



# CITY OF IRWINDALE

5050 N. IRWINDALE AVE., IRWINDALE CA 91706 • PHONE: (626) 430-2200 • FACSIMILE: 962-4209

MARK A. BRECEDA  
MAYOR

ALBERT F. AMBRIZ  
MAYOR PRO TEM

LARRY G. BURROLA  
COUNCILMEMBER

MANUEL R. GARCIA  
COUNCILMEMBER

H. MANUEL ORTIZ  
COUNCILMEMBER

**AGENDA FOR THE REGULAR MEETING OF THE  
CITY COUNCIL  
SUCCESSOR AGENCY TO THE  
IRWINDALE COMMUNITY REDEVELOPMENT AGENCY  
HOUSING AUTHORITY**

Please note  
start time for  
Closed Session

**JANUARY 27, 2016**

5:30 P.M. - CLOSED SESSION  
6:30 P.M. - OPEN SESSION

**IRWINDALE CITY HALL / COUNCIL CHAMBER**

**CLOSED SESSION – CITY HALL CONFERENCE ROOM  
REGULAR MEETING – CITY HALL COUNCIL CHAMBER**

**Spontaneous Communications:** The public is encouraged to address the City Council on any matter listed on the agenda or on any other matter within its jurisdiction. The City Council will hear public comments on items listed on the agenda during discussion of the matter and prior to a vote. The City Council will hear public comments on matters not listed on the agenda during the Spontaneous Communications period.

Pursuant to provisions of the **Brown Act**, no action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist. The City Council may direct staff to investigate and/or schedule certain matters for consideration at a future City Council meeting.

**Americans with Disabilities Act:** In compliance with the ADA, if you need special assistance to participate in a City Council meeting or other services offered by this City, please contact City Hall at (626) 430-2200. Assisted listening devices are available at this meeting. Ask the Deputy City Clerk if you desire to use this device. Upon request, the agenda and documents in the agenda packet can be made available in appropriate alternative formats to persons with disabilities. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

**Note:** Staff reports are available for inspection at the office of the Deputy City Clerk, City Hall, 5050 N. Irwindale Avenue, during regular business hours (8:00 a.m. to 6:00 p.m., Monday through Thursday).



## Code of Ethics

As City of Irwindale Council Members, our fundamental duty is to serve the public good. We are committed to the principle of an efficient and professional local government. We will be exemplary in obeying the letter and spirit of Local, State and Federal laws and City policies affecting the operation of the government and in our private life. We will be independent and impartial in our judgment and actions.

We will work for the common good of the City of Irwindale community and not for any private or personal interest. We will endeavor to treat all people with respect and civility. We will commit to observe the highest standards of morality and integrity, and to faithfully discharge the duties of our office regardless of personal consideration. We shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of others.

We will inform ourselves on public issues, listen attentively to public discussions before the body, and focus on the business at hand. We will base our decisions on the merit and substance of that business. We will be fair and equitable in all actions, claims or transactions. We shall not use our official position to influence government decisions in which we have a financial interest or where we have a personal relationship that could present a conflict of interest, or create a perception of a conflict of interest.

We shall not take advantage of services or opportunities for personal gain by virtue of our public office that are not available to the public in general. We shall refrain from accepting gifts, favors or promises of future benefit that might compromise our independence of judgment or action or give the appearance of being compromised.

We will behave in a manner that does not bring discredit or embarrassment to the City of Irwindale. We will be honest in thought and deed in both our personal and official lives.

Ultimate responsibility for complying with this Code of Ethics rests with the individual elected official. In addition to any other penalty as provided by law, violation of this Code of Ethics may be used as a basis for disciplinary action or censure of a Council Member.

These things we hereby pledge to do in the interest and purposes for which our government has been established.

*IRWINDALE CITY COUNCIL*



**CLOSED SESSION – 5:30 P.M.**

1. Conference with Real Property Negotiators

Pursuant to California Government Code Section 54956.8

- A. Property: 5463 2<sup>nd</sup> Street  
Negotiating Parties: City of Irwindale, Successor Agency and Issa Alasker  
Under Negotiation: Price and terms of purchase  
Conflict of Interest: None
  
- B. Property: 242 Live Oak Avenue  
Negotiating Parties: Successor Agency and Panattoni  
Under Negotiation: Price and Terms  
Conflict of Interest: None

2. Conference with Legal Counsel – Anticipated Litigation

Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of Section 54956.9

- Number of cases: One
- Conflict of Interest: Ortiz traditionally abstains

3. Conference with Legal Counsel – Threat of Litigation

Threat of Litigation Pursuant to Paragraph (2) of Subdivision (d) of Section 54956.9

- Number of cases: One
- Conflict of Interest: None

4. Conference with Legal Counsel - Existing Litigation

Pursuant to California Government Code Section 54956.9

- Name of Case: USA Waste of California, Inc. v. City of Irwindale, et al.  
(LASC Case No. KC 066276)

**ADJOURN**

**OPEN SESSION – 6:30 P.M.**

**A. CALL TO ORDER**

**B. PLEDGE OF ALLEGIANCE**

**C. INVOCATION**

**D. ROLL CALL: Councilmembers: Larry G. Burrola, Manuel R. Garcia, H. Manuel Ortiz;  
Mayor Pro Tem Albert F. Ambriz; Mayor Mark A. Brededa**

**E. REPORT FROM CLOSED SESSION**

**F. CHANGES TO THE AGENDA**

**G. COUNCIL MEMBER TRAVEL REPORTS**

**H. ANNOUNCEMENTS**

**I. INTRODUCTION OF NEW EMPLOYEES/PROMOTIONS**

**J. PROCLAMATIONS / PRESENTATIONS / COMMENDATIONS**

1. Presentation by MADIA (Monrovia, Arcadia, Duarte, Irwindale, Azusa) Tech Launch, Inc. - San Gabriel Valley Regional Technology Community
2. Irwindale Police Department Year-End Review

**SPONTANEOUS COMMUNICATIONS**

This is the time set aside for members of the audience to speak on items not on this agenda. State law prohibits any Council discussion or action on such communications unless 1) the Council by majority vote finds that a catastrophe or emergency exists; or 2) the Council by at least four votes finds that the matter (and need for action thereon) arose within the last five days. Since the Council cannot (except as stated) participate it is requested that all such communications be made in writing so as to be included on the next agenda for full discussion and action. If a member of the audience feels he or she must proceed tonight, then each speaker will be limited to 2 minutes and each subject limited to 6 minutes, unless such time limits are extended.

**1. CONSENT CALENDAR**

The Consent Calendar contains matters of routine business and is to be approved with one motion unless a member of the City Council requests separate action on a specific item. At this time, members of the audience may ask to be heard regarding an item on the Consent Calendar.

A. Minutes

Recommendation: Approve the following minutes:

1. Regular meeting held January 13, 2016

B. Warrants/Demands/Payroll

Recommendation: Approve

C. Investment Quarterly Report – December 31, 2015 (Joint Items on Successor Agency & Housing Authority)

Recommendation: Receive and file the Investment Quarterly Report for December 31, 2015.

D. 2<sup>nd</sup> Reading of Ordinance No. 700

Recommendation: **Adopt on second reading Ordinance No. 700** entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE TO ADD CHAPTER 17.110 TO TITLE 17 OF THE IRWINDALE MUNICIPAL CODE TO PROHIBIT THE ESTABLISHMENT OF MEDICAL MARIJUANA DISPENSARIES AND TO FURTHER PROHIBIT MARIJUANA CULTIVATION AND MOBILE MARIJUANA DISPENSARIES CITYWIDE, AMENDING AND ADDING DEFINITIONS IN CHAPTER 17.08 OF TITLE 17 OF THE IRWINDALE MUNICIPAL CODE, AND REPEALING SECTION 17.32.015 OF CHAPTER 17.32 OF TITLE 17 OF THE IRWINDALE MUNICIPAL CODE TO DELETE DUPLICATIVE PROVISIONS" reading by title only and waiving further reading thereof.

E. Appropriation of Funds and Authorization to Purchase a New Bird School Bus to Replace the Existing 1981 Gillig School Bus

Recommendation: **Adopt Resolution No. 2016-04-2818** thereby approving the replacement of the 1981 Gillig School Bus and the purchase of a 2017 Blue Bird School Bus and appropriating \$120,000.00 from the General Fund reserve for said replacement.

- F. Acceptance of Public Works Construction Contract – the Construction of Two New 8” Main Sewer Discharge Pipes, and the Installation of Three Variable Frequency Drives with All Necessary Equipment and Wiring at the Irwindale Charter Sewerage Pump Station

Recommendation: Accept the improvements and maintenance responsibility for the constructed improvements for the installation of two new 8” main sewer discharge pipes and the installation of three Variable Frequency Drives with all necessary equipment and wiring at the Irwindale Charter Sewerage Pump Station; authorize the recording of the notice of completion; and approve the final construction contract amount of \$879,183.38 for the subject improvements.

- G. Acceptance of Public Works Construction Contract – the Reconstruction of Guard Rails Project on Myrtle Avenue and California Avenue North of Longden Avenue

**Recommendation:** Ratify changes in the work and accept the improvements and maintenance responsibility for the constructed improvements on Myrtle Avenue and California Avenue north of Longden Avenue; authorize the recording of the notice of completion; approve the final construction contract amount of \$74,850.63; and authorize the release of the 5% retention amount for the project.

- H. Metro Gold Line Foothill Extension Construction Project – Amend Existing Contract Agreement to Provide Construction Inspection and Support Services for the Construction of Improvements on Irwindale Avenue and I-210 Eastbound On-Ramp and Irwindale Avenue and First Street

Recommendation: Authorize the City Manager to execute an amendment to a professional engineering contract with Coory Engineering for construction inspection and support services for the Gold Line Project improvements on Irwindale Avenue and I-210 eastbound on-ramp and Irwindale Avenue and First Street.

2. **NEW BUSINESS**

3. **OLD BUSINESS**

4. PUBLIC HEARINGS

- A. Municipal Code Amendment No. 2016-01/Ordinance No. 701, An Ordinance of The City Council of the City of Irwindale Adding Chapter 15.30 to Title 15 of the Irwindale Municipal Code to Establish Water Efficient Landscape Regulations Pursuant to the State’s Model Water Efficient Landscape Ordinance (MWEL0)

Recommendation: **Introduce for first reading of Ordinance No. 701** entitled: “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE ADDING CHAPTER 15.30 “WATER EFFICIENT LANDSCAPE STANDARDS AND GUIDELINES” TO TITLE 15 OF THE IRWINDALE MUNICIPAL CODE TO BE CONSISTENT WITH STATE LAW” reading by title only and waiving further reading thereof.

5. CITY MANAGER’S REPORT

6. ADJOURN

SUCCESSOR AGENCY TO THE IRWINDALE  
COMMUNITY REDEVELOPMENT AGENCY

- A. Report from Closed Session

SPONTANEOUS COMMUNICATIONS

This is the time set aside for members of the audience to speak on items not on this agenda. Spontaneous Communications for the Successor Agency are subject to the same State prohibitions and City guidelines as cited on the City Council agenda.

1. CONSENT CALENDAR

- A. Minutes

Recommendation: Approve the following minutes:

1. Regular meeting held January 13, 2016

- B. Warrants

Recommendation: Approve

- C. Investment Quarterly Report – December 31, 2015 (*Joint Items on City Council & Housing Authority*)

Recommendation: Receive and file the Investment Quarterly Report for December 31, 2015.

- D. Consideration of Resolution No. SA 2016-05-2819 of the City of Irwindale as Successor Agency to the Irwindale Community Redevelopment Agency Approving a Recognized Obligation Payment Schedule and Administrative Budget for July 1, 2016 through June 30, 2017

Recommendation: **Adopt Resolution No. SA 2016-05-2819** entitled, "A RESOLUTION OF THE CITY OF IRWINDALE COMMUNITY REDEVELOPMENT AGENCY APPROVING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE AND ADMINISTRATIVE BUDGET FOR THE TWELVE-MONTH FISCAL PERIOD BEGINNING JULY 1, 2016 AND ENDING JUNE 30, 2017" reading by title only and waiving further reading thereof.

2. **NEW BUSINESS**
3. **PUBLIC HEARINGS**
4. **ADJOURN**

## HOUSING AUTHORITY

- A. Report from Closed Session

### SPONTANEOUS COMMUNICATIONS

This is the time set aside for members of the audience to speak on items not on this agenda. Spontaneous Communications for the Housing Authority are subject to the same State prohibitions and City guidelines as cited on the City Council agenda.

#### 1. **CONSENT CALENDAR**

- A. Minutes

Recommendation: Approve the following minutes:

1. Regular meeting held January 13, 2016

- D. Investment Quarterly Report – December 31, 2015 (*Joint Items on City Council & Successor Agency*)

Recommendation: Receive and file the Investment Quarterly Report for December 31, 2015.

2. **NEW BUSINESS**
3. **PUBLIC HEARINGS**
4. **ADJOURN**

AFFIDAVIT OF POSTING

I, Laura M. Nieto, Deputy City Clerk, certify that I caused the agenda for the regular meeting of the City Council, Irwindale Successor Agency to the Irwindale Community Redevelopment Agency, and Housing Authority, to be held on January 27, 2016 to be posted at the City Hall, Library, and Post Office on January 21, 2016.

*Laura M. Nieto, CMC*

Laura M. Nieto, CMC  
Deputy City Clerk

**COUNCIL AGENDA**  
**ITEM 1A1**

**IRWINDALE CITY COUNCIL CHAMBER**  
**5050 N. IRWINDALE AVENUE**  
**IRWINDALE, CALIFORNIA 91706**

**JAN 27 2016**

**JANUARY 13, 2016**  
**WEDNESDAY**  
**5:30 P.M.**

The Irwindale **CITY COUNCIL** met in regular session at the above time and place.

**ROLL CALL:**

Present: Councilmembers Larry G. Burrola, H. Manuel Ortiz;  
Mayor Pro Tem Albert F. Ambriz; Mayor Mark A. Breceda

Absent: Councilmember Manuel R. Garcia

Also present: John Davidson, City Manager; Fred Galante, City Attorney; Anthony Miranda, Police Chief; William Tam, Director of Public Works / City Engineer; Eva Carreon, Director of Finance; Gus Romo, Director of Community Development; Elvie Balderrama, Human Resources Manager, and Laura Nieto, Deputy City Clerk

**RECESS TO**  
**CLOSED SESSION**

At 5:30 p.m., the City Council recessed to Closed Session to discuss the following:

Conference with Real Property Negotiators

Pursuant to California Government Code Section 54956.8

Property: 5463 2<sup>nd</sup> Street

Negotiating Parties: City of Irwindale, Successor Agency, and Issa Alasker

Under Negotiation: Price and terms of purchase

**ACTION:** Update provided on escrow process; no further reportable action taken.

Property: 14808 Los Angeles Street / 4342 Alderson

Negotiating Parties: City of Irwindale and Seventh Street Development

Under Negotiation: Terms of Purchase

**ACTION:** Update provided regarding the status of escrow and securing a title policy. By motion of Mayor Breceda, seconded by Mayor Pro Tem Ambriz, and unanimously approved (Councilmember Garcia absent), the Council agreed to the terms of the title policy with the indemnification of fidelity against any challenges by the Department of Finance and any related party concerning the transfer from redevelopment agency.

Conference with Legal Counsel – Anticipated Litigation

Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of Section 54956.9

Number of Cases: One

ACTION: Not discussed

Conference with Legal Counsel – Threat of Litigation

Threat of Litigation Pursuant to Paragraph (2) of Subdivision (d) of Section 54956.9

Number of cases: Two

ACTION: Updated provided on the first item; no reportable action taken. On the second item, by motion of Mayor Pro Tem Ambriz, seconded by Councilmember Ortiz, and unanimously approved (Councilmember Garcia absent), the Council agreed to offer a full separation agreement with Elvie Balderrama in exchange of a four-month severance payment, to be paid 15 days after the agreement is fully signed.

Public Employee Performance Evaluation

*Pursuant to California Government Code Section 54957*

Title: City Manager

ACTION: *A motion was made by Mayor Breceda, seconded by Councilmember Ortiz, to add this matter to the agenda, noting that it arose subsequent to the posting of the agenda. The motion was unanimously approved; Councilmember Garcia absent. An update was provided; no further reportable action was taken.*

**RECONVENE IN  
OPEN SESSION**

At 6:35 p.m., the City Council reconvened in Open Session.

**CHANGES TO THE  
AGENDA**

None.

**COUNCILMEMBER  
TRAVEL REPORTS**

None.

**ANNOUNCEMENTS**

None.

**INTRODUCTION OF  
NEW EMPLOYEES /  
PROMOTIONS**

INTRODUCTION OF  
BECKY BARDALES,  
NEWLY APPOINTED  
ASSISTANT TO THE  
SENIOR CENTER  
COORDINATOR

INTRODUCTION OF BECKY BARDALES, NEWLY APPOINTED  
ASSISTANT TO THE SENIOR CENTER COORDINATOR

The introduction was made.

**PROCLAMATIONS /  
PRESENTATIONS /  
COMMENDATIONS**

OATHS OF OFFICE  
TO RICHARD CHICO,  
PLANNING  
COMMISSIONER;  
PAULA FRAIJO &  
BELEN ZEPEDA,  
PARKS & RECREATION  
COMMISSIONERS; AND  
NATALIE OROSCO AND  
IRIS RODRIGUEZ,  
SENIOR  
COMMISSIONERS

OATHS OF OFFICE TO RICHARD CHICO, PLANNING  
COMMISSIONER; PAULA FRAIJO & BELEN ZEPEDA, PARKS &  
RECREATION COMMISSIONERS; AND NATALIE OROSCO AND  
IRIS RODRIGUEZ, SENIOR COMMISSIONERS

The oaths of office were administered to Commissioners Chico,  
Zepeda, and Orosco.

**SPONTANEOUS  
COMMUNICATIONS**

MARLENE CARNEY

Marlene Carney, CEO of the Irwindale Chamber of Commerce,  
thanked the Irwindale Police Department and Sergeant Gatto for  
their presentation to their business members. She also invited all to  
attend the Chamber Installation Dinner, where Norma Ortiz will be  
recognized as Employee of the Year, and Loretta Corpis will be  
recognized as Citizen of the Year.

CITY MANAGER  
DAVIDSON

City Manager Davidson introduced Acting Assistant Fire Chief Jim  
Enriquez of the Los Angeles County Fire Department, who then  
provided background information on his history and responsibilities.  
City Manager Davidson added that he has met with Chief Enriquez  
and that Irwindale seems to be in good shape to defend against  
potential damage from El Nino.

CITY ATTORNEY  
GALANTE

City Attorney Galante advised that staff has checked on the prior  
drawing of straws to determine who can participate in the discussion  
of Item No 4B on tonight's agenda. The two Council members that  
drew the straws to be recused were Mayor Breceda and

Councilmember Garcia; therefore, quorum has been reached and the matter can be discussed tonight.

COUNCILMEMBER  
ORTIZ

Responding to a question by Councilmember Ortiz, City Manager Davidson noted a correction on Item No. 1A1.

**CONSENT CALENDAR**

MOTION

A motion was made by Councilmember Ortiz, seconded by Councilmember Burrola, to approve the Consent Calendar; reading resolutions and ordinances by title only and waiving further reading thereof. The motion was unanimously approved; Councilmember Garcia absent.

ITEM NO. 1A  
MINUTES

MINUTES

The following minutes were approved:

- 1) Regular meeting held December 9, 2015, as corrected.

ITEM NO. 1B  
WARRANTS /  
DEMANDS /  
PAYROLL

WARRANTS / DEMANDS / PAYROLL

The warrants / demands / payroll were approved.

ITEM NO. 1C  
2<sup>ND</sup> READING OF  
ORDINANCE NO. 699

2<sup>ND</sup> READING OF ORDINANCE NO. 699

ITEM NO. 1D  
REJECTION OF CLAIM -  
LASWELL, CHARLES V.  
CITY OF IRWINDALE

REJECTION OF CLAIM – LASWELL, CHARLES V. CITY OF IRWINDALE

**END OF CONSENT CALENDAR**

**NEW BUSINESS**

ITEM NO. 2A  
REQUEST TO  
APPROVE A PROJECT  
REIMBURSEMENT  
AGREEMENT BETWEEN  
THE CITY AND 7<sup>TH</sup>  
STREET DEVELOPMENT  
("DEVELOPER") FOR  
CEQA AND CITY  
ATTORNEY COSTS  
ASSOCIATED WITH A  
PROPOSED

REQUEST TO APPROVE A PROJECT REIMBURSEMENT AGREEMENT BETWEEN THE CITY AND 7<sup>TH</sup> STREET DEVELOPMENT ("DEVELOPER") FOR CEQA AND CITY ATTORNEY COSTS ASSOCIATED WITH A PROPOSED DEVELOPMENT TO BE LOCATED AT 4224 – 4342 ALDERSON AVENUE AND 14808 – 14910 LOS ANGELES STREET

DEVELOPMENT TO BE  
LOCATED AT  
4224 – 4342  
ALDERSON AVENUE  
AND 14808 – 14910  
LOS ANGELES STREET

DIRECTOR ROMO Director Romo discussed the staff report.

COUNCILMEMBER ORTIZ Responding to a question by Councilmember Ortiz, Director Romo indicated that this agreement would allow for the reimbursement by the developer to the city for attorney costs related to environmental studies.

MOTION A motion was made by Councilmember Ortiz, seconded by Councilmember Burrola, to approve the Project Reimbursement agreement with 7<sup>th</sup> Street Development for the reimbursement of costs associated with the preparation of an Initial Study and public review Draft and Final Draft of the resulting environmental documents by the CEQA consultant selected by the City as Lead Agency and review time by the City Attorney's Office. The motion was unanimously approved; Councilmember Garcia absent.

ITEM NO. 2B  
REQUEST TO APPROVE A CONTRACT WITH ENVIRONMENTAL IMPACT SCIENCES FOR THE PREPARATION OF A CA ENVIRONMENTAL QUALITY ACT (CEQA) DOCUMENTS (INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION) FOR A PROPOSED DEVELOPMENT LOCATED AT 4224 – 4342 ALDERSON AVENUE AND 14808 – 14910 LOS ANGELES STREET

REQUEST TO APPROVE A CONTRACT WITH ENVIRONMENTAL IMPACT SCIENCES ("EIS") FOR THE PREPARATION OF A CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) DOCUMENTS (INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION) FOR A PROPOSED DEVELOPMENT LOCATED AT 4224 – 4342 ALDERSON AVENUE AND 14808 – 14910 LOS ANGELES STREET

DIRECTOR ROMO Director Romo discussed the staff report.

COUNCILMEMBER  
ORTIZ Responding to several questions by Councilmember Ortiz, Director Romo advised that this study, the land use entitlements, the site plan design review, and the tentative parcel map will be presented to the Planning Commission, and the Commission's recommendation will thereafter be presented to the Council.

Also, staff has already gone through comments received by the City of Baldwin Park, including comments on Alderson Street and how they would like that property developed. They initially had concerns regarding traffic, but staff has advised that the traffic would only be headed eastbound on Los Angeles and up on Azusa Canyon Road, which is the typical truck route.

MAYOR PRO TEM  
AMBRIZ Mayor Pro Tem Ambriz asked whether there would be any impact to the general fund, to which Director Romo confirmed that there would be no impact.

MOTION A motion was made by Mayor Pro Tem Ambriz, seconded by Councilmember Ortiz, to approve the contract with Environmental Impact Sciences for the preparation of an Initial Study and public review Draft and Final Mitigated Negative Declaration to be prepared in association with land use entitlement applications required for the proposed development. The motion was unanimously approved; Councilmember Garcia absent.

**OLD BUSINESS** None.

**PUBLIC HEARINGS**

**ITEM NO. 4A**  
APPROVAL OF  
PROPOSED USE OF  
CDBG ALLOCATION  
FOR FY 2016-2017 APPROVAL OF PROPOSED USE OF CDBG ALLOCATION FOR  
FY 2016-2017

CITY MANAGER  
DAVIDSON City Manager Davidson discussed the staff report.

OPEN  
PUBLIC HEARING At 7:06 p.m., Mayor Breceda opened the public hearing.

CLOSE  
PUBLIC HEARING There being no speakers, Mayor Breceda closed the public hearing at 7:06 p.m.

RESOLUTION NO.  
2016-01-2815  
ADOPTED **Resolution No. 2016-01-2815**, entitled:  
"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINDALE APPROVING THE PROPOSED USE OF THE CITY'S FISCAL YEAR 2016-2017 LOS ANGELES URBAN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT ALLOCATION,"

was passed, approved, and adopted, on the motion of Councilmember Ortiz, seconded by Councilmember Burrola, and unanimously approved; Councilmember Garcia absent.

ITEM NO. 4B  
TENTATIVE PARCEL  
MAP NO. 72834 -  
SUBDIVISION OF ONE  
PARCEL INTO THREE  
PARCELS AT 4618  
NORA AVENUE  
(APN 8417-002-928)

TENTATIVE PARCEL MAP NO. 72834 – SUBDIVISION OF ONE (1) PARCEL INTO THREE (3) PARCELS AT 4618 NORA AVENUE (APN 8417-002-928) (Conflict of Interest – Councilmember Ortiz and Mayor Breceda)

MAYOR BRECEDA

Mayor Breceda declared a potential conflict of interest on this item, recused himself from the discussions, and exited the Council Chamber at 7:07 p.m.

MAYOR PRO TEM  
AMBRIZ

Mayor Pro Tem Ambriz resumed the meeting.

DIRECTOR ROMO

Director Romo discussed the staff report.

OPEN  
PUBLIC HEARING

At 7:11 p.m., Mayor Pro Tem Ambriz opened the public hearing.

CLOSE  
PUBLIC HEARING

There being no speakers, Mayor Pro Tem Ambriz closed the public hearing at 7:11 p.m.

COUNCILMEMBER  
BURROLA

Councilmember Burrola stated that he has confirmed with City Attorney Galante regarding his availability to discuss this matter, as his son can potentially receive one of the new houses to be built in this area.

CITY ATTORNEY  
GALANTE

City Attorney Galante advised that regulations from the Fair Political Practices Commission allow participation from a Council member so long as his/her son is either a minor or, if it relates to an adult child, that he or she is not financially supported by the Council member.

DISCUSSION HELD

Discussion was held regarding soil testing, the arsenic that was detected at the site and how it was remediated, and block wall requirements.

COUNCILMEMBERS  
BURROLA & ORTIZ

Councilmembers Burrola and Ortiz both discussed their preference that any existing block walls along the perimeter of the property be torn down and replaced with new block walls in order to retain consistency.

RESOLUTION NO.  
2016-02-2816  
ADOPTED

**Resolution No. 2016-02-2816**, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING TENTATIVE PARCEL MAP NO. 72834, TO ALLOW THE SUBDIVISION OF ONE (1) PARCEL INTO THREE (3) PARCELS ON PROPERTY LOCATED AT 4618 NORA AVENUE IN THE A-1 (AGRICULTURAL) ZONE, SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF; AND FINDING THE SUBDIVISION TO BE EXEMPT FROM THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT,” with revised condition B8 to read as follows: “new decorative block walls shall be installed along the entire perimeter of the site, including interior property lines and side returns,” was passed, approved, and adopted, on the motion of Councilmember Ortiz, seconded by Councilmember Burrola, and unanimously approved; Mayor Breceda abstaining and Councilmember Garcia absent.

ITEM NO. 4C  
ZONING ORDINANCE  
AMENDMENT TO  
ADOPT AN ORDINANCE  
OF THE CITY COUNCIL  
OF THE CITY OF  
IRWINDALE TO ADD A  
CHAPTER TO THE  
IRWINDALE MUNICIPAL  
CODE TO PROHIBIT  
THE ESTABLISHMENT  
OF MEDICAL  
MARIJUANA  
DISPENSARIES AND  
TO FURTHER  
PROHIBIT MARIJUANA  
CULTIVATION AND  
MOBILE MARIJUANA  
DISPENSARIES  
CITYWIDE, AMEND  
AND ADD  
DEFINITIONS TO THE  
IRWINDALE  
MUNICIPAL CODE,  
AND TO REPEAL A  
SECTION OF THE  
IRWINDALE  
MUNICIPAL CODE TO  
DELETE DUPLICATIVE  
PROVISIONS

ZONING ORDINANCE AMENDMENT NO. 01-2015 TO ADOPT AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE TO ADD CHAPTER 17.110 TO TITLE 17 OF THE IRWINDALE MUNICIPAL CODE TO PROHIBIT THE ESTABLISHMENT OF MEDICAL MARIJUANA DISPENSARIES AND TO FURTHER PROHIBIT MARIJUANA CULTIVATION AND MOBILE MARIJUANA DISPENSARIES CITYWIDE, AMEND AND ADD DEFINITIONS IN CHAPTER 17.08 OF TITLE 17 OF THE IRWINDALE MUNICIPAL CODE, AND TO REPEAL SECTION 17.32.015 OF CHAPTER 17.32 OF TITLE 17 OF THE IRWINDALE MUNICIPAL CODE TO DELETE DUPLICATIVE PROVISIONS

MAYOR BRECEDA Mayor Breceda returned to the dais at 7:30 p.m. and resumed the meeting.

DIRECTOR ROMO Director Romo discussed the staff report.

OPEN PUBLIC HEARING At 7:36 p.m., Mayor Breceda opened the public hearing.

FRED BARBOSA Fred Barbosa stated that the city is in need of tax increment and requested that the city show compassion to cannabis users. He spoke against recreational marijuana use but suggested that the city study this matter in depth.

CLOSE PUBLIC HEARING There being no additional speakers, Mayor Breceda closed the public hearing at 7:40 p.m.

COUNCILMEMBER BURROLA Responding to a question by Councilmember Burrola, Chief of Police Miranda advised that an illegal marijuana grow was located inside the city but was closed down.

ORDINANCE NO. 700 INTRODUCED FOR FIRST READING **Ordinance No. 700**, entitled:  
"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE ADDING CHAPTER 17.110 TO TITLE 17 OF THE IRWINDALE MUNICIPAL CODE TO PROHIBIT THE ESTABLISHMENT OF MEDICAL MARIJUANA DISPENSARIES AND TO FURTHER PROHIBIT MARIJUANA CULTIVATION AND MOBILE MARIJUANA DISPENSARIES CITYWIDE, AMENDING AND ADDING DEFINITIONS IN CHAPTER 17/08 OF TITLE 17 OF THE IRWINDALE MUNICIPAL CODE, AND REPEALING SECTION 17.32.015 OF CHAPTER 17.32 OF TITLE 17 OF THE IRWINDALE MUNICIPAL CODE TO DELETE DUPLICATIVE PROVISIONS," was passed, approved, and adopted, reading by title only and waiving further reading thereof, on the motion of Mayor Pro Tem Ambriz, seconded by Councilmember Burrola, and unanimously approved; Councilmember Garcia absent.

**CITY MANAGER'S  
REPORT**

CITY MANAGER DAVIDSON As requested by City Manager Davidson, Director Tam advised that there was local flooding at several locations throughout the city due to El Nino. Public Works staff ensured that no major traffic problems were created for motorists and people around city facilities. Staff continues to prepare for future rainfall. Staff has also received training along with County Public Works staff, who will provide assistance in situations that cannot be handled by city staff alone. Notices were also sent to residents to notify them that sand bags are available for pick up at the City Yard. He noted that the sand was donated by Vulcan Materials.

**MAYOR BRECEDA** Responding to a question by Mayor Breceda, Director Tam advised that sand bags cannot be delivered since the city does not have the manpower to do that. However, if resources are available, arrangements can possibly be made to deliver sandbags to seniors or others that may need the help.

**CHIEF MIRANDA** Chief Miranda spoke on a recent incident wherein officers responded to an emergency situation within one minute of the 911 call, where an infant had stopped breathing. The officers performed CPR and were able to revive the child. He noted that the officers will be recognized for their heroic efforts in the near future.

**FRED BARBOSA** Fred Barbosa requested that the city provide CPR classes for adults.

**ADJOURNMENT** There being no further business to conduct, the meeting was adjourned at 7:51 p.m.

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Laura M. Nieto, CMC  
Deputy City Clerk

## Accounts Payable

## Checks by Date - Summary By Check Number

User: meganz  
 Printed: 1/20/2016 - 9:17 AM



Check Number	Vendor No	Vendor Name	Check Date	Check Amount
58440	PMIDEN	Delta Dental Insurance Company	01/07/2016	1,701.36
58441	FRANC06	Franchise Tax Board	01/07/2016	200.00
58442	JenkinsH	Helen Louise Jenkins	01/07/2016	750.00
58443	STANDA01	Standard Insurance Co. RV	01/07/2016	517.30
58444	STANDA03	Standard Insurance Company	01/07/2016	1,819.84
58445	VISION01	Vision Service Plan - (CA)	01/07/2016	3,760.01
58446	AECOM01	AECOM Technical Services Inc.	01/07/2016	34,375.24
58447	ALLIAN	Alliant Insurance Services, Inc.	01/07/2016	769.00
58448	AT&T02	AT & T	01/07/2016	40.38
58449	ATHENS	Athens Services	01/07/2016	13,544.78
58450	Ayala01	Leonor Ayala	01/07/2016	62.50
58451	AZUSALW	Azusa Light & Water	01/07/2016	830.86
58452	BAKER01	Baker & Taylor Books	01/07/2016	372.31
58453	OROSCO05	Rebecca Bardales	01/07/2016	2,272.42
58454	CALIFO02	California American Water	01/07/2016	11.12
58455	CALTRON	Caltronics Business Systems	01/07/2016	150.62
58456	CASC01	CASC Engineering & Consulting	01/07/2016	2,610.00
58457	BREA01	City of Brea - IT	01/07/2016	15,895.00
58458	CODUTO	Donald P. Coduto	01/07/2016	8,206.34
58459	COUNTY04	County Of Los Angeles	01/07/2016	29,398.89
58460	FEDEX	FedEx	01/07/2016	59.99
58461	FRAIJO02	John Fraijo	01/07/2016	1,199.59
58462	GASCOM	Gas Company, The	01/07/2016	1,000.88
58463	GENTRY	Gentry Brothers, Inc	01/07/2016	1,644.38
58464	GUN01	Gun Effects	01/07/2016	196.20
58465	HDLCOR	HdL Coren & Conc	01/07/2016	1,575.00
58466	HOYEN	Noelle Hoye	01/07/2016	300.00
58467	COORYE	Samir M. Khoury	01/07/2016	27,893.00
58468	KIPPER01	Lois Kipper	01/07/2016	6.00
58469	KOFTEK01	Abraham Koftekian	01/07/2016	1,800.00
58470	LosAngel	LA County Tax Collector	01/07/2016	4,666.39
58471	LEVEL01	Level 3 Communications	01/07/2016	1,871.53
58472	LIEBERT	Liebert Cassidy Whitmore	01/07/2016	830.00
58473	LOPEZR	Robert Lopez	01/07/2016	57.13
58474	OFFICE03	Office Depot	01/07/2016	287.37
58475	PETTYC05	City of Irwindale Petty Cash	01/07/2016	479.88
58476	PITNEY06	Pitney Bowes, Inc	01/07/2016	285.03
58477	PSIP01	PSIP SN Irwindale LLC	01/07/2016	329,684.00
58478	RICOH01	Ricoh USA, Inc	01/07/2016	894.08
58479	SCPMA-HR	SCPMA-HR	01/07/2016	50.00
58480	SHELTE01	ShelterClean, Inc.	01/07/2016	1,400.00
58481	SCE02	Southern California Edison	01/07/2016	16,770.10
58482	SOUTHE02	Southern California Edison-	01/07/2016	7.39
58483	TAMKWO	William K. Tam	01/07/2016	943.78
58484	VALLEY01	Valley County Water District	01/07/2016	3,750.26

Check Number	Vendor No	Vendor Name	Check Date	Check Amount
58485	VERIZO01	Verizon California	01/07/2016	671.39
58486	WILLDAN	Willdan Financial Services	01/07/2016	2,700.00
			Report Total:	518,311.34

# Accounts Payable

## Checks by Date - Summary By Check Number

User: meganz  
Printed: 1/20/2016 - 9:56 AM



Check Number	Vendor No	Vendor Name	Check Date	Check Amount
58489	Ayala01	Leonor Ayala	01/14/2016	225.00
58490	BANKOF03	Bank of The West	01/14/2016	4,503.70
58491	BRAVO01	Jesus Bravo	01/14/2016	83.00
58492	CALIFO02	California American Water	01/14/2016	219.39
58493	CHARTE01	Charter Communications	01/14/2016	240.97
58494	COSTCO01	Costco Membership	01/14/2016	110.00
58495	GECAPI	GE Capital	01/14/2016	344.03
58496	SOUTHE17	Golden State Water Company	01/14/2016	1,303.24
58497	HERNAN18	Joan Hernandez	01/14/2016	20.00
58498	HOMEDE	Home Depot Credit Services	01/14/2016	248.20
58499	MCIWOR	MCI Comm Service	01/14/2016	35.00
58500	SANGAB11	San Gabriel Valley Newspaper	01/14/2016	527.84
58501	SMART&	Smart & Final	01/14/2016	505.63
58502	SCE02	Southern California Edison	01/14/2016	14,489.46
58503	SPARKL	Sparkletts Drinking Water	01/14/2016	74.09
58504	VALLEY01	Valley County Water District	01/14/2016	1,838.61
58505	VERIZO01	Verizon California	01/14/2016	2,000.94
58506	WAGONER	Pamela Wagoner	01/14/2016	196.00
58507	XEROXC	Xerox Corporation	01/14/2016	543.63
58508	A1PART	A-1 Party Rentals	01/27/2016	1,042.50
58509	APPLIE03	Applied Mechanical HVAC	01/27/2016	900.00
58510	ARC03	ARC Document Solutions, Inc.	01/27/2016	6,835.21
58511	ATHENS	Athens Services	01/27/2016	13,588.43
58512	B&KBL02	B & K Electric Wholesale	01/27/2016	607.83
58513	BAKER01	Baker & Taylor Books	01/27/2016	1,423.07
58514	BALLOO	Balloons 'N' More	01/27/2016	20.00
58515	BARNEY	Barney's Locksmith Service	01/27/2016	107.64
58516	BLACKA	Black & White Emergency Vehicl	01/27/2016	3,132.81
58517	BRITTEW	Brite Works	01/27/2016	7,859.56
58518	BROWNS	Brown's Auto Glass	01/27/2016	220.89
58519	CALIBE01	Caliber Commercial Pool Servic	01/27/2016	2,247.10
58520	CALIFO42	California Building Standards	01/27/2016	210.60
58521	CHICO06	June Chico	01/27/2016	300.00
58522	CITRUS05	Citrus Valley Health Partners	01/27/2016	20.00
58523	CITYCL	City Clerks Assoc Of California	01/27/2016	130.00
58524	BALDWI02	City of Baldwin Park	01/27/2016	552.50
58525	CITYOF22	City of Glendora	01/27/2016	2,875.00
58526	COMMUN01	Communications Center	01/27/2016	358.00
58527	CPRSCA	CPRS Park & Recreation	01/27/2016	170.00
58528	DEPART06	Department Of Animal Care	01/27/2016	4,884.91
58529	DeptJust	Dept of Justice	01/27/2016	64.00
58530	DIAZLU	Lupe Diaz	01/27/2016	100.00
58531	DICKER01	Dickerson, McCulloch & Associat	01/27/2016	645.31
58532	DIVERS01	Diversified Utilities	01/27/2016	695.00
58533	EG01	E. G. Brennan & Co. Corp.	01/27/2016	169.00

Check Number	Vendor No	Vendor Name	Check Date	Check Amount
58534	ELITBE	Elite Elevator, Inc.	01/27/2016	350.00
58535	GAILEY02	Gailey Associates, Inc	01/27/2016	2,212.50
58536	GARVEY	Garvey Equipment Co	01/27/2016	241.53
58537	GEQLOG	Geologic Associates	01/27/2016	13,336.50
58538	GRAING	Grainger	01/27/2016	1,958.66
58539	GUILLE03	Mydia Guillen	01/27/2016	100.00
58540	GUN01	Gun Effects	01/27/2016	100.00
58541	HOSEMA	Hose-Man, The	01/27/2016	256.85
58542	INLAND03	Inland Valley Construction, Inc.	01/27/2016	2,280.00
58543	INTELL01	Intelli-tech, Inc.	01/27/2016	50.00
58544	IRWIND21	Irwindale Hand Wash & Auto Det	01/27/2016	461.48
58545	IRWIND14	Irwindale Industrial Clinic	01/27/2016	150.00
58546	IRWIND03	Irwindale Tire Shop	01/27/2016	15.00
58547	JCSPLU	JC's Plumbing & Backfolw Svc	01/27/2016	819.80
58548	JOHNNY02	Johnny's Pool Service	01/27/2016	50.14
58549	JUSTIRE	Just Tires	01/27/2016	362.47
58550	COORYE	Samir M. Khoury	01/27/2016	825.00
58551	L&LBUI	L & L Building Materials	01/27/2016	148.16
58552	LEAGUE02	League Of California Cities	01/27/2016	932.88
58553	LEXISN	LexisNexis Risk Solutions	01/27/2016	153.00
58554	LOSANG09	Los Angeles County	01/27/2016	22,833.47
58555	MARIPO	Mariposa Landscapes, Inc.	01/27/2016	12,246.87
58556	MARXBR	Marx Bros Fire Extinguisher Co	01/27/2016	225.00
58557	MCPPEEK01	McPeek's Dodge of Anaheim	01/27/2016	69,254.30
58558	MISSIO	Mission Linen Supply	01/27/2016	328.15
58559	MORRIS02	Morrison Management Specialist	01/27/2016	1,462.50
58560	NAPA01	Napa Auto Care - West Covina	01/27/2016	808.29
58561	NUNEZ02	Pilar Nunez	01/27/2016	100.00
58562	OFFICE03	Office Depot	01/27/2016	1,330.83
58563	PRO01	Pro Line Gym Floors	01/27/2016	3,300.00
58564	PROPRINT	Pro Printing, Inc.	01/27/2016	50.14
58565	QUINN02	Quinn Company	01/27/2016	1,221.96
58566	REGIST01	Registrar-Recorder/County Clerk	01/27/2016	589.32
58567	ROINETWK	ROI Networks, LLC	01/27/2016	445.00
58568	ROSENO	Rosenow Spevacek Group Inc	01/27/2016	723.75
58569	SANGAB25	San Gabriel Valley Police	01/27/2016	250.00
58570	SANGAB04	San Gabriel Valley Water Assoc	01/27/2016	100.00
58571	SCFUELS	SC Fuels	01/27/2016	8,931.80
58572	SHELTE01	ShelterClean, Inc.	01/27/2016	1,400.00
58573	SkyBluep	Sky Blueprint & Supplies, Inc	01/27/2016	196.20
58574	STRESS	Stress Less	01/27/2016	8,600.00
58575	TETRA01	Tetra Tech BAS Inc.	01/27/2016	34,791.75
58576	NORTHR	The Northridge Group, Inc.	01/27/2016	5,055.66
58577	USARMO	U.S. Armor	01/27/2016	2,226.87
58578	USBANK02	U.S. Bank	01/27/2016	3,300.00
58579	WESTCO05	West Coast Arborists, Inc.	01/27/2016	2,310.00
58580	ZEMED	Zee Medical, Inc.	01/27/2016	90.00
58581	ZEPEDA04	Dena Zepeda	01/27/2016	75.00

Report Total:

283,718.92

JAN 27 2016

Successor Agency Agenda  
Item 1C  
January 27, 2016

**AGENDA REPORT**

Date: January 27, 2016

To: Honorable Mayor and City Council  
Successor Agency Board  
Housing Authority Board

From: John Davidson, City Manager/Executive Director

Subject: Investment Quarterly Report – December 31, 2015.

HOUSING AGENDA  
ITEM 1B

JAN 27 2016

**City Manager's Recommendation:**

Receive and file the Investment Quarterly Report for December 31, 2015.

**Background:**

California Government Code Section 53646 requires that the City Treasurer submit a quarterly report of investments to the City Council/Boardmembers for review and compliance with the City's adopted investment policy. The attached investment report summarizes the City's investments as of December 31, 2015. The report shows that funds are invested in the Local Agency Investment Fund (LAIF), certificates of deposits and federal agency securities. All investments are in compliance with the City's adopted investment policy.

Fiscal Impact  (Initial of CFO) None.

Legal Impact \_\_\_\_\_ (Initial of Legal Counsel) None.

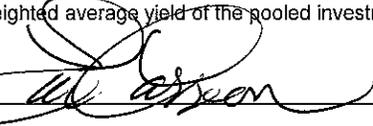
Contact Person: Eva Carreon, City Treasurer (626) 430-2221

  
John Davidson, City Manager/  
Executive Director

**CITY OF IRWINDALE  
SCHEDULE OF INVESTMENTS  
December 31, 2015**

DESCRIPTION OF SECURITY	FACE VALUE OR ORIGINAL COST	CURRENT YIELD TO MATURITY	PURCHASE DATE	MATURITY DATE	MARKET VALUE	INVESTMENT RATING
<b>CITY OF IRWINDALE INVESTMENTS</b>						
<b>MONEY MARKET FUNDS</b>						
LOCAL AGENCY INVESTMENT FUND (LAIF):						
ACCOUNT # 98-19-394 - CITY	\$ 16,286,799	0.37%			\$ 16,286,799	
ACCOUNT # 25-19-004 - HOUSING AUTHORITY	13,636,474	0.37%			13,636,474	
ACCOUNT # 65-19-050 - SUCCESSOR AGENCY	4,026,617	0.37%			4,026,617	
<b>CERTIFICATES OF DEPOSIT</b>						
USAMERIBANK	225,000	1.90%	05/11/11	01/11/16	225,034	
ISRAEL DISC BK NEW YORK-IDBNY	225,000	2.10%	02/09/11	02/09/16	225,324	
THOMASVILLE NATIONAL BANK	225,000	2.00%	04/29/11	02/29/16	225,484	
SAFRA NATIONAL BANK	240,000	0.55%	12/30/14	03/30/16	240,000	
CIT BANK SALT LAKE CITY UTAH	225,000	1.80%	08/17/11	08/17/16	226,472	
REPUBLIC BANK BOUNTIFUL UTAH	225,000	1.70%	08/19/11	08/19/16	226,341	
VERMILLION STATE BANK MN	225,000	1.50%	08/31/11	08/31/16	226,094	
LUANA SAVINGS BANK	225,000	1.50%	09/02/11	09/02/16	226,087	
ALLY BANK	240,000	1.15%	10/30/13	10/31/16	240,619	
BARCLAYS BANK DELAWARE	240,000	1.90%	12/07/11	12/07/16	242,016	
EVERGREEN BANK GROUP	240,000	0.80%	12/30/14	12/30/16	239,954	
TCB NATIONALBANK	240,000	0.80%	12/31/14	01/03/17	239,774	
BANK OF BARODA	240,000	1.10%	02/04/14	02/06/17	240,614	
CELTIC BANK	240,000	1.00%	12/30/14	03/30/17	239,863	
STEARNS BANK NA	240,000	0.90%	12/31/14	03/31/17	239,621	
INDEPENDENT BANK MEMPHIS	240,000	1.00%	12/30/14	06/30/17	239,371	
SYNOVUS BANK GA	240,000	1.10%	12/30/14	06/30/17	239,654	
THIRD FED SAVINGS & LOAN	240,000	1.40%	11/27/13	11/27/17	240,691	
MEDALLION BK	240,000	1.25%	12/28/15	12/28/17	238,574	
BRICKELL BANK CTF	240,000	1.20%	12/31/15	12/29/17	240,158	
EAGLE BANK CTF	240,000	1.25%	12/30/15	12/29/17	239,030	
FNB OF MCGREGOR TX	240,000	1.15%	12/31/14	01/02/18	238,531	
LYONS NATIONAL BANK (LYNB)	240,000	1.30%	01/30/14	01/30/18	238,867	
MERCHANTS NATL BANK OH	240,000	1.60%	11/27/13	06/27/18	240,667	
BANK OF THE CALIFORNIA	240,000	1.50%	12/31/14	06/29/18	238,442	
MORTON COMMUNITY BANK	240,000	1.30%	12/30/14	06/29/18	238,382	
COMPASS BANK CTF	240,000	1.55%	12/31/15	07/02/18	241,572	
BMW BANK OF NORTH	240,000	2.10%	10/25/13	10/25/18	241,123	
GE CAPITAL RETAIL BANK	240,000	2.15%	10/25/13	10/25/18	242,102	
SALLIE MAE BANK	240,000	2.00%	11/27/13	11/27/18	240,850	
WELLS FARGO BANK	240,000	1.55%	12/30/15	12/31/18	238,884	
GOLDMAN SACHS BANK	240,000	2.00%	05/07/14	05/07/19	239,501	
BANK LIBERTY	240,000	1.50%	12/30/15	06/28/19	238,303	
AMERICAN EXPRESS	240,000	2.05%	12/30/15	12/30/19	238,642	
CONNECTONE BK NJ	240,000	1.85%	12/30/14	12/30/19	238,906	
GUARANTY BANK	240,000	1.60%	12/29/15	12/30/19	238,073	
CENTRAL BANK ILLINOIS	240,000	1.90%	12/31/15	12/31/20	241,958	
INVESTORS COMM BANK	240,000	1.90%	12/31/15	12/31/20	241,958	
<b>US GOVERNMENT AGENCIES</b>						
FEDERAL HOME LOAN BANK - FHLB	1,998,000	1.00%	03/26/14	06/21/17	1,998,900	AAA
FEDERAL HOME LOAN BANK - FHLB	3,000,000	1.20%	06/29/15	06/29/18	2,988,510	AAA
FEDERAL NATIONAL MORTGAGE ASSN - FNMA	2,457,500	1.25%	03/19/14	01/30/19	2,483,125	AAA
FEDERAL HOME LOAN MTG CORP - FHLMC	988,500	1.25%	12/29/15	10/02/19	986,370	AAA
FEDERAL NATIONAL MORTGAGE ASSN - FNMA	4,000,000	1.70%	03/25/15	10/04/19	3,983,400	AAA
FEDERAL HOME LOAN BANK - FHLB	4,000,000	1.00%	03/30/15	03/30/20	4,002,600	AAA
FEDERAL FARM CREDIT UNION - FFCB	5,000,000	1.98%	06/29/15	06/29/20	5,021,100	AAA
FEDERAL HOME LOAN MTG CORP - FHLMC	5,000,000	2.00%	12/30/15	12/30/20	4,981,550	AAA
<b>TOTAL INVESTMENTS</b>	<b>69,408,890</b>				<b>69,412,982</b>	

It has been verified that this investment portfolio is in conformity, exclusive of items identified, with the City of Irwindale's investment policy which was approved by City Council on **July 8, 2015**. The Treasurer's cash management program and cash flow analysis indicates that sufficient liquidity is on hand to meet estimated future expenditures for a period of six months. The weighted average of maturity of the pooled investment portfolio is **1.72** years. The weighted average yield of the pooled investments at cost is **0.962%**. Market prices of securities are obtained directly through Bank of the West.

Approved by 

Eva Carreon, Director of Finance/City Treasurer

**AGENDA REPORT** COUNCIL AGENDA  
ITEM     ID    

JAN 27 2016

*Date: January 27, 2016*

*To: Mayor and Council Members*

*From: John Davidson, City Manager*

*Issue: 2nd Reading of Ordinance No. 700*

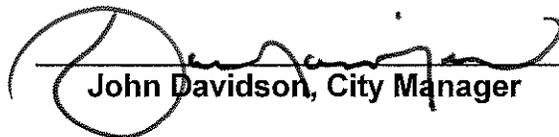
**City Manager's Recommendation:** That the City Council adopt on second reading Ordinance No. 700 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE TO ADD CHAPTER 17.110 TO TITLE 17 OF THE IRWINDALE MUNICIPAL CODE TO PROHIBIT THE ESTABLISHMENT OF MEDICAL MARIJUANA DISPENSARIES AND TO FURTHER PROHIBIT MARIJUANA CULTIVATION AND MOBILE MARIJUANA DISPENSARIES CITYWIDE, AMENDING AND ADDING DEFINITIONS IN CHAPTER 17.08 OF TITLE 17 OF THE IRWINDALE MUNICIPAL CODE , AND REPEALING SECTION 17.32.015 OF CHAPTER 17.32 OF TITLE 17 OF THE IRWINDALE MUNICIPAL CODE TO DELETE DUPLICATIVE PROVISIONS" reading by title only and waiving further reading thereof.

**Analysis:** At its meeting of January 13, 2016, City Council introduced the above ordinance for first reading. The appropriate ordinance is attached and it would be in order to adopt the ordinance on second reading.

**Fiscal Impact:**  (Initial of CFO)

**Legal Impact:**  (Initial of Legal Counsel)

**Prepared By/Contact Person:** Gus Romo, Community Development Director  
**Phone:** 626-430-2206

  
John Davidson, City Manager

Attachment  
Ordinance No. 700

**ORDINANCE NO. 700**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE TO ADD CHAPTER 17.110 TO TITLE 17 OF THE IRWINDALE MUNICIPAL CODE TO PROHIBIT THE ESTABLISHMENT OF MEDICAL MARIJUANA DISPENSARIES AND TO FURTHER PROHIBIT MARIJUANA CULTIVATION AND MOBILE MARIJUANA DISPENSARIES CITYWIDE, AMEND AND ADD DEFINITIONS IN CHAPTER 17.08 OF TITLE 17 OF THE IRWINDALE MUNICIPAL CODE, AND TO REPEAL SECTION 17.32.015 OF CHAPTER 17.32 OF TITLE 17 OF THE IRWINDALE MUNICIPAL CODE TO DELETE DUPLICATIVE PROVISIONS**

**A. RECITALS**

- i. In 1996, the voters of the state of California approved Proposition 215, codified at Health and Safety Code section 11362.5 et seq. and entitled "The Compassionate Use Act of 1996" (the "CUA"); and
- ii. The CUA was intended to provide seriously ill Californians the ability to possess, use and cultivate marijuana for medical use once a physician has deemed the use beneficial to a patient's health; and
- iii. In 2003, California Senate Bill (SB) 420 was enacted by the Legislature to clarify the scope of the CUA and to allow California cities and counties to adopt and enforce rules and regulations consistent with SB 420 and the CUA; and
- iv. These new regulations and rules became known as the Medical Marijuana Program ("MMP"), which, among other things, enhanced the access of patients and caregivers to medical marijuana through collective, cooperative cultivation projects; and
- v. Neither the CUA nor the MMP require or impose an affirmative duty or mandate upon a local government to allow, authorize, or sanction the establishment of facilities that cultivate or process medical marijuana within its jurisdiction; and
- vi. In 2008, the City Council of the City of Irwindale ("City") adopted a prohibition on medical marijuana dispensaries by adopting Ordinance No. 624, codified in the City's Zoning Ordinance at section 17.32.015 of Chapter 17.32 of Title 17 of the Irwindale Municipal Code (the "Ordinance"); and
- vii. In 2013, the California Supreme Court confirmed that cities have the authority to ban medical marijuana land uses (*City of Riverside v. Inland Empire Patients Health and Wellness Center* (2013) 56 Cal.4th 729); and
- viii. Also in 2013, the California Supreme Court further determined that the CUA and MMP do "not preempt a city's police power to prohibit the cultivation of all marijuana within that city" (*Maral v. City of Live Oak* (2013) 221 Cal.App.4th 975, 978); and

- ix. Under the Federal Controlled Substances Act, codified in 21 U. S. C. Section 801 *et seq.*, the use, possession, and cultivation of marijuana are unlawful and subject to federal prosecution without regard to a claimed medical need; and
- x. On October 9, 2014, Governor Jerry Brown signed into law, three (3) bills – AB 243, AB 266 and SB 643 – which together form the Medical Marijuana Regulation and Safety Act (the “Act”); and
- xi. On May 13, 2015, the City Council of the City of Irwindale (“City”) adopted a temporary moratorium on the commercial and industrial cultivation, processing and distribution of medical marijuana in all non-residential zones pending the completion of studies and the preparation of an update to the City’s Zoning Code by adopting Interim Urgency Ordinance No. 691; and
- xii. On June 24, 2015, the City Council of the City of Irwindale (“City”) adopted an extension of a temporary moratorium on the commercial and industrial cultivation, processing and distribution of Medical marijuana in all nonresidential zones pending completion of studies and the preparation of an update to the City’s Zoning Code, established by Interim Urgency Ordinance No. 691 pursuant to section 65858(d) of the California Government Code; and
- xiii. The Act, which becomes effective January 1, 2016, creates a comprehensive state licensing system for the commercial cultivation, manufacture, retail sale, transport, distribution, delivery, and testing of medical cannabis; and
- xiv. In addition to creating these State controls, the Act preserves the City’s authority to prohibit, regulate and/or license medicinal marijuana uses within its jurisdiction, as it expressly provides that the Act:
  - 1. Is not intended “to supersede or limit existing local authority for law enforcement activity, enforcement of local zoning requirements or local ordinances, or enforcement of local permit or licensing requirements” (Bus. & Prof. Code § 19315(a));
  - 2. Does not limit the authority or remedies of a local government under any provision of law regarding marijuana, including but not limited to a local government’s right to make and enforce within its limits all police regulations not in conflict with general laws (Bus. & Prof. Code § 19316(c));
  - 3. Authorizes local jurisdictions like the City with the power to “adopt ordinances that establish additional standards, requirements, and regulations for local licenses and permits for commercial cannabis activity” (Bus. & Prof. Code § 19316); and
- xv. The Act further expressly allows local governments to enact ordinances expressing their intent to prohibit the cultivation of marijuana and their intent

not to administer a conditional permit program pursuant to Health & Safety Code Section 11362.777 for the cultivation of marijuana (Health & Safety Code § 11362.777(c)(4));

- xvi. The Act requires a local government that wishes to prevent marijuana delivery activity, as defined in Business & Professions Code section 19300.5 (m), from operating within the local government's boundaries to enact an ordinance affirmatively banning such delivery activity (Bus. & Prof. Code § 19340(a));
- xvii. Under the dual licensing system created by the Act, before any kind of medical marijuana license will be issued by the State, the applicant must have obtained the necessary local license and/or permit for the requested marijuana-related use; and
- xviii. Pursuant to the following statutes created by the Act, local jurisdictions that adopt a ban on medicinal marijuana dispensaries, cultivation and/or mobile delivery will effectively have a "veto" over whether a state license for the locally regulated activities can be issued:
  - 1. Business & Professions § 19320(b): "A licensee shall not commence [commercial cannabis] activity under the authority of a state license until the applicant has obtained, in addition to the state license, a license or permit from the local jurisdiction in which he or she proposes to operate, following the requirements of the applicable local ordinance."
  - 2. Health & Safety Code § 11362.777(b)(1): "A person shall not cultivate medical marijuana without first obtaining . . . A license, permit, or other entitlement, specifically permitting cultivation pursuant to these provisions, from the city. . . in which the cultivation will occur."
  - 3. Business & Professions Code § 19320(b): "Revocation of a local license, permit or authorization shall terminate the ability of a medical cannabis business to operate within that local jurisdiction. . . ."
  - 4. Business & Professions Code § 19312: "Each licensing authority may suspend or revoke licenses. . . ."
- xix. The City hereby re-affirms and confirms that the City's Zoning Code is adopted and operates under the principles of permissive zoning, meaning that any land use not specifically authorized or identified in the zoning code is prohibited; and
- xx. California Health & Safety Code Section 11362.777(b)(3) expressly provides that the Department of Food and Agriculture may not issue a state license to cultivate medical marijuana within a city that prohibits cultivation under the principles of permissive zoning; and

- xxi. Several California cities have reported negative impacts of marijuana cultivation, processing and distribution activities, including but not limited to offensive odors, criminal activity – including trespassing, theft, violent robberies and robbery attempts, and the illegal sale and distribution of marijuana, and public health concerns including fire hazards and problems associated with mold, fungus, and pests; and
- xxii. Marijuana plants, as they begin to flower and for a period of two months or more, produce a strong odor, offensive to many people, and detectable far beyond property boundaries if grown outdoors; and
- xxiii. Due to the value of marijuana plants and their strong smell (which alerts others to their locations), marijuana cultivation has been linked to break-ins, robbery, armed robbery, theft and attendant violence and injury, creating an increased risk to public safety and/or “attractive nuisance”; and
- xxiv. The indoor cultivation of marijuana has potential adverse effects to the structural integrity of the buildings in which it is cultivated, and the use of high wattage grow lights and excessive use of electricity increases the risk of fire, which presents a clear and present danger to the building and its occupants; and
- xxv. The Attorney General’s August 2008 Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use recognizes that the cultivation or other concentration of marijuana in any location or premises without adequate security increases the risk that nearby homes or businesses may be negatively impacted by nuisance activity such as loitering or crime; and
- xxvi. Based on the experiences of other cities, these negative effects on the public health, safety, and welfare are likely to occur, and continue to occur, in the City due to the establishment and operation of marijuana cultivation, processing and distribution activities; and
- xxvii. Based on the findings set forth above and herein, the potential establishment of the cultivation, processing and distribution of medical marijuana in the City without an express ban on such activities poses a current and immediate threat to the public health, safety, and welfare in the City due to the negative impacts of such activities as described above; and
- xxviii. The issuance or approval of business licenses, subdivisions, use permits, variances, building permits, or any other applicable entitlement for marijuana cultivation, processing, delivery, and/ or distribution will result in the aforementioned threat to public health, safety, and welfare; and
- xxix. Pursuant to the above-described express statutory authority and its police power, the City has determined that, in addition to the existing prohibition on the establishment of medicinal marijuana dispensaries codified in the Ordinance, an express prohibition on the cultivation and delivery of marijuana is needed to protect the public health, safety and welfare; and

- xxx. In light of the findings and determinations set forth herein and further advanced during the public hearing on this matter, the City now desires to amend Title 17 of the Irwindale Municipal Code to further prohibit cultivation and mobile dispensaries pursuant to the new state law requirements (AB 266 and AB 243), and to make other miscellaneous edits to effectuate the same (the "Amendments"); and
- xxxi. The Amendments would affect all properties city-wide; and
- xxxii. On December 16, 2015, the Planning Commission conducted a duly noticed public hearing on the proposed Amendments and unanimously recommended that the City Council adopt the same; and
- xxxiii. On January 13, 2016, the City's City Council conducted a duly noticed public hearing on the proposed Amendments, and all testimony received was made a part of the public record; and
- xxxiv. The City Council has duly considered all information presented to it, including the Planning Commission findings, PC Resolution 669(15), written staff reports, and any testimony provided at the public hearing; and
- xxxv. The City of Irwindale is authorized by Article XI, Section 5 and Section 7 of the California Constitution to exercise the police power of the State by adopting regulations, such as the Amendments, to promote public health, public safety, and general prosperity.
- xxxvi. All legal prerequisites to the adoption of this ordinance have occurred.

**B. ORDINANCE**

NOW, THEREFORE, the City Council of the City of Irwindale does hereby ordain as follows:

**Section 1.** The City Council finds that the above recitals are true and correct and are incorporated herein by this reference. Additionally, the City Council finds as follows:

- A. The cultivation and dispensing of marijuana, both fixed and mobile, has significant impacts or the potential for significant impacts on the City. These impacts include damage to residences and other buildings, dangerous electrical alterations and use, inadequate ventilation, and the nuisance of strong and noxious odors. Additionally, there is evidence of an increased incidence of crime-related secondary impacts in locations associated with medical marijuana dispensaries, cultivation and the mobile delivery of same.
- B. The proposed Amendments will further the public health, safety and general welfare. The proposed Amendments to the Ordinance will prohibit marijuana and medical marijuana dispensaries, cultivation and the mobile delivery of same within the City limits and will help protect the public health, safety and general welfare of the City and its residents. They will also mitigate or reduce

the crime-related secondary impacts associated with medical marijuana dispensaries, cultivation and the mobile delivery of same, which is contrary to policies that are intended to promote and maintain the public's health, safety and welfare. These prohibited services will help preserve the City's law enforcement services, in that monitoring and addressing the negative secondary effects and adverse impacts will likely burden the City's law enforcement resources.

- C. The proposed Amendments will not adversely affect adjoining property as to value, precedent or be detrimental to the area. The proposed Amendments to the Ordinance will further solidify the City's stance on prohibiting medical marijuana dispensaries, cultivation, and the mobile delivery of same. The prohibition of these uses will help protect property values in the City and discourage a wide range of illicit activities associated with the sale, cultivation and dispensing of marijuana and/or medical marijuana.
- D. The proposed Amendments are consistent with the General Plan and are in compliance with all applicable provisions of the Zoning Code and other ordinances and regulations of the City. The proposed amendments prohibiting marijuana and medical marijuana dispensaries, cultivation, and the mobile delivery of same within the city limits are consistent with the existing language of 17.32.015, of the municipal code.
- E. The proposed Amendments are consistent with Federal Law. The possession, cultivation, use, and dispensing of marijuana continues to be illegal under Federal law. The Federal Controlled Substances Act classifies marijuana as "Schedule I Drug," which is defined as a drug or other substance that has a high potential for abuse, and makes it unlawful for any person to cultivate or dispense marijuana. The Controlled Substance Act contains no statutory exemption for the possession of marijuana for medical purposes.

**Section 2.** The definition of "medical marijuana dispensary" in section 17.08.376 of Chapter 17.08 of Title 17 is hereby deleted in its entirety.

**Section 3.** The following definitions are hereby added to Chapter 17.08 of Title 17 and shall now read as follows:

**17.08.154 - Delivery.**

"Delivery" shall have the same meaning as set forth in Business and Professions Code section 13900.5(m).

**17.08.366 - Marijuana.**

"Marijuana", also known as cannabis, means any or all parts of the plant Cannabis sativa Linnaeus, Cannabis indica, or Cannabis ruderalis, or any hybrids, derivatives or strains. thereof, whether growing or not; the seeds thereof; the resin or separated resin, whether crude or purified, extracted from any part of the plant; and every compound,

manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin, including marijuana infused in foodstuff or other ingestible or consumable product containing marijuana. The term "marijuana" shall also include "medical marijuana" as such phrase is used in the August 2008 Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use, as may be amended from time to time, that was issued by the office of the Attorney General for the state of California or subject to the provisions of California Health and Safety Code section 11362.5 (Compassionate Use Act of 1996) or the California Health and Safety Code sections 11362.7 to 11362.83 (Medical Marijuana Program Act).

#### **17.08.367 – Marijuana Cultivation.**

"Marijuana Cultivation" means growing, planting, harvesting, drying, curing, grading, trimming, or processing of marijuana.

#### **17.08.368 – Marijuana Processing.**

"Marijuana Processing" means any method used to prepare marijuana or its byproducts for commercial retail and/or wholesale, including but not limited to: drying, cleaning, curing, trimming, packaging, testing, and extraction of active ingredients to create marijuana related products and concentrates.

#### **17.08.373 - Medical Cannabis.**

"Medical cannabis", also known as "medical cannabis product," or "cannabis product", means a product containing cannabis, including, but not limited to, concentrates and extractions, intended to be sold for use by medical cannabis patients in California pursuant to the Compassionate Use Act of 1996 (Health and Safety Code section 11362.5).

#### **17.08.376 – Marijuana Dispensary.**

"Marijuana Dispensary", also known as "Medical Marijuana Dispensary," means any association, business, office, facility, use, establishment or location, retail storefront, provider or wholesale component of any establishment, cooperative or collective that delivers (as defined in Business and Professions Code section 19300.5(m) or any successor statute) whether mobile or otherwise, dispenses, distributes, exchanges, transmits, transports, sells or provides marijuana to any person for any reason, including members of any medical marijuana cooperative or collective consistent with the August 2008 Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use, as may be amended from time to time, that was issued by the Office of the Attorney General for the state of California, or for the purposes set forth in California Health and Safety Code section 11362.5 (Compassionate Use Act of 1996) or California Health and Safety Code sections 11362.7 to 11362.83 (Medical Marijuana Program Act).

A "Marijuana Dispensary" shall not include the following uses, as long as the location of such uses is otherwise regulated by this code or application law: a clinic licensed pursuant to chapter 1 of division 2 of the Health and Safety Code, a healthcare facility licensed pursuant to chapter 2 of division 2 of the Health and Safety Code, a facility licensed pursuant to chapter 2 of division 2 of the Health and Safety Code, a residential

care facility for persons with chronic life-threatening illness licensed pursuant to chapter 3.01 of division 2 of the Health and Safety Code, a residential care facility for the elderly licensed pursuant to chapter 3.2 of division 2 of the Health and Safety Code, a residential hospice, or a home health agency licensed pursuant to chapter 8 of division 2 of the Health and Safety Code, as long as such use complies strictly with applicable law including, but not limited to, Health and Safety Code section 11362.5 *et seq.* provided, however, that cultivation for any purpose shall not be permitted.

**17.08.377 - Mobile Marijuana Dispensary.**

“Mobile Marijuana Dispensary” means any business, office, store, facility, location, retail “storefront” or wholesale component of any establishment, cooperative, collective, club or entity of that nature that transports or delivers (as defined in Business & Professions Code § 193500(m) or any successor statute thereto), or arranges the transportation or delivery of marijuana and/or medical marijuana for any purpose.

**17.08.401 – Operation.**

“Operation” means any effort to locate, operate, own, lease, supply, allow to be operated, or aid, abet or assist in the operation of a marijuana dispensary, fixed or mobile.

**17.08.403 – Person.**

“Person” means any person, firm, corporation, association, club, society, or other organization. The term “person” shall include any owner, manager, proprietor, employee, volunteer or salesperson.

**Section 4.** Chapter 17.110 of Title 17 of the Irwindale Municipal Code is hereby added and shall read as follows:

**Chapter 17.110  
MEDICAL MARIJUANA**

- 17.110.010 Purpose.
- 17.110.020 Findings.
- 17.110.030 Prohibition.
- 17.110.040 Use or activity prohibited by state or federal law.
- 17.110.050 Enforcement.

**Section 17.110.010 Purpose.**

The purpose of this Chapter is to prohibit the establishment of marijuana and medical marijuana dispensaries, cultivation of marijuana, and mobile delivery or distribution of marijuana, as defined herein, in any zone located within the City of Irwindale.

**Section 17.110.020 Findings.**

In adopting the prohibitions codified in this Chapter, the City Council makes the following findings and determinations:

A. The prohibitions on marijuana cultivation, marijuana processing, marijuana delivery, and marijuana dispensaries are necessary for the preservation and protection of the public health, safety, and welfare for the City and its community. The City Council's prohibition of such activities is within the authority conferred upon the City Council by its police power and state law.

B. On October 9, 2015, the governor signed the "Medical Marijuana Regulation and Safety Act" (the "Act") into law. The Act becomes effective January 1, 2016 and contains new statutory provisions that:

1. Allow local governments to enact ordinances expressing their intent to prohibit the cultivation of marijuana and their intent not to administer a conditional permit program pursuant to Health & Safety Code section 11362.777 for the cultivation of marijuana (Health & Safety Code § 11362.777(c)(4));

2. Expressly provide that the Act does not supersede or limit local authority for local law enforcement activity, enforcement of local ordinances, or enforcement of local permit or licensing requirements regarding marijuana (Bus. & Prof. Code § 19315(a));

3. Expressly provide that the Act does not limit the authority or remedies of a local government under any provision of law regarding marijuana, including but not limited to a local government's right to make and enforce within its limits all police regulations not in conflict with general laws (Bus. & Prof. Code § 19316(c)); and

4. Require a local government that wishes to prevent marijuana delivery activity, as defined in Business & Professions Code section 19300.5(m) of the Act, from operating within the local government's boundaries to enact an ordinance affirmatively banning such delivery activity (Bus. & Prof. Code § 19340(a)).

C. It is recognized that the Federal Controlled Substances Act, codified at 21 U.S.C. Section 801 et seq., classifies marijuana as "Schedule I Drug," which is defined as a drug or other substance that has a high potential for abuse. The Controlled Substances act makes it unlawful for any person to cultivate or dispense marijuana without regard to a claimed medical need.

D. The City Council finds that this chapter: (1) expresses its intent to prohibit the cultivation of marijuana in the City and to not administer a conditional permit program pursuant to Health & Safety Code section 11362.777 for the cultivation of marijuana in the City; (2) exercises its local authority to enact and enforce local regulations and ordinances, including those regarding the permitting, licensing, or other entitlement of the activities prohibited by this chapter; (3) exercises its police power to enact and enforce regulations for the public benefit, safety, and welfare of the City and its community; and (4) expressly prohibits the delivery of marijuana in the City.

**Section 17.110.030 Prohibition.**

A. The establishment and/or operation of a medical marijuana dispensary is prohibited in all zones throughout the City.

B. Marijuana cultivation, marijuana processing, and delivery of marijuana or medical cannabis products are prohibited activities in the city, except where the City is preempted by federal or state law from enacting a prohibition on any such activity.

C. Mobile Marijuana Dispensaries. The establishment or operation of a mobile marijuana dispensary shall be prohibited in all zones throughout the City.

1. No person shall locate, operate, own, suffer, allow to be operated or aid, abet, or assist in the operation of any mobile marijuana dispensary within the City.

2. No person shall deliver and/or dispense marijuana and/or medical marijuana to any location within the City from a mobile marijuana dispensary or any other vehicle or method, regardless of where the mobile marijuana dispensary or vehicle is located, or engage in any operation for this purpose.

3. No person shall deliver and/or dispense any marijuana-infused product such as tinctures, baked goods or other consumable products, to any location within the City from a mobile marijuana dispensary, or any other vehicle or method, regardless of where the mobile marijuana dispensary or vehicle is located, or engage in any operation for this purpose.

D. Marijuana-Related Licenses and Permits. No permit or any other applicable license or entitlement for use, whether administrative or discretionary, including, but not limited to, the issuance of a business license, shall be approved or issued for the establishment or operation of a marijuana dispensary within the city limits, the establishment or operation of a mobile marijuana dispensary within the city limits, marijuana cultivation, marijuana processing or marijuana delivery, and no person shall otherwise establish or conduct such activities in the City, except as otherwise expressly allowed by federal or state law.

**Section 17.110.040 Use or activity prohibited by state or federal law.**

Nothing contained in this chapter shall be deemed to permit or authorize any use or activity, which is otherwise prohibited by any state or federal law.

**Section 17.110.050 Enforcement.**

The violation of any provision in this Chapter shall be and is declared to be a public nuisance and contrary to the public interest and shall, in addition to any other remedy and, at the discretion of the city, create a cause of action for injunctive relief. Violations of this Chapter may further be enforced pursuant to the provisions of Title 1 of the City's Municipal Code or any other applicable law.

**Section 5.** Section 17.32.015 of Chapter 17.32 of Title 17 of the Irwindale Municipal Code is hereby repealed in its entirety.

**Section 6.** The City Council finds the introduction and adoption of this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment.

**Section 7.** If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

**Section 8.** The City Clerk shall certify to the passage and adoption of this ordinance by the City Council of the City of Irwindale and shall cause a summary of this ordinance to be published in accordance with Government Code Section 36933, in a newspaper of general circulation which is hereby designated for that purpose, and this ordinance shall take effect thirty (30) days after its passage.

PASSED, APPROVED, AND ADOPTED this 13<sup>th</sup> day of January 2016.

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Mark A. Breceda, Mayor

ATTEST:

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Laura M. Nieto, CMC  
Deputy City Clerk

STATE OF CALIFORNIA            }  
COUNTY OF LOS ANGELES       } ss.  
CITY OF IRWINDALE             }

I, Laura M. Nieto, Deputy City Clerk of the City of Irwindale, do hereby certify that the foregoing Ordinance No. 700 was duly introduced at a regular meeting of the Irwindale City Council held on the 13<sup>th</sup> day of January 2016, and was duly approved and adopted on second reading at its regular meeting held on the 27<sup>th</sup> day of January 2016 by the following vote of the Council:

AYES:       Councilmembers:

NOES:       Councilmembers:

ABSENT:     Councilmembers:

ABSTAIN:    Councilmembers:

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Laura M. Nieto, CMC  
Deputy City Clerk

## AGENDA REPORT

JAN 27 2016

*Date: January 27, 2016*

*To: Mayor and Council Members*

*From: John Davidson, City Manager*

*Issue: Appropriation of Funds and Authorization to Purchase a New Bird School Bus to Replace the Existing 1981 Gillig School Bus*

### **City Manager's Recommendation:**

To approve the appropriation of funds and the authorization to replace existing 1981 Gillig school bus.

### **Analysis:**

The 1981 Gillig school bus is 35 years old and does not meet the State of California Air Resources Board regulations to reduce particulate matter and oxides of nitrogen emissions.

The school bus is required by state regulations to assure the health and safety of all passengers who utilize the city's school bus transportation program. The California Highway Patrol requires that all buses deemed as school buses be inspected every 45 days by a certified mechanic and the inspection once a year of all buses and terminal by the California Highway Patrol.

The California Air Resources Board policy is that all pre-1994 buses must be replaced with an engine from 2010 or newer or have a retrofitted exhaust system placed on the bus.

The 1981 Gillig school bus is showing significant signs of deterioration in the engine and repairs are costly and parts are hard to obtain due to Gillig no longer making school buses.

The Parks & Recreation department did apply for a grant in March of 2015 and was denied due to the city not having its own unified school district. The city did appropriate \$60,000 that would cover the balance of two school buses if the city had been awarded the grant. These funds should be utilized towards the purchase of one 2017 Blue Bird school bus.

The replacement of the 1981 Gillig school bus was not anticipated during the FY 2015-2016 budget process and therefore it is necessary to appropriate \$120,000 from General Fund Reserves for the purchase of one new Blue Bird School Bus.

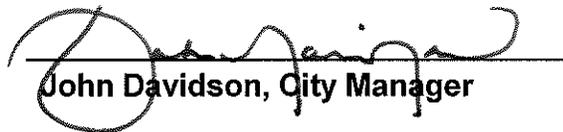
It is recommended that the 1981 Gillig school bus be replaced with a new 2017 Blue Bird school bus.

Cost of one New Blue Bird school bus will be \$180,000.

**Fiscal Impact:**  (Initial of CFO)

**Legal Impact:**  (Initial of Legal Counsel)

**Prepared By/Contact Person: Dan Grijalva, Recreation Manager**

  
John Davidson, City Manager

**RESOLUTION NO. 2016-04-2818**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING THE REPLACEMENT OF THE 1981 GILLIG SCHOOL BUS AND THE PURCHASE OF A 2017 BLUE BIRD SCHOOL AND APPROPRIATING \$120,000.00 FROM THE GENERAL FUND RESERVE FOR SAID REPLACEMENT**

**WHEREAS**, the Irwindale City Council has made it their utmost priority and commitment to provide the residents of the City of Irwindale with quality school transportation vehicles that will be embraced and utilized on a daily basis; and

**WHEREAS**, the Recreation Department is responsible for providing safe school transportation to and from school and in compliance with state laws; and

**WHEREAS**, the existing 1981 Gillig school bus and the original diesel fueled engine are approximately 35 years old. Engine repairs are costly and parts are hard to obtain due to Gillig no longer making school buses; and

**WHEREAS**, the California Air Resources Board policy is that all pre - 1994 school buses must be replaced with an engine from 2010 or newer or have a retrofitted exhaust system placed on the bus; and

**WHEREAS**, the 1981 Gillig school bus does not meet the California Air Resources Board regulations to significantly reduce particulate matter and oxides of nitrogen emissions ; and

**WHEREAS**, the diesel engine needs to operate efficiently to ensure for the health and safety of all passengers; and

**WHEREAS**, the health and safety is always a primary concern of the City and the purchase of 2017 Blue Bird school bus will be safe for all passengers; and

**WHEREAS**, the California Highway Patrol requires that all school buses be inspected every 45 days by a certified mechanic and inspected annually by the California Highway Patrol assuring that all buses are safe to operate; and

**WHEREAS**, the city has appropriated \$60,000 that have been carried over to fiscal year 2015/2016 for school bus replacement and can be utilized towards the purchase of one new Blue Bird school bus, which has a total purchase price of \$180,000; and

**WHEREAS**, there are General Fund Reserves that may be considered for release from their designated purposes in order to make available the monies to fund the necessary costs of a 2017 Blue Bird school bus for school transportation.

**NOW, THEREFORE**, the City Council of the City of Irwindale, California, resolves, determines and orders as follows:

1. The City Council hereby determines to release \$120,000 from the General Fund Reserves in order to make available funds for appropriation.
2. The City Council hereby appropriates \$120,000 of the unencumbered General Fund Balance to pay for the costs of the purchase for the 2017 Blue Bird school bus.
3. This resolution shall be effective upon adoption.

**PASSED, APPROVED AND ADOPTED** this 27<sup>th</sup> day of January 2016.

\_\_\_\_\_  
Mark A. Breceda, Mayor

ATTEST:

\_\_\_\_\_  
Laura Nieto, CMC  
Deputy City Clerk

STATE OF CALIFORNIA        }  
COUNTY OF LOS ANGELES    } ss.  
CITY OF IRWINDALE         }

I, Laura Nieto, Deputy City Clerk of the City of Irwindale, do hereby certify that the foregoing Resolution No. 2016-04-2818 was adopted at a regular meeting of the City Council held on January 27, 2016, by the following vote:

AYES:           Councilmembers:

NOES:           Councilmembers:

ABSENT:         Councilmembers:

ABSTAIN:        Councilmembers:

\_\_\_\_\_  
Laura Nieto, CMC

AGENDA REPORT

JAN 27 2016

Date: January 27, 2016

To: Honorable Mayor and Members of the City Council

From: John Davidson, City Manager

Issue: **ACCEPTANCE OF PUBLIC WORKS CONSTRUCTION CONTRACT - THE CONSTRUCTION OF TWO NEW 8" MAIN SEWER DISCHARGE PIPES, AND THE INSTALLATION OF THREE VARIABLE FREQUENCY DRIVES WITH ALL NECESSARY EQUIPMENT AND WIRING AT THE IRWINDALE CHARTER SEWERAGE PUMP STATION**

**City Manager's Recommendation:**

That the City Council accept the improvements and maintenance responsibility for the constructed improvements for the installation of two new 8" main sewer discharge pipes and the installation of three Variable Frequency Drives with all necessary equipment and wiring at the Irwindale Charter Sewerage Pump Station; authorize the recording of the notice of completion; and approve the final construction contract amount of \$879,183.38 for the subject improvements.

**Analysis:**

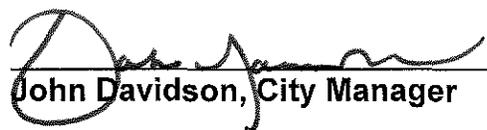
- 1) On March 25, 2015, the City Council approved the urgency replacement of two 10" main sewer discharge pipes with two new 8" High-Density Polyethylene Sewer Pipes (HDPE) as the HDPE pipe has excellent corrosion resistance against corrosive soil or water conditions at the Irwindale Charter Sewerage Pump Station, and ratified the Acting City Manager's approval to proceed with the urgency replacement of the main sewer discharge to be done by Pyramid Building and Engineering, Inc.
- 2) The installation of the two new 8" HDPE pipes was completed on April 30, 2015, and the remaining work to install three Variable Frequency Drives with all necessary equipment and wiring at the Charter Sewerage Pump Station was completed in October 2015.

- 3) Since the completion of all the required improvements at the Charter Sewerage Pump Station, staff has been working closely with the County of Los Angeles Sewer Maintenance Division for the final testing of the operation of the three Variable Frequency Drives. In December 2015, the testing of the three Variable Frequency Drives was completed.
- 4) The original construction budget amount authorized by the City Council was \$900,000.00. The final cost of the construction contract was \$879,183.38 or \$20,816.62 less than the authorized construction budget amount.
- 5) It is recommended that the City Council accept the improvements and maintenance responsibility for the constructed improvements as it is in compliance with the acceptance and prompt payment provisions of the Public Contract Code.
- 6) Sufficient funds are available in the Irwindale Business Center Sewer Assessment District Sewer Maintenance Fund to cover the total value of the contract.

**Fiscal Impact:**  (Initial of CFO) None - No general fund impact; this project is funded by the Irwindale Business Center Sewer Assessment District Sewer Maintenance Fund.

**Legal Impact:**  (Initial of Legal Counsel)

**Contact Person/Prepared by: William K. Tam, Public Works Director/City Engineer Phone: (626) 430-2212**

  
John Davidson, City Manager

JAN 27 2016

**AGENDA REPORT**

Date: January 27, 2016

To: Honorable Mayor and Members of the City Council

From: John Davidson, City Manager

Issue: **ACCEPTANCE OF PUBLIC WORKS CONSTRUCTION CONTRACT - THE RECONSTRUCTION OF GUARD RAILS PROJECT ON MYRTLE AVENUE AND CALIFORNIA AVENUE NORTH OF LONGDEN AVENUE**

**City Manager's Recommendation:**

That the City Council ratify changes in the work and accept the improvements and maintenance responsibility for the constructed improvements on Myrtle Avenue and California Avenue north of Longden Avenue; authorize the recording of the notice of completion; approve the final construction contract amount of \$74,850.63; and authorize the release of the 5% retention amount for the project.

**Analysis:**

- 1) On July 22, 2015, the reconstruction of Guard Rails Project on Myrtle Avenue and California Avenue north of Longden Avenue was awarded to Ferreira Construction Company, Inc. in the amount of \$61,355.63, and a 10% project contingency was also approved to cover any unforeseeable conditions that may arise during construction. This project has been completed per the approved plans and specifications.
- 2) Two (2) contract change orders were issued on the project for a minor modification to the footing design due to differing site conditions and a minor modification to the design of the guard rail system to meet the latest Caltrans Specifications. The original construction contract amount authorized by the City Council was \$67,491.63, including the 10% contingency. The final cost of the construction contract was \$74,850.63 or \$7,359.00 more than the authorized contract amount.

- 3) Ratification of the changes in the work and acceptance of the work by the City Council is in compliance with the acceptance and prompt payment provisions of the Public Contract Code.
- 4) Sufficient funds are available in the current year budget in the Special Mining Funds Account 13-52-530-42360 and in the General Fund Account 01-52-521-42360-0000 to cover the total value of the contract.

**Fiscal Impact:**  (Initial of CFO) See Note 4.

**Legal Impact:**  (Initial of Legal Counsel)

**Contact Person/Prepared by: William K. Tam, Public Works Director/City Engineer Phone: (626) 430-2212**

  
**John Davidson, City Manager**

AGENDA REPORT

JAN 27 2016

Date: January 27, 2016

To: Honorable Mayor and Members of the City Council

From: John Davidson, City Manager

Issue: METRO GOLD LINE FOOTHILL EXTENSION CONSTRUCTION PROJECT – AMEND EXISTING CONTRACT AGREEMENT TO PROVIDE CONSTRUCTION INSPECTION AND SUPPORT SERVICES FOR THE CONSTRUCTION OF IMPROVEMENTS ON IRWINDALE AVENUE AND I-210 EASTBOUND ON-RAMP AND IRWINDALE AVENUE AND FIRST STREET

**City Manager's Recommendation:**

That the City Council authorize the City Manager to execute an amendment to a professional engineering contract with Coory Engineering for construction inspection and support services for the Gold Line Project improvements on Irwindale Avenue and I-210 eastbound on-ramp and Irwindale Avenue and First Street.

**Analysis:**

1) The Metro Gold Line Foothill Extension Construction Authority construction team has been working closely with Caltrans and staff to finalize the construction of the improvements on Irwindale Avenue and I-210 eastbound on-ramp. The improvements at this location include dual left turn lanes for southbound Irwindale Avenue, and an additional lane for the eastbound I-210 on-ramp. A large overhead guide sign structure will also be installed for southbound traffic on Irwindale Avenue.

2) Based on the schedule provided, the improvements on Irwindale Avenue, within the I-210 area, will be completed in March 2016, as the large sign structure will be ready and delivered to the site in mid February. In the past few months, construction has consisted of numerous nighttime operations in order to stay within the completion schedule of early March 2016 as the operation date for the Gold Line Foothill Extension Phase 2A project is scheduled to start on March 5, 2016.

3) The improvements on Irwindale Avenue and First Street are currently under construction. The following identifies work that still needs to be completed at this intersection:

- a) Modify the existing traffic signal
- b) Construct an additional southbound lane
- c) Modify the existing landscaped median island in the north approach
- d) Construct an ADA ramp at the southwest corner of intersection
- e) Install new striping at this intersection

4) The scope of work for the intersection of Irwindale Avenue and First Street did not change. City staff was scheduled to provide construction inspection services for this project. However, due to the constricted schedule set forth by the Metro Gold Line Foothill Extension Construction Authority and the requirement of nighttime inspections, there is insufficient City staff available to complete this work. Since Coory Engineering was awarded the professional engineering contract on June 10, 2015 to provide construction inspection and support services for the Gold Line project construction within the City limits, it is recommended that its contract be amended to provide the same services to the City to complete the remaining construction work for this project. The contract amount for this additional work is \$35,000.

5) The funding for this project is included in our current CIP budget as we received \$100,000 from the Metro Gold Line Foothill Extension Construction Authority in April 2013 committing to provide the necessary and experienced staff to complete the review and approval of the designs and construction of the project.

**Fiscal Impact:**  (Initial of CFO) Please see Note 4 & 5 above.

**Legal Impact:**  (Initial of Legal Counsel) None.

**Contact Person: William Tam, Public Works Director/City Engineer**  
**Phone: (626) 430-2212**

  
**John Davidson, City Manager**

Enclosed: Coory Engineering Contract Amendment

**CITY OF IRWINDALE  
AMENDMENT TO CONSTRUCTION INSPECTION AND SUPPORT SERVICES  
FOR THE GOLD LINE PROJECT**

This Amendment to Construction Inspection and Support Services Agreement for the Gold Line Project (“Amendment”) is made and entered into this 27<sup>th</sup> day of January, 2016, by and between the City of Irwindale, (“Agency”) and COORY ENGINEERING (“Consultant”).

**RECITALS**

- A. On June 10, 2015, Agency and Consultant entered into that certain Agreement (“Agreement”), pursuant to which Consultant agreed to provide Construction Inspection and Support Services to the Agency in accordance with the terms of the Agreement.
- B. The Agency wishes to have Consultant provide additional Construction Inspection and Support Services in exchange for additional compensation described in Agreement, and extend the term of the Agreement until the construction of the project is fully completed.
- C. The parties wish to amend the Agreement in accordance with the terms herein.

NOW, THEREFORE, the parties agree that the Agreement shall be revised pursuant to the following terms of this Amendment:

- 1. Section 2.1, entitled “Contract Sum”, is hereby amended at the first sentence therein, to increase the Contract Sum in accordance with Exhibit “A”, by an additional Thirty-Five Thousand Dollars (\$35,000.00) from that approved under the Agreement to read as follows, with the other sentences of Section 2.1 remaining unmodified and in full force and effect:

“2.1 Contract Sum”.

For the services rendered pursuant to this Agreement, Consultant shall be compensated in accordance with Exhibit “A”, not to exceed the total Contract Sum of Eighty Thousand and 00/100 Dollars (\$80,000.00)”

- 2. Section 5.1, entitled “Term”, is hereby amended to read as follows:

“5.1 Term”.

Unless earlier terminated in accordance with Section 5.2 below, this Agreement shall continue in full force and effect until the Gold Line Street Improvements Project is fully completed, but no later than June 30, 2016, at which time Consultant shall have completed the work herein”.

3. Revision to Scope of Services shall be in accordance with the added scope of services as described in Exhibit "A".
4. Due Execution. The person(s) executing this Amendment on behalf of the parties hereto warrant that (i) such party is duly organized and existing, (ii) they are duly authorized to execute and deliver this Amendment on behalf of said party, (iii) by so executing this Amendment, such party is formally bound to the provisions of this Amendment, and (iv) the entering into this Amendment does not violate any provision of any agreement to which said party is bound.
5. Full Force and Effect. The parties further that, except as specifically provided in this Amendment, the terms of the Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties have executed and entered into this Amendment as of the date first written above.

CITY OF IRWINDALE, a California  
municipal corporation

By: \_\_\_\_\_  
John Davidson, City Manager

ATTEST:

\_\_\_\_\_  
Laura M. Nieto, CMC  
Deputy City Clerk

APPROVED AS TO FORM

By: \_\_\_\_\_  
Fred Galante, City Attorney

CONTRACTOR

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

Title: \_\_\_\_\_

# EXHIBIT A

Coory Engineering proposes to assist the City in this endeavor and to provide as-needed construction inspection and support services at the hourly fee schedule listed below. Samir Khoury will be the primary engineer on this project and is charged at the Principal position rate. Casey Morales will be assigned as the senior public works inspector to inspect the construction of the Gold Line Project.

Hourly rates are charged for time expended on the project. No hourly fees or mileage will be charged for travel to and from City Hall. Payments for services shall be made within thirty (30) days of receipt of the Consultant's invoice. Compensation for the services described in the Scope of Services shall be billed pursuant to the Fee Schedule below, which rates are inclusive of all costs and expenses.

FEE SCHEDULE	
POSITION	CURRENT HOURLY RATE
Principal	\$180
Senior Public Works Inspector	\$85
Clerial/Research	\$42

Original contract amount .....	\$45,000.00
Additional estimated funding needed.....	\$35,000.00
<b>Total Amended contract amount not to exceed.....</b>	<b>\$80,000.00</b>

# AGENDA REPORT

COUNCIL AGENDA  
ITEM 4A

JAN 27 2016

Date: January 27, 2016

To: Mayor and Council Members

From: John Davidson, City Manager

Issue: Municipal Code Amendment No. 2016-01/Ordinance No. 701, An Ordinance of The City Council of the City of Irwindale Adding Chapter 15.30 to Title 15 of the Irwindale Municipal Code to establish water efficient landscape regulations pursuant to the State's Model Water Efficient Landscape Ordinance (MWELO).

## City Manager's Recommendation:

That the City Council introduce and conduct first reading of Ordinance No. 701 entitled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE ADDING CHAPTER 15.30 "WATER EFFICIENT LANDSCAPE STANDARDS AND GUIDELINES" TO TITLE 15 OF THE IRWINDALE MUNICIPAL CODE TO BE CONSISTENT WITH STATE LAW." Reading of the Ordinance shall be by title only and waiving further reading thereof.

## Background:

With the drought conditions at emergency levels, Governor Brown issued Executive Order (EO B-29-15) on April 1, 2015, directing the Department of Water Resources (DWR) to update the State Model Water Efficient Landscape Ordinance (MWELO) by July 15, 2015 to increase water efficiency standards for new and existing landscapes through more efficient irrigation systems, grey water usage, onsite storm water capture and limiting the portion of landscaping that can be covered in turf. On September 9, 2015, the California Water Commission (CWC) adopted revisions to the California Code of Regulations Title 23, Division 2, Chapter 2.7 "Model Water Efficient Landscape Ordinance." With this approval, the CWC also adopted a requirement that cities adopt an ordinance being "at least as effective" as the MWELO by December 1, 2015, or by February 1, 2016 when adopting a regional ordinance or be subject to the requirements of the State adopted MWELO.

In response to this mandate, the City of Irwindale participated in a water efficient landscape subcommittee that was formed by the San Gabriel Valley Council of Governments' Planning & Community Development Technical Advisory Committee who developed a model ordinance for use by participating cities. The proposed code amendment incorporates the 2015 San Gabriel Valley Council of Government's Regional Model Ordinance (Model Ordinance).

## Proposal:

Ordinance No. 701 focuses on increasing water savings for new construction through more efficient irrigation systems, limiting turf/grass area, onsite stormwater capture, and use of greywater. The following is a summary of the significant requirements of Ordinance 701 in accordance with the State MWELo:

- **Applicability:** New residential, commercial, industrial, and public development projects that include landscape areas of 500 square feet or more are subject to the Ordinance. The previous state MWELo landscape size threshold for new development projects was 2,500 square feet. The size threshold for existing landscapes remains unchanged at 2,500 square feet. Only rehabilitated landscapes that are associated with a building permit, plan check, or design review are subject to the new provisions.
- **Prescriptive Compliance Option:** A simplified landscape plan submittal is offered as an option for projects with landscape areas between 500 square feet and 2,500 square feet or for projects that use greywater. The Prescriptive Compliance checklist is outlined in "Appendix A" of the "Guidelines for implementation of the City of Irwindale Water Efficient Landscape Ordinance."
- **Definitions:** Definitions of technical terms are incorporated into the Ordinance and Guidelines.
- **Water Budget:** The maximum amount of water that can be applied to the total project landscape area is reduced from the previous State requirements. This reduction limits the amount of high water use plants, such as cool season turf/grass, that can be used in projects. The water limit effectively limits the amount of turf to approximately 25% of the residential landscape areas, and makes the use of turf in nonresidential projects infeasible. Special function areas, such as active recreation landscapes, edible gardens, landscapes that use recycled water are given an increased water allowance.
- **Landscape Design Plan:** Submittal of landscape and irrigation plan is required to include provisions that prior to planting, 4 yards of compost must be incorporated per 1,000 square feet of permeable area. Compacted soils must be transformed to a friable state. The depth of mulch is required to be 3 inches. Greywater and stormwater retention components must be indicated on the plans.
- **Irrigation Design Plan:** Dedicated landscape water meters or submeters are required for residential landscapes over 5,000 square feet and for nonresidential landscapes over 1,000 square feet. The minimum width of areas that can be overhead irrigated is 10 feet. Landscape areas less than 10 feet wide must be irrigated with subsurface drip or other alternative system that does not produce spray or runoff. The Ordinance requires the irrigation auditor to be a local agency auditor or third party auditor to reduce conflicts of interest.

- Public Education: New model homes that are required provide water efficient landscapes, are also required to provide signage demonstrating low water use approaches to landscaping.
- Reporting: Local agencies are required to report on their ordinance implementation and enforcement efforts to DWR on an annual basis.

**Analysis:**

The City of Irwindale currently does not have an adopted water efficient landscape ordinance. If the City does not adopt a water efficient landscape ordinance based on the regional model ordinance by February 1, 2016, the City will be subject to the State adopted Model Water Landscape Ordinance as it was when the MWELo was first presented in 2010. The use of the regional model ordinance as a basis for the City of Irwindale Water Efficient Landscape Ordinance ensures that Irwindale's standards are "at least as effective as" the State MWELo in accordance with State requirements and ensures an implementation process for streamlined compliance by minimizing the complexity of administration for the City.

Staff recommends that the City Council direct the City Attorney to read the title of the ordinance, waive further reading of the ordinance, and introduce the ordinance by a roll call vote.

**Public Hearing Notice:**

The required Legal Notice for the public hearing on this case was published in the San Gabriel Valley Tribune on January 15, 2016 and posted at City Hall, the Irwindale Library and the United States Post Office on January 14, 2016.

**Environmental Review:**

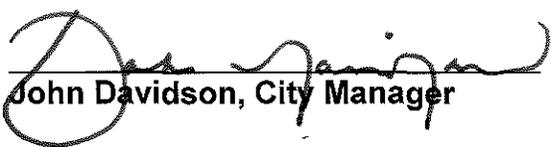
Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, as amended, and the City of Irwindale environmental guidelines, the City, as the Lead Agency, has analyzed the project, and has determined that this Ordinance is exempt from review under the California Environmental Quality Act ("CEQA") (California Public Resources Code Section 21000 et seq.), because pursuant to State CEQA Regulation 15307 (14 Cal. Code Regs. § 15307), this Ordinance is covered by the CEQA Categorical Exemption for actions taken 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 will result in the enhancement and protection of water resources in the City, and will not result in cumulative adverse environment impacts. It is therefore exempt from the provisions of CEQA.

- 3) Ratification of the changes in the work and acceptance of the work by the City Council is in compliance with the acceptance and prompt payment provisions of the Public Contract Code.
- 4) Sufficient funds are available in the current year CIP in the Special Mining Funds Account 13-52-530-42360 to cover the total value of the contract.

**Fiscal Impact:**  (Initial of CFO)

**Legal Impact:** \_\_\_\_\_ (Initial of Legal Counsel)

**Contact Person/Prepared by: William K. Tam, Public Works Director/City Engineer**  
**Phone: (626) 430-2212**

  
John Davidson, City Manager

**ORDINANCE NO. 701**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE TO ADD CHAPTER 15.30 "WATER EFFICIENT LANDSCAPE STANDARDS AND GUIDELINES" TO TITLE 15 OF THE IRWINDALE MUNICIPAL CODE TO BE CONSISTENT WITH STATE LAW**

**A. RECITALS**

**WHEREAS**, the waters of the State of California are of limited supply and are subject to ever increasing demands; and

**WHEREAS**, the continuation of economic prosperity is dependent on the availability of adequate supplies of water for future uses; and

**WHEREAS**, landscapes are essential to the quality of life in the State of California (the "State") and the City of Irwindale by providing areas for active and passive recreation and as an enhancement to the environment by cleaning air and water, preventing erosion, offering fire protection, and replacing ecosystems lost to development; and

**WHEREAS**, landscape design, installation, maintenance, and management can and should be water efficient; and

**WHEREAS**, Article X, Section 2 of the California Constitution specifies that the right to use water is limited to the amount reasonably required for the beneficial use to be served, and the right does not and shall not extend to waste or unreasonable method of use of water; and

**WHEREAS**, the recent drought has emphasized the need to be prudent in the use and conservation of water; and

**WHEREAS**, pursuant Governor Brown's Drought Executive Order of April 1, 2015 (EO B-29-15), the California Water Commission approved an update to the State's Model Water Efficient Landscape Ordinance; and

**WHEREAS**, the State requires local agencies to adopt the 2015 State Model Ordinance or an ordinance that is "at least as effective" in conserving water; and

**WHEREAS**, to comply with State requirements, to provide consistency with other jurisdictions, and to ease use for applicants, the City desires to adopt the 2015 San Gabriel Valley Council of Government's Regional Model Ordinance, which is a regional Water Efficient Landscape Ordinance that is "at least as effective" as the State "2015 State Model Water Efficient Landscape Ordinance".

**B. ORDINANCE**

**NOW THEREFORE THE CITY COUNCIL OF THE CITY OF IRWINDALE HEREBY ORDAINS AS FOLLOWS:**

**SECTION 1:** The City Council of the City of Irwindale does hereby find, determine, and declare that:

- A. Allocation-based and tiered water rate structures allow public agencies to document water use in landscapes; and
- B. Current local design practices in new landscapes strive to achieve the intent of the State Model Water Efficient Landscape Ordinance water use goals; and
- C. All water services within the City are metered and billed based on the volume of use; and
- D. All new irrigation controllers sold after 2015 within the City will be smart automatic irrigation controllers; and
- E. Landscape plan submittal and review has been a long standing practice in the City of Irwindale, and
- F. The local water purveyors for the City are implementing budget-based tiered rate structure billing and/or enforcement of water waste prohibitions for all existing metered landscape areas throughout their service area, which combined includes the entire City of Irwindale.

**SECTION 2: Amendment to Title 15.** Irwindale Municipal Code Title 15 “Buildings and Construction” is amended to add Chapter 15.30 “Water Efficient Landscape Standards and Guidelines” to read as follows:

**WATER EFFICIENT LANDSCAPE STANDARDS AND GUIDELINES**

**Sections:**

**15.30.010 Purpose.**

The purpose of this Chapter is to establish water efficient landscape regulations that are acceptable under Governor Brown’s April 1, 2015 Drought Executive Order (B-29-15) and that are at least as effective in conserving water as the State Model Water Efficient Landscape Ordinance, in the context of conditions in the City, in order to ensure that landscapes are planned, designed, installed, maintained, and managed in a manner that uses water efficiently, encourages water conservation, and prevents water waste. The provisions of this Chapter shall be deemed to be controlling over the subject matter herein in the event of any conflict between this Chapter and any other provision in the Municipal Code.

### **15.30.020 Definitions.**

For the purposes of this Chapter and the Guidelines for the implementation of this Chapter, the following terms are defined:

“City” means the City of Irwindale.

“City Manager” means the City Manager of the City or his or her designee.

“Aggregate landscape area” means the area undergoing development as one project for production home neighborhoods or other situations where multiple parcels are undergoing development as one project, but will eventually be individually owned.

“Applicant” means the person submitting a landscape documentation package. Applicants can be the property owner or his or her designee.

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

“Budget-based tiered-rate structure” means tiered or block rates for irrigation accounts charged by the local water purveyor(s) in which the block definition for each customer is derived from lot size or irrigated area and the evapotranspiration requirements of landscaping.

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

“Estimated Applied Water Use” or “EAWU” 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.

“Evapotranspiration adjustment factor” or “ET adjustment factor” or “ETAF” means a measurement 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 of the Water Efficient Landscape Ordinance, as approved by the City, which describes procedures, calculations, and requirements for landscape projects subject to this Chapter.

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

"Irrigation efficiency" or "IE" means the measurement of the amount of water beneficially used divided by the amount of water applied to the landscaped area. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The minimum irrigation efficiency for purposes of this Chapter are 0.75 for overhead spray devices and 0.81 for drip systems.

"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 for non-development (e.g., open spaces and existing native vegetation).

"Landscape contractor" means a person licensed by the State of California to construct, maintain, repair, install, or subcontract the development of landscape systems.

"Landscape documentation package" means the documents required to be provided to the City for review and approval of landscape projects subject to this Chapter, as described in the Guidelines.

"Landscape project" means total area of landscape improvements within a project, as provided in the definition of "landscaped area," meeting the requirements under Section 15.30.030 of this Chapter.

"Landscape rehabilitation" means any re-landscaping project that meets the applicability criteria of Section 15.30.030(A) of this Chapter, where the aggregate modified landscape area is equal to or greater than 2,500 square feet or where the cumulative modified area is equal to or greater than 2,500 square feet if the modifications are planned to occur incrementally within one year.

"Landscape System" means a defined plan of landscaping and irrigation to be designed and implemented for a development project.

"Local agency" means a city or county, including a charter city or charter county, or local water purveyor that is authorized by the City to implement, administer, and/or enforce any of the provisions of this Chapter on behalf of the City. The local agency may be responsible for the enforcement or delegation of enforcement of this Chapter including, but not limited to, design review, plan check, issuance of permits, and inspection of a landscape project.

"Local water purveyor" means any entity, including a city, county, public agency, or private water company that provides retail water service. Local water purveyor shall also mean any entity that provides wholesale water service, for the purpose of Section 15.30.040(B) and Section 15.30.070.

“Maximum applied water allowance” or “MAWA” means the upper limit of annual applied water for the landscaped area as specified in Section 2.2 of the Guidelines. 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 MAWA.  $MAWA = (ET_o) (0.62) [(ETAF \times LA) + ((1-ETAF) \times SLA)]$

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

“New landscape” means 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.

“Person” means any individual, firm, joint venture, joint stock company, partnership, public or private association, 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, agent, officer, or employee thereof, 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.

“Permit” means an authorizing document issued by a local agency for new construction or rehabilitated landscape.

“Plant factor” or “plant water use factor” means a factor, when multiplied by  $ET_o$ , that estimates the amount of water needed by plants. For purposes of this Chapter, the plant factor range for very low water use plants is 0 to 0.1; the plant factor 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 this Chapter are derived from the publication “Water Use Classification of Landscape Species.” Plant factors may also be obtained from horticultural researchers from academic institutions or professional associations as approved by the California Department of Water Resources (DWR).

“Recycled 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.

“Reference evapotranspiration” or “ $ET_o$ ” means a standard measurement of environmental parameters which affect the water use of plants.  $ET_o$  is expressed in inches per day, month, or year as represented in the Guidelines, and is an estimate of the evapotranspiration of a large field of four-to seven-inch tall, cool-season grass that is well

watered. Reference evapotranspiration is used as the basis of determining the Maximum Applied Water Allowances.

“Smart automatic irrigation controller” means an automatic irrigation controller utilizing either evapotranspiration or soil moisture sensor data with non-volatile memory required for irrigation scheduling in all irrigation systems, recommending U.S. EPA WaterSense labeled devices as applicable.

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

“Turf” means a ground cover surface of mowed grass. Annual bluegrass, Kentucky bluegrass, Perennial ryegrass, Red fescue, and Tall fescue are cool-season grasses. Bermudagrass, Kikuyugrass, Seashore Paspalum, St. Augustinegrass, Zoysiagrass, and Buffalo grass are warm-season grasses.

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

“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.

### **15.30.030. Applicability.**

- A. Beginning February 1, 2016 and consistent with Executive Order No. B-29-15, this Chapter applies to the following landscape projects:
1. New landscape projects with an aggregate landscape area equal to or greater than 500 square feet, requiring a building or landscape permit, plan check or design review;
  2. Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 square feet, requiring a building permit or landscape permit, plan check or design review;
  3. New or rehabilitated landscape projects with an aggregate landscape area of 2,500 square feet or less may comply with the performance requirements of this Ordinance or conform to the prescriptive measures contained in Appendix A of the Guidelines.

4. New or rehabilitated projects using treated or untreated graywater or rainwater capture on site, any lot or parcels within the project that has less than 2,500 square feet of landscape area and meets the lot or parcel's landscape water requirement (Estimated Total Water Use) entirely with the treated or untreated graywater or though stored rainwater capture on site is subject only to Appendix A of the Guidelines.

B. Section 15.30.060(B) of this Chapter regarding water waste applies to:

1. All landscaped areas, whether installed prior to or after January 1, 2010; and
2. All landscaped areas installed after February 1, 2016 to which Section 13.08.030(A) is applicable.

#### **15.30.040. Exemptions.**

A. 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. The requirements of this Chapter may be partially or wholly waived, at the discretion of the City Manager, for landscape rehabilitation projects that are limited to replacement of plantings with equal or lower water needs and where any modifications to the irrigation system do not require ministerial permits and the irrigation system is found to be designed, operable, and programmed consistent with minimizing water waste in accordance with local water purveyor(s)' regulations or programs.

#### **15.30.050. Implementation Procedures.**

- A. A Landscape Documentation Package is required to be submitted to the City for review and approval prior to the issuance of permits and prior to the start of construction. Any Landscape Documentation Package submitted to the City must comply with provisions of this Chapter and the Guidelines.
- B. The Landscape Documentation Package must include a certification by a landscape professional stating that the landscape design plan, soil management report,

irrigation design plan, and water calculations have been prepared by or under the supervision of the landscape professional and are certified to be in compliance with the provisions of this Chapter.

1. Landscape and irrigation plans must be submitted to the City for review and approval with appropriate water use calculations. Water use calculations must be consistent with calculations contained in the Guidelines.
2. A Certification of Completion is required to verify compliance with the approved plans and must be obtained in conjunction with a Certificate of Use and Occupancy or a Permit Final, as provided in the Guidelines.

**15.30.060. Landscape Water Use Standards.**

- A. For applicable new landscape or landscape rehabilitation projects subject to Section 15.30.030(A) of this Chapter, the Estimated Applied Water Use allowed for the landscaped area may not exceed the MAWA calculated using an ET adjustment factor of 0.7, except for the portion of the MAWA applicable to any special landscape areas within the landscape project, which may be calculated using an ETAF of 1.0. Where the design of the landscaped area can be otherwise shown to be equivalently water efficient, the applicant may submit alternative or abbreviated information supporting the demonstration that the annual EAWU is less than the MAWA, at the discretion of and review and approval of the City.
- B. Irrigation of all landscaped areas must be conducted in a manner conforming to the rules and requirements of this Chapter, and is subject to penalties and incentives for water conservation and water waste prevention as determined and implemented by the local water purveyor(s) or as mutually agreed by local water purveyor(s) and the City.

**15.30.070. Delegation.**

The City may delegate to, or enter into an agreement with, one or more local agencies to implement, administer, and/or enforce any of the provisions of this Chapter on behalf of the City.

**SECTION 3: Approval of Guidelines.** The City Council hereby approves the Guidelines for Implementation of the City of Irwindale Water Efficient Landscape Ordinance, attached hereto as “**Exhibit A**” and incorporated herein by reference.

**SECTION 4: Environmental Review.** The City Council hereby determines that this Ordinance is exempt from review under the California Environmental Quality Act (“CEQA”) (California Public Resources Code Section 21000 et seq.), because pursuant to State CEQA Regulation 15307 (14 Cal. Code Regs., § 15307), this Ordinance is covered by the CEQA Categorical Exemption for actions taken 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 will result in the enhancement and protection of water resources in the City, and will not result in cumulative adverse environment impacts. It is, therefore, exempt from the provisions of CEQA.

**SECTION 5: Severability.** If any section, subsection, phrase, or clause of this Ordinance shall be deemed by a court of competent jurisdiction to be invalid for any reason, the validity of the remaining sections, subsections, phrases, or clauses of this Ordinance shall not be affected thereby.

**SECTION 6: Effective Date.** The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. This Ordinance will go into effect thirty (30) days from its date of adoption.

**SECTION 7: Publication.** The City Clerk is directed to cause this Ordinance to be published in the manner required by law for summary publication.

PASSED, APPROVED, AND ADOPTED this 10<sup>th</sup> day of February 2016.

\_\_\_\_\_  
Mark A. Breceda, Mayor

ATTEST:

\_\_\_\_\_  
Laura M. Nieto, CMC  
Deputy City Clerk

STATE OF CALIFORNIA            }  
COUNTY OF LOS ANGELES    } ss.  
CITY OF IRWINDALE            }

I, Laura M. Nieto, CMC, Deputy City Clerk of the City of Irwindale, do hereby certify that the foregoing Ordinance No. 701 was duly introduced at a regular meeting of the Irwindale City Council held on the 27<sup>th</sup> day of January 2016, and was duly approved and adopted on second reading at its regular meeting held on the 10<sup>th</sup> day of February 2016 by the following vote of the Council:

AYES:       Councilmembers:

NOES:       Councilmembers:

**GUIDELINES  
FOR IMPLEMENTATION OF THE  
CITY OF IRWINDALE  
WATER EFFICIENT LANDSCAPE  
ORDINANCE (WELO)**

**2016**

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## **1. Purpose and Applicability**

### **1.1 Purpose**

- A.** The primary purpose of these Guidelines is to provide procedural and design guidance for project applicants proposing new landscape or landscape rehabilitation projects that are subject to Chapter 15.30 “Water Efficient Landscape Standards and Guidelines” of the City of Irwindale Municipal Code. This document is also intended for use and reference by City staff in reviewing and approving designs and verifying compliance with Chapter 15.30. The general purpose of the Water Efficient Landscape Standards and Guidelines is to promote 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 and installed to minimize water waste.
  
- B.** 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 (Laird, Water Conservation), Chapter No. 559;
  - (2)** National Pollutant Discharge Elimination Permit(s) for the Municipal Separate Storm Sewer System;
  - (3)** Los Angeles County Fire Code Regulations in Title 32 for fuel modification in landscapes;
  - (4)** Water Conservation, Water Supply Shortage, and Drought Response Regulations of the Local Water Purveyor(s) pertaining to Phase I, II, and III water shortage regulations;
  - (5)** Local and State Regulations governing use of Recycled Water;
  - (6)** Irwindale Municipal Code;
  - (7)** Specific Plans, Master Plans, General Plan, or similar land use and planning documents; and
  - (8)** Conditions of approval for a specific project.

### **1.2 Applicability**

See Section 15.30.030 of Chapter 15.30, “Water Efficient Landscape Standards and Guidelines,” of the City of Irwindale Municipal Code.

## **2. Submittal Requirements for New Landscape Installations or Landscape Rehabilitation Projects**

- 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 are acted upon by the Planning Commission and 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 Standards and with the Guidelines for Implementation of the Water Efficient Landscape Standards.”

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

### **2.1 Landscape Documentation Package**

- A.** A Landscape Documentation Package is required to be submitted as part of a project application and approved by the City prior to the issuance of ministerial permits and prior to the start of construction. Unless otherwise directed by the City, the Landscape Documentation Package must include the following elements either on plan sheets or supplemental pages as directed by the City:

- (1)** Project Information, including, but not limited to, the following:
  - (a)** Date;
  - (b)** Project name;
  - (c)** Project address, parcel, and/or lot number(s);
  - (d)** Total landscaped area (square feet) and rehabilitated landscaped area (if applicable);
  - (e)** Project type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed);
  - (f)** Water supply type (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;
  - (g)** Checklist or index of all documents in the Landscape Documentation Package;

- (h) Project contacts, including contact information for the project applicant and property owner;
  - (i) Certification of Landscape Design in accordance with Appendix “B” of these Guidelines that includes a landscape professional’s professional stamp, 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
  - (j) Any other information the City Manager or his or her designee deems relevant for determining whether the landscape project complies with the Water Efficient Landscape Standards and these Guidelines.
- (2) Maximum Applied Water Allowance (MAWA) and Estimated Applied Water Use (EAWU) expressed as annual totals including, but not limited to, the following:
    - (a) Water Efficient Landscape Worksheet for the landscape project;
    - (b) Water budget calculations for the landscape project; and
    - (c) Hydrozone information table for the landscape project.
  - (3) 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.
  - (4) A landscape design plan for the landscape project.
  - (5) An irrigation design plan for the landscape project.
  - (6) 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 landscape area.

[Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.]

## **2.2 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 Landscape Documentation Package submittal to the City. The MAWA and EAWU shall be calculated based on completing the Water Efficient Landscape Worksheets (in accordance with the sample worksheets in Appendix "C") which contain information on the plant factor, irrigation method, irrigation efficiency and area associated with each hydrozone. Calculations are then made to show that the Evapotranspiration Adjustment Factor (ETAF) for the landscape project does not exceed a factor of 0.55 for residential areas and 0.45 for non-residential areas, exclusive of Special Landscape Areas. The ETAF for a landscape project is based on the plant factors and irrigation methods selected. The Maximum Applied Water Allowance is calculated based on the maximum ETAF allowed (0.55 for residential areas and 0.45 for non-residential areas) and expressed as annual gallons required. The EAWU is calculated based on the plants used and irrigation method selected for the landscape design.

- B.** The EAWU allowable for the landscape area may not exceed the MAWA. The MAWA must be calculated using an evapotranspiration adjustment factor (ETAF) of .55 for residential areas and 0.45 for nonresidential areas, except for the portion of the MAWA applicable to any special landscaped areas within the landscape project, which must 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 applicant may submit alternative or abbreviated information supporting the demonstration that the annual EAWU is less than the MAWA, at the discretion of and for the review and approval of the City.
- C.** Water budget calculations must adhere to the following requirements:
- (1)** The MAWA must be calculated using the Water Efficient Landscape Worksheet and equation presented in Appendix "C".
  - (2)** The EAWU must be calculated using the Water Efficient Landscape Worksheet and equation presented in Appendix "C".
  - (3)** For the calculation of the MAWA and EAWU, a project applicant must use the ETo values from the closest location listed the Reference Evapotranspiration Table in Appendix "D". For geographic areas not covered in Appendix "D", data from other cities located nearby in the same reference evapotranspiration zone may be used.
  - (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) Evaluation List or from horticultural researchers with academic institutions or professional associations as approved by the California Department of Water Resources (DWR). The plant factor ranges from 0 to 0.1 for very low water use plants, 0.1 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 must be determined for each valve hydrozone based on the highest-water-use 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 applicant or the City.
- (6) For calculation of the EAWU, the area of a water feature is 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, is 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 (SLA) is set at 1.0. For calculation of the EAWU, the ETAF for SLA shall be calculated as the plant factor divided by the SLA irrigation efficiency factor.
- (9) Irrigation efficiency (IE) of the irrigation heads used within each hydrozone shall be assumed to be as follows, unless otherwise indicated by the equipment manufacturer’s specifications or demonstrated by the project applicant:

Irrigation Method	DU <sub>LQ</sub>	DU <sub>LH</sub> *	EU	IE**
Spray nozzles	65%	79%		71%
High efficiency spray nozzles	70%	82%		73%
Multi stream/Multi trajectory rotary (MSMT) nozzles	75%	85%		76%
Stream rotor nozzle	70%	82%		73%
Microspray	75%	85%		76%
Bubblers			85%	77%
Drip emitter			90%	81%
Subsurface drip			90%	81%

\*DU<sub>LH</sub> = .386 + (.614)(DU<sub>LQ</sub>)

\*\* IE (spray) = (DU<sub>LH</sub>)(IME)

\*\* IE (drip) = Emission uniformity (EU)(IME)

**D. The MAWA must adhere to the following requirements:**

- (1) The MAWA shall be calculated using the equation presented in Appendix “C”. The reference evapotranspiration (ET<sub>o</sub>) values used in this calculation are from the Reference Evapotranspiration Table in Appendix “D” and are for planning purposes only. For actual irrigation scheduling, automatic irrigation controllers are required and must use current ET<sub>o</sub> data, such as from the

California Irrigation Management Information System (CIMIS), other equivalent data, or soil moisture sensor data.

### **2.3 Soil and Stormwater Management**

- A.** All planted landscape areas are required to have friable soil to maximize retention and infiltration. On engineered slopes, only amended planning holes need to meet this requirement.
- B.** In order to reduce runoff and encourage healthy plant growth, a soil management report must be completed by the applicant, or his/her designee, as follows:
  - (1)** Submit soil samples to a certified agronomic soils laboratory for analysis and recommendations.
    - (a)** Soil sampling must be conducted in accordance with laboratory protocol, including protocols regarding adequate sampling depth for the intended plants.
    - (b)** The soil analysis may include, but is not limited to:
      - 1. soil texture;
      - 2. infiltration rate determined by laboratory test or soil texture infiltration rate table;
      - 3. pH;
      - 4. total soluble salts;
      - 5. sodium;
      - 6. percent organic matter; and
      - 7. recommendations.
  - (2)** In projects with multiple landscape installations (i.e. production home developments or common interest developments that are installing landscaping) a soil sampling rate of 1 in 7 lots or approximately 15% will satisfy this requirement; evenly disbursed throughout the development. Large landscape projects shall sample at a rate equivalent to 1 in 7 lots or approximately 15% landscaped area. The project applicant, or his/her designee, must comply with one of the following:
    - (a)** If significant mass grading is not planned, the soil analysis report must be submitted to the local agency as part of the Landscape Documentation Package; or

- (b) If significant mass grading is planned, the soil analysis report must be submitted to the City as part of the Certification of Completion.
- (c) The soil analysis report must 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, must submit documentation verifying implementation of soil analysis report recommendations to the local agency with the Certification of Completion.

[Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.]

- C. It is strongly recommended that landscape areas be designed for capture and infiltration capacity that is sufficient to prevent runoff from impervious surfaces (i.e. roof and paved areas) from additional capacity as required by any applicable local, regional, state, or federal regulation and/or one of the following: the one inch, 24-hour rain event or the 85th percentile, 24-hour rain event.
- D. It is recommended that storm water projects incorporate any of the following elements to improve on-site stormwater and dry weather runoff capture and use:
  - (1) Grade impervious surfaces, such as driveways, during construction to drain into vegetated areas.
  - (2) Minimize the area of impervious surfaces such as paved areas, roof, and concrete driveways.
  - (3) Incorporate pervious or porous surfaces (e.g. gravel, permeable pavers or blocks, pervious or porous concrete) that minimize runoff.
  - (4) Direct runoff from paved surfaces and roof areas into planting beds or landscape areas to maximize site water capture and reuse.
  - (5) Incorporate rain gardens, cisterns, and other rain harvesting or catchment systems.
  - (6) Incorporate infiltration beds, swales, basins, and drywells to capture stormwater and dry weather runoff and increase percolation into the soil.
  - (7) Consider constructed wetlands and ponds that retain water, equalize excess flow, and filter pollutants.

[Note: Authority cited: Section 65595, Government Code. Reference: Section 65596, Government Code.]

## 2.4 Landscape Design Plan

- A. For the efficient use of water, a landscape must be carefully designed and planned for the intended function of the project. The following design criteria must be submitted as part of the Landscape Documentation Package.
- (1) Plant Material
- (a) Any plant may be selected for the landscape area provided the EAWU in the landscape area does not exceed the MAWA. Methods to achieve water efficiency shall include one or more of the following:
1. Protection and preservation of non-invasive water-conserving plant, tree and turf species;
  2. Selection of water-conserving plant, tree, and turf species;
  3. Selection of plants based on local climate suitability, disease and pest resistance;
  4. Selection of trees based on applicable City and local tree Ordinances or tree shading guidelines, and size at maturity as appropriate for the planting area;
  5. Selection of plants from local and regional landscape program plant lists; and
  6. Selection of plants from Los Angeles County Fire Fuel Modification Guidelines.
- B. Each hydrozone must have plant materials with similar water use; with the exception of hydrozones with plants of mixed water use, as specified in Section 2.5.A.(2)(d) of these Guidelines.
- C. Plants must be selected and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the project site. Methods to achieve water efficiency shall include one or more of the following:
- (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 (i.e., mature plant size, invasive surface roots) to minimize damage to property or infrastructure (e.g., buildings, sidewalks, and power lines); allow for adequate soil volume for healthy root growth; and

- (3) Consider the solar orientation for plant placement to maximize 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 1 foot of vertical elevation change for every 4 feet of horizontal length (rise divided by run x 100 = slope percent).
- E. High water use plants, characterized by a plant factor of 0.7 to 1.0, are prohibited in street medians.
- F. A landscape design plan for projects in fire-prone areas and fuel modification zones shall comply with requirements of Los Angeles County, where applicable. When conflicts between water conservation and fire safety design elements exist, the fire safety requirements have priority.
- G. The use of invasive plant species, such as those listed by the California Invasive Plant Council, is strongly discouraged.
- H. The architectural guidelines of a common interest development, which include community apartment projects, condominiums, planned developments, and stock cooperatives, may not prohibit or include conditions that have the effect of prohibiting the use of water efficient plant species as a group.

(1) Water Features

- (a) Recirculating water systems must be used for water features.
- (b) Where available and consistent with public health guidelines, recycled water must be used as a source for decorative water features.
- (c) The surface area of a water feature must be included in the high water use hydrozone area of the water budget calculation.
- (d) Pool and spa covers are highly recommended.

(2) Soil Preparation, Mulch and Amendments

- (a) Prior to planting of any materials, compacted soils shall be transformed to a friable condition. On engineered slopes, only amended planting holes need to meet this requirement.
- (b) Soil amendments shall be incorporated according to the recommendations of the soil report and what is appropriate for plants selected.

- (c) For landscape installations, compost at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six inches into the soil. Soils with greater than 6% organic matter in the top six inches of soil are exempt from adding compost and tilling.
- (d) A minimum three inch (3") layer of mulch must be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated. To provide habitat for beneficial insects and other wildlife, up to 5% of the landscape area may be left without mulch. Designated insect habitat must be included in the landscape design plan as such.
- (e) Stabilizing mulching products must be used on slopes that meet current engineering standards such as those detailed in the USDA/USAID Low-Volume Roads Engineering Best Management Practices Field Guide.
- (f) The mulching portion of the seed/mulch slurry in hydro-seeded applications must meet the mulching requirement.
- (g) Organic mulch materials from recycled or post-consumer materials shall take precedence over inorganic materials or virgin forest products unless the recycled post-consumer organic materials are not locally available. Organic mulches are not required where prohibited by local fuel Modification Plan Guidelines or other applicable local Ordinances.

**I.** The landscape design plan, at a minimum, must:

- (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 must 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, and 24-hour retention or infiltration capacity of any applicable storm water best management practices that encourage on-site retention and infiltration of storm water. Project applicants shall refer to the local agency or regional Water Quality Control Board for information on any applicable stormwater technical requirements. Storm water best management practices are encouraged in the landscape design plan and examples are provided in Section 2.3.C-D.
- (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 City of Irwindale Water Efficient Landscape Standards and Guidelines (Irwindale Municipal Code Chapter15.30) 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.

[Note: Authority Cited: Section 65595, Reference: Section 65596, Government Code and Section 1351, Civil Code.]

## **2.5 Irrigation Design Plan**

- A. This section applies to landscape areas requiring permanent irrigation, not areas that require temporary irrigation solely for the plant establishment period. For the efficient use of water, an irrigation system must meet all the requirements listed in this section and the manufacturer’s recommendations. The irrigation system and its related components must be planned and designed to allow for proper installation, management, and maintenance. An irrigation design plan meeting the following design criteria must be submitted as part of the Landscape Documentation Package.

- (1) System

- (a) Landscape water meters defined as either a dedicated water service meter or private sub meter, shall be installed for all nonresidential irrigated landscapes of 1,000 square feet but not more than 5,000 square feet (the level at which Water Code 535 applies) and residential irrigated landscapes of 5,000 square feet or greater. A landscape meter may be either:

- 1. A customer service meter dedicated to landscape use provided by the local water purveyor; or
- 2. A privately owned meter or sub meter.

- (b) Automatic irrigation controllers utilizing either evapotranspiration or soil moisture sensor data with non-volatile memory shall be required for irrigation scheduling in all irrigation systems, recommending U.S. EPA WaterSense labeled devices as applicable.
- (c) Sensors (rain, freeze, wind, etc.), either integral or auxiliary, that suspend or alter irrigation operation during unfavorable weather conditions are required on all irrigation systems, as appropriate for local climatic conditions. Irrigation should be avoided during windy or freezing weather, or during rain.
- (d) If the water pressure is below or exceeds the recommended pressure of the specified irrigation devices, the installation of a pressure regulating device is required to ensure that the dynamic pressure at each emission device is within the manufacturer's recommended pressure range for optimal performance.
  - 1. If the static pressure is above or below the required dynamic pressure of the irrigation system, pressure-regulating devices such as inline pressure regulators, booster pumps, or other devices must be installed to meet the required dynamic pressure of the irrigation system.
  - 2. Static water pressure, dynamic or operating pressure, and flow reading of the water supply must be measured at the point of connection. These pressure and flow measurements must be conducted at the design stage. If the measurements are not available at the design stage, the measurements must be conducted at installation.
- (e) Backflow prevention devices are required to protect the water supply from contamination by the irrigation system. A project applicant must refer to the applicable City code (i.e., public health) for additional backflow prevention requirements.
- (f) A master shutoff valve shall be as close as possible to the point of connection and is required on all projects: with the exception for landscapes that make use of technologies that allow for the individual control of sprinklers that are individually pressurized in a system equipped with low pressure shut down features.
- (g) Flow sensors that detect high flow conditions created by system damage or malfunction are required for all non-residential landscapes and residential landscapes of 5,000 square feet or larger. The flow sensor must be in combination with a master shut-off valve.

- (h)** Manual isolation valves (such as a gate valve, ball valve, or butterfly valve) shall be required downstream of 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.
- (i)** The irrigation system must be designed to prevent runoff, low head drainage, overspray, or other similar conditions where irrigation water flows onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes, roadways, or structures.
- (j)** Relevant information from the soil management plan, such as soil type and infiltration rate, must be utilized when designing irrigation systems.
- (k)** The design of the irrigation system must conform to the hydrozones of the landscape design plan.
- (l)** All irrigation emission devices must meet the requirements set in the American National Standards Institute (ANSI) standard, American Society of Agricultural and Biological Engineers'/International Code Council's (ASABE/ICC) 802-2014 "Landscape Irrigation Sprinkler and Emitter Standard, All Sprinkler heads installed in the landscape must document a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASBE/ICC 802-2014.
- (m)** Average IE for the project must be determined in accordance with the EAWU calculation sheet in Appendix "C". 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 as listed in Section 2.2.C.(9).
- (n)** It is highly recommended that the project applicant or local agency inquire with the local water purveyor about peak water operating demands (on the water supply system) or water restrictions that may impact the effectiveness of the irrigation system.
- (o)** In mulched planting areas, the use of low volume irrigation (drip or low volume overhead irrigation) is required to maximize water infiltration into the root zone; with the exception of areas with fuel modification requirements and/or those that require plan establishment to comply with local grading Ordinances.
- (p)** Sprinkler heads and other emission devices must have matched precipitation rates, unless otherwise directed by the manufacturer's recommendations.

- (q) Head to head coverage is recommended. However, sprinkler spacing must be designed to achieve the highest possible distribution uniformity using the manufacturer's recommendations.
- (r) Swing joint components are required on all sprinklers subject to damage that are adjacent to hardscapes or in high traffic areas of turf grass.
- (s) Check valves or anti-drain valves are required on all sprinkler heads where low point drainage could occur.
- (t) Areas less than ten (10) feet in width in any direction must be irrigated with subsurface irrigation or other means that produces no runoff or overspray.
- (u) Overhead irrigation is not permitted within 24 inches of any non-permeable surface. Allowable irrigation within the setback from non-permeable surfaces may include drip, drip line, or other low flow non-spray technology. The setback area may be planted or unplanted. The surfacing of the setback may be mulch, gravel, or other porous material. These restrictions may be modified if:
  1. the landscape area is adjacent to permeable surfacing and no runoff occurs; or
  2. the adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping; 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 in Section 2.5.A.(1)(i) hereof. Prevention of overspray and runoff must be confirmed during an irrigation audit.
  4. Slopes greater than 25% may not be irrigated with an irrigation system with an application rate exceeding 0.75 inches 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.

**(2) Hydrozone**

- (a)** Each valve must irrigate a hydrozone with similar site, slope, sun exposure, soil conditions, and plant materials with similar water use.
- (b)** Sprinkler heads and other emission devices must be selected based on what is appropriate for the plant type within that hydrozone.
- (c)** Where feasible, trees must be placed on separate valves from shrubs, groundcovers, and turf to facilitate the appropriate irrigation of trees. The mature size and extent of the root zone shall be considered when designing irrigation for the tree.
- (d)** Individual hydrozones that mix plants of moderate and low water use or moderate and high water use may be allowed if:

  - 1. The plant factor calculation is based on the proportions of the respective plant water uses and their respective plant factors; or
  - 2. The plant factor of the higher water using plant is used for the calculations.
- (e)** Individual hydrozones that mix high and low water use plants are not permitted.
- (f)** On the landscape design plan and irrigation design plan, hydrozone areas must 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.
- (g)** The irrigation design plan, at a minimum, must contain:

  - 1. The location and size of separate water meters for landscape;
  - 2. The location, type, and size of all components of the irrigation system, including controllers, main and lateral lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers, pressure regulators, and backflow prevention devices;
  - 3. Static water pressure at the point of connection to the public water supply;
  - 4. Flow rate (gallons per minute), application rate (inches per hour), and design operating pressure (pressure per square inch) for each station;

5. Irrigation schedule parameters necessary to program smart timers specified in the landscape design;
6. The following statement: “I have complied with the criteria of the City of Irwindale Water Efficient Landscape Standards and Guidelines (Irwindale Municipal Code Chapter 15.30) and applied them accordingly for the efficient use of water in the irrigation design plan;” and
7. The signature of a California-licensed landscape professional.

[Note: Authority Cited: Section 65595, Government Code.  
Reference: Section 65596, Government Code.]

## **2.6 Grading Design Plan**

- A. For the efficient use of water, grading of a landscape project site must be designed to minimize soil erosion, runoff, and water waste. Finished grading configuration of the landscape area, including pads, slopes, drainage, post-construction erosion control, and storm water control Best Management Practices, as applicable, must 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 landscape area. The Landscape Grading Design Plan shall be prepared in compliance with the City of Irwindale Building Code or comply with Section 2.6.B and 2.6.C.
- B. The project applicant must submit a landscape grading plan that indicates finished configurations and elevations of the landscape area including:
  - (1) Height of graded slopes;
  - (2) Drainage patterns;
  - (3) Pad elevations;
  - (4) Finish grade; and
  - (5) Storm water retention improvements, if applicable.
- C. 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.
- D. The Grading Design Plan must contain the following statement: “I have complied with the criteria of the Irwindale Water Efficient Landscape Standards and Guidelines (Irwindale Municipal Code Chapter 15.30) and applied them accordingly for the efficient use of water in the grading design plan” and shall bear the signature of the landscape professional, as required by law.

[Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.]

## **2.7 Certification of Completion**

- A. Landscape project installation may not proceed until the Landscape Documentation Package has been approved by the City and any ministerial permits required 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, to schedule all required inspections.
- C. Certification of Completion of the landscape project shall be submitted prior to Planning and Building Department final inspection approvals. The requirements for the Final Inspection and Permit Closure include submittal of:
  - (1) A Landscape Installation Certificate of Completion form included as Appendix “E” of these Guidelines, which must include: (i) certification by a landscape professional that the landscape project has been installed per the approved Landscape Documentation Package; and (ii) the following statement: “The landscaping has been installed in substantial conformance to the design plans, and complies with the provisions of the Water Efficient Landscape Standards and Guidelines for the efficient use of water in the landscape.”
    - (a) Where there have been significant changes (as deemed by the local permitting agency) made in the field during construction, these “as-built” or record drawings shall be included with the certificate.
    - (b) A diagram of the irrigation plan showing hydrozones shall be kept with the irrigation controller for subsequent management purposes.
  - (2) Documentation of the irrigation scheduling parameters used to set the controller(s);
  - (3) An irrigation audit report from a local agency landscape irrigation auditor or third party certified landscape irrigation auditor, documentation of enrollment in regional or local water purveyor(s) water conservation programs, and/or documentation that the MAWA and EAWU information

for the landscape project has been submitted to the local water purveyor, may be required at the option of the City. Example Irrigation Inspection Affidavit is included in Appendix "H".

- (a) Landscape audits shall not be conducted by the person or firm who designed or installed the landscape.
- (b) In large projects, or projects with multiple landscape installations (i.e. production home developments or common interest developments) an auditing rate of 1 in 7 lots or approximately 15% will satisfy this requirement.

[Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.]

### **2.8 Post-Installation Irrigation Scheduling**

- A. For the efficient use of water, all irrigation schedules must be developed, managed, and evaluated to utilize the minimum amount of water required to maintain plant health. Irrigation schedules must meet the following criteria:
  - (1) Irrigation scheduling must be regulated by automatic irrigation controllers.
  - (2) Overhead irrigation must be in accordance with the Chapter 15.30 of the Irwindale Municipal Code and local water purveyor(s) Water Conservation Ordinance. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance.

[Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.]

### **2.9 Post-Installation Landscape and Irrigation Maintenance**

- A. Landscapes must be maintained to ensure water use efficiency in accordance with existing local agency code.

## **3. Provisions for Existing Landscapes**

- A. Irrigation of all landscape areas must be conducted in a manner conforming to the rules and requirements and must be subject to penalties and incentives for water conservation and water waste prevention, as determined and implemented by the local water purveyor and as may be mutually agreed upon by the City.
- B. The City and/or the regional or local water purveyor may administer programs such as irrigation water use analyses, irrigation surveys and/or irrigation audits, tiered water 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 landscape 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, may not prohibit or include conditions that have the effect of prohibiting the use of low-water use plants as a group.

[Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.]

#### **4. Public Education**

- A. Education is a critical component to promote the efficient use of water in landscapes. The use of appropriate principles of design, installation, management, and maintenance that save water is encouraged in the community.
- B. All model homes that are landscaped shall use signs and written information to demonstrate the principles of water efficient landscapes as described.
  - (1) Signs shall be used to identify the model as an example of a water efficient landscape featuring elements such as hydrozones, irrigation equipment, and others that contribute to the overall water efficient theme. Signage shall include information about the site water use as designed per the local Ordinance; specify who designed and installed the site water efficient landscape; and demonstrate low water use approaches to landscaping such as using appropriate plants, alternative water sources, or rainwater catchment systems.
  - (2) Information shall be provided about designing, installing, managing, and maintaining water efficient landscapes.

[Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.]

## **Appendix A**

### **PRESCRIPTIVE COMPLIANCE OPTION**

- A.** This Appendix contains prescriptive requirements which may be used as a compliance option to the Ordinance.
  
- B.** Compliance with the following items is mandatory and must be documented in a landscape plan in order to use the prescriptive compliance option:
  - (1)** Submit a Landscape Documentation Package which includes the following elements:
    - (a)** Date
    - (b)** Project applicant
    - (c)** Project address (if available, parcel and/or lot number (s))
    - (d)** Total landscape area (square feet), including a breakdown of turf and plant material
    - (e)** Project type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed)
    - (f)** Water supply type (e.g., potable, recycled, well) and identify the local retail water purveyor if the applicant is not served by a private well
    - (g)** Contact information for the project applicant and property owner
    - (h)** Applicant signature and date with statement, "I agree to comply with the requirements of the prescriptive compliance option to the WELO"
  
  - (2)** Incorporate compost at a rate of at least four cubic yards per 1,000 square feet to a depth of six inches into landscaped area (unless contra-indicated by a soil test);
  
  - (3)** Plant material shall comply with all of the following:
    - (a)** For residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 75% of the plant area excluding edibles and areas using recycled water; For nonresidential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 100% of the plant area excluding edibles and areas using recycled water;



**Appendix B**

**CERTIFICATION OF LANDSCAPE DESIGN**

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 property located at \_\_\_\_\_  
(provide street address or parcel number(s)) 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 Irwindale Water Efficient Landscape Standards and Guidelines (Municipal Code Chapter 15.30) and the City of Irwindale Guidelines for Implementation of the City of Irwindale Water Efficient Landscape Standards and Guidelines.
- (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 Irwindale Water Efficient Landscape Standards and Guidelines.

Print Name \_\_\_\_\_ Date \_\_\_\_\_

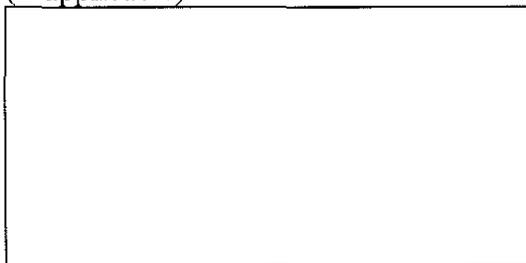
Signature \_\_\_\_\_ License \_\_\_\_\_ Number \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

E-mail Address \_\_\_\_\_

Landscape Design Professional's Stamp  
(If applicable)



## Appendix C Water Efficient Landscape Worksheet

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

Landscape Area Sector Type  Residential  
(select one):  Non-Residential

Reference Evapotranspiration (ET<sub>o</sub>)<sup>a</sup>: \_\_\_\_\_

	Hydrozone #/Planting Description	Location	Plant Factor <sup>b</sup> (PF)	Irrigation Method <sup>c</sup>	Irrigation Efficiency <sup>c</sup> (IE)	ETAF (PF/IE)	Landscape Area (sq-ft)	ETAF x Area	Estimated Total Water Use <sup>d</sup> (ETWU)
<b>Regular Landscape Area</b>									
1									
2									
3									
4									
5									

<b>Average</b>	<b>Total</b>	<b>Total</b>

Average ETAF for Regular Landscape Areas<sup>e</sup>  
(circle one):      **In Compliance**      **Not In Compliance**

**Special Landscape Area**

SLA-1									
SLA-2									
SLA-3									
SLA-4									
SLA-5									

Totals 

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--

Total Landscape Area	
Site wide ETAF	
ETWU Total	
Maximum Allowed Water Allowance (MAWA) <sup>f</sup>	

## WORKSHEET INFORMATION & EQUATIONS

<sup>a</sup> Local monthly evapotranspiration rates are listed in Appendix D.

<sup>b</sup> The following table can be used for common plant factors:

Plant Factor	PF
Very low water use plant	0.1
Low water use plant	0.2
Medium water use plant	0.5
High water use plant	0.8
Lawn	0.8
Pool, spa, or other water feature	1.0

<sup>c</sup> Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The minimum average irrigation efficiency for purposes of these Guidelines is 0.71. The following irrigation efficiency may be obtained for the listed irrigation heads with an Irrigation Management Efficiency of 90%:

Irrigation Method	IE
Spray nozzles	71%
High efficiency spray nozzles	73%
Multi stream/Multi trajectory rotary (MSMT) nozzles	76%
Stream rotor nozzle	73%
Microspray	76%
Bubblers	77%
Drip emitter	81%
Subsurface drip	81%

<sup>d</sup> Estimated Total Water Use (ETWU) is the annual gallons required

$$ETWU = (ET_o) \times (0.62) \times (ETAF \times \text{Area})$$

where,  $ET_o$  = annual evapotranspiration rate in inches per year  
 0.62 = factor used to convert inches per year to gallons per square foot  
 ETAF = plant factor ÷ irrigation efficiency

<sup>e</sup> Average ETAF for Regular Landscape Areas must be 0.55 or below for residential areas, and 0.45 or below for nonresidential areas.

<sup>f</sup> Maximum Allowed Water Allowance (MAWA) is the annual gallons allowed

$$MAWA = (ET_o) \times (0.62) \times [(ETAF \times LA) + ((1-ETAF) \times SLA)]$$

where,  $ET_o$  = annual evapotranspiration rate in inches per year  
 0.62 = factor used to convert inches per year to gallons per square foot  
 ETAF = plant factor ÷ irrigation efficiency  
 LA = total (site wide) landscape area in square feet  
 SLA = total special landscape area

## Appendix D

### REFERENCE EVAPOTRANSPIRATION (ETO) TABLE

LOS ANGELES	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Monrovia	2.2	2.3	3.8	4.3	5.5	5.9	6.9	6.4	5.1	3.2	2.5	2.0	50.2
Pasadena	2.1	2.7	3.7	4.7	5.1	6.0	7.1	6.7	5.6	4.2	2.6	2.0	52.3

\* The values in this table were derived from:

1. California Irrigation Management Information System (CIMIS);
2. Reference Evapotranspiration Zones Map, UC Dept. of Land, Air & Water Resources and California Department of Water Resources 1999; and
3. Reference Evapotranspiration for California, University of California, Department of Agriculture and Natural Resources (1987) Bulletin 1922, Determining Daily Reference Evapotranspiration, Cooperative Extension UC Division of Agriculture and
4. Natural Resources (1987), Publication Leaflet 21426

## Appendix E

### LANDSCAPE INSTALLATION CERTIFICATE OF COMPLETION

I hereby certify that:

(1) I am a professional appropriately licensed in the State of California to provide professional landscape design services for \_\_\_\_\_  
(project name, mailing address, and telephone).

(2) The landscape project for the property located at \_\_\_\_\_  
(provide street address or parcel number(s)) 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 Irwindale Water Efficient Landscape Standards and Guidelines (Municipal Code Chapter 15.30 and the City of Irwindale Guidelines for Implementation of the City of Irwindale Water Efficient Landscape Standards and Guidelines for the efficient use of water in the landscape.

(4) The following elements are attached hereto:

- a. Irrigation scheduling parameters used to set the controller;
- b. Landscape and irrigation maintenance schedule;
- c. Irrigation audit report; and
- d. Soil analysis report, if not submitted with Landscape Document Package, and documentation verifying implementation of the soil report recommendations.

(5) The site installation complies with the following:

- a. The required irrigation system has been installed according to approved plans and specifications and if applicable, any prior approved irrigation system alternatives.

\_\_\_\_\_ Yes    \_\_\_\_\_ No

- b. Sprinklers comply with ASABE/ICC 802-2014 Landscape Irrigation Sprinkler & Emitter Standard.

\_\_\_\_\_ Yes    \_\_\_\_\_ No

(6) 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 Irwindale Guidelines for Implementation of the City of Irwindale Water Efficient Landscape Standards and Guidelines.

Print Name \_\_\_\_\_ Date \_\_\_\_\_

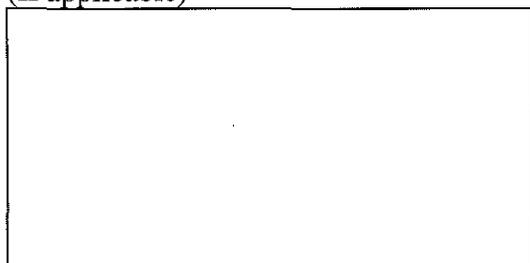
Signature \_\_\_\_\_ License \_\_\_\_\_ Number \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

E-mail Address \_\_\_\_\_

Landscape Design Professional's Stamp  
(If applicable)



## Appendix F

### DEFINITIONS

The terms used in these **Guidelines** have the meaning set forth below:

**“Aggregate”** area pertains to production home neighborhoods, common interest developments, or other situations where multiple parcels are undergoing landscape development as one project, but may eventually be individually owned or maintained.

**“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 Landscape Irrigation Auditor”** means person certified to perform landscape irrigation audits by an accredited academic institution, a professional trade organization or other program such as the US Environmental Protection Agency’s WaterSense irrigation auditor certification program and Irrigation Association’s Certified Landscape Irrigation Auditor program.

**“Certification of Design”** means the certification included as ~~Exhibit E~~ Appendix B of these Guidelines that must be included in the Landscape Documentation Package pursuant to Section 2.1 of these Guidelines.

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

**“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.

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

**“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.

**“Evapotranspiration adjustment factor”** or “ETAF” means a factor of 0.55 for residential areas and 0.45 for nonresidential areas, that, when applied to reference evapotranspiration, adjusts for plant factors and irrigation efficiency, two major influences upon the amount of water that needs to be applied to the landscape. The ETAF for a new and existing (non-rehabilitated) Special Landscape Area shall not exceed 1.0. The ETAF for existing non-rehabilitated landscapes is 0.8.

**“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.

**“Graywater”** means a system untreated wastewater that has not been contaminated by any toilet discharge, has not been affected by infectious, contaminated, or unhealthy bodily wastes, and does not present a threat from contamination by unhealthy processing, manufacturing, or operating wastes. Graywater includes, but is not limited to, wastewater from bathtubs, showers, bathroom washbasins, clothes washing machines. And laundry tubs, but does not include wastewater from kitchen sinks or dishwashers as per the Health and Safety Code (Section 17922.12). Graywater systems promote the efficient use of water and are encouraged to assist in on-site landscape irrigation. All graywater systems shall conform to the California Plumbing Code (Title 24, Part 5, Chapter 16) and any applicable local Ordinance standards.

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

**“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 plants 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 for 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 landscape area. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The minimum average irrigation efficiency for purposes of these Guidelines is 0.71. Greater irrigation efficiency can be expected from well designed and maintained systems. The following irrigation efficiency may be obtained for the listed irrigation heads with an IME of 90%:

Irrigation Method	DU <sub>LQ</sub>	DU <sub>LH</sub> *	EU	IE**
Spray nozzles	65%	79%		71%
High efficiency spray nozzles	75%	82%		73%
Multi stream/Multi trajectory rotary (MSMT) nozzles	75%	85%		76%
Stream rotor nozzle	70%	82%		73%
Microspray	75%	85%		76%
Bubblers			85%	77%
Drip emitter			90%	81%
Subsurface drip			90%	81%

\*DU<sub>LH</sub> = .386 + (.614)(DU<sub>LQ</sub>)

\*\* IE (spray) = (DU<sub>LH</sub>)(IME)

\*\* IE (drip) = Emission uniformity (EU)(IME)

**“Landscape coefficient”** (K<sub>L</sub>) 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 landscape areas.

**“Landscape Documentation Package”** means the package of documents that a project applicant is required to submit to the City pursuant to Section 2.1 of these Guidelines.

**“Landscape Installation Certificate of Completion”** means the certificate included as ~~Exhibit E~~ **Appendix E** of these Guidelines that must be submitted to the City pursuant to Section 2.7 of hereof.

**“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 Title 16 of the California Code of Regulations, and Section 6721 of the California Food and Agriculture Code.

**“Landscape 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 for 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.

“**Low volume overhead irrigation**” means aboveground irrigation heads with an upper flow limit of 0.5 GPM.

“**Main line**” means the pressurized pipeline that delivers water from the water source to the valve or outlet.

“**Manual Isolation Valve**” means a valve such as a gate valve, ball valve, or butterfly valve installed downstream of the point of connection of the water supply to shutdown water flow through mainline piping for routine maintenance and emergency repair.

“**Master Shut-off Valve**” an electronic valve such as a solenoid valve installed as close as possible to the point of connection and is used in conjunction with a flow sensor and flow monitoring controller technology to automatically shutdown system wide water flow in the event of high flow conditions such as mainline pipe break.

“**Maximum Applied Water Allowance**” or “MAWA” means the upper limit of annual applied water for the established landscaped area, as specified in Section 2.2 of 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 landscape area due to factors such as wind, sun exposure, plant density, or proximity to reflective surfaces.

“**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.

“**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.

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

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

**“Person”** means any natural person, firm, joint venture, joint stock 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 City or 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 purposes 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 person submitting a Landscape Documentation Package required under Section 2.1 to request a permit, plan check, or design review from the local agency. A project applicant may be the property owner or his or her designee.

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

**“Reference evapotranspiration”** or “ETo” means a standard measurement of environmental parameters which affect the water use of plants. ETo is given expressed in inches per day, month, or year as represented in Appendix “D” of these Guidelines, and is an estimate of the evapotranspiration of a large field of four to seven-inch tall, cool-season grass that is well watered. Reference evapotranspiration is used as the basis of determining the Maximum Applied Water Allowances.

**“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.

**“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.

**“Special Landscape 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 community pools and spas, parks, sports fields, 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. Bermudagrass, Kikuyugrass, Seashore Paspalum, St. Augustinegrass, Zoysiagrass, 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 City of Irwindale Ordinance No. 701 and codified in Title 15, Chapter 15.30 of the Irwindale Municipal Code.

**“Water Efficient Landscape Worksheets”** means the worksheets required to be completed pursuant to Section 2.2 of these Guidelines and which are included in Appendix “C” hereof.

**“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 landscape 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, 2000. [www.owue.water.ca.gov/docs/wucols00](http://www.owue.water.ca.gov/docs/wucols00)

## Appendix G

This is a voluntary compliance tool template developed by the Irrigation Association.

### IRRIGATION PLAN CHECKLIST

Please complete the following checklist by checking all appropriate categories under APPLICANT column, indicating compliance with these content requirements. All submitted plans shall contain the following information:

LANDSCAPE PLAN NUMBER: \_\_\_\_\_

NAME OF PROJECT: \_\_\_\_\_

Applicant		Planner
<input type="checkbox"/>	1. Prevailing winds	<input type="checkbox"/>
<input type="checkbox"/>	2. Slope aspect and degree of slope	<input type="checkbox"/>
<input type="checkbox"/>	3. Soil type and infiltration rate	<input type="checkbox"/>
<input type="checkbox"/>	4. Vegetation type	<input type="checkbox"/>
<input type="checkbox"/>	5. Microclimates	<input type="checkbox"/>
<input type="checkbox"/>	6. Expansive or hazardous soil conditions	<input type="checkbox"/>
<input type="checkbox"/>	7. Water harvesting potential	<input type="checkbox"/>
<input type="checkbox"/>	8. Available water supply, including non-potable and recycled water	<input type="checkbox"/>
All pertinent system information is indicated, including:		
<input type="checkbox"/>	9. Irrigation zones substantially corresponding to hydrozones on the landscape plan and labeled by precipitation rates and method of application	<input type="checkbox"/>
<input type="checkbox"/>	10. Water meters	<input type="checkbox"/>
<input type="checkbox"/>	11. Tap-in location	<input type="checkbox"/>
<input type="checkbox"/>	12. Static water pressure at the point of connection	<input type="checkbox"/>
<input type="checkbox"/>	13. System controller	<input type="checkbox"/>
<input type="checkbox"/>	14. Rain sensor/shut-off device	<input type="checkbox"/>
<input type="checkbox"/>	15. Backflow preventers	<input type="checkbox"/>
<input type="checkbox"/>	16. Shut-off valves and zone control valves	<input type="checkbox"/>
<input type="checkbox"/>	17. Main line and lateral piping	<input type="checkbox"/>
<input type="checkbox"/>	18. Sprinkler heads	<input type="checkbox"/>
<input type="checkbox"/>	19. Bubblers and drip irrigation tubing runs	<input type="checkbox"/>
<input type="checkbox"/>	20. Type and size of main irrigation system components	<input type="checkbox"/>
<input type="checkbox"/>	21. Total required operating pressure for each control valve/zone	<input type="checkbox"/>
<input type="checkbox"/>	22. Graphic depiction of the locations of irrigation system components	<input type="checkbox"/>
<input type="checkbox"/>	23. Total required operating pressure for each control valve/zone	<input type="checkbox"/>
<input type="checkbox"/>	24. Any supplemental stormwater and/or runoff harvesting	<input type="checkbox"/>
System design is in conformance with the following standards:		
<input type="checkbox"/>	25. Certification of Professional Qualifications, attached	<input type="checkbox"/>
<input type="checkbox"/>	26. Pedestrian surfaces located on plan	<input type="checkbox"/>
<input type="checkbox"/>	27. Equipment installed flush with grade for safety	<input type="checkbox"/>
<input type="checkbox"/>	28. Compliance with local codes	<input type="checkbox"/>
<input type="checkbox"/>	29. Overspray onto impervious areas minimized	<input type="checkbox"/>

## Appendix H

This is a voluntary compliance tool template developed by the Irrigation Association.

### IRRIGATION INSPECTION AFFIDAVIT

(To be submitted in conformance with Code Section 309.C)

Irrigation Plan File No: \_\_\_\_\_ Name of Project: \_\_\_\_\_

Irrigation Plan Designer: \_\_\_\_\_ Inspector: \_\_\_\_\_

Date(s) of Inspection: \_\_\_\_\_

**This project was inspected within the limits of customary access for compliance with the approved irrigation plan on file in City Planning. At least two (2) inspections were conducted. The findings are as follows:**

	(Check One)	<u>Yes</u>	<u>No</u>
<b>A. Inspection during construction to check main line in open trench:</b>			
1. Location of main line conforms to as-built plan	_____	_____	_____
2. Size of main line conforms to plan	_____	_____	_____
3. Depth of main line conforms to plan	_____	_____	_____
4. Main line condition is undamaged	_____	_____	_____
5. Main line pressure tested with water and meter to check for visible leaks	_____	_____	_____
6. Specific observations attached if needed	_____	_____	_____
<b>B. Inspection after completion of system installation prior to seeding or sodding:</b>			
1. Settling along trenches is absent	_____	_____	_____
2. System components (i.e., controller, backflow preventer, rain sensor, etc.) installed as specified	_____	_____	_____
3. Rotary heads pressure tested	_____	_____	_____
4. System activated for observation of compliance	_____	_____	_____
5. Landscape components are not blocking application	_____	_____	_____
6. Each station complies with design/as-built plan	_____	_____	_____
7. Matched precipitation rates provided by zone	_____	_____	_____
8. As-built plan provided to owner	_____	_____	_____
9. Specific observations attached as needed	_____	_____	_____

I hereby certify that I am qualified to submit this Irrigation Inspection affidavit based on the qualification indicated below: (check one)

Certified Irrigation Designer certified by the Irrigation Association, indicate year of certification \_\_\_\_\_

State: \_\_\_\_\_ Licensed No. \_\_\_\_\_

State Agency Phone No. ( \_\_\_\_\_ ) \_\_\_\_\_

\_\_\_\_\_  
Name

(PRINT)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**IRWINDALE CITY COUNCIL CHAMBER  
5050 N. IRWINDALE AVENUE  
IRWINDALE, CALIFORNIA 91706**

Successor Agency Agenda

Item 1A1

January 27, 2016

**JANUARY 13, 2016  
WEDNESDAY  
5:30 P.M.**

The Irwindale **SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY** met in regular session at the above time and place.

**ROLL CALL:**

Present: Councilmembers Larry G. Burrola, H. Manuel Ortiz;  
Mayor Pro Tem Albert F. Ambriz; Mayor Mark A. Breceda

Absent: Councilmember Manuel R. Garcia

Also present: John Davidson, City Manager; Fred Galante, City Attorney; Anthony Miranda, Police Chief; William Tam, Director of Public Works / City Engineer; Eva Carreon, Director of Finance; Gus Romo, Director of Community Development; Elvie Balderrama, Human Resources Manager, and Laura Nieto, Deputy City Clerk

**RECESS TO  
CLOSED SESSION**

At 5:30 p.m., the Successor Agency recessed to Closed Session to discuss the following:

**Conference with Real Property Negotiators**

Pursuant to California Government Code Section 54956.8

Property: 5463 2<sup>nd</sup> Street

Negotiating Parties: City of Irwindale, Successor Agency, and Issa Alasker

Under Negotiations: Price and terms of purchase

**ACTION:** Update provided on escrow process; no further reportable action taken.

Property: 14808 Los Angeles Street / 4342 Alderson

Negotiating Parties: City of Irwindale and Seventh Street Development

Under negotiation: Terms of Purchase

**ACTION:** Update provided regarding the status of escrow and securing a title policy. By motion of Mayor Breceda, seconded by Mayor Pro Tem Ambriz, and unanimously approved (Councilmember Garcia absent), the Council agreed to the terms of the title policy with the indemnification of fidelity against any challenges by the Department of Finance and any related party concerning the transfer from redevelopment agency.

Property: 4954 Azusa Canyon Road

Negotiating Parties: Successor Agency and Dunbar

Under Negotiation: Price and Terms

**ACTION:** Update provided; no further reportable action taken

**RECONVENE IN  
OPEN SESSION**

At 7:51 p.m., the City Council reconvened in Open Session.

**SPONTANEOUS  
COMMUNICATIONS**

There were no speakers.

**CONSENT CALENDAR**

**MOTION**

A motion was made by Mayor Pro Tem Ambriz, seconded by Councilmember Ortiz, to approve the Consent Calendar; reading resolutions and ordinances by title only and waiving further reading thereof. The motion was unanimously approved; Councilmember Garcia absent.

**ITEM NO. 1A1  
MINUTES**

**MINUTES**

The following minutes were approved as presented:

- 1) Regular meeting of December 9, 2015

**ITEM NO. 1B  
WARRANTS**

**WARRANTS**

The warrants were approved.

**END OF CONSENT CALENDAR**

**NEW BUSINESS**

**ITEM NO. 2A  
THIRD AMENDMENT  
TO PURCHASE AND  
SALE AGREEMENT  
FOR THE ACQUISITION  
OF THE PROPERTY  
AND IMPROVEMENTS  
LOCATED AT 4954  
AZUSA CANYON  
ROAD**

**THIRD AMENDMENT TO PURCHASE AND SALE AGREEMENT  
FOR THE ACQUISITION OF THE PROPERTY AND  
IMPROVEMENTS LOCATED AT 4954 AZUSA CANYON ROAD**

**JIM SIMON**

Jim Simon, with RSG, discussed the staff report and provided background information on the matter.

**COUNCILMEMBER  
ORTIZ**

Responding to several questions by Councilmember Ortiz, Director Romo advised that Dunbar is proposing to submit a Conditional Use Permit to allow for an auto repair use, should that be something they are interested in allowing. There is also the possibility that they will work out an arrangement with their current tenant, but that is completely up to the two parties. Also, the police evidence locker, which is currently at the site, would also need to be relocated. Director Romo then advised that 10% of the proceeds from the

acquisition will be directed to the general fund, while 90% will be forwarded to the state Department of Finance.

RESOLUTION NO.  
2016-03-2817  
ADOPTED

**Resolution No. SA 2016-03-2817**, entitled:

“A RESOLUTION OF THE CITY OF IRWINDALE AS SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY AUTHORIZING THE EXECUTION OF THE THIRD AMENDMENT TO THE PURCHASE AND SALE AGREEMENT WITH DUNBAR REAL ESTATE INVESTMENT MANAGEMENT FOR ACQUISITION OF THE 4954 AZUSA CANYON ROAD SITE,” was passed, approved, and adopted, on the motion of Mayor Pro Tem Ambriz, seconded by Councilmember Ortiz, and unanimously approved.

**ADJOURNMENT**

There being no further business to conduct, the meeting was adjourned at 7:59 p.m.

---

Laura M. Nieto, CMC  
Deputy City Clerk

Accounts Payable

Checks by Date - Summary By Check Number

City of Irwindale as Successor Agency to the  
Irwindale Community Redevelopment Agency



Check Number	Vendor No	Vendor Name	Check Date	Check Amount
58487	AZUSALW	Azusa Light & Water	01/12/2016	42.18
58488	USBANK03	US Bank Trust N.A.	01/12/2016	3,850.00
Report Total:				3,892.18

JAN 27 2016

Successor Agency Agenda  
Item 1C  
January 27, 2016

**AGENDA REPORT**

Date: January 27, 2016

To: Honorable Mayor and City Council  
Successor Agency Board  
Housing Authority Board

From: John Davidson, City Manager/Executive Director

Subject: Investment Quarterly Report – December 31, 2015.

HOUSING AGENDA  
ITEM 1B

JAN 27 2016

**City Manager's Recommendation:**

Receive and file the Investment Quarterly Report for December 31, 2015.

**Background:**

California Government Code Section 53646 requires that the City Treasurer submit a quarterly report of investments to the City Council/Boardmembers for review and compliance with the City's adopted investment policy. The attached investment report summarizes the City's investments as of December 31, 2015. The report shows that funds are invested in the Local Agency Investment Fund (LAIF), certificates of deposits and federal agency securities. All investments are in compliance with the City's adopted investment policy.

Fiscal Impact  (Initial of CFO) None.

Legal Impact \_\_\_\_\_ (Initial of Legal Counsel) None.

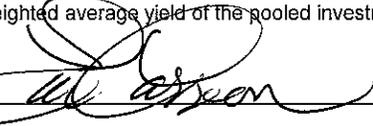
Contact Person: Eva Carreon, City Treasurer (626) 430-2221

  
John Davidson, City Manager/  
Executive Director

**CITY OF IRWINDALE  
SCHEDULE OF INVESTMENTS  
December 31, 2015**

DESCRIPTION OF SECURITY	FACE VALUE OR ORIGINAL COST	CURRENT YIELD TO MATURITY	PURCHASE DATE	MATURITY DATE	MARKET VALUE	INVESTMENT RATING
<b>CITY OF IRWINDALE INVESTMENTS</b>						
<b>MONEY MARKET FUNDS</b>						
LOCAL AGENCY INVESTMENT FUND (LAIF):						
ACCOUNT # 98-19-394 - CITY	\$ 16,286,799	0.37%			\$ 16,286,799	
ACCOUNT # 25-19-004 - HOUSING AUTHORITY	13,636,474	0.37%			13,636,474	
ACCOUNT # 65-19-050 - SUCCESSOR AGENCY	4,026,617	0.37%			4,026,617	
<b>CERTIFICATES OF DEPOSIT</b>						
USAMERIBANK	225,000	1.90%	05/11/11	01/11/16	225,034	
ISRAEL DISC BK NEW YORK-IDBNY	225,000	2.10%	02/09/11	02/09/16	225,324	
THOMASVILLE NATIONAL BANK	225,000	2.00%	04/29/11	02/29/16	225,484	
SAFRA NATIONAL BANK	240,000	0.55%	12/30/14	03/30/16	240,000	
CIT BANK SALT LAKE CITY UTAH	225,000	1.80%	08/17/11	08/17/16	226,472	
REPUBLIC BANK BOUNTIFUL UTAH	225,000	1.70%	08/19/11	08/19/16	226,341	
VERMILLION STATE BANK MN	225,000	1.50%	08/31/11	08/31/16	226,094	
LUANA SAVINGS BANK	225,000	1.50%	09/02/11	09/02/16	226,087	
ALLY BANK	240,000	1.15%	10/30/13	10/31/16	240,619	
BARCLAYS BANK DELAWARE	240,000	1.90%	12/07/11	12/07/16	242,016	
EVERGREEN BANK GROUP	240,000	0.80%	12/30/14	12/30/16	239,954	
TCB NATIONALBANK	240,000	0.80%	12/31/14	01/03/17	239,774	
BANK OF BARODA	240,000	1.10%	02/04/14	02/06/17	240,614	
CELTIC BANK	240,000	1.00%	12/30/14	03/30/17	239,863	
STEARNS BANK NA	240,000	0.90%	12/31/14	03/31/17	239,621	
INDEPENDENT BANK MEMPHIS	240,000	1.00%	12/30/14	06/30/17	239,371	
SYNOVUS BANK GA	240,000	1.10%	12/30/14	06/30/17	239,654	
THIRD FED SAVINGS & LOAN	240,000	1.40%	11/27/13	11/27/17	240,691	
MEDALLION BK	240,000	1.25%	12/28/15	12/28/17	238,574	
BRICKELL BANK CTF	240,000	1.20%	12/31/15	12/29/17	240,158	
EAGLE BANK CTF	240,000	1.25%	12/30/15	12/29/17	239,030	
FNB OF MCGREGOR TX	240,000	1.15%	12/31/14	01/02/18	238,531	
LYONS NATIONAL BANK (LYNB)	240,000	1.30%	01/30/14	01/30/18	238,867	
MERCHANTS NATL BANK OH	240,000	1.60%	11/27/13	06/27/18	240,667	
BANK OF THE CALIFORNIA	240,000	1.50%	12/31/14	06/29/18	238,442	
MORTON COMMUNITY BANK	240,000	1.30%	12/30/14	06/29/18	238,382	
COMPASS BANK CTF	240,000	1.55%	12/31/15	07/02/18	241,572	
BMW BANK OF NORTH	240,000	2.10%	10/25/13	10/25/18	241,123	
GE CAPITAL RETAIL BANK	240,000	2.15%	10/25/13	10/25/18	242,102	
SALLIE MAE BANK	240,000	2.00%	11/27/13	11/27/18	240,850	
WELLS FARGO BANK	240,000	1.55%	12/30/15	12/31/18	238,884	
GOLDMAN SACHS BANK	240,000	2.00%	05/07/14	05/07/19	239,501	
BANK LIBERTY	240,000	1.50%	12/30/15	06/28/19	238,303	
AMERICAN EXPRESS	240,000	2.05%	12/30/15	12/30/19	238,642	
CONNECTONE BK NJ	240,000	1.85%	12/30/14	12/30/19	238,906	
GUARANTY BANK	240,000	1.60%	12/29/15	12/30/19	238,073	
CENTRAL BANK ILLINOIS	240,000	1.90%	12/31/15	12/31/20	241,958	
INVESTORS COMM BANK	240,000	1.90%	12/31/15	12/31/20	241,958	
<b>US GOVERNMENT AGENCIES</b>						
FEDERAL HOME LOAN BANK - FHLB	1,998,000	1.00%	03/26/14	06/21/17	1,998,900	AAA
FEDERAL HOME LOAN BANK - FHLB	3,000,000	1.20%	06/29/15	06/29/18	2,988,510	AAA
FEDERAL NATIONAL MORTGAGE ASSN - FNMA	2,457,500	1.25%	03/19/14	01/30/19	2,483,125	AAA
FEDERAL HOME LOAN MTG CORP - FHLMC	988,500	1.25%	12/29/15	10/02/19	986,370	AAA
FEDERAL NATIONAL MORTGAGE ASSN - FNMA	4,000,000	1.70%	03/25/15	10/04/19	3,983,400	AAA
FEDERAL HOME LOAN BANK - FHLB	4,000,000	1.00%	03/30/15	03/30/20	4,002,600	AAA
FEDERAL FARM CREDIT UNION - FFCB	5,000,000	1.98%	06/29/15	06/29/20	5,021,100	AAA
FEDERAL HOME LOAN MTG CORP - FHLMC	5,000,000	2.00%	12/30/15	12/30/20	4,981,550	AAA
<b>TOTAL INVESTMENTS</b>	<b>69,408,890</b>				<b>69,412,982</b>	

It has been verified that this investment portfolio is in conformity, exclusive of items identified, with the City of Irwindale's investment policy which was approved by City Council on **July 8, 2015**. The Treasurer's cash management program and cash flow analysis indicates that sufficient liquidity is on hand to meet estimated future expenditures for a period of six months. The weighted average of maturity of the pooled investment portfolio is **1.72** years. The weighted average yield of the pooled investments at cost is **0.962%**. Market prices of securities are obtained directly through Bank of the West.

Approved by 

Eva Carreon, Director of Finance/City Treasurer

January 27, 2016

**AGENDA REPORT**

Date: January 27, 2016

To: Honorable Chair and Members of the Successor Agency

From: John Davidson, Executive Director

Issue: Consideration of Resolution No. SA 2016-05-2819 of the City of Irwindale as Successor Agency to the Irwindale Community Redevelopment Agency Approving a Recognized Obligation Payment Schedule and Administrative Budget for July 1, 2016 through June 30, 2017

**Executive Director's Recommendation**

That the City Council as Successor Agency adopt Resolution No. SA 2016-05-2819 entitled "A RESOLUTION OF THE CITY OF IRWINDALE AS SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY APPROVING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE AND ADMINISTRATIVE BUDGET FOR THE TWELVE-MONTH FISCAL PERIOD BEGINNING JULY 1, 2016 AND ENDING JUNE 30, 2017."

**Background**

Health and Safety Code ("HSC") Sections 34177(l) and 34177(o) requires the Successor Agency to prepare and submit a Recognized Obligation Payment Schedule ("ROPS"), prior to each 12-month fiscal period, to the Oversight Board, County Auditor-Controller, State Controller's Office ("SCO"), and State Department of Finance ("DOF") for review and approval. For the ROPS period of July 1, 2016 to June 30, 2017 ("ROPS 16-17"), the statute requires that an Oversight Board-approved ROPS be submitted electronically to the DOF no later than February 1, 2016.

The ROPS provides the Successor Agency's enumeration and estimates of outstanding enforceable obligations for the upcoming 12-month ROPS period beginning July 1, 2016 and derives the amount of funds that may be available in past ROPS carryover and other cash balances for future payments. All of the enforceable obligations are identical to past ROPS, with only changes to the balance outstanding and specific amounts (if any) due during the ROPS 16-17 period.

**Discussion of Recent Legislative Changes to ROPS Process**

On September 22, 2015, Governor Brown signed Senate Bill 107 ("SB 107"), which went into effect immediately. SB 107 made several key changes to the Health and Safety Code sections that establish the ROPS process. These changes are summarized below:

**Annual Submission Beginning for Fiscal Year 2016-17**

Beginning in 2016, ROPS will be due to the DOF annually by February 1<sup>st</sup>, instead of semi-annually as in previous years. ROPS periods will cover July 1<sup>st</sup> to June 30<sup>th</sup>. Once per ROPS period, but not later than October 1<sup>st</sup>, successor agencies may submit to their oversight board and the DOF one amendment to the DOF-approved ROPS if the

oversight board makes a finding that the revision is necessary for the payment of approved enforceable obligations during the second half of the ROPS period.

#### Bifurcation of ROPS and Prior Period Adjustment Processes

Previously, on ROPS, successor agencies provided the DOF both an itemized list of payments of enforceable obligations for the upcoming ROPS period and an itemized list of differences between actual payments and past estimated obligations for the preceding ROPS period ("Prior Period Adjustment"). SB 107 specifies that, beginning in 2018, the Prior Period Adjustment process will be handled separately from the ROPS by the County Auditor-Controller and on an annual basis, instead of semi-annually as in previous years. Successor Agencies will provide information regarding their Prior Period Adjustment to the County Auditor-Controller on October 1, 2018, and each October 1st thereafter. The law does not specify a change to when or how the successor agencies will provide this information before October 1, 2018. DOF has indicated that they are working on a new annual Prior Period Adjustment form to be introduced during the ROPS 18-19 period. ROPS 16-17 does not include the Prior Period Adjustment tab.

#### Administrative Cost Allowance

Previously, the administrative cost allowance for each fiscal year was the greater of \$250,000 or three percent of the Redevelopment Property Tax Trust Fund revenue ("RPTTF") funding that the successor agency received during the fiscal year. Beginning in Fiscal Year 2016-17, the administrative cost allowance for each fiscal year is the greater of \$250,000 or three percent of the RPTTF funding that the successor agency received during the prior fiscal year, however, it cannot exceed 50 percent of the total RPTTF funding distributed to pay enforceable obligations in the preceding fiscal year, less the administrative cost allowance and any loan repayments to the city or county. However, there is ambiguous language that states the \$250,000 minimum applies unless reduced by the Oversight Board or the Successor Agency enters into an agreement with DOF. It is unclear as to how this provision will be implemented.

SB 107 also specifies that while administrative budgets still require Oversight Board approval, they are no longer required to be submitted to the DOF for approval.

#### Last and Final ROPS

Beginning January 1, 2016, successor agencies may submit a Last and Final ROPS for approval by the oversight board and the DOF if all of the following conditions are met:

1. Remaining debt includes only administrative costs and enforceable obligations with set payment schedules, such as debt service, loan agreements, and contracts;
2. All remaining obligations have been previously listed on a ROPS and approved by the DOF; and
3. The successor agency has no outstanding or unresolved litigation.

Once the DOF approves a successor agency's Last and Final ROPS, the successor agency may submit up to two requests to amend it.

## **Discussion of ROPS 16-17**

### **City General Fund Loan of \$3,446,082**

The Successor Agency owes the City's General Fund \$3,446,082 for a 1974 loan. To date, the DOF has denied the repayment of this City General Fund loan (on ROPS 14-15A, 14-15B, 15-16A, and 15-16B), on grounds that the Agency was unable to provide a copy of the original 40-year-old Cooperation Agreement, though the Successor Agency has provided records of audited financials and more recent amendments to the original Cooperation Agreements. The Successor Agency and City are considering litigating on this matter, pending court decisions on similar issues.

### **Housing Authority Administrative Allowance**

Based on the Successor Agency's interpretation of Assembly Bill 471 signed by the Governor in February 2014, the Housing Authority is entitled to four years of administrative funding to offset the costs of administering affordable housing obligations received from the former Redevelopment Agency. Between July 1, 2014 and July 1, 2018, the annual administrative allowance is the greater of 1 percent of the obligations, or \$150,000. While the DOF denied all housing authorities this allowance due to a narrow read of the law, beyond even what the bill's author intended, staff and consultants are pursuing litigation on this matter.

### **Cash Balance**

The Successor Agency is required to calculate the amount of funds that may be available in past ROPS carryover and other cash balances for future payments. If the Successor Agency spent less than it estimated in prior ROPS periods or currently has funds from revenue received apart from the ROPS process (such as rent income and interest), fund balances should be used to pay for ROPS 16-17A obligations and, under AB 1484, the County Auditor-Controller will adjust down the distribution of RPTTF to the Successor Agency for this next ROPS period by the surplus amount.

### **Fiscal Year 2016-17 Administrative Budget**

HSC Section 34177(j) requires the Successor Agency to prepare an Administrative Budget and submit it to the Oversight Board for approval. The Administrative Budget includes the proposed administrative expenditures for the 2016-17 Fiscal Year. The Successor Agency anticipates spending the minimum annual administrative allocation described in HSC Section 34171 (b), or 3% of the RPTTF being requested.

### **ROPS Technical Adjustments/Revisions**

The ROPS 16-17 provides estimated expenditures for enforceable obligations for the July 2016 through June 2017 period. However, as staff refines the projected expenditures, it anticipates that adjustments to the draft ROPS 16-17 may need to be made prior to submittal to the Oversight Board for approval. Staff is recommending that the Successor Agency authorize staff to make any such necessary adjustments, as appropriate, prior to submittal to the Oversight Board.

## **DOF Review**

Upon submittal of an Oversight Board-approved ROPS, DOF has 45 days to make its determination of the enforceable obligations, including amounts and funding sources. Within five business days of DOF's determination, the Successor Agency may request additional review and an opportunity to meet and confer on disputed items. DOF has until 15 days prior to the date for property tax distribution to make its final decision. The RPTTF distribution dates for ROPS 16-17A and 16-17B are June 1, 2016 and January 2, 2017, respectively.

## **Fiscal Impact**

Approval of the draft ROPS is necessary for the Successor Agency to continue making payments on indebtedness, contracts, and other enforceable obligations. Overall, the Successor Agency anticipates \$12,221,403 of enforceable obligations due during the ROPS 16-17 period, of which \$4,054,501 would be funded from RPTTF paid on June 1, 2016 and \$8,166,902 would be funded from RPTTF paid on January 2, 2017, and the balance from carryover cash balances. Residual RPTTF revenues would be apportioned by the County Auditor-Controller to affected taxing agencies based on each entity's share of the property tax levy.

By not adopting the ROPS, the Successor Agency would risk defaulting on loans and other debt agreements, and not being able to fund certain expenses and operations, which would also impact the City's General Fund. Failure to submit an Oversight Board-approved ROPS to the State will also result in a \$10,000 per day penalty assessed against the City for each day the ROPS is late. By utilizing non-RPTTF monies to pay for ROPS 16-17 obligations, the Successor Agency will increase the amount of residual RPTTF the City will collect from the County Auditor-Controller, which is roughly 10 percent of the total residual pool of monies.

**Fiscal Impact:**  (Initial of CFO)

**Legal Impact:**  (Initial of Legal Counsel)

**Contact Person:** Eva Carreon, Finance Director  
626-430-2221  
[ecarreon@ci.irwindale.ca.us](mailto:ecarreon@ci.irwindale.ca.us)

Jim Simon, Economic & Redevelopment Consultant, RSG Inc.  
714-316-2120  
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Dominique Clark, Economic & Redevelopment Consultant, RSG Inc.  
714-316-2143  
[dclark@webrsg.com](mailto:dclark@webrsg.com)

  
**John Davidson, Executive Director**

### **Attachments:**

1. Resolution Approving ROPS 16-17

**SUCCESSOR AGENCY RESOLUTION NO. 2016-05-2819**

**A RESOLUTION OF THE CITY OF IRWINDALE AS SUCCESSOR AGENCY  
TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY  
APPROVING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE AND  
ADMINISTRATIVE BUDGET FOR THE TWELVE-MONTH FISCAL PERIOD  
BEGINNING JULY 1, 2016 AND ENDING JUNE 30, 2017**

**WHEREAS**, pursuant to Assembly Bill 26 of the First Extraordinary Session of the 2011-2012 Legislative Session ("ABX1 26") (Chapter 5, Statutes of 2011), the Irwindale Community Redevelopment Agency was effectively dissolved as of February 1, 2012; and

**WHEREAS**, pursuant to ABX1 26, the City Council of the City of Irwindale adopted Resolution No. 2012-08-2547 on January 11, 2012, affirmatively electing to serve as the "Successor Agency" to the Irwindale Community Redevelopment Agency; and

**WHEREAS**, pursuant to Health and Safety Code Sections 34177(l) and 34177(o), the Successor Agency is required to prepare a Recognized Obligation Payment Schedule ("ROPS") prior to each twelve-month fiscal period, in a manner prescribed by the California Department of Finance ("DOF"), and submit the ROPS to an oversight board, the Los Angeles County Auditor-Controller, the State Controller's Office, and DOF for review and approval; and

**WHEREAS**, Assembly Bill 1484 ("AB 1484") and Senate Bill 107 ("SB 107") established new procedural requirements for the preparation, review, and approval of ROPS by the Successor Agency, including clarifications regarding "enforceable obligations"; and

**WHEREAS**, pursuant to Section 34177(j), the Successor Agency's "Administrative Budget" is to include all of the following: (a) estimated amounts of the Successor Agency's administrative costs for the upcoming twelve-month fiscal period; (b) the proposed sources of payment for the costs identified in (a); and (c) proposals for arrangements for administrative and operations services provided by the city serving as Successor Agency; and

**WHEREAS**, Exhibit "A" to this resolution establishes a ROPS and administrative budget for the twelve-month fiscal period beginning July 1, 2016 and ending June 30, 2017, in a manner consistent with that prescribed by DOF.

**NOW, THEREFORE, THE SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1. Recitals.** The Recitals set forth above are true and correct and incorporated herein by reference.

**Section 2. Approval of ROPS and Administrative Budget.** The City of Irwindale as Successor Agency hereby approves the Recognized Obligation Payment Schedule and Administrative Budget for the twelve-month fiscal period beginning July 1, 2016 and ending June 30, 2017, in substantially the form attached hereto as Exhibit "A," as required by ABX1 26, AB 1484, and SB 107.

**Section 3. Transmittal to Appropriate Agencies.** The Executive Director is hereby authorized and directed to transmit, by mail or electronic means, a copy of the ROPS to the Oversight Board, Los Angeles County Auditor-Controller, State Department of Finance, and the State Controller's Office, as prescribed by statute.

**Section 4. Technical Revisions.** The Executive Director is hereby authorized and directed to use discretion to make any necessary technical revisions to the ROPS and Administrative Budget prior to submittal to the appropriate reviewing bodies.

\_\_\_\_\_  
Mark A. Breceda, Mayor

**ATTEST:**

\_\_\_\_\_  
Laura M. Nieto, CMC  
Deputy City Clerk

STATE OF CALIFORNIA            }  
COUNTY OF LOS ANGELES    } ss.  
CITY OF IRWINDALE            }

I, Laura M. Nieto, Deputy City Clerk of the City of Irwindale, do hereby certify that the foregoing Resolution No. SA No. 2016-05-2819 was duly and regularly passed and adopted by the Successor Agency of the City of Irwindale at its regular meeting held on the 27<sup>th</sup> day of January 2016, by the following vote:

AYES:       Council Members:

NOES:       Council Members:

ABSENT:     Council Members:

ABSTAIN:    Council Members:

\_\_\_\_\_  
Laura M. Nieto, CMC  
Deputy City Clerk

# EXHIBIT "A"

RECOGNIZED OBLIGATION PAYMENT SCHEDULE  
JULY 1, 2016 - JUNE 30, 2017

**Recognized Obligation Payment Schedule (ROPS 16-17) - Summary**  
 Filed for the July 1, 2016 through June 30, 2017 Period

Successor Agency: Irwindale  
 County: Los Angeles

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)		16-17A Total	16-17B Total	ROPS 16-17 Total
<b>Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding</b>				
A	Sources (B+C+D):	\$ 716,437	\$ -	\$ 716,437
B	Bond Proceeds Funding	-	-	-
C	Reserve Balance Funding	-	-	-
D	Other Funding	716,437	-	716,437
<b>Enforceable Obligations Funded with RPTTF Funding (F+G):</b>				
F	Non-Administrative Costs	3,002,968	8,166,902	11,169,870
G	Administrative Costs	335,096	-	335,096
<b>H Current Period Enforceable Obligations (A+E):</b>		<b>\$ 4,054,501</b>	<b>\$ 8,166,902</b>	<b>\$ 12,221,403</b>

Certification of Oversight Board Chairman:  
 Pursuant to Section 34177 (o) of the Health and Safety code, I hereby  
 certify that the above is a true and accurate Recognized Obligation  
 Payment Schedule for the above named successor agency.

\_\_\_\_\_  
 Name Title  
 /s/ \_\_\_\_\_  
 Signature Date

**Irwindale Recognized Obligation Payment Schedule (ROPS 16-17) - Report of Cash Balances**  
**(Report Amounts in Whole Dollars)**

Pursuant to Health and Safety Code section 34177 (l), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation. For tips on how to complete the Report of Cash Balances Form, see CASH BALANCE TIPS SHEET.

A	B	C	D	E	F	G	H	I	
		<b>Fund Sources</b>							
		<b>Bond Proceeds</b>		<b>Reserve Balance</b>		<b>Other</b>	<b>RPTTF</b>		
	<b>Cash Balance Information by ROPS Period</b>	Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS period balances and DDR RPTTF balances retained	Prior ROPS RPTTF distributed as reserve for future period(s)	Rent, grants, interest, etc.	Non-Admin and Admin	<b>Comments</b>	
<b>ROPS 15-16A Actuals (07/01/15 - 12/31/15)</b>									
1	Beginning Available Cash Balance (Actual 07/01/15)	6,021,169	2			1,899,652	618,388		
2	Revenue/Income (Actual 12/31/15) RPTTF amounts should tie to the ROPS 15-16A distribution from the County Auditor-Controller during June 2015					276,111	4,053,915		
3	Expenditures for ROPS 15-16A Enforceable Obligations (Actual 12/31/15)					822,530	4,637,417		
4	Retention of Available Cash Balance (Actual 12/31/15) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)	3,351,658	2						
5	ROPS 15-16A RPTTF Balances Remaining	No entry required						14,429	
6	Ending Actual Available Cash Balance C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5)	\$ 2,669,511	\$ -	\$ -	\$ -	\$ 1,353,233	\$ 20,457		
<b>ROPS 15-16B Estimate (01/01/16 - 06/30/16)</b>									
7	Beginning Available Cash Balance (Actual 01/01/16) (C, D, E, G = 4 + 6, F = H4 + F4 + F6, and H = 5 + 6)	\$ 6,021,169	\$ 2	\$ -	\$ -	\$ 1,353,233	\$ 34,886		
8	Revenue/Income (Estimate 06/30/16) RPTTF amounts should tie to the ROPS 15-16B distribution from the County Auditor-Controller during January 2016					5,293,987	-	2,087,955	
9	Expenditures for ROPS 15-16B Enforceable Obligations (Estimate 06/30/16)					760,262	2,122,841		
10	Retention of Available Cash Balance (Estimate 06/30/16) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)								
11	Ending Estimated Available Cash Balance (7 + 8 - 9 - 10)	\$ 6,021,169	\$ 2	\$ -	\$ 5,293,987	\$ 572,971	\$ -		



**HOUSING AGENDA  
ITEM 1A**

**IRWINDALE CITY COUNCIL CHAMBER  
5050 N. IRWINDALE AVENUE  
IRWINDALE, CALIFORNIA 91706**

**JAN 27 2016**

**JANUARY 13, 2016  
WEDNESDAY  
5:30 P.M.**

The Irwindale **HOUSING AUTHORITY** met in regular session at the above time and place.

**ROLL CALL:**

Present: Authority Members Larry G. Burrola, H. Manuel Ortiz;  
Vice Chair Albert F. Ambriz; Chair Mark A. Breceda

Absent: Authority Member Manuel R. Garcia

Also present: John Davidson, Executive Director; Fred Galante, Authority Attorney; William Tam, Director of Public Works / City Engineer; Eva Carreon, Finance Director; Fred Galante, Authority Attorney; Anthony Miranda, Chief of Police; Gus Romo, Director of Community Development; Elvie Balderrama, Human Resources Manager; and Laura Nieto, Assistant Authority Secretary

**RECESS TO  
CLOSED SESSION**

At 5:30 p.m., the Housing Authority recessed to Closed Session to discuss the following:

**Conference with Real Property Negotiators**

Pursuant to California Government Code Section 54956.8

Property: 16160 Calle de Paseo  
Negotiating: Housing Authority and Dionna Lara  
Under Negotiation: Possible acquisition

**ACTION:** Not discussed

**RECONVENE IN  
OPEN SESSION**

At 7:59 p.m., the Housing Authority reconvened in Open Session.

**SPONTANEOUS  
COMMUNICATIONS**

There were no speakers.

**CONSENT CALENDAR**

**MOTION**

A motion was made by Authority Member Ortiz, seconded by Authority Member Burrola, to approve the Consent Calendar; reading resolutions and ordinances by title only and waiving further reading thereof. The motion was unanimously approved, Authority Member Garcia absent.

**ITEM NO. 1A  
MINUTES**

**MINUTES**

The following minutes were approved:

- 1) Regular meeting of December 9, 2015

**END OF CONSENT CALENDAR**

**ADJOURNMENT**

There being no further business to conduct, the meeting was adjourned at 8:00 p.m.

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Laura M. Nieto, CMC  
Assistant Authority Secretary

JAN 27 2016

Successor Agency Agenda  
Item 1C  
January 27, 2016

**AGENDA REPORT**

Date: January 27, 2016

To: Honorable Mayor and City Council  
Successor Agency Board  
Housing Authority Board

From: John Davidson, City Manager/Executive Director

Subject: Investment Quarterly Report – December 31, 2015.

HOUSING AGENDA  
ITEM 1B

JAN 27 2016

**City Manager's Recommendation:**

Receive and file the Investment Quarterly Report for December 31, 2015.

**Background:**

California Government Code Section 53646 requires that the City Treasurer submit a quarterly report of investments to the City Council/Boardmembers for review and compliance with the City's adopted investment policy. The attached investment report summarizes the City's investments as of December 31, 2015. The report shows that funds are invested in the Local Agency Investment Fund (LAIF), certificates of deposits and federal agency securities. All investments are in compliance with the City's adopted investment policy.

Fiscal Impact  (Initial of CFO) None.

Legal Impact \_\_\_\_\_ (Initial of Legal Counsel) None.

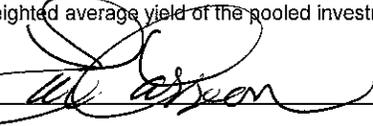
Contact Person: Eva Carreon, City Treasurer (626) 430-2221

  
John Davidson, City Manager/  
Executive Director

**CITY OF IRWINDALE  
SCHEDULE OF INVESTMENTS  
December 31, 2015**

DESCRIPTION OF SECURITY	FACE VALUE OR ORIGINAL COST	CURRENT YIELD TO MATURITY	PURCHASE DATE	MATURITY DATE	MARKET VALUE	INVESTMENT RATING
<b>CITY OF IRWINDALE INVESTMENTS</b>						
<b>MONEY MARKET FUNDS</b>						
LOCAL AGENCY INVESTMENT FUND (LAIF):						
ACCOUNT # 98-19-394 - CITY	\$ 16,286,799	0.37%			\$ 16,286,799	
ACCOUNT # 25-19-004 - HOUSING AUTHORITY	13,636,474	0.37%			13,636,474	
ACCOUNT # 65-19-050 - SUCCESSOR AGENCY	4,026,617	0.37%			4,026,617	
<b>CERTIFICATES OF DEPOSIT</b>						
USAMERIBANK	225,000	1.90%	05/11/11	01/11/16	225,034	
ISRAEL DISC BK NEW YORK-IDBNY	225,000	2.10%	02/09/11	02/09/16	225,324	
THOMASVILLE NATIONAL BANK	225,000	2.00%	04/29/11	02/29/16	225,484	
SAFRA NATIONAL BANK	240,000	0.55%	12/30/14	03/30/16	240,000	
CIT BANK SALT LAKE CITY UTAH	225,000	1.80%	08/17/11	08/17/16	226,472	
REPUBLIC BANK BOUNTIFUL UTAH	225,000	1.70%	08/19/11	08/19/16	226,341	
VERMILLION STATE BANK MN	225,000	1.50%	08/31/11	08/31/16	226,094	
LUANA SAVINGS BANK	225,000	1.50%	09/02/11	09/02/16	226,087	
ALLY BANK	240,000	1.15%	10/30/13	10/31/16	240,619	
BARCLAYS BANK DELAWARE	240,000	1.90%	12/07/11	12/07/16	242,016	
EVERGREEN BANK GROUP	240,000	0.80%	12/30/14	12/30/16	239,954	
TCB NATIONALBANK	240,000	0.80%	12/31/14	01/03/17	239,774	
BANK OF BARODA	240,000	1.10%	02/04/14	02/06/17	240,614	
CELTIC BANK	240,000	1.00%	12/30/14	03/30/17	239,863	
STEARNS BANK NA	240,000	0.90%	12/31/14	03/31/17	239,621	
INDEPENDENT BANK MEMPHIS	240,000	1.00%	12/30/14	06/30/17	239,371	
SYNOVUS BANK GA	240,000	1.10%	12/30/14	06/30/17	239,654	
THIRD FED SAVINGS & LOAN	240,000	1.40%	11/27/13	11/27/17	240,691	
MEDALLION BK	240,000	1.25%	12/28/15	12/28/17	238,574	
BRICKELL BANK CTF	240,000	1.20%	12/31/15	12/29/17	240,158	
EAGLE BANK CTF	240,000	1.25%	12/30/15	12/29/17	239,030	
FNB OF MCGREGOR TX	240,000	1.15%	12/31/14	01/02/18	238,531	
LYONS NATIONAL BANK (LYNB)	240,000	1.30%	01/30/14	01/30/18	238,867	
MERCHANTS NATL BANK OH	240,000	1.60%	11/27/13	06/27/18	240,667	
BANK OF THE CALIFORNIA	240,000	1.50%	12/31/14	06/29/18	238,442	
MORTON COMMUNITY BANK	240,000	1.30%	12/30/14	06/29/18	238,382	
COMPASS BANK CTF	240,000	1.55%	12/31/15	07/02/18	241,572	
BMW BANK OF NORTH	240,000	2.10%	10/25/13	10/25/18	241,123	
GE CAPITAL RETAIL BANK	240,000	2.15%	10/25/13	10/25/18	242,102	
SALLIE MAE BANK	240,000	2.00%	11/27/13	11/27/18	240,850	
WELLS FARGO BANK	240,000	1.55%	12/30/15	12/31/18	238,884	
GOLDMAN SACHS BANK	240,000	2.00%	05/07/14	05/07/19	239,501	
BANK LIBERTY	240,000	1.50%	12/30/15	06/28/19	238,303	
AMERICAN EXPRESS	240,000	2.05%	12/30/15	12/30/19	238,642	
CONNECTONE BK NJ	240,000	1.85%	12/30/14	12/30/19	238,906	
GUARANTY BANK	240,000	1.60%	12/29/15	12/30/19	238,073	
CENTRAL BANK ILLINOIS	240,000	1.90%	12/31/15	12/31/20	241,958	
INVESTORS COMM BANK	240,000	1.90%	12/31/15	12/31/20	241,958	
<b>US GOVERNMENT AGENCIES</b>						
FEDERAL HOME LOAN BANK - FHLB	1,998,000	1.00%	03/26/14	06/21/17	1,998,900	AAA
FEDERAL HOME LOAN BANK - FHLB	3,000,000	1.20%	06/29/15	06/29/18	2,988,510	AAA
FEDERAL NATIONAL MORTGAGE ASSN - FNMA	2,457,500	1.25%	03/19/14	01/30/19	2,483,125	AAA
FEDERAL HOME LOAN MTG CORP - FHLMC	988,500	1.25%	12/29/15	10/02/19	986,370	AAA
FEDERAL NATIONAL MORTGAGE ASSN - FNMA	4,000,000	1.70%	03/25/15	10/04/19	3,983,400	AAA
FEDERAL HOME LOAN BANK - FHLB	4,000,000	1.00%	03/30/15	03/30/20	4,002,600	AAA
FEDERAL FARM CREDIT UNION - FFCB	5,000,000	1.98%	06/29/15	06/29/20	5,021,100	AAA
FEDERAL HOME LOAN MTG CORP - FHLMC	5,000,000	2.00%	12/30/15	12/30/20	4,981,550	AAA
<b>TOTAL INVESTMENTS</b>	<b>69,408,890</b>				<b>69,412,982</b>	

It has been verified that this investment portfolio is in conformity, exclusive of items identified, with the City of Irwindale's investment policy which was approved by City Council on **July 8, 2015**. The Treasurer's cash management program and cash flow analysis indicates that sufficient liquidity is on hand to meet estimated future expenditures for a period of six months. The weighted average of maturity of the pooled investment portfolio is **1.72** years. The weighted average yield of the pooled investments at cost is **0.962%**. Market prices of securities are obtained directly through Bank of the West.

Approved by 

Eva Carreon, Director of Finance/City Treasurer