MEETING OF THE CITY OF RIDGECREST INFRASTRUCTURE COMMITTEE
1ST FLOOR CITY COUNCIL CONFERENCE ROOM AREA B
Thursday December 17, 2015 at 5:00 pm

Committee Members: Chair Mike Mower, Vice Chair Matt Baudhuin
Vice Mayor James Sanders Planning Commissions Warren Cox
Staff: Dennis Speer, Loren Culp
Recording Secretary: Karen Harker

Agenda
Meeting – 5:00 p.m.

This meeting room is wheelchair accessible. Accommodations and access to City meetings for people with other handicaps may be requested of the City Clerk (499-5002) five working days in advance of the meeting.

MEETING IS BEING RECORDED BY RECORDING DEVICE

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES

PUBLIC COMMENT OF ITEMS NOT ON THE AGENDA

DISCUSSION AND OTHER ACTION ITEMS

- New Murray Middle School Traffic Circulation – Presentation by the Sierra Sands Unified School District
- Water Ordinance – Discussion of Water Ordinance prepared by City Attorney and pulled from City Council Agenda on December 2, 2015 to move to Committee

COMMITTEE COMMENTS

SUPPORT STAFF COMMENTS

FUTURE AGENDA ITEMS

NEXT MEETING:

- **January 21, 2015**

ADJOURNMENT:

MEETING OF THE CITY OF RIDGECREST INFRASTRUCTURE COMMITTEE
1ST FLOOR CITY COUNCIL CONFERENCE ROOM AREA B
Thursday November 19, 2015 at 5:00 pm

Committee Members: Chair Mike Mower, Vice Chair Matt Baudhuin
Vice Mayor James Sanders Planning Commissions Warren Cox
Staff: Dennis Speer, Loren Culp
Recording Secretary: Karen Harker

Draft Minutes
Meeting – 5:00 p.m.

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MEETING WAS RECORDED BY RECORDING DEVICE

CALL TO ORDER Meeting was called to order at 5:00

ROLL CALL : Chair Mike Mower Vice Chair Matt Baudhuin, Planning Commissioner Warren Cox, Lori Acton (representing James Sanders)
Absent: Mayor Pro Tem James Sanders
Staff: Dennis Speer, Public Works Director; Loren Culp, City Engineer
Recording Secretary: Karen Harker - Absent

APPROVAL OF AGENDA: *Motion To Approve the Agenda Was Made By Commissioner Mr. Baudhuin, Seconded by Mr. Cox. Motion Carried By Voice Vote of 3 Ayes (Baudhuin, Mower, Cox, 0) 0 Nays, 1 Absent (Sanders) 1 Abstain (Acton)*

APPROVAL OF MINUTES: *Motion To Approve the Minutes of September 17, 2015 was Made By Commissioner Cox, seconded by Mr. Baudhuin. Motion Carried By Voice Vote of 3 Ayes (Baudhuin, Mower, Cox,) 0 Nays, 1 Absent (Sanders) 1 Abstain (Acton)*

PUBLIC COMMENT OF ITEMS NOT ON THE AGENDA

Opened at 5:07

Dave Matthews spoke about the road condition of North Balsam Avenue down by Las Flores Avenue. Even though this is a residential area, it is getting a lot of business traffic and the road is in disrepair. It really needs to be evaluated for repaving.

Closed at 5:10

DISCUSSION AND OTHER ACTION ITEMS

- Ridgecrest Boulevard Bulb-Outs

Loren Culp opened with comment that Mike Neel was present at the meeting and asked at the City Council Meeting this be placed on the Infrastructure Committee Agenda so Mr. Neel could bring his concerns to the Committee along with staff being able to evaluate the situation and make recommendations and findings. Mr. Culp asked Mr. Neel to speak to his concerns.

Mr. Neel has been pushing for changes on west Ridgecrest Boulevard and the bulb-out at Alvord Street and Warner Street. He believes that they are dangerous to the bicyclist and also to the citizens who use wheelchairs. To allow for maneuvering in these areas, vehicles need to slow down and allow for the bicyclist to move around the bulb-outs before a motorist can give (or feel comfortable) in giving clearance to the bicyclist. He feels all of the citizens in the wheelchair are going down the roadway instead of using the sidewalk because it is too hard for them to maneuver through the drive approaches and the crosswalk areas.

I don't see any reason why the areas of these bulb-outs should been removed or I have offered that they be cut in half which would give more clearance. I don't see why the City needs to have this space for ugly grass in the bulb-outs and why this take precedents over the bicyclist and the citizens in a wheelchair.

- Mr. Cox asked what your alternative is. If the bulb-outs weren't there, you would have a parking lane and they would still have to go around the car which would probably be the same distance. So how would we gain something by removing them?

- Mr. Neel - at the intersection it would be real easy. You place "no-parking signs" and don't allow cars to park there. Or you decrease the width of the bulb-out into the street area (or corridor). These two intersections are the most dangerous intersections. There is no room to avoid a bicyclist or someone in a wheelchair unless you are willing to damage your vehicle.

- M. Baudhuin - are you only speaking about removing the bulb-outs at these two intersections or all bulb-outs

- Mr. Neel – I am concerned about the bulb-out (removal) at Alvord Street and Sanders Street. It is very enclosed in this area.

- L Culp – you have 15 feet from face of curb to face of curb

- Mr. Neel – you have 12 feet for a car and you swerve over and it's just not safe.

- M Baudhuin – you have spoken about cutting them in half; I would offer that we decrease the width closest to the curb so that the bicyclist or wheelchair could use this lane and not decrease it on the roadway side (corridor).

- Mr. Neel – Yes that is what I am suggesting. You are picking up three more feet for you vehicle to travel.

- M Baudhuin – I believe that you are misunderstanding me. I'm suggesting that you pick up the 3 feet between the bulb-out and the curb to create the path of travel and leave the outer edge of the bulb-out where it is.

- Mr. Neel – I don't see a need for the bulb outs at all, but I didn't think about this idea.

- M. Mower – the distance between the curb and the bulb-out is not enough space for a bicyclist or wheelchair to go down. A bicycle can coast down the lane but cannot pedal. You would need three feet for wheelchair access. How much space is in this area?

- L Culp – 18 inches, lip of gutter is two feet.

- W Cox – there is two feet in the gutter

- L Culp – Standard gutter is two feet. I would have to look at the plans to make sure that is what is there.

The committee thought on a whole that this seemed narrow when looking at the space between the sidewalk and the beginning of the bulb-outs.

- Mr. Allred – if you have a car parked on the other side of the bulb-out then you have not entrance or exit with that section for a wheelchair or bicycle

- Mr. Neel – No parking spaces in this area and red curb.

- Mr. Allred – you just eliminated all of the parking.

- Mr. Neel – either get rid of the parking or get someone killed.

- Mr. Allred – you might as well just close down all of the businesses on the Boulevard

- Mr. Neel – if that is what it takes so that someone doesn't get killed.

- W Cox – large vehicles are still running over the bulb-outs; semis, large trailers, and cars. I would be happy to walk the corridor and speak to anyone to help redesign the intersections so that we can come up with a new design with bulb-outs or without bulb-outs.

- M Baudhuin – the bulb-out were placed in the corridor to keep the semis off this roadway and also to slow things down through this area and also to pay attention.

The Committee discussed that Ridgecrest Boulevard is the only east/west road that runs through the City. Is it realistic to have a street with restrictions to semis and to slow vehicle traffic down? It was discussed that when you have semis going down this corridor doing 55 mph and running people over is that safe. Most of the committee agreed that these issues become an enforcement issue and need to be addressed as such.

- W Cox – I'm not suggesting that we get rid of all the bulb-outs I just feel that they could be redesigned and also look at what we did with ADA compliance. I saw someone is a wheelchair unable to get by a light pole and we do need to have four feet.

- L Culp – ADA compliance is 3 feet for wheelchair accessibility

Loren Culp asked the committee and the public if we could back up and if we could start with the original criteria for the project that was established by the public for Ridgecrest Boulevard Project. He reminded everyone there that their concerns were valuable and that the public is our eyes and ears to safety concerns in our community so that we can come together and discuss. However, safety is a perception by individuals, and what I might do would frighten the daylights out of someone. Safety is a balance between a public perception and the reality or a true engineering concern.

First of all there were four major criteria that were established by the public for corridor they were: crosswalk, beautification project, traffic to slow down, didn't want truck going down the corridor, and there was a fifth wanted parking. With these criteria, something had to give. Originally, the plans called for bike lanes on both sides, but to meet the public criteria and to make sure that we had median turn lanes, the roadway had to become "Share the Roadway". In "Share the Roadway" there is no delineation or markings, the bicycle had the right to be in the road and follow all of the traffic laws that a vehicle does. That is the case at these bulb-outs. That bicyclist has the right to occupy the center of the roadway as the motorist.

Several member spoke of bicyclist being killed because of "Sharing the Roadway".

Mr. Culp indicated to the committee that he is not advocating what was done he is just presenting the facts. He went on to explain that we help public hearings showing the plans for West Ridgecrest Boulevard. We went out and walked with the corridor with merchants and marked out where the bulb-outs and parking were going to be so that the public had input. So these were the 4-5 criteria that we needed to establish.

Now from an engineering aspect of it, the state is fine with it. We went back to our engineering consultant, District 9 at the State level, we went all the to the Federal Highway Administration (FHWA) to make sure that the share the roadway at these bulb-outs met the criteria. Mr. Culp gave a handout from our consultant, which basically states that we needed to go to a "Share the Road" configuration. The consultant also stated that if there were additional concerns regarding bicycle safety there were measures that could be taken. He suggests MUCTD marking 9C-9 which is a "Share the Road" sign and markings. This can be used to let the motorist know that they are entering an area that is a "Share the Road". I also went to District 9 and informed them about the concerns that have been shared about the issue with the corridor and bicyclist and without sharing any information about our consultant, they suggested the same thing. District wanted to know what the lane width was and it was explained that it was 15 feet wide, that you have a 12 foot lane for a motorist and you have the legal requirements for the "Share the Road".

- W Cox – add signage and striping

L Culp – you can do either or both. Currently Ridgecrest Boulevard currently has a sign "Share the Road". There are further enhancements by MUTCD that have been

suggested by our Consultant and District 9. I went further and went to FHWA and shared our concerns about the corridor. They wanted the configuration. I informed them it was a fifteen foot wide roadway. They came at it in a completely different perspective. They liked the idea of the bulb-outs and the safety of the pedestrian. They felt that now the pedestrian has a safe haven between the lanes of travel and if you take it out, you are taking away a safety feature and adding more transit time for the pedestrian to get across that lane of travel. They also went on to say, that your federal funding would be in jeopardy. If FHWA came out to do an audit the City would be responsible for any facilities that were removed and funding for the entire project.

- M Baudhuin – I believe that the last time this was brought up, that Mr. Culp mentioned that we could lose funding for removing the bulb-outs.

- M Mower – 15 feet from bulb-out to bulb-out. Not face of curb to face of curb

- L Culp – No sir, we went and measure to make sure that it was 15 feet from bulb-out to bulb-out.

- M Baudhuin – this is a perception concept. When you are driving down the corridor, and you come to these areas, it gives you the impression that the road is very narrow.

- L Culp - FHWA sees the bulb-outs as a Traffic calming feature and a safety issue. By removing them, you are creating a hazard. This is what the bulb-out do is control traffic and the speed of vehicles going down the corridor.

- M Mower – Let's get eliminate the bulb-out at Balsam Avenue and Ridgecrest Boulevard. This one sticks out at least a foot and a half so when you make a right onto Ridgecrest Boulevard, you will hit the other point of the other bulb-out.

- Cox – improve them as a redesign because they are constantly getting hit. Your telling me that if we remove them at all we are in jeopardy, but if we shave them off,

- D Speer – you don't want to do any work to the project from FHWA until you have a new set of plans so that you have their approval for the re-design or any reconfiguration. You want to have their buy-off or approval before moving forward. If they do an audit they can take all of the funding. They tell you that, I don't know that they would do it

- Mr. Neel – you have spoken all to bicyclist but nothing to citizens is wheelchairs.

- Mr. Speer – Loren you did speak to the Police Department in regards to this issue.

- L Culp – the wheelchairs are not suppose to be going down the street. They are supposed to be using the sidewalk.

- Mr. Neel - Go out and try to negotiate the areas that the wheelchairs need to go on the sidewalk. They are unable to use it due to the uneven pavement at the drive approaches and it makes them feel as if they are going to tip over. They also can not maneuver through the safe havens that are in the center medians. It is not

accessible.

- L Culp – I understand that not all of the drive approaches are ADA compliant

- Mr. Neel – all of the wheelchair citizen are using the roadway because they can not negotiate the sidewalk the way it is right now.

- L Culp – Worked with DART and the employees who are in wheelchairs to see if they were able to use the crosswalks and get to and from the market. They were comfortable with a good majority of them, but some did complain about some of the drive approaches, indicating that they were too steep. The drive approaches is something that needs to be addressed and we are working on a program with our ADA Access Transition Plan.

- Mr. Allred – the City didn't do all of the ADA compliance on drive approaches to save funding on the project to get it all done.

- Mr. Neel – I don't know anything about that. It is not practical for a wheelchair, especially if they are being tipped over on uneven sidewalk, for them to stay on the sidewalk but to go into the street where it is smooth surface and maybe take a chance that they will not get hurt.

- L Culp – from staff position we have check with our consultant, District 9 and FHWA and they all have come to the same conclusion that we are doing the right thing for the bicyclist and if we want to enhance we can add this legend.

- M Baudhuin – we have taken the bicyclist and resolved, but unless we take all the drive approaches and make them level with the street we haven't accommodated the citizen in the wheelchair. So how do we fix this?

- W Cox – I was going to ask the same question? How do we fix this issue?

The Committee again discussed again where the removal of the bulb-outs should be removed and if it is an issue of removing bulb-outs or fixing the sidewalk. Either way the wheelchair citizens are in the roadway and its dangerous for them and dangerous for the motorists.

- M Mower – Loren you were getting ready to discuss a solution.

L Culp – we have successfully secured Community Development Block Grant Funds (CDBG) that will be used for a transition plan. This area included the downtown area and funding to help take away handicap barriers. This could be our priority project and make the drive approaches ADA accessible

Mr. Culp discussed the way funding works with CDBG and that they are getting ready to do an environmental document for the area. They can be slow at times and so a particular timeline is hard to pin down. It takes time for their projects

- D. Speer – explained that on a recent project over by the Monroe School to meet ADA compliance, they worked within the right-a-way the flat work to make the drive approaches flat so that the wheelchair could go behind the approach and not

make the up and down except for the slight ¼ percent grade that they do require.

- L Culp – the area on Ridgecrest Boulevard would either be walk-arounds or replacing drive approaches themselves and then matches up of the concrete to existing concrete.

- Mr. Neel – if you take out 3 feet of the bulb-out at Alvord Street or Sanders Avenue you are allowing for the wheelchair to maneuver down the roadway until the sidewalks are finished.

- L Culp – I'm just trying to let the committee know that we have a funding source that is available to use for the sidewalks without having to use other funding sources that we don't have.

- W. Cox – Mr. Chair I recommend that we use the CDBG funds and make Ridgecrest Blvd the 1st priority within the transition plan.

- D Speer - Staff will contact District 9 and find out if modifying the bulb-outs will be an issue.

- M Baudhuin – I think that this is a good solution. It gives the wheelchair citizen a place to go until they sidewalks are fixed and even though its not suppose to act as a bike lane, it does. I realize that the wheelchairs are not supposed to be in the street to begin with and that this is an enforcement issue.

- M. Baudhuin – we still haven't addressed the issue of the bulb-outs that are effecting traffic at certain intersections. I think that we need to see what we can do with these, by either shaving them down or redesigning them so that vehicles are not hitting them.

- D Speer – I agree with you that there are two intersections that need to be addressed. 1) Westbound by the Church it backs up and 2) Eastbound at Warner Avenue turning left heading south and has hit this bulb-out.

- M. Baudhuin – I think that we need to address just these areas and see what District 9 can do for us and then use the funding from CDBG as the first priority on Ridgecrest Blvd.

Committee discussed speaking with District 9 and getting approval for the intersection done for safety reasons. They felt that making a list before discussing with District 9 the intersections that needed to be looked at.

- Mr. Allred – are we going to have to adjust the shoulders? Are you going have to cut into the street or can you just shorten those and adjust them so you don't have to cut into the new street.

- L Culp – we would not be cutting into the new street. We would make all adjustment behind curb line in the back of curb.

- Mr. Allred - What do you do with the slope? You have to adjust your slope from 6 feet to 3 feet or 5 feet to meet your thing. So you either have to go back or shorten

your approach

- L Culp - Two ways to do it 1) make a walk around at the back of drive approach if we have sufficient right of way or 2) get a construction easement and make your adjustment at the drive pan and match it up with the existing concrete.

Loren discussed the wings of the drive approaches and how and have excessive wings you go in and saw cut. You have new approach improvement and a departure improvement on either side of the wing and a new pan.

- Mr. Allred – discussed the area in front of Ms. Cass and how the drive approach will cause issues. He stated that he has designed it and had a shovel to this before the project ever got started. By doing the drive approach as it was done, there is not a way to do either way that was discussed and road will have to be cut and now you will have a patch that will that will get water into it and crack. This is something that we discussed prior to the project getting started.

Committee - You will not be able to sell to FHWA removing the refuges as they are for the pedestrians and telling them that our wheelchair citizens want to drive on the roadway. FHWA will not see that as a safe environment. Mr. Allred wondered how many people were going to have to be killed before we make the accommodations for the wheelchair citizens without removing parking spaces for the merchants. Mr. Allred indicated that in the last few months, one was dead and the other was seriously injured what it was going to take. He was reminded that in both instances, they were no fault on the vehicle. The committee asked Mr. Allred you can't have it both ways that something has to give, parking spaces or access for the wheelchairs. If it comes down to it, the chances are that parking spaces will be removed to make the accommodations for the wheelchairs. Mr. Allred indicated by removing the parking spaces you are making it difficult for the merchants and that he still has to pay his bills.

- D Matthews – What is a Transition Plan?

- L Culp – A Transition Plan is a blue print that shows you the ADA non-compliant ramps and architectural barriers that can be removed or replaced. We will use this to prioritize area throughout the community as to where we need to go. This is also required by

- Senior Center Bus Access –
  Loren Culp passed out a handout and discussed how the engineering department did a field survey and then did a test trial with the Transit Department and found that indeed we can have the bus stop at the Senior Center. However, there are some qualifications (constraints) that we have to point out to you. If you go to the 11x17 color fold out you will see that there is a tractor trailer that makes deliveries there and that would prohibit from us going into the area. This is a coordination, timing, and schedule with the company. Truck is going in the wrong way and going out the wrong way. Police Department has sited the driver for leaving the tractor there for a length of time due to emergency vehicles being unable to get in and out. Need to enhance some red curbs. People are parking in the red curb area and if a car was parked in the red curb area the bus would not be able to make the turn. There is designation parking of 1 and 2 and sometimes the Police Department when picking up materials at the solar field we would need them to park

someplace else. The driveway approach and departure the throat, the vehicle can make the turn ok but the rear tandems do go up on the curb because the throat is not wide enough. Other than that there is nothing keeping us from having bus services going to the front door of the Senior Center.

- M Baudhuin – there is a long driveway off to the side. Why doesn't the delivery truck park in that area to make his delivery?
- L Acton – That area is very narrow and he would have a hard time unloading. Also thank you for doing this. I knew along time ago that the buses would be able to get into this area.
- This is a county program and if the truck is sitting there for any length of time we should discuss this with the county and let them know that they need to move the truck as soon as it makes their delivery.
- W. Cox – once the improvements have been made, how long before the buses would be able to start getting people there?
- L Culp – barring from the drive approaches, speaking with the Police Department, painting red curb and getting the schedule for the driver of the truck; these are fairly easy things to implement.
- D Speer - we have a grant with CDBG for repaving the parking lot at the Senior Center and he suggested that we ask if we can include the drive approaches at the same time. This would make everything ADA compliant and easier for big trucks to get into the area. Loren thought that this would be a great idea and will look into it with CDBG.

- New Murray Middle School Traffic Circulation

  Loren Culp passed out a handout to show that the City has done its due diligence. The bottom line Mr. Speer would be able to speak to that. Loren informed the Committee that every document that the School District submitted was for us to look at by their Traffic Engineer according to their EIR Document Initial Study. They have asked us for traffic analysis or traffic study we have responded to them. We have made an offer to help fund the cost of the improvements per the Vehicle Code. The Vehicle Code does state that when a School District makes a request, the School District must pick up have the cost and the City must pick up half the cost of the study. We solicited professional services obtained a proposal and shared that with the District and have asked the District if they want to move forward as the City is ready to move forward, thus far we have not received a response. I tried calling Mr. Bell today and did not receive a return call. Mr. Speer will be able to give you an update on any other issues regarding this issue.

  Mr. Speer meet with the School District Superintendent Ernie Bell and other representatives (I have their names but it escapes me now), what it was about was the proposal from this Committee had prepared. Staff was ready to take it to City Council, but the School District wasn't able to make it to the Infrastructure Committee meeting that preceded that.

  - M Baudhuin – it was supposed to go the Planning Commission after the Infrastructure Committee

- W Cox – the School District didn't want to come to the Infrastructure meeting until speaking with you (City Manager).

Mr. Speer went on to indicate that the City met with the School District on October 19, 2015. We laid out the proposal that came from the Infrastructure Committee and by this time we became aware that we are unable to loan out Tax Allocation Bond Funding, but the City could build (construct) the proposed median per the proposal and then the District could pay back the City. At this point in time in the conversation, I just asked point blank if this was something the District would agree to by taking it back to Committee and then to City Council with an Agreement that the City would construct the proposed median with TAB Funds and then the School District would pay it back. Mr. Bell stated that he would not be able to agree to that because they have no money. That is where we are with the School District.

- W Cox – not even reimbursing us from the funds the get through the permits the City gets from the developers?

- M Baudhuin - I can believe that a project this size that their isn't a buffer for this type of project. What is the cost that we came up with to do the median?

- L Culp – I did ask staff to do an engineers estimate and they came up to a figure of around $325,000.00, for what we had identified as the elements for the project.

- M Baudhuin - Center median and a fence?

- L Culp – discussed the project elements for the median and what was required around the school area: acceleration/deceleration lanes curb gutter and sidewalk, right turn pocket and the fencing.

- M Baudhuin - Find it hard to believe that they don't have a little bit of wiggle room to pay $325,000.00 for safety mitigation.

- W Cox - we have continued to meet with the District and the District continues to say they don't have any funds but a) they have a legal obligation to pay for any traffic mitigation that might be there. They now have turned around and given us a report that shows no traffic mitigation and yet in a public forum at the Planning Commission, Mr. Bell does admit that adding 400 students with Murray Middle School, that in turns does create a mitigation because you are asking parents to be in the area for drop off and pick up of students in the area. What is the District suggestion to fix this issue? The City pay for the improvements because we don't have any funds and they don't have any funds.

Mr. Speer continued to explain they have no funds, they are relying on their consultant that agrees that a raised median is a good idea; but they also say in the same paragraph that a striped median would serve the same purpose. Now we know that the striped median will not provide the safety issues that the City and Committee is concerned about. Mr. Bell asked if you don't have funds to do the project and we don't have funds to reimburse you for the work what would the City do. Mr. Speer indicated to Mr. Bell that before the school opened he would place K-rail all the way down the roadway from the turn on Drummond Avenue to the intersection of Drummond Avenue and French Avenue.

- L Culp – I have also redirected their plans and not plan checked the plans for the school.

- W Cox – read from the letter in which the District is requesting that the City place the proper traffic signal devices around the school. Does this mean we are under obligation to do the work and they do not have to come up with the funding?

- Speer – traffic and control devices means signs and traffic signals when there is an existing school in place and a warrant study needs to be done. When you have a new school the Traffic Study is done for the impact to the roadway around the school. They felt that they might have found a loop hole and I had to explain to them the difference in the Vehicle Code.

- W Cox – Predominately gets the funds from the state, federal funding and I what about the impact fees that they get. We just had Walmart present the check and they couldn't have budgeted that into the project.

- L Culp – this is one time funds that you don't know when you will receive it and the dollar value that they received from the Walmart project was $92,000.00.

- M Baudhuin – When speaking to the Planning Commission California state decision from San Diego that stated that the City does not have to participate in roadway improvements around a new school. Common cents tells us that we need to do something or else a child will get killed or injured in this area.

- W Cox – Where do we go from here?

- D Speer – From the City Attorney's Office, The City has discretionary approval over all project improvements that are within the City's right-a-way. The City can therefore insist that the District construct a raised median then the painted stripes. The City may accept the painted stripes. The question becomes the safety concerns and the recommendations of the traffic engineer may subject the City to liability if an accident occurs at that site. The City arguably has concerns about the site as we have identified the reason for a raised median. Our City Attorney indicates

- W Cox – do we have the capabilities of telling the District we will accept the striping but you will indemnify the City and hold us harmless and you will take responsibility on all liability?

- M Mower – not according to the Attorney. We will get sued and we can not sign a waiver

- D Speer – because we have addressed their study as being deficient

- L Acton – how about scaling something on their project. They can go after grants that we are not able to go after.

- W Cox - The committee indicated that we have addressed that with the district and they have scaled back as much as possible. It was also discussed how much the

City Engineer, Loren Culp has worked with them to come up with grant ideas.

- L Acton – I have sat in on meetings with Loren and the Navy and we have given back the County up to a million dollars for the schools. I don't want anyone to think that I don't want to play with the District, but I don't want to take on the liability.

- M Baudhuin – in large construction projects don't you have a contingency fund set aside?

- D Speer - most contingency funds are set up at 10% until the bids come in and then they will be adjusted to as low as 5% depending on the project and if you feel comfortable.

- M Baudhuin – Wasn't this a 46 million dollar project?

- L Culp - They are still short of funds on the project. They have cut back and scaled down the project and are still 12 million dollars short. They don't have their matching funds.

- Stan Ratorja – I thought that the state provided the matching funds.

- L Culp – it is a loan

- L Acton - if they can't manage their funds it is not our problem

- M Baudhuin - Well it is our problem. Because Johnny will be crossing the roadway and get hit

- D Speer – no before the school opens, there will be K-rail in place. I don't want k-rail because it isn't pleasing to the eye but it is effective.

- L Culp - I have rejected their plans three times and I do issue the encroachment permit.

- M Mower - Why don't we do this and we would have to run it by the attorney but we put in the raised median, but we keep all the building funds until it gets paid back.

- L Culp – I had been told by the District that there is legislation that doesn't allow them to relinquish the impact fee. I have not seen the legislation.

- M Baudhuin - They have been dragging this for 5 years. Someone could look at the funds that were issued and see that other communities have built there schools and they are being occupied and decide to take he funds back. The perception in the community could look as if the City is the one who didn't allow the project to move forward.

- M Mower – Mr. Bell has already informed the Mayor that we are going to screw around until we lose the funding.

The Committee discussed that Mr. Bell admitted that this was an idle threat. But there was concern about if the state or federal government decided that they needed funding from sources that had not been used they could ask for this funding back and how would it look on the City. It was discussed the problems that the District has with the funding. If they are short 12 million dollars and they are just concerned about the $325,000.00, they have bigger issues to solve before worrying about the small amount. It was stated that we shouldn't be spending time trying to worry about this issue until they have solved their funding issue. The Committee discussed how the District could not know that there was a traffic issue in the area. All you have to do is take a child to and from school at Burroughs to know adding this extra traffic volume would create an issue.

- W Cox – have the attorney look into this legislation from the state in regards to the impact fees

- M Mower – I'm sure that there is legislation. The District will adjust it's budget based on what they receive from the state.

The Committee discussed how the state issues the impact fees and how they are imposed and what they should be used for. Could mini mobiles be used for a certain period of time until funds became available to build the rest of the school? The state was imposes the impact fees so that the school district is able to have the funds for capital improvement projects. These funds are not supposed to be used for salaries, supplies, or temporary buildings.

The Committee went on to discuss the grant funding that made up the funding for the new school. The federal government gave up to 20 million, the federal government funding was 22 million and the matching was the 12 million from the district. The Navy also provided the land where the new school will be located. Some of this will go to improvements to Burroughs High School.

Discussion of the plans and the sumps that was required in the area due to the findings of possible dirt that would not be able to be on the property. The District would either have to leave the sumps or find a way to fill in the sumps with new clean fill-dirt.

- W Cox – Chair what is our direction here and how are we moving forward.

- M Mower – A letter needs to be drafted by either the attorney or City Manager back to the School District letting them know that we are standing by our conditions that were set; a raised median and can not do the striping as it leaves the City open to liability per the opinion of the Traffic Sergeant, City Engineer and Attorney.

The Committee discussed using French Avenue being used as the U-turn for getting into the new school. Some of the Committee members were concerned about this. The District has stated that they will be staggering the start and end times of the schools so there is not so much traffic in the area at one time. The Committee discussed the traffic problems at the Charter School and the traffic problems at almost every school.

- Downs Street Widening Project – Update
  Loren Culp started the conversation with the Committee letting them know the Charter School are not moving forward with a mason building but a metal building for their

auditorium. They will have to come back for a re-check of the plans but the conditioning still stands. Had a meeting with Southern California Edison and we presented with two options 1) SCE would recognize that their poles were not within their easements and relocate their poles or 2) SCE was going to fight. They decided that they are going to fight.

We held a teleconference with SCE Attorney with SCE staff members (transmission, distribution, project managers) and City Members (our Attorney, consultant who designed the project, surveyor) we discussed the issues, pulled out all of the easements and we stated our cases. Their attorney has case law that he presented that our attorney wanted to review. We are at this time waiting for the Attorney's response.

The last time someone wanted me to blurt out a cost estimate regarding the project. As the City Engineer I'm not going give a number until I have done some research. Loren passed out the engineer's estimate. This is for the 100% design. If you turn to the top of the next page you will see a total for AC dike and compacted native sidewalks along those vacant parcels. Shade over 2 million dollars. To relocate the poles it is 1.6 million. If we decided to do concrete sidewalks along the vacant parcels it would be $127,000.00. The meeting that we had with SCE they are claiming that they have rights and if we want to proceed with the project, they recommend that we pay them $100,000.00 in protest. These funds go directly into the design of relocating the poles and they will come up with a cost estimate to relocate the poles. At that time we will need to make a deposit of the cost estimate under protest. They are saying if SCE is wrong we will refund you the money. If SCE is able to perfect our right, the money that we provide will be to relocate the poles. Now they have been giving rebates. Loren gave them the example of the W. Ridgecrest Boulevard Project where we paid $391K and received a refund of $191K.

Now these poles are different we are speaking about transmission poles and there are complications with the large pole at the corner of Downs Street and Church Avenue which AMG is responsible for moving this pole. Now you would be trying to get the funding from AMG to get that pole relocated (this is item #48). This pole is transmission and distribution. When the City made the agreement with AMG, AMG was supposed to pay back the loan on the increment profit. Mower have they paid anything back? Mr. Speer didn't think that they had. Mr. Mower (gossip) the AMG is the management company that runs the Senior Apartments and so they don't show a profit so they don't have to pay the funding back. Mr. Culp had heard the same thing. Ms. Acton was wondering if we had an audit done on this.

- Mr. Speer doesn't think that an audit has been done as they are a party with the City and the 3 million with the state and trying to get this funding back.

- W Cox – so there is bonding on the pole

- L Culp – yes there are two poles the transmission pole and another distribution pole to the south. They are responsible for both pole and required to move utilities that are in conflict with the City improvements.

- M Mower – are these SCE estimates

- L Culp – no these are numbers that we had collected based upon moving the poles when we were doing the AMG project.

- M Baudhuin – so these estimates are probably high

- L Culp – based on what we have seen, they are probably high

- M Mower – when I did my sub-division, I hit a Edison line that was not marked. I had six trucks come out and two were working and the 4 were all just there and they wanted to bill me for all six trucks. I told them, no I wasn't going to pay. Now today I had power to one of my houses and two trucks show up and they pulled line and they don't care because they are going to get a profit.

- M Mower – we have talked about doing the east side; two lanes and median. If we wait to have them underground we don't have to pay for any of the pole relocation.

- L Culp – that is correct. Rule 20A funds are available in the amount of 6.7 million dollars

- D Speer – with conversations with SCE it has been noted that we would need to still borrow funds from the County to do the undergrounding. We also learned that the have already placed the conduit from Church to Upjohn and all they would have to do is pull the line but they still want to charge us for it. It is more expensive to underground than it is to just move the poles.

- L Acton – spoke about the amount of solar going in and that they are just trying to create funding because they are losing money and with the new mandate hitting in 2020, SCE will probably not put in any new transmission lines in our community because it is not cost effective.

Discussed the Rule 20A funding and how much money is in the fund. The latest estimate for undergrounding transmission and distribution is 6.7 million. It doesn't make sense to do this one section of roadway when you have poles on the other side of Downs Street. SCE when speaking about their rights feels that they have prior rights because their easements were there before it became franchise or public right-a-way. Even though their poles don't sit in the right-a-way, they are claiming that when it was County and the road was only 60 feet wide they had prior rights. They also have a case law that I didn't understand that their attorney put a twist on. This is why I have our attorney looking at the case law to come back with a response.

Livermore had case law that once you have a franchise agreement that anything that needs to be done in that public right-a-way for the betterment of the community or for any project. This was a PG&E case. This is precedent law.

Mr. Speer and Mr. Culp have spoken about the phase approach and the funding mechanisms that can be use. We have an RSTP application in the works that we feel will be successful and we could use the TAB funds for the center median. TAB funds do need to be under contract before a certain time and we just need to be aware of that. We are working on right-a-way and some construction easement. The City Council will need to accept some offer of dedications. The right of way was done earlier on but the City Council never accepted the dedication. We will have a time clock if and when we get the RSTP funds (2 years).

- L Culp - We do have a 100% design with a few exceptions: accommodate Mather

Dairy, extend some sewer laterals, and some finalizing in design that I have to get taken care of. I just need to get an amended contract to Willdan to get those things taken care of.

- Mr. Allred – 185,000.00 for ADA approved curb returns and drive approaches. He feels that we should do the curb gutter and sidewalk in the vacant parcels now instead of later. You have savings if AMG is participating with the cost of the pole relocation and even with your contingency set aside you will have the funding.

- D Speer – that is a very good point. But this would need to go before City Council. The City has a policy that we do not go in and improve private property.

The committee spoke about the policy and the vacant lots that run on the corridor. Mr. Allred felt that putting in at least concrete curb is better than AC dike. It was mentioned that these were large lots and developers didn't know what was going in for drive approaches. Mr. Allred felt it easier to cut the concrete then cut AC dike and match up the existing roadway.

- Mr. Allred – colored concrete for 42K. You can cut that in half by using just grey concrete.

- L Culp – you have the noses where you have the turn pockets and we use a stamped concrete and to make it consistent we called for the stamped.

- Mr. Allred – you show a pulverizing of concrete. So the City is going to make another street that can only have a truck weight of 6 tons.

- L Culp – we did soils testing and we designed it to make sure that you have a TI of ten.

The committee discussed the roads that were TI of ten and how to maneuver around the City. Mr. Allred felt that he was unable to use Bowman Rd or W. Ridgecrest Blvd and that left no road going east and west to move through the City. Loren discussed the roads that could be used: Upjohn Avenue, Richmond Avenue, Gateway Avenue. The concern of this was that they all went by the school. Mr. Allred would like to the cost saving so using pulverizing cement. Loren explained that you are using existing material already there, you don't have to truck in the aggregate, you can roll it immediately and have traffic driving on it the same day, other material you have to place down base roll it for a couple of days and have no vehicles on the roadway which causes major road closure. It save money is both time and materials.

- L Culp – that requires some design.
  Loren Culp was given direction to wait on amending the design contract for bid documents until we have the RSTP in the FTIP and also have heard from the Attorney and his response.

- Wastewater Treatment Facility – Update
  Dennis Speer spoke about his perspective regarding the Wastewater Treatment Facility. He wants to make it clear that the Consultant Provost and Pritchard is not the consultant that will be handling the entire project. They were hired to take the project only up to permitting process, financial planning, the environmental document that requires 30% design. The

reason that I bring this up is there is a juncture in February that if the City Council at this point in time wants to move forward with the project. We will need to go out for a Request for Proposal (RFP). Now our policy states that we "should" but there is also a "shall" which applies to sole sourcing. Mr. Speer read the administrative policy on sole source.

You could interpret that this particular company has had three years with the project and are familiar with it and they could be a sole source. Mr. Speer also read the definition of Request for Proposals, Mr. Speer, with all due respect to the company that we have right now, his recommendation would be to go out for an RFP. The company now in their proposal would be able to give the information of working on the project for the last three years and use that as a positive

He wants to run this by you for your thoughts.

- M Baudhuin – you can be scrutinized because someone else wasn't given the opportunity to give a proposal for service. Mr. Baudhuin agreed with Mr. Speer and felt that it would be best to have a RFP process in moving forward with the New Wastewater Treatment Facility.

- M Mower – there should be a cost savings because they don't have the ramp up that the other firms who propose on the project would have.

- Mr. Ratorja - shouldn't their report be part of the RFP because the City has paid for this knowledge base.

- L Culp – informed the committee that this is based on qualifications only and not a bid process. You evaluate the proposals, identify the most qualified firm and then open up the bid and can negotiate from there. If unable to negotiate with the first firm, you move on the next one. Need to be very careful about using the term bid during this process because you are not evaluating numbers.

- D Speer – he agreed with Mr. Culp and also informed the committee that you have a matrix or a rating system so that the company know what they are going to be rated on. He explained that you can rate on certain criteria to make a short list and then when you do interviews you have a separate set of questions that would further establish who your engineering firm would be. Mr. Speer prefers to have 50% rating on the proposal and then 50% on the interview itself.

- Mr. Speer indicated that he would like at the time that this process starts, he would like to have to two members from the Infrastructure Committee and two staff members on the Committee to go through the process of evaluation.

**** Mr. Speer has consensus from the Committee the City should not go out for a "sole source" and to move forward with a RFP. The Members of the Committee agreed.

- Mr. Speer explained what Provost and Pritchard was tasked to do and what they have accomplished thus far. Most are completed and what is left are the strategy sessions with the City Council and follow up workshops.

- Mr. Speer explained to the committee that he has tasked the firm with specific items before coming to the strategy sessions and workshops. Some of these include:

Financial Planning with the State Revolving Fund, grants and other funding opportunities; easements with the NAWS; working with Lahontan regarding using any tertiary water based on the new mandates that are coming from the State; site selection; Navy participation; has asked to explain the pros and cons of tertiary treatment; develop a list of potential users and then contact them to see if they are interested in receiving tertiary water.

- Mr. Speer also informed the consultants that their primary role at the workshops is to guide and not facilitate. This firm does good work (you can look them up) but one thing Mr. Speer has noticed is that they tend to seek additional work.

- Provost and Pritchard must also be prepared to respond to concerns that I have received in emails. I have saved every email that the public has sent me and they have them and will be addressing them.

- Provost and Pritchard has been meeting with the stakeholders and the workshops are being set for the end of January so that they head of the Public Works Department will be able to attend.

- Mr. Ratorja – the state is working on new legislation that directly will have tertiary reeves. With the new legislation the State would override what Lahontan says but it would be great to have them on board with what the City needs to do.

- D Speer – explained what the new legislation would do for the community in putting only our tertiary into purple pipe as to some communities being able to hot tap. If Lahontan works with us, we could have it going back into the aquifer instead of it just being used for landscaping.

- Mr. Ratorja – he understood the legislation to be working on using the tertiary water either before it enters into the Water District wells for treatment or after. I can't see spending all these funds to take the tertiary water and inject it back into the ground.

COMMITTEE COMMENTS

M Mower – need to look at the sumps in the areas with the rain that is expected this year.

W Cox – would like to have West Ridgecrest Blvd ADA be a top priority and see a plan for how the City will be moving forward.

SUPPORT STAFF COMMENTS

FUTURE AGENDA ITEMS

- Discussion on Bulb-Outs
- Discussion on Senior Center after Speaking with Kern County CDBG on Project 17.15.1 resurfacing the Senior Center Parking lot.
- Downs Street Widening – Update easements
- Discussion of the Wastewater Treatment Facility – What has been accomplished by task from the Consultant Provost and Pritchard

NEXT MEETING:

- **December 17, 2015**

ADJOURNMENT: Meeting was adjourned at 7:50 pm

CITY COUNCIL/SUCCESSOR REDEVELOPMENT AGENCY
FINANCING AUTHORITY/HOUSING AUTHORITY AGENDA ITEM

SUBJECT:
Discussion Of A Revised Water Conservation And Landscaping Ordinance

PRESENTED BY:
Keith Lemieux – City Attorney

SUMMARY:

This item was brought for discussion at the regular City Council meeting of November 18.

It was agreed by Council that the City Attorney would revise the State's model ordinance to be more comprehensible to the public and incorporate revisions which would more closely correspond with the Indian Wells Valley Water District ordinance, with regard to watering schedules.

At the time of posting of the agenda, the supporting documents were still under revision by the City Attorney's office and will be released under supplemental cover once available.

FISCAL IMPACT:
None
Reviewed by Finance Director

ACTION REQUESTED:
Discuss and revise draft water conservation and landscaping ordinance

CITY MANAGER / EXECUTIVE DIRECTOR RECOMMENDATION:

Action as requested:

Submitted by: Rachel J. Ford Action Date: December 2, 2015
(Rev. 6/12/09)

Supplemental Agenda Related Writings/ Documents Provided To A Majority Of The Ridgecrest City Council / Redevelopment Agency Board Members After Distribution Of The December 2, 2015 Agenda Packet

1. *Item No. 13*
    a. *Add Supporting Documents*

This information is available for viewing on
The City of Ridgecrest web page

http://ci.ridgecrest.ca.us

City Council Agendas

12-9 - Water Efficient Landscape Ordinance.

12-9.1 - Title.

This section shall be known and may be cited as the Water Efficient Landscape Ordinance.

12-9.2 – Purpose.

This ordinance is adopted for the general purpose of promoting the values and benefits of landscaping practices that integrate conservation and efficient use of water, as outlined in Governor's Executive Order No. B-29-15 (California Code of Regulations 490, et seq.) (hereinafter “Regulations”), which is hereby incorporated into this ordinance in full by this reference.

12-9.3 - Applicability.

(a) After December 1, 2015, this ordinance shall apply to all of the following landscape projects:

(1) New construction projects with an aggregate landscape area equal to or greater than 500 square feet requiring a building or landscape permit, plan check or design review;

(2) Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check, or design review;

(3) Existing landscapes limited to Sections 493, 493.1 and 493.2 of the Regulations; and

(4) Cemeteries. Recognizing the special landscape management needs of cemeteries, new and rehabilitated cemeteries are limited to Sections 492.4, 492.11, and 492. 12 of the Regulations; and existing cemeteries are limited to Sections 493, 493.1, and 493.2 of the Regulations.

(b) For local land use agencies working together to develop a regional water efficient landscape ordinance, the reporting requirements of this ordinance shall become effective December 1, 2015 and the remainder of this ordinance shall be effective no later than February 1, 2016.

(c) Any project 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 D of the Regulations.

(d) For projects using treated or untreated graywater or rainwater captured on site, any lot or parcel within the project that has less than 2500 square feet of landscape and

meets the lot or parcel's landscape water requirement (Estimated Total Water Use) entirely with treated or untreated graywater or through stored rainwater captured on site is subject only to Appendix D section (5) of the Regulations.

(e) This ordinance 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) Existing plant collections, as part of botanical gardens and arboretums open to the public.

12-9.4 - Definitions.

The terms used in this ordinance have the meaning set forth in section 491 of the Regulations.

12-9.5 - Compliance with Landscape Documentation Package.

Prior to construction, the project applicant shall submit a Landscape Documentation Package to the local agency. If the Landscape Documentation Package is approved by the local agency, the project applicant shall (1) receive a permit or approval of the plan check or design review and record the date of the permit in the Certificate of Completion; (2) submit a copy of the approved Landscape Documentation Package along with the record drawings, and any other information to the property owner or his/her designee; and (3) submit a copy of the Water Efficient Landscape Worksheet to the local water purveyor.

12-9.6 - Elements of the Landscape Documentation Package.

(a) The Landscape Documentation Package shall include the following six (6) elements:

(1) Project information, including (A) date, (B) project applicant, (C) project address, (D) total landscape area in square feet, (E) project type, (F) water supply type (G) checklist of all documents in Landscape Documentation Package, (H) project contacts to include contact information for the project applicant and property owner, and (I) applicant signature and date with the statement: “I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package.”

(2) Water Efficient Landscape Worksheet, including (A) hydrozone information table, (B) water budget calculations (Maximum Applied Water Allowance (MAWA)), and (C) Estimated Total Water Use (ETWU).

(3) Soil management report.

(4) Landscape design plan.

(5) Irrigation design plan.

(6) Grading design plan.

12-9.7 - Water Efficient Landscape Worksheet.

(a) A project applicant shall complete the Water Efficient Landscape Worksheet, which is attached as Appendix B to the Regulations. A project applicant shall thereafter calculate and ensure that the evapotranspiration adjustment factor (ETAF) for the landscape project does not exceed a factor of 0.55 for residential areas and 0.45 for non-residential areas, exclusive of Special Landscape Areas. The ETAF for a landscape project is based on the plant factors and irrigation methods selected. The Maximum Applied Water Allowance is calculated based on the maximum ETAF allowed (0.55 for residential areas and 0.45 for non-residential areas) and expressed as annual gallons required. The Estimated Total Water Use (ETWU) is calculated based on the plants used and irrigation method selected for the landscape design. ETWU must be below the MAWA. In calculating the Maximum Applied Water Allowance and Estimated Total Water Use, a project applicant shall use the ETo values from the Reference Evapotranspiration Table in Appendix A of the Regulations. For geographic areas not covered in Appendix A, use data from other cities located nearby in the same reference evapotranspiration zone, as found in the CIMIS Reference Evapotranspiration Zones Map, Department of Water Resources, 1999.

(b) Water budget calculations shall adhere to the following requirements: (1) The plant factor used shall be from WUCOLS or from horticultural researchers with academic institutions or professional associations as approved by the California Department of Water Resources (DWR) (the plant factor ranges from 0 to 0.1 for very low water using plants, 0.1 to 0.3 for low water use plants, from 0.4 to 0.6 for moderate water use plants, and from 0.7 to 1.0 for high water use plants); (2) all water features shall be included in the high water use hydrozone and temporarily irrigated areas shall be included in the low water use hydrozone; (3) all Special Landscape Areas shall be identified and their water use calculated as shown in Appendix B of the Regulations; and (4) ETAF for new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0.

12-9.8 - Soil Management Report.

(a) In order to reduce runoff and encourage healthy plant growth, a soil management report shall be completed by the project applicant, or his/her designee, in compliance with section 492.5 of the Regulations.

12-9.9 - Landscape Design Plan.

(a) For the efficient use of water, a landscape shall be carefully designed and planned for the intended function of the project. A landscape design plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package, and shall meet the criteria set forth in section 492.6 of the Regulations.

12-9.10 - Irrigation Design Plan.

This section applies to landscaped areas requiring permanent irrigation, and not areas that require temporary irrigation solely for the plant establishment period. For the efficient use of water, an irrigation system shall meet all the requirements listed in this section and the manufacturers' recommendations. The irrigation system and its related components shall be planned and designed to allow for proper installation, management, and maintenance. An irrigation design plan shall be submitted as part of the Landscape Documentation Package, and shall meet the criteria set forth in section 492.7 of the Regulations.

12-9.11 - Grading Design Plan.

(a) For the efficient use of water, grading of a project site shall be designed to minimize soil erosion, runoff, and water waste. A grading plan shall be submitted as part of the Landscape Documentation Package. A comprehensive grading plan prepared by a civil engineer for other local agency permits satisfies this requirement. The grading plan shall comply with the requirements set forth in section 492.8 of the Regulations.

12-9.12 - Certificate of Completion.

The Certificate of Completion shall include be issued in accordance with the specifications set forth in section 492.9 of the Regulations.

12-9.13 - Irrigation Scheduling.

(a) For the efficient use of water, all irrigation schedules shall be developed, managed, and evaluated to utilize the minimum amount of water required to maintain plant health. Irrigation schedules shall meet the following criteria:

(1) Irrigation scheduling shall be regulated by automatic irrigation controllers.

(2) Overhead irrigation shall be scheduled between 8:00 p.m. and 10:00 a.m. unless weather conditions prevent it. If allowable hours of irrigation differ from the local water purveyor, the stricter of the two shall apply. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance.

(3) For implementation of the irrigation schedule, particular attention must be paid to irrigation run times, emission device, flow rate, and current reference evapotranspiration, so that applied water meets the Estimated Total Water Use. Total

annual applied water shall be less than or equal to Maximum Applied Water Allowance (MAWA). Actual irrigation schedules shall be regulated by automatic irrigation controllers using current reference evapotranspiration data (e.g., CIMIS) or soil moisture sensor data.

(4) Parameters used to set the automatic controller shall be developed and submitted following the criteria set forth in section 492.10 of the Regulations.

12-9.14 - Landscape and Irrigation Maintenance Schedule.

(a) Landscapes shall be maintained to ensure water use efficiency. A regular maintenance schedule shall be submitted with the Certificate of Completion.

(b) A regular maintenance schedule shall include, but not be limited to, routine inspection; auditing, adjustment and repair of the irrigation system and its components; aerating and dethatching turf areas; topdressing with compost, replenishing mulch; fertilizing; pruning; weeding in all landscape areas, and removing obstructions to emission devices. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance.

(c) Repair of all irrigation equipment shall be done with the originally installed components or their equivalents or with components with greater efficiency.

(d) A project applicant is encouraged to implement established landscape industry sustainable Best Practices for all landscape maintenance activities.

12-9.15 - Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis.

(a) All landscape irrigation audits shall be conducted by a local agency landscape irrigation auditor or a third party certified landscape irrigation auditor. Landscape audits shall not be conducted by the person who designed the landscape or installed the landscape.

(b) In large projects or projects with multiple landscape installations (i.e. production home developments) an auditing rate of 1 in 7 lots or approximately 15% will satisfy this requirement.

(c) For new construction and rehabilitated landscape projects installed after December 1, 2015, as described in Section 490.1 of the Regulations, (1) the project applicant shall submit an irrigation audit report with the Certificate of Completion to the local agency that may include, but is not limited to: inspection, system tune-up, system test with distribution uniformity, reporting overspray or run off that causes overland flow, and preparation of an irrigation schedule, including configuring irrigation controllers with application rate, soil types, plant factors, slope, exposure and any other factors necessary for accurate programming; and (2) the local agency shall administer

programs that may include, but not be limited to, irrigation water use analysis, irrigation audits, and irrigation surveys for compliance with the Maximum Applied Water Allowance.

12-9.16 - Recycled Water.

(a) The installation of recycled water irrigation systems shall allow for the current and future use of recycled water.

(b) All recycled water irrigation systems shall be designed and operated in accordance with all applicable local and State laws.

(c) Landscapes using recycled water are considered Special Landscape Areas. The ET Adjustment Factor for new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0.

12-9.17 - Graywater Systems.

Graywater systems promote the efficient use of water and are encouraged to assist in on-site landscape irrigation. All graywater systems shall conform to the California Plumbing Code (Title 24, Part 5, Chapter 16) and any applicable local ordinance standards. Refer to § 490.1 (d) for the applicability of this ordinance to landscape areas less than 2,500 square feet with the Estimated Total Water Use met entirely by graywater.

12-9.18 - Stormwater Management and Rainwater Retention.

(a) Stormwater management practices minimize runoff and increase infiltration which recharges groundwater and improves water quality. Implementing stormwater best management practices into the landscape and grading design plans to minimize runoff and to increase on-site rainwater retention and infiltration are encouraged.

(b) Project applicants shall refer to the local agency or Regional Water Quality Control Board for information on any applicable stormwater technical requirements.

(c) All planted landscape areas are required to have friable soil to maximize water retention and infiltration.

(d) It is strongly recommended that landscape areas be designed for capture and infiltration capacity that is sufficient to prevent runoff from impervious surfaces (i.e. roof and paved areas) from either: the one inch, 24-hour rain event or (2) the 85th percentile, 24-hour rain event, and/or additional capacity as required by any applicable local, regional, state or federal regulation.