or organization originally submitting the petition for designation. (Ord. 951, 3-8-89)

<sup>16</sup> "San Marino, California City Code." Sterling Codifiers, [http://sterlingcodifiers.com/codexbook/index.php?book\\_id=8256&chapter\\_id=57578](http://sterlingcodifiers.com/codexbook/index.php?book_id=8256&chapter_id=57578) (accessed May 2016).

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At their meeting on June 26, 2015, the City of San Marino City Council voted to send a potential Historic Preservation Ordinance to the City of San Marino Planning Department. The ordinance, as drafted, will recognize structures that were designed by a "Master Architect," (of which the city compiled a list) and are eighty-five years of age or older. For approval, projects that propose demolition of 50% or more of the exterior of such a home would have to hire an approved historic consultant to conduct a historic assessment report, which would then be considered by the Committee, Commission, or Council considering the demolition project. The project would have to be approved by both the Design Review Committee and the Planning Commission, and could still be appealed to the City Council.

#### **HISTORIC RESOURCES EVALUATION**

##### **Previous Evaluations**

No previous evaluations of the subject property have been identified. It is not listed in the California Historical Resources Inventory (HRI).<sup>17</sup>

##### **Current Evaluation**

Following is an evaluation of potential historic significance of the property at 1470 Virginia Road. The property has been evaluated for designation against National, State, and local criteria. The analysis is based on: guidance from the National Park Service and the California Office of Historic Preservation for evaluating potential historic resources; an identification of physical features and historic integrity ascertained during the site visit and through building records; and information about the development of San Marino, Tudor Revival-style architecture, and the work of Theodore Pletsch obtained through primary and secondary source research, including the Pletsch archives housed at the Pasadena Museum of History.

##### Integrity

Though minor alterations have been made to the main residence, 1470 Virginia Road retains character-defining features of its original Tudor Revival-style design, and therefore retains all seven aspects of integrity. Therefore, should the property meet eligibility criteria for designation, it retains sufficient history integrity to convey that significance.

- Location: The buildings on the property remain in their original location and therefore retain integrity of location.

<sup>17</sup> California Historical Resources Inventory, August 15, 2011. 2011 reflects the last comprehensive update to the Historical Resources Inventory.

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## **1470 Virginia Road**

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- **Design:** The residence retains nearly all of the character-defining features of its original Tudor Revival-style design, including irregular massing, asymmetrically-composed façades, steeply-pitched cross-gabled roofs, cement plaster and stone veneer cladding, arched entrance, and divided-light windows. Therefore, the building retains integrity of design.
- **Setting:** There has been some infill of mid- to late-20<sup>th</sup> century single-family residences in the surrounding area since the residence at 1470 Virginia Road was constructed in 1938, but over time the neighborhood has retained the character and identity of an early 20<sup>th</sup>-century single-family residential neighborhood. Therefore, the property retains integrity of setting.
- **Materials:** The building is largely intact and retains many of its original construction materials, including stone veneer and cement plaster cladding, steel casement windows, and paneled wood doors. Therefore, the property retains integrity of materials.
- **Workmanship:** The residence retains the physical evidence of period construction techniques and therefore retains integrity of workmanship.
- **Feeling:** The property retains significant physical features that conveys its historic character as a late-1930s single-family residence, and therefore retains integrity of feeling.
- **Association:** The property continues to convey its historic character as a late-1930s single-family residence, and therefore retains its integrity of association.

### Eligibility

#### **National Register/California Register Criterion A/1 (Events, Trends)<sup>18</sup>**

This investigation did not identify any specific associations with important historical events or trends that have made a significant contribution to social, historic, or cultural heritage at the national, state, or local level. Although the subject property reflects single-family residential development in San Marino, which is a significant part of the City's history, it does not meet guidelines established by the National Park Service for evaluating properties that are potentially eligible for a historical event or trend.

According to the National Park Service, a property eligible under Criterion A "must be documented, through accepted means of historical or archeological research (including oral history), to have existed at the time of the event or pattern of events and to have been associated with those events. A property is not eligible if its associations are

<sup>18</sup> The current City of San Marino designation program does not specifically identify eligibility criteria. Therefore, the property is evaluated for local eligibility under Criteria A and B as defined by the National Park Service.

#### **HISTORIC RESOURCE ASSESSMENT**

## **1470 Virginia Road**

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speculative. [...] Mere association with historic events or trends is not enough, in and of itself, to qualify under Criterion A: the property's specific association must be considered important as well. For example, a building historically in commercial use must be shown to have been significant in commercial history."<sup>19</sup>

1470 Virginia Road does not appear individually important in residential history. Therefore, the property does not appear eligible for listing as a historic resource locally or under National Register Criterion A or California Register Criterion 1.

**National Register/California Register Criterion B/2 (People)**

This investigation did not identify any associations of the subject property with the lives of individuals or groups important to national, state, or local history. Therefore, the property does not appear eligible for listing as a historic resource locally or under National Register Criterion B or California Register Criterion 2.

**National Register/California Register Criterion C/3 (Architecture, Method of Construction)**

The residence at 1470 Virginia Road is an intact example of Tudor Revival-style architecture designed by noted local architect Theodore Pletsch. The Tudor Revival style was popular in Southern California in the 1920s and 1930s, and there are numerous outstanding examples of the style. This property represents a late and relatively simplified example of the style. It reflects several general character-defining features of Tudor Revival architecture; however, it lacks the complexity of form, level of detail, and high artistic value seen in other, more distinctive examples. Although Pletsch is a local architect of note who designed numerous residences in Southern California, there is insufficient evidence to suggest that he is a master architect on a broader scale. There is little scholarship about his significance in Southern California, and he is primarily known locally for his post-World War II designs. Therefore, 1470 Virginia Road does not appear eligible for listing in the National Register or California Register under Criterion C/3.

1470 Virginia Road does appear eligible for local designation for its architectural merit. Under the current ordinance, there is a basis for such designation as the property retains a high degree of integrity, and was designed by noted local architect Theodore Pletsch. The residence represents one of Pletsch's earliest known residential designs in San Marino and appears to be the earliest example of his work constructed on Virginia Road, where he would go on to design at least five additional residences.

<sup>19</sup> U.S. Department of the Interior, National Park Service, *National Register Bulletin: How to Apply the National Register Criteria for Evaluation*.

**HISTORIC RESOURCE ASSESSMENT**

## 1470 Virginia Road

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Under the proposed language discussed by the City Council in June 2015, the property would not be eligible for local designation at this time. Although Theodore Pletsch is included on the master architect list, the property's construction date of 1938 does not meet the eighty-five year threshold proposed in the updated ordinance.

#### **Recommended Mitigation**

There is currently a proposal to demolish the existing residence at 1470 Virginia Road and replace it with a newly-constructed single-family residence. Because the property is eligible for local designation, the following mitigation measure is recommended:

- The existing condition of the 1470 Virginia Road will be documented by a qualified preservation professional in accordance with Historic American Building Survey (HABS) short format guidelines and standards. Documentation shall include a historic narrative, existing drawings and plans (if available), and large-format photographs of the property. Copies of the documentation will be submitted to the City of San Marino Planning Department and the Theodore Pletsch archives at the Pasadena Museum of History.

#### **EVALUATION SUMMARY**

Based on visual observation of the property, review of primary and secondary sources, and an analysis of the eligibility criteria for listing in the National Register of Historic Places and the California Register of Historical Resources, and for local designation, 1470 Virginia Road does not appear eligible for listing in the National Register of Historic Places or the California Register of Historical Resources. It appears eligible for local designation under current City code, as an intact example of Tudor Revival architecture by noted local architect Theodore Pletsch. It would not be eligible under the City's proposed historic preservation ordinance at this time, as it does not meet the eighty-five year age threshold required for local designation.

#### **HISTORIC RESOURCE ASSESSMENT**

## **1470 Virginia Road**

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APPENDIX A: BUILDING PERMIT CHRONOLOGY

Date	Owner	Description of Work
11/1/1938	J. D. Hensley	Construct two-story, eight-room, English-type dwelling on center of lot. Value of proposed work: \$10,500. Architect: Theodore Pletsch.
10/27/1950	Mr. and Mrs. Hensley	Construct one-story addition to rear of dwelling. Value of proposed work: \$1,500. Architect: Theodore Pletsch.
3/16/1966	S. J. Stathatos	Install 46 feet of 6-foot high cedar fence. Install 10 feet of cedar grape stakes and 1 4'x6' gate on existing lath house.
5/15/1967	S. J. Stathatos	Construct swimming pool, subject to front yard setback and fence agreement.
8/28/1967	Not listed	Install wrought iron railing for pool, 48" tall, 4" on center and 2 gates.
9/14/1979	Not listed	Residence only - remove existing roofing. Re-roof with medium shakes, new roof metal.
2/24/1989	Jerry Stathatos	Add 3-car garage with attached pool house.
3/9/1992	Jerry Stathatos	Raise ceiling height and remodel family room.

HISTORIC RESOURCE ASSESSMENT

# 1470 Virginia Road

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**APPENDIX B: SITE MAP**



**HISTORIC RESOURCE ASSESSMENT**

# 1470 Virginia Road

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APPENDIX C: SITE VISIT PHOTOS



*1470 Virginia Road, view looking north from street.*

HISTORIC RESOURCE ASSESSMENT

## 1470 Virginia Road

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*View looking north from entrance.*



*Main residence, primary façade, view looking northwest.*

**HISTORIC RESOURCE ASSESSMENT**

## 1470 Virginia Road

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*Main residence, primary entrance.*

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*Main residence, primary façade, view looking northwest.*



*Main residence, secondary entrance, south façade.*

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*Main residence, view looking southwest across service court.*



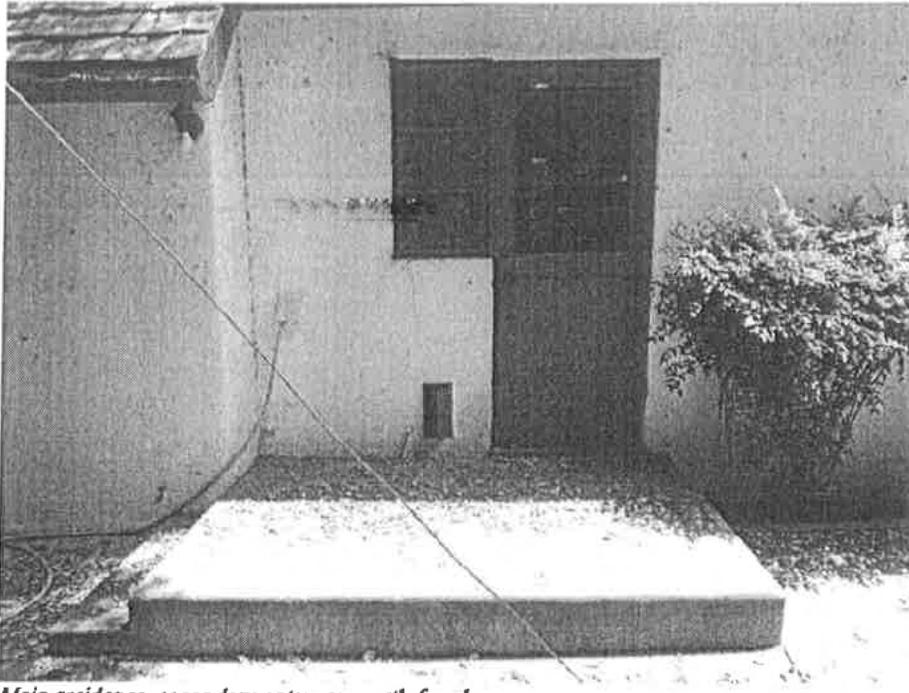
*Main residence, view looking southwest*

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*Main residence, secondary entrance, north façade.*



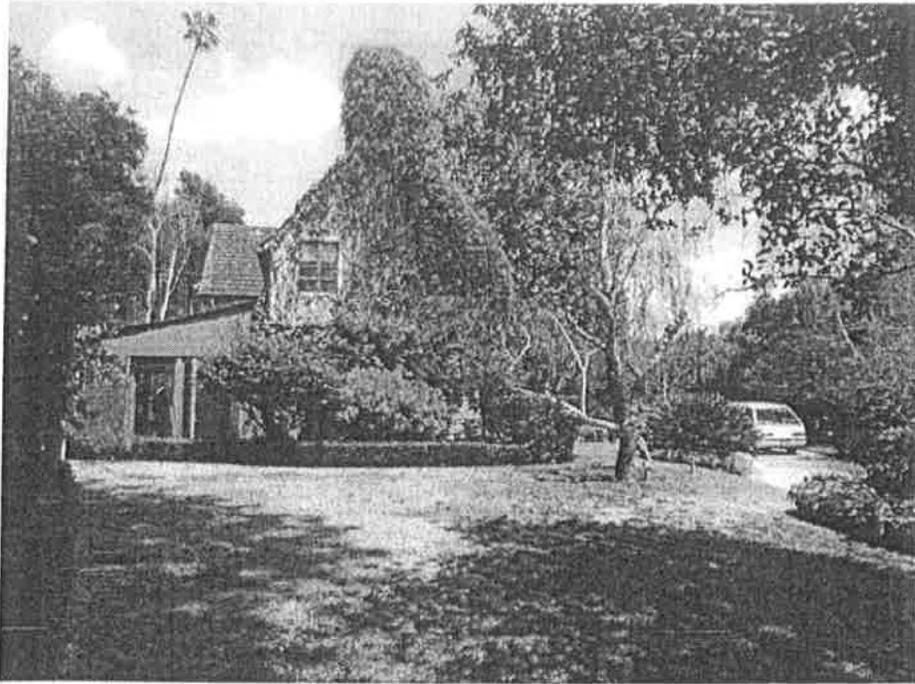
*Sunroom addition, north façade.*

**HISTORIC RESOURCE ASSESSMENT**

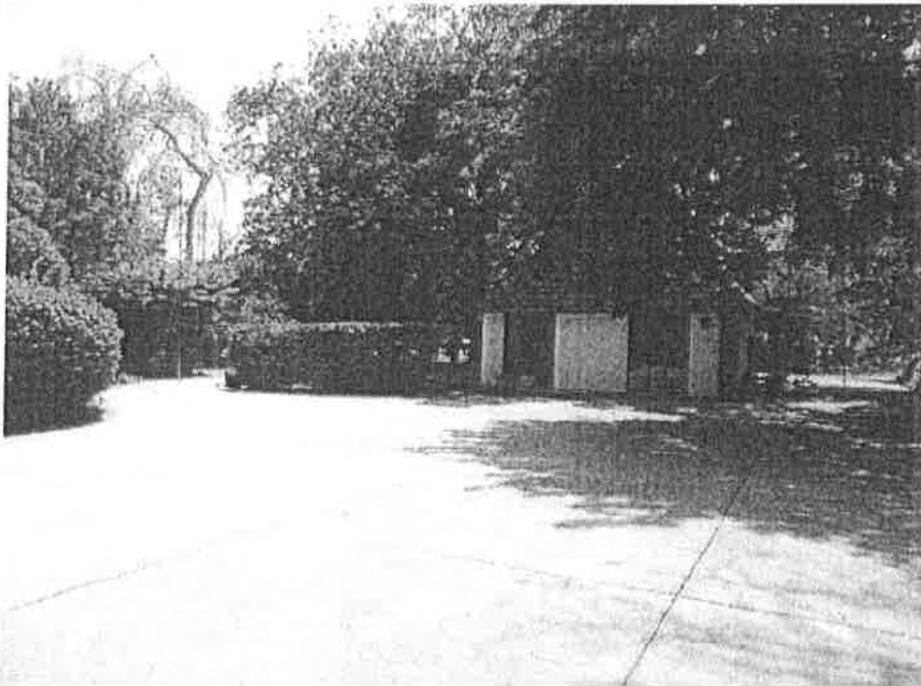
## 1470 Virginia Road

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*Main residence and south lawn, view looking northeast.*



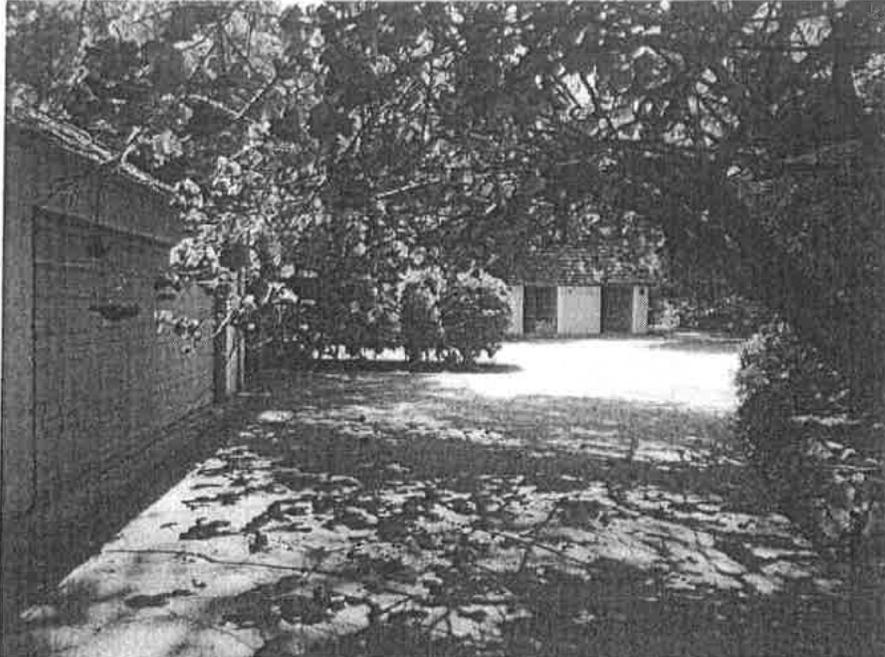
*Service court and driveway, view looking southwest.*

**HISTORIC RESOURCE ASSESSMENT**

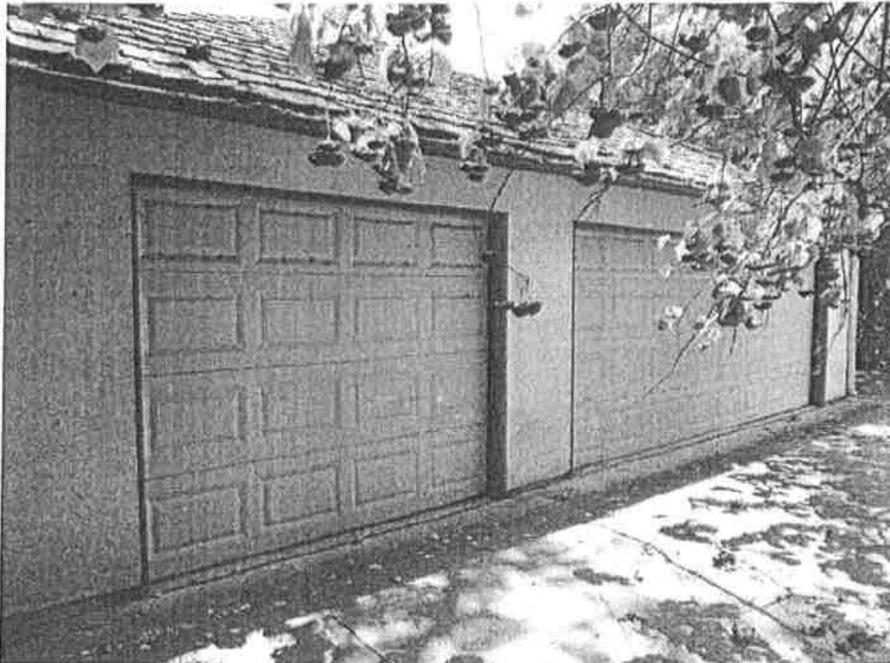
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*Service court and garage, view looking southeast.*



*Garage and guest quarters, north façade, view looking southeast.*

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*Garage and guest quarters, west façade, view looking south.*



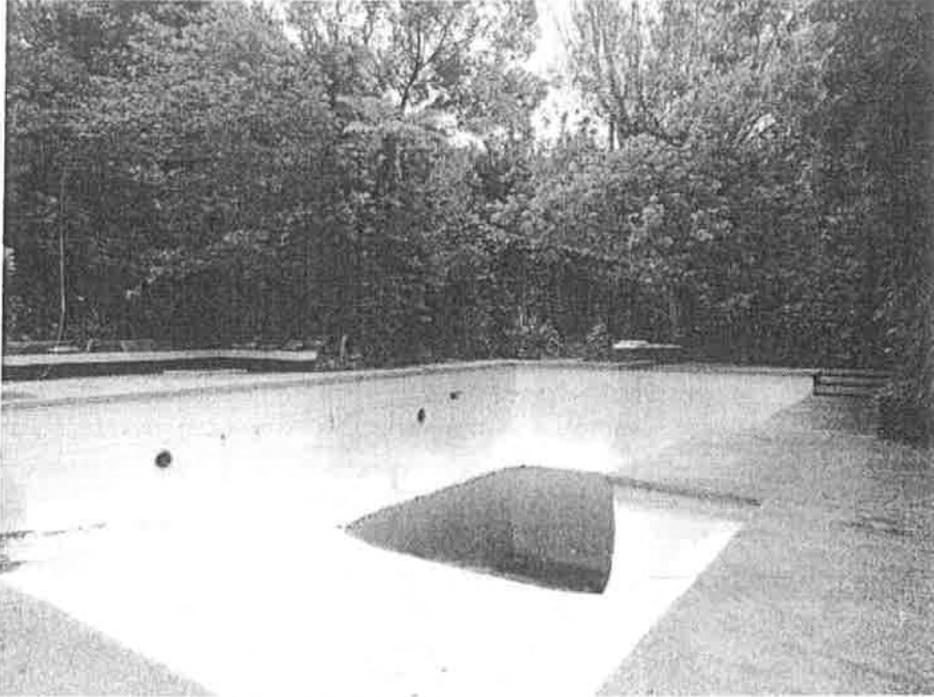
*Guest quarters, south façade, view looking north.*

**HISTORIC RESOURCE ASSESSMENT**

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*Pool and patio, view looking northeast to guest quarters.*

**HISTORIC RESOURCE ASSESSMENT**

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To: Tyler Gonzalez Architects

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Attn: Rob Tyler

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From: Peyton Hall, FAIA; Christine Lazzaretto

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Date: October 4, 2016

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This is an addendum to the historic resources assessment for 1470 Virginia Road dated May 27, 2016. The purpose of the addendum is to clarify our analysis on why the property is not eligible for designation as a historical landmark. There are three key points of clarification:

1. We did not find the property at 1470 Virginia Road eligible for local designation using standard evaluation criteria or integrity thresholds. The City of San Marino City Code states that local historical landmarks may only be designated as follows:
  - Petition: An individual or organization may petition the Council stating the name and location of the building, landmark or other property proposed for designation as a local historical landmark and the basis for such designation.
  - Council Review: Upon review of the facts presented, the Council may approve or deny the designation of the proposed building, landmark or other property as a "Local Historical Landmark." Approval of such designation shall be by resolution of the Council based on findings of the property's role during the formation and existence of the City.
  - Certification: When a building, landmark or other property is designated as a "Local Historical Landmark", the City Clerk shall submit a certified copy of the resolution indicating such designation to the State Historical Society, the City Historical Society and the individual or organization originally submitting the petition for designation. (Ord. 951, 3-8-89)

However, the code does not provide any thresholds or specific criteria to provide the basis for landmark designation. According to guidelines for local ordinances

**HISTORIC RESOURCE ASSESSMENT - ADDENDUM**

## 1470 Virginia Road

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established by the California Office of Historic Preservation, a historic preservation ordinance should typically include “an explanation of the criteria used to determine what properties can be designated under the ordinance...”<sup>1</sup> Instead, the San Marino ordinance requires that the petitioner provide the basis for landmark designation based on the “property’s role during the formation and existence of the City.” Given these broad and imprecise parameters for local designation, our report did not conclude that 1470 Virginia Road is eligible; rather, it only noted the City’s process, i.e. if a petition were filed it could be considered for local designation.

2. In June 2015, the San Marino City Council discussed a potential Historic Preservation Ordinance that did include more specific criteria for local designation. The ordinance, as drafted, would recognize structures that were designed by a Master Architect and are eighty-five years of age or older. 1470 Virginia Road was constructed in 1938, and therefore would not meet the age requirement for local designation under the proposed new ordinance.
3. The proposed ordinance, unlike the current ordinance, may recognize properties designed by a “Master Architect.” However, there is no comprehensive survey of potential historic resources in San Marino and no study of Theodore Pletsch or other architects who may be considered masters. Therefore, the population of buildings by master architects is unknown, there is no clear understanding of Pletsch’s work as it relates to the architectural history of San Marino, and no comparative analysis has been conducted to determine which properties by Pletsch or another master architect may be eligible for local designation. Without such study, there is no clarity regarding who is identified as a master architect in San Marino and how to evaluate their work against the proposed local criteria. As such, there is no evidentiary basis to conclude the property is historic.

<sup>1</sup> California Office of Historic Preservation, “Local Ordinances,” [http://ohp.parks.ca.gov/?page\\_id=1243](http://ohp.parks.ca.gov/?page_id=1243) (accessed October 2016).

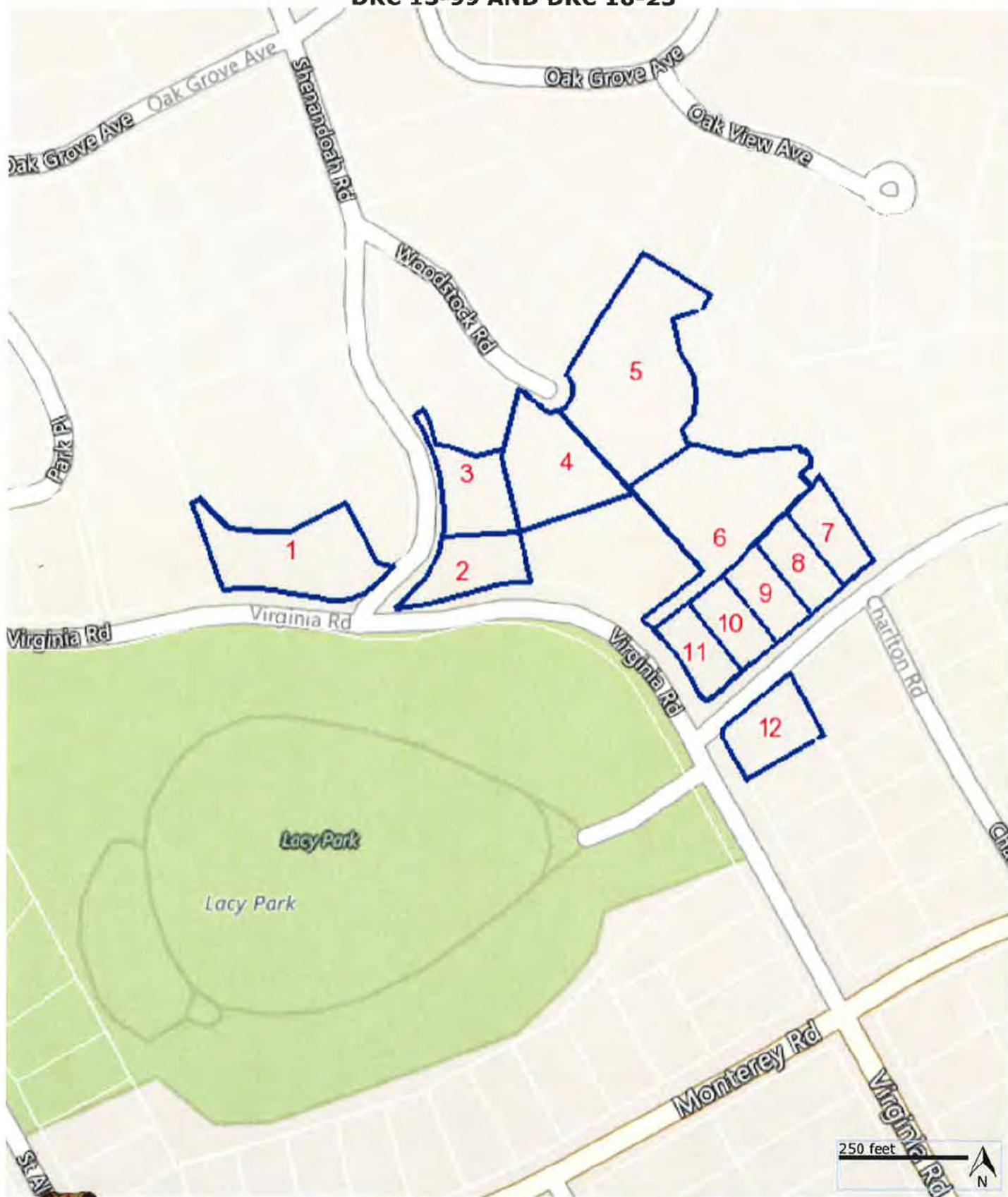
#### **HISTORIC RESOURCE ASSESSMENT - ADDENDUM**

## **1470 Virginia Road**

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**1470 VIRGINIA ROAD  
DRC 15-99 AND DRC 16-23**



**SUPPLEMENTAL ATTACHMENT  
1427 VIRGINIA ROAD DESIGN REVIEW NOS. DRC15-99 AND DRC16-23**

**DESIGN PROGRAM SUMMARY**

CRITERIA	REQUIRED/ ALLOWED	PROVIDED/ PROPOSED 3/23/2016 Hearing	PROVIDED/ PROPOSED 4/27/2016 Hearing	PROVIDED/ PROPOSED 6/22/2016 Hearing
<b>ZONING:</b>				
Maximum Living Area/Lot Coverage	8,591 sq. ft.	Livable area: 8,582 sq. ft. Lot coverage: 7,305 sq. ft.	Livable area: 8,369 sq. ft. Lot coverage: 7,009 sq. ft.	Livable area: 6,845 sq. ft. Lot coverage: 5,453 sq. ft.
<b>HEIGHT:</b>				
Main residence	30'	28'-7"	27'-2"	27'-2"
<b>YARDS: (Main Residence)</b>				
Front	44'	45'-1"	45'-1"	45'-1"
Side	20'	111'-4" (west) 31'-8" (east)	111'-4" (west) 50'-1" (east)	111'-4" (west) 50'-1" (east)
Rear	40'	68'-8" (west) 41'-11" (east)	68'-8" (west) 73'-9" (east)	68'-8" (west) 41'-2" (east)
<b>PARKING:</b>				
Garage Spaces	4	4	4	3
<b>IMPERVIOUS COVERAGE:</b>				
Percentage	35%	18%	22.26%	22.26%
<b>DESIGN:</b>				
Architectural Style		Spanish Colonial Revival	Spanish Colonial Revival	Spanish Colonial Revival

# 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: CINDY COLLINS, INTERIM CITY MANAGER

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

DATE: OCTOBER 12, 2016

SUBJECT: **APPEAL OF VARIANCE NOS. V16-04, V16-06, V16-08, CONDITIONAL USE PERMIT NOS. CUP16-12, CUP16-18, AND DESIGN REVIEW NO. DRC16-35 1900 MONTROBLES PLACE, (REED)**

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## **PROPOSAL:**

This is an appeal of the Planning Commission's decision to deny an application to construct a one-story addition to the house and expand the existing attached garage. The applicant requests to construct a one-story addition to the house and expand the existing attached garage. The resulting building will exceed the maximum allowable lot coverage, have less than the required side and rear yard setbacks, encroach into the 30 degree structural encroachment line, and have a non-conforming garage depth. This requires three variances, two conditional use permits, and one design review action per Sections 23.02.09(A), 23.06.05(D), 23.06.05(L), 23.02.13, 23.02.20(B), and 23.15.03(A).

## **REQUIRED ACTIONS**

***VARIANCE NO. V16-04 – LESS THAN THE REQUIRED REAR YARD SETBACK***

***VARIANCE NO. V16-06 – LESS THAN THE REQUIRED 25' SIDE YARD SETBACK FOR A STREET-FACING GARAGE***

***VARIANCE NO. V16-08 – LESS THAN THE REQUIRED 20' GARAGE DEPTH***

***CONDITIONAL USE PERMIT NO. CUP16-12 – ENCROACHMENT INTO THE 30 DEGREE STRUCTURAL ENCROACHMENT LINE***

***CONDITIONAL USE PERMIT NO. CUP16-18 – EXCEED MAXIMUM ALLOWABLE LOT COVERAGE***

***DESIGN REVIEW NO. DRC16-35 – ADDITION***

## **BACKGROUND**

This project was originally before the Planning Commission on July 27, 2016. The Planning Commission could not make the required findings for the requested actions and asked the applicant to consider other design options, such as expanding the garage toward the house. The applicant opted to not alter the design and submitted a letter in advance of the August 24<sup>th</sup> meeting requesting that the Planning Commission make

a decision on the plans that were previously presented to the Planning Commission. At their August 24, 2016 meeting, the Planning Commission denied the project.

*Project Information:*

General Plan: Low Density Residential  
 Zoning: R-1, District VII  
 Location: The subject property is located on the northeast corner of Montroble Place and S. Los Robles Avenue  
 Lot Size: 5,852 square feet  
 Existing Use: Single-family with an attached 2-car garage  
 Surrounding Uses: The site is bordered on all sides by other properties in Area District VII that are improved with single-family homes.  
 Proposed Size: Livable area: 1,577 square feet  
 Lot Coverage: 2,175.4 square feet  
 Parking Required/Proposed: Two non-conforming garage spaces  
 Environmental Determination: Categorically Exempt under Class 3 – new construction or conversion of small structures

**ANALYSIS**

The applicant proposes to construct a one-story, 18 square-foot addition for a laundry area under an existing covered porch, and to add 142 square feet to the attached garage. The house currently has a substandard garage measuring 15’6” wide by 18’10” deep. The applicant proposes to widen the garage to accommodate two vehicles, as required by Code. However, the resulting garage will not meet Code requirements and three variances are required for the non-conforming rear and side yard setbacks and non-conforming garage depth. Two conditional use permits are required for exceeding the maximum allowable lot coverage and encroaching into the 30 degree encroachment line. A Design Review action is required for the project as well.

The plans show that the new driveway apron may impact the parkway tree. The driveway approach should be designed in a manner to protect the tree and an arborist report should be provided indicating appropriate tree protection measures. The plans also show a new rear yard wall. The subject property abuts the front yard of the adjacent property. In this case, the code allows a maximum height of four feet for a wall. The plans do not specify a wall height, but per Code, it can be no taller than four feet.

CRITERIA	REQUIRED/ALLOWED	PROVIDED
<b>ZONING:</b>		
Maximum Living Area/Lot Coverage	Livable area: 2,106.72 sq. ft. Lot coverage: 2,106.72 sq. ft.	Proposed Livable area: 1,577 sq. ft. Lot coverage: 2175.4 sq. ft
<b>HEIGHT:</b>		
Maximum Height	30’	14’
<b>YARDS:</b>		
Front (Los Robles)	30’	30’
Side (Montroble)	South – 15’ (house), 25’ (garage) North – 5’	South – 18’ (addition), 6’6” (garage) North – 7’10”

Rear	25'	2'
<b>PARKING AND DRIVEWAYS:</b>		
Garage Spaces	2	2 (substandard)
<b>IMPERVIOUS COVERAGE:</b>		
Percentage	Less than 35%	No change proposed
<b>DESIGN:</b>		
Architectural Style	Spanish	Spanish

**VARIANCES**

***VARIANCE NO. V16-04 – LESS THAN THE REQUIRED REAR YARD SETBACK***

***VARIANCE NO. V16-06 – LESS THAN THE REQUIRED 25’ SIDE YARD SETBACK FOR A STREET-FACING GARAGE***

***VARIANCE NO. V16-08 – LESS THAN THE REQUIRED 20’ GARAGE DEPTH***

***That the strict application of the regulations and standards of this Chapter will result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of said regulations and standards.***

The attached street-facing garage requires a 25’ side yard setback and 25’ rear yard setback. The property is developed facing Montrobes Place, although the Los Robles side is the front yard per Code. The required interior garage dimensions are 20’ x 20’. The proposed garage expansion will result in a compliant width, but the depth will still be substandard. Staff finds the strict application of the Code regarding the setbacks and garage depth would result in practical difficulty for the applicant. The property is developed in a manner which would make it impossible to meet the side and rear yard garage requirements without significant alteration to the existing house.

***That the variance, if granted, will not constitute the grant of a special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.***

The variances would not be considered a special privilege. The way in which the existing house is developed and the size and shape of the lot make it more difficult for the subject property to meet Code requirements than many of the surrounding properties.

***That because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of this Chapter will deprive the applicant of a reasonable utilization of such property.***

The subject property has a much smaller lot than is typical in District VII, and it is smaller than most of the surrounding properties. The lot also narrows at the rear, making it more difficult to comply with setbacks.

***That the use or development applied for will not be materially detrimental to the public health, safety, or general welfare or injurious to the property or improvements in the zone or neighborhood.***

Staff does not find that the garage expansion will have a detrimental effect on the neighborhood. The resulting garage, although still substandard in size, will allow two vehicles to park in the garage as required

by code. When completed, the house and garage will look and function in a similar manner to the existing house and garage.

### **CONDITIONAL USE PERMITS**

#### ***CONDITIONAL USE PERMIT NO. CUP16-12 – ENCROACHMENT INTO THE 30 DEGREE STRUCTURAL ENCROACHMENT LINE***

#### ***CONDITIONAL USE PERMIT NO. CUP16-18 – EXCEED MAXIMUM ALLOWABLE LOT COVERAGE***

***That the establishment, maintenance or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing in or working in the area of such proposed use nor be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the City.***

The encroachment into the 30 degree line will not have a detrimental effect on the neighborhood. The portion of the garage that encroaches into the 30 degree line will not introduce additional privacy or noise concerns for the neighbor. The resulting structure will not appear massive and will be compatible with the neighborhood.

The proposal will also result in exceeding the maximum allowable lot coverage. The project will exceed the maximum allowable lot coverage by 68 square feet. If the project were not a corner lot, it would be within the maximum allowable lot coverage. The additional garage area will not significantly alter the size and shape of the house and the lot will not appear overbuilt.

***That the site for the proposed conditional use is adequate in size and shape to accommodate the yards, walls and fences, parking and loading, landscaping and other development features prescribed in this Chapter or required by the Commission in order to integrate said conditional use with the land and uses in the neighborhood.***

Although the structure does not meet the required setbacks and exceeds the maximum allowable lot coverage, the lot is still able to accommodate the proposed structure and maintain compatibility with the neighborhood.

***That proposed conditional use will not have a detrimental effect upon the nature, condition and development of nearby uses and buildings.***

The request to encroach into the thirty degree line and the request to exceed the maximum allowable lot coverage will not have a detrimental effect upon the nature, condition, and development of nearby uses. The proposed improvements will help the property meet the code requirement of having a two-car garage. In order to accommodate this, the encroachment into the thirty degree line and overage on lot coverage are necessary due to the unique characteristics of the subject property and house. Because of this, approval should not set a precedent for similar development in the neighborhood.

***That the site for the proposed conditional use will relate to streets and highways adequate in width and pavement to carry the kind and quantity of traffic such use would generate.***

The amount of traffic would not be affected.

## **DESIGN REVIEW:**

***That the proposed structure is compatible with the neighborhood.***

The proposed structure will be compatible with the neighborhood. There will be no change to the style of the house and the overall size and shape will be similar to the existing house. Even though the project does not meet certain code requirements, it is designed in a manner that it will allow it to fit seamlessly into the neighborhood. There is currently dense landscaping on the neighbor's property which screens the view of the garage area. Even if this were to be removed, the garage is designed in a manner that will be compatible with the existing house and neighborhood.

***That the proposed structure is designed and will be developed in a manner which balances the reasonable expectation of privacy of persons residing on contiguous properties with the reasonable expectations of the applicants to develop their property within the restrictions of this Code.***

The addition will not pose a privacy issue to the neighboring properties as it consists of a garage addition without windows.

***In the case of a building addition, the proposal is compatible with the existing building which includes the rooflines.***

The proposed garage addition will appear as a natural extension of the house. The roof line will change from a sloped roof to a gable roof to accommodate the extension. The proposed change to the roof will be consistent with the roof forms found on the rest of the house. The small laundry area addition will be under an existing roof line and the area will look substantially the same as the existing house.

***That the colors and materials are consistent and match the existing building or structure.***

The addition will match the existing colors and materials of the structure.

## **RECOMMENDATION:**

Staff recommends the City Council approve the project with the conditions noted below. If Council concurs, the appropriate action would be:

“A motion to approve Variance Nos. V16-04, V16-06, V16-08, Conditional Use Permits CUP16-12, CUP16-18, and Design Review No. DRC16-35 subject to the following conditions:

1. A door shall be added to the trash enclosure area so that the cans are not visible from public view.
2. The new portion of the rear yard wall shall be no taller than four feet (4') in height and it shall be located two inches (2") in from the property line.
3. The applicant shall submit an arborist report for the parkway tree adjacent to the driveway approach outlining tree protection measures during construction.”

Attachments:           Appeal Application  
                                Planning Commission Resolution PCR-16-06  
                                August 24, 2016 Planning Commission meeting minutes regarding 1900 Montroble  
  Place  
                                Neighborhood survey  
                                Location/Radius Map



**City of San Marino**

2200 Huntington Drive  
San Marino, CA 91108  
(626) 300-0711

**PLANNING  
COMMISSION APPEAL**

**Appeal Fee \$805.00**  
(non-refundable)

Pursuant to City Code, the City Council has the following options:

- a. Affirm the action of the Planning Commission; or
- b. Overturn the Planning Commission action; or
- c. Refer the matter back to the Planning Commission, with or without instructions for further proceedings; or
- d. Set the matter as a de novo hearing.

**TO THE CITY COUNCIL OF THE CITY OF SAN MARINO:**

Date of Planning Commission Meeting AUGUST 24, 2016

Date of Appeal (within 15 days) SEPTEMBER 8, 2016

Resolution of Findings No. \_\_\_\_\_

Appeal by Chris Reed (owner)

VARIANCE NOS. V16-04, V16-06, V16-08 (Name)

CONDITIONAL USE PERMIT NOS. CUP 16-12, CUP 16-18, + DESIGN REVIEW NO. DRC 16-35  
Regarding: \_\_\_\_\_ at 1900 MONTROBLES PLACE

(Case No.)

(Address)

The undersigned hereby appeals from the decision of the Planning Commission, referenced above, upon the following grounds: (state reasons why you think the City Council should render a different decision than that rendered by the Planning Commission. Attach additional pages if necessary.). The narrative statement and nine (9) sets of drawings (if applicable) are due at the time the appeal is filed.

*Please see attached narrative statement / letter to council members*

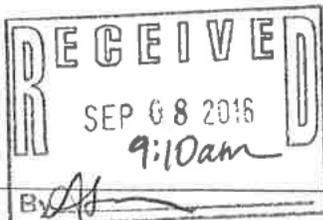
Dated: September 7, 2016

Chris Reed

Appellant Name

1900 MONTROBLES PLACE

Appellant Address



September 7, 2016

Dear City Council Members:

I feel the City Council should back the recommendations of San Marino's planning staff which recommended the Planning Commission approve this proposed project, which is a 103.4 SF addition to an existing garage to allow for two car parking.

The staff's report found that "even though the project does not meet certain code requirements, it is designed in a manner that will allow it to fit seamlessly into the neighborhood." Furthermore, they go on to say "the approval should not set a precedent for similar development in the neighborhood."

I have included a full copy of their report for your review.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Chris M. Reed".

Chris Reed  
Homeowner  
1900 Montrobes Place  
San Marino, CA

City of San Marino  
**AGENDA REPORT**



TO: CHAIRMAN AND MEMBERS OF THE  
PLANNING COMMISSION

BY: *[Signature]* ALDO CERVANTES  
PLANNING AND BUILDING DIRECTOR

DATE: JULY 27, 2016

SUBJECT: **VARIANCE NOS. V16-04, V16-06, V16-08,**  
**CONDITIONAL USE PERMIT NOS. CUP16-12,**  
**CUP16-18, AND DESIGN REVIEW NO. DRC16-35**  
**1900 MONTROBLES PLACE, (REED)**

*Marcos Velayos, Vice-Chairman*  
*Raymond Cheng*  
*Se-Yao Hsu*  
*Howard Brody*  
*Susan Jakubowski*  
*Bharat Patel, Alternate*

**PROPOSAL:**

The applicant requests to construct a one-story addition to the house and expand the existing attached garage. The resulting building will exceed the maximum allowable lot coverage, have less than the required side and rear yard setbacks, encroach into the 30 degree structural encroachment line, and have a non-conforming garage depth. This requires three variances, three conditional use permits, and one design review action per Sections 23.02.09(A), 23.06.05(D), 23.06.05(L), 23.02.13, 23.02.20(B), and 23.15.03(A).

**REQUIRED ACTIONS**

- VARIANCE NO. V16-04 – LESS THAN THE REQUIRED REAR YARD SETBACK***
- VARIANCE NO. V16-06 – LESS THAN THE REQUIRED 25' SIDE YARD SETBACK FOR A STREET-FACING GARAGE***
- VARIANCE NO. V16-08 – LESS THAN THE REQUIRED 20' GARAGE DEPTH***
- CONDITIONAL USE PERMIT NO. CUP16-12 – ENCROACHMENT INTO THE 30 DEGREE STRUCTURAL ENCROACHMENT LINE***
- CONDITIONAL USE PERMIT NO. CUP16-18 – EXCEED MAXIMUM ALLOWABLE LOT COVERAGE***
- DESIGN REVIEW NO. DRC16-35 – ADDITION***

**BACKGROUND**

General Plan:	Low Density Residential
Zoning:	R-1, District VII
Location:	The subject property is located on the northeast corner of Montrobles Place and S. Los Robles Avenue
Lot Size:	5,852 square feet
Existing Use:	Single-family with an attached 2-car garage
Surrounding Uses:	The site is bordered on all sides by other properties in Area District VII that are improved with single-family homes.

Proposed Size: Livable area: 1,577 square feet  
 Lot Coverage: 2,175.4 square feet  
 Parking Required/Proposed: Two non-conforming garage spaces  
 Environmental Determination: Categorically Exempt under Class 3 – new construction or conversion of small structures

**ANALYSIS**

The applicant proposes to construct a one-story, 18 square-foot addition for a laundry area under an existing covered porch, and to add 142 square feet to the attached garage. The house currently has a substandard garage measuring 15’6” wide by 18’10” deep. The applicant proposes to widen the garage to accommodate two vehicles, as required by Code. However, the resulting garage will not meet code and three variances are required for the non-conforming rear and side yard setbacks and non-conforming garage depth. Two conditional use permits are required for exceeding the maximum allowable lot coverage and encroaching into the 30 degree encroachment line.

The plans show that the new driveway apron may impact the parkway tree. The driveway approach should be designed in a manner to protect the tree and an arborist report should be provided indicating appropriate tree protection measures. The plans also show a new rear yard wall. The subject property abuts the front yard of the adjacent property. In this case, the code allows a maximum height of four feet for a wall. The plans do not specify a wall height, but per Code, it can be no taller than four feet.

CRITERIA	REQUIRED/ALLOWED	PROVIDED
<b>ZONING:</b>		
Maximum Living Area/Lot Coverage	Livable area: 2,106.72 sq. ft. Lot coverage: 2,106.72 sq. ft.	Proposed Livable area: 1,577 sq. ft. Lot coverage: 2175.4 sq. ft
<b>HEIGHT:</b>		
Maximum Height	30’	14’
<b>YARDS:</b>		
Front (Los Robles)	30’	30’
Side (Montrobles)	South – 15’ (house), 25’ (garage) North – 5’	South – 18’ (addition), 6’6” (garage) North – 7’10”
Rear	25’	2’
<b>PARKING AND DRIVEWAYS:</b>		
Garage Spaces	2	2 (substandard)
<b>IMPERVIOUS COVERAGE:</b>		
Percentage	Less than 35%	No change proposed
<b>DESIGN:</b>		
Architectural Style	Spanish	Spanish

**VARIANCES**

***VARIANCE NO. V16-04 – LESS THAN THE REQUIRED REAR YARD SETBACK***

***VARIANCE NO. V16-06 – LESS THAN THE REQUIRED 25’ SIDE YARD SETBACK FOR A STREET-FACING GARAGE***

***VARIANCE NO. V16-08 – LESS THAN THE REQUIRED 20’ GARAGE DEPTH***

*That the strict application of the regulations and standards of this Chapter will result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of said regulations and standards.*

The attached street-facing garage requires a 25' side yard setback and 25' rear yard setback. The property is developed facing Montroble Place, although the Los Robles side is the front yard per Code. The required interior garage dimensions are 20' x 20'. The proposed garage expansion will result in a compliant width, but the depth will still be substandard. Staff finds the strict application of the Code regarding the setbacks and garage depth would result in practical difficulty for the applicant. The property is developed in a manner which would make it impossible to meet the side and rear yard garage requirements without significant alteration to the existing house.

*That the variance, if granted, will not constitute the grant of a special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.*

The variances would not be considered a special privilege. The way in which the existing house is developed and the size and shape of the lot make it more difficult for the subject property to meet Code requirements than many of the surrounding properties.

*That because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of this Chapter will deprive the applicant of a reasonable utilization of such property.*

The subject property has a much smaller lot than is typical in District VII, and it is smaller than most of the surrounding properties. The lot also narrows at the rear, making it more difficult to comply with setbacks.

*That the use or development applied for will not be materially detrimental to the public health, safety, or general welfare or injurious to the property or improvements in the zone or neighborhood.*

Staff does not find that the garage expansion will have a detrimental effect on the neighborhood. The resulting garage, although still substandard in size, will allow two vehicles to park in the garage as required by code. When completed, the house and garage will look and function in a similar manner to the existing house and garage.

## **CONDITIONAL USE PERMITS**

### ***CONDITIONAL USE PERMIT NO. CUP16-12 – ENCROACHMENT INTO THE 30 DEGREE STRUCTURAL ENCROACHMENT LINE***

### ***CONDITIONAL USE PERMIT NO. CUP16-18 – EXCEED MAXIMUM ALLOWABLE LOT COVERAGE***

*That the establishment, maintenance or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing in or working in the area of such proposed use nor be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the City.*

The encroachment into the 30 degree line will not have a detrimental effect on the neighborhood. The portion of the garage that encroaches into the 30 degree line will not introduce additional privacy or noise concerns for the neighbor. The resulting structure will not appear massive and will be compatible with the neighborhood.

The proposal will also result in exceeding the maximum allowable lot coverage. The project will exceed the maximum allowable lot coverage by 68 square feet. If the project were not a corner lot, it would be within the maximum allowable lot coverage. The additional garage area will not significantly alter the size and shape of the house and the lot will not appear overbuilt.

***That the site for the proposed conditional use is adequate in size and shape to accommodate the yards, walls and fences, parking and loading, landscaping and other development features prescribed in this Chapter or required by the Commission in order to integrate said conditional use with the land and uses in the neighborhood.***

Although the structure does not meet the required setbacks and exceeds the maximum allowable lot coverage, the lot is still able to accommodate the proposed structure and maintain compatibility with the neighborhood.

***That proposed conditional use will not have a detrimental effect upon the nature, condition and development of nearby uses and buildings.***

The request to encroach into the thirty degree line and the request to exceed the maximum allowable lot coverage will not have a detrimental effect upon the nature, condition, and development of nearby uses. The proposed improvements will help the property meet the code requirement of having a two-car garage. In order to accommodate this, the encroachment into the thirty degree line and overage on lot coverage are necessary due to the unique characteristics of the subject property and house. Because of this, approval should not set a precedent for similar development in the neighborhood.

***That the site for the proposed conditional use will relate to streets and highways adequate in width and pavement to carry the kind and quantity of traffic such use would generate.***

The amount of traffic would not be affected.

#### **DESIGN REVIEW:**

***That the proposed structure is compatible with the neighborhood.***

The proposed structure will be compatible with the neighborhood. There will be no change to the style of the house and the overall size and shape will be similar to the existing house. Even though the project does not meet certain code requirements, it is designed in a manner that it will allow it to fit seamlessly into the neighborhood. There is currently dense landscaping on the neighbor's property which screens the view of the garage area. Even if this were to be removed, the garage is designed in a manner that will be compatible with the existing house and neighborhood.

***That the proposed structure is designed and will be developed in a manner which balances the reasonable expectation of privacy of persons residing on contiguous properties with the reasonable expectations of the applicants to develop their property within the restrictions of this Code.***

The addition will not pose a privacy issue to the neighboring properties as it consists of a garage addition without windows.

***In the case of a building addition, the proposal is compatible with the existing building which includes the rooflines.***

The proposed garage addition will appear as a natural extension of the house. The roof line will change from a sloped roof to a gable roof to accommodate the extension. The proposed change to the roof will be consistent with the roof forms found on the rest of the house. The small laundry area addition will be under an existing roof line and the area will look substantially the same as the existing house.

*That the colors and materials are consistent and match the existing building or structure.*

The addition will match the existing colors and materials of the structure.

**RECOMMENDATION:**

Staff recommends the Planning Commission approve Variance Nos. V16-04, V16-06, V16-08, Conditional Use Permits CUP16-12, CUP16-18, and Design Review No. DRC16-35 subject to the following conditions:

1. A door shall be added to the trash enclosure area so that the cans are not visible from public view.
2. The new portion of the rear yard wall shall be no taller than four feet (4') in height and it shall be located two inches (2") in from the property line.
3. The applicant shall submit an arborist report for the parkway tree adjacent to the driveway approach outlining tree protection measures during construction.

Attachments:            Application  
                                 Neighborhood survey  
                                 Location/Radius Map

RESOLUTION NO. R-16-06

**A RESOLUTION OF THE CITY OF SAN MARINO PLANNING COMMISSION DENYING VARIANCES V16-04, V16-06, AND V16-08, CONDITIONAL USE PERMITS CUP16-12 AND CUP16-18, AND DESIGN REVIEW DRC16-35, A REQUEST TO CONSTRUCT A ONE-STORY ADDITION AND TO EXPAND AN EXISTING ATTACHED TWO-CAR GARAGE ON THE PROPERTY LOCATED AT 1900 MONTROBLES PLACE**

THE SAN MARINO PLANNING COMMISSION DOES HEREBY FIND, ORDER, AND RESOLVE AS FOLLOWS:

**SECTION 1.** A Planning Commission application was submitted to the City of San Marino by Patricia Reed, Stephen Reed, Christopher Reed, and Jessica Reed. The applicant requests to construct a one-story addition and to extend the existing, attached two-car garage on the property located at 1900 Montroble Place. This requires three variances, two conditional use permits, and one design review action per Sections 23.02.09(A), 23.06.05(D), 23.06.05(L), 23.02.13, 23.02.20(B), and 23.15.03(A).

**SECTION 2.** A legally noticed public hearing before the Planning Commission was conducted on July 27, 2016. The Planning Commission continued the hearing to August 24, 2016.

**SECTION 3.** The Planning Commission received and considered both oral and written testimony during the public hearings and considered all the evidence in the record of the City's proceedings on the application. The following facts were presented to the Planning Commission:

- A. The property is located on the northeast corner of Montroble Place and South Los Robles Avenue. It is zoned R-1 Single-Family Residential, Area District VII. The site is bordered on all sides by other single-family homes zoned R-1 District VII.
- B. The subject property is 5,852 square feet in size and is currently improved with a 1,559 square foot one-story house with an attached two-car garage.
- C. The proposed project consists of enclosing an existing covered porch and expanding the existing attached garage. The proposed project will contain 1,577 square feet of livable area. The existing one-story house and attached garage contain 2,072 square feet of lot coverage and the proposed project will contain 2,175.4 square feet of lot coverage. The project will exceed the maximum allowable lot coverage, have less than the required side and rear yard setbacks, encroach into the 30 degree structural encroachment line, and have a non-conforming garage depth.

- D. The proposed architectural style of the addition will match the Spanish style house and the existing colors and materials.

**SECTION 4.** The Planning Commission hereby makes the following findings:

- A. The granting of the proposed variances would be considered a special privilege because the neighboring lots are bound by similar development limitations as the subject property.
- B. The strict application of the Code would not deprive the applicant of a reasonable utilization of such property, even though the subject property is small in size. Despite the small lot size, there are other design options available that could accommodate additional garage space with greater compliance to the code.
- C. Findings for the Conditional Use Permits and Design Review were not be made as the project would be unable to proceed without the variances.

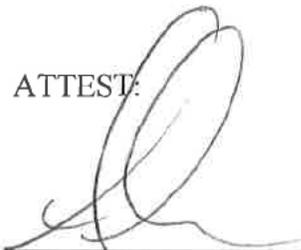
**SECTION 5.** Based upon the aforementioned findings in Section 4 the Planning Commission hereby denies Variance Nos. V16-04, V16-06, V16-08, Conditional Use Permit Nos. CUP16-12, CUP16-18, and Design Review No. DRC16-35 regarding the project at 1900 Montroble Place.

**PASSED, APPROVED AND ADOPTED** on this 28<sup>th</sup> day of September, 2016.



MARCOS VELAYOS,  
CHAIRMAN

ATTEST:



ALDO CERVANTES,  
PLANNING AND BUILDING DIRECTOR

**REGULAR MEETING  
OF THE SAN MARINO PLANNING COMMISSION  
AUGUST 24, 2016 - 7:00 P.M.**

**CALL TO ORDER** Vice-Chairman Velayos called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**           **PRESENT:** Vice-Chairman Velayos, Raymond Cheng, Se-Yao Hsu

**ABSENT:** Howard Brody, Susan Jakubowski

**PUBLIC COMMENTS**

**PUBLIC HEARINGS**

**1. VARIANCE NOS. V16-04, V16-06, V16-08, CONDITIONAL USE PERMIT NOS. CUP16-12, CUP16-18, AND DESIGN REVIEW NO. DRC16-35 1900 MONTROBLES PLACE, (REED)**

Associate Planner Merlo presented the staff report for this item.

Chris Reed, owner, and Tom Kaiser, architect, presented the project. They also read portions of a letter of support from the neighbor at 1831 Montrobbles.

The following people spoke in opposition of the project:

Joseph and Cecilia Wong, 1906 Montrobbles Place  
Dale Pederson, 2140 Lorain Road

The applicants indicated they would prefer to have the Planning Commission vote on the project rather than consider a continuance.

The Planning Commissioners and applicants discussed the project and potential alternatives. It was the consensus of the Planning Commission that there were other options available for expanding the garage that would reduce the number of the requested variances.

Commissioner Hsu stated that the applicant did not make changes to the project from last month's hearing and he cannot make the findings for approval.

Commissioner Cheng agreed.

Chairman Velayos stated that he could not make the "unique lot" finding for this variance. Although the lot is small, he could not find that there was any evidence that the applicant would be deprived of a reasonable utilization of their property.

Commissioner Hsu moved to deny Variances V16-04, V16-06, V16-08, Conditional Use Permits CUP16-12, CUP16-18, and Design Review DRC16-35. Second by Commissioner Cheng. AYES: Chairman Velayos, Commissioner Cheng, Commissioner Hsu. NOES: None.

**2. CONDITIONAL USE PERMIT NO. CUP16-15  
1477 OLD MILL ROAD, (YANG/SANTANA)**

Planning and Building Director Cervantes presented the report.

Alvin Chen, owner's representative, presented the project.

The following people spoke about the project:

Shirley Jagels, 1404 Wilson Ave., asked if Mr. Chen was the owner or owner's representative.

Mr. Chen stated he was the owner's representative.

It was the consensus of the Planning Commission that the project could meet the required findings as there is no additional square footage proposed.

Commissioner Cheng moved to approve the project as submitted. Seconded by Commissioner Hsu. AYES: Chairman Velayos, Commissioner Cheng, Commissioner Hsu. NOES: None.

**3. CONDITIONAL USE PERMIT NO. CUP16-05 AND DESIGN REVIEW NO. DRC16-36  
2335 ADAIR STREET, (WALKER/NE CONSTRUCTION)**

Assistant Planner Choi presented the staff report.

Nick Engelman, applicant, and Mr. & Mrs. Walker, owners, presented the project and answered questions.

There were no public comments.

It was the consensus of the Planning Commission that there were design changes that needed to be made to the project and that it was not yet ready for approval.

Commissioner Hsu moved to continue the project to the meeting of September 28, 2016. Seconded by Commissioner Cheng. AYES: Chairman Velayos, Commissioner Cheng, Commissioner Hsu. NOES: None.

1900 MONTROBLES PLACE 300' RADIUS SURVEY

ADDRESS	LIVABLE AREA	LOT SIZE
1840 S LOS ROBLES AVE	1328	6952
1819 S EL MOLINO AVE	2702	8017
1809 S EL MOLINO AVE	2053	12119
1815 S EL MOLINO AVE	3250	13229
1874 S EUCLID AVE	2662	6861
1866 S EUCLID AVE	1584	7011
1865 S LOS ROBLES AVE	1448	6976
1857 S LOS ROBLES AVE	1304	7074
1873 S LOS ROBLES AVE	864	6838
1881 S LOS ROBLES AVE	1392	6735
1882 S EUCLID AVE	2047	6763
1890 S EUCLID AVE	1610	6606
1897 S LOS ROBLES AVE	1320	6434
1889 S LOS ROBLES AVE	1360	6581
1906 S EUCLID AVE	1454	6351
1900 S EUCLID AVE	1474	6492
1913 S LOS ROBLES AVE	1748	6214
1905 S LOS ROBLES AVE	1272	6320
1906 MONTROBLES PL	3244	16813
1860 S LOS ROBLES AVE	1840	7142
1850 S LOS ROBLES AVE	1291	7317
1870 S LOS ROBLES AVE	1813	6220
1880 S LOS ROBLES AVE	1892	6209
1825 S EL MOLINO AVE	2133	20274
1912 MONTROBLES PL	1561	12820
1914 MONTROBLES PL	2364	7060
1890 S LOS ROBLES AVE	1608	6230
1920 S LOS ROBLES AVE	2102	6435
1922 MONTROBLES PL	2220	7537
1930 MONTROBLES PL	1854	7472
1925 MONTROBLES PL	1391	7684
1831 MONTROBLES PL	2260	7400
1914 S EUCLID AVE	2366	6250
1922 S EUCLID AVE	1468	6090
1921 S LOS ROBLES AVE	1515	6048
1938 S EUCLID AVE	1636	5860
1946 S EUCLID AVE	1778	5714
1930 S EUCLID AVE	1643	5988
1954 S EUCLID AVE	1717	5611
1929 S LOS ROBLES AVE	1569	5952
1930 S LOS ROBLES AVE	1826	7649
1945 S LOS ROBLES AVE	1479	5705
1953 S LOS ROBLES AVE	1293	5612
1937 S LOS ROBLES AVE	1503	5837

ADDRESS	LIVABLE AREA	LOT SIZE
2585 MONTEREY RD	1639	7501
1935 MONTROBLES PL	1549	6320
1940 S LOS ROBLES AVE	1860	6792
2545 MONTEREY RD	1958	7487
2565 MONTEREY RD	1692	7486
1961 S LOS ROBLES AVE	2075	5453
2525 MONTEREY RD	2157	8250
2505 MONTEREY RD	1552	9921
1833 S EL MOLINO AVE	2196	9350
1845 S EL MOLINO AVE	2646	9361
1855 S EL MOLINO AVE	1945	7531
1938 MONTROBLES PL	1834	7508
1946 MONTROBLES PL	2135	7505
2605 MONTEREY RD	1899	7479
2625 MONTEREY RD	1948	7499



**1900 Montroble Place**



# 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: CINDY COLLINS, INTERIM CITY MANAGER

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

DATE: OCTOBER 12, 2016

SUBJECT: **INTERIM ORDINANCE O-16-1310-U PROHIBITING ALL COMMERCIAL NON-MEDICAL MARIJUANA ACTIVITY IN THE CITY AND PROHIBITING OUTDOOR MARIJUANA CULTIVATION ON PRIVATE RESIDENCES**

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## **BACKGROUND**

In the upcoming November election, voters will consider an initiative measure known as the Control, Regulate and Tax Adult Use of Marijuana Act (“Proposition 64”). If passed by voters, Proposition 64 will legalize the use of non-medical marijuana for those who are 21 years of age or older and establish a comprehensive system to regulate commercial non-medical marijuana activity. Specifically, Proposition 64 will:

- Allow persons 21 years of age or older to consume marijuana and marijuana products in locations that are not public places or places where smoking tobacco is prohibited.
- Allow persons 21 years of age or older to cultivate up to six marijuana plants in, or on the grounds of, a private residence.
- Allow cities to regulate non-medical marijuana-related activities and subject non-medical marijuana businesses to zoning and permitting requirements.
- Allow cities to adopt local ordinances banning non-medical marijuana businesses in the city.
- Establish laws regulating non-medical marijuana distribution, sale, use, and cultivation.
- Establish the Bureau of Marijuana control within the Department of Consumer Affairs to regulate and license the non-medical marijuana industry, and charge other State agencies with licensing certain sectors of the non-medical marijuana industry.
- Establish an excise tax on the sale of non-medical marijuana and a cultivation tax.
- Authorize counties to tax non-medical marijuana and marijuana products.
- Require that persons under the age of 21 obtain a new physician’s recommendation to use marijuana for medical purposes.
- Allow industrial hemp to be grown as an agricultural product.

If adopted by the voters, the provisions of Proposition 64 relating to the possession, use and cultivation of non-medical marijuana will become effective on November 9, 2016. This means that the personal cultivation of up to six marijuana plants will be legal in the State the day after the election. The City can, by

local ordinance, prohibit all *outdoor* cultivation of marijuana, even on private residences. Proposition 64 also requires that the State begin to issue licenses to non-medical marijuana businesses by no later than January 1, 2018. Proposition 64 prohibits the State licensing authorities from issuing a license to a commercial non-medical marijuana business if the operation of the business violates a local ordinance.

Proposition 64 pertains primarily to non-medical marijuana use and regulations. Medical marijuana use will continue to be regulated by existing medical marijuana laws.

On December 9, 2015, the City adopted Interim Ordinance No. O-15-1302-U which prohibits all commercial medical marijuana activity in the City. Interim Ordinance No. O-15-1302-U, which only addressed commercial activity relating to medical marijuana, will remain in effect until December 8, 2016, unless it is extended by City Council for an additional year. Therefore, if the City wants to prohibit commercial non-medical marijuana businesses from establishing in the City, the City Council must adopt additional regulations pertaining to non-medical marijuana uses.

### **ANALYSIS**

If the Act is approved by voters, the City can respond in one of the following ways:

1. Adopt an interim ordinance prohibiting all commercial non-medical marijuana activity, which includes cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, labeling, delivery, or sale of marijuana and marijuana products for non-medical purposes. The interim ordinance would also prohibit all outdoor marijuana cultivation on private residences.
2. Adopt a comprehensive ordinance that prohibits all commercial marijuana activity in the City, including both non-medical and medical marijuana uses. The ordinance could also address reasonable regulations relating to personal cultivation of marijuana plants at private residences.
3. Adopt an ordinance regulating commercial marijuana activity if the City wishes to allow certain types of such activity.

Staff feels the interim ordinance described in the first option would be the appropriate action in anticipation of the approval of Proposition 64 because it takes effect immediately. Options 2 and 3 would not take effect immediately which means that outdoor growing of marijuana could occur on private residences and commercial non-medical marijuana businesses could possibly obtain State licenses to operate in the City before the City has the opportunity to adopt permanent ordinances. The adoption of the interim ordinance will allow the City to prohibit non-medical marijuana uses in the City while staff studies the issue and the City Council decides whether to adopt a comprehensive ordinance regulating or prohibiting all commercial marijuana activity. Additionally, the interim ordinance will prohibit all outdoor cultivation of marijuana on private residences that would otherwise be allowed beginning on November 9, 2016.

### **RECOMMENDATION:**

Staff recommends the City Council adopt Ordinance O-16-1310-U. If Council concurs, the appropriate action would be:

“A motion to approve Interim Ordinance No. O-16-1310-U to prohibit all commercial non-medical marijuana activity in the City and prohibiting outdoor marijuana cultivation on private residences and declaring the urgency thereof.”

Attachments: Ordinance O-16-1310-U



## INTERIM ORDINANCE NO. O-16-1310-U

### **AN INTERIM ORDINANCE OF THE CITY OF SAN MARINO PROHIBITING ALL COMMERCIAL NON-MEDICAL MARIJUANA ACTIVITY IN THE CITY, PROHIBITING OUTDOOR MARIJUANA CULTIVATION ON PRIVATE RESIDENCES AND DECLARING THE URGENCY THEREOF.**

**WHEREAS**, the Control, Regulate and Tax Adult Use of Marijuana Act (“Proposition 64”), has qualified for the November 2016 ballot. If adopted by the California voters, Proposition 64, will among other things, legalize the use of non-medical marijuana for those who are 21 years of age or older and establish a comprehensive system to regulate commercial non-medical marijuana activity. The provisions of Proposition 64 related to the use and cultivation of non-medical marijuana will become effective on November 9, 2016.

**WHEREAS**, Proposition 64 will permit cities to (1) adopt and enforce local ordinances to regulate non-medical marijuana businesses, including, but not limited to, local zoning and land use requirements, business license requirements, and requirements related to reducing exposure to secondhand smoke, or (2) completely prohibit the establishment or operation of marijuana businesses within its jurisdiction.

**WHEREAS**, Proposition 64 will allow for the planting, cultivation, harvesting, drying and processing (“cultivation activities”) of up to six marijuana plants in, or upon the grounds of, a private residence. Proposition 64 will authorize a city to enact and enforce an ordinance that reasonably regulates cultivation activities, and to completely prohibit cultivation activities outdoors upon the grounds of a private residence unless the California Attorney General determines that non-medical use of marijuana is lawful in the State under federal law.

**WHEREAS**, the Federal Controlled Substances Act, 21 U.S.C. § 801, *et seq.*, classifies marijuana as a Schedule 1 Drug, which is defined as a drug or other substance that has a high potential for abuse, that has no currently accepted medical use in treatment in the United States, and that has not been accepted as safe for use under medical supervision. The Federal Controlled Substances Act makes it unlawful under federal law for any person to cultivate, manufacture, distribute or dispense, or possess with intent to manufacture, distribute or dispense, marijuana.

**WHEREAS**, on October 9, 2015 Governor Brown signed Assembly Bill No. 243, Assembly Bill No. 266, and Senate Bill 643 into law, which collectively are now known as the Medical Cannabis Regulation and Safety Act (hereinafter “MCRSA”). The MCRSA establishes a State licensing scheme for commercial medical marijuana uses, while protecting local control by requiring that all such businesses must have a local license or permit to operate in addition to a State license. The MCRSA allows the City to completely prohibit commercial medical marijuana activities. In response to the MCRSA, the City adopted Interim Ordinance No. O-15-1302-U, which prohibits all commercial medical marijuana activities in the City. Interim Ordinance No. O-15-1302-U also prohibits marijuana cultivation for both commercial and non-commercial purposes.

**WHEREAS**, cities in California have reported negative effects of marijuana cultivation, processing and distribution activities, including offensive odors, illegal sales and distribution of marijuana, trespassing, theft, violent robberies and robbery attempts, fire hazards, and problems associated with mold, fungus, and pests. Furthermore, as marijuana plants begin to flower, and for a period of two months or more, the plants produce a strong, unique odor, offensive to many people, and detectable far beyond property boundaries if grown outdoors. This odor can have the effect of encouraging theft by alerting persons to the location of the valuable plants, and creating a risk of burglary, robbery or armed robbery of the plants and creating the potential for violent acts related to such criminal activity.

**WHEREAS**, based upon the recitals above, the City Council finds that there is a current and immediate threat to the public health, safety and welfare presented if Proposition 64 is enacted by the voters, because marijuana can begin to be cultivated outdoors on private residences beginning on November 9, 2016. If Proposition 64 is enacted by the voters it could also create the potential for commercial non-medical marijuana uses to be established in the City prior to the establishment of zoning regulations under normal planning and zoning processes of the City. Based on the City's need for additional time to fully evaluate the primary and secondary effects of the activities to be licensed under Proposition 64, the City Council finds that the immediate preservation of the public health, safety and welfare requires that this interim Ordinance be enacted as an urgency ordinance pursuant to Government Code Section 65858 and take effect immediately upon adoption, and its urgency is hereby declared.

**WHEREAS**, all legal prerequisites to the adoption of this Ordinance have occurred.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MARINO DOES HEREBY ORDAIN AS FOLLOWS:**

**Section 1.** The City Council finds that the facts set forth in the Recitals of this Ordinance are true and correct.

**Section 2.** Definitions. Hereinafter in this Ordinance the following words shall have the meanings set forth below, unless the context otherwise permits or requires:

“Commercial non-medical marijuana activity” shall include the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, labeling, transportation, delivery or sale of marijuana and marijuana products for non-medical purposes.

“Cultivation” shall have the same meaning as set forth in Proposition 64, and shall include any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of marijuana.

“Delivery” shall have the same meaning as set forth Proposition 64, and shall mean the commercial transfer of marijuana or marijuana products to a customer. Delivery also includes the use by a retailer of any technology platform owned and controlled by retailer, or independently licensed under Proposition 64, that enables customers to arrange for or facilitate the commercial transfer by a State licensed retailer of marijuana or marijuana products.

“Marijuana” shall have that meaning set forth in Proposition 64, and shall include all parts of the plant Cannabis sativa L., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin. It does not include (a) industrial hemp, as defined in Section 11018.5 of the Health and Safety Code; and (b) the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other product.

“Proposition 64” refers to the Control, Regulate and Tax Adult Use of Marijuana Act.

**Section 3.** Prohibition.

- A. Commercial non-medical marijuana activity is expressly prohibited in all zones in the City of San Marino. No person shall establish, operate, maintain, conduct or allow commercial non-medical marijuana activity anywhere within the City. No application for a building permit, conditional use permit, business license, or any other entitlement authorizing the establishment, operation, maintenance, development, or construction of any use that allows for commercial non-medical marijuana activity shall be approved during the term of the prohibition established in this Ordinance.
- B. This section is meant to prohibit all activities for which a State license is required pursuant to Proposition 64. Accordingly, the City shall not issue any permit, license or other entitlement for any activity for which a State license is required under Proposition 64.
- C. Marijuana shall not be cultivated outdoors upon the grounds of a private residence. Indoor marijuana cultivation will be allowed consistent with State law which permits no more than six live marijuana plants to be planted, cultivated, harvested, dried, or processed within a single private residence or inside an accessory structure located upon the grounds of a private residence that is fully enclosed and secured. Any marijuana cultivation that exceeds the limits set forth in this subsection is hereby declared to be unlawful and a public nuisance.
- D. Nothing in this Ordinance, or its adoption, shall be deemed to affect any other prohibitions or regulations relating to marijuana contained in the San Marino Municipal Code, including, but not limited to, the provisions of Section 23.03.01 of the San Marino Municipal Code. In the event of any conflict between said Section and this Ordinance, the most restrictive provision shall govern. Nothing in this Ordinance shall be deemed to affect or excuse any violation of Section 23.03.01 of the San Marino Municipal Code.

**Section 4.** Nothing in this Ordinance shall be interpreted to the effect that the City’s permissive zoning scheme allows any other use not specifically listed therein.

**Section 5.** Public Nuisance. Any use or condition caused, or permitted to exist, in violation of any provision of this Ordinance shall be, and hereby is declared to be, a public nuisance and may be summarily abated by the City pursuant to Code of Civil Procedure Section 731 or by any other remedy available to the City.

**Section 6.** Penalty. Violation of any provision of this Ordinance shall constitute a misdemeanor and shall be punishable by a fine not to exceed one thousand dollars (\$1,000) or by imprisonment for a period not to exceed six (6) months, or by both such fine and imprisonment. Each and every day such a violation exists shall constitute a separate and distinct violation of this Ordinance. Notwithstanding the foregoing, nothing in this Ordinance shall authorize a criminal prosecution or arrest prohibited by Health and Safety Code section 11362.71, *et seq.*

**Section 7.** Civil Penalties. In addition to any other enforcement permitted by this Ordinance, the City Attorney may bring a civil action for injunctive relief and civil penalties against any person or entity that violates this Ordinance. In any civil action brought pursuant to this Ordinance, a court of competent jurisdiction may award reasonable attorneys' fees and costs to the prevailing party.

**Section 8.** CEQA. It can be seen with certainty that there is no possibility that the adoption of the Interim Ordinance may have a significant effect on the environment because the Interim Ordinance will only impose greater and temporary limitations on marijuana-related uses allowed in the City, and will thereby serve to prevent potentially significant adverse environmental impacts. The City Council has reviewed staff's determination of exemption and based on its own independent judgment, concurs in staff's determination that the Interim Ordinance is exempt from CEQA. The adoption of the Interim Ordinance is therefore not subject to the California Environmental Quality Act review pursuant to Title 14, Chapter 3, Section 15061(b)(3) of the California Code of Regulations.

**Section 9.** Severability. If any section, subsection, subdivision, sentence, clause, phrase or portion of this Ordinance, is for any reason, held to be invalid or unconstitutional by the 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 adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

**Section 10.** Urgency Ordinance. This Ordinance is adopted as an urgency, interim ordinance and shall take effect immediately. This Ordinance shall expire, and the prohibition established hereby shall terminate, forty-five (45) days after the date of adoption unless extended by the City Council pursuant to California Government Code Section 65858. This Ordinance will only become operative if Proposition 64 is approved by the voters. If Proposition 64 is not approved by the voters at the November election, the ordinance shall be null and void and shall be deemed repealed.

**Section 11.** The Mayor shall sign and the City Clerk shall attest to the adoption of this Ordinance and shall cause the same to be published as required by law.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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**MAYOR OF THE CITY OF SAN MARINO**

**ATTEST:**

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**CITY CLERK OF THE CITY OF SAN MARINO**

# 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: CINDY COLLINS, INTERIM CITY MANAGER

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

DATE: OCTOBER 12, 2016

SUBJECT: **ORDINANCE O-16-1308 REGARDING WATER EFFICIENT LANDSCAPING  
(FIRST READING)**

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## **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 presented the draft ordinance to the Council for discussion in May of this year. The Council reviewed the proposed ordinance and directed staff to proceed with presenting the ordinance to the Planning Commission to start the adoption process. At their July 27, 2016 meeting, the Planning Commission approved a resolution recommending the Council adopt the proposed ordinance. As described in Section 2 of the ordinance, the ordinance is exempt from further review under the California Environmental Quality Act.

## **MAJOR CHANGES TO THE ORDINANCE**

The proposed ordinance is very similar to the State's Model Ordinance, under which the City has been operating since December 2015. However, the proposed ordinance contains many changes from the City's previous ordinance from 2009. Most of these changes relate to the technical details of the landscape and irrigation plans and installation requirements. Below, staff has identified the changes that will have the greatest impact on San Marino and its residents:

	<b>Previous WELO</b>	<b>Proposed WELO</b>
<b>Applicability</b>	New Construction: <ul style="list-style-type: none"> <li>- 5,000 square feet or more of landscape area</li> </ul> Existing landscapes: <ul style="list-style-type: none"> <li>- Not subject to the ordinance</li> </ul>	New construction: <ul style="list-style-type: none"> <li>- 500 square feet or more of landscape area</li> </ul> Existing rehabilitated landscapes: <ul style="list-style-type: none"> <li>- 2,500 square feet or more of landscape area</li> </ul>
<b>Maximum Applied Water Allowance (MAWA)</b>  The MAWA is the water budget for the property. The proposed total water usage for the landscape area may not exceed the MAWA.	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.
<b>Turf</b>	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.
<b>Street medians</b>	No specific restrictions	No high water usage plants allowed, including turf.
<b>Graywater</b>	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.
<b>Dedicated landscape water meters</b>	Not required	Required for residential landscapes over 5,000 sq. ft. and for non-residential landscapes over 1,000 sq. ft.
<b>Water audit</b>	When required, could be self-reported.	The new ordinance requires the irrigation auditor to be a certified City auditor or certified third party auditor.
<b>Reporting</b>	Not required	Annual reporting to the state is required. The report will address the number, size and type of projects, review procedures, and enforcement.

## ANALYSIS

One of the major changes to the ordinance is its applicability. Previously, the ordinance applied only to projects that consisted of the construction of a new building. Under the proposed ordinance, new construction as well as rehabilitated landscape projects that are 2,500 square feet or more in area and require a permit, plan check, or design review are subject to the new ordinance. If a project is larger than 2,500

square feet and is re-landscaped without need for a permit or design review, the project is exempt from the ordinance. For example, if a 5,000 square foot area that is currently improved with turf was to be replaced with turf and there was no other work occurring, it would be exempt from the ordinance. If this same landscape area were to be replaced *and* need a plumbing permit for a new sprinkler system or need design review for other front yard improvements, it would be subject to the ordinance. In the ten months that the State's model ordinance has been in place, there have been two rehabilitated landscapes that fell under the ordinance and obtained permits. There have been five approved new houses under the new ordinance, but no permits have been pulled yet.

The majority of the ordinance discusses the requirements for the contents of the landscape and irrigation plan, if required. Simplified worksheets and checklists have been prepared to make it easier for the applicant to submit all required information and streamline the plan check process. A resident that does not plan to construct a new home or do a large re-landscaping project would be minimally impacted by this ordinance.

### **FISCAL IMPACT**

A greater level of review and technical knowledge will be required to review the landscape plans submitted under this ordinance than staff can provide. As such, the plans will now be sent to the City's plan check company, VCA, for review and approval. Following approval from VCA, city staff will also review the project for city-specific issues, such as tree preservation and impervious coverage. 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. At their May 27, 2016 Council Meeting, the Council agreed to waive the \$100 plan check fee for voluntary landscape upgrades.

### **RECOMMENDATION**

Staff recommends the introduction of Ordinance No. O-16-1308 on first reading. If Council concurs, the appropriate action would be:

"A motion to read by title only and introduce Ordinance No. O-16-1308"

Attachments:           Ordinance O-16-1308  
                                  Planning Commission Resolution PCR-16-02

**ORDINANCE NO. 16-1308**

**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:

<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Annual ETo</b>
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 85<sup>th</sup> 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 12<sup>th</sup> of October, 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 <sup>a</sup>	Plant Factor (PF)	Irrigation Method <sup>b</sup>	Irrigation Efficiency (IE) <sup>c</sup>	ETAF (PF/IE)	Landscape Area (sq. ft.)	ETAF x Area	Estimated Total Water Use (ETWU) <sup>e</sup>
<b>Regular Landscape Areas</b>							
				Totals	(A)	(B)	
<b>Special Landscape Areas</b>							
				1			
				1			
				1			
				Totals	(C)	(D)	
						<b>ETWU Total</b>	
<sup>a</sup> Hydrozone #/Planting Description E.g 1.) front lawn 2.) low water use plantings 3.) medium water use planting		<sup>b</sup> Irrigation Method overhead spray or drip		<sup>c</sup> Irrigation Efficiency 0.75 for spray head 0.81 for drip		<sup>e</sup> Water Allowance (MAWA) <sup>e</sup>	

<sup>d</sup>ETWU (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.

<sup>e</sup>MAWA (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)
<b>Average ETAF</b>	<b>B ÷ A</b>

**Average ETAF for Regular Landscape Areas shall 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)
<b>Sitewide ETAF</b>	<b>(B+D) ÷ (A+C)</b>

## 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 MWEL0”.
  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.

**RESOLUTION NO. PCR16-02**

**A RESOLUTION OF THE CITY OF SAN MARINO PLANNING COMMISSION  
RECOMMENDING THE CITY COUNCIL APPROVE A DRAFT ORDINANCE  
ADOPTING A NEW ARTICLE 16 OF CHAPTER 23 OF THE SAN MARINO  
CITY CODE PERTAINING TO WATER EFFICIENT LANDSCAPING AND  
MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA  
ENVIRONMENTAL QUALITY ACT**

THE PLANNING COMMISSION HEREBY RESOLVES AS FOLLOWS:

**SECTION 1.** The City of San Marino has prepared an ordinance adopting a new Article 16 of Chapter 23 of the City Code to address the State's water efficient landscaping requirements. The Planning Commission conducted a legally noticed public hearing to consider this resolution and an ordinance specifying changes to the City Code with regards to water efficient landscaping on July 27, 2016.

**SECTION 2.** Both oral and written testimony was presented and considered by the Commission at said hearing.

**SECTION 3.** Following the close of the public hearing, the Planning Commission considered all evidence presented and provided comments regarding the merits of the ordinance.

**SECTION 4.** On April 1, 2015, Governor Brown issued Executive Order B-29-15 that directed the Department of Water Resources (DWR) to update the State Model Water Efficient Landscape Ordinance ("Model Ordinance") through expedited regulation. The purpose of the 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.

**SECTION 5.** On July 15, 2015, the California Water Commission, acting on behalf of the DWR, approved the 2015 update to the Model Ordinance.

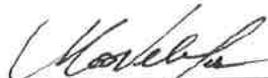
**SECTION 6.** The City has opted to prepare its own ordinance so that it is appropriate for San Marino. The proposed ordinance is in substantially the same form as the Model Ordinance approved by the California Water Commission in order to promote the efficient use of water within the City and to comply with the Governor's Executive Order and Government Code Section 65595.

**SECTION 7.** 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 Planning Commission 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 Planning Commission 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 8.** The Planning Commission hereby recommends the City Council adopt the proposed ordinance pertaining to water efficient landscaping and makes a findings that the ordinance is exempt from CEQA review.

PASSED, APPROVED, AND ADOPTED this 27<sup>th</sup> day of July 2016.

  
\_\_\_\_\_  
Marcos, Velayos,  
Planning Commission Chairman

ATTEST:

  
\_\_\_\_\_  
Aldo Cervantes,  
Secretary

# 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: CINDY COLLINS, INTERIM CITY MANAGER

BY: [RON SERVEN, ENVIRONMENTAL SERVICES MANAGER ]

DATE: [OCTOBER 12, 2016 ]

SUBJECT: **ORDINANCE O-16-1309-WATER CONSERVATION (FIRST READING)**  
**RESOLUTION R-16-16- CITYWIDE WATERING SCHEDULE**

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## **BACKGROUND:**

At the September 14, 2016 meeting, City Council directed staff to make changes to Ordinance, O-15-1294-U, amending Chapter 14, Article 16.04, which, among other water conservation measures, define allowable watering days for all residents and commercial businesses in San Marino.

## **ANALYSIS:**

On June 22, 2016, Cal American Water Company certified that it has sufficient water supply to support the City of San Marino for the next three years. Under the State's water conservation regulations, this meant that Cal American could ease some of the water conservation measures for its customers. Cal American sent a notice to its customers describing the proposed changes to the allowable watering days for all residents and commercial customers. As a result of the changes, the City is proposing a new watering schedule that allows for the third day of watering. The proposed watering schedule will expand to allow watering on Sundays for odd addressed properties and Saturdays for even addressed properties. The modified days of the week will be consistent with the notification sent out by Cal American. Note that two other water purveyors provide water to small portions of the City, but Cal American has been the most active water purveyor in terms of implementing water conservation measures in the City. The proposed changes will allow for flexibility within the code to make necessary adjustments to be consistent with its water purveyors' regulations.

In the meantime, staff will continue to suspend any enforcement relating to watering on specific days of the week until the changes are fully adopted by City Council.

The attached Ordinance No. O-16-1309 amends the City's existing water conservation measures to make the City's irrigation schedule consistent with the City's water purveyors' adopted regulations, or as otherwise declared by the City Council. The attached Resolution No. R-16-16 continues the City's mandatory water conservation regulations, but would recognize Cal American's revised irrigation schedule. Also attached is Resolution No. R-15-16, which previously declared the existence of a water shortage in the City and made compliance with the City's water conservation measures mandatory.

**FISCAL IMPACT:**

| There will be no fiscal impact on the City. |

**RECOMMENDATION:**

Staff recommends that City Council to adopt Ordinance No. O-16-1309 to amend the City’s authorized irrigation schedule to be consistent with any applicable schedule adopted by the City’s water purveyors, to the extent permitted by law, or as otherwise declared by the City Council. In addition, staff recommends that the City Council adopt “a motion to approve Resolution R-16-16, establishing additional watering days citywide.” If Council concurs, the appropriate action would be:

“A motion to introduce and read by title only Ordinance No. O-16-1309;” and

“A motion to adopt Resolution R-16-16.”

Attachments:           Ordinance O-16-1309  
                                  Resolution R-16-16  
                                  Resolution R-15-16

**ORDINANCE NO. O-16-1309**

**AN ORDINANCE OF THE CITY OF SAN MARINO  
AMENDING ARTICLE 16 OF CHAPTER 14 OF THE  
SAN MARINO CITY CODE TO AMEND THE  
IRRIGATION SCHEDULE IN THE CITY'S WATER  
CONSERVATION REQUIREMENTS**

**THE CITY COUNCIL OF THE CITY OF SAN MARINO DOES ORDAIN AS FOLLOWS:**

**Section 1.** Subsection B of Section 4 of Article 16 of Chapter XIV of the San Marino City Code is hereby amended to read as follows:

B. Irrigation scheduling shall be consistent with any applicable schedule adopted by the City's water purveyors, to the extent permitted by law, or as otherwise declared by the City Council. If more than one schedule is applicable, the strictest shall apply.

**Section 2. CEQA Finding.** The City Council hereby finds that it can be seen with certainty that there is no possibility that the adoption of this Ordinance will have a significant effect on the environment. It is, therefore, exempt from California Environmental Quality Act review pursuant to Section 15061(b)(3) of the CEQA Guidelines (California Code of Regulations, Title 14, §§ 15000 *et seq.*). In addition, this Ordinance is exempt under CEQA Guidelines Sections 15307 and 15308 because the Ordinance amends the City's water conservation regulations in a manner that would protect natural resources and the environment.

**Section 3.** If any portion, provision, section, paragraph, sentence, or word of this Ordinance is rendered or declared to be invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining portions, provisions, sections, paragraphs, sentences, and words of this Ordinance shall remain in full force and effect and shall be interpreted by the court so as to give effect to such remaining portions of this Ordinance

**Section 4.** The City Clerk shall certify to the adoption of this Ordinance and cause the same to be published as required by law.

PASSED AND ADOPTED THIS 12<sup>Th</sup> DAY OF OCTOBER, 2016.

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ALLAN YUNG  
MAYOR

ATTEST:

---

VERONICA RUIZ  
CITY CLERK

APPROVED AS TO FORM:

---

STEVEN L. DORSEY,  
CITY ATTORNEY

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    ) ss.  
CITY OF SAN MARINO            )

**I HERBY CERTIFY** that the foregoing Ordinance No. O-16-1309, was introduced and adopted at a Regular Meeting of the City Council held on the 12th day of October, 2016, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

---

VERONICA RUIZ, CMC  
CITY CLERK

**RESOLUTION NO. R-16-16**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARINO, CALIFORNIA, MODIFYING THE CITYWIDE WATERING SCHEDULE, AS PROVIDED IN ARTICLE 16 OF CHAPTER 14 OF THE SAN MARINO CITY CODE**

**WHEREAS**, in accordance with the procedures established in Sections 14.16.05 and 14.16.06 of the San Marino Municipal Code, on June 10, 2015, the City Council adopted Resolution No. R-15-16 to make mandatory the water conservation measures contained in Section 14.16.04 of the San Marino Municipal Code in order to promote a stable and reliable water supply for residents and businesses, to help the state address the ongoing drought, and to fairly and efficiently enforce the prohibitions identified in the Regulations.

**WHEREAS**, since June 10, 2015, when the City Council adopted Resolution No. R-15-16, the State Water Resources Control Board and California Public Utilities Commission have eased certain water conservation regulations for water purveyors that have demonstrated a sufficient water supply to support their customers over the next three years.

**WHEREAS**, San Marino's primary water purveyor, Cal American, has demonstrated that it has a sufficient supply of water to supply San Marino's customers over the next three years. Accordingly, Cal American has amended its water conservation regulations to permit landscape irrigation up to three days per week.

**WHEREAS**, the City Council recently adopted Ordinance No. O-16-1309 to allow the permitted irrigation schedules in the City to be consistent with the water purveyors' authorized irrigation schedule.

**WHEREAS**, the City Council desires to amend the City's mandatory water conservation measures to be consistent with Cal-American's authorized irrigation schedule, which permits irrigation up to three days per week.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MARINO, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1.** The limits on watering days in Section 2, Paragraph B, of Resolution No. R-15-16 shall be amended as follows:

**B. Limits on Watering Days:** Watering or irrigating of lawn, landscape or other vegetated area with potable water shall limited to three days per week and in accordance with the following schedule: properties with odd-numbered addresses may do so on Tuesdays, Fridays and Sundays; properties with even-numbered addresses may do so on Mondays, Thursdays, and Saturdays. Watering or irrigating of lawn, landscape or other vegetated area with potable water outside of this schedule shall be prohibited.

**SECTION 2.** A violation of the mandatory water conservation measure identified in Section 1 shall continue to be punishable pursuant to the administrative procedures and penalties provided in Article 6 of Chapter 1 of the San Marino Municipal Code or as otherwise permitted by law.

**SECTION 3.** The amended water conservation measure in this Resolution shall not take effect until Ordinance No. O-16-1309 also takes effect.

**SECTION 4.** All other provisions of Resolution No. R-15-16 shall remain in full force and effect until terminated in accordance with that Resolution.

**SECTION 5.** Within five (5) days following the adoption of this Resolution, the City Clerk is directed to publish a copy of this Resolution in a newspaper used for publication of official notices.

**PASSED, APPROVED AND ADOPTED** this 12<sup>th</sup> day of October, 2016.

\_\_\_\_\_  
ALLAN YUNG  
MAYOR

ATTEST:

\_\_\_\_\_  
VERONICA RUIZ, CMC  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
STEVEN L. DORSEY,  
CITY ATTORNEY

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    ) ss.  
CITY OF SAN MARINO            )

**I HEREBY CERTIFY** that the foregoing Resolution No. R-16-16 was duly adopted by the City Council of the City of San Marino at a Regular Meeting held on the 12<sup>th</sup> day of October, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
VERONICA RUIZ, CMC  
CITY CLERK

**RESOLUTION NO. R-15-16**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARINO, CALIFORNIA, DECLARING THE THREAT OF A WATER SUPPLY SHORTAGE AND ESTABLISHING MANDATORY WATER CONSERVATION MEASURES, AS PROVIDED IN ARTICLE 16 OF CHAPTER 14 OF THE SAN MARINO CITY CODE**

**WHEREAS**, on January 17, 2014, Governor Edmund G. Brown Jr. issued a proclamation declaring a state of emergency in California due to severe drought conditions and called on all Californians to reduce water usage by twenty percent; and

**WHEREAS**, on April 25, 2014, Governor Brown issued an executive order finding that the continued drought conditions present urgent challenges for California and called for additional action to address the impacts of the drought; and

**WHEREAS**, on July 15, 2014, the State Water Resources Control Board adopted Resolution No. 2014-0038 to establish temporary emergency water conservation regulations (the "Regulations") and made concurrent findings of fact that a drought emergency exists within California. [23 CCR Sections 863-865.]; and

**WHEREAS**, on March 17, 2015, the State Water Resources Control Board revised and extended the emergency water conservation regulations.

**WHEREAS**, on April 1, 2015, Governor Brown issued Executive Order B-29-15 that, among other things, directs the State Water Resources Control to impose restrictions to achieve a statewide 25 percent reduction in potable urban usage through February 2016.

**WHEREAS**, on May 5, 2015, the State Water Resources Control Board approved revised emergency water conservation regulations in order to implement Executive Order B-29-15.

**WHEREAS**, a violation of the prohibitions contained in the Regulations constitutes an infraction under state law, punishable by a fine of up to five hundred dollars (\$500) for each day the violation occurs, in addition to any other applicable civil or criminal penalties [(23 California Code of Regulations Section 864(b); Water Code Section 1058.5(d).]; and

**WHEREAS**, Section 14.16.04 of the San Marino Municipal Code establishes water conservation measures that are presently imposed on residents and businesses on a voluntary basis; and

**WHEREAS**, Sections 14.16.05 and 14.16.06 of the San Marino Municipal Code provide a procedure by which the City Council may make the voluntary water conservation measures identified in Section 14.16.04 mandatory; and

**WHEREAS**, the City Council desires to make the voluntary water conservation measures mandatory in order to promote a stable and reliable water supply for residents and

businesses, to help the state address the ongoing drought, and to fairly and efficiently enforce the prohibitions identified in the Regulations.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MARINO, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1.** The City Council finds and declares that the threat of a water supply shortage exists within the City of San Marino due to ongoing drought conditions in the State of California, and a consumer demand reduction is necessary to make more efficient use of water and appropriately respond to existing water conservations.

**SECTION 2.** The voluntary water conservation measures outlined in Section 14.16.04 of the San Marino Municipal Code, as amended by Ordinance O-15-1294-U, shall become mandatory. Those water conservation measures are as follows:

- A. Limits On Watering Hours: Watering or irrigating of lawn, landscape or other vegetated area with potable water is prohibited between the hours of nine o'clock (9:00) A.M. and five o'clock (5:00) P.M. Pacific Time on any day, except by use of a handheld bucket or similar container, a handheld hose equipped with a positive self-closing water shutoff nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system.
- B. Limits on Watering Days: Watering or irrigating of lawn, landscape or other vegetated area with potable water shall limited to two days per week and in accordance with the following schedule: properties with odd-numbered addresses may do so on Tuesdays and Fridays; properties with even-numbered addresses may do so on Mondays and Thursdays. Watering or irrigating of lawn, landscape or other vegetated area with potable water outside of this schedule shall be prohibited.
- C. Limits On Watering Duration: Watering or irrigating of lawn, landscape or other vegetated area with potable water using a landscape irrigation system or a watering device that is not continuously attended is limited to no more than fifteen (15) minutes watering per day per station. This subsection does not apply to landscape irrigation systems that exclusively use very low flow drip type irrigation systems when no emitter produces more than two (2) gallons of water per hour and weather based controllers or stream rotor sprinklers that meet a seventy percent (70%) efficiency standard.
- D. No Excessive Water Flow Or Runoff: Watering or irrigating of any lawn, landscape or other vegetated area in a manner that causes or allows excessive water flow or runoff onto an adjoining street, alley, gutter or ditch is prohibited.
- E. No Washing Down Hard Or Paved Surfaces: Washing down hard or paved surfaces, including, but not limited to, sidewalks, walkways, driveways, parking areas, tennis courts, patios or alleys is prohibited, except when necessary to alleviate safety or sanitary hazards, and then only by use of a handheld bucket or similar container, a handheld hose equipped with a positive self-closing water shutoff device, a low volume, high pressure cleaning machine, or a low volume, high pressure water broom.

- F. Obligation To Fix Leaks, Breaks Or Malfunctions: Excessive use, loss or escape of water through breaks, leaks or other malfunctions in the water user's plumbing or distribution system for any period of time after such escape of water should have reasonably been discovered and corrected and in no event more than seven (7) days of receiving notice from the City of San Marino is prohibited.
- G. Recirculating Water Required For Water Fountains And Decorative Water Features: Operating a water fountain or other decorative water feature that does not use recirculated water is prohibited.
- H. Limits On Washing Vehicles: Using water to wash or clean a vehicle, including, but not limited to, any automobile, truck, van, bus, motorcycle, boat or trailer, whether motorized or not is prohibited, except by use of a handheld bucket or similar container or a handheld hose equipped with a positive self-closing water shutoff nozzle or device.
- I. Drinking Water Served Upon Request Only: Eating or drinking establishments, including, but not limited to, a restaurant, cafe, cafeteria, or other public place where food or drinks are sold, served, or offered for sale, are prohibited from providing drinking water to any person unless expressly requested.
- J. Single Pass Cooling Systems: Installation of single pass cooling systems is prohibited in buildings requesting new water service.
- K. Restaurant Use: Food preparation establishments, such as restaurants or cafes, are required to use water conserving dish wash spray valves.
- L. Irrigation During and Within Rain Events: Irrigating outdoors during and within 48 hours following measureable rainfall is prohibited.
- M. Street Washing: Use of potable water for street cleaning with trucks, except for initial wash-down for construction purposes (if street sweeping is not feasible), or to protect the health and safety of the public, is prohibited.
- N. Construction Use: Use of potable water for construction purposes, such as consolidation of backfill, dust control, or other uses, except for initial wash-down of streets (if street sweeping is not feasible), unless no other source of water or other method can be used is prohibited.
- O. Car Washes: Operation of commercial car washes without recycling at least 50% of the potable water used per cycle is prohibited.
- P. Fire Hydrants: Use of potable water to flush hydrants, except where required for public health or safety or as otherwise required by law is prohibited.

**SECTION 3.** A violation of the mandatory water conservation measures identified in Section 2 shall be punishable pursuant to the administrative procedures and penalties provided in Article 6 of Chapter 1 of the San Marino Municipal Code or as otherwise permitted by law.

**SECTION 4.** The water conservation measures made mandatory by this Regulation shall take effect on the 10th day after adoption of this Resolution.

**SECTION 5.** Collection of the plan check fee associated with water efficient landscape modifications, currently set at \$80, shall be temporarily waived during the term of this Resolution.

**SECTION 6.** This Resolution shall remain in effect until the Regulations adopted by the State Water Resources Control Board are repealed or until the City Council adopts a subsequent resolution to repeal the provisions of this Resolution, whichever comes first.

**SECTION 7.** The City Council hereby repeals Resolution R-14-32, the City Council's prior declaration of a threat of water supply shortage and the mandatory measures adopted pursuant to that Resolution.

**SECTION 8.** Within five (5) days following the adoption of this Resolution, the City Clerk is directed to publish a copy of this Resolution in a newspaper used for publication of official notices.

**PASSED, APPROVED AND ADOPTED** this 10<sup>th</sup> day of June, 2015.

\_\_\_\_\_  
EUGENE SUN.  
MAYOR

ATTEST:

\_\_\_\_\_  
VERONICA RUIZ, CMC  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
STEVEN L. DORSEY,  
CITY ATTORNEY

STATE OF CALIFORNIA                    )  
COUNTY OF LOS ANGELES            ) ss.  
CITY OF SAN MARINO                    )

**I HEREBY CERTIFY** that the foregoing Resolution No. R-15-16 was duly adopted by the City Council of the City of San Marino at a Regular Meeting held on the 10<sup>th</sup> day of June, 2015, by the following vote:

AYES:                    COUNCIL MEMBERS:   DENNIS KNEIER, RICHARD SUN,  
                              RICHARD WARD, VICE-MAYOR ALLAN YUNG, AND MAYOR EUGENE  
                              SUN

NOES:                    NONE

ABSTAIN:                NONE

ABSENT:                 NONE

\_\_\_\_\_  
VERONICA RUIZ, CMC  
CITY CLERK