



AGENDA
REGULAR CITY COUNCIL /
REDEVELOPMENT AGENCY MEETING
TUESDAY, MARCH 9, 2010, 7:00 P. M.
SENIOR CITIZEN/COMMUNITY CENTER
MULTI-PURPOSE ROOM, 201 E. BONITA AVE.

CITY COUNCIL:

Mayor Curtis W. Morris
Mayor Pro Tem Denis Bertone
Councilmember Emmett Badar
Councilmember John Ebner
Councilmember Jeff Templeman

1. CALL TO ORDER AND FLAG SALUTE

2. ANNOUNCEMENTS

- a. 50th Anniversary Flashbacks
- b. Pui-Ching Ho, Librarian, San Dimas Library

3. ORAL COMMUNICATIONS (Members of the audience are invited to address the City Council on any item not on the agenda. Under the provisions of the Brown Act, the legislative body is prohibited from taking or engaging in discussion on any item not appearing on the posted agenda. However, your concerns may be referred to staff or set for discussion at a later date. If you desire to address the City Council on an item on this agenda, other than a scheduled public hearing item you may do so at this time or asked to be heard when that agenda item is considered. Comments on public hearing items will be considered when that item is scheduled for discussion. The Public Comment period is limited to 30 minutes. Each speaker shall be limited to three (3) minutes.)

- a. Members of the Audience

4. CONSENT CALENDAR

(All items on the Consent Calendar are considered to be routine and will be enacted by one motion unless a member of the City Council requests separate discussion.)

- a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:

- (1) **RESOLUTION NO. 10-10, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CERTAIN DEMANDS FOR THE MONTHS OF FEBRUARY AND MARCH, 2010.**

- b. Approval of minutes for regular meeting of February 23, 2010 and special meeting of February 23, 2010.
- c. Reject claim for damages from Marcella Sanchez.

END OF CONSENT CALENDAR

5. PUBLIC HEARING

(The following items have been advertised and/or posted. The meeting will be opened to receive public testimony.)

- a. Municipal Code Text Amendment 10-01 - A request to amend Chapter 18.14 of the City's Municipal Zoning Code, regarding Water Efficient Landscaping, to bring the City in compliance with SB 1881.

ORDINANCE NO. 1196, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING MUNICIPAL CODE TEXT AMENDMENT 10-01, TO AMEND CHAPTER 18.14 OF THE CITY'S MUNICIPAL ZONING CODE. FIRST READING AND INTRODUCTION

6. SAN DIMAS REDEVELOPMENT AGENCY

- a. Oral Communications (This is the time set aside for members of the audience to address the Board. Speakers are limited to three minutes.)
- b. Approval of minutes for meeting of February 23, 2010.
- c. Executive Director
- d. Members of the Agency

7. ORAL COMMUNICATIONS

- a. Members of the Audience (Speakers are limited to five (5) minutes or as may be determined by the Chair.)
- b. City Manager
- c. City Attorney
- d. Members of the City Council
 - 1) Councilmembers' report on meetings attended at the expense of the local agency.
 - 2) Appointments to Equestrian Commission
 - 3) Individual Members' comments and updates.

8. ADJOURNMENT

The next meeting is Tuesday, March 23, 2010, 7:00 p.m.

AGENDA STAFF REPORTS: COPIES OF STAFF REPORTS AND/OR OTHER WRITTEN DOCUMENTATION PERTAINING TO THE ITEMS ON THE AGENDA ARE ON FILE IN THE OFFICE OF THE CITY CLERK AND ARE AVAILABLE FOR PUBLIC INSPECTION DURING THE HOURS OF 8:00 A.M. TO 5:00 P.M. MONDAY THROUGH FRIDAY. INFORMATION MAY BE OBTAINED BY CALLING (909) 394-6216. CITY COUNCIL MINUTES AND AGENDAS ARE ALSO AVAILABLE ON THE CITY'S HOME PAGE ON THE INTERNET: <http://cityofsandimas.com>

SUPPLEMENTAL REPORTS: AGENDA RELATED WRITINGS OR DOCUMENTS PROVIDED TO A MAJORITY OF THE SUBJECT BODY AFTER DISTRIBUTION OF THE AGENDA PACKET SHALL BE MADE AVAILABLE FOR PUBLIC INSPECTION AT THE CITY CLERK'S OFFICE AT 186 VILLAGE COURT DURING NORMAL BUSINESS HOURS. [PRIVILEGED AND CONFIDENTIAL DOCUMENTS EXEMPTED]

HEARING ASSISTANCE: THE CITY OF SAN DIMAS CITY COUNCIL CHAMBERS ARE EQUIPPED WITH A HEARING ASSISTANCE SYSTEM. PLEASE CONTACT THE CITY CLERK AT 909/394-6216 TO CHECK OUT A RECEIVER.

POSTING STATEMENT: ON MARCH 4, 2010, A TRUE AND CORRECT COPY OF THIS AGENDA WAS POSTED ON THE BULLETIN BOARDS AT 201 EAST BONITA AVENUE (SAN DIMAS SENIOR CITIZENS/COMMUNITY CENTER BY NORTHERN SLIDING DOORS), 186 VILLAGE COURT (TEMPORARY CITY HALL), 145 NORTH WALNUT AVENUE (LOS ANGELES COUNTY PUBLIC LIBRARY, SAN DIMAS BRANCH), AND 300 EAST BONITA AVENUE (UNITED STATES POST OFFICE) AND AS A CONVENIENCE, AT THE VONS SHOPPING CENTER (PUENTE/VIA VERDE) AND THE CITY'S WEBSITE AT www.cityofsandimas.com.

RESOLUTION NO. 10-10

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SAN DIMAS, CALIFORNIA, APPROVING
CERTAIN DEMANDS FOR THE MONTHS OF
FEBRUARY AND MARCH 2010

WHEREAS, the following listed demands have been audited by the Director of Finance;
and

WHEREAS, the Director of Finance has certified as to the availability of funds for
payment thereto; and

WHEREAS, the register of audited demands have been submitted to the City Council for
approval.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Dimas
does hereby approve Prepaid Warrant Register: 02/28/10; 20972 through 21038; in the amount
of \$1,332,857.02; Warrant Register: 03/15/2010; 130165 through 130316; in the amount of
\$355,398.01.

PASSED, APPROVED AND ADOPTED THIS 9th DAY OF MARCH, 2010.

Curtis W. Morris, Mayor of the City of San Dimas

ATTEST:

Ina Rios, CMC, City Clerk

I HEREBY CERTIFY that the foregoing Resolution was adopted by vote of the City
Council of the City of San Dimas at its regular meeting of March 9, 2010, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Ina Rios, CMC, City Clerk

HA (2)



***THE WARRANT DISBURSEMENT
JOURNAL IS NOT AVAILABLE TO
VIEW THROUGH LASERFICHE***

***A PAPER COPY IS AVAILABLE IN THE
FINANCE DEPARTMENT***

SORRY FOR ANY INCONVENIENCES.

DOCUMENT IMAGING DEPT.



MINUTES
REGULAR CITY COUNCIL
TUESDAY, FEBRUARY 23, 2010, 7:00 P. M.
COUNCIL CHAMBERS, 245 E. BONITA AVE.

PRESENT:

Mayor Curtis W. Morris
Mayor Pro Tem Denis Bertone
Councilmember Emmett Badar
Councilmember John Ebner
Councilmember Jeff Templeman
City Manager Blaine Michaelis
City Attorney J. Kenneth Brown
City Clerk Ina Rios
Assistant City Manager of
Community Development Larry Stevens
Assistant City Manager Ken Duran
Director of Development Services Dan Coleman
Director of Public Works Krishna Patel
Director of Parks and Recreation Theresa Bruns
Senior Engineer Shari Garwick
Superintendent of Building and Safety Eric Beilstein
Recreation Services Manager Leon Raya

Connor Cravens
Jena Avila
Chandler Fuller
Alyssa Leffridge
McKenna Whipp
Matt Hubbard
Burke Boydell
Siera Elias

Methias Talamantes
Max Paronell
Miranda Hernandez
Genoveva Ortiz
Justin Liwag
Matt Villanueva
Brian Caballero

Stephen Gaffney, AIA, Nestor+Gaffney Architects
Gary Chubb, Vice President, Griffin Structures Inc.

1. CALL TO ORDER

Student Mayor Connor Cravens called the meeting to order at 7:05 p.m. and led the flag salute. Students introduced themselves as Student in Government Day representatives.

2. RECOGNITIONS

- Proclaim March 3, 2010 Arbor Day to support efforts to protect our trees and woodlands.

Mayor Morris and Student Mayor Connor Cravens presented to Genoveva Ortiz, student Parks and Recreation Director, a proclamation declaring March 3, 2010 as Arbor Day, urging all citizens to support efforts to protect our trees and woodlands, plant trees, and promote the well-being for future generations.

Student Director Genoveva Ortiz said volunteers are needed on March 3, 2010, from 8:00 a.m. to 3:00 p.m. at Marchant Park to celebrate Arbor Day teaching Ekstrand School Third Grade Class about trees and nature. She invited the community to bring shovels and gloves and join in the "Tree Partnership" Planting projects at Gladstone School on March 12th from 9:00 a.m. to 2:00 p.m. and at Lone Hill Park on March 20, 2010, from 8:00 a.m. to 4:00 p.m. She said lunch, t-shirts and visors will be given to all volunteers at the Lone Hill planting and Wescorp will provide refreshments. For additional information or to sign up to volunteer, contact Municipal Arborist Deborah Day at (909) 394-6273.

Ms. Ortiz announced that the City has been awarded a tree planting project funded by Cal-fire, and administered by United Voices for Healthy Communities. She said in recognition of the City's 50th Anniversary, Cal-fire is providing the City with over 400 15-gallon trees, which will be planted where there is a great need for shaded trees. She added that San Dimas High School, Lone Hill Middle School, Ekstrand Elementary and Allen Avenue School are all participating in this project and volunteers are

HLB

needed to assist with the large scale planting project. The dates have not yet been determined for each school, but the information will be posted on the City's website at www.cityofsandimas.com or interested parties can contact Deborah Day at (909) 394-6273 to join San Dimas Branch Hands to volunteer for these worthwhile tree planting projects.

Mayor Morris said the City will be celebrating their 50th Anniversary all year, including the Birthday Barbecue in August.

3. ANNOUNCEMENTS

a. 50th Anniversary Flashbacks

Susan Davis, San Dimas Historical Society provided brief flashbacks: In late January, 1968, the community was invited to attend the grand opening ceremony of the new Circle K at 116 Walnut Street; also in 1968, the Canyon Theatre had a double feature - Sidney Poitier in *To Sir With Love* and *Who's Minding the Mint*, admission was \$1 for adults and 50 cents for children. She said there were groundbreaking ceremonies on the site of the new San Dimas High School located at Amelia between Cypress and Covina Avenues, and in February, 1969, the new school cost \$2,302,148, ready for the September 1970 occupancy for the new school year.

b. Pui-Ching Ho, Librarian, San Dimas Library

Pui-Ching Ho, Library Manager, San Dimas Library, introduced her Student Counterpart Alicia Teachout and said the Library is hosting a free two-day exhibition of artwork by San Dimas High School students on February 26-27, 2010. The Theme is "My Town: San Dimas" in celebration of the City's 50th year anniversary; opening reception will be held on February 26, 3:30 p.m.-4:30 p.m.; the exhibition will open at 10:00 a.m. until 4:00 p.m. on Saturday. The Book Party meets March 1, 10:30 a.m. and the book of the month is "Freakonomics". The Library will present a series of Young Magicians Magic Workshops with Tony Daniel on Wednesday, March 3-31, 2010, at 4:00 p.m. Space is limited to 30 students.

Alicia Teachout reported that on Saturday, March 15, from 1:00 to 3:00 p.m. a step by step vegan cooking demonstration will be held at the San Dimas Library. She said there will be a food tasting at the end of the program and a chance to win cooking tips. For more information, call the Library at (909) 599-6738 or access their website www.co.la.publib.org.

c. Maylene Luzod, Community Development Manager, American Cancer Society Relay for Life

Maylene Luzod, Community Development Manager, American Cancer Society Relay for Life said the Relay for Life is a 24-hour community event that raises funds for cancer research, offers free programs for cancer patients and awareness and advocacy efforts throughout the community. She said Relay for Life celebrates cancer survivors, remembers those lost to the disease, and fights back against the disease. She thanked the City for their continued support to their events and cause and announced that the 2010 Relay for Life event would take place on May 15-16, 2010 at Horsethief Canyon Park. She invited all cancer survivors and local businesses and families and friends to be part of the Relay for Life experience. For additional information, log on to relayforlife.org/sandimasca.

d. Announce April 21, 2010 as *Earth Day in San Dimas*

This event will be announced at the March 23, 2010 meeting.

4. ORAL COMMUNICATIONS (Members of the audience are invited to address the City Council on any item not on the agenda. Under the provisions of the Brown Act, the legislative body is prohibited from taking or engaging in discussion on any item not appearing on the posted agenda. However, your concerns may be referred to staff or set for discussion at a later date. If you desire to address the City Council on an item on this agenda, other than a scheduled public hearing item you may do so at this time or asked to be heard when that agenda item is considered. Comments on public hearing items will be considered when that item is scheduled for discussion. The Public Comment period is limited to 30 minutes. Each speaker shall be limited to three (3) minutes.)

a. Members of the Audience

1) **Tim Roe**, President, San Dimas Little League, reported that registration is up to 100 children and he proudly reported that Little League International is sponsoring the first Autistic Baseball League in the city of San Dimas with 50 children signed up. He is excited and looking forward to opening day at 10:00 a.m. on March 13, at Marchant Park. He thanked Parks and Recreation Director Bruns and her staff who work with his crew to prepare the fields for their games. He invited the City Council to join them for a barbecue after the game.

2) **Ted Powl**, President/CEO, Chamber of Commerce, invited the community to the Toast of the Town on Thursday, February 25, from 5:30 p.m. to 8:30 p.m., in the Stanley Plummer Community Building. He said in addition to enjoying the delicious cuisine of 17 local restaurants and wine provided by Fairplex, musical entertainment will be provided by Ed Wolfe and his Jazz Quartet. Tickets are \$25 at the door. Mr. Powl announced that the Civic Academy will be starting on March 20, 2010 to introduce citizens to the various agencies that offer support to the City. The cost is \$98 which includes meals, clothing and a graduation ceremony to be held on May 8, 2010, as well as a tour of the community. Mr. Powl said the Chamber is accepting nominations for Business Awards to recognize businesses in town that have made a significant contribution to the community. The event will be scheduled for June, 2010. For additional information, contact the Chamber office at (909) 592-3818.

3) **Mike Kelly**, Principal, San Dimas High School, thanked the City Council and staff for providing the opportunity to the students to participate in the Students in Government Day. He expressed appreciation for all the hard work that goes into operating the city and the City Council and staff can appreciate the fine students at San Dimas High School. He encouraged volunteers to join them on March 12 for the tree planting and reminded everyone to bring shovels and gloves.

4) **Sid Maksoudian** thanked Mr. Powl for cancelling the Cash for Gold program.

5. CONSENT CALENDAR

(All items on the Consent Calendar are considered to be routine and will be enacted by one motion unless a member of the City Council requests separate discussion.)

It was moved by Councilmember Ebner, seconded by Mayor Pro Tem Bertone, and carried unanimously by those present to accept, approve, and act upon the consent calendar, as presented, as follows:

a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:

(1) **RESOLUTION NO. 10-05**, A Resolution of the City Council of the City of San Dimas approving certain demands for the month of February, 2010.

(2) **RESOLUTION NO. 10-06**, A Resolution of the City Council of the City of San Dimas authorizing the City Engineer to proceed with the preparation of annual reports for the annual Levy of Assessments for the Boulevard Open Space Maintenance District (TR 32818).

- (3) **RESOLUTION NO. 10-07**, A Resolution of the City Council of the City of San Dimas authorizing the City Engineer to proceed with the preparation of annual reports for the annual Levy of Assessments for the Northwoods Open Space Maintenance District (TR 32841).
 - (4) Application to Statewide Park Development and Community Revitalization Program for the Walnut Creek Habitat and Open Space Area:
RESOLUTION NO. 10-08, A Resolution of the City Council of the City of San Dimas, California approving the submittal of an application for Statewide Park Program Grant Funds.
- b. Approval of minutes for the regular meeting of February 9, 2010 and special meeting of February 9, 2010.
 - c. Safe Routes to Schools Grant - Speed Feedback Signs at Holy Name of Mary School and Ed Jones Educational Center/Chaparral High School
 1. Appropriation of \$55,000 from the Infrastructure Fund
 2. Approval of Change Order to CC 2007-07 for Macadee Electrical in the amount of \$83,988 for sign improvements.

END OF CONSENT CALENDAR

6. ORDINANCES

- a. Designate public places for posting of official notices and identify temporary relocation of the City Council Chambers.
 - 1) **ORDINANCE NO. 1195**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS PROVIDING FOR THE TEMPORARY RELOCATION OF THE CITY COUNCIL CHAMBERS, IDENTIFYING THE LOCATION FOR THE POSTING OF OFFICIAL NOTICES, AMENDING THE SAN DIMAS MUNICIPAL CODE AND PROVIDING FOR ITS ADOPTION AS AN URGENCY ORDINANCE. **URGENCY ORDINANCE**

City Manager Michaelis reported that once the contracts for the renovation of the City Hall are approved, construction on the City Hall will commence in March, 2010. During construction, city staff and city activities will be temporarily relocated to another location and meetings will be conducted in the multi-purpose room at the Senior Citizen/ Community Center. Because the first meeting of the City Council will be held after the new construction has commenced, it is necessary that this ordinance be adopted as an urgency ordinance and the same shall take effect immediately upon its adoption.

Ordinance No. 1195 provides for the temporary relocation of the City Council Chambers, identifies the locations for the posting of official notices, amends the San Dimas Municipal Code and provides for its adoption as an urgency ordinance. He said upon the reopening of the newly remodeled city hall, provisions of this ordinance will revert to the original provisions in Section 2.04.010 of the San Dimas Municipal Code.

After the title was read, it was moved by Mayor Pro Tem Bertone, seconded by Councilmember Badar, to waive further reading and adopt **URGENCY ORDINANCE NO. 1195**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS PROVIDING FOR THE TEMPORARY RELOCATION OF THE CITY COUNCIL CHAMBERS, IDENTIFYING THE LOCATION FOR THE POSTING OF OFFICIAL NOTICES, AMENDING THE SAN DIMAS MUNICIPAL CODE AND PROVIDING FOR ITS ADOPTION AS AN URGENCY ORDINANCE. The motion carried unanimously.

7. OTHER MATTERS

- a. Award of multiple Prime Contractors for the renovation and expansion of the City Hall, Civic Center Plaza and Stanley Plummer Community Building in the stated work categories.

Category	Trade	Company	Base Bid	Alternates
#1	Demolition & Abatement	American Demolition	\$397,000	\$ 62,000
#2	Earthwork	L.D. Anderson	\$ 99,492	\$ 8,000
#3	Site / Offsite Utilities	Boudreau Pipeline Corp	\$137,783	
#4	Asphalt Paving	All American Asphalt	\$ 33,740	\$105,135
#5	Site / Offsite Concrete	K.A.R. Construction	\$137,700	\$ 14,250
#6	Unit Pavers	Diversified Landscape	\$ 82,500	
#7	Fountain	Outside the Lines	\$142,317	
#8	Landscaping & Irrigation	Diversified Landscape	\$128,500	
#9	Reinforcing	Rebar Engineering	\$208,325	\$ 950
#10	Building Concrete	Dominguez Construction	\$737,981	
#11	Masonry Veneer	American Tile & Brick	\$139,999	
#12	Structural & Misc. Steel	Triad Steel	\$256,163	\$ 3,480
#13	Metal Decking	Anning-Johnson Company	\$ 65,650	
#14	Architectural Woodwork	Lozano Caseworks Inc.	\$186,880	
#15	Waterproofing	Best Contracting Services	\$ 24,138	
#16	Building Insulation	Alcal Arcade	\$ 29,250	
#17	Roofing	Best Contracting Services	\$139,793	\$ 1,200
#18	Flashing & Sheet Metal	Best Contracting Services	\$ 39,800	\$ 600
#19	Door, Frames & Hardware	G&G Door Products	\$253,000	
#20	Sliding Aluminum Framed Glass Doors	Henry's Glass Co. Div. of Glazcon Industries	\$ 47,200	
#21	Rolling Counter Doors	McKendry Door Sales	\$ 10,000	
#22	Not used			
#23	Glass & Glazing	Queen City Glass	\$174,012	\$ 20,000
#24	Framing, Drywall, Lath & Plaster	Orange County Plastering	\$537,000	
#25	Ceramic Tile / Stone	Premier Tile and Marble	\$123,346	
#26	Acoustical Ceilings	Chaney Company, Inc.	\$108,000	
#27	Resilient & Carpet Flooring	Continental Flooring, Inc.	\$74,403	
#28	Painting & Wall	Borbon, Inc.	\$112,800	\$ 1,500

	Covering			
#29	Operable Partitions	Hufcor Airwall	\$ 45,324	
#30	Toilet Partitions & Accessories	Global Steel Products Corp	\$ 33,419	
#31	Projector Screens	Martin Integrated Systems	\$ 17,915	
#32	Kitchen Equipment	Reject and re-bid	Reject and re-bid	
#33	Blinds	Phillip's Draperies Inc.	\$ 6,950	
#34	Fire Sprinkler System	Daart Engineering Co. Inc.	\$241,710	
#35	Plumbing	Fairchild Plumbing	\$372,300	\$ 1,000
#36	HVAC & Controls	Air Flow Mechanical	\$990,000	\$ 85,200
#37	Electrical	Brewster Electric	\$850,250	\$ 2,500

City Manager Michaelis stated that staff has been working for some time with the architect regarding the design for the renovation project. He explained that instead of the traditional method of bidding, each bid would be directly awarded to each contractor for each trade.

Director of Development Services Coleman reported that the City designated Griffin Structures, Inc. the Program Manager and Swinerton Builders the Construction Manager as its agents for contracting with the various contractors for the collective work for the renovation of the city hall, civic center plaza and Stanley Plummer community building, pursuant to bid documents pre-approved by the City. He said contractors were pre-qualified and bids were received from 161 prime contractors from 36 trade categories. Staff recommends a separate vote on the alternate bids and that the City Council accept the recommendations of Griffin Structures, Inc. and Swinerton Builders, City Attorney and staff to:

- a) Award contracts to the 35 qualified and responsive low bidders by trade as listed in Exhibit A. Listed on the exhibit are the project alternate bids, which will be voted on separately.
- b) Staff recommends rejecting certain bids as either non-responsive or withdrawn in the designated categories and award contracts to the next lowest qualified and responsive bidder.
- c) Reject bids received in the Work Category of Kitchen Equipment; one of the bids was non-responsive and the other higher than anticipated. Direct staff to solicit 3 or more proposals to determine the most cost effective approach to complete this work and purchase of the desired equipment.
- d) Staff further recommends that the City Council confirm a financing plan for this project that includes: Borrowing \$7.5 million - 15 year term - selecting an option for the most favorable provisions to pay off the loan after 10 years. The rest of the project to be financed from a contribution of up to \$5.5 million from General Fund reserves for the balance of the construction costs, and that the final provisions for the financing will be brought to the City Council for formal acceptance at their March 23, 2010 meeting.

In response to the City Council, Manager Michaelis replied that the Guaranteed Maximum Price (GMP) is \$13 million and although the bids came in favorably, Griffin Structures has proposed waiting to get into the initial demolition phase of the project before the GMP is adjusted. He stated that if it is the direction of the City Council to adjust the GMP this evening, the adjustment would be \$12.5 million, however, Mr. Michaelis suggested waiting until June, 2010 for a possibly more favorable adjustment.

Councilmember Templeman said he has been involved in designing substantial buildings and it does not make sense to reduce cost control at this early stage of the project. He thought it would be best to wait until any unforeseen conditions can be identified.

In response to Council, **Gary Chubb**, Griffin Structures, Inc. explained that the Guaranteed Maximum Price excludes acts of God, structural cracks, and any unforeseen subsurface conditions found.

In response to Councilmember Ebner, Mr. Chubb said multiple contracts will be executed upon approval of the project by the City Council. and if a contractor fails to execute a contract, the 2nd qualified bidder will be selected and those premiums will be absorbed by the GMP. He said once the contracts are issued and bonds executed, he will conduct an assessment of risk, and would be willing to bring to the City Council a reduction in the GMP.

In response to Councilmember Badar, Mr. Michaelis replied that recommended alternates, with the exception of the skylights, are included in the project costs.

In response to Councilmember Ebner, Mayor Morris replied that the alternate bids will be voted on separately by the City Council.

- a) Award contracts to the 35 qualified and responsive low bidders by trade as listed in Exhibit A, as recommended by staff.

It was moved by Councilmember Templeman, seconded by Councilmember Badar, to approve the multiple base bids pursuant to staff's recommendation.

Mayor Pro Tem Bertone praised the Architect's design; however, he will vote against this project. Although he agreed the city hall needed expansion and upgrades, he felt the project could be completed for less than \$6 million and cannot justify the \$17.5 million expenditure for the project and relocation costs.

Councilmember Templeman stated that 33% of the cost will be allocated to bringing the buildings and courtyard up to code and the project provides much needed office space to enable employees to better serve the community. He added that this is the perfect opportunity to move forward with the project when bids are favorable. He firmly supports the project.

Councilmember Ebner stated he approves of the financing plan for a final product they can all be proud of to help staff and the public have a better experience in city hall.

Councilmember Badar said the city hall is the crown jewel of the center of town and is used considerably more than any other building. He agreed that bids are now most favorable and financing is cost effective. He said the upgrades will result in an additional 50 years of use and he wants to see the project move forward.

The motion carried by the following vote:

AYES:	Councilmembers Badar, Ebner, Templeman, Morris
NOES:	Mayor Pro Tem Bertone
ABSENT:	None
ABSTAIN:	None

Mayor Morris stated that the following alternate bids will be considered separately.

- 1) Striping of First Street to increase parking in the amount of \$2,811 to change from parallel to perpendicular parking.

It was moved by Councilmember Templeman, seconded by Councilmember Badar, to approve Alternate Bid 1. The motion carried unanimously.

- 2) West Parking Lot rehabilitation in the amount of \$150,409.

In response to Councilmember Ebner, Public Works Director Patel replied that a typical design for a parking lot is expected to last 30 years. He said the east parking lot was never reconstructed and it is at least 50 years old. The west parking lot was constructed as part of the Senior Citizen/Community Center remodel in the 1980's; it was not a full in-depth construction. The life expectancy for the proposed reconstruction is approximately 50 years.

In response to Mayor Morris, Mr. Chubb replied that of the \$150,409 budget, it will cost approximately \$10,000 to repair the concrete entrances for the Senior Citizen/Community Center.

In response to Councilmember Ebner, Mr. Chubb replied that those improvements can be done without rebuilding the entire parking lot. He added that as part of this rehabilitation project, the ADA access will be repaired to make it safe for the public.

Councilmember Templeman said it makes sense to complete the entire project at once and not cause additional disruption to the community.

It was moved by Councilmember Badar, seconded by Councilmember Templeman, to approve Alternate Bid for West Parking Lot rehabilitation. The motion carried 3.2; Councilmembers Bertone and Ebner were opposed.

- 3) East Parking Lot Rehabilitation in the amount of \$58,271.

It was moved by Councilmember Badar, seconded by Councilmember Templeman, to approve East Parking Lot rehabilitation. The motion carried 3.2; Councilmembers Bertone and Ebner were opposed.

- 4) Skylights - 12 in city hall in the amount of \$275,000.

No action was taken pursuant to Staff recommendations that Skylights be excluded.

- 5) New Trash Enclosure at Community Center in the amount of \$18,207.

It was moved by Councilmember Templeman, seconded by Mayor Pro Tem Bertone, to approve the Trash Enclosure at the Community Center. The motion carried unanimously.

- 6) Automatic Sliding Doors – 2 for City Hall in the amount of \$23,415.

It was moved by Mayor Pro Tem Bertone, seconded by Councilmember Templeman, to approve the Automatic Sliding Doors. The motion carried unanimously.

- 7) Replace HVAC unit at the Stanley Plummer Community Center in the amount of \$107,495.

In response to Mayor Morris, Mr. Michaelis stated that the 40 year old fan portion of the heating and air conditioning system still runs today, and in an effort to make the project costs as economic as possible, staff was looking at replacing only necessities.

In response to Mayor Pro Tem Bertone, Director Coleman replied that the base bids include an additional HVAC for the new addition.

In response to Councilmember Templeman, Mr. Stephen Gaffney explained that the Community Building currently has a single fan working off the central plan in the city hall that serves the main unit and other functions. He said they are not increasing the size of the building and it is not practical to install a new system which would have required a larger fan to carry the whole new building. The decision was made to install two systems - keeping the old system and adding a split system that works for the expansion. He stated that this item was placed as an alternate because even though the unit still works it is 40 years old and it can fail at any time.

In response to Councilmember Badar, Mr. Gaffney clarified that the base bid includes the new additional system to the Community Building as well as renovation and new system to city hall. He stated that the add was to replace a single fan now serving the existing room.

It was moved by Councilmember Templeman, seconded by Councilmember Badar, to replace the HVAC unit at the Stanley Plummer Community Center in the amount of \$107,495. The motion carried unanimously.

In response to City Manager Michaelis, City Attorney Brown stated that staff addressed the rejection of bids and he would request the City Council to take action on staff's recommendation for item (b) and item (c) as follows:

- b) Staff recommends rejecting certain bids as either non-responsive or withdrawn in the designated categories and award contracts to the next lowest qualified and responsive bidder.
- c) Reject bids received in the Work Category of Kitchen Equipment; and direct staff to solicit 3 or more proposals to determine the most cost effective approach to complete this work and purchase of the desired equipment.

It was moved by Councilmember Ebner, seconded by Mayor Pro Tem Bertone, to approve staff's recommendations to reject certain bids as non-responsive or withdrawn in the designated categories, and award contracts to the next lowest qualified and responsive bidder; to reject bids received in the Work Category of Kitchen Equipment, and to direct staff to solicit three (3) or more proposals to determine the most cost effective approach to complete this work and purchase of the desired equipment. The motion carried unanimously.

- d) Staff further recommends that the City Council confirm a financing plan for this project that includes: Borrowing \$7.5 million - 15 year term - selecting an option for the most favorable provisions to pay off the loan after 10 years. The rest of the project to be financed from a contribution of up to \$5.5 million from General Fund reserves for the balance of the construction costs, and that the final provisions for the financing will be brought to the City Council for formal acceptance at their March 23, 2010 meeting.

Mayor Morris stated that staff is requesting approval in concept for the borrowing of \$7.5 million for a 15 year term, financing from the general fund the remainder of costs, and staff will bring back exact terms of financing at the March 23, 2010 meeting.

City Manager Michaelis stated that staff will bring back favorable provisions to be able to pay off the balance within ten years. He requested a motion to confirm the financing plan that includes borrowing \$7.5 million on a 15 year term with the option to pay in full within ten years.

In response to Councilmember Ebner, City Attorney Brown clarified that in order to award the contracts this evening, it is required that the city have sufficient monies in its general fund reserves to pay for the work the City Council has approved. Mr. Michaelis stated that even though the city has sufficient reserves to pay for the entire project, it is his recommendation that the City Council approve the financing plan he just discussed; namely borrowing \$7.5 million on the most favorable repayment terms and financing the rest of the project from the city's general fund reserves.

It was moved by Councilmember Badar, seconded by Councilmember Templeman, to confirm the financing plan that includes up to \$5.5 million coming from the general fund and borrowing on a \$7.5 million on a 15 year term with the option to pay in full within ten years on the most favorable terms staff is able to find.

Mayor Pro Tem Bertone stated he will vote in favor of this financing plan because he feels this is the least expensive way to borrow funds and by using this method, the City saves approximately \$2 million.

The motion carried 5.0.

City Manager apologized that the Guaranteed Maximum Price was misunderstood and he clarified that staff meant to say that if bids approved this evening resulted in more than \$13 million, staff will be working with a \$13 million project on what was designed according to the plans and specifications.

- b. Award of contract for geotechnical, and materials inspection and testing, for the renovation and expansion of the City Hall, Civic Center Plaza and Stanley Plummer Community Building to Leighton Consulting, Inc. in the amount of \$85,000 (includes 15% contingency) to be funded using uncommitted funds in the Infrastructure Fund 12.

Director of Development Services Coleman reported that bids were solicited from five consulting firms for the geotechnical and materials testing. He said since the scope of work includes inspection and testing concrete and reinforcing materials, it is crucial to the project schedule to award the contract prior to construction start on March 10, 2010. Staff recommends the City Council take the following action:

- a) Award the contract to the apparent low bidder, Leighton Consulting, Inc., and to amend the budget in an amount not to exceed \$85,000 which includes a 15% contingency.
- b) Approve appropriation of uncommitted funds in Infrastructure Fund 12 in the amount of \$125,000.

It was moved by Councilmember Templeman, seconded by Councilmember Ebner, and carried unanimously to approve staff's recommendations as outlined in the staff report.

- c. Renew contract with University of La Verne for the management of the City's Government/Education access channel.

Assistant City Manager Duran reported that in 2006 the California State Legislature adopted the Digital Infrastructure and Video Competition Act (DIVCA) that allowed a cable provider to obtain a state franchise agreement in lieu of an individual local franchise and eliminated cable provider obligations previously required, including support for public access. He said Time Warner was granted a state franchise effective January 1, 2009. After considering various options, the City contracted with the University of La Verne (ULV) to continue with an Education and Government Channel (EG). The contract expires at end of February 2010. Staff recommended that the City Council authorize the execution of an Agreement with the University of La Verne for the continued management of the City's Government/Education access channel for the term of one year in the amount of \$66,526.07. He said Don Pollock is in the audience if anyone has questions.

In response to Councilmember Templeman, Mr. Duran replied that a portion of this cost can be attributed to trip reduction and AB 2766 funds can be used. Staff will look at ways to figure out appropriate attributable costs.

In response to Council, Mr. Duran stated that staff will continue to troubleshoot the transmission problems. He indicated that there is a new contact person at Time Warner and he hopes discussions will lead to continued cooperation with him. Mr. Duran believes the problem is somewhere between the City Hall and Time Warner in Glendora.

It was moved by Mayor Pro Tem Bertone, seconded by Councilmember Ebner, to authorize the execution of an Agreement with the University of La Verne for the continued management of the City's Government/Education access channel for the term of one year in the amount of \$66,526.07. The motion carried unanimously.

It was moved by Councilmember Templeman to set aside funds for technology assessment. The motion was seconded by Mayor Pro Tem Bertone and carried unanimously.

Mr. Duran stated that funds are available from the 1% PEG fees money to conduct a technology assessment.

Councilmember Ebner suggested moving toward streaming on the Internet.

- d. Resolution in support of the Local Taxpayer, Public Safety, and Transportation Protection Act of 2010.

- 1) **RESOLUTION NO. 10-09, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS IN SUPPORT OF THE LOCAL TAXPAYER, PUBLIC SAFETY, AND TRANSPORTATION PROTECTION ACT OF 2010.**

City Manager Michaelis reported that Proposition 1A was approved by the voters to protect local government revenue from being taken by the state to address their budget issues. However, the state legislature recently adopted a budget that takes and borrows from local government and threatens to borrow or take billions in transportation funds every year. He said in October 2009 a coalition of agencies, including the League of California Cities, filed a ballot measure initiative entitled 'The Local Taxpayer, Public Safety, and Transportation Protection Act of 2010' to prohibit the State from taking, borrowing or redirecting local taxpayer funds dedicated to public safety, emergency response, and other vital local government services. He said the initiative is in the process of collecting signatures required to qualify for the November 2010 ballot. Staff recommended that the City Council adopt Resolution No. 10-09 in support of the Local Taxpayer, Public Safety, and Transportation Protection Act.

After the title was read, it was moved by Councilmember Badar, seconded by Councilmember Ebner, to waive further reading and adopt **RESOLUTION NO. 10-09, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS IN SUPPORT OF THE LOCAL TAXPAYER, PUBLIC SAFETY, AND TRANSPORTATION PROTECTION ACT OF 2010.** The motion carried unanimously.

RECESS

Mayor Morris recessed the meeting at 9:01 p.m. The regular meeting reconvened at 9:12 p.m.

8. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular meeting at 9:12 p.m. and convened a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting was reconvened at 9:13 p.m.

9. **ORAL COMMUNICATIONS** (Speakers are limited to five (5) minutes or as may be determined by the Chair.)

a. Members of the Audience

1) **Sid Maksoudian** mentioned that when he reported that Saffron was given a Temporary Use Permit to put up a banner for 30 days and the period has expired, he was directed to Mr. Duran. He added that Saffron changed ownership in December.

b. City Manager

- 1) Select a date for the Spring City Council - Staff Retreat - possible dates Monday April 5 or 19th; Saturday April 17th; Friday April 16th.

It was the consensus of the City Council to meet for the Spring City Council-Staff Retreat on Monday, April 19, 2010, 5:00 p.m. - 9:00 p.m.

2) Mr. Michaelis reported that during the renovation of city hall, City Council meetings will be temporarily held in the Multi-Purpose Room at the Senior Citizen/Community Center and to accommodate the move to the Temporary City Hall at 186 Village Court, the City Hall building will be closed all day Friday, March 5, 2010 and reopen at 1:00 p.m. on Monday, March 8, 2010 to allow employees to set up their work stations at the relocated site. He added that all city hall telephone numbers remain the same.

3) Mr. Michaelis offered the opportunity to tune in to Channel 3 for *Ask the Mayor* on Thursday, February 25, at 7:00 p.m. He said the telephone number is listed at the bottom of the screen on Channel 3. Live questions are taken as well.

c. City Attorney

There were no comments.

d. Members of the City Council

- 1) Councilmembers' report on meetings attended at the expense of the local agency.

Councilmember Templeman said he and Councilmember Badar attended the Three Valleys Municipal Water District Leadership Breakfast on Thursday, February 18, 2010. He commended the keynote speaker Dr. Linnea McCord, Associate Professor of Business Law at the Graziadio School of Business and Management of Pepperdine University whose topic focused on the future being up to the people. He said she believes the Courts will take the leadership role in the financial future of the nation.

Councilmember Badar said the discussion focused on the course of the nation from a very experienced worldly Lady.

- 2) Appointments to Public Safety Commission

a) City Manager Michaelis reported that there are eight Public Safety Commissioners eligible for reappointment and two members declined.

It was moved by Councilmember Badar, seconded by Councilmember Templeman to appoint Arthur Alva, Tomas Molina, Paul Kirby, Ted Ross and CAB Karol Curtis and CAB Alan Nash to a two-year term expiring February, 2012. The motion carried unanimously.

The City Clerk was directed to advertise for the two vacancies.

b) Councilmember Templeman reported one vacancy on the Equestrian Commission and said a recommendation for appointment will be conducted at the next City Council meeting.

3) Individual Members' comments and updates.

a) Councilmember Templeman announced that the Sheriff's Booster Club recognition dinner will be held on June 4, 2010 at Via Verde and mentioned that Councilmember Badar is the new Emcee.

Councilmember Badar said the Guest Speaker will be Sheriff Lee Baca and the Public Safety Commissioners will be present. He looks forward to the activities and encouraged everyone to attend. He mentioned that the last two Citizens of the Year came out of the Sheriff's Boosters.

Councilmember Templeman said the San Dimas Station has the largest Reserve Deputy unit of any other Station in the County and encouraged support of the Sheriff's Boosters to recognize all volunteers. He acknowledged Charles McCants who volunteers in Disaster Communications.

b) At the request of Councilmember Badar, Mr. Duran outlined the activities for Students on Wednesday morning starting with breakfast, a brief overview of city government, tour of city hall with their counterparts, bus tour of the city projects, and conclude with lunch at Ladera Serra Park in Via Verde.

c) Mayor Pro Tem Bertone said the Toast of the Town previously announced by Chamber President Powl is the last event to be held in the Community Building before the renovation. He said it is a great event for only \$25 featuring 17 restaurants and wine provided by the Fairplex.

10. ADJOURNMENT

Mayor Morris adjourned the meeting at 9:39 p.m. in honor and memory of Pastor Shelter T. White, Emmanuel Missionary Baptist Church and Richard Massow, former Chairman of the Board, Chamber of Commerce, and who also served on the City's Development Plan Review Board. The next meeting is 7:00 p.m., March 9, 2010, Multi-Purpose Room at the Senior Citizen/Community Center, 201 East Bonita Avenue.

Respectfully submitted,

Ina Rios, CMC, City Clerk



MINUTES
SPECIAL CITY COUNCIL MEETING
TUESDAY, FEBRUARY 23, 2010, 5:30 P. M.
CITY COUNCIL CONFERENCE ROOM
245 E. BONITA AVE.

PRESENT:

Mayor Curtis W. Morris (arrived at 5:35 p.m.)
Mayor Pro Tem Denis Bertone
Councilmember Emmett Badar
Councilmember John Ebiner
Councilmember Jeff Templeman
City Manager Blaine Michaelis
City Attorney J. Kenneth Brown
City Clerk Ina Rios
Assistant City Manager of Community Development Larry Stevens
Assistant City Manager Ken Duran
Director of Development Services Dan Coleman
Director of Public Works Krishna Patel
Director of Parks and Recreation Theresa Bruns

John Sorcinelli, Design Source Studios
Stephen Gaffney, AIA, Nestor+Gaffney Architects
Gary Chubb, Vice President, Griffin Structures Inc.

1. CALL TO ORDER

Mayor Pro Tem Bertone called the meeting to order at 5:34 p.m.

2. ORAL COMMUNICATIONS

(For anyone wishing to address the City Council on an item on this agenda. Under the provisions of the Brown Act, the legislative body is prohibited from taking or engaging in discussion on any item not appearing on the posted agenda.)

- a. Members of the Audience

None spoke.

3. STUDY SESSION

- a. Request from Tom Nuss of the HEROES organization - request to support their call for volunteers and donors for their permanent memorial project.

Mr. Tom Nuss said the HEROES Organization has embarked on a task not only to have banners honoring individuals currently serving in the military, but to erect a permanent memorial honoring all Veterans in the community. He said while there has been a dedicated cadre of volunteers to support this effort, there is a need to enlarge the base of volunteers and he asked the City Council to sign the letter asking people in the community to support this endeavor. He anticipates that letters will be sent to individuals who have indicated their support in the past. He would be happy to answer any questions that Council may have.

The Mayor and City Councilmembers expressed their willingness to sign the letter and Mr. Nuss distributed the appropriate letters for their signatures.

Mr. Nuss thanked the City Council and said the information has gone out to the Architect and hopefully within the next three weeks the HEROES organization will be able to present to the City Council renderings of the permanent memorial.

In response to Councilmember Badar, Mr. Nuss said materials have been purchased and the sign has been made.

- b. Review of bid results regarding the City Hall, Plaza, and Community Building renovation and expansion project. Formal action regarding the award of bid to take place during the regular council meeting at 7 pm.

City Manager Michaelis stated that formal bids will be considered at the regular City Council meeting at 7:00 p.m. He reported that the bidding process has been completed with respect to the project's pre-qualified bidders and the successful 35 sub-trades must enter into individual contracts administered by Griffin Structures and Swinerton Builders.

Mr. Michaelis reviewed the process and said although in some instances bid results were contested and bids were withdrawn, staff sorted and ended with 35 qualified and responsive low bidders. Staff explored the cost of adding and considering bid alternates, and because bids came in favorably, at the regular meeting staff will recommend proceeding with bid alternates, with the exception of Skylights. He said the Guaranteed Maximum Price is over \$13 million, however, since the bids came in favorably, including the recommended bid alternates, there is the potential of adjusting the GMP to the amount of \$12.7 million.

Mr. Michaelis said at the January 26 City Council meeting, it seemed that there was consensus to borrow \$7.5 million for 15 years, with the option to pay the loan within ten years, and finance up to \$5.5 million from the City's General Fund reserves. He asked if there is consensus on these points so he is able to secure and bring back final numbers to the City Council.

Mr. Michaelis responded to Council regarding reducing borrowed money, and financing costs, furnishings, architect fees, and the first phase of Griffin Structures that are not included in the \$12.7 million. He said \$221,000 has been budgeted for furniture and requires appropriation of funds.

In response to Councilmember Ebner, Mr. Michaelis replied that staff estimated \$307,000 to rebuild the parking lots, however, the contractors are performing other portions of work which allows them to take advantage of completing alternate tasks at a favorable rate.

In response to Mayor Pro Tem Bertone, Mr. Gaffney replied that ADA compliant curbs will be rehabilitated in front of the Senior Citizen/Community Center.

Councilmember Ebner suggested waiting on the parking lots and considering alternate bids on a separate basis.

- c. Consideration of a potential Façade Improvement program for Downtown San Dimas.

Assistant City Manager Stevens reported that due to lack of participation, the prior Downtown Façade Program (FAB) was placed on hold. The program is designed to encourage existing businesses to maintain the structural integrity and to aesthetically conform to the Town Core Guidelines. Mr. Stevens stated that current deteriorating conditions on some facades indicate the need for a new strategy. He said staff was authorized to contract for architectural services to evaluate alternatives to address concerns related to several failures of aging facades and six

possible approaches were identified. Mr. Stevens outlined the features of the program and recommended a revised façade program for the Downtown area of San Dimas; target seven identified properties for the first year of the program; and make available approximately \$250,000 for the program in FY 2009-10.

In response to Mayor Pro Tem Bertone, Mr. Stevens said owners are not required to build a new façade, however, they are required to address safety concerns. He added that every circumstance is different and it is important to not have only one program but to offer flexible options to provide the best opportunity for owners to take advantage of the program. He said the program should focus on one to three façade options.

In response to Councilmember Templeman, Mr. Stevens proposed that the City provide design assistance and negotiate how to structure the grant or loan.

In response to Council, Mr. Stevens replied that there are creative methods of exchanging funds such as purchasing an easement, structuring a deferred loan that can be forgiven over a period of time. He said owners must be encouraged to participate. He added that at the Council/Staff Retreat, the City Council directed staff to not eliminate wooden sidewalks and encouraged staff to find a way to use other materials.

Mr. Stevens said that about \$250,000 should be available in the current RDA budget to allow about four façades to be renovated and additional funds could be provided in the FY 2010-11 budget. He suggested work should first be completed on those façades that are in dire need.

In response to Mayor Pro Tem Bertone, Mr. Stevens replied that renovating the façades to a historic 1910-1920 period would depend on the materials used on and the condition of the building.

Mayor Morris invited members of the audience to comment.

1) **Jerry O'Malley**, O'Malley's Flowers, asked if the estimate included the glass door. Mr. Stevens said staff would look at each circumstance and make a design decision in consideration of budget and how it should be addressed.

Councilmember Templeman said he would like to be able to see the original quaint sign behind the façade. He would like to keep an historic theme that could be enjoyed by many people coming into town.

2) **Paula Donahuy**, Heart of the Village Antique Mall, said it is cost prohibitive to renovate the façade.

3) **Sam Acosta**, Bonita Antiques Town, said Pat Meyers owns the building and inquired why boards are not removed since the wood is deteriorating.

In response to Mayor Pro Tem Bertone, Mr. Stevens said the owners are willing to work with staff; however, this is a situation where financial resources are limited.

Councilmember Badar asked if the majority of work could be done with the businesses open. Mr. Stevens said it is unlikely the businesses would be required to close during façade renovations.

4) **Pat Meyers**, Quality Instant Printing said he is satisfied with wood.

5) **Daniel Flanders** said he owns Wagon Wheel Square and would like a theme of the West to draw people into the area.

It was moved by Mayor Pro Tem Bertone, seconded by Councilmember Ebner, to design and bring back to the City Council for consideration a new Façade program for the Downtown area.

In response to Ms. Donahuy, Mr. Stevens replied that staff will blend the western component with an historic component. Mr. Sorcinelli stated the design will be Early California or Mission Style Stucco.

The motion carried 5.0.

4. ADJOURNMENT

Mayor Morris adjourned the meeting at 6:59 p.m. The next meeting is on Tuesday, February 23, 2010, 7:00 p.m.

Respectfully submitted,

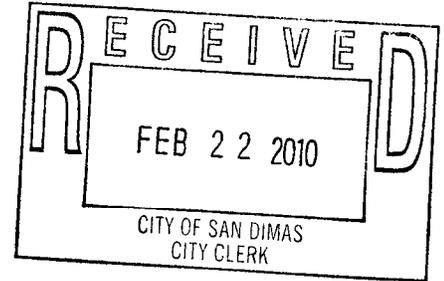
Ina Rios, CMC, City Clerk



February 10, 2010

TO: The City of San Dimas

ATTENTION: Ken Duran, Risk Management



RE: Claim : Marcella Sanchez v. San Dimas
Claimant : Marcella Sanchez
D/Event : 01/20/10
Date Filed : 01/22/10
Our File : 1518054 DBQ

We have reviewed the above captioned claim and request that you take the action indicated below:

- CLAIM REJECTION: Send a standard rejection letter to the claimant.

Please provide us with a copy of the notice sent, as requested above. If you have any questions please contact the undersigned.

Very truly yours,

CARL WARREN & COMPANY

Deborah Been

CARL WARREN & CO.

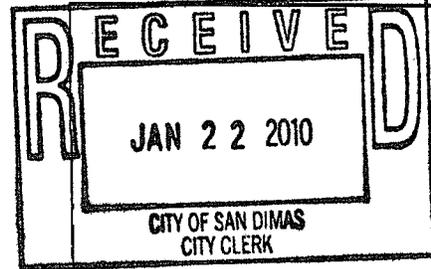
CLAIMS MANAGEMENT • CLAIMS ADJUSTERS

770 Placentia Avenue, Placentia, CA 92870-6832

Mail: P.O. Box 25180 • Santa Ana, Ca 92799-5180

Phone: (714) 572-5200 • (800) 572-6900 • Fax: (714) 961-8131

4C



CITY CLERK STAMP

CLAIM AGAINST THE CITY OF SAN DIMAS (For damages to Persons or Personal Property)

Received by SY initials

Via

- o U S Mail
o Inter-Office Mail
o Over the Counter

* FAX

A claim must be filed with the City Clerk of the City of San Dimas within six (6) months after which the incident or event occurred. Be sure your claim is against the City of San Dimas, not another public entity. Where space is insufficient, please use additional paper and identify information by paragraph number. Completed claims must be mailed or delivered to the City Clerk, the City of San Dimas, 245 E. Bonita Avenue, San Dimas CA 91773-3002.

TO THE HONORABLE MAYOR & CITY COUNCIL, THE CITY OF SAN DIMAS, CALIFORNIA.

The undersigned respectfully submits the following claim and information relative to damage to persons and/or personal property:

- 1. Name of Claimant: Marcella Sanchez
a. Address: 1941 Terrebonne Avenue
b. City: San Dimas
c. Telephone Number: (909) 905-0593
d. Cell Number: (626) 806-2296
e. Date of Birth: 11-30-72
f. Drivers' license: [redacted]
g. e-mail: mms.poon@hotmail.com

- 2. Name, telephone and post office address to which claimant desires notices to be sent if other than above:
Marcella Sanchez
1941 Terrebonne Avenue
San Dimas, CA 91773

- 3. Event or occurrence from which the claim arises:
a. Date: 1-20-10
b. Time: 12:30 a.m. (p.m.)
c. Place (exact & specific location): Park & Ride on San Dimas Ave and Bonita

d. How and under what circumstances did damage or injury occur? Specify the particular occurrence, event, act or omission you claim caused the injury or damage. (Use additional paper if necessary)
A tree fell on my car.

e. What particular action by the City, or its employees, caused the alleged damage or injury?

- 4. Give a description of the injury, property damage or loss, so far as is known at the time to this claim. If there were no injuries, state "no injuries".
There is a broken side mirror on the passenger side of the car.

5. Give the name(s) of the City employee(s) causing the damage or injury:

6. Name and address of any other person injured:

N/A

7. Name and address of the owner of any damaged property:

Marcella Sanchez
1941 Terrebonne Avenue
San Dimas, CA 91773

8. Damages claims:

- a. Amount claimed as of this date: \$ _____
- b. Estimated amount of future costs: \$ _____
- c. Total amount claimed: \$ _____
- d. Basis for computation of amounts claimed
(attach copies of all bills, invoices, estimates, etc.)

9. Names and addresses of all witnesses, hospitals, doctors, etc.

- a. Peter Correa, 1941 Terrebonne Avenue, San Dimas, CA 91773
- b. _____
- c. _____
- d. _____

10. Any additional information that might be helpful in considering this claim:

**WARNING: IT IS A CRIMINAL OFFENSE TO FILE A FALSE CLAIM!
(Penal Code §72: Insurance Code §556.1)**

I have read the matters and statements made in the above claim and I know the same to be true of my own knowledge, except as to those matters stated upon information or belief as to such matters I believe the same to be true. I certify under penalty of perjury that the foregoing is TRUE and CORRECT.

Signed this 22nd day of January, 20 10
at Los Angeles, CA

Marcella Sanchez
Claimant's signature



Agenda Item Staff Report

TO: Honorable Mayor and Members of City Council
For the Meeting of Tuesday March 9, 2010

FROM: Blaine Michaelis, City Manager

INITIATED BY: Kevin Frey, Administrative Aide

SUBJECT: MUNICIPAL CODE TEXT AMENDMENT 10-01 – Revising, in its entirety, the Water Efficient Landscape Ordinance to comply with new State requirements.

SUMMARY

Staff is recommending amending Chapter 18.14 of the Zoning Code, titled Water Efficient Landscapes, in order to bring the Municipal Code into conformity with the latest version of the updated State Model Landscape Ordinance

The Planning Commission reviewed the proposed code text amendment and voted 3-0-2 to recommend approval of the amendment, to comply with AB 1881 as required by the State, to the City Council.

BACKGROUND

At the February 6, 2010 planning commission meeting a member of the public raised a couple of concerns regarding a section of the code regarding artificial turf.

- It was asked whether this ordinance would prohibit a homeowner's association from prohibiting the use of artificial turf.

Staff commented that because the section on artificial turf was not part of the State's Model Ordinance, but added by staff, that if there was a dispute between a homeowner and an HOA over the installation of artificial turf that that the matter could be appealed to the appropriate city body.

5a

- There were also concerns over the requirements which will be required of anyone wishing to install artificial turf.

Staff feels these requirements are necessary to ensure that a quality product is installed.

For further clarification the Planning Commission Report for the proposed text amendment has been attached with the signed resolution.

RECOMMENDATION

The Planning Commission and Staff recommends the City Council adopt Municipal Code Text Amendment 10-01, in order to comply with AB 1881 as required by the State of California.

Staff also recommends that the City Council comment on the Draft Guidelines which will be brought back to the Planning Commission at a later date.

Respectfully Submitted,



Kevin Frey
Administrative Aide

Attachments: Ordinance No. 1196
Exhibit A

Attachment A: Staff report from the Planning Commission meeting on February 17, 2010

Attachment B: Planning Commission Resolution 1411

Attachment C: Draft Planning Commission Resolution recommending approval of the Water Efficient Landscape Ordinance Guidelines.

Attachment D: Draft Water Efficient Landscape Ordinance Guidelines

Attachment E: Correspondence from Ted Ross

ORDINANCE NO. 1196

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF MUNICIPAL CODE TEXT AMENDMENT 10-01, A REQUEST TO AMEND TITLE 18 CHAPTER 14 OF THE SAN DIMAS MUNICIPAL ZONING CODE

THE CITY COUNCIL OF THE CITY OF SAN DIMAS DOES ORDAIN AS FOLLOWS:

Section 1. Title 18, Chapter 14 of the San Dimas Municipal Code is hereby amended by Deleting the existing Chapter 18.14, Water-Efficient Landscapes and replacing, in its entirety, with the ordinance as shown in attached Exhibit A.

Section 2. This Ordinance shall take effect 30 days after its final passage, and within 15 days after its passage the City Clerk shall cause it to be published in the Inland Valley Daily Bulletin, a newspaper of general circulation in the City of San Dimas hereby designated for that purpose.

PASSED, APPROVED AND ADOPTED THIS 23rd DAY OF MARCH, 2010.

Curt Morris, Mayor of the City of San Dimas

ATTEST:

Ina Rios, City Clerk

I, INA RIOS, CITY CLERK of the City of San Dimas, do hereby certify that Ordinance No. 1196 was regularly introduced at the regular meeting of the City Council on March 9, 2010 and was thereafter adopted and passed at the regular meeting of the City Council held on March 23, 2010 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

EXHIBIT A

Chapter 18.14

WATER-EFFICIENT LANDSCAPES

Sections:

18.14.010	Purpose and Intent
18.14.020	Definitions
18.14.030	Applicability
18.14.040	Implementation Procedures
18.14.050	Landscape Water Use Standards
18.14.060	Existing Landscapes
18.14.070	Artificial Turf
18.14.080	Minor Deviations
18.14.090	Implementation Guidelines
18.14.100	Enforcement and Penalties

18.14.010 Purpose and Intent

The intent of the water-efficient landscape chapter is:

- A. That this Chapter be at least as effective in conserving water as the State Model ordinance set forth in to Government Code §65595;
- B. To assure beneficial, efficient, and responsible use of water resources;
- C. To retain the land's natural hydrological role and promote the infiltration of surface water into the groundwater;
- D. To acknowledge that landscape water use accounts for more than 60% of domestic water use;
- E. To recognize that landscapes enhance the aesthetic appearance of developments and communities;
- F. To encourage the appropriate design, installation, maintenance, and management of landscapes so that water demand can be decreased, runoff can be retained, and flooding can be reduced without a decline in the quality or quantity of landscapes;
- G. To reduce or eliminate water waste.

18.14.020 Definitions

“Applied Water” means the portion of water supplied by the irrigation system to the landscape.

“Artificial Turf” means a man-made material which simulates the appearance of live turf, organic turf, grass, sod, or lawn.

“Chapter” means Chapter 18.14 of the San Dimas Municipal Code.

“Ecological restoration project” means a project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.

“Estimated Applied Water Use” means the average annual total amount of water estimated to be necessary to keep plants in a healthy state, calculated as provided in the Guidelines. It is based on the reference evapotranspiration rate, the size of the landscape area, plant water use factors, and the relative irrigation efficiency of the irrigation system.

“ET adjustment factor” or “ETAF” is equal to the plant factor divided by the irrigation efficiency factor for a landscape project, as described in the Guidelines. The ETAF is calculated in the context of local reference evapotranspiration, using site-specific plant factors and irrigation efficiency factors that influence the amount of water that needs to be applied to the specific landscaped area.

“Guidelines” refers to the “Guidelines for Implementation” as adopted by the City, which describes procedures, calculations, and requirements for landscape projects subject to this Chapter.

“Hardscapes” means any durable materials or feature (pervious and non-pervious) installed in or around a landscaped area, such as pavements or walls. Swimming pools and other water features are considered part of the landscaped area and not considered hardscapes for purposes of this Chapter.

“Homeowner installed landscape” means any landscaping either installed by a private individual for a single family residence or installed by a licensed contractor hired by a homeowner. A homeowner, for purposes of this Chapter, is a person who occupies the dwelling he or she owns. This definition excludes speculative homes, which are not owner-occupied dwellings and which are subject to the requirements applicable to developer-installed residential landscape projects.

“Irrigation efficiency” means 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 minimum average irrigation efficiency for purposes of this Chapter is 0.71.

“Landscaped area” means all the planting areas, turf areas, and water features in a landscaped design plan subject to the “Maximum Applied Water Allowance” and “Estimated Applied Water Use” calculations. The landscaped 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 Documentation Package” means the documents required to be provided to the City for review and approval of landscape design projects, as described in the Guidelines.

“Landscape project” means total area of landscape in a project, as provided in the definition of “landscaped area”.

“Maximum Applied Water Allowance” or “MAWA” means the upper limit of annual applied water for the established landscaped area. It is based upon the area’s reference

evapotranspiration, the ET Adjustment Factor, and the size of the landscaped area. The “Estimated Applied Water” use shall not exceed the “Maximum Applied Water Allowance”.

“Mined-land reclamation projects” means any surface mining operation with a reclamation plan approved in accordance with the Surface Mining and Reclamation Act of 1975.

“Permit” means an authorizing document issued by the City for new construction or rehabilitated landscape.

“Rehabilitated landscape” means any re-landscaping project that is greater than 2,500 square feet, is 50% of the total landscape area, and the modifications are planned to occur within one year.

“Special landscape area” means an area of the landscape dedicated solely to edible plants such as orchards and vegetable gardens, areas irrigated with recycled water, water features using recycled water, and areas dedicated to active play such as parks, sports field, golf courses, and where turf provides a playing surface.

“Turf” means a ground cover surface of mowed grass.

“Water feature” means 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 landscaped area. Constructed wetlands used for on-site wastewater treatment, habitat protection, or storm water best management practices that are not irrigated and used solely for water treatment or storm water retention are not water features and, therefore, are not subject to the water budget calculation.

18.14.030 Applicability

- A. All landscaping projects subject to this Chapter shall obtain a landscaping permit from the Department of Development Services prior to installation of any landscaping. All planting, irrigation, and landscape related improvements required by this Chapter shall apply to the following landscape projects:
 - 1. New landscape installations or landscape rehabilitation projects by public agencies or private non-residential developers (examples of projects may include, but are not limited to commercial retail, parks, schools, industrial) with a landscaped area, including pools or other water features, but excluding hardscape equal to or greater than 2,500 square feet, and which are otherwise subject to a discretionary approval of a landscape plan, or which otherwise require a permit for a landscape or water feature;
 - 2. New landscape installations or landscape rehabilitation projects by developers for property managers of single-family and multi-family residential projects or complexes with a landscaped area, including swimming pools or other water features but, excluding hardscape equal to or greater than 2,500 square feet, and which are otherwise subject to a

discretionary approval of a landscape plan, or which otherwise require a permit for a landscape or water feature;

3. New landscape installation projects by individual homeowners on single-family or multi-family residential lots with a total project landscaped area, including swimming pools or other water features, but excluding hardscape equal to or greater than 5,000 square feet, and which are otherwise subject to a discretionary approval of a landscape plan, or which otherwise require a permit for a landscape or water feature;
4. A landscape rehabilitation project is subject to the requirements of the ordinance and these Guidelines where (i) the modified landscaped area is greater than 2,500 square feet and represents at least 50% of the total landscaped area; and (ii) the modifications are planned to occur within one year. The requirements of the Guidelines may be partially or wholly waived, at the discretion of the city or its designee, for landscape rehabilitation projects that are limited to replacement plantings with equal or lower water needs and where the irrigation system is found to be designed, operable, and programmed consistent with minimizing water waste in accordance with local water purveyor regulations.
5. Special Landscaped Areas, such as areas dedicated to edible plants, irrigated with recycled water, or dedicated to active play, shall prepare a water efficient landscape worksheet and landscape documentation package according to specifications for Special Landscaped Areas;
6. New and rehabilitated cemeteries shall be required to comply with this Chapter;
7. Irrigation of landscaped areas of any size shall be conducted in a manner conforming to the rules and requirements, and shall be subject to penalties and incentives for water conservation and water waste prevention as determined and implemented by the local water purveyor or as mutually agreed by the local water purveyor and the City of San Dimas. All landscaped areas of one acre or more shall not exceed their Maximum Applied Water Allowance (MAWA).
8. Existing landscapes that are one acre or more shall not exceed their Maximum Applied Water Allowance.

B. This Chapter does not apply to:

1. Registered local, state, or federal historical sites;
2. Ecological restoration projects that do not require a permanent irrigation system;
3. Mined-land reclamation projects that do not require a permanent irrigation system; or
4. Plant collections, as part of botanical gardens and arboretums open to the public.

C. Except as provided in this Chapter a permit is required before the installation or rehabilitation of a landscape. Before a permit is issued the Director of Development Services or his designee must ensure the proposed landscape is in conformity with the conditions set forth in this Chapter.

18.14.040 Implementation Procedures

A. Prior to installation, a "Landscape Documentation Package" shall be submitted to the Development Services Department for review and approval of all landscape projects subject

to the provisions of this Chapter. Any "Landscape Documentation Package" submitted shall comply with the adopted Guidelines.

- B. Prior to assembling the landscape documentation Package, applicants are advised to consult the Development Services Department to ascertain if the subject property is located within an area subject to additional landscape requirements including, but not limited to various custom lot areas and scenic corridors. Information regarding additional landscape requirements shall be made available upon request.
- C. Other regulations affecting landscape design and maintenance practices are potentially applicable and should be consulted for additional requirements. These regulations include but may not be limited to:
 - 1. State of California Assembly Bill 1881;
 - 2. National Pollutant Discharge Elimination Permit for the Municipal Separate Sewer System;
 - 3. Water Conservation and Drought Response Regulations of the Local Water Purveyor;
 - 4. Zoning Code;
 - 5. Building Code;
 - 6. Specific Plans, Master Plans, General Plan, or similar land use and planning documents; and
 - 7. Conditions of approval for a specific project.
- D. Landscape and irrigation plans submitted to the Development Services Department for review and approval shall include appropriate water use calculations.
- E. The "Landscape Documentation Package" shall include a certification by a professional, appropriately licensed in the State of California stating that the landscape design and water use calculations have been prepared by or under the supervision of the licensed professional.
- F. Verification of compliance of the landscape installation with the approved plans shall be obtained through a "Certificate of Completion" in conjunction with a "Certificate of Use and Occupancy" or the final permit process, as provided in the Guidelines and are certified to be in compliance with the provisions of a Chapter and Guidelines and that the landscaping has been completed in accordance with the approved plans.

18.14.050 Landscape Water Use Standards

- A. For applicable landscape installation or rehabilitation projects subject to this Chapter, the "Estimated Applied Water" use allowed for the landscaped areas shall not exceed the "Maximum Applied Water Allowance" calculated using an "ET adjustment factor" of .07, except for special landscaped areas where the "Maximum Applied Water Allowance" is calculated using an "ET adjustment factor" of 1.0; or the design of the landscaped area shall otherwise be shown to be equivalently water-efficient in a manner acceptable to the City as provided in the Guidelines.

18.14.060 Existing Landscapes

- A. Irrigation of landscaped areas of any size shall be conducted in a manner conforming to the rules and requirements and shall be subject to penalties and incentives for water conservation and waste prevention, as determined and implemented by the local water purveyor and as may be mutually agreed by the City.
- B. The City and/or local water purveyor may administer programs such as irrigation water use analyses, irrigation surveys and/or irrigation audits, tiered meter rate structures, water budgeting by parcel, or other approaches to achieve landscape water use efficiency community-wide to a level equivalent to or less than would be achieved by applying a MAWA calculated with an ETAF of 0.8 to all landscaped areas in the City over one acre in size.
- C. The architectural guidelines of a common interest development, including apartments, condominiums, planned developments, and stock cooperatives, shall not prohibit or include conditions that have the effect of prohibiting the use of low-water use plants as a group.
- D. Water Waste Prevention
 - 1. All landscape areas, whether installed pursuant to this chapter or not, shall be maintained in a healthful and sound condition. Irrigation systems and their components shall be maintained in a fully functional manner consistent with the originally approved design and the provisions of this chapter.
 - 2. Landscapes shall be maintained to ensure water efficiency. A regular maintenance schedule should include but not be limited to checking, adjusting, and repairing irrigation equipment; resetting the automatic controller; aerating and dethatching turf areas; replenishing mulch; fertilizing; pruning; and weeding in all landscaped areas.
 - 3. Waste water resulting from inefficient landscape irrigation leading to excessive runoff, low head drainage, overspray, and other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways or structures is prohibited.

18.14.070 Artificial Turf

- A. Artificial or synthetic turf is an appropriate substitute for natural turf for the purposes of water conservation. Guidelines for the use and maintenance of artificial turf shall include:
 - 1. Artificial turf shall consist of lifelike individual blades of grass that emulate real grass in look and color and have a minimum pile height of 1 ¾ inches.
 - 2. Artificial turf shall be prepared in a manner that allows water to permeate and pass through the turf, so as not to cause runoff onto adjacent properties, flooding, or pooling of water.
 - 3. Artificial turf shall be installed and maintained to effectively simulate the appearance of a well-maintained lawn.
 - 4. The use of indoor or outdoor plastic or nylon carpeting as a replacement for artificial turf or natural turf shall be prohibited.
 - 5. Artificial turf shall be installed in combination with only natural plant materials (i.e. trees, shrubs, and groundcover) to enhance the overall landscaping design.

6. Artificial turf must be professionally installed by a licensed company.
7. Artificial turf which looks worn or faded must be replaced or repaired.

18.14.080 Minor Deviations

- A. The Director of Development Services or his or her designee may grant minor deviations from the requirements of this chapter limited to the following:
 1. Minor modifications to approved landscaping irrigation or grading plans, which comply with the spirit and intent of this chapter and the accompanying Guidelines;
 2. Modifications of planting, installation, and/or preparation details;
 3. Final of permits prior to installation of landscaping due to exceptional and unforeseen circumstance, subject to the deposit of an appropriate performance guarantee with the Development Services Department.
- B. In granting a minor deviation, the Director of Development Services or his or her designee may impose conditions, as deemed necessary, to comply with the spirit and intent of this chapter and accompanying Guidelines;
- C. The Director of Development Services Department decision may be appealed to Development Plan Review Board in writing. The Development Plan Review Board shall not be required in granting a minor deviation to this chapter or accompanying Guidelines.

18.14.090 Implementation Guidelines

This Water Efficient Landscape Ordinance Guidelines shall be adopted by resolution of the Planning Commission.

18.14.100 Enforcement and Penalties

- A. Except for the provisions of Section 5.110.030(D)(13)(h), any firm, corporation or person, whether as principal, agent, employee or otherwise, violating or causing the violation of any of the provisions of this chapter shall be guilty of a misdemeanor, and any conviction thereof shall be punishable as set forth in Chapter 1.12 of the San Dimas Municipal Code.
- B. Nothing herein shall prevent or restrict the city from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any violation or noncompliance. Such other lawful actions shall include, but shall not be limited to, an equitable action for injunctive relief or an action at law for damages.
- C. Further, nothing in this section shall be construed to prohibit the city from prosecuting any violation of this chapter by means of code enforcement established pursuant to the authority as provided by the laws of the state of California and the city of San Dimas.
- D. Any violation of the provisions of this chapter shall constitute a separate offense for each and every day during which such violation is committed or continued.



Agenda Item Staff Report

DATE: February 17, 2010

TO: Planning Commission

FROM: Community Development

SUBJECT: MUNICIPAL CODE TEXT AMENDMENT 10-01 – Revising, in its entirety, the Water Efficient Landscape Ordinance to comply with new State requirements.

SUMMARY

Staff is recommending amending Chapter 18.14 of the Zoning Code, titled Water Efficient Landscapes, in order to bring the Municipal Code into conformity with the latest version of the updated State Model Landscape Ordinance.

Background

In 1992, the State of California enacted the Water Conservation in Landscaping Act, (AB 325) requiring the adoption of a water efficient landscape ordinance by cities and counties throughout the state. To assist local agencies, the California Department of Water Resources (DWR) developed a Model Water Efficient Landscape Ordinance that established water efficient landscape design standards for urban landscapes. This Model Ordinance served as a template for local agencies to utilize in the development of their own local water efficient landscape ordinance. Cities could adopt the DWR model ordinance outright, modify it to meet a city's local needs, or adopt an entirely different ordinance. In 1993 the City of San Dimas adopted Chapter 18.14 titled Water-Efficient Landscapes to be in compliance with AB 325.

In 2004, the legislature passed Assembly Bill 2717 establishing a stakeholder based Landscape Taskforce charged with formulating recommendations to improve irrigation efficiency in new and existing landscapes and to report their findings to the governor and legislature. The report titled, "Water Smart Landscapes for California: AB 2717 Landscape Task Force Findings, Recommendations, & Actions" contained 43 recommendations to achieve greater landscape water use efficiency.

In 2006, the Governor signed Assembly Bill 1881 amending the Water Conservation Landscape Act. The bill requires two new things: (1) DWR is to update the original Model Water Efficient Landscape Ordinance; and (2) cities and counties are to update

their local Landscape Ordinances by January 1, 2010 so that they are “at least as effective as” DWR’s updated Model Ordinance. Because of the new “at least as effective as” clause, meeting the requirements of AB 1881 will result in significant changes to most landscape ordinances in the State.

Analysis of New Requirements

There are significant differences between the existing requirements and the new requirements for water efficient landscapes. The new requirements include the following:

1. All landscaping would be subject to a “Maximum Applied Water Allowance”, which is the upper limit of annual applied water for an established landscape area, based on the evaporation factor for the geographic area;
2. Requires the applicant to submit (prior to construction) a Landscape Documentation Package;
3. A “Certification of Landscape Design” stating that all landscaping will be compliant with the Water Efficient Landscape Ordinance must be signed by a licensed landscape architect, licensed landscape contractor or any other person authorized to design a landscape;
4. A soil management plan is required to ensure that soil conditions are suitable to accommodate plant growth with water conservation;
5. Requires that an irrigation plan be submitted to the City for approval;
6. Compliance is now required from homeowner-provided landscaping at single family and multifamily projects;
7. Collaboration between the City and the local water purveyor is now strongly encouraged in the creation of a landscaping plan;
8. Landscape professionals must utilize an evapotranspiration based “Maximum Applied Water Allowance” (MAWA) rate of 0.7;
9. The City is now required to regulate existing landscapes for water waste.

Applicable Projects

1. New landscape installations or landscape rehabilitation projects by public agencies or private non-residential developers with a landscaped area, including swimming pools or other water features, but excluding hardscape equal to or greater than 2,500 square feet, and which are otherwise subject to a discretionary approval of a landscape plan, or which otherwise require a permit for a landscape or water feature;
2. New landscape installations or landscape rehabilitation projects by developers for property managers of single-family and multi-family residential projects or complexes with a landscaped area, including swimming pools or other water features but excluding hardscape, equal to or greater than 2,500 square feet, and which are otherwise subject to a discretionary approval of a landscape plan, or which otherwise require a permit for a landscape or water feature;
3. New landscape installation projects by individual homeowners on single-family or multi-family residential lots with a total project landscaped area, including pools

or other water features but excluding hardscape, equal to or greater than 5,000 square feet, and which are otherwise subject to a discretionary approval of a landscape plan, or which otherwise require a permit for a landscape or water feature;

4. Existing landscapes that are one acre or more shall not exceed their Maximum Applied Water Allowance.
5. Special Landscaped Areas, such as areas dedicated to edible plants, irrigated with recycled water, or dedicated to active play, shall prepare a water efficient landscape worksheet and landscape documentation package according to specifications for Special Landscaped Areas;
6. New and rehabilitated cemeteries shall be required to comply with the Water Efficient Landscape Ordinance. Existing cemeteries are limited to preparing a water efficient landscape worksheet according to the specifications for existing landscapes;
7. Irrigation of all existing landscaped areas shall be conducted in a manner conforming to the rules and requirements, and shall be subject to penalties and incentives for water conservation and water waste prevention as determined and implemented by the local water purveyor or as mutually agreed by the local water purveyor and the City of San Dimas. All landscaped areas of one acre or more shall not exceed their Maximum Applied Water Allowance (MAWA).

Existing Landscapes

Under this ordinance the following shall apply to all landscapes:

1. All landscape areas, whether installed pursuant to this chapter or not, shall be maintained in a healthful and sound condition. Irrigation systems and their components shall be maintained in a fully functional manner consistent with the originally approved design and the provisions of this chapter.
2. Landscapes shall be maintained to ensure water efficiency. A regular maintenance schedule should include but not be limited to checking, adjusting, and repairing irrigation equipment; resetting the automatic controller; aerating and dethatching turf areas; replenishing mulch; fertilizing; pruning; and weeding in all landscaped areas.
3. Waste water resulting from inefficient landscape irrigation leading to excessive runoff, low head drainage, overspray, and other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways or structures is prohibited.

Proposed Ordinance

The State of California has created a model ordinance which will take effect if the City does not pass its own ordinance. Staff feels that the State's ordinance is confusing and not user friendly. The State Model contains both policy issues and technical procedures combined in one document. Staff feels it would be more practical to separate the policy issues and the technical procedures into two documents. One document would be a set

of guidelines which contain the technical requirements and the second document would be the ordinance enforcing compliance of the guidelines. Staff finds this advantageous because due to the complexity of the new state requirements it is likely that changes and adjustments will need to be made during the early stages of implementation. It will be much easier to make technical changes to the Guidelines than it will be to make changes to a zoning ordinance.

The proposed ordinance will support current conservation efforts as well as comply with State regulations. Rather than providing lists of plants or dictating plants that must be used, the ordinance provides a way of calculating water use by specific categories of plants based on state research on plant water factors. The ordinance establishes a formula to calculate a minimum water budget (Maximum Applied Water Allowance) for the project based on landscaped area and local climate conditions. A second calculation based on proposed plants and their water needs (Estimated Applied Water Use) demonstrates whether the design meets the allowable water budget or needs to be revised to provide more water conserving plants species.

Artificial Turf

The proposed ordinance gives the option of installing artificial turf as part of the landscaping. A typical residence (with about 750 square feet of turf) can save approximately 22,000 gallons of water per year by replacing grass with artificial turf. Artificial turf also requires no fertilizer, pesticides, or mowing and reduces urban runoff caused by irrigation. It also cuts down on the amount of green waste, like lawn clippings, going into landfills.

Artificial turf is designed to handle water in the same way that natural grass does. It is designed with channels of permeability over the entire surface of the backing. Any water landing upon the grass fiber surface has the capability of being absorbed by the ground.

Anyone wishing to install artificial turf on new or existing landscapes will have to meet the following requirements:

1. Artificial turf shall consist of lifelike individual blades of grass that emulate real grass in look and color and have a minimum pile height of 1 ¾ inches.
2. Artificial turf shall be prepared in a manner that allows water to permeate and pass through the turf so as not to cause runoff onto adjacent properties, flooding, or pooling of water.
3. Artificial turf shall be installed and maintained to effectively simulate the appearance of a well-maintained lawn.
4. The use of indoor or outdoor plastic or nylon carpeting as a replacement for artificial turf or natural turf shall be prohibited.
5. Artificial turf shall be installed in combination with only natural plant materials (i.e. trees, shrubs, and groundcover) to enhance the overall landscaping design.
6. Artificial turf must be professionally installed by a licensed company.

7. Artificial turf which looks worn or faded must be replaced or repaired.

Certification

As part of the normal plan check process, staff would notify an applicant regarding compliance with the ordinance if the project falls into one of the applicable project categories. A Water Efficient Landscape and Irrigation Application Package would be provided which details all items required for compliance with the ordinance.

The first step for compliance would be submittal of a Landscape Documentation Package that includes the landscape and irrigation design, the calculation for the Maximum Applied Water Allowance (MAWA) and Estimated Applied Water Use (EAWU) to verify that the design does not exceed the water budget, a soil sample analysis, and a grading plan to show how the site will handle runoff and how slope areas would be landscaped. A grading plan would be required if the project proposes to move over 50 cubic yards of earth. If a project proposes less than 50 cubic yards of earth movement, a drainage plan may be submitted instead of a grading plan.

When a project is ready for final inspection, the applicant must submit a Certificate of Completion Package to verify that the landscape and irrigation were installed pursuant to the approved plans and that the system operates within the parameters of the MAWA. The checklist and forms for the Certificate of Completion Package are included in the Water Efficient Landscape Application provided to the applicant at the beginning of the project. Upon completion of a landscape project, the applicant must submit the following items for approval of the installation:

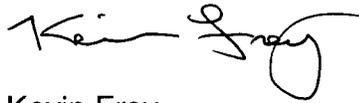
- "Certificate of Completion" form signed by the applicant;
- "Certification of Installation" form signed by the landscape designer or installer;
- Irrigation Schedule;
- Soil analysis;
- Water Efficient Landscape Worksheet;
- Grading or drainage plan.

Staff Recommendation

Staff recommends that the Planning Commission recommend approval to the City Council, of MCTA 10-01, an amendment to Title 18 of the San Dimas Municipal Zoning Code that would replace Chapter 18.14 entitled Water Efficient Landscapes, in its entirety, with a new Chapter 18.14 of the same name.

Staff also recommends that the Planning Commission comment on the Draft Guidelines which will be brought at a later date.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Kevin Frey". The signature is fluid and cursive, with a large, stylized "K" and "F".

Kevin Frey
Administrative Aide

Exhibit A: Draft Planning Commission Resolution recommending approval of the Water Efficient Landscape Ordinance Guidelines

Exhibit B: Draft Water Efficient Landscape Ordinance Guidelines

Planning Commission Resolution PC-1411 recommending approval of the Water Efficient Landscape Ordinance

ATTACHMENT B

RESOLUTION PC-1411

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF MUNICIPAL CODE TEXT AMENDMENT 10-01, A REQUEST TO AMEND TITLE 18 CHAPTER 14 OF THE SAN DIMAS MUNICIPAL ZONING CODE

WHEREAS, an Amendment to the San Dimas Municipal Code has been duly initiated by the City of San Dimas;

WHEREAS, the Amendment is described as a request to Amend Title 18 Chapter 14;

WHEREAS, the Amendment would affect the entire City of San Dimas;

WHEREAS, notice was duly given of the public hearing on the matter and that public hearing was held on Wednesday February 17, 2010 at the hour of 7:00 p.m., with all testimony received being made a part of the public record; and

WHEREAS, all requirements of the California Environmental Quality Act and the City's Environmental Guidelines have been met for the consideration of whether the project will have a significant effect on the environment. The project has been deemed to be a categorical exemption.

NOW, THEREFORE, in consideration of the evidence received at the hearing, and for the reasons discussed by the Commissioners at the hearing, the Planning Commission now finds as follows:

- A. The proposed Municipal Code Text Amendment will not adversely affect adjoining property as to value, precedent, or be detrimental to the area.
- B. The proposed Municipal Code Text Amendment will further the public health, safety, and general welfare.
- C. The proposed Municipal Code Text Amendment is consistent with the General Plan.

PURSUANT TO THE ABOVE FINDINGS, IT IS RESOLVED that the Planning Commission recommends to the City Council approval of Municipal Code Text Amendment 10-01 as follows:

Section 1. Delete the existing Chapter 18.14, Water-Efficient Landscapes and replace, in its entirety, with the ordinance as shown in attached Exhibit A:

PASSED, APPROVED and ADOPTED, the 17 day of February 2010, by the following vote:

AYES: Bratt, Rahi, Schoonover

NOES: None

ABSENT: Davis, Ensberg

ABSTAIN: None



Jim Schoonover, Chairman
San Dimas Planning Commission

ATTEST:



Dan Coleman, Director of Development Services

ATTACHMENT C

RESOLUTION PC #####

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF THE WATER EFFICIENT LANDSCAPE ORDINANCE GUIDELINES.

WHEREAS, Chapter 18.14 of the San Dimas Municipal Code requires adoption of implementation Guidelines for water efficient landscaping;

WHEREAS, the Guidelines would affect the entire City of San Dimas;

WHEREAS, the Guidelines have been prepared to comply with Chapter 18.14 and the State Model Ordinance.

NOW, THEREFORE, in consideration of the evidence received, and for the reasons discussed by the Commissioners, the Planning Commission now finds as follows:

- A. The proposed Implementation Guidelines will not adversely affect adjoining property as to value, precedent, or be detrimental to the area.
- B. The proposed Implementation Guidelines will further the public health, safety, and general welfare.

PURSUANT TO THE ABOVE FINDINGS, IT IS RESOLVED that the Planning Commission adopts the Water Efficient Landscape Ordinance Guidelines as set forth in Exhibit B:

Section 1. Add the ordinance as shown in attached Exhibit B as supplemental.

PASSED, APPROVED and ADOPTED, the ____ day of _____ 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jim Schoonover, Chairman
San Dimas Planning Commission

ATTEST:

Dan Coleman, Director of Development Services

DRAFT

Water Efficiency Ordinance Guidelines

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Purpose and Applicability

A. Purpose

1. The primary purpose of these Guidelines is to provide procedural and design guidance for project applicants proposing landscape installation or rehabilitation projects that are subject to the requirements of the Water Efficient Landscape Ordinance pursuant to Government Code Section 65595. This document is also intended for use and reference by staff in reviewing and improving designs and verifying compliance with the Water Efficient Landscape Ordinance. The general purpose of the Water Efficient Landscape Ordinance is to promote the design, installation, and maintenance of landscaping in a manner that conserves regional water resources by ensuring that landscaping projects are not unduly water-needy and that irrigation systems are appropriately designed to minimize water waste.
2. Other regulations affecting landscape design and maintenance practices are potentially applicable and should be consulted for additional requirements. These regulations include but may not be limited to:
 - (a) State of California Assembly Bill 1881;
 - (b) National Pollutant Discharge Elimination Permit for the Municipal Separate Sewer System;
 - (c) Water Conservation and Drought Response Regulations of the Local Water Purveyor;
 - (d) Zoning Code;
 - (e) Building Code;
 - (f) Specific Plans, Master Plans, General Plan, or similar land use and planning documents; and
 - (g) Conditions of approval for a specific project.

B. Applicability

1. The Water Efficient Landscape Ordinance and these Guidelines apply to all of the following landscape projects:
 - (a) New landscape installations or landscape rehabilitation projects by public agencies or private non-residential developers (examples of projects may include, but are not limited to commercial retail, parks, schools, industrial) with a landscaped area, including swimming pools or other water features but, excluding hardscape equal to or greater than 2,500 square feet, and which are otherwise subject to a discretionary approval of a landscape plan or which otherwise require a permit for a landscape or water feature.
 - (b) New landscape installations or landscape rehabilitation projects by developers or property managers of single-family and multi-family residential projects or complexes with a landscaped area, including swimming pools or other water features but, excluding hardscape equal to or greater than 2,500 square feet, and which are otherwise subject to a discretionary approval or a landscape plan or which otherwise require a permit for a landscape or water feature.
 - (c) New landscape installation projects by individual homeowners on a single-family or multi-family residential lots with a project landscaped area, including pools or other

water features but excluding hardscape, equal to or greater than 5,000 square feet, and which are otherwise subject to a discretionary approval of a landscape plan or which otherwise require a permit for a landscape or water feature.

- (d) Special Landscaped Areas, such as areas dedicated to edible plants, irrigated with recycled water, or dedicated to active play, shall prepare a water efficient landscape worksheet and landscape documentation package according to specifications for Special Landscaped Areas.
 - (e) New and rehabilitated cemeteries shall be required to comply with Chapter 18.14 of the Municipal Code.
 - (f) Irrigation of landscaped areas of any size shall be conducted in a manner conforming to the rules and requirements, and shall be subject to penalties and incentives for water conservation and water waste prevention as determined and implemented by the local water purveyor or as mutually agreed by the local water purveyor and the City of San Dimas. All landscaped areas of one acre or more shall not exceed their Maximum Applied Water Allowance.
 - (g) Existing landscapes that are one acre or more shall not exceed their Maximum Applied Water Allowance.
2. A landscape rehabilitation project is subject to the requirements of the ordinance and these Guidelines where (i) the modified landscaped area is greater than 2,500 square feet and represents at least 50% of the total landscaped area; and (ii) the modifications are planned to occur within one year. The requirements of the Guidelines may be partially or wholly waived, at the discretion of the city or its designee, for landscape rehabilitation projects that are limited to replacement plantings with equal or lower water needs and where the irrigation system is found to be designed, operable and programmed consistent with minimizing water waste in accordance with local water purveyor regulations.
3. Unless otherwise determined by the City, Chapter 18.14 of the Municipal Code and these Guidelines do not apply to:
- (a) Registered local, state, or federal historical sites;
 - (b) Ecological restoration projects that do not require a permanent irrigation system;
 - (c) Mined-land reclamation projects that do not require a permanent irrigation system;
 - or
 - (d) Plant collections, as part of botanical gardens and arboretums open to the public.

Submittal Requirements for New Landscape Installations or Landscape Rehabilitation

- A. Discretionary approval is typically required for landscape projects that are subject to site plan reviews or other procedural processes apply such that standard or special conditions of approval may be required by the City. Discretionary projects with conditions of approval may be approved administratively by city staff, or acted on formally by the Planning Commission or City Council. A typical standard condition of approval reads:

Landscaping for the project shall be designed to comply with the City's Water Efficient Landscape Ordinance and with the Guidelines for implementation of the Water Efficient Landscape Ordinance.

Landscape or water features that typically require a permit (i.e. a building, plumbing, electrical, other similar permits), hereby triggering compliance with the Water Efficient Landscape Ordinance requirements independently of the need for discretionary approval include, but are not limited to, swimming pools, fountains or ponds, retaining walls, and overhead trellises.

B. A *Landscape Documentation Package* is required to be submitted by the project applicant for review and approval prior to the issuance of permits for landscape or water features by the City, and prior to start of construction. Unless otherwise directed by the City, the *Landscape Documentation Package* shall include the following elements:

1. Date;
2. Project name;
3. Project address, parcel, and/or lot number(s);
4. Total landscaped area (square feet) and rehabilitated landscaped area (if applicable);
5. Project type (e.g., new, rehabilitated, public, private, homeowner-installed);
6. Water supply (e.g., potable, recycled, or well) and identification of the local retail water purveyor if the project applicant is not served by a private well;
7. Checklist or index of all documents in the *Landscape Documentation Package*;
8. Project contacts, including contact information for the project applicant and property owner;
9. A *Certification of Design* that includes the stamp of a landscape professional, as applicable, signature, contact information (including email and telephone number), license number, and date, certifying the statement that "The design of this project complies with the requirements of the City's Water Efficient Landscape Ordinance" and shall bear the signature of the landscape professional as required by law; and
10. Any other information the City deems relevant for determining whether the landscape project complies with the Water Efficient Landscape Ordinance and these Guidelines.
11. *Maximum Applied Water Allowance (MAWA)* and *Estimated Applied Water Use (EAWU)* expressed as annual totals including, but not limited to the following:
 - (a) A *Water Efficient Landscape Worksheet* for the landscape project;
 - (b) Hydrozone information table for the landscaped project; and
 - (c) Water budget calculations for the landscaped project.
12. A soil management report or specifications, or specification provision requiring soil testing and amendment recommendations and implementation to be accomplished during construction of the landscape project.
13. A landscape design plan for the landscape project.
14. An irrigation design plan for the landscaped project.
15. A grading design plan, unless grading information is included in the landscape design plan for the landscape project or unless the landscape project is limited to replacement planting and/or irrigation to rehabilitate an existing landscaped area. If a project proposes less than 50 cubic yards of earth movement, a drainage plan may be submitted instead of a grading plan.
16. Seasonal irrigation water schedules or procedures for programming of proposed SMART controllers.

Water Efficient Landscape Calculations and Alternatives

- A. The project applicant shall provide the calculated *Maximum Applied Water Allowance (MAWA)* and *Estimated Applied Water Use (EAWU)* for the landscaped area as part of the *Landscaped Documentation Package* submittal to the City. The *MAWA* and *EAWU* shall be calculated based on completing the *Water Efficient Landscape Worksheets*.
- B. The *EAWU* allowable for the landscaped areas shall not exceed the *MAWA*. The *MAWA* shall be calculated using an *Evapotranspiration Adjustment Factor (ETAF)* of 0.7 except for the portion of the *MAWA* applicable to any special landscaped areas with the landscape project, which shall be calculated using an *ETAF* of 1.0. Where the design of the landscaped area can otherwise be shown to be equivalently water-efficient, the project applicant may submit alternative or abbreviated information supporting the demonstration that the annual *EAWU* is less the *MAWA*, at the discretion of and for review and approval by the City.
- C. Water budget calculations shall adhere to the following requirements:
1. The *MAWA* shall be calculated using the *Water Efficient Landscape Worksheets*;
 2. The *EAWU* shall be calculated using the *Water Efficient Landscape Worksheets*;
 3. For the calculation of the *MAWA* and *EAWU*, a project applicant shall use the *ETo* value of 47.5. This value was established by a weather station operated by the California Irrigation Management Information System, located in the City of Glendora.
 4. For calculation of the *EAWU*, the plant water use factor shall be determined as appropriate to the project location from the *Water Use Classification of Landscape Species (WUCOLS)* species evaluation list. The plant factor is 0.1 for very low water use plants, 0.2 to 0.3 for low water use plants, 0.4 to 0.6 for moderate water use plants, and 0.7 to 1.0 for high water use plants;
 5. For calculating the *EAWU*, the plant water use factor shall be determined for each valve hydrozone based on plant species within the zone. The *plant factor* for each hydrozone may be required to be further refined as a "landscape coefficient," according to protocols defined in detail in the *WUCOLS* document, to reflect planting density and microclimate effects on water need at the option of the project applicant of the City;
 6. For calculation of the *EAWU*, the area of a water feature shall be defined as a high water use hydrozone with a plant factor of 1.0.
 7. For calculation of the *EAWU*, a temporarily irrigated hydrozone area, such as an area of highly drought-tolerant native plants that are not intended to be irrigated after they are fully established, shall be defined as a very low water use hydrozone with a *plant factor* of 0.1.
 8. For calculation of the *MAWA*, the *ETAF* for special landscaped areas shall be set at 1.0. For calculation of the *EAWU*, the *ETAF* for special landscaped areas shall be calculated as the *Special Landscaped Area (SLA) plant factor* divided by the *SLA irrigation efficiency factor*.
 9. Irrigation efficiency shall be calculated using the *Water Efficient Landscape Worksheets*.
- D. The *Maximum Applied Water Allowance* shall be calculated using the equation presented in the worksheets in the *Landscape Documentation Package*. For scheduling, automatic

irrigation controllers are required and shall use current *ET_o* data, such as from the California Irrigation Management Information System (CIMIS), other equivalent data, or soil moisture sensor data.

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 certified agronomic soils laboratory for analysis and recommendations;
 2. Soil sampling shall be conducted in accordance with laboratory protocol, including protocols regarding adequate sampling depth for the intended plants;
 3. The soil analysis may include, but is not limited to:
 - (a) Soil texture;
 - (b) Infiltration rate determined by laboratory test or soil texture infiltration rate table;
 - (c) pH;
 - (d) Total soluble salts;
 - (e) Sodium;
 - (f) Percent organic matter; and
 - (g) Recommendations.
- B. The project applicant, or his/her designee, shall comply with one of the following:
1. If a grading permit is not required, the soil analysis report shall be submitted to the City as part of the *Landscape Documentation Package*, or
 2. If a grading permit is required, the soil analysis report shall be submitted to the City as part of the *Certification of Completion*.
- C. The soil analysis report shall be made available, in a timely manner, to the professionals preparing the landscape design plans and irrigation design plans in order to make any necessary adjustments to the design plans.
- D. The project applicant, or his/her designee, shall submit documentation verifying implementation of the soil analysis report recommendation to the City with the *Certification of Completion*.

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. The plant material used in the landscape shall be submitted as part of the *Landscape Documentation Package*.
1. Any plant may be selected for the landscaped area provided that *EAWU* in the landscaped area does not exceed the *MAWA*. To encourage the efficient use of water, the following is highly recommended:
 - (a) Protection and preservation on non-invasive water-conserving plant species and water-conserving turf;
 - (b) Selection of water-conserving plant species and water-conserving turf;

- (c) Selection of plants based on disease and pest resistance;
 - (d) Selection of trees based on applicable zoning ordinances and tree guidelines and/or conditions of approval; and
 - (e) 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.
- C. Plants shall be selected and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the project site. To encourage the efficient use of water, the following is highly recommended for inclusion in the landscape design plan:
- 1. 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.
 - 2. Recognize the horticultural attributes of plants (e.g., mature plant size, invasive surface roots) to minimize damage to property or infrastructure (e.g., buildings, sidewalks, and power lines); and
 - 3. Consider the solar orientation for plant placement to minimize summer shade and winter solar gain.
- D. Turf is discouraged on slopes greater than 25% where the toe of the slope is adjacent to an impermeable hardscape and where 25% means one foot of vertical elevation change for every four feet of horizontal length (rise divided by run x 100 = slope percent).
- E. A landscape design plan for a project in fire-prone areas and fuel modification zones shall consider requirements set forth in the fire code as adopted by Title 32 of the County of Los Angeles entitled "Fire Code of the County of Los Angeles", where applicable.
- F. The use of invasive and/or noxious plant species is strongly discouraged.
- G. The architectural guidelines of a common interest development, which include community apartment projects, condominiums, planned developments, and stock cooperatives, shall not prohibit or include conditions that have the effect of prohibiting the use of water efficient plant species as a group.
- H. Water Features
- 1. Recirculation water systems shall be used for water features.
 - 2. Where available and consistent with public health guidelines, recycled water shall be used as a source for decorative water features.
 - 3. The surface area of a water features shall be included in the high water use hydrozone area of the water budget calculation.
 - 4. Pool and spa covers are highly recommended.
- I. Mulch and Amendments

1. 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.
 2. Stabilizing mulching products shall be used on slopes.
 3. The mulching portion of the seed/mulch slurry in hydro-seeded applications shall meet the mulching requirement.
 4. Soil amendments shall be incorporated according to recommendations of the soil report and what is appropriate for plants selected.
- J. 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 landscaped area 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 and installation details of any applicable storm water best management practices that encourage on-site retention and infiltration of storm water. Storm water best management practices are encouraged in the landscape design plan and examples include, but are not limited to:
 - (a) Infiltration beds, swales, and basins that allow water to collect and soak into the ground;
 - (b) Constructed wetlands and retention ponds that retain water, handle excess flow, and filter pollutants; and
 - (c) Pervious or porous surfaces (e.g. permeable pavers or blocks, pervious or porous concrete, etc.).
 11. Identify any applicable rain harvesting or catchment technologies (e.g., rain gardens, cisterns, etc);
 12. Contain the following statement: "I have complied with the criteria of the *Water Efficient Landscape Ordinance* and applied them for the efficient use of water in the landscape design plan" and
 13. Bear the signature of a California-licensed landscape professional.

Irrigation Design Plan

For the efficient use of water, an irrigation system shall meet all the requirements listed in this section and in the manufacturer's 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*:

A. System

1. Dedicated landscape water meters are recommended, when feasible, to facilitate water management.
2. Automatic irrigation controllers utilizing either evapotranspiration or soil moisture sensor data shall be required for irrigation scheduling in all irrigation systems.
3. The irrigation system shall be designed to ensure that the dynamic pressure at each emission device is within the manufacturer's recommended pressure range for optimal performance.
 - (a) If the static pressure is above or below the required dynamic pressure of the irrigation system, pressure-regulating devices such as inline pressure regulator, booster pumps, or other devices shall be installed to meet the required dynamic pressure of the irrigation system.
 - (b) 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. The measurements shall be conducted at installation.

B. 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.

C. 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.

D. Backflow prevention devices shall be required to protect the water supply from contamination by the irrigation system. A project applicant shall refer to the applicable City code for additional backflow prevention requirements.

E. High flow sensors that detect and report high flow conditions created by system damage or malfunction are recommended.

F. 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.

G. Relevant information from the soil management plan, such as soil type and infiltration rate, shall be utilized when designing irrigation systems.

H. The design of the irrigation system shall conform to the hydrozones of the landscape design plan.

I. Average irrigation efficiency for the project shall be determined in accordance with the EAWU calculation sheet. Unless otherwise indicated by the irrigation equipment

manufacturer's specifications or demonstrated by the project applicant, the irrigation efficiency of the irrigation heads used within each hydrozone shall be assumed to be:

Pop-up stream rotator heads = 75%

Stream rotor heads = 75%

Microspray = 75%

Bubbler = 80%

Drip emitter = 85%

Subsurface irrigation = 90%

- J. 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.
- K. In mulched planting areas, the use of low volume irrigation is required to maximize water infiltration into the root zone.
- L. Sprinkler heads and other emission devices shall have matched precipitation rates, unless otherwise directed by the manufacturer's recommendations.
- M. Head to head coverage is recommended. However, sprinkler spacing shall be designed to achieve the highest possible distribution uniformity using the manufacturer's recommendations.
- N. Swing joints or other riser-protection components are required on all risers subject to damage that are adjacent to high traffic areas.
- O. Check valves or anti-drain valves are required for all irrigation systems.
- P. Narrow or irregularly shaped areas, including turf, less than eight feet (8') in width in any direction shall be irrigated with subsurface irrigation or a low volume irrigation system.
- Q. Overhead irrigation shall not be permitted within 24 inches (24") of any non-permeable surface. Allowable irrigation with 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:
 - 1. The landscaped area is adjacent to permeable surfacing and no runoff occurs;
 - 2. The adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping; or
 - 3. The irrigation designer for the landscape project specifies an alternative design or technology, as part of the *Landscape Documentation Package*, and clearly demonstrates strict adherence to the irrigation system design criteria. Prevention of overspray and runoff must be confirmed during an irrigation audit.
 - 4. Slopes greater than 25% shall not be irrigated with an irrigation system with a precipitation rate exceeding 0.75 inches (0.75") per hour. This restriction may be

modified if the landscape designer of the landscape project 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.

R. Hydrozone

1. Each valve shall irrigate a hydrozone with similar site, slope, sun exposure, soil conditions, and plant materials with similar water use.
2. Sprinkler heads and other emission devices shall be selected based on what is appropriate for the plant type within that hydrozone.
3. Where feasible, trees shall be placed on separate valves from shrubs, groundcovers, and turf.
4. Individual hydrozones that mix plants of moderate and low water use or moderate and high water use may be allowed if:
 - (a) The plant factor calculation is based on the proportions of the respective plant water uses and their respective plant factors; or
 - (b) The plant factor of the higher water using plant is used for the calculations.
5. Individual hydrozones that mix high and low water use plants shall not be permitted.
6. 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.
7. The irrigation design plan, at a minimum, shall contain:
 - (a) The location and size of separate water meters for landscape;
 - (b) The location, type, and size of all components of the irrigation system, including controllers, main and lateral lines, valves, sprinkler head, moisture sensing devices, rain switches, quick couplers, pressure regulators, and backflow prevention devices;
 - (c) Static water pressure at the point of connection to the public water supply;
 - (d) Flow rate (gallons per minute), application rate (inches per hour), and design operation pressure (pressure per square inch) for each station;
 - (e) Irrigation schedule parameters necessary to program smart timers specified in the landscape design;
 - (f) The following statement: "I have complied with the criteria of the Water Efficient Landscape Ordinance and applied them accordingly for the efficient use of water in the irrigation design plan;" and
 - (g) The signature of a California-licensed landscape professional.

Recycled Water

- A. If and when a recycled water program becomes available irrigation systems and decorative water features shall use recycled water unless a written exemption has been granted by the local water purveyor stating that recycled water meeting all public health codes and standards is not available and will not be available for the foreseeable future.
- 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 Landscaped Areas. The ET Adjustment Factor for Special Landscaped Areas shall not exceed 1.0.

Grading Design Plan

- A. For the efficient use of water, grading of the landscape project site shall be designed to minimize soil erosion, runoff, and water waste. Finished grading configuration of the landscaped area, including pads, slopes, drainage, post-construction erosion control, storm water control Best Management Practices, as applicable, shall be shown on the Landscape Plan unless this information is fully included in separate grading plans for the project, or unless the project is limited to replacement planting and/or irrigation to rehabilitate an existing landscaped area.
- B. A grading design plan is not needed if the information is included in the landscape design plan for the landscape project or unless the landscape project is limited to replacement planting and/or irrigation to rehabilitate an existing landscaped area.
- C. If a project proposes less than 50 cubic yards of earth movement, a drainage plan may be submitted instead of a grading plan.
- D. The project applicant shall submit a landscape grading plan that indicates finished configurations and elevations of the landscaped area including:
 - 1. Height of graded slopes;
 - 2. Drainage patterns;
 - 3. Pad elevations;
 - 4. Finish grade; and
 - 5. Storm water retention improvements, if applicable.
- E. To prevent excessive erosion and runoff, it is highly recommended that the project applicant:
 - 1. Grade so that all irrigation and normal rainfall remains within property lines and does not drain on to non-permeable hardscapes;
 - 2. Avoid disruption of natural drainage patterns and undisturbed soil; and
 - 3. Avoid soil compaction in landscaped areas.

Certification of Completion

- A. Landscape project installation shall not proceed until the *Landscape Documentation Package* has been approved by the City and any required permits are issued.
- B. The project applicant shall notify the City at the beginning of the installation work and at intervals, as necessary, for the duration of the landscape project work to schedule all required inspections.
- C. *Certification of Completion* of the landscape project shall be obtained through a *Certificate of Use and Occupancy* or a final permit. The requirements for the final inspection and permit include submittal of:

1. A *Landscape Installation Certificate of Completion*, which shall include: (i) certification by a landscape professional that the landscape project has been installed per the approved *Landscape Documentation Package*; and (ii) the following signed statement: “The landscaping has been installed in substantial conformance to the design plans, and complies with the provisions of the *Water Efficient Landscape Ordinance* for the efficient use of water in the landscape.”
2. Documentation of the irrigation scheduling parameters used to set the controller(s);
3. An irrigation audit report from a certified irrigation auditor and documentation of enrollment in regional or local water purveyor’s water conservation programs.

Post-Installation 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 in accordance with the *Water Efficient Landscape Ordinance*. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance.

Post-Installation Landscape and Irrigation Maintenance

- A. Landscapes shall be maintained to ensure water-use efficiency in accordance with the City’s current property maintenance code found in Chapter 8.14 of the Municipal Code.
- B. A regular maintenance schedule shall be submitted with the Certificate of Completion.
 1. A regular maintenance schedule shall include, but not be limited to, routine inspection; adjustment and repair of the irrigation system and its components; aerating and dethatching turf area; 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.
- D. A project applicant is encouraged to implement sustainable or environmentally-friendly practices for overall landscape maintenance.

Provisions for Existing Landscapes

- A. Irrigation of landscaped areas of any size shall be conducted in a manner conforming to the rules and requirements and shall be subject to penalties and incentives for water conservation and waste prevention, as determined and implemented by the local water purveyor and as may be mutually agreed by the City.

- B. The City and/or local water purveyor may administer programs such as irrigation water use analyses, irrigation surveys and/or irrigation audits, tiered meter rate structures, water budgeting by parcel, or other approaches to achieve landscape water use efficiency community-wide to a level equivalent to or less than would be achieved by applying a MAWA calculated with an ETAF of 0.8 to all landscaped areas in the City over one acre in size.
- C. The architectural guidelines of a common interest development, including apartments, condominiums, planned developments, and stock cooperatives, shall not prohibit or include conditions that have the effect of prohibiting the use of low-water-use plants as a group.
- D. Water Waste Prevention
 - 1. Water waste resulting from inefficient landscape irrigation leading to excessive runoff, low head drainage, overspray and other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways or structures is prohibited.
 - 2. All landscape areas, whether installed pursuant to this chapter or not, shall be maintained in a healthful and sound condition. Irrigation systems and their components shall be maintained in a fully functional manner consistent with the originally approved design and the provisions of this chapter.
 - 3. Landscapes shall be maintained to ensure water efficiency. A regular maintenance schedule should include but not be limited to checking, adjusting, and repairing irrigation equipment; resetting the automatic controller; aerating and dethatching turf areas; replenishing mulch; fertilizing; pruning; and weeding in all landscaped areas.

Artificial Turf

- A. Artificial or synthetic turf is an appropriate substitute for natural turf for the purposes of water conservation. Guidelines for the use and maintenance of artificial turf shall include:
 - 1. Artificial turf shall consist of lifelike individual blades of grass that emulate real grass in look and color and have a minimum pile height of 1 ¾ inches.
 - 2. Artificial turf shall be prepared in a manner that allows water to permeate and pass through the turf so as not to cause runoff onto adjacent properties, flooding, or pooling of water.
 - 3. Artificial turf shall be installed and maintained to effectively simulate the appearance of a well-maintained lawn.
 - 4. The use of indoor or outdoor plastic or nylon carpeting as a replacement for artificial turf or natural turf shall be prohibited.
 - 5. Artificial turf shall be installed in combination with only natural plant materials (i.e. trees, shrubs, and groundcover) to enhance the overall landscaping design.
 - 6. Artificial turf must be professionally installed by a licensed company.
 - 7. Artificial turf which looks worn or faded must be replaced or repaired.

Minor Deviations

- A. The Director of Development Services or his or her designee may grant minor deviations from the requirements of this chapter limited to the following:

1. Minor modifications to approved landscaping irrigation or grading plans which comply with the spirit and intent of this chapter and the accompanying Guidelines;
 2. Modifications of planting, installation, and/or preparation details;
 3. Final of permits prior to installation of landscaping due to exceptional and unforeseen circumstance, subject to the deposit of an appropriate performance guarantee with the Development Services Department.
- B. In granting a minor deviation, the Director of Development Services or his or her designee may impose conditions as deemed necessary to comply with the spirit and intent of this chapter and accompanying Guidelines;
- C. The Director of Development Services Department decision may be appealed to Development Plan Review Board in writing. The Development Plan Review Board shall not be required in granting a minor deviation to this chapter or accompanying Guidelines.

Definitions

“Applied water” means the portion of water supplied by the irrigation system to the landscape.

“Artificial Turf” means a man-made material which simulates the appearance of live turf, organic turf, grass, sod, or lawn.

“Automatic irrigation controller” means an automatic timing device used to remotely control valves that operate an irrigation system. Automatic irrigation controllers schedule irrigation events using either evapotranspiration (weather-based) or soil moisture data.

“Backflow prevention device” means a safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.

“Check valve” or “anti-drain valve” means 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.

“Certified irrigation designer” means a person certified to design irrigation systems by an accredited academic institution or a professional trade organization.

“Certified Landscape Irrigation Auditor” means a person certified to perform landscape irrigation audits by an accredited academic institution or a professional trade organization.

“Certification of Design” means the certification included in the *Landscape Documentation Package*.

“Common interest developments” means community apartment projects, condominium projects, planned developments, and stock cooperatives per Civil Code Section 1351.

“Conversion factor” (0.62) means the number that converts acre-inches per acre per year to gallons per square foot per year.

“Distribution Uniformity” or “DU” is a measure of how uniformly an irrigation head applies water to a specific target area and theoretically ranges from zero to 100 percent.

“Drip Irrigation” means 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.

“Ecological restoration project” means a project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.

“Emitter” means a drip irrigation emission device that delivers water slowly from the system to the soil.

“Established Landscape” means 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.

“Estimated Applied Water Use” or “EAWU” means the annual total amount of water estimated to keep plants in a healthy state. It is based on factors such as reference evapotranspiration rate, the size of the landscaped area, plant water use factors, and the irrigation efficiency within each hydrozone.

“ET” adjustment factor” (ETAF) means a factor of 0.7, 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.

“Evapotranspiration rate” means the quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time.

“Flow rate” means 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.

“Hardscapes” means any durable material or feature (pervious and non-pervious) installed in or around a landscaped area, such as pavements or walls. Swimming pools and other water features are considered part of the landscaped area and not considered hardscapes for purposes of these Guidelines.

“Homeowner-provided landscaping” means any landscaping either installed by a private individual for a single family residence or installed by a licensed contractor hired by a homeowner. This excludes speculative homes, which are not owner-occupied dwellings.

“Hydrozone” means a portion of the landscaped area having plants with similar water needs and typically irrigated by one valve/controller station. A hydrozone may be irrigated or non-irrigated.

“Infiltration rate” means 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” or “noxious” means species of plants not historically found in California that spread outside cultivated areas and can damage environmental or economic resources. Invasive plant species may be regulated by county agricultural agencies as noxious species.

“Irrigation audit” means 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.

“Irrigation Management Efficiency” or “IME” means the measurement used to calculate the irrigation efficiency of the irrigation system of a landscaped project. A 90% IME can be achieved by using evapotranspiration controllers, soil moisture sensors, and other methods that will adjust irrigation run times to meet plant water needs.

“Irrigation efficiency” or “IE” means the measurement of the amount of water beneficially used divided by the amount of water applied to a landscaped area. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The following irrigation efficiency may be obtained for the listed irrigation heads with an IME of 90%:

- (a) Pop-up stream rotator heads = 75%
- (b) Stream rotor heads = 75%
- (c) Microspray = 75%
- (d) Bubbler = 80%
- (e) Drip emitter = 85%
- (f) Subsurface irrigation = 90%

“Irrigation survey” means an evaluation of an irrigation system. An irrigation survey includes, but is not limited to an inspection, system test, and written recommendations to improve performance of the irrigation system.

“Irrigation water use analysis” means an analysis of water use data based on meter readings and billing data.

“Landscape coefficient” (K_L) is the product of a plant factor multiplied by a density factor and a microclimate factor. The landscape coefficient is derived to estimate water loss from irrigated landscaped areas and special landscaped areas.

“Landscape Documentation Package” means the package of documents that a project applicant is required to submit to the City pursuant to these Guidelines.

“Landscape Installation Certificate of Completion” means the certificate included in these guidelines that must be submitted to the City.

“Landscape professional” means a licensed landscape architect, licensed landscape contractor, or any other person authorized to design a landscape pursuant to Sections 5500.1, 5615, 5641, 5641.1, 5641.2, 5641.3, 5641.4, 5641.5, 5641.6, 6701, 7027.5 of the California Business and Professions Code, Section 832.27 of the Title 16 of the California Code of Regulations, and Section 6721 of the California Food and Agriculture Code.

“Landscaped area” means all the planting areas, turf areas, and water features in a landscape design plan subject to the *Maximum Applied Water Allowance* and *Estimated Applied Water Use* calculations. The landscaped 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 from non-development (e.g. open spaces and existing native vegetation).

“Lateral line” means the water delivery pipeline that supplies water to the emitters or sprinklers from the valve.

“Low volume irrigation” means 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” means the pressurized pipeline that delivers water from the water source to the valve or outlet.

“Maximum Applied Water Allowance” or “MAWA” means the upper limit of annual applied water for the established landscaped area as specified in these Guidelines. It is based upon the area’s reference evapotranspiration, the ETAF, and the size of the landscaped area. The *Estimated Applied Water Use* shall not exceed the *Maximum Applied Water Allowance*.

“Microclimate” means the climate of a small, specific area that may contrast with the climate of the overall landscaped area due to factors such as wind, sun exposure, plant density, or proximity to reflective surfaces.

“Mined-land reclamation projects” means any surface mining operation with a reclamation plan approved in accordance with the Surface Mining and Reclamation Act of 1975.

“Mulch” means any organic material such as leaves, bark, straw or 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” means, for the purposes of this ordinance, a new building with a landscape or other new landscape, such as a park, playground, or greenbelt without an associated building.

“Non-pervious” means any surface or natural material that does not allow for the passage of water through the material and into the underlying soil.

“Operation pressure” means the pressure at which the parts of an irrigation system of sprinklers are designed to operate by the manufacturer.

“Overhead sprinkler irrigation systems” means systems that deliver water through the air (e.g., spray heads and rotors).

“Overspray” means the irrigation water which is delivered beyond the target area.

“Permit” means an authorizing document issued by the City for new construction or rehabilitated landscapes.

“Person” means any natural person, firm, joint venture, joint company, partnership, public or private association, club, company, corporation, business trust, organization, public or private agency, government agency or institution, school district, college, university, any other user of water provided by the local water purveyor, or the manager, lessee, agent, servant, officer, or employee of any of them or any other entity which is recognized by law as the subject of rights or duties.

“Pervious” means 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” is a factor, when multiplied by ETo, that estimates the amount of water needed by plants. For purpose of this Water Efficient Landscape Ordinance, the plant factor range for low water use plants is 0 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. Plant factors cited in these Guidelines are derived from the Department of Water Resources 2000 publication “Water Use Classification of Landscape Species.”

“Precipitation rate” means the rate of application of water measured in inches per hour.

“Project applicant” means 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/her designee.

“Property owner” or “owner” means the record owner of real property as shown on the most recently issued equalized assessment roll.

“Rain sensor” or “rain sensing shutoff device” means a component which automatically suspends an irrigation event when it rains.

“Recreational area” means areas dedicated to active play such as parks, sports fields, and golf courses where turf provides a playing surface.

“Reference evapotranspiration” or “ET_o” means a standard measurement of environmental parameters which affect the water use of plants. ET_o is given 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 Allowance*.

“Recycled water” or “reclaimed water” means treated or recycled waste water of a quality suitable for non-potable uses such as landscape irrigation and water features. This water is not intended for human consumption.

“Rehabilitated landscape” means any re-landscaping project that requires a permit, plan check, or design review, and the modified landscape area is equal to or greater than 2,500 square feet, is 50% of the total landscape area, and the modifications are completed within one year.

“Runoff” means water which is not absorbed by the soil or landscape to which it is applied and flows from the landscaped area. For example, runoff may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or when there is a slope.

“SMART irrigation controller” means a weather-based or soil moisture-based irrigation controller that monitors and uses information about the environmental conditions at a specific location and landscape to automatically adjust watering schedules.

“Soil moisture sensing device” or “soil moisture sensor” means a device that measures the amount of water in the soil. The device may also suspend or initiate an irrigation event.

“Soil texture” means the classification of soil based on its percentage of sand, silt, and clay.

“Special Landscaped Areas” or “SLA” means an area of the landscape dedicated solely to edible plants such as orchards and vegetable gardens, areas irrigated with recycled water, water features using recycled water, and areas dedicated to active play such as parks, sports field, golf courses, and where turf provides a playing surface.

“Sprinkler head” means a device which delivers water through a nozzle.

“Static water pressure” means the pipeline or municipal water supply pressure when water is not flowing.

“Station” means an area served by one valve or by a set of valves that operate simultaneously.

“Swing joint” means 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.

“Turf” means a ground cover surface of mowed grass. Annual Bluegrass, Kentucky Bluegrass, Perennial Ryegrass, Red Fescue, and Tall Fescue are cool-season grasses. Bermuda Grass, Kikuyu Grass, Seashore Paspalum, St. Augustine Grass, Zoysia Grass, and Buffalo Grass are warm-season grasses.

“Valve” means a device used to control the flow of water in an irrigation system.

“Water Efficient Landscape Ordinance” means Chapter 18.14 of the San Dimas Municipal Zoning Code.

“Water Efficient Landscape Worksheet” means the worksheet which calculates a site’s water budget.

“Water feature” means 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 landscaped area. Constructed wetlands used for on-site wastewater treatment, habitat protection, or storm water best management practices that are not irrigated and used solely for water treatment or storm water retention are not water features and, therefore, are not subject to the water budget calculation.

“Watering window” means the time of day irrigation is allowed.

“WUCOLS” means the Water Use Classification of Landscape published by the University of California Cooperative Extension, the Department of Water Resources, and the Bureau of Reclamation.

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City of San Dimas

245 E. Bonita Avenue

San Dimas, California 91773

(909) 394-6200, Fax (909) 394-6209

Municipal Code Provisions Receipt

Applicant Portion:

Please fill out and sign this form and return to the City of San Dimas acknowledging that you have received a copy of the San Dimas Municipal Code for your review. Please keep the enclosed law.

Date: _____

Re: *Water Efficient Landscape Ordinance*

I hereby acknowledge receiving Chapter 18.14 of the San Dimas Municipal Zoning Code and receiving the Water Efficient Landscape Guidelines.

Applicant Name: _____
Please print name

Applicant signature: _____

Date: _____

Return this form to:
**City of San Dimas
Development Services Department
245 E. Bonita Avenue
San Dimas, CA 91773-3002**

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Landscape Plan Instruction Sheet and Checklist

The following items are required to be submitted to the Development Services Department for review:

- Certification of Landscape Design;
 - Maximum Applied Water Allowance Calculation Worksheet;
 - Estimated Applied Water Use Calculation Worksheet;
 - Landscape Installation Certificate of Completion;
 - Municipal Code Provision Receipt;
 - Landscape design including information on hydrozones;
 - Irrigation design plan;
 - Irrigation schedule;
 - Soil management report;
 - Grading plan, unless grading information is included in the landscape design plan for the landscape project or unless the landscape project is limited to replacement planting and/or irrigation to rehabilitate an existing landscaped area. If a project proposes less than 50 cubic yards of earth movement, a drainage plan may be submitted instead of a grading plan.
-

Suggested Steps

I. Gather Design Ideas

- Look at “Water Use Classification of Landscaped Species” (WUCOLS) found at <http://www.water.ca.gov/wateruseefficiency/docs/wucols00.pdf>
- Use WUCOLS to find plants which meets your aesthetic and water needs.
- Look at the San Dimas Water Efficient Landscape Ordinance and the accompanying Guidelines.

II. Develop Your Plan

- Measure your property.
- Describe the setting:
 - (a) Size, slope, soil type, sun, climate, views, etc.
 - (b) What plants currently exist?

III. Develop your design

- Develop your design with the least impact to the land and to water resources.
- Minimize grading/clearing of native vegetation.
- How will you use your landscape? What purpose will it serve?
- Minimize turf areas to the amounts of lawn you will actually use, such as that used for play or recreation.

IV. Start making decisions about what you would like to do.

- What existing plants will you keep in place?
- What existing plants will you relocate/transplant on site?
- What existing plants will you eliminate and why?
- What type of constant ground cover will you use?
- Plan your design to retain as much water on the site as possible.
- Think about permeable products, such as porous concrete, interlocking pavers, flagstone, which allow water to infiltrate into the ground versus running off.
- Think about using light colors that reflect heat versus dark colors that absorb heat.

V. Irrigation

- Consider using a Smart Irrigation Controller.
- Design the irrigation system to prevent runoff, over-spray, low-head drainage, etc.

VI. Plant Selection

- Review WUCOLS before choosing plants.
- Think about plant size when full grown.
- Think about planting trees for:
 - (a) Erosion control.
 - (b) Carbon (CO₂) sequestering benefits.
 - (c) Shade and cooling effects.
- Think about fire safety.
- Build in colors/textures.
- Do you need plant material that screens for privacy from neighbors, streets, or unwanted views?
- Consider microclimates/hydrozones/seasons.

Maximum Applied Water Allowance (MAWA) Water Calculation Worksheet

This worksheet is filled out by the project applicant for each hydrozone. Attach additional sheets if necessary

Total MAWA = (53.1 x 0.7 x LA x 0.62) and/or (53.1 x 1.0 x SLA x 0.62)

Where:

- MAWA** = Maximum Applied Water Allowance (gallons per year)
- 53.1** = The Evapotranspiration Adjustment Factor (ET_o) determined by the nearest weather station, operated by the City of Glendora Management Information System, located in the City of Glendora
- 0.7** = Evapotranspiration Adjustment Factor
- 1.0** = The Evapotranspiration Adjustment Factor for Special Landscaped Areas
- LA** = Landscaped Area in square feet
- 0.62** = Conversion factor to convert acre-inches per acre per year to gallons per square foot per year
- SLA** = Special Landscaped Area (square feet) which is an area of the landscape dedicated solely to edible plants such as vegetable gardens, areas irrigated with recycled water, water features using recycled water, and areas dedicated to parks, sports, field, golf courses, and where turf provides a playing surface

Regular Landscaped Area					LA		
Hydrozone # 1	53.1	x	0.7	x		x	0.
Hydrozone # 2	53.1	x	0.7	x		x	0.
Hydrozone # 3	53.1	x	0.7	x		x	0.
Hydrozone # 4	53.1	x	0.7	x		x	0.
Hydrozone # 5	53.1	x	0.7	x		x	0.

Special Landscaped Area					SLA		
Hydrozone # 1	53.1	x	1.0	x		x	0.
Hydrozone # 2	53.1	x	1.0	x		x	0.

Total #1	+	Total #2	=	Total MAWA	
	+		=		gall

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Estimated Applied Water Use (EAWU)

$$EAWU = 53.1 \times K_L \times LA \times 0.62 \div IE$$

Where:

- EAWU** = Estimated Applied Water Use (gallons per year)
53.1 = The Evapotranspiration Adjustment Factor (ET_o) determined by the nearest weather station, operation and Maintenance Information System, located in the City of Glendora
K_L = Landscape Coefficient (see below for determining K_L)
LA = Landscaped Area in square feet
0.62 = Conversion factor to convert acre-inches per acre per year to gallons per square foot per year
IE = The standard unit for this measurement is 0.71. Greater irrigation efficiency can be expected from well designed systems. The following irrigation efficiency may be obtained from the listed irrigation heads:

Pop-up stream rotator heads:	0.75
Stream rotor heads:	0.75
Microspray:	0.75
Bubbler:	0.80
Drip emitter:	0.85
Subsurface irrigation:	0.90

Determining the Landscape Coefficient: $K_L = K_s \times K_d \times$

Species Factor (K_s)

K_s is determined by referring to the 2000 Water Use Classification of Landscaped Species (WUCOLS). By going to the WUCOLS website and searching for a particular plant species it can be determined if a plant uses a very low (VL), low (L), moderate (M) or high (H) water use. A numerical value will be assigned to each category as shown below.

High (H):	0.7 - 0.9
Moderate (M):	0.4 - 0.6
Low (L):	0.1 - 0.3
Very Low (VL):	< 0.1

Density Factor (K_d)

K_s will be given a value ranging from 0.5 to 1.3 based on the following:

Average Density:	1.0
Low Density:	0.5 to 0.9
High Density:	1.1 to 1.3

Average Density: (1.0)

Canopy cover of 70% to 100% constitutes an average condition. For shrubs or groundcovers, a canopy cover of 90% to 100% constitutes an average condition.

Low Density: (0.5 to 0.9)

Low density plantings are characterized largely by canopy covers less than those specified for the average density condition. A planting with less than 70% canopy cover would be assigned a K_d value less than 1.0. The precise value assigned (between 0.5 and 0.9) would be based on the canopy cover assessment: a lower K_d value for a thinner canopy cover.

Plantings with mixed vegetation types generally have greater canopy covers than those of a single type. For instance, a planting with a canopy cover of 50% constitutes a low density condition and a K_d of 0.7 might be assigned. If an occasional tree is added to the planting, the principal effect is one of increasing canopy cover, and an upward adjustment in K_d to 0.8 or 0.9 would be warranted.

High Density: (1.1 to 1.3)

When canopy cover is full for any vegetation type, then increases in density result from increases in the number of plantings. For example, by adding trees to a mature groundcover planting (groundcover canopy cover – 100%), an increase in the number of plantings, or the addition of shrubs to the planting further increases the density. This mix of vegetation types creates a layering of vegetation, which represents potential increases in water loss. Upward adjustment of K_d can be made to account for vegetation tiering. A planting where all three vegetation types occur in substantial numbers in a planting, would be assigned a K_d of 1.3. In plantings where vegetation of tiering occurs (e.g. a two-tiered planting), then a K_d value of 1.1 or 1.2 is appropriate.

Microclimate Factor (K_{mc})

K_{mc} will be given a value ranging from 0.5 to 1.3 based on the following:

Low:	0.5 to 0.9
Average:	1.0
High:	1.1 to 1.4

Average Microclimate: (1.0)

Site conditions equivalent to those used for reference evapotranspiration measurements represent an average microclimate. Evapotranspiration is measured in an open-field setting which is not exposed to extraordinary winds or heat inputs from buildings or vehicles. Large plantings of groundcover, groves of trees, and mixtures of shrubs, turf, and trees in relatively open areas represent average microclimate conditions. Areas with adjacent buildings, extensive hardscapes, or exposed to extraordinary winds are not in this category.

Low Microclimate: (0.5 to 0.9)

Sites which are shaded or protected from winds typical to the area are considered to be in the low microclimate category. The microclimate such that evaporative conditions are less than those found in the average microclimate. Plantings on the northeast side of buildings, shaded by overhead structures, or within courtyard settings are typically assigned a K_{mc} value of 0.5 to 0.9. Plantings protected from winds by buildings, structures, or other vegetations also would be assigned to the low category. The specific microclimate factor will depend on the specific site conditions. For example, a planting in a courtyard which is shaded and protected from winds may be assigned a value of 0.6, while a similar planting located on the northeast side of a building may be assigned a value of 0.9.

High Microclimate: (1.1 to 1.4)

Sites which are exposed to direct winds typical for the area, heat inputs from nearby sources, and/or reflected light would be in the high microclimate category. These features of the site increase evaporative conditions above those found in an average microclimate. Plantings located in medians, parking lots, or adjacent to south or southwest-facing walls which are exposed to higher conditions would be in the high category. Plantings in wind tunnel locations and those receiving reflected light from windows, cars, or other reflective surfaces are also in high microclimate conditions. The specific value assigned will depend on the site conditions. For example, a shrub planting located next to a southwest-facing wall may be assigned a K_{mc} value of 1.2, while a planting next to a southwest wall which is composed of reflective glass and is exposed to extraordinary winds may be assigned a value of 1.4.

Summary Table
Values for Landscape Coefficient Factors

	<i>High</i>	<i>Moderate</i>	<i>Low</i>	<i>Very Low</i>
Species Factor (K_s)	0.7 - 0.9	0.4 - 0.6	0.1 - 0.3	< 0.1
Density (K_d)	1.1 - 1.3	1.0	0.5 - 0.9	
Microclimate (K_{mc})	1.1 - 1.4	1.0	0.5 - 0.9	

Estimated Applied Water Use Worksheet

This worksheet is filled out by the project applicant for each hydrozone. Attach additional sheets of necessary

$$EAWU = 53.1 \times K_L \times LA \times 0.62 \div IE$$

Where:

EAWU = Estimated Applied Water Use (gallons per year)

53.1 = The Evapotranspiration Adjustment Factor (ET_o) determined by the nearest weather station Irrigation Management Information System, located in the City of Glendora

K_L = Landscape Coefficient

LA = Landscaped Area in square feet

0.62 = Conversion factor to convert acre-inches per acre per year to gallons per square foot per year

IE = The standard unit for this measurement is 0.71. Greater irrigation efficiency can be expected and maintained systems. The following irrigation efficiency may be obtained from the list

Pop-up stream rotator heads:	0.75
Stream rotor heads:	0.75
Microspray:	0.75
Bubbler:	0.80
Drip emitter:	0.85
Subsurface irrigation:	0.90

Irrigation Devices

List sprinkler heads, microspray, and drip emitters here along with average precipitation rate and Distribution Head.

Sprinkler Head Types	Irrigation Efficiency (IE)	Other Irrigation Devices
Drip		
Microspray		
Bubbler		
Low precipitation rotating nozzles		
Stream rotors		

Estimated Applied Water Use

Species			K _L			LA			
	53.1	x		x		x	0.62	÷	
	53.1	x		x		x	0.62	÷	
	53.1	x		x		x	0.62	÷	
	53.1	x		x		x	0.62	÷	
	53.1	x		x		x	0.62	÷	
	53.1	x		x		x	0.62	÷	
	53.1	x		x		x	0.62	÷	
	53.1	x		x		x	0.62	÷	*
	53.1	x		x		x	0.62	÷	
	53.1	x		x		x	0.62	÷	
	53.1	x		x		x	0.62	÷	
	53.1	x		x		x	0.62	÷	
	53.1	x		x		x	0.62	÷	
	53.1	x		x		x	0.62	÷	

Certification of Landscape Design

To be completed and signed by a licensed landscape architect, licensed landscape contractor or any other person authorized to design a landscape.

Project Information Sheet		
Date:	Project Name:	
Name of Project Applicant:		
Profession:	License No.:	
Company:		
Telephone No.:	Fax No.:	
Email Address:		
Street Address:		
City:	State:	Zip:

Project Address and Location		
Street Address:		
City:	State:	Zip:
Parcel, tract, or lot number, if available:		

Property Owner or his/her Designee		
Name:		
Company:		
Telephone No.:	Fax No.:	
Email Address:		
Street Address:		
City:	State:	Zip:

I hereby certify that:

- (1) I am a professional appropriately licensed in the State of California to provide professional landscape design services.
- (2) The landscape design and water use calculations for the identified property were prepared by me or under my supervision.
- (3) The landscape design and water use calculations for the identified property comply with the requirements of the City of San Dimas Water Efficient Landscape Chapter 18.14 and the City of San Dimas Guidelines for Implementation of the City of San Dimas Water Efficient Landscape Ordinance.
- (4) The information I have provided in this Certificate of Landscape Design is true and correct and is hereby submitted in compliance with the City of San Dimas Guidelines for Implementation of the City of San Dimas Water Efficient Landscape Ordinance.

Signature

Date

Print Name

Landscape Design Professional's Stamp
(if applicable)



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Landscape Installation Certificate of Completion

To be completed and signed by a licensed landscape architect, licensed landscape contractor or any other person authorized to design a landscape.

Project Information Sheet		
Date:	Project Name:	
Name of Project Applicant:		
Profession:	License No.:	
Company:		
Telephone No.:	Fax No.:	
Email Address:		
Street Address:		
City:	State:	Zip:

Project Address and Location		
Street Address:		
City:	State:	Zip:
Parcel, tract, or lot number, if available:		

Property Owner or his/her Designee		
Name:		
Company:		
Telephone No.:	Fax No.:	
Email Address:		
Street Address:		
City:	State:	Zip:

I hereby certify that:

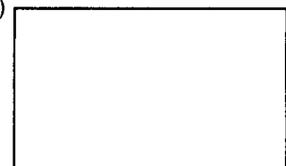
- (1) I am a professional appropriately licensed in the State of California to provide professional landscape design services.
- (2) The landscape project for the identified project was installed by me or under my supervision.
- (3) The landscaping for the identified property has been installed in substantial conformance with the approved Landscape Documentation Package and complies with the requirements of the City of San Dimas Water Efficient Landscape Chapter 18.14 and the City of San Dimas Guidelines for implementation of the Ordinance for the efficient use of water in the landscape.
- (4) The information I have provided in this Landscape Installation Certificate of Completion is true and correct and is hereby submitted in compliance with the City of San Dimas Guidelines for Implementation of the Water Efficient Landscape Chapter 18.14.

Signature

Date

Print Name

Landscape Design Professional's Stamp
(if applicable)



Municipal Code Text Amendment 10-01

Water Efficient Landscape Ordinance

Other things to consider

- 1) Fire resistant landscaping should be given equal weighting with drought resistant landscaping.**
- 2) Including artificial turf in the ordinance should take into consideration AB1793 in regard to HOA's, given AB1061 passed.**
- 3) Defensible Space as noted in numerous fire agency documents should be given more consideration.**
- 4) The standards in the proposed guidelines associated with artificial turf are such that they will be a headache much like overnight RV parking.**
- 5) Promoting fire resistant/drought tolerant landscaping over artificial turf would seem preferable given there are still numerous unanswered questions in regard to the health, safety and longevity of artificial turf.**

Homeowners, associations battle over turf

Assembly bill would allow artificial grass

By Michael Gardner, U-T SACRAMENTO BUREAU

Tuesday, February 16, 2010 at 12:04 a.m.



- U-T file photo

—Lori Saldaña

Savings from artificial grass

Replacing grass with artificial turf in a 1,000-square-foot yard would save:

- About 112 gallons per day, or 41,000 gallons each year, for a coastal home.

- About 156 gallons daily, or 57,000 gallons annually, for an inland property.

Source: San Diego County Water Authority

SACRAMENTO — Rocky Wilson figures that just by landscaping his small front yard with artificial turf, he could save enough water annually to take a five-minute shower daily for about six years.

If only his homeowners association would let him.

Wilson has been working with the governing board of La Costa Greens, a master-planned community of single-family residences in Carlsbad, for nearly two years to secure permission amid steep water shortages and rationing across California.

“Why waste water?” he asked. “I was born and raised here. There’s always been drought.”

Wilson’s case isn’t isolated, according to state water officials and water districts in San Diego County.

They said that many HOAs have moved aggressively to reduce water consumption partly by planting drought-resistant vegetation or watering their lawns less often, but that some resist such changes because they want to preserve a certain look for their community’s landscaping. The opposition can come from an HOA board or certain residents in a complex.

“I’ve got some ratepayers fighting their homeowners associations over the right to put in low-water-use plants or artificial turf,” said Keith Lewinger, general manager of the Fallbrook Public Utility District.

Hoping to create a more uniform policy, water managers took their case to Sacramento. Assemblywoman Lori Saldaña, D-San Diego, took up the cause.

“They need direction when we’re dealing with record drought,” Saldaña said in introducing Assembly Bill 1793.

Saldaña’s measure would require homeowners associations to allow installation of artificial turf. But in a nod to concerns about quality, the legislation permits those associations to establish design and quality standards for fake grass.

Although artificial turf is gaining more public acceptance as manufacturers make better-looking and longer-lasting versions, some HOA boards continue to have misgivings about the turf’s appearance and durability.

There are about 6,000 homeowners associations in San Diego County and 43,350 statewide, from condos to single-family developments, according to 2007 data compiled by Community Associations.

At Villa Portofino in Tierrasanta, Muriel Vasconcellos is less than enthusiastic about the prospect of her HOA having to accept artificial grass, partly because she’s worried about potentially dangerous chemicals that have been found in some varieties.

Vasconcellos, a member of her association’s landscaping committee, said local rules don’t expressly prohibit artificial turf, but she doesn’t get the sense that many neighbors support it.

“People around here enjoy our area for its natural beauty,” she said.

So she's helping to replace her neighborhood's grassy areas with drought-tolerant plants. "I like a natural solution," Vasconcellos said.

Saldaña believes installing artificial grass will benefit HOAs by lowering water bills and maintenance costs. She lives in a rental complex that encourages use of artificial grass.

"It's very attractive," Saldaña said. "It obviously conserves water and can be maintained."

Assemblyman Ted Lieu, D-Torrance, has endorsed Saldaña's bill. Last year, he got the Legislature to pass legislation meant to push HOAs to allow more drought-resistant landscaping.

"We are still in a drought," Lieu said. "We have to change our ways."

The San Diego County Water Authority, noting that outdoor uses make up about 60 percent of household water consumption, is promoting artificial turf as an important way to battle drought.

"What we've been hearing for a number of months is that many HOAs were either prohibiting or limiting the use of artificial turf," said William Rose, head of the authority's conservation program.

His agency estimates that about 112 gallons of water would be saved each day if a coastal homeowner installed artificial grass in a 1,000-square-foot yard. That's roughly 41,000 gallons a year.

The savings would be even greater in warmer inland communities: approximately 156 gallons a day, or about 57,000 gallons annually.

Wilson, a consultant for the Fastrucking shipping service in San Diego, estimates that he could use 30,000 fewer gallons a year by not watering his 300-square-foot front yard.

That's enough for doing 1,200 loads of laundry with a newer, high-efficiency washing machine, or for flushing a low-flow toilet 18,750 times, according to the county water authority.

Wilson hopes the La Costa Greens board will approve his application and then clear the way for more of his neighbors to put in artificial grass. The savings could be 3 million gallons of water a year if 1,000 La Costa Greens residents converted, he said.

"It's not for everybody, but the option should be there for those who want to," Wilson said.

Staff writer Mike Lee contributed to this report.

INTRODUCED BY Assembly Member Saldana

FEBRUARY 10, 2010

An act to amend Section 1353.8 of the Civil Code, relating to common interest developments.

LEGISLATIVE COUNSEL'S DIGEST

AB 1793, as introduced, Saldana. Common interest developments: artificial turf.

Existing law requires a local agency to adopt a specified updated model ordinance regarding water-efficient landscapes or a water-efficient landscape ordinance that is at least as effective in conserving water as the updated model ordinance. Existing law allows certain water providers to take specified actions regarding water conservation.

The Davis-Stirling Common Interest Development Act provides for the creation and regulation of common interest developments. That act provides that a provision of any of the governing documents of a common interest development is void and unenforceable if it prohibits, or includes conditions that have the effect of prohibiting, the use of low water-using plants as a group, or if it has the effect of prohibiting or restricting compliance with a local water-efficient landscape ordinance or water conservation measure as described above.

This bill would provide that a provision of any of the governing documents of a common interest development would be void and unenforceable if it prohibits, or includes conditions that have the effect of prohibiting, the use of artificial turf or any other synthetic surface that resembles grass.

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

~~THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:~~

SECTION 1. Section 1353.8 of the Civil Code is amended to read:

1353.8. (a) Notwithstanding any other law, a provision of any of the governing documents of a common interest development shall be void and unenforceable if it does any of the following:

(1) Prohibits, or includes conditions that have the effect of prohibiting, the use of low water-using plants as a group.

(2) Prohibits, or includes conditions that have the effect of prohibiting, the use of artificial turf or any other synthetic surface that resembles grass.

(2)

(3)) Has the effect of prohibiting or restricting compliance with either of the following:

(A) A water-efficient landscape ordinance adopted or in effect pursuant to subdivision (c) of Section 65595 of the Government Code.

(B) Any regulation or restriction on the use of water adopted pursuant to Section 353 or 375 of the Water Code.

(b) This section shall not prohibit an association from applying landscaping rules and regulations established in the governing documents, to the extent the rules and regulations fully conform with the requirements of subdivision (a).

AB 1793 Assembly Bill - INTRODUCED.txt

AB 1061 Assembly Bill - CHAPTERED.txt
AB 1061 Assembly Bill - CHAPTEREDBILL NUMBER: AB 1061 CHAPTERED
BILL TEXT

CHAPTER 503
FILED WITH SECRETARY OF STATE OCTOBER 11, 2009
APPROVED BY GOVERNOR OCTOBER 11, 2009
PASSED THE SENATE AUGUST 24, 2009
PASSED THE ASSEMBLY AUGUST 27, 2009
AMENDED IN SENATE AUGUST 17, 2009
AMENDED IN SENATE JUNE 29, 2009
AMENDED IN SENATE JUNE 10, 2009
AMENDED IN SENATE MAY 27, 2009
AMENDED IN ASSEMBLY APRIL 15, 2009
AMENDED IN ASSEMBLY APRIL 13, 2009

INTRODUCED BY Assembly Member Lieu
(Coauthors: Assembly Members Bill Berryhill, Huffman, Jeffries,
Jones, Salas, and Skinner)
(Coauthors: Senators DeSaulnier, Hancock, and Lowenthal)

FEBRUARY 27, 2009

An act to repeal and add Section 1353.8 of the Civil Code,
relating to common interest developments.

LEGISLATIVE COUNSEL'S DIGEST

AB 1061, Lieu. Common interest developments: water-efficient
landscapes.

Existing law requires a local agency to adopt a specified updated
model ordinance regarding water-efficient landscapes or a
water-efficient landscape ordinance that is at least as effective in
conserving water as the updated model ordinance. Existing law allows
certain water providers to take specified actions regarding water
conservation.

The Davis-Stirling Common Interest Development Act provides for
the creation and regulation of common interest developments. The act
provides that the architectural guidelines of a common interest
development shall not prohibit or include conditions that have the
effect of prohibiting the use of low water-using plants as a group.

This bill would, instead, provide that a provision of any of the
governing documents of a common interest development shall be void
and unenforceable if it prohibits, or includes conditions that have
the effect of prohibiting, the use of low water-using plants as a
group, or if it has the effect of prohibiting or restricting
compliance with a local water-efficient landscape ordinance or water
conservation measure described above.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the
following:

(a) Landscapes are essential to the quality of life in California,
and are an important aesthetic element with economic value in common
interest developments.

(b) Landscape design, installation, maintenance, and management
can and should be water efficient. The use of water-efficient
landscapes contributes to the state's efforts to increase the
reliability of its water supplies.

(c) There are common interest developments with governing

documents that hinder or preclude property owners from complying with applicable water conservation requirements.

(d) It is in the public interest to ensure that property owners within a common interest development comply with applicable state and local ordinances and regulations regarding water conservation and drought, while maintaining the inherent powers of a common interest development to establish uniform architectural and landscaping standards.

(e) It is also in the public interest to ensure that property owners within a common interest development may comply with emergency water use regulations adopted by authorized providers of public water supply.

SEC. 2. Section 1353.8 of the Civil Code is repealed.

SEC. 3. Section 1353.8 is added to the Civil Code, to read:

1353.8. (a) Notwithstanding any other law, a provision of any of the governing documents of a common interest development shall be void and unenforceable if it does any of the following:

(1) Prohibits, or includes conditions that have the effect of prohibiting, the use of low water-using plants as a group.

(2) Has the effect of prohibiting or restricting compliance with either of the following:

(A) A water-efficient landscape ordinance adopted or in effect pursuant to subdivision (c) of Section 65595 of the Government Code.

(B) Any regulation or restriction on the use of water adopted pursuant to Section 353 or 375 of the Water Code.

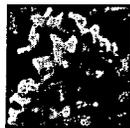
(b) This section shall not prohibit an association from applying landscaping rules and regulations established in the governing documents, to the extent the rules and regulations fully conform with the requirements of subdivision (a).



Fire-Resistant California Friendly Plants

[Shrubs](#) | [Trees](#) | [Perennials and Annuals](#) | [Groundcover](#)

Shrubs



California Redbud

An interesting plant all year long, with magenta flowers on leafless stems in summer, followed by cri seedpods and heart-shaped blue-green leaves. Deciduous, with yellow or red fall foliage falling away winter to reveal smooth reddish brown trunks. Long lived, very drought tolerant, and flowers more profusely as it matures.



Monkeyflower (Mimulus)

This entire species is endorsed for use by San Diego County planners and the Los Angeles and Orange County fire departments. Be sure to check out the drought-tolerant varieties.



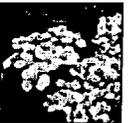
Ceanothus 'Concha'

This California lilac is a large shrub with a dense mass of dark green, 1-inch leaves, with dark blue clusters of flowers appearing in spring. Requires good drainage; can tolerate summer water. Grows to six feet.



Sage (Salvia)

Nothing evokes California quite like a sage-scented hillside. Beloved by hummingbirds and firefighter alike, the autumn sage pictured here is endorsed for use by the Orange County Fire Authority, while entire sage species is endorsed by the Los Angeles County Fire Department.



Common Yarrow (Achillea millefolium)

It appears on fire-resistant lists for California Native Plant Society, Western MWD (zone 3), San Diego County, and Orange County fire. However it is not on the approved list for Los Angeles County fire. It also can be used as a groundcover if mowed.



French Lavender (Lavandula dentata)

Although not a true California native, this attractive drought-tolerant plant is endorsed for Zone B in Los Angeles County, and also makes fire-resistant lists for the Inland Empire and Orange and San Diego counties.

Trees

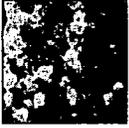


Coast Live Oak

Handsome shade tree. Round-headed with dense foliage, grows 20-70 feet tall. Smooth, dark grey bark, with leathery dark green leaves. Native to coastal central and Southern California.

California Sycamore

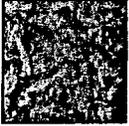
Sycamores have delighted generations of Californians, and this particular variety is endorsed for use by the Los Angeles and Orange County fire departments; plus San Diego County.



Toyon (*Heteromeles arbutifolia*)

A classic California native, it has white flowers in the summer and berries in the winter, it gets good marks from Los Angeles, Orange, San Diego and the Inland Empire.

Perennials and Annuals



California Fuchsia (*Epilobium canum/californica*)

This sprawling plant is one of the few perennials listed by Los Angeles, Orange and San Diego counties.



Beard Tongue (*Penstemon palmeri*)

This particular variety is native to the Southland, but the entire species has been embraced by native plant enthusiasts and firefighters alike, and is approved for use in L.A., Orange and San Diego counties.

Groundcover



Wild Strawberry (*Fragaria chilolensis*)

Looking for a low-growing plant that you can plant next to your home? This species has the rare distinction of being approved by Los Angeles County fire department for any zone in your yard.

INVASIVE PLANT LIST

The following species are considered invasive (i.e., those capable of reproducing and spreading into native, non-irrigated areas and displacing those communities). Non-native plant species are prohibited in all areas adjacent to open space lands. Noxious weeds that have been introduced to San Diego County over the years tend to be more widespread and therefore more difficult to contain. The plants listed below have been identified as invasive and/or as noxious weeds and should not be planted or allowed to sprout in any transitional landscapes (landscapes planted with non-native species next to undeveloped areas).

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>
<u><i>Ailanthus altissima</i></u>	Tree of Heaven
<u><i>Anthemis cotula</i></u> ***	Mayweed, Stinking Chamomile
<u><i>Arctotheca calendola</i></u>	Cape Weed
<u><i>Arundo donax</i></u>	Giant Cane
<u><i>Atriplex semibaccata</i></u>	Australian Saltbush
<u><i>Brassica species</i></u> ***	Mustard
<u><i>Cardaria draba</i></u> ***	Hoary Cress, Perennial Peppergrass
<u><i>Carpobrotus edulis</i></u>	Ice Plant
<u><i>Centaurea solstitialis</i></u>	Yellow Starthistle
<u><i>Cirsium vulgare</i></u> ***	Wild Artichoke
<u><i>Conium maculatum</i></u>	Poison Hemlock
<u><i>Conyza Canadensis</i></u> ***	Horseweed
<u><i>Cortaderia selloana</i></u>	Pampas Grass
<u><i>Cotoneaster lacteus</i></u>	Cotoneaster
<u><i>Cupressus macrocarpa</i></u>	Monterey Cypress
<u><i>Cynara cardunculus</i></u> ***	Artichoke Thistle
<u><i>Cytisus species</i></u>	Scotch Broom, French Broom, etc
<u><i>Elaeagnus angustifolia</i></u>	Russian Olive
<u><i>Eucalyptus globulus</i></u>	Eucalyptus Blue Gum
<u><i>Gensita species</i></u> ***	Broom
<u><i>Hedera helix</i></u>	English Ivy
<u><i>Hypericum perforatum</i></u>	St. John's Wort
<u><i>Ilex aquifolium</i></u>	English Holly
<u><i>Lactuca serriola</i></u> ***	Prickly Lettuce
<u><i>Lepidium latifolium</i></u>	Perennial Pepperweed
<u><i>Myoporum parvifolium</i></u>	Trailing Myoporum
<u><i>Nerium oleander</i></u>	Oleander
<u><i>Nicotiana species</i></u>	Tree Tobacco
<u><i>Olea europaea</i></u>	Olive
<u><i>Pennisetum setaceum</i></u>	Fountain Grass
<u><i>Ricinus communis</i></u>	Castor Bean
<u><i>Robinia pseudoacacia</i></u>	Black Locust
<u><i>Salsola australis</i></u> ***	Russian Thistle, Tumbleweed
<u><i>Schinus molle</i></u>	California Pepper
<u><i>Schinus terebinthifolius</i></u>	Brazilian Pepper
<u><i>Silybum marianum</i></u> ***	Milk Thistle
<u><i>Spartium junceum</i></u>	Spanish Broom

Tamarix species

Ulex europea***

Vinca major

Tamarisk

Gorse

Periwinkle

*** Introduced Weeds to San Diego County

References: Bell, Carl, Regional Advisor – Invasive Plants. 2004. University of California Cooperative Extension.

California Exotic Pest Plant Council. October, 1999. Exotic Pest Plants of Greatest Ecological Concern in California. Most Invasive Wildland Pest Plants. www.caleppc.org/info/99lista.html.

SUGGESTED PLANT LIST FOR A DEFENSIBLE SPACE

BOTANICAL NAME	COMMON NAME	Climate Zone
TREES		
Acer		
platanoides	Norway Maple	M
rubrum	Red Maple	M
saccharinum	Silver Maple	M
saccarum	Sugar Maple	M
macrophyllum	Big Leaf Maple	C/ (R)
Alnus rhombifolia	White Alder	C/I/M (R)
Arbutus		
unedo	Strawberry Tree	All zones
Archontophoenix		
cunninghamiana	King Palm	C
Arctostaphylos spp.**	Manzanita	C/I/D
Brahea		
armata	Blue Hesper Palm	C/D
edulis	Guadalupe Palm	C/D
Ceratonia siliqua	Carob	C/I/D
Cerdidium floridum	Blue Palo Verde	D
Cercis occidentalis**	Western Redbud	C/I/M
Cornus		
nuttallii	Mountain Dogwood	I/M
stolonifera	Redtwig Dogwood	I/M
Eriobotrya		
japonica	Loquat	C
Erythrina caffra	Kaffirboom Coral Tree	I/M
Gingko biloba "Fairmount"	Fairmount Maidenhair Tree	I/D/M
Gleditsia triacanthos	Honey Locust	
Juglans		
californica	California Walnut	C/I
hindsii	California Black Walnut	I/D/M
Lagerstroemia indica	Crape Myrtle	I
Ligustrum lucidum	Glossy Privet	C/I/M
Liquidambar styraciflua	Sweet Gum	I
Liriodendron tulipifera	Tulip Tree	
Lyonothamnus floribundus		
ssp. Asplenifolius	Fernleaf Catalina Ironwood	C
Melaleuca spp.	Melaleuca	C/I
Parkinsonia aculeate	Mexican Palo Verde	
Pistacia		
chinensis	Chinese Pistache	
	Pistachio Nut	C/I/D

vera	Pistachio Nut	I
Pittosporum		
phillyraeoides	Willow Pittosporum	C/I/D
viridiflorum	Cape Pittosporum	C/I
Platanus		
acerifolia	London Plane Tree	All zones
racemosa**	California Sycamore	C/I/M
Populus		
alba	White Poplar	D/M
fremontii**	Western Cottonwood	I
trichocarpa	Black Cottonwood	I/M
Prunus		
xblireiana	Flowering Plum	M
caroliniana	Carolina Laurel Cherry	C
ilicifolia**	Hollyleaf Cherry	C
lyonii**	Catalina Cherry	C
serrulata 'Kwanzan'	Flowering Cherry	M
yedoensis 'Akebono'	Akebono Flowering Cherry	M
Quercus		
agrifolia**	Coast Live Oak	C/I
engelmannii	Engelmann Oak	I
** suber	Cork Oak	C/I/D
Rhus		
lancea**	African Sumac	C/I/D
Salix spp.**	Willow	All zones (R)
Tristania conferta	Brisbane Box	C/I
Ulmus		
parvifolia	Chinese Elm	I/D
pumila	Siberian Elm	C/M
Umbellularia californica**	California Bay Laurel	C/I

SHRUBS

Agave	Century Plant	D
americana	Century Plant	D
deserti	Shawis Century Plant	D
shawi**		
Amorpha fruticosa**	False Indigobush	I
Arbutus		
menziesii**	Madrone	C/I
Arctostaphylos spp.**	Manzanita	C/I/D
Atriplex**		
canescens	Hoary Saltbush	I
lentiformis	Quail Saltbush	D
Baccharis**		
glutinosa	Mule Fat	C/I
pilularis	Coyote Bush	C/I/D
Carissa grandiflora	Natal Plum	C/I
Ceanothus spp.**	California Lilac	C/I/M
Cistus spp.	Rockrose	C/I/D
Cneoridium dumosum**	Bushrue	C
Comarostaphylis**		
diversifolia	Summer Holly	C
Convolvulus cneorum	Bush Morning Glory	C/I/M
Dalea		
orcuttii	Orcutt's Delea	D
spinosa**	Smoke Tree	I/D
Elaeagnus		
pungens	Silverberry	C/I/M
Encelia**		
californica	Coast Sunflower	C/I
farinose	White Brittlebush	D/I
Eriobotrya		
deflexa	Bronze Loquat	C/I
Eriophyllum		
confertiflorum**	Golden Yarrow	C/I
staechadifolium	Lizard Tail	C
Escallonia spp.	Escallonia	C/I
Feijoa sellowiana	Pineapple Guava	C/I/D
Fouquieria splendens	Ocotillo	D
Fremontodendron**		
californicum	Flannelbush	I/M
mexicanum	Southern Flannelbush	I
Galvezia		
juncea	Baja Bush-Snapdragon	C
speciosa	Island Bush-Snapdragon	C
Garrya		
elliptica	Coast Silktassel	C/I
flavescens**	Abv Silktassel	I/M

Heteromeles arbutifolia**	Ashy Silktassel	I/M
Lantana spp.	Toyon	C/I/M
Lotus scoparius	Lantana	C/I/D
Mahonia spp.	Deerweed	C/I
	Barberry	C/I/M
Malacothamnus clementinus		
	San Clemente Island Bush Mallow	C
fasciculatus**		
	Mesa Bushmallow	C/I
Melaleuca spp.	Melaleuca	C/I/D
Mimulus spp.**	Monkeyflower	C/I (R)
Nolina		
parryi	Parry's Nolina	I
parryi ssp. wolfii	Wolf's Bear Grass	D
Photinia spp.	Photinia	All Zones
Pittosporum		
crassifolium		C/I
rhombifolium	Queensland Pittosporum	C/I
tobira 'Wheeleri'	Wheeler's Dwarf	C/I/D
undulatum	Victorian Box	C/I
viridiflorum	Cape Pittosporum	C/I
Plumbago auriculata	Cape Plumbago	C/I/D
Prunus		
caroliniana	Carolina Laurel Cherry	C
ilicifolia**	Hollyleaf Cherry	C
lyonii**	Catalina Cherry	C
Puncia granatum	Pomegranate	C/I/D
Pyracantha spp.	Firethorn	All Zones
Quercus		
dumosa**		
Rhamus	Scrub Oak	C/I
alaternus		
californica**	Italian Blackthorn	C/I
Rhaphiolepis spp.	Coffeeberry	C/I/M
Rhus	Rhaphiolepis	C/I/D
integrifolia**		
laurina	Lemonade Berry	C/I
lentii	Laurel Sumac	C/I
ovata**	Pink-Flowering Sumac	C/D
trilobata**	Sugarbush	I/M
Ribes	squawbush	I
viburnifolium		
speciosum**	Evergreen Currant	C/I
Romneya coulteri	Fuschia-Flowering Gooseberry	C/I/D
Rosa	Matilija Poppy	I
californica**		
minutifolia		

Salvia spp.**	California Wild Rose	C/I
Sambucus spp.**	Baja California Wild Rose	C/I
Symphoricarpos mollis**	Sage	All Zones
Syringa vulgaris	Elderberry	C/I/M
Tecomaria capensis	Creeping Snowberry	C/I
Teucrium fruticans	Lilac	M
Toxicodendron**	Cape Honeysuckle	C/I/D
diversilobum	Bush Germander	C/I
Verbena		
lilacina	Poison Oak	I/M
Xylosma congestum		
Yucca**	Lilac Verbena	C
schidigera	Shiny Xylosma	C/I
whipplei		
	Mojave Yucca	D
	Foothill Yucca	I

GROUNDCOVERS

Achillea**	Yarrow	All Zones
Aptenia cordifolia	Apteria	C
Arctostaphylos spp.**	Manzanita	C//I/D
Baccharis**		
pilularis	Coyote Bush	C//I/D
Ceanothus spp.**	California Lilac	C//I/M
Cerastium tomentosum	Snow-in-Summer	All Zones
Coprosma kirkii	Creeping Coprosma	C//I/D
Cotoneaster spp.	Redberry	All Zones
Drosanthemum hispidum	Rosea Ice Plant	C/I
Dudleya		
brittonii	Brittonis Chalk Dudleya	C
pulverulenta**	Chalk Dudleya	C/I
virens	Island Live Fore-ever	C
Eschscholzia californica**	California Poppy	All Zones
Euonymus fortunei		
'Carrierei'	Glossy Winter Creeper	M
'Coloratus'	Purple-Leaf Winter Creeper	M
Ferocactus viridescens**	Coast Barrel Cactus	C
Gaillardia grandiflora	Blanket Flower	All Zones
Gazania spp.	Gazania	C/I
Helianthemum spp.**	Sunrose	All Zones
Lantana spp.	Lantana	C//I/D
Lasthenia		
californica**	Common Goldfields	I
glabrata	Coastal Goldfields	C
Lupinus spp.**	Lupine	C//I/M
Myoporum spp.	Myoporum	C/I
Pyracantha spp.	Firethorn	All zones
Rosmarinus officinalis	Rosemary	C//I/D
Santolina		
chamaecyparissus	Lavender Cotton	All Zones
virens	Santolina	All Zones
Trifolium frageriferum	O'Connor's Legume	C/I
Verbena		
rigida	Verbena	All Zones
Viguiera laciniata**	San Diego Sunflower	C/I
Vinca		
minor	Dwarf Periwinkle	M

VINES

Antigonon leptopus	San Miguel Coral Vine	C/I
Distictis buccinatoria	Blood-Red Trumpet Vine	C/I/D
Keckiella cordifolia**	Heart-Leaved Penstemon	C/I
Lonicera		
japonica 'Halliana'	Hall's Honeysuckle	All Zones
subspicata**	Chaparral Honeysuckle	C/I
Solanum		
jasminoides	Potato Vine	C/I/D

PERENNIALS

Coreopsis		
gigantea	Giant Coreopsis	C
grandiflora	Coreopsis	All Zones
maritime	Sea Dahlia	C
verticillata	Coreopsis	C/I
Heuchera maxima	Island Coral Bells	C/I
Iris douglasiana**	Douglas Iris	C/M
Iva hayesiana**	Poverty Weed	C/I
Kniphofia uvaria	Red-Hot Poker	C/M
Lavandula spp.	Lavender	All Zones
Limonium californicum		
var. mexicanum	Coastal Statice	C
perezii	Sea Lavender	C/I
Oenothera spp.	Primrose	C/I/M
Penstemon spp.**	Penstemon	C/I/D
Satureja douglasii	Yerba Buena	C/I
Sisyrinchium		
bellum	Blue-Eyed Grass	C/I
californicum	Golden-Eyed Grass	C
Solanum		
xantii	Purple Nightshade	C/I
Zauschneria**		
californica	California Fuschia	C/I
cana	Hoary California Fuschia	C/I
'Catalina'	Catalina Fuschia	C/I

ANNUALS

Lupinus spp.**	Lupine	C/I/M
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UNDESIRABLE PLANT LIST

The following species are highly flammable and should be avoided when planting within the first 50 feet adjacent to a structure. The plants listed below are more susceptible to burning, due to rough or peeling bark, production of large amounts of litter, vegetation that contains oils, resin, wax, or pitch, large amounts of dead material in the plant, or plantings with a high dead to live fuel ratio. Many of these species, if existing on the property and adequately maintained (pruning, thinning, irrigation, litter removal, and weeding), may remain as long as the potential for spreading a fire has been reduced or eliminated.

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>
<u>Abies species</u>	Fir Trees
<u>Acacia species</u>	Acacia (trees, shrubs, groundcovers)
<u>Adenostoma sparsifolium**</u>	Red Shanks
<u>Adenostoma fasciculatum**</u>	Chamise
<u>Agonis juniperina</u>	Juniper Myrtle
<u>Araucaria species</u>	Monkey Puzzle, Norfolk Island Pine
<u>Artemesia californica**</u>	California Sagebrush
<u>Bambusa species</u>	Bamboo
<u>Cedrus species</u>	Cedar
<u>Chamaecyparis species</u>	False Cypress
<u>Coprosma pumila</u>	Prostrate Coprosma
<u>Cryptomeria japonica</u>	Japanese Cryptomeria
<u>Cupressocyparis leylandii</u>	Leylandii Cypress
<u>Cupressus forbesii**</u>	Tecate Cypress
<u>Cupressus glabra</u>	Arizona Cypress
<u>Cupressus sempervirens</u>	Italian Cypress
<u>Dodonea viscosa</u>	Hopseed Bush
<u>Eriogonum fasciculatum**</u>	Common Buckwheat
<u>Eucalyptus species</u>	Eucalyptus
<u>Heterotheca grandiflora**</u>	Telegraph Plant
<u>Juniperus species</u>	Junipers
<u>Larix species</u>	Larch
<u>Lonicera japonica</u>	Japanese Honeysuckle
<u>Miscanthus species</u>	Eulalia Grass
<u>Muehlenbergia species**</u>	Deer Grass
<u>Palmae species</u>	Palms
<u>Picea species</u>	Spruce Trees
<u>Pickeringia Montana**</u>	Chaparral Pea
<u>Pinus species</u>	Pines
<u>Podocarpus species</u>	Fern Pine
<u>Pseudotsuga menziesii</u>	Douglas Fir
<u>Rosmarinus species</u>	Rosemary
<u>Salvia mellifera**</u>	Black Sage
<u>Taxodium species</u>	Cypress
<u>Taxus species</u>	Yew
<u>Thuja species</u>	Arborvitae
<u>Tsuga species</u>	Hemlock
<u>Urtica urens**</u>	Burning Nettle

** San Diego County native species

References: Gordon, H. White, T.C. 1994. Ecological Guide to Southern California Chaparral Plant Series. Cleveland National Forest.

Willis, E. 1997. San Diego County Fire Chief's Association. Wildland/Urban Interface Development Standards

City of Oceanside, California. 1995. Vegetation Management. Landscape Development Manual. Community Services Department, Engineering Division.

City of Vista, California 1997. Undesirable Plants. Section 18.56.999. Landscaping Design, Development and Maintenance Standards.

www.bewaterwise.com. 2004. Fire-resistant California Friendly Plants.

www.ucfpl.ucop.edu. 2004. University of California, Berkeley, Forest Products Laboratory, College of Natural Resources. Defensible Space Landscaping in the Urban/Wildland Interface. A Compilation of Fire Performance Ratings of Residential Landscape Plants.

County of Los Angeles Fire Department. 1998. Fuel Modification Plan Guidelines. Appendix I, Undesirable Plant List, and Appendix II, Undesirable Plant List.



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 881-2401

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

July 17, 2007

Dear Resident:

I am writing to advise you about this year's fire season and the important role that you play as a homeowner living in a very high fire hazard severity zone. The next four to five months will prove to be the most dangerous time of the year for destructive wildland fires because of low humidity, strong winds, and the critically dry vegetation and brush conditions that we are experiencing much earlier in the year than normal. Wildland fires are already burning with extreme intensity and spreading rapidly. We urge you to do all that you can to protect your home.

The most important thing that you can do to help your local firefighters to protect your home is to **properly clear brush located around the perimeter of your home**. Failure to do this will make it difficult if not impossible for firefighters to protect it. In the event of a brush fire, numerous firefighters, aircraft, and specialized equipment will respond as quickly as possible. If brush clearance is not done adequately and completely, our firefighters may be forced to retreat. Please do your part to help us meet our mission and keep everyone safe.

Especially during fire season, it is also important for you to **pay close attention to conditions in your neighborhood and immediately comply with instructions to evacuate in the event of a fire**. To help you learn more about evacuation and brush clearance procedures, enclosed is some helpful information for you to review with all members of your family. Take action now to prepare your family and protect your property.

For additional information, please contact your local fire station or call the Los Angeles County Fire Department Public Information Office at (323) 881-2411. Also, you may access our website at www.fire.lacounty.gov for additional safety information on this topic and many more.

On behalf of all of us at the Los Angeles County Fire Department, have a safe and enjoyable summer.

Very truly yours,

P. MICHAEL FREEMAN

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS	CALABASAS	DIAMOND BAR	HIDDEN HILLS	LA MIRADA	MALIBU	POMONA	SIGNAL HILL
ARTESIA	CARSON	DUARTE	HUNTINGTON PARK	LA PUENTE	MAYWOOD	RANCHO PALOS VERDES	SOUTH EL MONTE
AZUSA	CERRITOS	EL MONTE	INDUSTRY	LAKEWOOD	NORWALK	ROLLING HILLS	SOUTH GATE
BALDWIN PARK	CLAREMONT	GARDENA	INGLEWOOD	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	TEMPLE CITY
BELL	COMMERCE	GLENDALE	IRVINDALE	LAWNDALE	PALOS VERDES ESTATES	ROSEMEAD	WALNUT
BELL GARDENS	COVINA	HAWAIIAN GARDENS	LA CANADA FLINTRIDGE	LOMITA	PARAMOUNT	SAN DIMAS	WEST HOLLYWOOD
BELLFLOWER	CUDAHY	HAWTHORNE	LA HABRA	LYNWOOD	PICO RIVERA	SANTA CLARITA	WESTLAKE VILLAGE
BRADBURY							WHITTIER



Los Angeles County Fire Department

Safety Tips for Living in a Brush Area

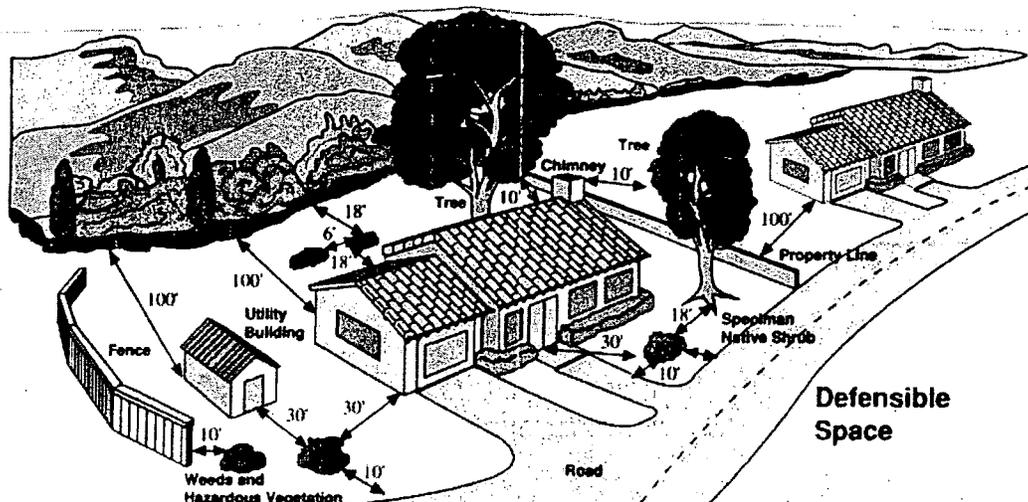
Home Landscaping and Yard

- Remove flammable vegetation dead material and other combustible growth within 30 ft. of any structures. Increase to 50 ft. in high hazard areas. Thin out or remove other vegetation an additional 70 ft. from structures for a total of 100 ft. (200 ft. in high hazard areas).
- Single trees, ornamental shrubbery and ground covers may be permitted provided they do not readily transmit fire from native vegetation to structures.
- Landscape with plants that are drought tolerant and fire resistant.
- Space small trees and large shrubs a minimum of 15 ft. between canopies or three times their height for smaller shrubs.
- Large trees should be spaced a minimum of 30 ft. between canopies at maturity.
- Trees taller than 18 ft, remove lower branches within 6 ft. of the ground.
- For trees and shrubs of less than 18 ft. remove lower branches to one-third of their height.
- Maintain all plants by regularly removing dead branches and leaves.

- Remove all stacks of combustible materials
- Remove debris from rain gutters.
- Stack wood at least 30 ft. from structures. Remove flammable vegetation within 10 ft. of woodpiles.
- Locate fixed butane/propane tanks at least 10 ft. from any structure and maintain 10 ft. of clearance.

Home Access

- Identify at least two exit routes from your neighborhood.
- Post road signs to show traffic restrictions such as dead-end roads and height and weight limits.
- Clear flammable vegetation at least 10 ft. from roads and driveways.
- Cut overhanging tree branches above roads to provide minimum of 16 ft. of vertical clearance.
- Make sure street names and numbers are visible at intersections.
- Post address on front of house. If your house is not visible from street, post sign next to the vehicle entrance or have your address on the curb.



Operation Evacuation

Evacuation Plan

Do you have one?

Emergency preparedness must be a priority for everyone that lives or works in a wildland-urban interface. A major part of your preparedness is to develop a well thought out and executed evacuation plan. A good evacuation plan includes the following:

- Predetermined routes of travel based on direction fire is moving.
- Identification of at least two (2) exit routes from your neighborhood.
- Knowledge of designated residential assembly points within your local area.
- Knowledge of local emergency contacts.
- Plan, review and practice with family and neighbors.

Preparation Ahead of the Fire

- Back the car in the garage heading out (windows closed and keys in the ignition).
- Close the garage door, leave it unlocked and disconnect the automatic-garage door opener in case of power failure.
- Place important documents, photo albums, pets and other valuables inside your car in case you have to evacuate.
- Keep a flashlight and portable radio with you at all times and stay tuned to your local news station.

During Evacuation

- If you become trapped by fire while evacuating in your car, park in an area clear of vegetation, close all vehicle windows and vents, cover yourself with a blanket or jacket and lie on the floor.
- If you are trapped by fire while evacuating on foot, select an area clear of vegetation or lie faced down in a ditch.

If You Are Unable to Evacuate When a Fire Approaches

- Stay inside your house away from outside walls.
- Keep all doors closed but leave them unlocked.
- Keep your entire family together and REMAIN CALM. Remember if it gets in the house, it is four to five times hotter and more dangerous outside.

After the Fire Passes

- Check the exterior and roof immediately, extinguish all sparks and embers. If you must climb on the roof, use caution.
- Check inside the attic for hidden burning embers.
- Check your yard for burning woodpiles, trees, fence posts or other materials.

• **Have an Emergency Plan**

Residents living in mountainous, foothill and brush areas should take the following action steps:

- Immediately report any sightings of smoke by calling 9-1-1.
- Maintain street signs and make sure that address numbers are visible from the street.
- Have an evacuation plan in place. Make sure that each person in your household is aware of two exit routes from your neighborhood.
- When evacuating your home, close all windows and doors around your home to prevent embers from blowing inside. Unlock all gates and fences around the perimeter to provide firefighters quick access.
- During a fire in your area, monitor radio and television news reports on the status of the fire. If a fire approaches your home, do not wait for Officials to evacuate you. Leave the fire area immediately and contact the American Red Cross for shelter locations if needed.

Brush Clearance Safety Tips For Homeowners

Firefighters need a defensible space to have a better chance to save your home in the event of a brush fire. Be in compliance with the local brush clearance requirements for your area.

Please remember that clearing your brush 'safely' is also very important.

In the past brush fires in Los Angeles County have been sparked by homeowners attempting to clear their brush. One fire was started when a homeowner was illegally burning cut materials. Other fires have been started by the sparks coming from the metal blades on motorized equipment.

By following these simple guidelines brush clearance can be done safely:

- Avoid brush clearing activities during the heat of the day, between 11:00 a.m. and 3:00 p.m.
- Have a water source near by. A bucket of water is good but a garden hose would be better.
- Only use properly maintained motorized equipment and have a working spark arrester when required.
- Use monofilament line instead of metal blades on weed whips
- Always wear proper safety equipment. Goggles and work gloves are a must.
- Never burn any cut material, brush or grass. Dispose of these materials properly.



CITY OF SAN DIMAS
MINUTES
SAN DIMAS REDEVELOPMENT AGENCY MEETING
TUESDAY, FEBRUARY 23, 2010
COUNCIL CHAMBERS
245 E. BONITA AVENUE

PRESENT:

Chairman Curtis W. Morris
Vice Chairman Denis Bertone
Mr. Emmett G. Badar
Mr. John Ebiner
Mr. Jeffrey W. Templeman
Executive Director Blaine Michaelis
Agency Attorney Ken Brown
Secretary Ina Rios
Assistant City Manager of Community Development Larry Stevens
Assistant City Manager Ken Duran
Director of Development Services Dan Coleman
Director of Public Works Krishna Patel
Director of Parks and Recreation Theresa Bruns

CALL TO ORDER

Chairman Morris called the meeting to order at 9:12 p.m.

ORAL COMMUNICATIONS (This is the time set aside for members of the audience to address the Board. Speakers are limited to three minutes.)

There were no speakers.

APPROVAL OF MINUTES

It was moved by Mr. Templeman, seconded by Mr. Ebiner, to approve the minutes for the meeting of February 9, 2010. The motion carried unanimously.

EXECUTIVE DIRECTOR

There were no comments.

MEMBERS OF THE AGENCY

There were no comments.

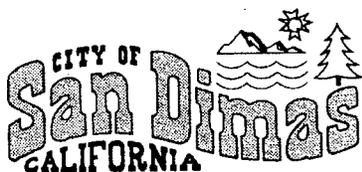
ADJOURNMENT

Chairman Morris adjourned the meeting at 9:13 p.m.

Respectfully submitted,

Ina Rios, Secretary

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Agenda Item Staff Report

To: Honorable Mayor and Members of the City Council
For the meeting of March 9, 2010

From: Blaine Michaelis, City Manager *BM*

Initiated by: Ina Rios, CMC, City Clerk

Subject: Equestrian Commission Appointment

BACKGROUND

Equestrian Commissioner Chair Misty Reiss has relocated out of San Dimas and submitted her resignation from her unexpired term on the Equestrian Commission. The term ends on July 31, 2010.

The following two applicants from the previous recruitment have expressed their interest in being considered for the interim vacancy:

Marca DeMonaco
Yvette Picconi

Upon completion of the interim term, the successful candidate will be eligible for appointment to a full two-year term with a limit of three terms.

RECOMMENDATION

Pleasure of the Council to appoint one of the eligible candidates to the unexpired term through July 31, 2010.

md(2)

Ina Rios

From: Jan Sutton
Sent: Friday, February 19, 2010 4:41 PM
To: 'IV Daily Bulletin'
Cc: Ina Rios; Kevin Frey
Subject: Public Hearing Notice City Council MCTA 10-01

Please publish the ad listed below on **FRIDAY, FEBRUARY 26, 2010**. If you have any questions, or require further information, please do not hesitate to contact me.

Jan Sutton
Administrative Secretary
Planning Division

*City of San Dimas
245 E. Bonita Avenue
San Dimas, CA 91773
909-394-6258 (phone)
909-394-6209 (fax)*

CITY OF SAN DIMAS

CITY COUNCIL

NOTICE OF PUBLIC HEARING

SUBJECT: Municipal Code Text Amendment 10-01

LOCATION: City-Wide

REQUEST: A request to amend Chapter 18.14 of the City's Municipal Zoning Code, regarding Water Efficient Landscaping, to bring the City in compliance with SB 1881.

ENVIRONMENTAL: CEQA Categorical Exemption, Section 15307

This Ordinance is exempt from review under the California Environmental Quality Act (CEQA) (California Public Resources Code Section 2100), pursuant to State CEQA Guideline Regulation 15307, which exempts actions taken by regulatory agencies, as authorized by State law, to assure the maintenance, restoration, enhancement, or protection of a natural resource where the regulatory process involves procedures for protection of the environment. The adoption of this Ordinance is required by State Law (AB 1881) and will result in the enhancement and protection of water resources in the City. The Ordinance will not result in

negative impact to the environment. It is therefore exempt from the provision on CEQA. Therefore no further environmental review is necessary.

APPLICANT: The City of San Dimas

PUBLIC HEARING LOCATION: Senior Citizen/Community Center Multi-Purpose Room
201 E. Bonita Avenue
San Dimas, California 91773

HEARING DATE AND TIME: Tuesday, March 9, 2010
at 7:00 P.M.

A detailed description of the subject application is on file in the Planning Division at City Hall. If you would like more information about the proposed project prior to the public hearing, please contact the Planning Division at 909/394-6250 and request information about this project.

The City is requesting your participation in this public hearing process. If you are unable or do not desire to attend, you also have the opportunity to submit written comments in favor of or in opposition to this project. Correspondence should be addressed to the City of San Dimas, Planning Division, 245 East Bonita Avenue, San Dimas, CA 91773.

If you challenge the action taken on this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Division at, or prior to, this public hearing.

Municipal Code Text Amendment 10-01

Water Efficient Landscape Ordinance

Other things to consider

- 1) Fire resistant landscaping should be given equal weighting with drought resistant landscaping.**
- 2) Including artificial turf in the ordinance should take into consideration AB1793 in regard to HOA's, given AB1061 passed.**
- 3) Defensible Space as noted in numerous fire agency documents should be given more consideration.**
- 4) The standards in the proposed guidelines associated with artificial turf are such that they will be a headache much like overnight RV parking.**
- 5) Promoting fire resistant/drought tolerant landscaping over artificial turf would seem preferable given there are still numerous unanswered questions in regard to the health, safety and longevity of artificial turf.**