

**AGENDA  
SPECIAL MEETING  
SIERRA MADRE CITY COUNCIL**

**Tuesday, October 25, 2016**

**Immediately following the regular City Council meeting**

**City Hall  
232 W. Sierra Madre Boulevard  
Sierra Madre, California 91024  
and**

**Council Member Denise Delmar via teleconference from  
Good Nite Inn  
485 Veterans Avenue,  
Redwood City, California 94065**

*Gene Goss, Mayor  
Rachelle Arizmendi, Mayor Pro Tem  
John Capoccia, Council Member  
Denise Delmar, Council Member  
John Harabedian, Council Member*

*Melinda Carrillo, City Clerk  
Michael Amerio, City Treasurer*



**PUBLIC COMMENT**

The Council will listen to the public on any item on the agenda. Under the Brown Act, Council is prohibited from taking action on items not on the agenda, but the matter may be referred to staff or to a subsequent meeting. Each speaker will be limited to three continuous minutes, which may not be delegated. These rules will be enforced but may be changed by appropriate City Council action.

**PUBLIC COMMENT FOR ITEMS ON THE AGENDA:**

Persons wishing to speak on any item on the agenda will be called at the time the agenda item is brought forward. Persons wishing to speak on closed session items have a choice of doing so either immediately prior to the closed session or at the time for comments on items at the open session.

**PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:**

Time shall be devoted to audience participation early on the agenda. If additional time is needed, the Mayor will allow for same at the end of the agenda.

**CLOSED SESSION**

**CALL TO ORDER/ROLL CALL**

Mayor Goss, Mayor Pro Tem Arizmendi, Council Member Capoccia, Council Member Delmar, and Council Member Harabedian

**PUBLIC COMMENT**

Regarding Closed Session Items

**RECESS TO CLOSED SESSION REGARDING:**

**PERSONNEL**

Public Employee Appointment pursuant to Government Code Section 54957  
Title: City Manager

**AGENDA  
REGULAR MEETING  
SIERRA MADRE CITY COUNCIL,  
SUCCESSOR AGENCY, AND  
PUBLIC FINANCE AUTHORITY**

**Tuesday, October 25, 2016  
Closed Session 6:00 pm / Open Session 6:30 pm**

**and**

**Council Member Denise Delmar via teleconference from  
Good Nite Inn  
485 Veterans Avenue,  
Redwood City, California 94065**

**City Hall Council Chambers  
232 W. Sierra Madre Boulevard  
Sierra Madre, California 91024**

*Gene Goss, Mayor  
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Mayor Goss, Mayor Pro Tem Arizmendi, Council Member Capoccia, Council Member Delmar, and Council Member Harabedian

**PUBLIC COMMENT**

Regarding Closed Session Items

**RECESS TO CLOSED SESSION REGARDING:**

**CONFERENCE WITH LABOR NEGOTIATOR**

Pursuant to Calif. Government Code Section 54957.6

City Negotiators: City Manager Elaine Aguilar, Finance Director Marcie Medina, and Human Resources Analyst Miguel Hernandez

Employee Organization: Classified Employee Association

## OPEN SESSION

### CALL TO ORDER/ROLL CALL MEMBERS OF THE CITY COUNCIL

Mayor Goss, Mayor Pro Tem Arizmendi,  
Council Members Capoccia, Delmar, and Harabedian

### PLEDGE OF ALLEGIANCE AND INVOCATION/INSPIRATION

Council Member John Harabedian

### REPORT OUT FROM CLOSED SESSION

City Attorney report from the closed session.

### APPROVAL OF AGENDA

Vote of the Council to proceed with City business.

### APPROVAL OF MINUTES

Approval of [minutes from October 11, 2016](#) City Council meeting.

### MAYOR AND CITY COUNCIL REPORTS

Council Member activities relating to City business.

### PUBLIC COMMENT

Regarding items not on the Agenda.

### PRESENTATION

Update from Public Works Director Inman regarding water conservation and the City's Water Quality Report

## ACTION ITEMS

### 1. CONSENT

- a) [ADOPTION OF RESOLUTION 16-63 OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE APPROVING CERTAIN DEMANDS](#)

Recommendation that the City Council approve Resolution 16-63 for approval of payment of City Warrants in aggregate amount of \$205,682.79; Library warrants in the aggregate amount of \$9,588.90, and payroll transfer in the aggregate amount of \$292,650.91 for fiscal year ending June 2016 and June 2017.

- b) [AWARD OF PROFESSIONAL SERVICES CONTRACT TO BUCKNAM INFRASTRUCTURE GROUP, INC., FOR THE UPDATE OF THE CITY'S STREET INVENTORY](#)

Recommendation that the City Council award a contract to Bucknam Infrastructure Group, Inc., in an amount not to exceed \$14,772 for the 2016 update to the Pavement Management System.

- c) [CONSIDERATION OF CANCELLATION OF DECEMBER 27, 2016 CITY COUNCIL MEETING](#)

Recommendation that the City Council approve the cancellation of the regular City Council meeting of December 27, 2016 and direct staff to pay all necessary expenses during that time.

- d) [REQUEST FOR AUTHORIZATION TO ISSUE ENGINEERING REQUEST FOR PROPOSALS FOR LIBRARY](#)

Recommendation that the City Council authorize staff to issue a Request for Proposals for civil engineering services relative to the construction of Americans with Disabilities Act access improvements to the Sierra Madre Public Library site.

e) [EXPANSION OF INFORMATION TECHNOLOGY SERVICE HOURS AND COMPUTER SECURITY STUDY](#)

Recommendation that the City Council approve the increase of I.T. service hours, which will include the completion of the I.T. Security Review, not to extend past June 30, 2017 and to appropriate the funds not to exceed \$50,000 from the Internal Services Reserves.

f) [CONSIDERATION OF AMENDMENT TO THE JOINT POWERS AGREEMENT DATED JUNE 12, 2000 TO FORM THE FOOTHILL POLICY BOARD WHICH WILL ADMINISTER THE NEW WORKFORCE INNOVATION AND OPPORTUNITY ACT WHICH REPLACED THE WORKFORCE INVESTMENT ACT OF 1998](#)

Recommendation that the City Council approve the amendment to the Joint Powers Agreement between the cities of Arcadia, Duarte, Monrovia, Sierra Madre, South Pasadena, and Pasadena, and filed with the City of Pasadena as document #57378 entered into on June 12, 2000, for the purpose of forming a consortium to administer employment and training programs under the Workforce Investment Act of 1998, hereinafter referred to as WIA, P.L. 29 U.S.C. 2801 et seq., Public Law 105-220, 112 Stat. 936.

g) [MS4 PERMIT COMPLIANCE UPDATE](#)

Recommendation that the City Council receive and file the update and authorize submittal of the letter.

**PUBLIC HEARING**

2. [2016 FIRE CODE ADOPTION](#)

Recommendation that the City Council hold a Public Hearing, introduce and read by title only and adopt Ordinance 1381 pursuant to the 2015 International Fire Code and the 2016 California Fire Code State requirements.

3. [2016 BUILDING CODE ADOPTION](#)

Recommendation that the City Council hold a Public Hearing, introduce and read by title only and adopt Ordinance 1380 pursuant to the 2016 California Building Standards Code amendments.

**ITEMS FOR DISCUSSION**

4. [DISCUSSION OF METHODOLOGY USED IN CONSTRUCTION OF A COMPUTER HYDRAULIC MODEL OF THE CITY'S WATER DISTRIBUTION SYSTEM](#)

Recommendation that the City Council receive and file.

5. [CONSIDERATION OF APPOINTMENTS TO THE SENIOR COMMUNITY COMMISSION](#)

Recommendation that the City Council provide direction regarding the appointment of Senior Community Commissioners for terms ending June 30, 2019

6. [CONSIDERATION OF APPOINTMENTS TO THE COMMUNITY SERVICES COMMISSION](#)

Recommendation that the City Council provide staff with direction regarding the appointment of Community Services Commissioners to fill the two vacant seats.

7. [ADOPTION OF RESOLUTION 16-65 SUPPORTING MEASURE M ON THE NOVEMBER 8, 2016 ELECTION BALLOT](#)

Recommendation that the City Council adopt Resolution 16-65 supporting ballot Measure M on November 8, 2016 ballot.

- |  |   |
|--|---|
| 8. <a href="#"><u>REGULATION OF POWERED GARDENING EQUIPMENT</u></a>  | Recommendation that the City Council provide staff with direction.  |
| 9. <a href="#"><u>CONSIDERATION OF RESOLUTION 16-64 NOMINATING ROSEMEAD COUNCIL MEMBER MARGARET CLARK TO THE SAN GABRIEL VALLEY BASIN WATER QUALITY AUTHORITY REPRESENTING CITIES WITHOUT PUMPING RIGHTS</u></a> | Recommendation that the City Council authorize Resolution 16-64 nominating Rosemead Council Member Margaret Clark to the San Gabriel Basin Water Quality Authority Board for cities without pumping rights. |

**ACTION ITEMS**

Regardless of staff recommendation on any agenda item, the City Council will consider such matters, including action to approve, conditionally approve, reject, or continue such item.

**PUBLIC HEARING**

The appellant and/or applicant will each be provided a total of ten (10) minutes to address their item. A portion of their allotted time may be reserved for rebuttal or a summary conclusion at the close of public comment. All other speakers will be limited to a total of three continuous minutes, which cannot be delegated.

**AVAILABILITY OF AGENDA MATERIALS**

Materials related to items on this agenda are available for public inspection on the City's website at [www.cityofsierramadre.com](http://www.cityofsierramadre.com), and during normal business hours at City Hall, 232 W. Sierra Madre Blvd. and at the Sierra Madre Public Library, 440 W. Sierra Madre Blvd.

**LIVE BROADCASTS**

Regular City Council meetings are broadcasted live on Cable Channel 3 and rebroadcast on Wednesday and Saturday at 5:30 p.m.

**MEETING ASSISTANCE**

If you require special assistance to participate in this meeting, please call the City Manager's office at (626) 355-7135 at least 48 hours prior to the meeting.

**ADJOURNMENT**

The City Council will adjourn to a Regular Meeting at this same place on Tuesday, November 8, 2016

## **MINUTES**

Agenda - Regular Meeting of the Sierra Madre City Council,  
Successor Agency and Public Finance Authority  
Tuesday, October 11, 2016 – 6:30 p.m.  
City Hall Council Chambers, 232 W. Sierra Madre Blvd., Sierra Madre, CA 91024

\* Closed session immediately following the conclusion of the Council meeting. City Clerk, Melinda Carrillo, read the roll, noting that all City Council members were present.

### **CALL TO ORDER/ROLL CALL MEMBERS OF THE CITY COUNCIL:**

Present: Gene Goss, Mayor, Rachele Arizmendi, Mayor Pro Tem, Council Members, Denise Delmar, John Capoccia and John Harabedian.

Absent: None

Also Present: Elaine Aguilar, City Manager  
Teresa Highsmith, City Attorney  
Vincent Gonzalez, Director of Planning and Community Preservation  
Larry Giannone, Safety Director and Police Chief  
Marcie Medina, Finance Director  
Steve Heydorff, Fire Chief  
James Carlson, Management Analyst  
Bruce Inman, Director of Public Works  
Joe Ortiz, Captain, Sierra Madre Police Department  
Mike Amerio, City Treasurer  
Melinda Carrillo, City Clerk

### **PLEDGE OF ALLEGIANCE AND INVOCATION/INSPIRATION:**

Council Member, Denise Delmar, led the Pledge of Allegiance and followed with a summary of our Guiding Principles which we developed for the General Plan. Council Member Delmar would like us to keep these principles in mind as we move forward in selecting new leadership.

### **APPROVAL OF AGENDA AS PRESENTED:**

Moved: Council Member John Harabedian

Seconded: Mayor Pro Tem Rachele Arizmendi

Ayes: Mayor Gene Goss, Mayor Pro Tem Rachele Arizmendi, Council Members John Capoccia, John Harabedian and Denise Delmar

Noes: None

Absent: None

Abstain: None

### **APPROVAL OF MINUTES FROM REGULAR CITY COUNCIL MEETING ON SEPTEMBER 13, 2016:**

Moved: Council Member John Capoccia

Seconded: Council Member Denise Delmar

Ayes: Mayor Gene Goss, Mayor Pro Tem Rachele Arizmendi, Council Members John Capoccia, John Harabedian and Denise Delmar

Noes: None

Absent: None

Abstain: None

### **APPROVAL OF MINUTES FROM REGULAR CITY COUNCIL MEETING ON SEPTEMBER 27, 2016:**

Moved: Mayor Pro Tem Rachele Arizmendi

Seconded: Council Member John Capoccia

Ayes: Mayor Gene Goss, Mayor Pro Tem Rachele Arizmendi, Council Members John Capoccia, John Harabedian and Denise Delmar

Noes: None

Absent: None

Abstain: None

### **MAYOR AND CITY COUNCIL REPORTS:**

- 1) Mayor Pro Tem Arizmendi, commended the Fire Department for their Fire Safety Community event. It was a great turn out. Congratulations to Taylor's Market for their 50-year anniversary. It was an amazing turn out where more than 950 hamburgers and hotdogs were given out. Mayor Pro Tem Arizmendi was saddened by the loss of Mr. Edward "Ruiz" Kaladjian from the Shoe Repair Shop in town and recognized his service to the community. Mayor Pro Tem attended the League of California Cities Conference and highlighted that at the State level they are considering to perhaps include sewer as water due to the many issues on how to pay for it. Lastly, Mayor Pro Tem Arizmendi asked Police Chief Giannone to please share what happened yesterday with the bear attack and to share any updates.
- 2) Council Member John Capoccia, noted he attended the League of California Cities Conference and as the voting delegate was able to vote on the one resolution presented on consent calendar. It was a resolution supporting vision zero regarding zero deaths and safety. The resolution did pass. It was a very good conference.
- 3) Council Member Harabedian had nothing to report.
- 4) Council Member Delmar attended the League of California Cities Conference and attended many sessions on budget and finance in order to make sure we are doing everything we can to capitalize on our limited income. She attended a session on active shootings in the city and a few days later the Palm Springs shooting occurred which is a

reminder to stay vigilant about our surroundings, and stay safe, and report anything suspicious.

- 5) Mayor Goss, reported he also attended the League of Cities Conference, and added that on Thursday, he attended a very useful session about the California economy. Mayor Goss also attended Taylor's Market 50-Year Anniversary celebration and was honored to be there with Mr. and Mrs. Taylor. The Mayor shared an anecdote in regards to the owner of the Shoe Repair Shop, Mr. Kaladjian or "Ruiz", while picking up shoes for his wife. The Mayor commented that Ruiz was very old-school, he is a great loss to our community.

#### **PUBLIC COMMENT ON NON-AGENDA ITEMS:**

- Duncan McGillivray, Commander for VFW 3208: Invited the Council and the public to attend the Sierra Madre Post Office dedication on November 1<sup>st</sup>. Introduced former Commander Dave Loera to give more details about the upcoming event.
- Dave Loera, California 4<sup>th</sup> District Commander: Thankful to City Council for submitting the recommendation for the post office dedication to Congresswoman Judy Chu where it was signed from the California State level to the Senate to the President. The Sierra Madre Post Office will be dedicated to Louis Van Ursel, a decorated war veteran with more than 26 medals after World War 1 and a medal of honor, on November 1, 2016 at 10:00 a.m. City Council and Sierra Madre residents are all invited to attend.
- Caroline Brown, volunteer for The California Department of Fish and Wildlife: Presented *Bear Aware* a program developed to educate residents about minimizing bear contact with our food when in the outdoors and with garbage cans at our homes. The Department of Fish and Wildlife has a slogan that says, "Every fed bear is a dead bear." Mrs. Brown stated that it is our responsibility to be more aware, that is, *Bear Aware*.
- Liz DeKam: Would like Sierra Madre City Council to consider and agendaize her proposal to allow four companion animals per household, instead of the three pets that is the limit now. She would like to adopt a rescue dog for her youngest dog, and since her two oldest dogs may possibly pass anytime due to their old age.

\* City Manager, Elaine Aguilar, answered Ms. DeKam by stating that L.A. County does allow for more pets, and therefore, the city may make an exception for such a request right now at the meeting. Ms. DeKam's request was, by general consensus, granted this evening.

- Gary Hood: In 1972, Sierra Madre was designated as A Wildlife Sanctuary City. Mr. Hood would like to do a study to see what we can do for our animals and be updated regarding animal safety and our safety. Mr. Hood recommended a flashlight with a zapper that is legal which he has given to his neighbors in the past to scare the bears away.
- Barbara Lee Cline: Is not in agreement with euthanizing the bear that attacked the hiker, if the bear is found.

- Chief Giannone: Gave the public the account on the bear attack that occurred around lunch time on Monday, October 10<sup>th</sup> at Bailey Canyon in Sierra Madre. A 52-year old local man was about 3 miles up the trail when he saw a bear and started to back away when a second bigger bear came from the side and attacked him. The bear knocked him down and the victim tried to fight the animal off but the bear suddenly backed away and was gone. The local resident ran down the trail and 911 was called when his neighbor saw him approaching his home. The victim had multiple cuts to his head, torso, and legs. The victim was transported to a nearby hospital. Chief Giannone asked Lieutenant Wall to give an update as jurisdiction is with the Department of Fish and Wildlife and the US Forest Service.
- Lieutenant Wall, Department of Fish and Wildlife: Updated the Council and provided more information regarding the incident and policy. He noted that the Chief gave a perfect account of the incident. Lieutenant Wall further noted that State policy states that when a bear commits an unprovoked attack on a human, the Department of Fish and Wildlife should respond and take the offending animal. It is not an automatic death sentence for the animal. Lieutenant Wall stated that we must investigate further and gather all the facts whether it was a provoked or unprovoked attack, and with DNA evidence collected from the scene, determine the gender of the bear. This process should not take more than two weeks.

*Mayor Goss closed public comment.*

**AGENDA ACTION ITEMS:**

\* Elaine Aguilar, City Manager, gave the following report under the Consent Calendar.

**1. CONSENT CALENDAR**

- a) ADOPTION OF RESOLUTION 16-61 OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE APPROVING CERTAIN DEMANDS

Recommendation that the City Council approve Resolution 16-61 for approval of payment of City Warrants in aggregate amount of \$480,665.52; Library warrants in the aggregate amount of \$5,408.31, and payroll transfer in the aggregate amount of \$298,590.89 for fiscal year ending June 2016 and June 2017.

- b) TREASURER’S REPORT – QUARTER ENDING JUNE 30, 2016

Recommendation that the City Council receive and file.

- c) RECOMMENDATION TO APPROVE A DEED RESTRICTION ON CITY HALL PROPERTY

Recommendation that the City Council approve a deed restriction on the Civic Center property,

authorize the Mayor and City Clerk to sign the deed restriction on behalf of the City and direct staff to record said deed restriction with the County Clerk-Recorder.

d) DECLARATION OF CITY OWNED MISCELLANEOUS PROPERTY TO BE SURPLUSED

Recommendation that the City Council declare the miscellaneous property as “Surplus” and authorize City staff to work with the Friends of the Library to secure an auction house to have the surplus miscellaneous property auctioned off.

e) REPLACEMENT OF AEDS IN PUBLIC FACILITIES

Recommendation that the City Council approve the purchase of nine AEDs; to include six replacement units, as well as the addition of 3 units to City facilities in which an AED is not currently available and approval of the appropriations of \$11,722 from General Fund Reserves.

\* After discussion, general consensus by Council was to amend item e, and therefore, keeping it flexible as to how it is written and authorize the purchase of one more AED if it is needed.

f) RECOMMENDATION TO APPROVE NOTICE OF COMPLETION FOR THE EMERGENCY REPLACEMENT OF THE WATER MAIN IN NORTH MICHILLINDA AVENUE

Recommendation that the City Council approve the Notice of Completion for the project and direct staff to file the Notice of Completion with the Los Angeles County Clerk.

g) RESOLUTION 16-62 AFFIRMING THE APPOINTMENT OF COUNCIL MEMBER JOHN CAPOCCIA TO THE SAN GABRIEL VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT

Recommendation that the City Council approve Resolution 16-62 affirming the appointment of Council Member John Capoccia for a four-year term to the San Gabriel Valley Mosquito and Vector Control District.

h) SECOND READING AND ADOPTION OF ORDINANCE 1382 REGARDING CITY MANAGER RESIDENCY

Recommendation that the City Council introduce and approve for second reading by title only,

and waive further reading, Ordinance 1382, removing the residency requirement for the City Manager position.

i) AUTHORIZATION OF PAYMENTS ON BEHALF OF PUBLIC FINANCING AUTHORITY AND SUCCESSOR AGENCY

Recommendation that the City Council approve the payment of \$1,020,419.47 for the demands paid by the City on behalf of the Public Finance Authority and City Successor Agency.

*Mayor Goss opened for public comment.*

- Caroline Brown: Regarding item e, there is training available. In our meetings, we are trained to use an AED.

*Mayor Goss closed public comment.*

**APPROVAL OF CONSENT CALENDAR WITH THE AMENDMENT MADE TO ITEM E\*:**

Moved: Council Member Denise Delmar

Seconded: Council Member John Harabedian

Ayes: Mayor Gene Goss, Mayor Pro Tem Rachele Arizmendi, Council Members John Capoccia, John Harabedian and Denise Delmar

Noes: None

Absent: None

Abstain: None

**ITEMS FOR DISCUSSION**

**2. COMMUNITY INPUT - CITY MANAGER RECRUITMENT PROCESS**

Recommendation that the City Council receive input regarding the appointment of a new City Manager.

\* City Manager, Elaine Aguilar introduced Bobby C. Peckham, President of Peckham & McKenney, Inc., the recruitment firm hired to recruit the new City Manager. Elaine Aguilar excused herself from the meeting for the evening. Ms. Peckham noted that as we look for the candidates for the next City Manager, we want to understand the community culture and the organization. We want to understand what you are looking for in your next City Manager and what are some of the issues and challenges you will be facing in the coming years that the new manager can immediately work on. Ms. Peckham wants the community to express their desires in what they want in their next City Manager.

*Mayor Goss opened for public input.*

- Barbara Lee Cline: What are the pros and cons of City Manager versus City Administrator in terms of cost savings?
- Gary Hood: Noted that decisions have been made in the past, and even with good leadership, which accumulated debt for our City. He would like to see someone who has experience with accounting and how to keep costs down. He wants to have someone who will advocate preserving our small community and will find some solutions to our water problems which are very serious.
- Caroline Brown: Will you be having a written format for input so that our community is better represented and other residents of Sierra Madre can partake, and therefore, creating a better representation of the whole community. We need someone with experience with the complexities that a manager might have had in a somewhat larger city than ours.
- Emmitt McGuire: With the vast experience our current City Manager has, we should turn to Elaine Aguilar and ask for her suggestions of what the qualities of the next City Manager should be.
- Mike Amerio: Would like a City Manager that is community based, someone who lives closer to the community but not necessarily in Sierra Madre. The job requires many hours and late nights, and therefore, the closer he/she is to the community, the more involved he/she would be in the day-to-day activities of the city. It would help bring more good will to the city.

*Mayor Goss closed public input.*

\* Ms. Peckham answered the residents and stated that this is a City Manager position and cost savings is of concern, however, this is big job and you are hopefully looking for someone who is an A candidate and not a B candidate. She understands that *preserve* Sierra Madre is important to the residents and Council. She will definitely reach out to Elaine for more input. Ms. Peckham will provide her email and make it accessible to the residents and welcomes the community to reach out to her and provide further input anytime during the recruitment process. Council Member Capoccia asked Ms. Peckham to please explain the difference between a City Manager and City Administrator. Ms. Peckham explained that typically a City Manager appoints and evaluates all department heads and staff; Council appoints City Manager and often the City Attorney and City Clerk. With a City Administrator, the Council has the right and opportunity to evaluate department heads and to make more decisions. Therefore, the City Council is more involved in the day to day operation of the city, added Council Member Capoccia, who agrees with having a City Manager in Sierra Madre since it was changed from City Administrator years ago.

*Mayor Goss opened for follow-up public input.*

- Barbara Lee Cline: Last City Administrator we had was about 14 years ago. City Administrator also checks with Council about City finances. We will be facing the UUT tax concern again in 2018. I also think that we should get Elaine Aguilar's input since she has been the City Manager here for many years and understands the position first hand.
- Gary Hood: Suggest perhaps to search for someone who has retired already preferably from a small community and would like to take the position of City Manager and may save the City money.

*Mayor Goss closed public input.*

### **ITEMS PLACED FOR FUTURE AGENDA**

Council Member Capoccia would like to place on a future agenda a nomination for the recent open seat on the Water Quality Authority. It is a two-step process with a resolution to place a nomination, then as Council, vote on a recommendation for the seat nomination. Council Member Cappocia would like to place on a future agenda a resolution in support of Measure M which is also endorsed by nearby cities and by Mr. Antonovich.

### **COUNCIL RECESSED OPEN MEETING TO CLOSED SESSION AT 7:52 p.m.**

### **REPORT FROM CLOSED SESSION:**

City Attorney, Highsmith, reported the Council met in closed session to discuss the recruitment and potential appointment of the position of City Manager. Direction was provided to the City Attorney and recruiter regarding the process; no action was taken.

### **CITY COUNCIL MEETING ADJOURNED at 9:17 p.m.**

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Gene Goss, Mayor

Minutes taken and typed by:

Melinda Carrillo  
City Clerk



# City of Sierra Madre Agenda Report

*Gene Goss, Mayor*  
*Rachelle Arizmendi, Mayor Pro Tem*  
*John Capoccia, Council Member*  
*Denise Delmar, Council Member*  
*John Harabedian, Council Member*

*Melinda Carrillo, City Clerk*  
*Michael Amerio, City Treasurer*

TO: Honorable Mayor and Members of the City Council

FROM: Elaine I. Aguilar, City Manager 

INITIATED BY: James Carlson, Management Analyst 

REVIEWED BY: Bruce Inman, Director of Public Works

DATE: October 25, 2016

**SUBJECT: MS4 PERMIT COMPLIANCE UPDATE**

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## **SUMMARY**

Staff recommends that the City Council receive and file this informational report and authorize the City Manager to send a funding commitment letter (**Attachment A**) to the City of Arcadia. It should be noted that this is a reallocation of currently budgeted funds, and not a request for additional funding

## **ANALYSIS**

### **Background**

On July 12, 2016, staff presented the City Council a detailed informational report on the City's efforts towards compliance with the 2012 MS4 Permit. This report is included (**Attachment B**) as a background resource. The report describes the process in which the Rio Hondo/San Gabriel River Water Quality Group ("Group") was formed, the Enhanced Watershed Management Plan (EWMP) was produced, estimated costs associated with permit compliance, and the strategy moving forward.

### **Opportunity to Revise EWMP**

July's report indicated that the Group was soliciting bids to conduct initial feasibility and soil studies at each of the ten regional projects that were identified in the EWMP, acquire a grant specialist to assist in the pursuit of funding, conduct public outreach, and prepare an "Adaptive Management" strategy in hope of decreasing the amount of local and regional projects due to more timely and local monitoring results. These efforts represented the compliance efforts of the Group for FY 16/17 and totaled \$673,200. Sierra Madre's cost share is \$45,466 and is included in the FY 16/17 budget.

During the July and September of this year, the Group issued an RFP for the feasibility and soil studies, interviewed the potential firms and decided on a recommendation to provide to the Oversight Committee of the group. However, additional information and analysis became available regarding a potential opportunity to revise the EWMP to include a focused project at (or adjacent to) Peck Lake, which is essentially the furthest downstream location of the Rio Hondo tributary in our Group's area. This project has a reasonable chance to eliminate the need for some of the previously identified regional projects as well as some local projects, and is anticipated to greatly reduce the cost for ultimate compliance with the permit.

After much discussion, the agencies within our Group would like to pursue this opportunity, and would like to concentrate the initial feasibility studies from the ten original regional locations to the Peck Lake "Downstream Solution". There are also three (or possibly four) project sites on the far western and far eastern sides of our Group's jurisdiction that would undergo initial studies as they would not be captured by the Peck Lake "Downstream Solution". Staff feels the feasibility studies for the additional three or four sites would also be a prudent measure to take in the event that the "Downstream Solution" proves not to be viable. The re-prioritization of locations would not increase the estimated costs of implementation for FY 16/17 and staff is not seeking any additional funds.

To accomplish this endeavor, the City of Arcadia would issue a "change order" to California Watershed Engineers (CWE), the Group's technical consulting firm. An updated Memorandum of Understanding (MOU) will be drafted and distributed to the member agencies in the near future, however if City Council approves a Letter of Commitment from the City Manager, work can begin in early November. The distribution of the MOU is expected to take longer than usual due to the lengthy process that occurs with attaining Los Angeles County approval, and is also anticipated to possibly take additional time with upcoming changes to the County's Board of Supervisors.

### **FINANCIAL REVIEW**

The City's share of the project cost remains unchanged at \$45,466. That amount is included in the approved FY 16/17 budget, therefore there is no additional financial impact of this recommended Council action.

### **PUBLIC NOTICE PROCESS**

This item has been noticed through the regular agenda notification process. Copies of the report are available via the City's website at [www.cityofsierramadre.com](http://www.cityofsierramadre.com), at the City Hall public counter, and the Sierra Madre Public Library.

### **ALTERNATIVES**

1. The City Council may receive and file this informational report and authorize the City Manager to send a funding commitment letter to the City of Arcadia.

Subject: MS4 Permit Compliance UPDATE

Date: October 25, 2016

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2. The City Council receive and file this informational report and not authorize the City Manager to send a funding commitment letter to the City of Arcadia.
3. The City Council may provide direction or request additional information from staff.

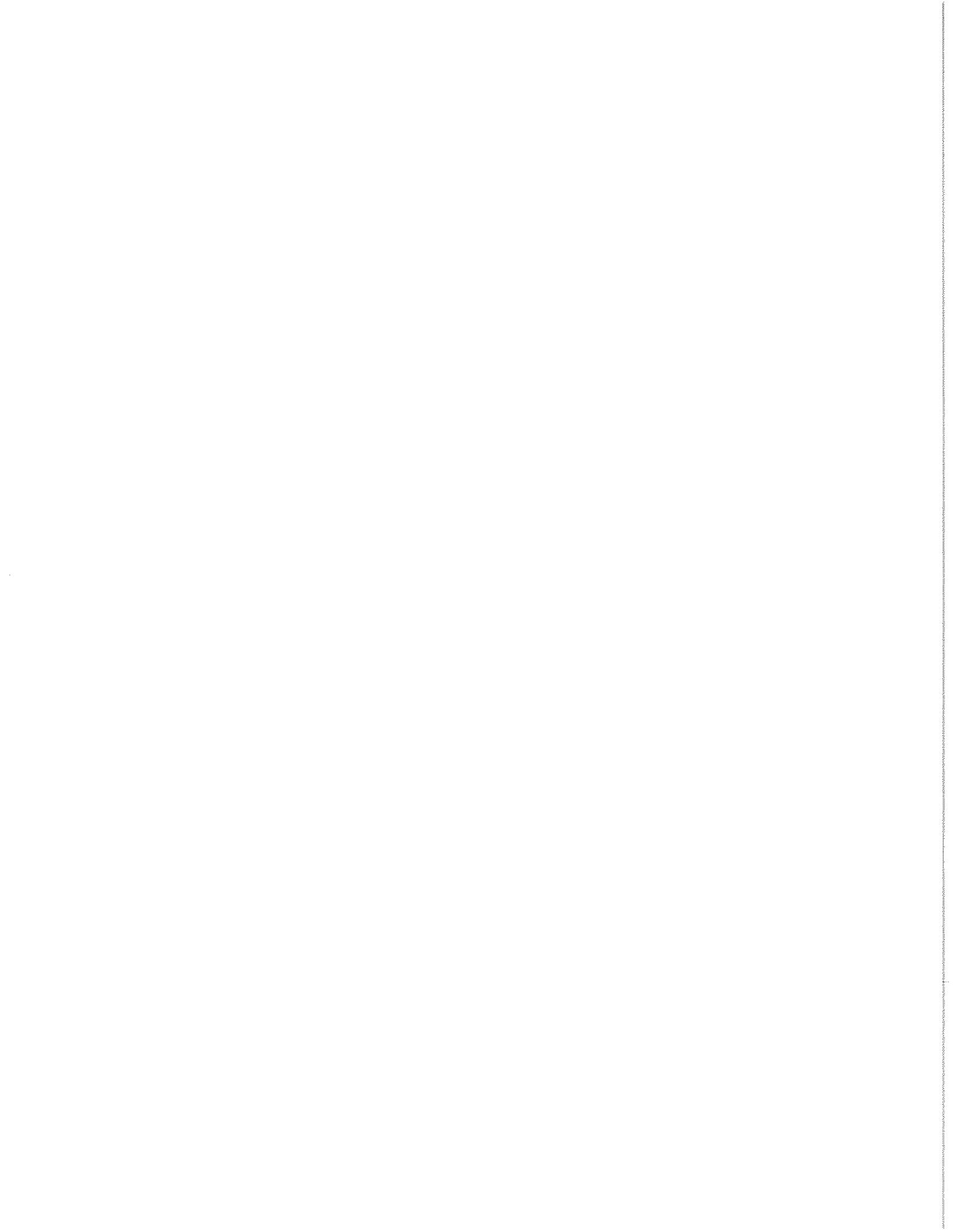
**STAFF RECOMMENDATION**

Staff recommends that the City Council receive and file this informational report and authorize the City Manager to send a funding commitment letter to the City of Arcadia.

Attachments (1):

Attachment A: Funding Commitment Letter

Attachment B: July 12, 2016 City Council Staff Report "MS4 PERMIT COMPLIANCE"





## *City of Sierra Madre*

232 W. Sierra Madre Boulevard, Sierra Madre, CA 91024  
phone 626.355.7135 fax 626.355.2251

October 26, 2016

Mr. Dominic Lazzaretto  
City Manager  
City of Arcadia  
240 West Huntington Drive  
Post Office Box 60021  
Arcadia, California 91066-6021

RE: Commitment To Fund the City of Sierra Madre's Share of the Proportionate Costs for Engaging CWE to Develop an Updated EWMP Plan and Conduct Technical Feasibility Studies for the Rio Hondo / San Gabriel River Water Quality Group

Dear Dominic:

It is our understanding that on November 1, 2016, the City of Arcadia will be considering approval of a change order with CWE to fund both the development of an updated EWMP Plan and to conduct technical feasibility studies for the Rio Hondo / San Gabriel River Water Quality Group (RHSGRWQG). To formalize the sharing of costs for the change order request, a First Amendment to the Memorandum of Understanding between the member agencies of the RHSGRWQG (Amendment) is currently being developed.

However, given current project timeline demands, it will be necessary for the City of Arcadia to consider approval of the change order with CWE before the Amendment is approved by all RHSGRWQG member agencies. Given that factor, this correspondence has been prepared to provide the City of Arcadia with assurances that the City of Sierra Madre is committed to and will pay our share of the proportionate costs associated with the CWE change order.

We look forward to working with the City of Arcadia and our other partners in this effort moving forward. In the meantime, please feel free to contact me at 626-355-7135 if you should have any questions regarding this matter.

Sincerely,

Elaine Aguilar  
City Manager



## City of Sierra Madre Agenda Report

*Gene Goss, Mayor*  
*Rachelle Arizmendi, Mayor Pro Tem*  
*John Capoccia, Council Member*  
*Denise Delmar, Council Member*  
*John Harabedian, Council Member*

*Melinda Carrillo, City Clerk*  
*Michael Amerio, City Treasurer*

TO: Honorable Mayor and Members of the City Council

FROM: Elaine I. Aguilar, City Manager 

INITIATED BY: James Carlson, Management Analyst 

DATE: July 12, 2016

**SUBJECT: MS4 PERMIT COMPLIANCE**

### SUMMARY

Staff recommends that the City Council receive and file this informational report.

### ANALYSIS

#### Regulatory Background

The Water Quality Act of 1987 added Section 402(p) to the Federal Clean Water Act requiring the United States Environmental Protection Agency (USEPA) to establish regulations related to stormwater discharges. The Clean Water Act authorizes the USEPA to delegate authority to a state as the National Pollutant Discharge Elimination System (NPDES) permitting authority in lieu of the USEPA. In California, regional stormwater permits are developed and enforced under the Regional Water Quality Control Boards, and the City of Sierra Madre is assigned to the Los Angeles Regional Water Quality Control Board (LARWQCB).

On November 8, 2012, the LARWQCB issued a new MS4 NPDES permit to the cities in Los Angeles County (Board Order No. R4-2012-0175; NPDES Permit No. CAS004001). The new MS4 NPDES permit became effective on December 28, 2012. This new MS4 permit contains many new provisions in comparison to past permits including the option to develop integrated planning and monitoring plans to address many of the Permit's water quality and program requirements.

#### Rio Hondo/San Gabriel River Water Quality Group

On December 11, 2012, City Council adopted Resolution 12-92 (**Attachment A**) to begin addressing the requirements of the new MS4 permit. The Resolution incorporated the City of Los Angeles' Low Impact Development ordinance and Green Street policy as early-action measures to demonstrate the City's efforts towards compliance with the new regulations. (These programs were brought back to the City

Subject: MS4 Permit Compliance

Date: July 12, 2016

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Council on July 23, 2013 for adoption after being amended to reflect more city-specific conditions.) The resolution also directed staff to work with other agencies to develop a watershed-based Watershed Management Program, or if possible to participate in an Enhanced Watershed Management Plan (EWMP).

Staff researched options to partner with other cities for possible WMP or EWMP scenarios and determined that a group representing the similar geography and shared conditions of San Gabriel Valley cities with close proximity to the foothills would be the most efficient and cost-saving method. The cities of Arcadia, Azusa, Bradbury, Duarte, Monrovia, Sierra Madre and the local portions of unincorporated County of Los Angeles and the Los Angeles County Flood Control District began to meet in January to discuss options for collectively and cooperatively meeting the regulations of the new permit. These cities formed the Rio Hondo/San Gabriel River Water Quality Group (or "Watershed Group").

#### Memorandum of Understanding

After discussion within the group and outreach to each city's management staff, the members of the Watershed Group entered into an MOU to share the costs to prepare an (EWMP) and Coordinated Integrated Monitoring Plan (CIMP). Sierra Madre approved this MOU at the April 14, 2013 City Council meeting.

To guide the development of the scope of work to be conducted under this MOU, the participating agencies also developed an Oversight Committee comprised of City Managers, Public Works Directors and Storm Water Program Managers from each agency. Based on the Oversight Committee's direction on March 13, 2013, the Watershed Group released a Request for Proposals (RFP) for work related to the development of an EWMP and CIMP including:

- Project Management
- Development of an EWMP Work Plan
- Development of a Draft EWMP
- Development of a Final EWMP
- Development of a CIMP
- Review of Notice of Intent
- Assistance with obtaining review and approval of the CIMP and EWMP from the LARWQCB's Executive Officer

Based on the Oversight Committee's review and evaluation of the proposals, an environmental consultant, California Watershed Engineering (CWE) was selected at a total cost of \$790,537.00. Based on the MOU's cost share formula the City of Sierra Madre's cost share for the development of the EWMP and CIMP was approximately \$53,300.00. This cost share was primarily based on each jurisdiction's land area in the Watershed Group area.

### Coordinated Integrated Monitoring Plan (CIMP)

The Notice of Intent (NOI), which indicated how each permittee was going to proceed, was approved by the Regional Board as submitted by the Watershed Group, and June 27, 2014 became the due date for the second round of deliverables to the Regional Board under the new permit. At the beginning of 2014, CWE provided the Watershed Group with a detailed technical memorandum that highlighted the approach for producing the CIMP. Comments were provided by each of the agencies, and a number of meetings were held with the consultant to determine the most efficient and cost-saving method of conducting the required monitoring to meet the Permit's requirements. With the basic approach to monitoring determined, the Oversight Committee, including City Managers and Public Works Directors from each agency, met on February 20, 2014 and provided a general consensus to proceed with the recommended approach.

Within the discussions of the February 20, 2014 meeting was a confirmation that the agencies all wished to take advantage of the EWMP process and propose less monitoring that would be required by default in the Permit if a City was not engaged in the EWMP process. For example, there were opportunities to use one monitoring point downstream of two or more agencies instead of each agency having to do duplicative monitoring. Another example of taking advantage of the EWMP process addresses the more than 150 stormwater constituents that are now required to be monitored (or at least sampled for) in the new permit. Our final CIMP can identify those constituents that have an extremely low chance of being detected in our Watershed Group area. We can propose to not monitor/sample for them, or indicate that initial monitoring will be conducted for them, and then be removed from the list when no detection of these constituents is found over a year (or other duration). Finally, it was determined that we are all in general consensus that our Watershed Group's monitoring should be done within our area or near the southern (downstream) boarder of the group. This allows our compliance and third-party litigation liability to be greatly reduced. The proposed monitoring will not include co-mingled contributions from jurisdictions south of our Watershed Group that may have challenges to water quality due to higher population densities and land uses that include much more commercial and industrial activity.

The Watershed Group has received approval of the CIMP and sampling has been occurring for the past six months. The Watershed Group receives updates from CWE and works with CWE staff to trouble-shoot or make adjustments as necessary. Monitoring will continue into the foreseeable future. Sierra Madre has budgeted approximately \$36,500 for sampling and monitoring FY 16/17 and can expect to budget approximately \$30,000 per year going forward.

### EWMP Work Plan

June 27, 2014 was also the due date for the Work Plan for the entire EWMP. In order to complete this requirement, CWE again issued detailed technical memorandums to the agencies regarding the requirements of a 'Reasonable Assurance Analysis', 'Water Quality Priorities' that are specific to our area, and 'Existing and Potential Controls'.

Again, members of the group provided comments and meetings with the Consultant to go over the details of these documents and provide the Consultant with information that is specific and consistent with our overall approach. This process took a lot of time as these technical memorandums are extensive and include some technical minutia. The Work Plan was approved and the Watershed Group proceeded to work with CWE to complete the final EWMP plan.

EWMP Approval

On April 21, 2016 the Watershed Group received approval from the Regional Board and was directed to immediately proceed with implementing the plan. The approval letter also noted various Permit requirements that may be ancillary to the EWMP. This includes Minimum Control Measures such as responding and investigating illicit discharges or connections, public education, permit tracking and various other “best practices”. Much of these requirements were included in previous Permit cycles, so staff has continued to meet these requirements. The Permit allows for permittees to begin to work more collaboratively with their Watershed Group on the Minimum Control Measures and will do so as opportunities present themselves.

In response to questions that the City Council may have regarding moving forward with EWMP implementation, staff has included the approval letter with annotated comments and exhibits for additional information. This is included as **Attachment B**. Further, staff has arranged to have Jason Pereira, Principal of CWE, to be available for questions from the City Council at this evening’s meeting.

EWMP Deadlines and Estimated Costs

The following is a breakdown of the deadlines and estimated costs that are contained in the EWMP:

Total Regional Projects:	\$299,597,000	Due between 2020-2024
Total “Green Street” Projects:	\$1,118,120,256	Due between 2017-2029
<b>Total EWMP:</b>	<b>\$1,417,717,256</b>	

**Regional Projects**

Regional Projects were identified at strategic locations in the EWMP areas in order to defray the costs of local Distributed Projects.

LAR Watershed	Latest Start Date	Completion Deadline	Estimated Cost
Recreation Park	January, 2017	2020	\$10,251,000
Arboretum	September, 2017	2021	\$15,097,000
Sierra Vista Park	March, 2017	2020	\$4,818,000
Royal Oaks (LAR)	June, 2016*	2023	\$53,109,000
L. Garcia Park	September, 2019	2024	\$23,323,000
Eisenhower Park	June, 2017	2024	\$38,402,000

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SGR Watershed	Latest Start Date	Completion Deadline	Estimated Costs
LADPW Easement	June, 2018	2020	\$6,436,000
Encanto Park	March, 2017	2020	\$16,255,000
Memorial Park (Az)	June, 2016*	2023	\$43,830,000
Royal Oaks (SGR)	June, 2016*	2023	\$88,076,000

\* Note that the Royal Oaks Project and the Azusa Memorial Park Project, totaling \$185,015,000, would have needed to started a month after EWMP Approval.

### Distributed Projects

Distributed Projects are less defined by location, but by watershed in order to reduce the pollutants by required TMDL deadlines. They were estimated by using traditional "Green Street" construction costs, but alternative projects are allowed if they have the equivalent reduction in pollutants. Ongoing operation and maintenance costs are not included below, and are estimated to reach \$7,001,074 per year on the Los Angeles River Watershed and \$4,180,128 per year on the San Gabriel River Watershed.

LAR Watershed	Estimated Costs	SGR Watershed	Estimated Costs
		2017**	\$43,596,432
2022	\$101,554,042	2020	\$105,144,336
2023-2024	\$101,810,491/Yr	2021-2023	\$41,031,936/Yr
2025-2028	\$98,773,096/Yr	2024-2026	\$48,725,424/Yr

\*\* Note that staff does not feel this can feasibly be accomplished regardless of funding.

These costs are independent of each City's budgeted cost for ongoing stormwater compliance. The City of Sierra Madre has budgeted \$178,500 (plus a carry-over of \$213,500) for FYE 2017. These costs include:

- Contributing to Regional Monitoring
- Catch Basin Insert Installation, and Catch Basin Cleaning
- Vehicle Washing Station
- Stormwater Permit Fees
- Street Sweeping
- Capital Improvement Estimates
- Special Studies, Regional Advocacy, Training, Printing, and other similar items (Beginning to Implement the EWMP as described next)

### Beginning to Implement the EWMP

Direction has been provided by the Oversight Committee on how to begin implementing the components of the EWMP. It was decided to issue an Request for Proposals to conduct initial feasibility studies on 10 regional projects included in the plan. Soil and Seismic studies will be conducted on all projects to determine if additional studies are

warranted, or if alternative regional or local projects will be necessary. Should changes need to be made, the Watershed Group will need to propose and defend the changes through what is termed in the Permit as "Adaptive Management". The proposals for these studies are due to the Watershed Group on July 20<sup>th</sup> and award of contract is estimated for early October.

The Oversight Committee also directed the Group to seek a grant specialist to coordinate and assist cities with their preparation of funding requests. The application for a variety of viable funding options will be important in the next few years; either to fund the local and/or regional projects, or demonstrate due diligence in the pursuit of implementing the EWMP. This process is also an integral component of annual reporting requirements.

Finally the Oversight Committee provided direction to seek a contract extension with CWE to continue to assist the group with a variety of expertise that will be needed along the way. While the exact nature of the assistance has not been whittled down to the fine details of yet, there will need to be technical assistance to support any adjustments to the EWMP going forward through the aforementioned adaptive management process. CWE is also expected to be asked to provide reporting and tracking assistance to the agencies. Finally, CWE will most likely be asked to provide small-scale studies on local "Green Streets"-type projects or plans. In Sierra Madre, we would like to have such data for our dry well projects to determine the cost versus benefits of proceeding with this effort. Regionally, we could also ask for a quantification of wet or dry weather runoff, how projects are or can be addressing the water conditions, and the cumulative effect on a number of projects working to meet the water quality objectives. Staff expects the Watershed Group will initiate contract extension discussions as early as the end of July, or early August.

#### Uncertainty Moving Forward

The EWMP approval letter from the Regional Board emphasizes that deadlines contained within the plan must be met unless a written extension from the Regional Board Executive Director is granted, or new deadlines are approved as a result of the adaptive management strategy due in 2018. Additionally, the Permit puts the requirement to meet EWMP deadlines on individual permittees (Part VI.C.2.iii.3). Staff believes that the first deadline that is in jeopardy of being missed is the 17 lane miles of Distributed Projects ("Green Streets") within the San Gabriel River Watershed by 2017. The estimated cost of this requirement is \$43,596,432. Logistically, it is believed that this missed deadline will become apparent after the submission of the December 2018 Annual Report, but could also be determined by audit at a sooner date at the Regional Board's discretion.

As far as Regional Project deadlines, despite the fact that the EWMP indicates that the Royal Oaks Project and the Azusa Memorial Park Project should have started in June of this year (a month after receiving approval) the feasibility studies that are being

conducted on all projects could represent a good faith effort to begin the process. The Sierra Vista Park Project has a deadline of 2020, and that may be affected by the adaptive management results in 2018.

Staff will watch for any enforcement actions (or legal challenges) throughout the region, including deadlines in the WMP process which began one year before the EWMP process to gauge how these deadlines will be enforced or otherwise.

In addition to uncertainties with upcoming enforcement actions, there are many moving components and occasional surprises in the realm of water quality regulation. The following are examples of some items that may affect how the City complies with stormwater regulations in the upcoming years:

**Litigation:** There are currently three challenges to the new Permit. The success or failure of each of the three challenges may have a dramatic effect on the regulation.

**Legislation:** Staff and Council Member Capocchia have been attending San Gabriel Valley Council of Governments (SGVCOG) meetings that have lately focused on the stormwater challenges. There have been efforts to reach out to State and Federal Elected Officials to inform them of the impossible price tag of the various WMP and EWMP programs. There are also efforts, including workshops, to educate local elected officials of the financial challenges.

**Scientific:** Very recently, it pointed out at a SGVCOG meeting that there are some prominent water scientists in the Bay Area (Stanford, Berkeley, and others) that are concerned with the lack of scientific analysis regarding the proposed increase of infiltration projects on a number of environmental systems.

As recent as July 6, 2016, staff received news about a Special Scientific Study that was conducted to study the appropriateness of the Los Angeles Rivers Metals TMDL limits. The study determined that levels could be raised without disrupting the beneficial uses that are listed in the Basin Plan. This study is slowly progressing through the regulatory channels, but could have a major positive effect on the Los Angeles River Watershed members of our EWMP.

**Mosquito & Vector Control:** Technical staff from the San Gabriel Valley chapter of this agency have commented a numerous forums and workshops that the infiltration movement of attaining water quality standards could be contradictory to preventing dangerous disease transmission if the infiltration ends up harboring the mosquito population.

These examples, and additional unknown existing or future considerations, pose a difficult challenge and produce moving targets for planning for the City's future

compliance with stormwater regulations. Staff will endeavor to stay apprised of these and any other future considerations to prevent surprises.

**FINANCIAL REVIEW**

There are no financial considerations with this informational report.

**PUBLIC NOTICE PROCESS**

This item has been noticed through the regular agenda notification process. Copies of the report are available via the City's website at [www.cityofsierramadre.com](http://www.cityofsierramadre.com), at the City Hall public counter, and the Sierra Madre Public Library.

**ALTERNATIVES**

1. The City Council may receive and file this informational report.
2. The City Council may direct staff to provide additional information.

**STAFF RECOMMENDATION**

Staff recommends that the City Council receive and file this informational report.

Attachments (1):

Attachment A: Resolution 12-92

Attachment B: Regional Board Approval Letter with Annotated Comments and Exhibit A and Exhibit B

# ATTACHMENT A

## RESOLUTION 12-92

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE, CALIFORNIA ADOPTING INTERIM MEASURES TO COMPLY WITH NPDES PERMIT NO. CAS004001 AND DECLARING THE CITY'S INTENTION TO DEVELOP AND ADOPT PERMANENT LOCAL MEASURES FOR PERMIT COMPLIANCE**

WHEREAS, on November 8, 2012 the Los Angeles Regional Water Quality Control Board approved Order No. R4-2012-0175 and NPDES Permit No. CAS004001; and

WHEREAS, said Permit becomes effective December 28, 2012; and

WHEREAS, without taking immediate action to comply with the Permit, the City of Sierra Madre could be out of compliance with the Permit on December 28, 2012; and

WHEREAS, development and adoption of the various Policies and Ordinances required under the Permit will take several months to complete, potentially exceeding the June 2013 Permit deadline; and

WHEREAS, development and adoption of the Watershed Management Program described in section VI C.1 of the Permit may also take longer than the Permit-prescribed eighteen months; and

WHEREAS, the implementation of a green street policy and a low impact development ordinance will not only meet requirements of the permit, but will help reverse the decline of groundwater levels in the East Raymond groundwater basin; and

WHEREAS it is the intent of the City of Sierra Madre to fully comply with the requirements of the Permit in as timely a manner as possible;

### **NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIERRA MADRE, CALIFORNIA, AS FOLLOWS:**

1. The recitals stated above are true and correct.
2. The low impact development standards of the City of Los Angeles entitled "City of Los Angeles Development Best Management Practices Handbook, Low Impact Development Manual, Part B" and attached herein as Exhibit A are hereby adopted as the interim low impact development standards for the City of Sierra Madre, to be incorporated in all development projects to the maximum extent practicable until such a time as replaced by local standards adopted by ordinance.
3. The green street standards of the City of Los Angeles entitled "City of Los Angeles Green Streets and Green Alleys Design Guidelines Standards" and attached herein as Exhibit B are hereby adopted as the interim Green Street standards for the City of Sierra Madre, to be incorporated in all street projects to the maximum extent practicable until such a time as replaced by locally-

- developed standards.
4. Staff is directed to work with other agencies within the City's watershed to develop a watershed-based Watershed Management Program, or if possible to participate in an Enhanced Watershed Management Plan.
  5. Staff is directed to immediately proceed with the preparation of a low impact development ordinance and a Sierra Madre-specific green street policy.
  6. Adoption of the low impact development and green street standards of the City of Los Angeles via this resolution complies with the requirements of the California Environmental Quality Act ("CEQA") as the project is categorically exempt from CEQA review under CEQA Guidelines Section 15308 (Actions by Regulatory Agencies for Protection of the Environment). Staff is directed to file a Notice of Exemption in accordance with CEQA.

**Approved and Adopted on the 11th day of December, 2012.**

I, the undersigned, hereby certify that the foregoing Resolution No. 12-92 was duly adopted by the Sierra Madre City Council following a roll call vote:

AYES:

NOES:

ABSENT:

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Mayor

ATTEST:

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City Clerk

EDMUND G. BROWN JR.  
GOVERNORMATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

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**Los Angeles Regional Water Quality Control Board**

April 21, 2016

Permittees of the Rio Hondo/San Gabriel River Watershed Management Group<sup>1</sup>  
(See Distribution List)

**APPROVAL OF THE RIO HONDO/SAN GABRIEL RIVER WATERSHED MANAGEMENT GROUP'S ENHANCED WATERSHED MANAGEMENT PROGRAM (EWMP), PURSUANT TO PART VI.C OF THE LOS ANGELES COUNTY MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT (NPDES PERMIT NO. CAS004001; ORDER NO. R4-2012-0175 AS AMENDED BY STATE WATER BOARD ORDER WQ 2015-0075)**

Dear Permittees of the Rio Hondo/San Gabriel River Watershed Management Group:

On November 8, 2012, the California Regional Water Quality Control Board, Los Angeles Region (Los Angeles Water Board or Board) adopted Order No. R4-2012-0175, *Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) Discharges within the Coastal Watersheds of Los Angeles County, except those Discharges Originating from the City of Long Beach* (hereafter, LA County MS4 Permit). Part VI.C of the LA County MS4 Permit allows Permittees the option to develop either a Watershed Management Program (WMP) or an Enhanced Watershed Management Program (EWMP) to implement permit requirements on a watershed scale through customized strategies, control measures, and best management practices (BMPs). Development of a WMP or EWMP is voluntary and allows a Permittee to address the highest watershed priorities, including complying with the requirements of Part V.A (Receiving Water Limitations), Part VI.E and Attachments L through R (Total Maximum Daily Load Provisions), and by customizing the control measures in Parts III.A (Prohibitions – Non-Storm Water Discharges) and VI.D (Minimum Control Measures), except the Planning and Land Development Program. Pursuant to Part VI.C.4.c.iv of the LA County MS4 Permit, the Rio Hondo/San Gabriel River Watershed Management Group (Group) submitted a draft EWMP on June 29, 2015 to the Los Angeles Water Board for review.

**Public Review and Comment**

On July 1, 2015, the Los Angeles Water Board provided public notice and a 61-day period to allow for public review and written comment on the draft EWMPs. A separate notice of

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<sup>1</sup> Permittees of the Rio Hondo/San Gabriel River Watershed Management Group include the Cities of Arcadia, Azusa, Bradbury, Duarte, Monrovia, and Sierra Madre, the County of Los Angeles, and the Los Angeles County Flood Control District (LACFCD).

availability regarding the draft EWMPs was directed to State Senators and Assembly Members within the Coastal Watersheds of Los Angeles County. The Board received four written comment letters in total. The comment letter submitted by the Construction Industry Coalition on Water Quality (CICWQ) had comments on the twelve EWMPs generally. The comment letter submitted jointly by the Natural Resources Defense Council (NRDC), Heal the Bay, and Los Angeles Waterkeeper (Environmental Groups) contained specific comments on four of the twelve EWMPs<sup>2</sup>; no comments specific to the Rio Hondo/San Gabriel River EWMP were raised. (F) The two remaining letters, from the Los Angeles County Sanitation Districts and Ms. Joyce Dillard, contained specific comments on various EWMPs; however, no comments specific to the Rio Hondo/San Gabriel River EWMP were raised.

On July 9, 2015, the Los Angeles Water Board held a public workshop at its regularly scheduled Board meeting on the draft EWMPs. On November 5, 2015, again during its regularly scheduled Board meeting, the Los Angeles Water Board held a second public workshop on the draft EWMPs. The Los Angeles Water Board held a third public workshop on March 3, 2016 for Permittees and interested persons to comment on and discuss the revised EWMPs with the Executive Officer, Board members, and staff. During our initial review of the draft EWMP and our review of the revised EWMP, the Los Angeles Water Board considered written comments and comments made at these workshops that were applicable to the Group's EWMP. (G)

#### Los Angeles Water Board Review

Concurrent with the public review, the Los Angeles Water Board reviewed the draft EWMP. On October 29, 2015, the Los Angeles Water Board sent a letter to the Group detailing the Board's comments on the draft EWMP and identifying the revisions that needed to be addressed prior to the Board's approval of the EWMP. Where appropriate, the public's comments were incorporated into the Board's review letter on the draft EWMP to ensure that the public's comments were addressed appropriately in the revised EWMP. On December 16, 2015, the Group's representatives and consultants held a meeting with Board staff to discuss the Board staff's comments on the Draft EWMP before their resubmittal. (H)

The Group submitted a revised EWMP on January 29, 2016 for Los Angeles Water Board review and approval. After the Group's submittal of the revised EWMP, Los Angeles Water Board staff had several telephone and email exchanges with the Group's representatives and consultants to discuss the Board's remaining comments and necessary modifications to the January 29, 2016 revised EWMP. On April 1, 2016, the Group submitted a second revised EWMP for Los Angeles Water Board review and approval. There were a small number of minor changes requested by Los Angeles Water Board staff to the April 1, 2016 version of the EWMP. The final version was submitted on April 14, 2016.

<sup>2</sup> These four EWMPs were the North Santa Monica Bay EWMP, Upper San Gabriel River EWMP, Upper Los Angeles River EWMP, and Beach Cities EWMP.

### Approval of EWMP

The Los Angeles Water Board hereby approves the Group's revised EWMP as submitted on April 14, 2016.

### Determination of Compliance with EWMP

Pursuant to Part VI.C.6 of the LA County MS4 Permit, the Permittees of the Rio Hondo/San Gabriel River Watershed Management Group shall begin implementation of the approved EWMP immediately. To continue to be afforded the opportunity to implement permit provisions within the framework of the EWMP, Permittees must fully and timely implement all actions per associated schedules set forth in the approved EWMP regardless of any contingencies indicated in the approved EWMP (e.g., funding) unless a modification to the approved EWMP, including any extension of deadlines where allowed, is approved by the Los Angeles Water Board pursuant to Part VI.C.6.a or Part VI.C.8.a.ii-iii of the LA County MS4 Permit. The Los Angeles Water Board will determine the Permittees' compliance with the EWMP on the basis of the compliance actions and milestones included in the EWMP including, but not limited to, the following:

- Table 3-23 Regional Project Sites
- Table 3-24 Regional Project Site Volume Reduction
- Table 3-25 Green Street Implementation Summary by Jurisdiction
- Figure 4-1 LAR Watershed Dry-Weather Flow Reduction due to Wet-Weather Controls
- Figure 4-2 SGR Watershed Dry-Weather Flow Reduction due to Wet-Weather Controls
- Table 4-23 Zinc Load Reduction Based on Control Measure Implementation in the LAR Watershed
- Table 4-24 Lead Load Reduction Based on Control Measure Implementation in the SGR Watershed
- Section 5
- Table 5-1 Proposed Regional Project Timeline
- Table 5-2 Proposed Green Street Implementation Timeline
- Figure 5-2 Pollutant Load Reduction from Implementation and TMDL Milestones

Pursuant to Parts VI.C.3 and VI.E.2.d.i.(4)(a) of the LA County MS4 Permit, the Permittees' full and timely compliance with all actions and dates for their achievement in their approved EWMP shall constitute compliance with permit provisions pertaining to applicable water quality-based effluent limitations (WQBELs)/wasteload allocations (WLAs) in Part VI.E and Attachment O and P of the LA County MS4 Permit. Further, per Part VI.C.2.b of the LA County MS4 Permit, the Permittees' full compliance with all requirements and dates for their achievement in their approved EWMP constitutes compliance with the receiving water limitations provisions of Part V.A of the LA County MS4 Permit for the specific waterbody-pollutant combinations addressed by the approved EWMP.

If the Permittees fail to meet any requirement or date for its achievement in the approved EWMP, which will be demonstrated through the Group's Annual Reports and program audits (when conducted), the Permittees shall be subject to the baseline requirements of the LA County MS4 Permit, including but not limited to demonstrating compliance with applicable receiving water limitations and TMDL-based WQBELs/WLAs through outfall and receiving water monitoring. See Parts VI.C.2.c and VI.E.2.d.i.(4).(c) of the LA County MS4 Permit.

### **Annual Reporting**

The Permittees of the Rio Hondo/San Gabriel River Watershed Management Group shall report, as a group, on achievement of actions and milestones within the reporting year, as well as progress towards future milestones related to multi-year projects, through their Annual Report per Attachment E, Part XVIII of the LA County MS4 Permit. For multi-year efforts, the Permittees shall include the status of the project, which includes the status with regard to standard project implementation steps. These steps include, but are not limited to, adopted or potential future changes to municipal ordinances to implement the project, site selection, environmental review and permitting, project design, acquisition of grant or loan funding and/or municipal approval of project funding, contractor selection, construction schedule, start-up, and effectiveness evaluation (once operational), where applicable. For green streets implementation, Permittees shall report on progress towards finalizing the Permittees' approach to identifying a sufficient number of green street projects to meet compliance milestones. For all stormwater retention projects, including LID BMPs implemented in compliance with new/redevelopment provisions, green streets provisions, and regional BMPs, the Permittees shall report annually on the volume of stormwater retained in each subwatershed area.

The Permittees shall also include in their Annual Report the source(s) of funds used during the reporting year, and those funds proposed for the coming year, to meet necessary expenditures related to implementation of the actions identified in their EWMP per Part VI.A.3 of the LA County MS4 Permit. Further, as part of the annual certification concerning a Permittee's legal authority required by Part VI.A.2.b of the LA County MS4 Permit, each Permittee shall also certify in the Annual Report that they have the necessary legal authority to implement the actions and milestones in the approved EWMP as required by Part VI.C.5.b.iv.(6). If a Permittee does not have legal authority to implement an action or milestone at the time the Group submits their Annual Report, the Permittee(s) shall propose a schedule to establish and maintain such legal authority.

### **Adaptive Management**

The Permittees, as a group, shall conduct a comprehensive evaluation of their EWMP no later than two years after the date of this approval (i.e., by April 23, 2018), and subsequently, every two years thereafter pursuant to the adaptive management process set forth in Part VI.C.8 of the LA County MS4 Permit. As part of this process, the Permittees must evaluate progress toward achieving:

- Applicable WQBELs/WLAs in Attachment O and P of the LA County MS4 Permit according to the milestones set forth in their EWMP;
- Improved water quality in MS4 discharges and receiving waters;
- Stormwater retention milestones; and
- Multi-year efforts that were not completed in the current year and will continue into the subsequent year(s), among other requirements.

Per Part VI.C.8.a.iv, Permittees shall also report the following information to the Los Angeles Water Board as part of the reporting for the adaptive management process:

- On-the-ground structural control measures completed;
- Non-structural control measures completed;
- Monitoring data that evaluates the effectiveness of implemented control measures in improving water quality;
- Comparison of the effectiveness of the control measures to the results projected by the RAA;
- Comparison of control measures completed to date with control measures projected to be completed to date pursuant to the Watershed Management Program or EWMP;
- Control measures proposed to be completed in the next two years pursuant to the Watershed Management Program or EWMP and the schedule for completion of those control measures; and
- Status of funding and implementation for control measures proposed to be completed in the next two years.

Finally, as part of the adaptive management process, the Permittees shall re-evaluate their Category 2 and Category 3 water quality priorities based on data collected through their Coordinated Integrated Monitoring Program (CIMP) for the Permittees' discharges. Where new water quality priorities are identified, the Permittees shall conduct a RAA for the pollutants and identify and incorporate into their EWMP appropriate watershed control measures to address them.

The Permittees' evaluation of the above shall be based on both progress implementing actions in the EWMP and an evaluation of outfall-based monitoring data and receiving water monitoring data. Per Attachment E, Part XVIII.6 of the LA County MS4 Permit, the Permittees shall implement adaptive management strategies, including but not limited to:

- Refinement and recalibration of the Reasonable Assurance Analysis (RAA) based on data specific to the Group's EWMP area that are collected through the Group's CIMP and other data, as appropriate;
- Identifying the most effective control measures, why they are the most effective, and how other control measures can be optimized based on this understanding;
- Identify the least effective control measures, why they are ineffective, and how the control measures can be modified or replaced to be more effective;
- Identify significant changes to control measures during the prior year(s) and the rationale for the changes; and

April 21, 2016

- Describe all significant changes to control measures anticipated to be made in the next year(s) and the rationale for each change.

As part of the adaptive management process, any modifications to the EWMP, including any requests for extension of deadlines not associated with TMDL provisions, must be submitted to the Los Angeles Water Board for review and approval. The Permittees must implement any modifications to the EWMP upon approval by the Los Angeles Water Board or its Executive Officer, or within 60 days of submittal of modifications if the Los Angeles Water Board or its Executive Officer expresses no objections. Note that while the first adaptive management process is scheduled for April 23, 2018, the Group's Report of Waste Discharge (ROWD) is due no later than July 1, 2017. The Group should conduct a preliminary evaluation of its EWMP in the spring of 2017 and present the results of the evaluation and any proposed modifications to the EWMP in the Group's ROWD. (P)

The Los Angeles Water Board appreciates the participation and cooperation of the Permittees in the Rio Hondo/San Gabriel River Watershed Management Group in the implementation of the LA County MS4 Permit. If you have any questions, please contact Ms. Deborah Brandes of the Storm Water Permitting Unit at [Deborah.Brandes@waterboards.ca.gov](mailto:Deborah.Brandes@waterboards.ca.gov) or by phone at (213) 576-6688. Alternatively, you may also contact Mr. Ivar Ridgeway, Chief of the Storm Water Permitting Unit, at [Ivar.Ridgeway@waterboards.ca.gov](mailto:Ivar.Ridgeway@waterboards.ca.gov) or by phone at (213) 620-2150.

Sincerely,



Samuel Unger, P.E.  
Executive Officer

Enclosures: Rio Hondo/San Gabriel River Watershed Management Group Distribution List

## Los Angeles Regional Water Quality Control Board – EWMP Approval Letter with Annotated Comments

- A. Part VI.C: Establishes WMP and EWMP option. This is the first time this has been included into the permit, nationwide.
- B. “Voluntary” is used at every opportunity in oral and written communications from the Regional Board. However, as seen in the non-approval of a handful of cities that tried an individual WMP, the Regional Board required a demonstration of immediate compliance along with the enhanced monitoring.
- C. Part VI.E and Attachments L through R: Incorporated 30 tmdls, with their associated numerical limits and timelines, into the Permit.
- D. Parts III.A: Non-stormwater discharges are prohibited. This is a carry-over from previous requirements. There are a handful of exemptions (natural springs, fire-fighting activities, etc.).
- E. VI.D: Minimum Control Measures. This is also a carry-over from previous requirements. They have been changed to some degree due to the County no longer being the “Principal Permittee”. These include items such as investigations of discharges and connections, public outreach, permit tracking, vehicle and equipment washing, catch basin labeling, etc.
- F. The Environmental Groups did not comment on our draft EWMP during the public review, however they did consistently comment generally that the WMP and EWMP process was too forgiving.
- G. The letter lists 3 workshops in which our Group was “invited” to attend. These workshops lacked in specific guidance, and appeared to be focused on providing an opportunity for comments from various stakeholders.
- H. This section simply recounts the numerous back-and-forth discussions between the Group, our Consultant, and the Regional Board before the submission of the Final EWMP. The vast majority of the comments were very technical minutia and addressed by CWE. The final comments are included to this section as **Exhibit A**. Please see the following comment numbers for examples of how the Final EWMP was negotiated:
  - a. Comment 3: We were asked to eliminate all references to pending litigation. We argued that since one of our member agencies had current litigation, we needed to keep it. The compromise was to retain the caveat about unfunded mandates without referencing the specific suit.
  - b. Comment 6: We attempted to label the EWMP schedule as “tentative” but were not allowed. (Part of these efforts ended up in additional language about Adaptive Management).
  - c. Comment 14: We had to re-emphasize that there was no existing monitoring from the agencies.
  - d. Comment 22: We went back and forth on an optional “Load Reduction Strategy” for bacteria. The group prevailed in identifying the potential for pursuing this strategy without locking it into the plan. The Strategy provides for an additional 7 years until final compliance, but the cost is yet undetermined.
  - e. Comment 29: We went back and forth on this item as well. We demonstrated the difficulty in identifying the responsible jurisdiction for each reasonable project. (Royal Oaks Trail owned by Duarte but is 99% Bradbury runoff, Arboretum is in Arcadia but owned by the County, etc.) We compromised by identifying “responsible” jurisdiction but that they were not “financially” responsible for the project.

- f. Comment 32: We had to clarify that the potential funding sources in our Funding Strategy would be addressed within 2 years.
- I. "Begin Implementation" has been discussed by the Group as well as other EWMPs. The Group received approval of the EWMP on April 21, 2016. In our upcoming Annual Report (Due December 15, 2016) we will be reporting on individual agency activities from FY15/16 as well as EWMP group activities from approval to June 30, 2016, which is slightly over two months. The implementation activities that will be reported for this upcoming report will include the efforts that are outlined in the staff report (issue RFP for technical studies, work towards extending CWE contract, RFP for Grants specialist, etc.) The Annual Report will also include all monitoring data that is applicable.
- J. This is certainly the phrase in which the Regional Board is "flexing its muscle"
- K. However, they immediately provide the two possible means for an extension or alteration. Part VI.C6a is the request of an extension from the Regional Board Executive Director (in writing, 90 days prior to deadline) and Part VI.C.8a.ii-iii references the Adaptive Management Process.
- L. The components of the EWMP that are listed here are included as **Exhibit B**. Of particular note is Section 5 and Table 5-1, Table 5-2, and Figure 5-2 which identify the milestones contained within the EWMP.
- a. **2017** – "Green Streets" Projects: 17 Lane Miles (or equivalent performance) on San Gabriel River Watershed. 40 Lane Miles (or equivalent performance) is due on the Los Angeles Watershed by 2022.
  - b. **2020** – Regional Projects: Completion Year for *Sierra Vista Park* and Recreation Park (Monrovia) on the Los Angeles River Watershed and LADWP Easement and Encanto Park on the San Gabriel River Watershed.
- M. This section memorializes that "full and timely" compliance with all section of the EWMP constitutes compliance with both effluent and receiving water quality objectives. This has often been referred to as the "Safe Harbor" component of the program. It goes further on page 4 to indicate that if the permittees fail to meet the requirement, they may be required to demonstrate compliance with all effluent, receiving water, and TMDL-specific regulations.
- N. Annual Reporting: Annual Reporting is not new. Around mid-December of each year, an Annual Report is due to the Regional Board that covers the previous fiscal year. This December's report is due on the 15<sup>th</sup>, and will cover July 1, 2015 to June 30, 2016. There are actually two reports included in the submission, one for an individual agency, and one for the collective EWMP work. This year's Annual Report will also include monitoring data that is applicable. The Regional Board had indicated that new reporting templates would be available for last year's December report, but were unable to complete their task. The permittees finally received the new templates last week. The report templates are important as they are also used as guides (or developed into checklists) for cities and EWMP groups to be sure that all requirements are being met.
- O. Adaptive Management: The letter states that the Group is required to conduct a comprehensive evaluation of their EWMP in two years, and then every two years later. This process has been discussed in vague terms by Regional Board staff on many occasions. The details in the letter are actually helpful to the Group, as there are now specific items that will be used to provide justification for adjusting projects and/or timelines into the future. During the next two years, the monitoring data will be checked against the assumptions that drove the modeling and reasonable assurance analysis that drove the costs of the EWMP to extreme the parameters. There may also be additional items that would contribute to the analysis that could benefit the adaptive management process such as enhancing LID ordinances, maximizing control measures, public education, and other such relatively inexpensive actions.

- P. The letter concludes with tying in the adaptive management process into the Groups future requirement to submit a Report of Waste Discharge (ROWD) by the July 2017 date. Staff is still analyzing this requirement. Staff is aware that the City of Long Beach did get their own ROWD and they are separate from the LA Permit. The Cities of Downey and Signal Hill also submitted ROWDs in an effort to separate from the LA Permit but were denied.

April 1, 2016

Comment Number	Commenter	Location	MS4 Permit Provision	Comment	CWE Response to Original Comment	Regional Board Response	Back Check Response	RB Check 4/14/16
1	Regional Board			The draft EWMP does not consider the Indicator Bacteria in the San Gabriel River, Estuary, and Tributaries TMDL (San Gabriel River Bacteria TMDL) in Basin Plan Amendment Resolution No. R15-005 Attachment A (adopted by the Regional Board on June 10, 2015) which is anticipated to be effective by the next permit cycle (assuming a TMDL effective date of early to mid-2016). Revise the draft EWMP to reference the San Gabriel River Bacteria TMDL, which addresses bacteria impairment in Big Dallon Wash among other waterbodies in the SGR Watershed. For reference, see Basin Plan Amendment Table 7-41.2 footnote 5 and the staff report page 21, 31, and 35.	The EWMP was revised to identify the June 10, 2015 LAR/WQCB adoption of the SGR Bacteria TMDL. Applicable TMDLs, reviewed staff reports, water quality priorities, schedules, etc. were revised to include the TMDL.	Revision made	Addressed	
2	Regional Board	Figures 4-14 & 4-15, pages 135-136		Present cumulative values of rainfall and runoff related to the graphs in Figures 4-14 and 4-15 (i.e., the 24-hour storm event size for LAR and SGR, respectively).	Based on input from the Regional Board, the volume identified in the narrative was also displayed on the figures.	Comment addressed	Addressed	
3	Regional Board	Section 16		Revise Section 1.6 as the petitions (SWRCB/OCC File Nos. A2236) were resolved by the State Board on June 16, 2015 through its Order WQ 2015-0075. Delete all but the last sentence of the "reservation" included as a contingency in the EWMP while that petition process was underway.	This section was revised.	Reference to SWRCB/OCC File Nos. A2236 was removed.	Addressed	
4	Regional Board	Figure 2-1, page 22	Part VI.C.5.a.iii.(3)(b)	Include MS4 outfall locations on (a) map(s). (Monitoring sites are shown on Figure 2-1, page 22. Planned regional BMPs are seen on page 60. Planned distributed BMPs are on page 62. Potential project sites are on pages 64-65.)	A new figure (Figure 1-6) was added to demonstrate where the outfalls within the RH/SGRWQCB are located based on current CIMP data.	Figure 1-6 now has MS4 out fall locations.	Addressed	

Comment Number	Commenter	Location	MS4 Permit Provision	Comment	CWE Response to Original Comment	Regional Board Response	Back Check Response	RB Check 4/14/16
5	Regional Board	Page 37		The EWMP states that "Opportunities to implement sediment control BMPs will determine whether it is practicable to achieve the numeric sediment-borne WQOs." Delete or modify this statement such that the Group commits to implement sediment control BMPs, or use alternative approaches as determined through its adaptive management process, to control discharges of bis(2-ethylhexyl)phthalate from the Permittees' MS4s that could cause or contribute to exceedences of Receiving Water Limitations.	Statement was deleted.	Statement was not deleted. Please delete or respond to us.	Statement was deleted.	Okay.
6	Regional Board	Page 38	Parts VI.C.6.a and VI.C.8.a.I-III	Modify the following statement in the EWMP as follows, "The schedule identified in this EWMP remains tentative and is subject to change based on changing data, information, legislation, law, and fiscal priorities through the adaptive management process. Any schedule modifications will be consistent with TMDL related compliance schedules and will be submitted to the Regional Board for review and approval per the requirements of the LA County MS4 Permit."	Accept the revision.	Statement was added.	Addressed	
7	Regional Board	Page 46		The information in the draft EWMP regarding existing institutional BMPs is lacking in detail. The EWMP must be revised to include more details on the existing MCMs/institutional BMPs, including the scope of implementation (i.e., which Permittees are implementing each measure in Section 3.1.1) and a description adequate to understand the linkage between the BMP and water quality (e.g., "scheduling," "water trucks," etc.).	Attachment P was expanded and additional narrative was added in Section 3.1.1.	The permittee involved in each MCM is now listed in added paragraph in Section 3.1.1.	Addressed	
8	Regional Board	Table 2-2, page 23		Include a commitment to update the water quality characterization as more water quality data become available through the CIMP for waterbodies such as Little Santa Anita Canyon Creek/Santa Anita Wash, Morrovia Canyon Wash, Sawpit Wash, and Little Dalton Wash.	Commitment added before Table 2-2.	Commitment included	Addressed	

Comment Number	Commenter	Location	MS4 Permit Provision	Comment	CWE Response to Original Comment	Regional Board Response	Back Check Response	RB Check 4/14/16
9	Regional Board	Section 2.2	Part VI.C.5.a.ii	The EWMP does not identify Category 3 pollutants. However, Table D-1 indicates that there are some pollutants that have exceeded water quality objectives in the past 5 years, but for which a TMDL has not been established. Include these pollutants as Category 3 pollutants in the EWMP, or provide an explanation for excluding these pollutants. See also Enclosure 2.	Based on communications with the Regional Board, a footnote was added to Table 2-5 stating that the exceedance analysis data was based on data collected downstream, which is not directly related to the RH/SGRWQG. As CIMP data is collected, Category 3 WBPCs will be reassessed with relevant data and updated through the Adaptive Management Process as appropriate.	The following footnote was added to Table 2-5: 7) Pollutants noted with exceedances in Table 2-3 that are not associated with an existing TMDL or 303(g) listing have not been identified as Category 3 pollutants because the data analyzed is from areas downstream of the RH/SGRWQG. How far downstream? Once CIMP data has been collected for the group area, Category 3 pollutants will be identified as WBPCs through the Adaptive Management Process, as appropriate. Based on the first CIMP wet-weather monitoring event, exceedances were not detected for potential Category 3 WBPCs.	Footnote number 8 (was footnote 7 in previous submittal) was revised to point readers to Figure 2-1 which illustrates the locations monitoring data was collected from. Not including Category 3 pollutants until additional CIMP data is collected was discussed with the Regional Board prior to the previous submittal.	Areas are far enough downstream so explanation is okay.

10	Regional Board	Table 2-5	Part VI.C.5.a.ii (page 60)	Revise Table 2-5 and other applicable sections of the draft EWMP, including corresponding tables in Attachment C, to address the following comments: ➤ Add a note to the table to acknowledge that although the City of Azusa is in the Santa Fe Dam Park Lake watershed, the USEPA Los	Footnote was added in Table 2-5.	Note has been added.	Addressed	
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Comment Number	Commenter	Location	MS4 Permit Provision	Comment	CWE Response to Original Comment	Regional Board Response	Back Check Response	RB Check 4/14/16
				<p>Angies-Area Lakes TMDL for Nitrogen, Phosphorous, Mercury, Trash, Organochlorine Pesticides, and PCBs (Los Angeles Area Lakes TMDL) states that there are no MS4 discharges to Santa Fe Dam Park Lake (p. 11-16 of Los Angeles Area Lakes TMDL).</p> <p>➤ Add a note to Monrovia Wash to acknowledge that Monrovia Canyon Creek is 303(G) listed for lead. However, the Los Angeles River and Tributaries Metals TMDL (Basin Plan Amendment Resolution No. R10-003 Attachment A) only assigns a dry-weather lead allocation for nonpoint sources and therefore, no WLA is assigned for MS4 sources.</p> <p>➤ Category 1A, Nutrients: Add Nitrate+Nitrite and denrite with "(F)" for Rio Honda Reach 3, Monrovia Wash, and Sawpit Wash.</p> <p>➤ Category 1A, 1B: Omit rows for Copper (dry), Lead (dry), and Zinc (dry).</p> <p>➤ Category 1A, Copper (wet).</p>	<p>Regional Board clarified that once lead (dry) was eliminated from the list (per two comments below) then a Category 2 WBPC made sense for Monrovia Wash.</p> <p>This was added to the table.</p> <p>Removed based on conversation with the Regional Board.</p> <p>Clarified with the Regional Board that the comment was intended to discuss lead only (not copper) and was intended to discuss Category 1C WBPCs rather than 1A. A note was added to the Category 1C heading based on the comment.</p> <p>Footnote was added to the table.</p>	<p>Lead was added to category II for Monrovia Wash in Table 2-5.</p> <p>Added.</p> <p>Omission made.</p> <p>Comment was intended to discuss lead only (not copper) and was intended to discuss Category 1C WBPCs rather than 1A. A note was added to the Category 1C heading based on the comment.</p> <p>Note was added.</p>	<p>Addressed</p> <p>Addressed</p> <p>Addressed</p> <p>Addressed</p> <p>Addressed</p> <p>Addressed</p>	
					<p>Table was revised to include E. coli for Big Dalton Wash.</p>	<p>E. coli was added for Big Dalton Wash but under Category 1B.</p>	<p>Addressed</p>	

Comment Number	Commenter	Location	MS4 Permit Provision	Comment	CWE Response to Original Comment	Regional Board Response	Back Check Response	RB Check 4/14/16
				<p>Peck Road Park Lake. Add a note stating that as per the USEPA Los Angeles Area Lakes TMDL (page 4-1 and 4-22), lead is currently meeting numeric targets for water and sediment (wet and dry weather) and therefore, no WLA was assigned.</p> <p>➤ Category A (Nutrients, Metals, Trash) and Category 1B (Metals and Bacteria): Add a note stating that MS4 discharges from Sawpit Wash, Santa Anita Wash, and direct MS4 discharges to Peck Road Park Lake are subject to the Los Angeles River and Tributaries Metals TMDL (LA River Metals TMDL) and the Los Angeles River Watershed Bacteria TMDL (LA River Bacteria TMDL).</p> <p>➤ Category 2C: Include bacteria (E. coli) for Big Dalton Wash per the finding in the SGR Bacteria TMDL (June 2015) that Big Dalton Wash is impaired by indicator bacteria.</p> <p>➤ Add Category 3 pollutants as appropriate based on Appendix D receiving water analysis.</p>	Footnote was added to the table (see response to comment above).	Category 3 pollutants were added. I don't believe that Appendix D was the correct reference but footnotes added were appropriate.		

Comment Number	Commenter	Location	MS4 Permit Provision	Comment	CWE Response to Original Comment	Regional Board Response	Beck Check Response	RB Check 4/14/16
11	Regional Board	Section 2.3	Part VI.C.5.a.ii	<p>The EWMP must be revised to include all relevant findings regarding known and suspected stormwater and non-stormwater pollutant sources in discharges to the MS4 and from the MS4 to receiving waters from all of the following programs:</p> <ul style="list-style-type: none"> <li>&gt; Permittee(s) IC/IDE programs</li> <li>&gt; Industrial/Commercial Facilities Pollutant Control programs</li> <li>&gt; Development Construction programs, and</li> <li>&gt; Public Agency Activities/programs.</li> </ul>	<p>A discussion on the available information from the programs listed in the comment was added in the source assessment section.</p>	<p>I see a lot of added material in 2.3.3.1 through 2.3.3.6 on TMDL findings but I do not see added material in the Source Assessment section that addresses findings from these 4 programs. If you have findings from these 4 programs, please present them.</p>	<p>Additional narrative was added to Section 2.3.3 under the bulleted list. The additional narrative clarifies that information from these programs was compiled and reviewed, but did not provide information pertaining to source assessment.</p>	Okay.
12	Regional Board	Table 2-6, page 29	Part VI.C.5.a.ii.(1)(a)(v)	<p>Include all details from applicable TMDL source investigations regarding known and suspected stormwater and non-stormwater pollutant sources in discharges to the MS4 and from the MS4 to receiving waters, including from the recently adopted SGR Bacteria TMDL (June 2015).</p>	<p>Some of this information has been included (Table 2-7), but additional information from TMDL Staff Reports was also added. Information from the SGR Bacteria TMDL was also incorporated.</p>	<p>Findings from the TMDLs are contained in Sections 2.3.3.1 through 2.3.3.6.</p>	<p>Addressed</p>	
13	Regional Board	Section 2.3	Part VI.C.5.a.ii.(1)(a)(vi)	<p>Review all TMDL Staff Reports, TMDL Implementation Plans(s) and supporting documents, if developed (see TMDL Reporting Requirements in Attachment E, Part XIX, pages E-45 to E-62); and other watershed management plans to determine if there are any watershed model results. If watershed model results exist, include them in the revised EWMP.</p>	<p>TMDL Staff Reports and Implementation Plans were reviewed and models are discussed and briefly summarized in the EWMP.</p>	<p>RTC seems reasonable. "At this time, models are not specific enough to accommodate a few specific sources, let alone the impact of a major source such as copper in brake pads. Current models are inadequate for distinguishing copper loads from a residential area adjacent to a freeway with those from a rural area. Such sources will likely be identified through implementation of the CIMP and the Adaptive Management Process."</p>	<p>Addressed</p>	

Comment Number	Commenter	Location	MS4 Permit Provision	Comment	CWE Response to Original Comment	Regional Board Response	Back Check Response	RB Check 4/14/16
14	Regional Board	Table 2-8, page 29	Part VI.C.5.a.iii.(1)(a) (vi)	Include all details from Permittee(s)' monitoring programs regarding known and suspected stormwater and non-stormwater pollutant sources in MS4 to receiving waters.	Permittees do not have any individual monitoring programs. All monitoring data has been reviewed and is included in the EWMP. This data does not identify sources and this discussion has been added to the EWMP.	RTC seems reasonable. Permittees do not have any individual monitoring programs. All monitoring data has been reviewed and is included in the EWMP. This data does not identify sources and this discussion has been added to the EWMP.	Addressed	
15	Regional Board	Table 2-8 and Section 2.3.3	Part VI.C.5.a.iii (pages 60-61)	Add Big Dalton Wash for bacteria as a category 2 pollutant in Table 2-8 of the draft EWMP as per the Indicator Bacteria in the San Gabriel River, Estuary and Tributaries TMDL (San Gabriel River Bacteria TMDL) in Basin Plan Amendment Resolution No. R15-005 Attachment A (adopted by the Regional Board on June 10, 2015) which is anticipated to be effective by the next permit cycle. Additionally, add a discussion on bacteria in Section 2.3.3 referencing the SGR Bacteria TMDL (Table 7-41.2 footnote 5) and the staff report (p. 21, 31, and 35). Revise other applicable EWMP sections accordingly.	A discussion referencing the SGR Bacteria TMDL was added to Section 2.3.3 (Specific Constituents, under Source Assessment).  Revisions were made to Table 2-8.	In section 2.3.3.6 Source Assessment Summary under table 2-7 there is discussion of bacteria for Big Dalton Wash.  Table 2-8, however, has no discussion of bacteria as your RTC says it would.	Addressed  Sorry for the confusion. A table was deleted between the first submittal and the previous submittal. What was originally referred to as Table 2-8 was changed to Table 2-7 (Water Quality Priorities for the RH/SGRW/QG). This table was revised to include SGR, San Dimas Wash, and Big Dalton Wash under bacteria.	Okay.

Comment Number	Commenter	Location	MS4 Permit Provision	Comment	CWE Response to Original Comment	Regional Board Response	Back Check Response	RB Check 4/14/16
16	Regional Board	Table 2-8 and Section 2.3.3	Part VI.C.5.a.iii (pages 60-61)	Table 2-8 of the draft EWMP lists Peck Road Park Lake for Bacteria as a Category 1 pollutant rated high for MS4 linkage. Add a footnote clarifying that Peck Road Park Lake does not have a TMDL or 303(d) listing for bacteria but was categorized as a Category 1 pollutant based on source assessment. Revise other applicable EWMP sections accordingly.	Revisions were made to Table 2-8.	In Table 2-8 "Initial Classification for USEPA TMDLs, 303(d) Listings, and Other Exceedances of RWLS" discussion of bacteria was pulled out altogether. It should be in the table or as a footnote to the table and qualified as the RB comment indicated and as indicated in the comment above rather than just pulled out from the table.	The original comment now applies to Table 2-7 (see discussion in response to comment 15). There was a misunderstanding, but Peck Road Park Lake was added back to Table 2-7 in association with bacteria and this was also updated in Table 2-5 (Summary of RH/SRRWQ WBPC Categories). A footnote was included in Table 2-5 explaining that Peck Road Park Lake, Montovia Wash, and Sawpit Wash are considered a Category 1 WBPC (with bacteria) during extreme wet-weather events, otherwise hydrologically disconnected to Rio Honda/LAR.	This seems to be related to the spreading grounds, correct? You cannot state you are conditionally exempt for a Category 1 pollutant. This would be a determination that would need to go through the basin plan amendment process. You may state that there seems to be a hydrologic disconnect during most conditions (except high flow) under dry weather conditions. Provide documentation of the hydrologic disconnect. However, you need to acknowledge that you are responsible for the pollutants.
17	Regional Board	Table 2-8 and Section 2.3.3	Part VI.C.5.a.iii (pages 60-61)	Table 2-5 of the draft EWMP lists San Dimas Wash and Big Dalton Wash for lead as a Category 1 pollutant as per the Los Angeles River and Tributaries Metals TMDL (LA River Metals TMDL). Explain in Section 2.3.3 why Table 2-8 does not include San Dimas Wash and Big Dalton Wash as a Category 1 pollutant for lead (i.e., no exceedances based on data). Add San Dimas Wash and Big Dalton Wash in Table 2-8 of the draft EWMP for category 1 pollutant lead, unless there justification is provided for not adding these waterbodies. Revise other sections of the EWMP accordingly.	Table 2-8 was revised to be consistent with Table 2-5.	You indicate that, "Table 2-8 was revised to be consistent with Table 2-5." However, I don't see this to be the case as there is no mention of lead or metals in Table 2-8. Perhaps to you forgot to follow through?	The original comment now applies to Table 2-7 (see discussion in response to comment 15). The tables are consistent in that all WBPCs are correctly identified in both tables.	Okay.

Comment Number	Commenter	Location	MS4 Permit Provision	Comment	CWE Response to Original Comment	Regional Board Response	Back Check Response	RB Check 4/14/16
18	Regional Board	Table 2-8 and Section 2.3.3	Part VI.C.5.a.iii (pages 60-61)	<p>Explain in Section 2.3.3 of the draft EWMF if there are any MS4 sources or significant exceedances based on data for cadmium, copper, and zinc in Peck Road Park Lake. If so, add to Table 2-8 of the draft EWMF for the aforementioned metals as a Category 3 pollutant or a Category 2 pollutant if it meets 303(d) listing criteria. Revise other applicable sections of the EWMF accordingly.</p>	<p>Based on the available data from CWH, cadmium, copper, and zinc data are not available for Peck Road Park Lake. Monitoring sites for LAR Metals TMDL CMP are significantly downstream of Peck Road Park Lake. This data is not representative of concentrations and loadings to Peck Road Park Lake for cadmium, copper, and zinc. Per CEDEN, SWAMP Monitoring data for tissue from 1986 to 1992 is available for cadmium, copper, and zinc. Monitoring data upstream of Peck Road Park Lake is not available at this time and the analysis to determine where the MS4 is a significant source cannot be conducted at this time.</p>	<p>Explanation appears okay.</p>	<p>Addressed</p>	
19	Regional Board	Page 59	Part VI.C.1.g.iv	<p>The EWMF should be revised to clarify the difference between the list of Regional BMP projects on page 59 and that in Table 3-23 on page 102 of the EWMF. The following four projects exhibited the greatest potential of the planned regional BMP projects to possibly satisfy the regional EWMF project criteria. Some of these project sites were evaluated as part of the regional project screening further detailed in Section 3.2.4.</p> <ul style="list-style-type: none"> <li>➤ Buena Vista Wetlands</li> <li>➤ Hugo Reid Park Infiltration Basin Project</li> <li>➤ Mojrovia Station Square Project</li> <li>➤ Whittier Narrows Park Project (EWMF, page 59)</li> </ul> <p>Identify which of these four projects were evaluated as part of the regional project screening in Section 3.2.4, and provide the results of the screening. For projects that were not evaluated as part of the regional project screening, provide an explanation for why they were not.</p>	<p>Additional discussion was added in Section 3.2.3, and a footnote was added to Table 3-4 in Section 3.2.4 to clearly identify which of the planned BMPs were screened.</p>	<p>The added paragraph in section 3.2.3 is helpful. However, the RTC says there will be and added footnote to Table 3-4 to clearly identify which of the planned BMPs were screened. The added footnotes do not seem to do this. They are:                  * More than one alternative for site was evaluated                  1. Previously planned projects as described in Section 3.2.3                  If this * is supposed to be which projects were screened, then only 3 were screened. Is this correct?</p>	<p>Footnote 1 was added in Table 3-4 to demonstrate which projects were previously planned, as described in Section 3.2.3, which is the section that discusses these projects in more detail. Footnote 1 was revised to further explain these projects are from existing implementation plans. Two projects were evaluated that were originally identified in planning documents (Hugo Reid Park and Buena Vista Spreading Grounds) and the explanation in Section 3.2.3 covers why other projects were not further screened (outside of the RH/SGRWQG area).</p>	<p>Okay.</p>

Comment Number	Commenter	Location	MS4 Permit Provision	Comment	CWE Response to Original Comment	Regional Board Response	Back Check Response	RB Check 4/14/16
20	Regional Board	Section 3		Provide a detailed description on each of the selected Regional EWMP projects, describing the BMP in more detail. This should be done in either Section 3 or in a new Attachment. (Attachment E has a good academic discussion of various types of BMPs; however, there is not a good description of each of the Regional EWMP projects that were on the final list of 10 EWMP Regional projects.)	A description of each of the proposed projects is provided in Section 3.4.2.1.	Comment responded to.	Addressed	
21	Regional Board	Table 3-1, Section 3.1.3, Page 49	Part VI.C.5.b.ii(1), page 62	Revise the EWMP to more clearly address non-stormwater. There is an assumption made by the EWMP that the control measures for addressing stormwater will also apply to non-stormwater.	Report was revised to clarify that non-stormwater will be addressed through the CIMP NSWSD source assessment.	Section 3.1.3 Approaches to Additional Non-Stormwater Discharge Control Measures" states that response was that "non-stormwater discharges throughout the RH/SGRWQG will be addressed through the CIMP non-stormwater discharge source assessment." Please see the Upper San Gabriel River EWMP, Section 5.4 for a section on non-stormwater milestones. A similar section should be developed for Rio Honda/San Gabriel.	Section 3.1.3 was revised to reference Section 4.2. Results associated with the approach discussed in Section 4.2 were added to Section 4.2. The revised language and figures quantify the anticipated dry-weather flow/load reduction throughout the proposed implementation timeline and milestones.	Okay.

Comment Number	Commenter	Location	MS4 Permit Provision	Comment	CWE Response to Original Comment	Regional Board Response	Back Check Response	RB Check 4/14/16
22	Regional Board	Section 3	Part VI.C.5.b.iv(3), page 64	Include (or provide an explanation for not including) control measures identified in the implementation plan(s) submitted by permittees subject to the LA River Metals TMDL. Acknowledge the upcoming submittal of dry weather bacteria LRS for segment B tributaries of the Los Angeles River.	Within Section 1.3.2 a statement was added to identify that the Rf/SCRWQG will be preparing a LRS.  Hugo Reid Park was the only project identified in the Metals TMDL Implementation Plan. It was added to the potential sites list and evaluated using the screening process discussed in the EWMP.	Final EWMP does not reference the upcoming submittal of the LRS for LAR Metals TMDL.  The RTC does not respond to the second comment. "Acknowledge the upcoming submittal of dry weather bacteria LRS for segment B tributaries of the Los Angeles River."	We assume there may be some confusion regarding the existence of an LRS for the LAR Metals TMDL.  A paragraph was added to Section 1.3.2 regarding the complexity of Rf/SCRWQG area flows and necessary for developing an Alternative Compliance Strategy (ACS) with Board Staff. Since dry-weather flows from the group do not appear to contribute to observed impairments below Whittier Narrows Dam, additional time is warranted to develop a water conserving ACS.	Include a reference that the group is in the process of submitting an LRS for dry weather bacteria compliance.
23	Regional Board	Tables 3-6 and 3-7, pages 78-79	Part VI.C.5.b.iv.(4)(a), page 64	The EWMP must be revised to specify which of the regional projects in Tables 3-6 and 3-7 will be implemented, justify why others will not be implemented, and clarify that in the body of the EWMP in section 3.2.4 and elsewhere, as appropriate.	Tables 3-6 and 3-7 were revised to include a bold line. The text was revised to explain the projects above the bold line are the projects that are to be implemented.	Modification is helpful.	Addressed.	
24	Regional Board	Table 1-6	Part VI.C.5.c, page 66	Revise Table 1-6 of the draft EWMP to omit the row for SCR Metals and LAR Metals in dry weather. Also revise other applicable sections of the EWMP accordingly.	The schedule and discussions on the dry-weather metals TMDLs were removed from the EWMP.	Table 1-6 revised and I see if other updates needed (seemed okay).	Addressed.	
25	Regional Board	Table 1-6		Add a footnote to Table 1-6 of the draft EWMP to reference Attachment D "Key findings related to the Los Angeles River Nitrogen TMDL" of the draft EWMP.	Footnote was added to Table 1-6.	Footnote added.	Addressed.	

Comment Number	Commenter	Location	MS4 Permit Provision	Comment	CWE Response to Original Comment	Regional Board Response	Back Check Response	RB Check 4/14/16
26	Regional Board	Table 2-9 and Table 2-12	Part VI.C.5.c, page 66 and Part VI.E.3, pages 148-149	<p>Table 2-9 of the draft EWMF indicates that Peck Road Park Lake nutrients (total nitrogen and total phosphorus) are categorized with the Harbor Toxics TMDL "scheduling class." Note that Peck Road Park Lake drains to Rio Hondo Reach 3 which is subject to the Los Angeles River Nitrogen Compounds and Related Effects TMDL (LA River Nutrients TMDL). The LA River Nutrients TMDL requires compliance as of the effective date of the LA County MS4 Permit. Therefore, revise Table 2-9 to substitute "harbor toxics TMDL" with "LA River Nutrients TMDL" (or another Lakes TMDL for nutrients) as the scheduling class for Peck Road Park Lake total Nitrogen and total Phosphorus. Table 2-12 proposes March 23, 2032 as a milestone for the USEPA Peck Road Park Lake Nutrients TMDL. The Group must propose a final deadline that is as short as possible taking into account the time since USEPA established the TMDL and the technological, operation, and economic factors that affect the design, development, and implementation of the control measures that are necessary to comply with the WLAs. If the requested time schedule exceeds one year, the proposed schedule shall include interim requirements with numeric milestones and dates for final compliance. If any changes are made to the proposed milestones for Peck Road Park Lake Nutrients, revise applicable sections of the EWMF accordingly, including Section 2.5.2.1 and Tables 2-11 and 2-12, among others. See Enclosure 2 for additional comments.</p>	<p>Based on discussions with the Regional Board, the Machado Lake headline will be used instead of the Harbor Toxics, because the watershed/tributary area is more comparable.</p>	<p>Revisions were made to substitute the Machado Lake TMDL scheduling class except for the case of Sawpit Wash where the reference was left to the Harbor Lakes TMDL. Please correct.</p>	<p>The schedule assigned for Sawpit Wash was revised to use the schedule associated with the Machado Lake TMDLs. These revisions were made in Table 2-8 (previously Table 2-9) and throughout Section 2.5 as necessary.</p>	<p>Okay.</p>

Comment Number	Commenter	Location	MS4 Permit Provision	Comment	CWE Response to Original Comment	Regional Board Response	Back Check Response	RB Check 4/14/16
27	Regional Board	Page 149		Specify how funds will be used most effectively through the analysis of alternatives and the selection and sequencing of actions needed to address human health and water quality related challenges and non-compliance). This could include alignment with CIPs, IRWMP projects, planned park improvements, etc.	A discussion was added right before Section 6.5.1 explaining that the RI/SGRWQG members will attempt to align the goals of the EWMP with other existing efforts, such as CIPs. Currently there are no planned park improvement projects in the area and IRWMP projects were not identified in this area.	Revision adequate.	Addressed	
28	Regional Board	Page xviii		The EWMP must be revised to include non-structural control measure costs. These costs do not seem to be included in Section 6 Control Measure Implementation Cost. The EWMP states that: "There is not a significant cost increase associated with non-structural control measure implementation; therefore, costs focus on the regional and distributed BMPs." To the extent that these costs will remain constant from the previous iteration of the permit, provide the expenditures by each Permittee specific to MS4 permit implementation (excluding EWMP and CIP development).	Based on discussions with the Regional Board, the cost associated with the stormwater program Implementation (MCMs/Institutional/non-structural BMPs) from previous years has been included with a statement that costs will likely increase. The narrative also explains that the increase in cost is small in relation to the other EWMP costs and is not carried through in the totals.	RTC and revision is satisfactory.	Addressed	
29	Regional Board	Section 3.4.2	Part VI.C.5.b.iv.(4)(e), page 63.	Provide a table listing the responsible Permittee for each Regional EWMP Project. (Figure 3-33 only identifies the location of each Regional EWMP Project).	The responsible jurisdiction (where the project is located) has been identified along with the contributing jurisdictions in Table 3-23. The text was revised to clarify that the responsible jurisdiction is not necessarily financially responsible.	Revisions are helpful.	Addressed	
30	Regional Board	Section 5		The EWMP must provide a clear connection between the implementation schedules in Section 5 and the applicable TMDL compliance schedules.	The implementation schedule is based on the TMDL compliance schedule. This is stated in the introduction to this section. This was mentioned throughout document.	This connection must be demonstrated in the EWMP through a table or figure.	A new subsection was added to Section 5 (Section 5.4 Scheduling Summary). This section includes a figure and demonstrates the implementation schedule aligns with the TMDL milestones.	Okay.
31	Regional Board	Section 6.5		Update Table 6-7 to include available funds from Prop 1 for stormwater grants and IRWMP projects.	Prop 1 information was added to the table and Attachment AA.	Update was made.	Addressed	

Comment Number	Commenter	Location	MS4 Permit Provision	Comment	CWE Response to Original Comment	Regional Board Response	Back Check Response	RB Check 4/14/16
32	Regional Board	Section 6.5		Identify specific sources of funds that are available or will be pursued for near-term (at least through 2017) BMP implementation.	Specific opportunities have been identified in Section 6.5.6 that will be pursued and evaluated in the near term (prior to 2017).	While we appreciate that the section entitled "6.5.6 Future Steps" was improved, the concept that all the ideas in this paragraph are for the next two years was not made clear. Please clarify that the entire paragraph is the focus for the next two years.	A statement was added within this section to clarify the information pertains to the next two years specifically (prior to 2017).	Okay.
33	Regional Board	Page 159	Part VI.C.B, pages 68-70	Section 7 of the EWMP states that, "an addendum or amendment will be required for the EWMP two years after the Regional Board Executive Officer approval and every two years thereafter ..." Revisions can be included in an addendum or amendment, but the entire EWMP must be assessed and revised as necessary every two years as part of the Adaptive Management Process.	This was clarified in the EWMP.	Clarification seems to have been made.	Addressed	
34	Regional Board	Figure 7-1, Page 160	Part VI.C.B, pages 68-70	The steps outlined in Figure 7-1 do not appear to follow a logical sequential order. Reconsider the steps and revise the figure for greater clarity.	Figure was simplified and revised based on Regional Board comments.	Steps now seem simple and clear.	Addressed	
	Regional Board	RAA		Table 2-5 on pages 27-28 of the EWMP did not classify water body-pollutant combinations for all creeks and tributaries of the Los Angeles River and San Gabriel River within the EWMP area, including Little Santa Anita Canyon Creek, Santa Anita Wash, and Little Dalton Wash. The EWMP must either be revised to include water body-pollutant classification for these waterbodies and associated planned/proposed BMPs accordingly, or the Group must provide a commitment to update the water quality characterization as more water quality data become available through the CIMP for these waterbodies.	There are no TMDLs or 303(d) listings for Little Santa Anita Canyon Creek, Santa Anita Wash, or Little Dalton Wash. The EWMP was revised to clarify that waterbodies will be re-characterized as necessary once through the adaptive management process. Narrative was added to Section 2.1.1.			

Comment Number	Commenter	Location	MS4 Permit Provision	Comment	CWE Response to Original Comment	Regional Board Response	Back Check Response	RB Check 4/14/16
	Regional Board	RAA		<p>The Regional Board adopted the San Gabriel River, Estuary and Tributaries Indicator Bacteria, Resolution No. R15-005 on June 10, 2015. The EWMP should be revised to address bacteria in Big Dalton Wash, which was identified as impaired in the TMDL, including proposed watershed control measures, interim and final milestones and dates for their achievement and reasonable assurance analysis.</p> <p>Section 2.1.1 provides a summary of key findings from receiving water data analysis. There are exceedances in Rio Hondo Reach 3 for Benzo(k)Fluoranthene, Bis(2-Ethylhexyl) Phthalate, Diazion, Dibenz(a,h)Anthracene, Dissolved Oxygen, pH, and Indeno(1,2,3-cd)Pyrene (Table 2-3 on pages 24-25; Appendix D). Revise the EWMP to include these water body-pollutant combinations as Category 3 pollutants, or provide an explanation for each regarding why they are not addressed by the EWMP.</p>	<p>The EWMP was revised to include the SGR Bacteria TMDL and identify the need to address bacteria in Big Dalton Wash (see comment and response above).</p>			
	Regional Board	RAA			<p>See response to comment above. Based on discussions with the Regional Board, the narrative was revised to discuss how the CIMP data will be used to re-evaluate WBPCs, as the exceedance analysis included in the EWMP is based on data downstream. Revisions to the WBPCs will be made through the Adaptive Management Process.</p>			

Comment Number	Commenter	Location	MS4 Permit Provision	Comment	CWE Response to Original Comment	Regional Board Response	Back Check Response	RB Check: 4/14/16
	Regional Board	RAA		<p>EWMP proposes that Peck Road Park Lake Nitrogen, Phosphorus, Mercury, Organochlorine Pesticides and PCBs TMDLs milestone schedule follow that of the Harbor Toxics TMDL with the rationale that control measures to reduce toxics should also significantly reduce the concentration of nutrients (Section 2.5.2.1 on pages 35-36). The scale of measures to control and reduce nutrients, metals, and toxic pollutant discharged to a lake system are significantly different than those control measures anticipated for the Greater Los Angeles and Long Beach Harbors. Therefore, the selection of an implementation schedule based on the implementation schedule for the Dominguez Channel and Greater Los Angeles and Long Beach Waters Toxic Pollutants TMDL is not supportable. Revise the schedules proposed for Peck Road Park Lake in consideration of the nutrient and toxic pollutants TMDLs for lake systems adopted by the Regional Board such as the Machado Lake TMDLs that have suitable control measures and implementation schedules.</p>	See response to comment above.			

Comment Number	Commenter	Location	MS4 Permit Provision	Comment	CWE Response to Original Comment	Regional Board Response	Back Check Response	RB Check 4/14/16
	Regional Board	RAA Modeling		In addition to linear bias statistics presented in Tables 4-2, 4-4, 4-5, 4-10, 4-13, provide additional explanation and interpretation of the root mean square and coefficient of correlation statistics in these tables, and any differences in the conclusions that can be drawn regarding the hydrology and water quality calibrations based on the three statistics. In addition, the coefficients of correlation between modeled and observed values as shown in Table 4-8, Table 4-10, Table 4-13 of the EWMIP report respectively for copper, lead, zinc, fecal coliform, total nitrogen, and total phosphorus are low values for coefficients of correlation. Provide an explanation for these low values. Further, data needed to improve model calibration for these constituents should be identified along with a commitment to collect the necessary data and refine the model calibration through the adaptive management process.	Additional discussion was added on the calibration metrics and conclusions that can be drawn from the results. The low correlation coefficients and the data needs were also discussed.			
	Regional Board	RAA Modeling		The model results of the baseline critical condition in terms of runoff volume, pollutant concentration, and pollutant loading are provided in Table 4-14, Table 4-15, Table 4-17 and Table 4-18. However, the duration curves or frequency curves of runoff volume, pollutant concentration and pollutant loading for the baseline condition at each analysis region for each pollutant of concern should be presented as well to demonstrate that the model results of baseline condition are based on the 90 <sup>th</sup> percentile critical condition.	Frequency curves for volumes, concentrations, and loads were added to demonstrate that the control measures were designed to address the 90 <sup>th</sup> percentile critical condition. This information was added in Section 4.9.			

Comment Number	Commenter	Location	MS4 Permit Provision	Comment	CWE Response to Original Comment	Regional Board Response	Back Check Response	RB Check 4/14/16
	Regional Board	RAA Modeling		The estimated allowable loads and required load reductions for the LAR and SCR watershed areas appear to be provided in Table 4-24 and 4-15 to demonstrate that the estimated allowable loads and load reductions are obtained from the 90 <sup>th</sup> percentile critical condition of runoff volume and allowable pollutant concentration. It is recommended that the allowable loads and required load reductions are provided in the same duration curves for baseline condition to demonstrate that the estimated allowable loads and load reductions meet the 90 <sup>th</sup> percentile critical condition.	The frequency curves discussed in the response to the previous comment were used to address this comment. The allowable loads were not plotted on figures with the required load reductions because allowable loads are dependent on various conditions and the figure would not convey the appropriate message. The frequency curves included in Section 4.9 demonstrate that the load reductions meet the 90 <sup>th</sup> percentile critical condition.			
	Regional Board	RAA Modeling		In the report, summary statistics of load reduction and percent reduction for different control measures are provided as shown in Table 4-23 and Table 4-24; however, some numbers to arrive at the modeled values of load reduction and percentage are not clearly identifiable. Provide the RAA measures and potential BMPs to demonstrate the effectiveness of the proposed BMPs that would achieve the required pollutant load reductions and load reduction goals in terms of 1) influent volume, concentration and load; 2) treated volume, concentration and load; and 3) effluent volume, concentration and load through the system of BMPs at the downstream point of BMP systems to demonstrate the effectiveness of the proposed BMPs.	Besides the MCMs, the BMPs proposed for this EWMP are all related to infiltration. The influent and effluent quality will be very similar. Load reduction occurs when water is infiltrated into the ground, preventing the constituents from moving downstream. The narrative above Table 4-23 was clarified to explain the load reductions are related to the volume captured and infiltrated. Any flows greater than the storage capacity are passed through the system at full concentration.			

Comment Number	Commenter	Location	MS4 Permit Provision	Comment	CWE Response to Original Comment	Regional Board Response	Back Check Response	RB Check 4/14/16
	Regional Board			<p>Provide an example validation for a representative waterbody within the Rio Honda/San Gabriel River Watershed Management Area, or in another EWMF area where the same RAA approach is used, that demonstrates that with all proposed BMPs in place, as determined from the initial analysis of the necessary volume and/or pollutant load reduction, will result in achieving the RWLS.</p>	<p>It is not possible to demonstrate that the RWLS at the mass emission station are met because this is only one portion of the watershed. The treatment methods involve infiltration of the constituents rather than dilution; therefore a 90% load reduction can be achieved without changing concentrations of the constituents in the water. We have provided the results of the analysis that show the required load reductions have been met (Tables 4-23 and 4-24, plus Attachment X). The Regional Board confirmed that the frequency graphics discussed above will satisfy the intent of this comment.</p>			

TABLE 3-23

Rio Hondo/San Gabriel River Water Quality Group  
Enhanced Watershed Management Program

3.4.2 Regional BMPs

Potential regional project sites were screened and evaluated in Section 3.2.4. The top ranked projects in both the LAR and SGR Watershed are recommended and a preliminary feasibility evaluation was performed. Concept drawings were prepared for the regional projects listed in Table 3-23, and are provided in Attachment Q. Table 3-23 identifies the jurisdiction responsible for implementation of the project, which is associated with the project location. The responsible jurisdiction does not imply financial responsibility. The table also identifies the contributing jurisdictions, which are those jurisdictions that contribute flow to the project in addition to the responsible jurisdiction. Descriptions of each of the selected projects are provided in Section 3.4.2.1.

Table 3-23 Regional Project Sites			
Recommended Project Site	Rank	Responsible Jurisdiction	Contributing Jurisdiction(s)
<b>LAR Watershed</b>			
Recreation Park	1	Monrovia	-
Arboretum of LAC	2	Arcadia	-
Sierra Vista Park	3	Sierra Madre	-
Royal Oaks Trail (LAR)	3	Duarte/Bradbury	Monrovia and County
L. Garcia Park	5	Monrovia	-
Eisenhower Park	6	Arcadia	Monrovia and Sierra Madre
<b>SGR Watershed</b>			
LADWP Easement	1	Azusa	-
Encanto Park	2	Duarte	Azusa
Memorial Park (Azusa)	3	Azusa	-
Royal Oaks Trail (SGR)	3	Duarte/Bradbury	County

Along with the regional BMP project sites identified in Table 3-23, the RH/SGRWQG also prioritizes ongoing inclusion of Peck Road Park Lake Water Conservation project as a multi-use, multi-benefit, facility dedicated primarily to water conservation, but providing valuable incidental backstop services in harvesting coarse sediments and, since the lake outlet and spillway are rarely used, precluding comingling with downstream discharges; allowing those areas to more precisely focus their local MS4 discharge source control efforts. This location is considered a Water of the United States and receiving water body; therefore, it cannot be considered as a treatment site. While the USEPA developed a legacy pesticides, PCBs, and nutrients TMDL for this lake, the TMDL also asserts that nutrient loads appear compliant and that the LADWP annually diverts an average of 8,737 acre-feet of high quality surface waters to Peck Road Park Lake for groundwater replenishment, primarily through the basin sidewalls and around the basin sediments. Continued lake maintenance, water quality management, flow regulation, and potential future remediation activities will facilitate urban runoff from the Cities of Arcadia, Bradbury, Duarte, Monrovia, and Sierra Madre, along with unincorporated areas of Los Angeles County, to be blended with high quality surface waters, containing very low concentrations of legacy pollutants. Effective operation of Peck Road Park Lake would also allow the RH/SGRWQG to prioritize the implementation of regional BMPs in other areas, such as Arcadia Wash and the SGR, which would otherwise discharge additional runoff to downstream receiving waters. Furthermore, ongoing pollutant source control efforts, urban redevelopment, and green street implementation will have the opportunity to reduce potential runoff pollutant loads within the catchment to the lake, in a more cost-effective manner. Finally, from the public education standpoint, the facility is a large scale demonstrable example of what regional BMPs, LID, and green streets are intended to accomplish, in a far less visible way.

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Deleted: All of the regional projects, with the exception of the Arboretum of LAC, Sierra Vista Park, and the LADWP Easement include subsurface storage in the form of corrugated metal chambers or a concrete vault. Flows from the existing storm drain system will be diverted to the project sites, some through a gravity system and others using a pumping system. Flows will be stored and allowed to infiltrate. Opportunities may also exist for supplemental irrigation. The concept for the Arboretum of LAC is based on the Baldwin Lake Planning Study for the Los Angeles County Arboretum and Botanic Garden (Korrandolph, Inc., 2012) and involves greening some of the lake features, dredging the lake, pumping flows from the lake to the existing waterfall and other water features, and modifications to the lake outlet. The concept for Sierra Vista Park is to divert stormwater from a nearby storm drain, partially treated, and pump it into the existing spreading grounds. The flows will enter the existing spreading grounds at Basin 1, which is a settling basin for inflow from street runoff (Arcadia and Sierra Madre, 2005). Flows will then be stored and infiltrated throughout the existing spreading grounds. The concept for the LADWP Easement involves surface storage in the form of infiltration basins, as this is the preferred implementation strategy by LADWP. A series of four infiltration basins has been conceptualized and the level in each basin is to be controlled by a downstream weir.

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TABLE 3-24

Rio Hondo/San Gabriel River Water Quality Group  
Enhanced Watershed Management Program

Further discussions with the Regional Board would be required to fully evaluate this potential site for future possible regional projects.

Table 3-24 summarizes the space available, drainage area size, and storage volume associated with the recommended regional projects. Figure 3-33 illustrates the recommended project sites and their catchment areas along with the subareas used in the RAA. Descriptions of each of the selected projects are provided in Section 3.4.2.1.

Table 3-24 Regional Project Site Volume Reduction

Recommended Project Site	Parcel Size (acres)	Project Area <sup>1</sup> (acres)	Drainage Area (acres)	Storage Volume (ac-ft)	Storage Volume (M gal)	Percent of 85 <sup>th</sup> Percentile Volume
<b>LAR Watershed</b>						
Recreation Park	19	0.92	106	7.43	2.42	100
Arboretum of LAC	110	3.44	207	9.32	3.04	100
Sierra Vista Park	17	N/A <sup>2</sup>	120	7.89	2.57	100
Royal Oaks Trail (LAR)	14	4.40	661	41.75	13.60	100
L. Garcia Park	2	1.28	265	18.21	5.93	100
Eisenhower Park	5	1.29	1,425	32.14	10.47	50
<b>SGR Watershed</b>						
LADWP Easement	9	3.17	240	3.93	1.28	28
Encanto Park	11	1.42	190	11.51	3.75	100
Memorial Park (Azusa)	12	3.09	387	30.20	9.84	100
Royal Oaks Trail (SGR)	14	4.12	722	67.01	21.84	100

<sup>1</sup> Area footprint in which infiltration will occur.  
<sup>2</sup> Using existing spreading ground facilities.

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**TABLE 3-25**

**Rio Honda/San Gabriel River Water Quality Group  
Enhanced Watershed Management Program**

**3.4.3.1 Green Street Implementation Summary**

The implementation needs based on the subarea analysis were analyzed to determine the quantity of green streets by jurisdiction and subarea. **Table 3-25** identifies the lane mile needs for each jurisdiction within the RH/SGRWQG.

→

<b>Table 3-25 Green Street Implementation Summary by Jurisdiction</b>				
<b>Jurisdiction</b>	<b>Green Street Lane Miles</b>			<b>Percent by Agency</b>
	<b>LAR Watershed</b>	<b>SGR Watershed</b>	<b>Total</b>	
Arcadia	123	0	123	28%
Azusa	0	112	112	26%
Bradbury	0	0	0	0%
Duarte	38	16	54	12%
Monrovia	68	0	68	16%
Sierra Madre	6	0	6	1%
County Unincorporated	38	35	73	17%
<b>Total:</b>	<b>273</b>	<b>163</b>	<b>436</b>	<b>100%</b>

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**Figure 3-35** illustrates the lane miles needed throughout the RH/SGRWQG, compiling the information from the subarea analysis. Similar to the subarea maps, the green street recommendations are shown as bold green lines. The figure also shows the regional project catchments that are full capture, as green streets are not required in these subareas as they are fully mitigated by a regional EWMP project. Additionally, the subareas for which green streets are not selected are shown. The RH/SGRWQG plans to develop a Green Streets Master Plan document that evaluates area Capital Improvement Programs and the projected road repair and rehabilitation projects, street widening, resurfacing, and reconstruction so that green street implementation can be strategically planned and incorporated into upcoming projects. Streets that have been upgraded or rehabilitated in the last few years and selected as green streets will be scheduled for implementation towards the end of the implementation schedule.

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**Attachment T** contains a subarea summary table listing the lane miles provided based on subarea. A figure is also included so that subareas names can be associated spatially. Where it is impractical to implement enough BMPs within a specific subarea, other BMPs are implemented throughout the watershed to provide the estimated volume and load reductions.

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Rio Hondo/San Gabriel River Water Quality Group  
Enhanced Watershed Management Program

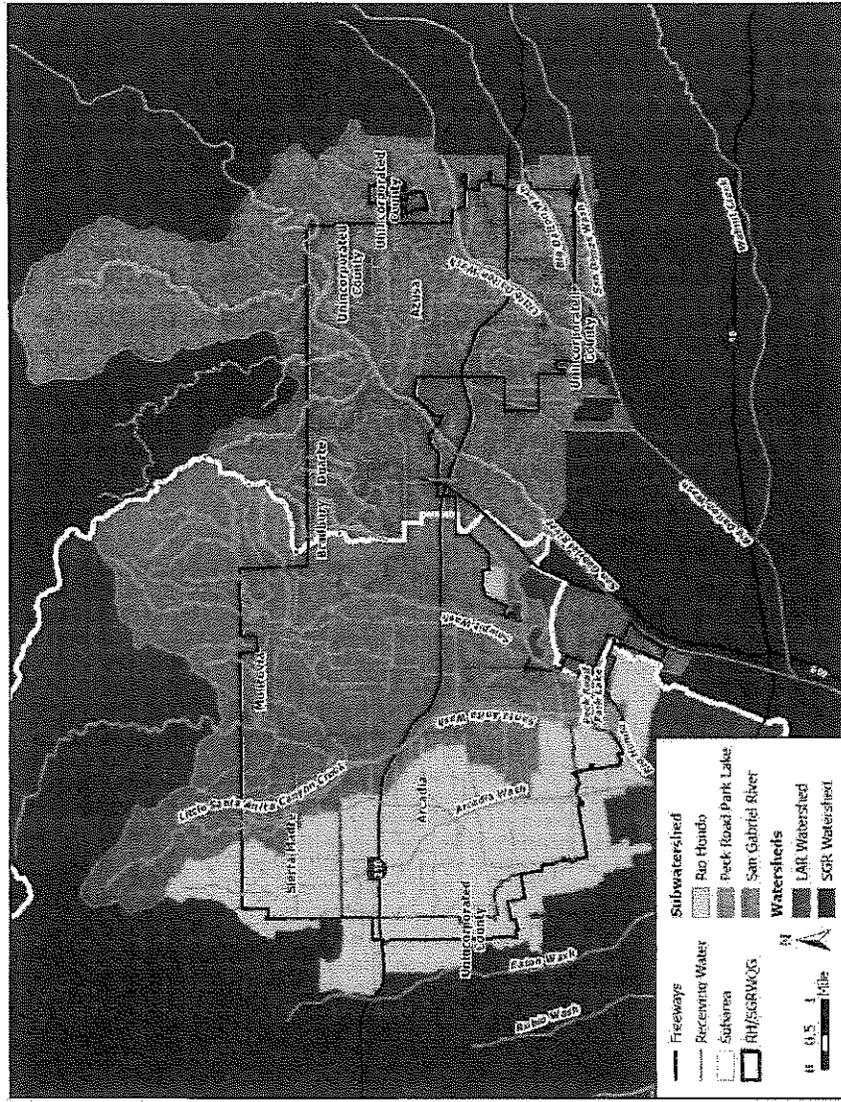
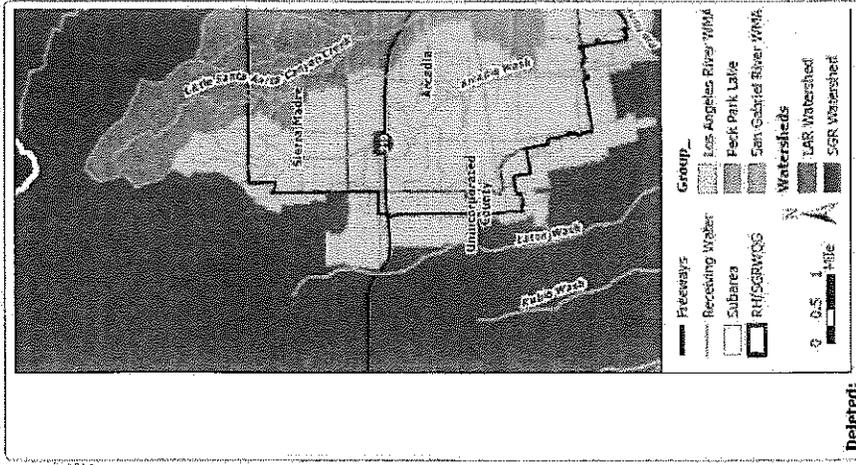


Figure 4-1 RH/SGRWQG Watershed Boundaries



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Rio Hondo/San Gabriel River Water Quality Group  
Enhanced Watershed Management Program

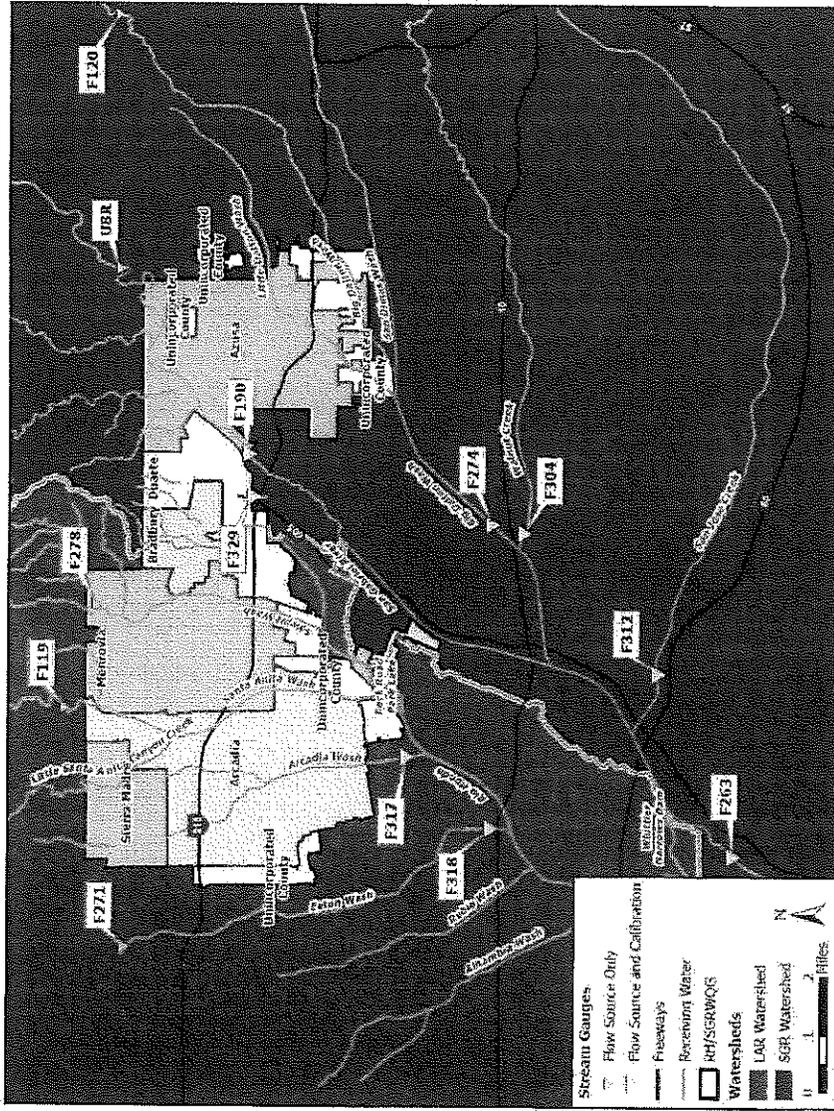


Figure 4-2. Stream Gauges and Water Quality Monitoring Site used for Calibration



FIGURE 4-2

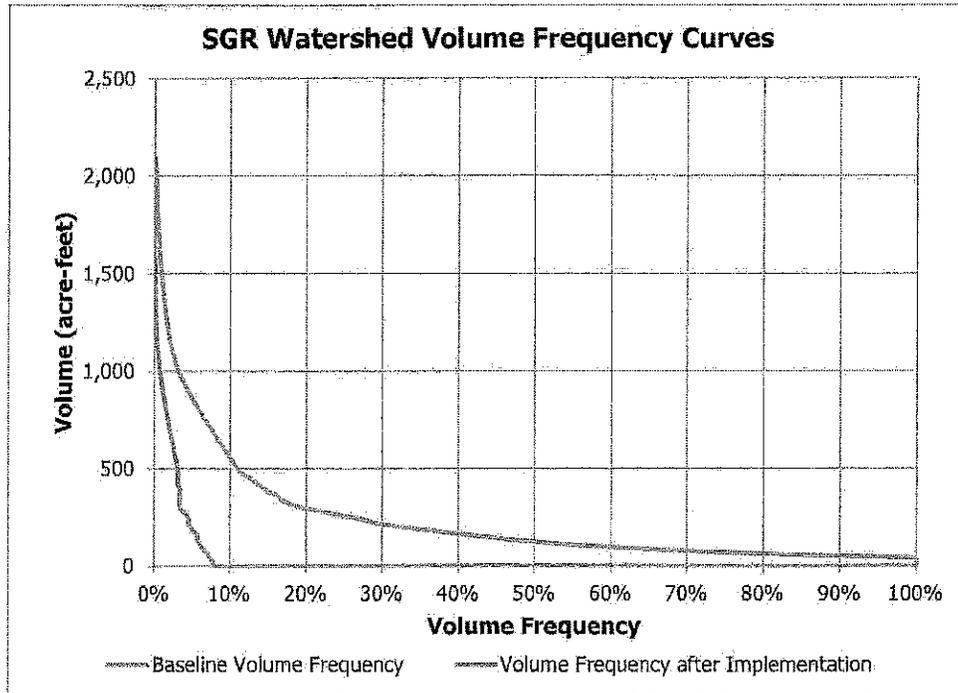


Figure 4-22 SGR Watershed Volume Frequency Curves

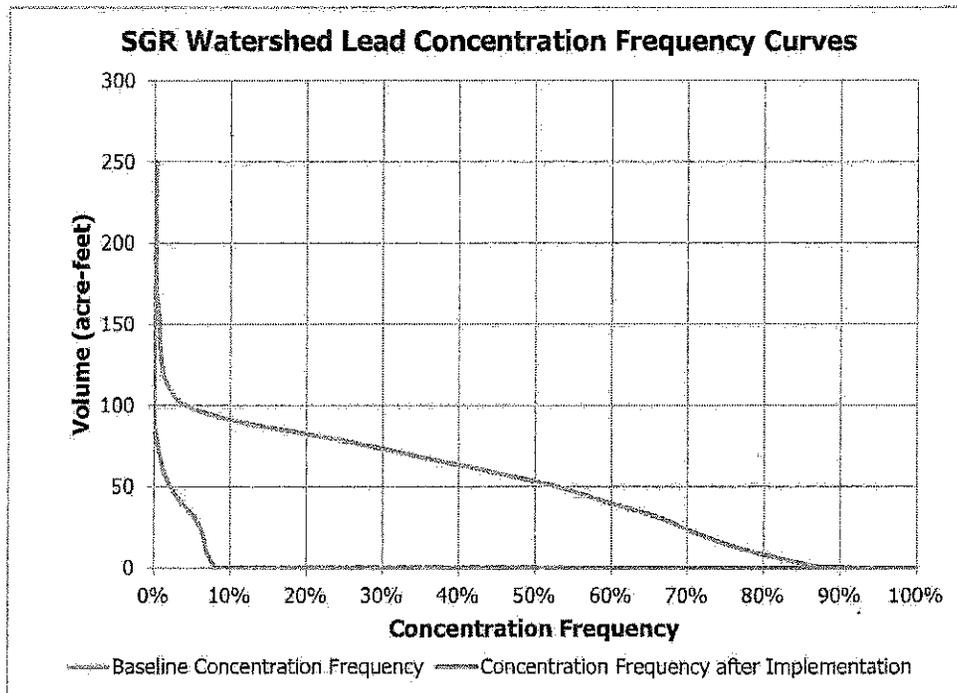


Figure 4-23 SGR Watershed Lead Concentration Frequency Curves

FIGURE  
4-23



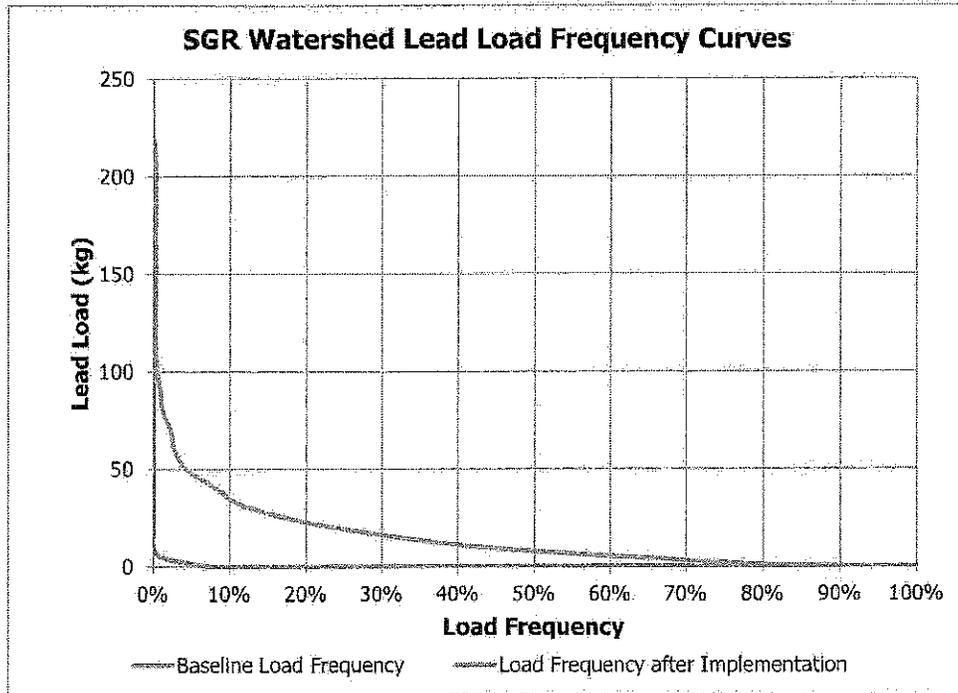


FIGURE 4-24

Figure 4-24 SGR Watershed Lead Load Frequency Curves

The average annual stormwater runoff volume based on the model was determined each year between 2002 and 2011. **Table 4-25** and **Table 4-26** summarize the average annual volume each year along with the average annual captured volume based on control measure implementation for the LAR and SGR Watersheds, respectively.

Table 4-25 Average Annual Volume Summary for the LAR Watershed							
Start	End	Year	Total Volume (acre-feet)	Captured Volume (acre-feet)			
				Regional Projects	Green Streets	LID	Total
10/1/01	9/30/02	2002	16,317	1,609	7,586	6,242	15,437
10/1/02	9/30/03	2003	13,463	1,395	6,640	4,548	12,583
10/1/03	9/30/04	2004	7,953	888	3,891	3,174	7,953
10/1/04	9/30/05	2005	49,158	5,949	21,551	9,533	37,033
10/1/05	9/30/06	2006	12,456	1,290	6,069	5,097	12,456
10/1/06	9/30/07	2007	3,641	331	1,639	1,671	3,641
10/1/07	9/30/08	2008	13,702	1,459	7,877	4,061	13,397
10/1/08	9/30/09	2009	7,209	670	3,988	2,551	7,209
10/1/09	9/30/10	2010	13,726	1,435	7,614	4,677	13,726
10/1/10	9/30/11	2011	21,989	2,341	9,499	6,309	18,149
<b>Average:</b>			<b>15,961</b>	<b>1,737</b>	<b>7,635</b>	<b>4,786</b>	<b>14,158</b>

*SECTION 5* **5. Proposed Control Measure Implementation Schedule**

Control measures were modeled in the RAA so that compliance was demonstrated at each of the milestones. As previously discussed, milestone dates are defined by the applicable TMDLs, otherwise established as part of this EWMP. The applicable milestone dates are summarized in **Table 1-6** and **Table 2-10**. Zinc is the priority pollutant for the LAR Watershed side of the RH/SGRWQG, while lead is the priority pollutant for the SGR Watershed side. Based on the priority pollutants, the milestone dates are related to the Los Angeles River Metals TMDL and San Gabriel River Metals and Impaired Tributaries Metals and Selenium TMDL. This section outlines the proposed control measure implementation schedule related to the proposed non-structural BMPs, regional projects, and distributed BMPs (green streets) discussed in **Section 3.4**. The actual schedule will depend on the amount and types of funding the group is able to secure.

**5.1 Non-Structural BMPs**

As discussed in **Section 3.4.1**, non-structural BMPs and the LID programs that will be implemented and were evaluated in the RAA include enhanced MCMs, other non-structural BMPs such as the various senate bills that have been approved, and the new and re-development LID program. These control measures will be ongoing throughout the simulation period. The load reductions associated with implementing enhanced MCMs will be evenly distributed over time. The new and re-development program will be implemented throughout the simulation period at the rates described in **Table 3-20**.

**5.2 Regional Projects**

The regional projects modeled for the LAR Watershed portion of the RH/SGRWQG RAA are scheduled to be addressed prior to the 2024 interim metals TMDL milestone (50 percent). It is proposed that the SGR Watershed will address two regional projects prior to the 2020 interim metals TMDL milestone (35 percent) and the other two projects before the 2023 interim metals TMDL milestone (65 percent). **Table 5-1** summarizes the anticipated project timeline including the design, environmental permitting, bid, and construction phases for the regional projects in the LAR and SGR Watersheds. Operation and maintenance (O&M) of each of the projects will begin following construction.

**Rio Hondo/San Gabriel River Water Quality Group**  
Enhanced Watershed Management Program

<b>Table 5-1 Proposed Regional Project Timeline</b>							
<b>Regional Project</b>	<b>Design (years)</b>	<b>Environmental Permitting<sup>1</sup> (years)</b>	<b>Bid (months)</b>	<b>Construction (years)</b>	<b>Low Range Total Time (years)</b>	<b>High Range Total Time (years)</b>	<b>Completion Year</b>
<b>LAR Watershed</b>							
Recreation Park	1	1	6	1.50	3.00	4.00	2020
Arboretum of LAC	1	1	6	2.25	3.75	4.75	2021
Sierra Vista Park	1	1	6	0.75	2.25	3.25	2020
Royal Oaks Trail (LAR)	2	1	6	5.00	7.50	8.50	2023
L. Garcia Park	2	1	6	3.25	5.75	6.75	2024
Eisenhower Park	2	1	6	5.00	7.50	8.50	2024
<b>SGR Watershed</b>							
LADWP Easement	1	1	6	1.00	2.50	3.50	2020
Encanto Park	1	1	6	2.25	3.75	4.75	2020
Memorial Park (Azusa)	2	1	6	5.00	7.50	8.50	2023
Royal Oaks Trail (SGR)	2	1	6	5.00	7.50	8.50	2023

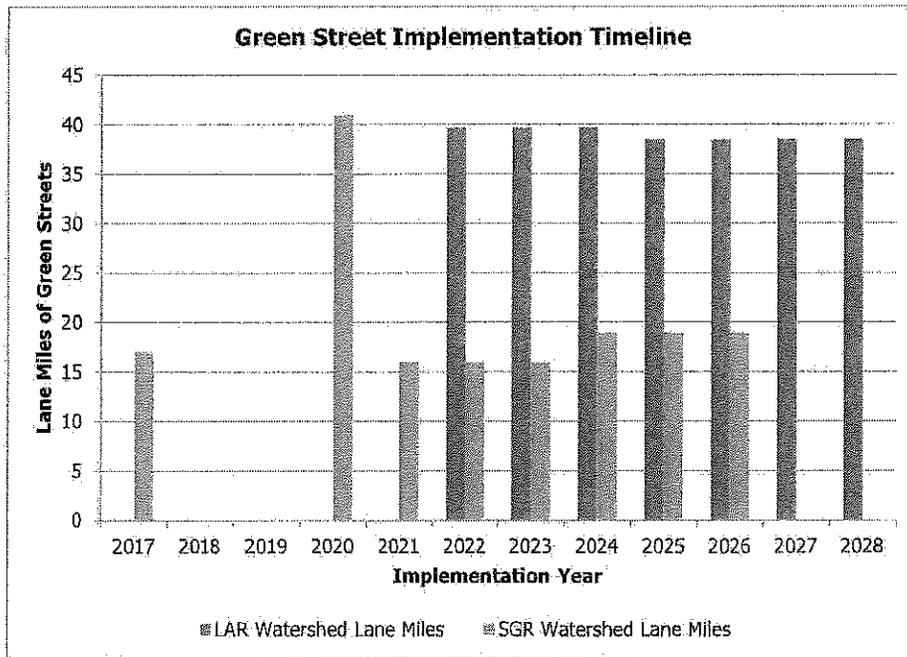
<sup>1</sup> Environmental permitting may be done before or concurrent with the design phase.



Additionally, each of the projects will need to be replaced after the end of the expected life cycle. Underground storage systems that utilize Steel Reinforced Polyethylene (SRPE) cisterns will need to be replaced approximately every 30 years, while concrete or aboveground systems can wait approximately 50 years. To minimize the financial burden, the reconstruction dates can be staggered for regional projects. The current schedule and costs do not include the replacement of regional projects.

### 5.3 Distributed BMPs (Green Streets)

The distribution of proposed green streets implementation is based on the volume/load reductions that are not satisfied by other control measures at each of the TMDL compliance deadlines. Additionally, the green streets were distributed over the years so the cost can be distributed. Like with the regional projects, the green streets will need to be replaced at the end of their expected life, approximately every 30 years. The street replacements can be spread over more time than the initial implementation because they are not constrained with compliance deadlines. The current schedule and costs presented do not include the replacement of green streets. **Figure 5-1** and **Table 5-2** summarize the green street implementation timeline needed to demonstrate compliance.



**Figure 5-1 Green Street Implementation Timeline**

TABLE 5-2

Table 5-2 Proposed Green Street Implementation Timeline		
Implementation Year	Lane Miles of Green Streets	
	LAR Watershed	SGR Watershed
2017	-	17.0
2018	-	-
2019	-	-
2020	-	41.0
2021	-	16.0
2022	39.6	16.0
2023	39.7	16.0
2024	39.7	19.0
2025	38.5	19.0
2026	38.5	19.0
2027	38.5	-
2028	38.5	-
<b>Total:</b>	<b>273.0</b>	<b>163.0</b>

### 5.4 Schedule Summary

Figure 5-2 demonstrates that the control measures and associated implementation schedule proposed in this EWMP will address TMDL milestones. The figure shows the required load reduction will be met for the limiting pollutant in both the LAR and SGR Watersheds. Quantification of the anticipated load reductions are presented in Table 4-23 and Table 4-24 for the LAR and SGR Watersheds, respectively.

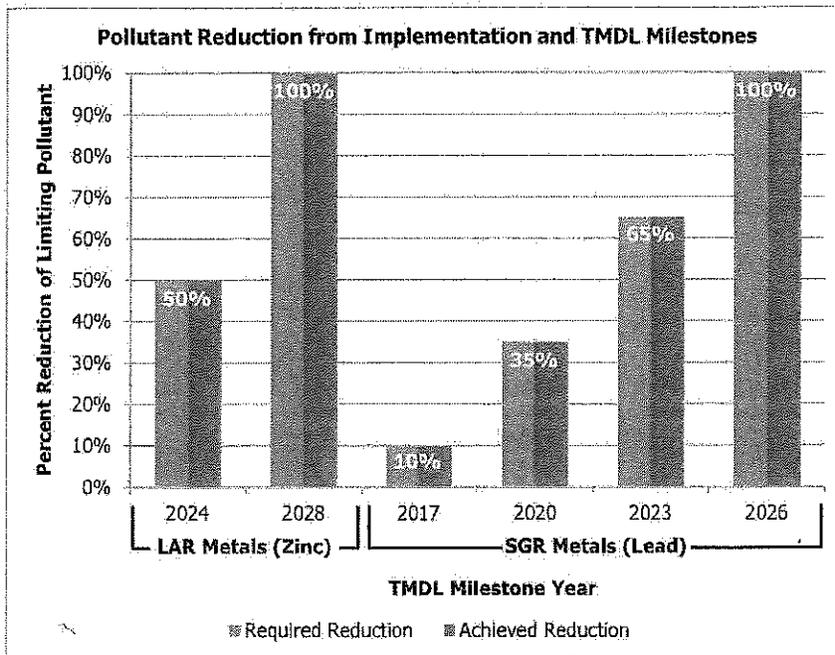


FIGURE 5-2 Figure 5-2 Pollutant Load Reduction from Implementation and TMDL Milestones



**RESOLUTION NUMBER 16 – 63**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE  
APPROVING CERTAIN DEMANDS**

**WHEREAS**, the following demands have been reviewed and approved by the Finance Director; and,

**WHEREAS**, the Finance Director has verified that appropriated funds are available for payment thereof; and,

**WHEREAS**, the register of audited demands has been submitted to the City Council for approval; and

**WHEREAS**, City Warrants are the payment of bills, invoices and contractual obligations incurred by the City of Sierra Madre during the period enumerated therein, based on the approved fiscal year budget and existing budgetary authority, Municipal Code authority, or prior policy direction by the City Council; and

**WHEREAS**, Payroll Transfer is the transfer of funds to cover the payroll costs for all City employees for the period enumerated therein.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Sierra Madre does hereby approve payment of City Warrants in the aggregate amount of \$205,682.79; Sierra Madre Library Warrants in aggregate amount of \$9,588.90 and Payroll Transfer in the aggregate amount of \$292,650.91 the fiscal year ending June 30, 2017.

**APPROVED AND ADOPTED** this 25<sup>th</sup> day of October, 2016.

\_\_\_\_\_  
Mayor, City of Sierra Madre, California

I hereby certify that the foregoing Resolution Number 16 – 63 was adopted by the City Council of the City of Sierra Madre at a regular meeting held on the 25<sup>th</sup> day of October, 2016.

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
City Clerk, City of Sierra Madre, California

**City of Sierra Madre  
Department of Finance  
Warrant Register Recap  
City Council Meeting of October 25, 2016**

**CITY OF SIERRA MADRE AND SIERRA MADRE LIBRARY**

City of Sierra Madre Warrants .....	\$205,682.79
Sierra Madre Library Warrants .....	\$9,588.90
Payroll #21 Transfer.....	\$292,650.91

**Warrant Register 10/25/16****Attachment 1A**

Fiscal Year	Description	Amount	Page #
FY 1617	Manual Warrants	500.00	1
FY 1617	General Warrants - Utility Bills	64,643.39	2-3
FY 1617	General Warrants	140,539.40	4-9
	Total	205,682.79	

Fiscal Year	Description	Amount	
FY 1617	Library Warrants	9,588.90	10-11
	Total	9,588.90	

Date: 10/20/2016	Payroll #21 Electronic Tansfers From: City of Sierra Madre-General Acct. To: City of Sierra Madre-Payroll Acct.	292,650.91	
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City of Sierra Madre, CA

# Check Approval

Page 1

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Check Date: 10/12/2016

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<u>VENO2893</u>	ALVERNO HEIGHTS ACADEMY				
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<b>Fund 60007 Total:</b>					<u>500.00</u>
<b>Report Total:</b>					<u>500.00</u>



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Check Date: 10/19/2016

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<b>Fund 32005 Total:</b>					<b>136.08</b>
<b>Fund:</b> 32006 - LIGHTING DISTRICT - ZONE A					
<u>0384</u>	SOUTHERN CALIF. EDISON CO.				
APBWEST	Check	<u>2011946423-102516</u>	ELECTRICITY	32006.83500.55003	235.11
<b>Fund 32006 Total:</b>					<b>235.11</b>
<b>Fund:</b> 32007 - LIGHTING DISTRICT - ZONE B					
<u>0384</u>	SOUTHERN CALIF. EDISON CO.				
APBWEST	Check	<u>2011946423-102516</u>	ELECTRICITY	32007.83500.55003	993.41
<b>Fund 32007 Total:</b>					<b>993.41</b>
<b>Fund:</b> 32008 - PARKING ASSMNT DIST					
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APBWEST	Check	<u>2037520756-102716</u>	ELECTRICITY	32008.83000.55003	436.53
<b>Fund 32008 Total:</b>					<b>436.53</b>
<b>Fund:</b> 32009 - SANTA ANITA/ARNO ASSESSMENT					
<u>0384</u>	SOUTHERN CALIF. EDISON CO.				
APBWEST	Check	<u>2011946423-102516</u>	ELECTRICITY	32009.83500.55003	159.11
<b>Fund 32009 Total:</b>					<b>159.11</b>
<b>Fund:</b> 38005 - GAS TAX FUND					
<u>0384</u>	SOUTHERN CALIF. EDISON CO.				
APBWEST	Check	<u>2011946423-102516</u>	ELECTRICITY	38005.83500.55003	3,994.02
		<u>2037520756-102716</u>	ELECTRICITY	38005.83500.55003	46.67
<b>Fund 38005 Total:</b>					<b>4,040.69</b>
<b>Fund:</b> 60000 - INT SVC FND - FLEET					
<u>0216</u>	THE GAS COMPANY				
APBWEST	Check	<u>11826147883-092116</u>	GAS CHGS	60000.83100.55001	546.30
<b>Fund 60000 Total:</b>					<b>546.30</b>
<b>Fund:</b> 60001 - INT SVC FND - FACILITIES MGT					
<u>0129</u>	AT&T				
APBWEST	Check	<u>8182910241661-1004</u>	PD PHONE	60001.83200.55005	160.18
<u>VENO2792</u>	FRONTIER CALIFORNIA INC				
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<u>1749</u>	PACIFIC TELEMAGEMENT SERVICE				
APBWEST	Check	<u>873087</u>	PD PHONE	60001.83200.55005	82.64
<u>0384</u>	SOUTHERN CALIF. EDISON CO.				
APBWEST	Check	<u>2036613305-102416</u>	ELECTRICITY	60001.83200.55003	1,930.32
		<u>2037520756-102716</u>	ELECTRICITY	60001.83200.55003	11,548.45
<u>0216</u>	THE GAS COMPANY				
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<u>0642</u>	VERIZON WIRELESS - LA				
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<b>Fund 60001 Total:</b>					<b>16,672.43</b>
<b>Fund:</b> 60003 - INT SVC FND - TECHNOLOGY					
<u>1439</u>	TIME WARNER CABLE				
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<u>VENO2100</u>	TIME WARNER CABLE-BROADBAND				

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Check Date: 10/19/2016

Page 3

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Fund: 71000 - WATER ENTERPRISE FUND

<u>VEN02792</u>	FRONTIER CALIFORNIA INC				
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APBWEST	Check	<u>2037520756-102716</u>	ELECTRICITY	71000.81100.55003	37,751.05
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Fund: 77001 - AQUATICS

<u>0384</u>	SOUTHERN CALIF. EDISON CO.				
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<u>0216</u>	THE GAS COMPANY				
APBWEST	Check	<u>13721935008-101016</u>	GAS CHARGES	77001.71000.55004	1,958.32
<b>Fund 77001 Total:</b>					<b>2,618.98</b>
<b>Report Total:</b>					<b>64,643.39</b>



Page 4

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<u>0433</u>	ALLSTAR FIRE EQUIPMENT, INC.						
	APBWEST	Check		<u>193103</u>	SUPPRESSION EQUIPMENT	10000.61000.53300	136.25
<u>0514</u>	ANDREA WALSH						
	APBWEST	Check		<u>INV019310</u>	Recreation Class - Yoga Lessons	10000.77000.52200	169.00
<u>1288</u>	ARC, LLC						
	APBWEST	Check		<u>8833865</u>	PRINTING AND SCANNING	10000.82000.53102	43.19
				<u>8828729</u>	PRINTING AND SCANNING	10000.82000.53102	40.87
<u>0122</u>	ARNOLD'S FRONTIER HARDWARE						
	APBWEST	Check		<u>075879</u>	STREET MAINTENANCE SUPPLIES	10000.83500.53206	5.44
				<u>076040</u>	STREET MAINTENANCE SUPPLIES	10000.83500.53206	8.70
				<u>075786</u>	STREET MAINTENANCE SUPPLIES	10000.83500.53206	6.53
<u>VEN02856</u>	BEE EMERGENCY RESPONSE TEAM						
	APBWEST	Check		<u>30082</u>	BEE REMOVAL	10000.83300.52200	125.00
<u>1200</u>	BLUE DIAMOND MATERIALS						
	APBWEST	Check		<u>798997</u>	ASPHALT	10000.83500.53206	102.55
				<u>796453</u>	ASPHALT	10000.83500.53206	99.85
				<u>796967</u>	ASPHALT	10000.83500.53206	126.39
				<u>801695</u>	ASPHALT	10000.83500.53206	77.61
<u>VEN02883</u>	CACEO						
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				<u>300002782</u>	Membership and education	10000.40000.53409	85.00
<u>VEN02208</u>	CALIFORNIA BUILDING STANDARDS COMMISSION						
	APBWEST	Check		<u>INV019283</u>	BASRF Quarterly Fees	10000.00000.23207	141.59
<u>0435</u>	CALIFORNIA PEACE OFFICERS ASSN						
	APBWEST	Check		<u>10600</u>	CPOA SEMI-ANNUAL PREMIUM	10000.50000.53409	235.00
<u>VEN02890</u>	CHARLES MARTIN						
	APBWEST	Check		<u>INV019286</u>	REFUND - BIN PERMIT 523 W GRAND VIEW	10000.00000.43025	74.00
<u>0636</u>	CYNTHIA SIRLIN						
	APBWEST	Check		<u>INV019309</u>	Recreation Class - Tai Chi Chuan	10000.77000.52200	187.20
<u>0190</u>	DECCO AWARDS INC						
	APBWEST	Check		<u>16-10211</u>	Decco Awards - Honors Dinner	10000.11000.53999	82.13
<u>1584</u>	DENRAM PRODUCTS CORP						
	APBWEST	Check		<u>15948</u>	Forms printing	10000.40000.53102	169.08
<u>1681</u>	DEPT OF CONSERVATION						
	APBWEST	Check		<u>INV019282</u>	Quarterly Fees - SMIP	10000.00000.23206	112.69
<u>VEN01613</u>	GANAHL LUMBER COMPANY						
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<u>0913</u>	IRWINDALE INDUSTRIAL CLINIC						
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<u>VEN01382</u>	KIDZ LOVE SOCCER						
	APBWEST	Check		<u>INV019307</u>	Recreation Class - Kidz Love Soccer	10000.77000.52200	1,365.00
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Vendor Number	Vendor Name	Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
		APBWEST	Check	<u>2501988</u>	IRRIGATION AND PARK SUPPLIES	10000.83300.53001	10.68
				<u>2503063</u>	IRRIGATION AND PARK SUPPLIES	10000.83300.53001	13.90
<u>1690</u>	MERCHANTS LANDSCAPE SVC INC						
		APBWEST	Check	<u>48400</u>	LANDSCAPE MAINTENANCE	10000.81201.52200	174.93
						10000.83300.52200	5,608.60
<u>0786</u>	OFFICE DEPOT, INC						
		APBWEST	Check	<u>867874043001</u>	Office supplies	10000.50000.53100	195.10
				<u>867873842001</u>	Office supplies	10000.50000.53100	11.40
<u>VEN01624</u>	OMEGA SOLUTIONS						
		APBWEST	Check	<u>BSIS#29046</u>	Background Investigations Officers/Dispatchers/	10000.50000.52100	10,700.00
<u>0323</u>	PASADENA HUMANE SOCIETY						
		APBWEST	Check	<u>OCT2016CtySM</u>	Animal Control Services	10000.50000.52004	2,337.50
<u>VEN02894</u>	PHILIP W. DAVIS						
		APBWEST	Check	<u>INV019290</u>	NFA LEADERSHIP-2	10000.61000.52205	2,700.00
<u>0378</u>	SMART & FINAL						
		APBWEST	Check	<u>305665122645</u>	City Council Reception for ACM	10000.11000.53999	54.83
<u>1277</u>	STEPHEN HEYDORFF						
		APBWEST	Check	<u>INV019291</u>	WT41 TOOL BOX REPAIR	10000.61000.52302	160.00
<u>VEN02631</u>	THE CODE GROUP INC						
		APBWEST	Check	<u>72310</u>	Planning Consultant	10000.40000.52200	4,125.00
<u>0404</u>	TOM'S UNIFORMS						
		APBWEST	Check	<u>5468</u>	Uniforms	10000.50000.53303	496.22
				<u>5528</u>	Uniforms	10000.50000.53303	43.60
				<u>5584</u>	SUPPRESSION UNIFORMS	10000.61000.53303	477.42
				<u>5269</u>	SUPPRESSION UNIFORMS	10000.61000.53303	277.95
				<u>5272</u>	SUPPRESSION UNIFORMS	10000.61000.53303	489.41
				<u>5571</u>	EMS UNIFORMS	10000.64000.53303	260.51
<u>VEN02639</u>	TURNOUT MAINTENANCE COMPANY						
		APBWEST	Check	<u>15518</u>	TURNOUT REPAIR	10000.61000.53202	48.00
<u>0425</u>	WILLDAN ASSOCIATES						
		APBWEST	Check	<u>002-17107</u>	Inspection and Plan Check Services	10000.40000.52100	24,893.80
<b>Fund 10000 Total:</b>							<b>62,217.67</b>
<b>Fund:</b>	32002 - LANDSCAPE DIST #3-CENTRAL BUSINESS ASSMNT DIST						
<u>1690</u>	MERCHANTS LANDSCAPE SVC INC						
		APBWEST	Check	<u>48400</u>	LANDSCAPE MAINTENANCE	32002.83000.52200	461.54
<b>Fund 32002 Total:</b>							<b>461.54</b>
<b>Fund:</b>	32005 - LIGHTING DISTRICT #1 - OAKWOOD/VISTA						
<u>1690</u>	MERCHANTS LANDSCAPE SVC INC						
		APBWEST	Check	<u>48400</u>	LANDSCAPE MAINTENANCE	32005.83000.52200	431.89
						32005.83500.52200	632.51
<b>Fund 32005 Total:</b>							<b>1,064.40</b>
<b>Fund:</b>	32006 - LIGHTING DISTRICT - ZONE A						
<u>1690</u>	MERCHANTS LANDSCAPE SVC INC						
		APBWEST	Check	<u>48400</u>	LANDSCAPE MAINTENANCE	32006.83000.52200	86.97
<b>Fund 32006 Total:</b>							<b>86.97</b>
<b>Fund:</b>	32007 - LIGHTING DISTRICT - ZONE B						
<u>1690</u>	MERCHANTS LANDSCAPE SVC INC						
		APBWEST	Check	<u>48400</u>	LANDSCAPE MAINTENANCE	32007.83000.52200	539.61
<b>Fund 32007 Total:</b>							<b>539.61</b>
<b>Fund:</b>	32008 - PARKING ASSMNT DIST						
<u>1690</u>	MERCHANTS LANDSCAPE SVC INC						
		APBWEST	Check	<u>48400</u>	LANDSCAPE MAINTENANCE	32008.83000.52200	817.32
<b>Fund 32008 Total:</b>							<b>817.32</b>
<b>Fund:</b>	37004 - LOCAL TRANSPORTATION/PROP A						
<u>1717</u>	LACMTA						
		APBWEST	Check	<u>6002943</u>	Senior Disable Tap Card	37004.70000.52001	60.00
<b>Fund 37004 Total:</b>							<b>60.00</b>
<b>Fund:</b>	37006 - SENIOR CENTER						
<u>VEN01969</u>	INLAND EMPIRE STAGES						

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
APBWEST	Check	<u>48841</u>	Senior Excursions	37006.72000.52200	725.50
<b>Fund 37006 Total:</b>					<b>725.50</b>
<b>Fund: 37007 - SM COMMUNITY FOUNDATION</b>					
<u>VENO2683</u>	CAL BLEND SOILS INC				
APBWEST	Check	<u>INV019287</u>	SMCF DIRT	37007.00000.48999	196.20
		<u>INV019289</u>	CITY HALL LANDSCAPE MATERIAL	37007.83200.52209	163.50
		<u>INV019288</u>	CITY HALL LANDSCAPE MATERIAL	37007.83200.52209	163.50
<b>Fund 37007 Total:</b>					<b>523.20</b>
<b>Fund: 60000 - INT SVC FND - FLEET</b>					
<u>0207</u>	ERNIE'S AUTO PARTS				
APBWEST	Check	<u>14IN247219</u>	VEHICLE MAINTENANCE SUPPLIES	60000.83100.53208	60.30
		<u>14IN248314</u>	VEHICLE MAINTENANCE SUPPLIES	60000.83100.53208	29.98
		<u>14IN247834</u>	VEHICLE MAINTENANCE SUPPLIES	60000.83100.53208	5.60
		<u>14IN246966</u>	VEHICLE MAINTENANCE SUPPLIES	60000.83100.53208	31.01
		<u>14IN248630</u>	VEHICLE MAINTENANCE SUPPLIES	60000.83100.53208	11.07
<u>1454</u>	JDS TANK TESTING & REPAIR INC				
APBWEST	Check	<u>9438</u>	TANK TESTING AND MAINTENANCE	60000.83100.55001	545.50
		<u>9403</u>	TANK TESTING AND MAINTENANCE	60000.83100.55001	140.00
<u>0656</u>	LOS ANGELES FREIGHTLINER				
APBWEST	Check	<u>WS144259</u>	TRUCK MAINTENANCE AND REPAIR	60000.83100.53208	1,530.00
		<u>WS144595</u>	TRUCK MAINTENANCE AND REPAIR	60000.83100.53208	253.30
<u>0321</u>	PARKHOUSE TIRE, INC.				
APBWEST	Check	<u>1010524252</u>	TIRES AND LABOR	60000.83100.53208	2,727.91
<u>VENO1558</u>	PAT'S TIRE SERVICE				
APBWEST	Check	<u>36229</u>	TIRE PARTS AND SERVICES	60000.83100.53208	30.00
<u>VENO1726</u>	SIERRA CHRYSLER				
APBWEST	Check	<u>28052</u>	VEHICLE PARTS AND SERVICES	60000.83100.53208	1,316.58
<u>0391</u>	STATE BOARD OF EQUALIZATION				
APBWEST	Check	<u>57-425204-103116</u>	DIESEL FUEL TAX	60000.83100.55001	148.32
<u>0403</u>	TRIANGLE TRUCK PARTS				
APBWEST	Check	<u>305699</u>	TRUCK EQUIPMENT AND PARTS	60000.83100.53208	252.83
<u>1390</u>	VALLEY POWER SYSTEMS				
APBWEST	Check	<u>124539</u>	FD ENGINE REPAIR	60000.83100.52200	511.71
		<u>124686</u>	FD ENGINE REPAIR	60000.83100.52200	728.68
<b>Fund 60000 Total:</b>					<b>8,322.79</b>
<b>Fund: 60001 - INT SVC FND - FACILITIES MGT</b>					
<u>0122</u>	ARNOLD'S FRONTIER HARDWARE				
APBWEST	Check	<u>075859</u>	FACILITIES MAINTENANCE SUPPLIES	60001.83200.53200	8.88
		<u>075948</u>	FACILITIES MAINTENANCE SUPPLIES	60001.83200.53200	16.76
		<u>075998</u>	FACILITIES MAINTENANCE SUPPLIES	60001.83200.53200	26.94
		<u>075888</u>	FACILITIES MAINTENANCE SUPPLIES	60001.83200.53200	37.72
		<u>075843</u>	FACILITIES MAINTENANCE SUPPLIES	60001.83200.53200	9.78
		<u>076071</u>	FACILITIES MAINTENANCE SUPPLIES	60001.83200.53200	21.21
		<u>075821</u>	FACILITIES MAINTENANCE SUPPLIES	60001.83200.53200	32.11
		<u>075942</u>	FACILITIES MAINTENANCE SUPPLIES	60001.83200.53200	15.98
		<u>075970</u>	FACILITIES MAINTENANCE SUPPLIES	60001.83200.53200	3.68
		<u>075702</u>	FACILITIES MAINTENANCE SUPPLIES	60001.83200.53200	9.79
		<u>075965</u>	FACILITIES MAINTENANCE SUPPLIES	60001.83200.53200	67.54
		<u>075691</u>	FACILITIES MAINTENANCE SUPPLIES	60001.83200.53200	59.91
		<u>075972</u>	FACILITIES MAINTENANCE SUPPLIES	60001.83200.53200	0.44
<u>0714</u>	CINTAS CORPORATION #693				
APBWEST	Check	<u>693687586</u>	UNIFORM CLEANING	60001.83200.53303	271.90
		<u>693691646</u>	UNIFORM CLEANING	60001.83200.53303	271.90
		<u>693689601</u>	UNIFORM CLEANING	60001.83200.53303	271.90
<u>1181</u>	DELTA DISTRIBUTING				
APBWEST	Check	<u>136370</u>	JANITORIAL SUPPLIES	60001.83200.53200	867.92
<u>1639</u>	GMS ELEVATOR SERVICES INC				
APBWEST	Check	<u>00084748</u>	ELEVATOR MAINTENANCE	60001.83200.52200	175.00
<u>1334</u>	HP MECHANICAL INC.				
APBWEST	Check	<u>1840</u>	HVAC MAINTENANCE - CITY	60001.83200.52200	576.00

Vendor Number	Vendor Name	Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
		APBWEST	Check	<u>1841</u>	HVAC MAINTENANCE - REC YAC	60001.83200.52301	210.00
<u>1690</u>	MERCHANTS LANDSCAPE SVC INC	APBWEST	Check	<u>48400</u>	LANDSCAPE MAINTENANCE	60001.83200.52200	1,129.63
<u>1372</u>	ORKIN COMMERCIAL SERVICES	APBWEST	Check	<u>134333149</u>	PEST CONTROL	60001.83200.52200	70.00
				<u>135125828</u>	PEST CONTROL	60001.83200.52200	197.42
				<u>123903048</u>	PEST CONTROL	60001.83200.52200	149.55
				<u>134333151</u>	PEST CONTROL	60001.83200.52200	70.00
				<u>123903047</u>	PEST CONTROL	60001.83200.52200	149.55
				<u>135125833</u>	PEST CONTROL	60001.83200.52200	197.42
				<u>123903053</u>	PEST CONTROL	60001.83200.52200	149.55
				<u>134348762</u>	PEST CONTROL	60001.83200.52200	313.47
				<u>123903049</u>	PEST CONTROL	60001.83200.52200	149.55
<u>VEN01027</u>	STUBBIES	APBWEST	Check	<u>15569</u>	UNIFORM T-SHIRT	60001.83200.53303	259.20
<u>0399</u>	TELETRONIC ALARM SYSTEMS	APBWEST	Check	<u>B6426026-1016</u>	ALARM SVC - LIBRARY	60001.83200.52200	60.00
<u>1373</u>	UNITED MAINTENANCE SYSTEMS	APBWEST	Check	<u>13472</u>	JANITORIAL SERVICES	60001.83200.52200	3,505.64
<b>Fund 60001 Total:</b>							<b>9,356.34</b>
<b>Fund:</b>	60002 - INT SVC FND - ADMINISTRATION						
<u>0893</u>	CREATIVE FORMS & CONCEPTS, INC	APBWEST	Check	<u>114929</u>	A/P & Payroll Checks	60002.30000.53102	214.25
				<u>114928</u>	A/P & Payroll Checks	60002.30000.53102	446.61
<u>0551</u>	FOOTHILL LOCK & KEY	APBWEST	Check	<u>40180</u>	SAFE KEYPAD REPAIR	60002.30000.53999	111.80
<u>1799</u>	TYLER TECHNOLOGIES INC	APBWEST	Check	<u>025-170143</u>	SECURE SIGNATURES ENCRYPTION FEE	60002.30000.52200	276.00
<b>Fund 60002 Total:</b>							<b>1,048.66</b>
<b>Fund:</b>	60003 - INT SVC FND - TECHNOLOGY						
<u>VEN02677</u>	CLIENTFIRST CONSULTING GROUP INC	APBWEST	Check	<u>6875</u>	IT Master Plan	60003.30000.52200	441.00
<u>1167</u>	COMMUNITY MEDIA OF THE FOOTHILLS	APBWEST	Check	<u>286</u>	Production Services -09/16	60003.30000.52100	2,331.01
				<u>285</u>	Production Services -08/16	60003.30000.52100	2,331.01
<u>VEN02859</u>	DCG TECHNICAL SOLUTIONS, INC	APBWEST	Check	<u>53108</u>	Network Remote Support	60003.30000.52100	983.25
<u>VEN02854</u>	KNIGHT COMMUNICATIONS INC	APBWEST	Check	<u>2010735</u>	IT Services Management/9-16	60003.30000.52100	5,720.00
<u>1641</u>	RICOH AMERICAS CORP	APBWEST	Check	<u>51762891</u>	COPIER LEASE	60003.30000.53210	810.92
<u>VEN02829</u>	RINGCENTRAL INC	APBWEST	Check	<u>146846</u>	Digital Phone System	60003.30000.55005	4,770.67
<u>VEN02872</u>	SPARK SYSTEMS INC	APBWEST	Check	<u>3582</u>	Phone System Maintenance	60003.30000.52100	1,104.00
<u>1799</u>	TYLER TECHNOLOGIES INC	APBWEST	Check	<u>025-168394</u>	UB Online Svc Fee and Transaction Fee	60003.30000.52200	225.00
				<u>025-169733</u>	UB Online Svc Fee and Transaction Fee	60003.30000.52200	942.50
<u>0429</u>	XEROX CORPORATION	APBWEST	Check	<u>086447030</u>	Copier Lease	60003.30000.53210	622.96
				<u>086447029</u>	Copier Lease	60003.30000.53210	471.65
<b>Fund 60003 Total:</b>							<b>20,753.97</b>
<b>Fund:</b>	60007 - INT SVC FND - PERSONNEL AND RISK MGMT						
<u>VEN02893</u>	ALVERNO HEIGHTS ACADEMY	APBWEST	Check	<u>INV019354</u>	Security & Cleaning	60007.70100.53403	350.00
<u>0842</u>	ANTOINETTE BUCKNER	APBWEST	Check	<u>INV019272</u>	RETIREE HEALTH INSURANCE	60007.70100.51302	466.11
<u>1464</u>	ARCADIA PARTY RENTALS INC	APBWEST	Check	<u>101576</u>	Arcadia Party Rental - Honors Dinner	60007.70100.53403	368.50
<u>1428</u>	DAN GINTER						

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Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
<u>0190</u>	APBWEST Check	<u>INV019273</u>	RETIREE HEALTH INSURANCE	60007.70100.51302	466.11
	DECCO AWARDS INC				
<u>1616</u>	APBWEST Check	<u>16-10355</u>	Decco Awards - Honors Dinner	60007.70100.53403	812.05
	DOROTHY COSTELLO				
<u>0209</u>	APBWEST Check	<u>INV019311</u>	Honors Dinner	60007.70100.53403	350.07
	FEDERAL EXPRESS CORPORATION				
<u>0913</u>	APBWEST Check	<u>5-496-71081</u>	Fed EX - Shipping Tests 71081	60007.70100.53101	31.70
	IRWINDALE INDUSTRIAL CLINIC				
<u>1044</u>	APBWEST Check	<u>2130-686496</u>	Physicals	60007.70100.52100	100.00
	JESSE TORIBIO			60007.70101.52106	155.00
<u>1156</u>	APBWEST Check	<u>INV019274</u>	RETIREE HEALTH INSURANCE	60007.70100.51302	233.06
	JOHN FORD				
<u>VEN01660</u>	APBWEST Check	<u>INV019275</u>	RETIREE HEALTH INSURANCE	60007.70100.51302	326.28
	LISA VOLPE				
<u>1711</u>	APBWEST Check	<u>INV019276</u>	RETIREE HEALTH INSURANCE	60007.70100.51302	372.89
	MARIO OLANO				
<u>1656</u>	APBWEST Check	<u>INV019277</u>	RETIREE HEALTH INSURANCE	60007.70100.51302	466.11
	R.A.V.C.O. LLC				
<u>1599</u>	APBWEST Check	<u>0108729</u>	Honors Dinner	60007.70100.53403	2,568.80
	SIERRA MADRE PIZZA COMPANY				
<u>0378</u>	APBWEST Check	<u>196722</u>	Pizza for Honors Dinner	60007.70100.53403	47.95
	SMART & FINAL				
<u>0704</u>	APBWEST Check	<u>305665113472</u>	Employee Event	60007.70100.53403	66.10
	STEPHEN ABERNETHY				
		<u>305665152451</u>	Smart & Final	60007.70100.53403	48.11
		<u>3056650109675</u>	Employee Event	60007.70100.53403	53.23
<u>2016</u>	APBWEST Check	<u>INV019278</u>	RETIREE HEALTH INSURANCE	60007.70100.51302	466.11
	STEVE POCK				
	APBWEST Check	<u>INV019279</u>	RETIREE HEALTH INSURANCE	60007.70100.51302	466.11
<b>Fund 60007 Total:</b>					<b>8,214.29</b>
<b>Fund:</b>	71000 - WATER ENTERPRISE FUND				
<u>0122</u>	APBWEST Check	<u>076055</u>	WATER DEPT MAINTENANCE SUPPLIES	71000.81100.53200	7.62
		<u>076050</u>	WATER DEPT MAINTENANCE SUPPLIES	71000.81100.53200	17.35
		<u>076086</u>	WATER DEPT MAINTENANCE SUPPLIES	71000.81100.53200	12.73
		<u>076042</u>	WATER DEPT MAINTENANCE SUPPLIES	71000.81100.53200	15.25
		<u>076084</u>	WATER DEPT MAINTENANCE SUPPLIES	71000.81100.53200	14.16
		<u>076045</u>	WATER DEPT MAINTENANCE SUPPLIES	71000.81100.53200	7.61
<u>1200</u>	APBWEST Check	<u>798997</u>	ASPHALT	71000.81100.53206	109.39
		<u>801695</u>	ASPHALT	71000.81100.53206	82.79
		<u>796453</u>	ASPHALT	71000.81100.53206	106.51
		<u>796967</u>	ASPHALT	71000.81100.53206	134.82
<u>0169</u>	APBWEST Check	<u>218480</u>	ELECTRICAL SUPPLIES / WATER	71000.81100.53200	32.18
	CITY WHOLESALE ELECTRIC CO.				
<u>VEN01500</u>	APBWEST Check	<u>287548</u>	DISTRIBUTION SYSTEM REPAIR SUPPLIES	71000.81100.53200	343.35
	INLAND WATER WORKS SUPPLY CO.				
		<u>287683</u>	DISTRIBUTION SYSTEM REPAIR SUPPLIES	71000.81100.53200	385.86
		<u>287547</u>	DISTRIBUTION SYSTEM REPAIR SUPPLIES	71000.81100.53200	222.36
		<u>287550</u>	DISTRIBUTION SYSTEM REPAIR SUPPLIES	71000.81100.53200	658.36
		<u>287549</u>	DISTRIBUTION SYSTEM REPAIR SUPPLIES	71000.81100.53200	201.65
		<u>287684</u>	DISTRIBUTION SYSTEM REPAIR SUPPLIES	71000.81100.53200	283.40
		<u>287682</u>	DISTRIBUTION SYSTEM REPAIR SUPPLIES	71000.81100.53200	702.78
<u>0291</u>	APBWEST Check	<u>17423</u>	WATER TREATMENT CHLORINE	71000.81100.53209	450.00
	MATT-CHLOR, INC.				
<u>0447</u>	APBWEST Check	<u>039033377</u>	WATER MAIN REPLACEMENT PROJECT	71000.81100.56010	13,410.46
	RAIN FOR RENT				
<u>0410</u>	APBWEST Check	<u>06-16-0007</u>	TITLE 22 MONITORING	71000.81100.52001	1,411.77
	RAYMOND BASIN MANAGEMENT BOARD				
	UNDERGROUND SERVICE ALERT				

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Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
<u>1243</u>	APBWEST Check	<u>920160666</u>	DIG ALERT SERVICES	71000.81100.52200	79.50
	USA BLUEBOOK				
<u>0158</u>	APBWEST Check	<u>061722</u>	WATER TREATMENT SUPPLIES	71000.81100.53209	215.42
	VULCAN MATERIALS COMPANY				
<u>0335</u>	APBWEST Check	<u>71248203</u>	ASPHALT COLD MIX	71000.81100.53206	510.47
	WATERLINE TECHNOLOGIES				
	APBWEST Check	<u>5354550</u>	CM FOR CYLINDER DEPOSIT	71000.81100.53209	-450.00
		<u>5354366</u>	CHLORINE GAS CYLINDER	71000.81100.53209	4,319.75
<u>0426</u>	APBWEST Check	<u>431501-00</u>	DISTRIBUTION SYSTEM REPAIR	71000.81100.53200	79.95
	WESTERN WATER WORKS				
		<u>431517-00</u>	DISTRIBUTION SYSTEM REPAIR	71000.81100.53200	654.65
<b>Fund 71000 Total:</b>					<b>24,020.14</b>
<b>Fund:</b>	77004 - SERVICES MOVIE/OES DETAILS				
<u>VENO2875</u>	GATHER FILMS				
APBWEST	Check	<u>INV019280</u>	Refund of Filming Deposit	77004.00000.23001	2,327.00
<b>Fund 77004 Total:</b>					<b>2,327.00</b>
<b>Report Total:</b>					<b>140,539.40</b>



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Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
<b>Fund: 10000 - GENERAL FUND</b>					
<u>1644</u>	AMAZON				
APBWEST	Check	<u>251503544398</u>	Office Supplies	10000.90000.53100	22.99
		<u>251502527956</u>	Office Supplies	10000.90000.53100	14.32
		<u>028157221167</u>	Computer Supplies	10000.90000.53103	6.53
		<u>028157861152</u>	Computer Supplies	10000.90000.53103	6.42
		<u>063723514850</u>	Computer Supplies	10000.90000.53103	7.56
		<u>248039951104</u>	Computer Supplies	10000.90000.53103	9.99
		<u>031722054828</u>	Computer Hardware Supplies	10000.90000.53204	163.49
<u>0132</u>	BAKER & TAYLOR, INC.				
APBWEST	Check	<u>4011713837</u>	Processing Fees	10000.90000.52200	45.03
		<u>4011621494</u>	Processing Fees	10000.90000.52200	18.34
		<u>4011724400</u>	Processing Fees	10000.90000.52200	43.59
		<u>4011715036</u>	Processing Fees	10000.90000.52200	5.10
		<u>4011718177</u>	Processing Fees	10000.90000.52200	40.35
		<u>4011724399</u>	BOOKS AND REFERENCE	10000.90000.53406	1,108.46
		<u>4011713836</u>	BOOKS AND REFERENCE	10000.90000.53406	951.47
		<u>4011718176</u>	BOOKS AND REFERENCE	10000.90000.53406	821.57
		<u>4011715035</u>	BOOKS AND REFERENCE	10000.90000.53406	131.04
		<u>4011621493</u>	BOOKS AND REFERENCE	10000.90000.53406	508.05
		<u>4011720908</u>	BOOKS AND REFERENCE	10000.90000.53406	437.95
<u>0145</u>	BRODART				
APBWEST	Check	<u>448991</u>	Library Supplies	10000.90000.53100	177.02
<u>VEN02802</u>	CHINASPROUT INC				
APBWEST	Check	<u>2016-1045</u>	Mandarin Books For Youth	10000.90000.53406	148.26
<u>0314</u>	OCLC, INC.				
APBWEST	Check	<u>0000489611</u>	2016-2017- OCLC Subscriptions	10000.90000.52200	445.33
<u>0786</u>	OFFICE DEPOT, INC				
APBWEST	Check	<u>867161973001</u>	Office Supplies	10000.90000.53100	9.15
		<u>867147742001</u>	Office Supplies	10000.90000.53100	92.29
		<u>867148265001</u>	Office Supplies	10000.90000.53100	52.71
<u>VEN01084</u>	TECHSOUP GLOBAL				
APBWEST	Check	<u>INV019300</u>	Hotspot and Photoelements software	10000.90000.53103	126.00
<b>Fund 10000 Total:</b>					<b>5,393.01</b>
<b>Fund: 39002 - LIBRARY - GIFT AND MEMORIAL</b>					
<u>0132</u>	BAKER & TAYLOR, INC.				
APBWEST	Check	<u>4011717496</u>	Gift & Memorial - Books and Reference	39002.90000.53406	32.67
<u>VEN02892</u>	BOOKS IN COMMON INC				
APBWEST	Check	<u>BIC2484</u>	Library Speaker OBOC	39002.90000.53999	2,500.00
<b>Fund 39002 Total:</b>					<b>2,532.67</b>
<b>Fund: 39006 - FRIENDS OF THE LIBRARY DONATION FUND</b>					
<u>VEN01838</u>	AccuCut				
APBWEST	Check	<u>12268077</u>	Preschool Storytime Supplies	39006.90000.53999	26.00
<u>1644</u>	AMAZON				
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		<u>182929740378</u>	Library Programs	39006.90000.53999	6.53
		<u>156816206540</u>	Library Programs	39006.90000.53999	113.36
		<u>182921660109</u>	Library Programs	39006.90000.53999	80.11
<u>0132</u>	BAKER & TAYLOR, INC.				
APBWEST	Check	<u>T33851710</u>	DVDs, CDs, LP, AUDIOBOOKS, MEDIA	39006.90000.53406	24.45
		<u>T44659990</u>	DVDs, CDs, LP, AUDIOBOOKS, MEDIA	39006.90000.53406	15.32
		<u>T44759441</u>	DVDs, CDs, LP, AUDIOBOOKS, MEDIA	39006.90000.53406	205.49
		<u>T36875680</u>	DVDs, CDs, LP, AUDIOBOOKS, MEDIA	39006.90000.53406	30.99

Packet: APPKT03161 - LIB102516  
Vendor Set: 01 - Vendor Set 01

Check Date: 10/19/2016

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Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
<u>Bank Code</u>	<u>Payment Type</u>				
APBWEST	Check	<u>T44759440</u>	DVDs, CDs, LP, AUDIOBOOKS, MEDIA	39006.90000.53406	201.76
		<u>T44556060</u>	DVDs, CDs, LP, AUDIOBOOKS, MEDIA	39006.90000.53406	16.31
		<u>T44556061</u>	DVDs, CDs, LP, AUDIOBOOKS, MEDIA	39006.90000.53406	10.47
<u>1247</u>	CENTURY SCREEN ARTS				
APBWEST	Check	<u>8691</u>	Library Lawn Signs	39006.90000.53999	708.50
<u>1488</u>	FEDEX OFFICE				
APBWEST	Check	<u>370100018613</u>	Library Printing/Posters	39006.90000.53999	122.46
<u>0378</u>	SMART & FINAL				
APBWEST	Check	<u>INV019306</u>	Library Program Supplies	39006.90000.53999	94.94
				<b>Fund 39006 Total:</b>	<b>1,663.22</b>
				<b>Report Total:</b>	<b>9,588.90</b>



# City of Sierra Madre Agenda Report

*Gene Goss, Mayor*  
*Rachelle Arizmendi, Mayor Pro Tem*  
*John Capoccia, Council Member*  
*Denise Delmar, Council Member*  
*John Harabedian, Council Member*

*Melinda Carrillo, City Clerk*  
*Michael Amerio, City Treasurer*

TO: Honorable Mayor Goss and Members of the City Council

FROM: Elaine I. Aguilar, City Manager 

INITIATED BY: Bruce Inman, Director of Public Works 

DATE: October 25, 2016

**SUBJECT: AWARD OF PROFESSIONAL SERVICES CONTRACT TO  
BUCKNAM INFRASTRUCTURE GROUP, INC., FOR THE UPDATE  
OF THE CITY'S STREET INVENTORY**

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## **SUMMARY**

In order for the City to utilize County Proposition C funds for street maintenance, the City must update its street inventory on a regular basis. Staff recommends that the City Council award a contract to Bucknam Infrastructure Group, Inc., in an amount not-to-exceed \$14,772.

## **ANALYSIS**

As is the case with many cities, Sierra Madre's street resurfacing program is chronically underfunded. In order to keep the community's street program in operation staff is seeking to maximize available funding for street resurfacing. One of the few sources of revenue available to the City for street resurfacing is Proposition C funding. Along with Gas Tax, and Measure R funds, Prop C provides that backbone of the financial support for the City's street maintenance operations.

The City has previously used Prop C funds for resurfacing those streets on which Foothill Transit or our regularly-scheduled Roundabout transit system operates. Some of the City's regularly-qualifying streets are in need of maintenance efforts. For example, West Grandview Avenue is slated for overlay and re-striping this fiscal year.

A close review of the 2007 Guidelines reveals that Prop C funds may be utilized on streets previously thought as not qualifying for such use. These streets may be resurfaced with Prop C funding if they are demonstrated to be streets that are heavily used by the City's paratransit program.

FOR CITY COUNCIL AGENDA \_\_\_\_\_

AGENDA ITEM # \_\_\_\_\_

The method of demonstrating heavy use by paratransit vehicles is to document trip pick-up and drop-off locations, including street routing for a consecutive three-month period. That documentation must be compiled and sent to MTA for approval of the heavy-use designation before Prop C funds can be designated for use on the subject streets. The Guidelines do not specify what constitutes heavy-use. To date, the City has not been able identify streets that qualify under the guidelines as heavy-use streets by the City's Dial-a-Ride paratransit program. Staff will continue to work on identifying heavy use streets that may then be re-surfaced using Prop C funds.

In order to use Prop C funds for any street project, the City must update its street inventory (known throughout the Public Works "industry" and MTA as Pavement Management System or PMS) every three years. The City's street inventory was last done by Bucknam and Associates in 2013 and is thus in need of an update. The inventory includes every one-block segment of public streets within the City, rated as to Pavement Condition Index or "PCI."

The update to be provided by Bucknam Infrastructure Group will include inspection of all Sierra Madre public streets, update of street condition computer database, update of estimated street project costs, an updated 1, 2, and 5-year master plans for street repairs and maintenance, and GIS mapping of the pavement conditions and Master Plan.

Bucknam Infrastructure Group, under Peter Bucknam, has done the City's last three PCI Updates. They have done a good job for the City. Their fee proposal for this project at \$14,772 is only \$822 higher than their 2009 proposal for the last update.

The updated street program is going to be coordinated with the pending water system master plan, which is being done by Bucknam and Associates (Steve Bucknam) and IDModeling, and Eckersall, LLC. The four firms have worked together on previous projects for other agencies. The FY 2016 PMS/PCI update will be the first time the firms have coordinated a street plan with a water main replacement plan for the City of Sierra Madre. City staff has coordinated the street program with water main replacement needs in prior years. With the expected wide range of water main replacements that the master plan will forecast and prioritize it will be best to have the street and water master plans coordinated at their sources.

### **FINANCIAL REVIEW**

The FY 2016-17 budget provides \$14,500 in Fund 37009.80000.52100 for preparation of the Pavement Management System update. There is \$290,000 budgeted from Proposition C funds in 37009.85000.56015 for the actual street construction.

The fee proposal from Bucknam and Associates is in the amount of \$14,722. Inasmuch as the update of pavement management systems is an eligible expense for Prop C funding, staff requests an additional appropriation from Prop C fund reserves to cover the cost of the proposed engineering work, as this project was not included in the FY

2013-15 budget. The additional \$222 exceedance over the budgeted amount for the PMS/PCI update service will be drawn from the funds budgeted for construction.

The PMS/PCI update will not impact this year's street improvement project. The streets to be included in the FY 2015-16, 16-17 street program construction have already been selected and design work on that project is nearly complete. West Grandview Avenue, from Michillinda to Hermosa has been selected for the use of Proposition C funding, with Skyland Drive and Idle Hour Lane to be resurfaced using Measure R funds. Sierra Place street improvements are being designed as a part of this year's street project, but that construction will be delayed due to the need to replace the water main in that street. The planned water main replacement for Sierra Place has been put on hold pending the completion of the water master plan.

#### **PUBLIC NOTICE PROCESS**

This item has been noticed through the regular agenda notification process. Copies of this report are available at the City Hall public counter and the Sierra Madre Public Library.

#### **STAFF RECOMMENDATION**

Staff recommends that the City Council award a contract to Bucknam Infrastructure Group, Inc., in an amount not-to-exceed \$14,772 for the 2016 update to the Pavement Management System.

Attachment: Bucknam Infrastructure Group, Inc. Proposal

September 15, 2016

Mr. Bruce Inman  
Director of Public Works  
City of Sierra Madre  
232 West Sierra Madre Blvd.  
Sierra Madre, CA 91024

**Subject: Proposal for the Update of Sierra Madre's Citywide Streets Master Plan**

Dear Bruce:

It is our pleasure to submit our services to assist the City in continuing the proactive management of its Citywide Street Master Plan. With City of Sierra Madre's Pavement Management Program (PMP) moving toward automation through condition survey updates, Capital Improvement reporting (CIP), and GIS enhancements, *Bucknam Infrastructure Group, Inc.* has identified a proactive and cost efficient method to assist the City in the continued success of the PMP program. Our team will focus our high-end pavement management knowledge, extensive Southern California-Los Angeles County experience, and GIS technology to optimize the City's maintenance dollars by implementing a manageable, reliable automated pavement management program. This project will also assist the City in complying with the Los Angeles County Metropolitan Transportation Authority (METRO) pavement management certification (Proposition C).

With cost-conscience pavement inspections, logical work-flow schedules and working with Public Works through frequent communications, meetings and data deliverables we will help the City establish an applicable pavement management program that will answer constituents questions and upper management analysis requests for budgeting and pavement deterioration. Our project staff can be relied upon to provide outstanding service to the City because we will provide:

- ❖ A project team with an outstanding track record working with PMP and GIS within public agencies. As Project Manager, I bring my knowledge of working with over 80 Southern California cities in the past eighteen years, specifically on pavement management projects. These range from turn-key implementation projects to PMP training and GIS integration. As Project Manager, my goal is not just to meet the requirements of this project but establish a living document (pavement master plan) that will implement achievable long-term infrastructure management goals in coordination with the program funding that the City has been using annually.

BUCKNAM INFRASTRUCTURE GROUP, INC.  
3548 Seagate Way, Suite 230 Oceanside, CA 92056  
T. 760.216.6529 F. 760.216.6549  
[www.bucknam-inc.com](http://www.bucknam-inc.com)

Bucknam will be responsible for:

- Overall management of the project
- Weekly and Final Quality Control
- Project meeting coordination
- Reporting
- Pavement Survey and management of database
- MicroPAVER Implementation/Update at the City
- GIS management
- Final Deliverables

As a team we bring extensive knowledge of pavement materials and applications, MicroPAVER and Los Angeles County PMP issues and compliance reporting. This experience and knowledge will be essential in assisting in developing the long-term management of the CIP.

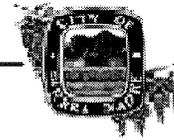
By selecting *Bucknam Infrastructure Group, Inc.* the City of Sierra Madre will receive a strong, knowledgeable, innovative, and communicative team with the experience to implement a cost-effective pavement management program. Our handpicked pavement management professionals are committed to delivering quality services to the City. We have already scheduled time for your project and eagerly await our kick-off meeting with City staff and you. Mr. Peter Bucknam will represent our firm for this project and can be contacted at 760-216-6529 (work) 714-501-1024 (cell) or email at [peter@bucknam-inc.com](mailto:peter@bucknam-inc.com).

Respectfully submitted,

***Bucknam Infrastructure Group, Inc.***



Peter J. Bucknam  
Project Manager / President



## Project Understanding

As the City of Sierra Madre's infrastructure matures, the City's Public Works staff is striving to update the City's Pavement Management Program (PMP) through citywide surveys and their 5-year Master Plan of Streets report. To ensure the success of the upcoming project, we are emphasizing the importance of team management of the City's pavement database, reliable and accurate CIP recommendations and GIS linkages to the PMP.

The City requires a team that will not only resurvey the entire street network using cost-conscious methodologies but will assist in the creation of a comprehensive program that includes updates to its 5-year CIP, proactive and realistic pavement maintenance recommendations, stewardship, and GIS data linking and integration.

Our team brings the experience of over 80 pavement management projects in Southern California to the City. Through our extensive project experience we will not only address the City's primary goals of:

- Generating 2016-17 Pavement Condition Index (PCI) ratings for each segment (36.3 section miles)
- Establishing common-sense, solid recommendations for current / future maintenance needs; and
- Creating a five (5) year Capital Improvement Program (CIP) that will be used on an annual basis and will identify capital funds necessary to meet a given level of service,

but will efficiently link all collected/updated pavement data to the City's GIS system (XY Maps) cost-effectively and within this project's timeframe. Our firm is currently working with Eckersall, LLC (XY Maps) in other agencies and has effectively worked with Mr. Scott Eckersall in integrating pavement data into XY Maps.

Pavement management does not require a daily or monthly task driven project schedule once the system is in place, furthermore, for any data management program to succeed you need staff understanding and motivation. We will work closely with Public Works staff to steward and implement a solid, useable pavement management program that can be updated on a biannual basis through inspections and reporting performed by City staff and/or through our technical services.

With a completed survey, our team will work with you to establish a pavement management program that provides specific, manageable pavement segments, detailed maintenance schedules of needed repairs and cost conscious maintenance recommendations that will be used in preparing budget estimates required to complete the scheduled work for fiscal year 2016-17 and beyond.

## Project Approach

The City of Sierra has recognized the need to continually improve the approach used for managing its pavement network. The City is currently using MicroPAVER software to manage



pavement data. Our team will use the current MicroPAVER dataset as the starting point for updating the City's PMP.

We are confident that we can meet the City's projected timeline to complete this project and that through our knowledge and experience of pavement inspection, we will provide the City with an updated citywide pavement management program that will allow for not only the evaluation of prior maintenance strategies, but make cost-effective pavement management decisions that optimize the expenditure of street maintenance funds in today's dollars and practices.

We have developed project objectives that will:

- ❖ Determine the pavement network PCI condition status for all streets using recent inspections, work history events & deterioration models thus reducing project costs
- ❖ Enhance pavement rehabilitation/maintenance recommendations of each street segment based on 2016-17 pavement conditions
- ❖ Mentor / Provide support services for City staff to establish in-house stewardship for future PMP-GIS needs
- ❖ Provide all pavement data to be linked to the City's ArcGIS XY Map

## Scope of Services

### ***TASK 1: Project Kickoff - Review PMP***

The success of a pavement management program truly resides in frequent communication and timely scheduled data updates and for the City of Sierra Madre it will be essential to establish up front, the City's immediate pavement management priorities. Our team will set a Project Kickoff meeting to further discuss and review in detail the expectations of the project and the GIS links to be used by our staff in relation to data collection, and pavement analysis.

The first key topics to be discussed will include the review and assessment of the existing Five-Year Street Improvement Plan (FYSIP), ongoing pavement bids and projects, 2009 PCI data, historical work efforts, data quality and condition, current pavement procedures within Public Works, available resources, historical expenditure levels, and desired service levels.

Through these discussions our project team will gain **further** understanding of the City's unique needs and identify specific areas of concern that will need to be included as part of the pavement management program.

Additionally, all work history events that have occurred since 2013 will be reviewed and entered into the pavement database.

**Deliverable: Meeting minutes, project goals, action items, revised project schedule which includes future project meetings and data updates.**



## **TASK 2: Pavement Condition Assessment**

### **Inventory & Review PMP and Street Network**

The first step in conducting the pavement condition assessment will be to validate and confirm the segmentation criteria for the City's pavement network (36.3 section miles); this will be based on the information obtained from the City and the existing database. This will act as our initial quality control for establishing survey sections and areas. We will pay close attention to arterial and collector capital projects that are already under construction or scheduled for rehabilitation in the upcoming months; these sections will be eliminated from any short-term surveys.

The survey will be performed by a *Bucknam* team that brings a combined 40 years of MicroPAVER inspection experience to the City and has worked under Mr. Peter Bucknam for over thirteen years. Our use of **MicroPAVER-Tablet units allows our staff to collect pavement data with the City of Sierra Madre's MicroPAVER database live in the field.** At the end of the day all data is transferred to our office for quality control and management. This functionality sets us apart from the competition where we are spending less man-hours to enter the data using the Tablets, while in turn using those man-hour savings to enhance other portions of the project such as CIP reporting, MicroPAVER training, on-call services, etc.

A listing of the field attribute data that is updated/verified during the survey for the pavement management database is listed below:

#### **1. Field Attribute Data (updated and/or verified)**

- ❖ From/to, indicating the assigned limits of the section, street name, a street codification
- ❖ Street classification indicating i.e. local, alley, arterial, or collector, # of lanes, surface type
- ❖ PCI tracking of historical values from previous inspections and 2016 PCI inspections
- ❖ Segment quantities, indicating the length, width, and total true area of the section
- ❖ Structural sections (if available from previous reports or City documents)

**We welcome staff members from the City of Sierra Madre to join any portion of our survey efforts.** Condition data will be evaluated for all street segments and shall include the following condition characteristics:

- ❖ ACOE Pavement 20 AC & 19 PCC distresses by type, severity and area
- ❖ Pavement Condition Index (PCI), taking into account the surface condition, level of distress. The PCI value ranges between 0-100, with 100 indicating new pavement.
- ❖ Other known or found issues (standing water, etc)

Our staff will input all collected pavement data into the City's most current licensed software (we will assist the City in obtaining the most recent version of MicroPAVER if the City has not



already done so). If purchasing is required, the license will be purchased outside this contract and licensed in the City's name. Using this software, all items listed above will be maintained by our staff for the duration of this project. All data management will be performed in-house at our Laguna Niguel office using the software's most recent version release. From there we will coordinate with your staff to implement the new files within your information services/communication network.

### **Section Distress and PCI Reporting**

Once inspections are completed, we will generate a draft Pavement Condition Index (PCI) Report for City staff to review.

Upon completion of the pavement condition survey and City review of the draft PCI report, we will prepare a report that documents the condition of all inventoried pavement segments. The City and our staff will review these reports to ensure that all inventory data is correct and the project is running smoothly.

PCI reports will include:

- ❖ Pavement segmentation listed in a continuous manner (west to east and south to north);
- ❖ PCI values for each street, grid zone, maintenance zone and citywide;
- ❖ Identification of all street segments; and
- ❖ Other key PCI data development tied to CIP reporting is shown in Task 5 below.

**Deliverable: Project status – quality control (monthly), draft PCI report.**

### ***TASK 3: Prepare PCI Report – PCI GIS Map***

Upon completion of the pavement condition survey, we will prepare a draft PCI Report and PCI GIS Map that documents the condition of all inventoried pavement segments.

Included in the draft report will be updated pavement performance curves and maintenance decision models. The City and our staff will review these reports to ensure that all inventory data is correct and the project is running smoothly.

Our Report that will include:

- ❖ Executive Summary (suited for Managers and Council members)
- ❖ PCI report
- ❖ Graphical representation of conditions
- ❖ Condition Report Analysis for each segment
- ❖ Work history report
- ❖ GIS Maps presenting PCI finding by zone and by section



Once the City has reviewed, assessed and commented on the draft report, we will address all comments made and deliver the final reports.

**Deliverable: Two (2) Copies of Final report (binder form), GIS maps, and project status letter.**

## ***DEVELOP RECOMMENDED MASTER PLAN OF STREETS***

### ***TASK 4: Preparation of 5-yr Master Plan of Streets***

With the City desiring to update and develop a comprehensive 5-year Master Plan of Streets internally, our staff will review all pavement treatments that were recommended in the 2012 forecasted maintenance report. Through our experience in developing 20+ local agency pavement CIP reports on a yearly basis, we will support city staff through each essential phase of the development of the CIP. These services will include:

- ❖ Review and Determination of Maintenance Strategies
- ❖ Analysis of alternative pavement materials and applications for possible use by the City in upcoming years

We will assist the City by preparing the report in a format that uses the information found in the PCI reports in conjunction with the information and analyses performed by our team. The report will include:

- ❖ Current inventory and pavement conditions indices (PCI) shown in tabular and GIS layouts for all road classes and surface types (pavement condition report, priority listings)
- ❖ Assessment of current unit costs for materials and application of asphalt treatments as well as future costs over the five-year program.
- ❖ Projected annual repair/rehabilitation programs for street maintenance, for each street, for a 5-year period (Master Plan of Streets report) that demonstrates the largest return on investment
- ❖ Three options will be included in the Master Plan report:
  - #1 - will call for the completion of all remaining un-surfaced streets in a single contract
  - #2 – will call for the completion within two fiscal years; and
  - #3 – will call for the completion within a five-year fiscal schedule
- ❖ Identification of potential funding sources for the street rehabilitation projects.
- ❖ Recommendations for each section, neighborhood, and/or “long sections” will be identified that will include maintenance type, estimated cost to complete and encumbered inflation.



- ❖ A distinct and separate section will identify the City's annual slurry seal program that will cover yearly priority recommendations, neighborhood programs and annual estimated costs
- ❖ A detailed breakdown of deferred maintenance (backlog) which will allow the City to measure and understand its impact to current and future capital projects

**Deliverable:** We will submit two copies (one original) of the Draft Master Plan of Streets Report, in binder form, to be reviewed by the City. Two (2) copies of the Final Pavement Management Program Report will be delivered to the City once all comments and reviews are completed. Digital copies of the report and MicroPAVER database will also be delivered for the City's convenience.

### ***TASK 5: PMP – GIS Mapping***

As the City continues to mature in its ArcGIS – XY Map development, programming and use, our understanding of the GIS short-term and long-term goals will play a large part in implementing a successful PMP-GIS link for this project.

We will support the City through GIS services such as:

- Update the Pavement Management GIS theme that will include the following information for a given pavement segment:
  - ❖ PCI values for every section
  - ❖ Work History identifications
  - ❖ 5-yr Arterial Rehabilitation, Residential Rehabilitation and Slurry Seal Programs
  - ❖ 5-yr Citywide pavement rehabilitation build out in 1, 2 and 5 years
  - ❖ Functional classification maps
- We will also support the PMP-GIS delivery through the following services:
  - ❖ Identification and digitization of roads not present in the City's existing PMP/GIS layer

Once the City has approved the PCI Report our staff will complete the development of all necessary pavement-GIS linkages. By using and updating the unique segment ID's already within the City's MicroPAVER database, we will update the one-to-one match for each pavement section in the GIS Pavement theme. This will allow for the PMP/GIS layer to reflect the updated PCI values captured in our 2016 surveys.

**Deliverable:** Complete GIS files based on list above (ArcMap 10 .shp format) will be sent to the City and Eckersall Inc. for incorporation into the City's XY Maps GIS enterprise.

# City of Sierra Madre

## Scope of Work



### Proposed Fee

Task Items 1 through 5 can be accomplished on a **time and materials not to exceed basis** in accordance with the standard hourly rate schedule attached. Our anticipated fee including labor and reimbursable expenses is projected to be \$14,772 for a two-month period. Should the City desire to increase the service level above the hours outlined above for the Task items 1 through 5 or require other services not described herein, a fee adjustment would be negotiated and mutually agreed upon by both parties. We have included our fee schedule below for the City consideration.

	Description	Principal	Project Manager	GIS Planner	Field Technicians	Admin	Total by Task
	<b>Scope of Work</b>	\$250/hr	\$180/hr	\$140/hr	\$88/hr	\$75/hr	
Task 1	Project Kickoff - Review PMP		3	1	2		\$856
Task 2	Pavement Condition Assessment (approx. 36.3 miles)		4		50		\$5,120
Task 3	Prepare PCI Report - PCI GIS Map		4		8		\$1,424
Task 4	Preparation of 5-yr Master Plan of Streets	2	22	2	2	1	\$4,991
Task 5	PMP - GIS Mapping		2	8	2	1	\$1,731
	All Deliverables will become property of the City of Sierra Madre						
	Reimbursables (mileage, reprographics, meetings)						\$650
	<b>Total Hours per Staff</b>	2	35	11	64	2	
	<b>Total Base Fee</b>	\$ 500	\$ 5,940	\$ 420	\$ 5,456	\$ 75	\$14,772



# City of Sierra Madre Agenda Report

*Gene Goss, Mayor*  
*Rachelle Arizmendi, Mayor Pro Tem*  
*John Capoccia, Council Member*  
*Denise Delmar, Council Member*  
*John Harabedian, Council Member*

*Melinda Carrillo, City Clerk*  
*Michael Amerio, City Treasurer*

TO: Honorable Mayor Goss and Members of the City Council

FROM: Elaine I. Aguilar, City Manager 

INITIATED: Laura M. Aguilar, Assistant to the City Manager 

DATE: October 25, 2016

**SUBJECT: Consideration of Cancellation of December 27, 2016 City Council meeting**

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## **SUMMARY**

It is recommended that the City Council approve the cancellation of the second regular City Council meeting in December 2016 (December 27) and direct staff to pay all necessary expenses during that time.

## **ANALYSIS**

Sierra Madre Municipal Code section 2.04.010 requires that meetings of the City Council shall be held at 6:30 pm on the second and fourth Tuesdays of each calendar month unless and until the City Council establishes another regular meeting time by resolution. Although it is not formally addressed in the Municipal Code, traditionally in December of each year the Sierra Madre City Council has cancelled the second meeting of each month, for holiday observances.

This year the second Tuesday of December falls during the week of Christmas. Therefore, it is recommended that the City Council approve the cancellation of the regular City Council meeting of December 27, 2016 and direct staff to pay all necessary expenses during that time.

There are no items currently scheduled for the December 27<sup>th</sup> meeting so the cancellation of the meeting would not adversely affect the scheduling of items.

## **FINANCIAL REVIEW**

There is no financial impact with this item.

FOR CITY COUNCIL AGENDA \_\_\_\_\_

AGENDA ITEM # \_\_\_\_\_

**PUBLIC NOTICE PROCESS**

This item has been noticed through the regular agenda notification process. Copies of this report are available at the City Hall public counter, at the Sierra Madre Public Library, and at the City's website at [www.cityofsierramadre.com](http://www.cityofsierramadre.com)

**ALTERNATIVES**

The City Council has the following options:

1. Approve the cancellation of the December 27, 2016 City Council meeting and direct staff to pay all necessary expenses during that time;
2. Chose to modify the meeting schedule for the month of December 2016, amending staff's recommendation herein.

**STAFF RECOMMENDATION**

It is recommended that the City Council approve the cancellation of the regular City Council meeting of December 27, 2016 and direct staff to pay all necessary expenses during that time.



# City of Sierra Madre Agenda Report

*Gene Goss, Mayor*  
*Rachelle Arizmendi, Mayor*  
*Pro Tem*  
*John Capoccia, Council*  
*Member*  
*Denise Delmar, Council*  
*Member*

TO: Honorable Mayor Goss and Members of the City Council

FROM: Elaine I. Aguilar, City Manager 

INITIATED BY: Bruce Inman, Director of Public Works 

DATE: October 25, 2016

**SUBJECT: REQUEST FOR AUTHORIZATION TO ISSUE ENGINEERING  
REQUEST FOR PROPOSALS FOR LIBRARY GROUNDS ADA  
IMPROVEMENTS**

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## **SUMMARY**

Staff recommends that the City Council authorize staff to issue a Request for Proposals for civil engineering services relative to the construction of Americans with Disabilities Act (ADA) access improvements to the Sierra Madre Public Library Site.

## **ANALYSIS**

On December 8, 2015 the City Council adopted Resolution 15-71 committing \$139,689 in federal Community Development Block Grant (CDBG) funds to use in correcting ADA access deficiencies at the Sierra Madre Public Library and delegating authority to the City Manager to execute all appropriate documents necessary to enter into an agreement with the administering agency the Los Angeles County Community Development Commission (CDC).

Since that date, the project has undergone multiple iterations. It was initially planned as simply providing minimal interior upgrades to the existing building. Then it was rolled into the Library Needs Assessment to be done as a part of a larger project that would incorporate structural changes to the building. As a part of the needs assessment work done by Onyx Architects, a number of changes to the restrooms, staff kitchen/break room, parking lot, and office area were proposed for use of the CDBG funds. A long list of library improvements, ADA and otherwise was reviewed in an effort to prioritize the improvements and develop an overall project scope. There were no conclusions reached, as discussions were put on hold pending another review of the library facility, specifically for ADA compliance.

The library was reviewed by the ADA access specialist firm Disability Access Consultants, Inc. (DAC) as a part of the citywide ADA review that was co-sponsored by the City's Joint Powers Insurance Authority. The library facility inspection by DAC revealed over 70 ADA non-compliant issues with the library and the library grounds, ranging from missing signage, to doorway widths, drinking fountain placement, and door hardware.

In discussing the prioritization of ADA deficiency correction actions with DAC, staff was advised that the federal Justice Department, (the agency charged with ADA enforcement), give the highest priority to correction of those deficiencies (aka: removal of barriers) that limit access to the main entrance of the library from public streets and public parking areas. In contact subsequently with CDC, staff was advised that removal of exterior "barriers" should be the City's highest priority.

On September 21<sup>st</sup> a special joint meeting was held by the Library Board of Trustees, the Friends of the Library and the Library Facilities Master Plan Committee meeting for purposes of explaining the findings of the DAC report and getting input from those community stakeholders as to whether or not they wanted to continue including ADA improvements into a larger building addition project or limit the project to just the exterior sitework. The sitework option was described as the default condition should a decision not be reached by the group. The groups considered overall costs and the possible identification of funds from secondary sources that would be needed beyond what would be provided through the GDBG funding to incorporate ADA improvements into a building addition. Discussions of the timeline involved for CDC expenditures and whether or not pursuing an addition would meet those deadlines were also taken into consideration. Consensus in favor of including ADA improvements into an addition to the building was not reached at the meeting.

In lieu of consensus on a building addition, on the September 28<sup>th</sup> regular meeting of the Library Board of Trustees, staff presented the recommendation to approve the default exterior sitework plan which addresses the ADA barriers in the front of the library. The Trustees unanimously approved the recommendation.

The President of the Friends of the Library, on behalf of their Board, approached staff shortly after and expressed support of the Trustees approval of the recommendation citing the timeline and secondary funds needed for an addition as being beyond the scope of what was immediately possible under CDC time constraints.

Therefore staff has assembled a request for proposals for professional design survey and sitework engineering design for the reconstruction of pedestrian access improvements in front of the library. The reconstruction shall address the 29 'barriers' identified in the DAC report, ranging from missing signage to parking stall width, slope and width of ramps, and elimination of stairs at the employee entrance on the east side of the building. The plans and specifications are to be prepared in such a manner as to minimize impacts on the existing garden and to replace any planting or irrigation that is

damaged during construction. Pavers used in construction of the existing patio areas are to be re-used.

The RFP has been submitted to CDC for review and approval. As of the time this report was prepared, CDC has not issued its comments on the document. Staff is therefore requesting that the City Council approve issuance of the RFP contingent upon CDC incorporation of any requested revisions by CDC and approval of that agency. Staff is making this request in order to eliminate the two week delay that waiting until the next regular Council meeting; the delay would further shorten an already very aggressive schedule to expend the CDBG funds before March 31.

### **FINANCIAL REVIEW**

The report from DAC provides an individual cost estimate for each of the 29 barriers. The total of those costs is just under \$48,000. The DAC report does not state the basis for those cost estimates and as some of the individual barriers could be done together as proposed, it is possible that there will be economies realized in the combination of all 29 into a single project.

The City is currently operating under an agreement with CDC which provides for the use of \$45,099 in CDBG funds to correct deficiencies in access to the library for handicapped persons. Of that amount, \$26,780 has to be expended prior to March 31, 2017. Should the City not have expended that amount prior to the date required, the City will have to go through what CDC refers to as a "recapture hearing." In order to possibly avoid that process, or in the event the City has to demonstrate a good faith effort to expend the funds, staff has proposed that the initial expenditure of CDBG funding be utilized for the professional services needed to prepare plans for ADA access from the street and parking area to the front door of the library and to the patio/garden in front of the library.

No other funding sources are proposed for the design of the project. However, as noted at the beginning of this report, there is additional CDBG money available to the City for the library ADA project which could be obtained by way of amending the current contract with CDC. Staff recommends holding off on amending the contract until there is a final cost estimate done by the selected engineering firm.

### **CEQA**

The proposed sitework modification to the Library will be categorically exempt from CEQA as a Class 1 exempt minor alteration of an existing facility involving negligible or no expansion of use beyond that existing at the time of the Lead Agency's determination. (Title 14, California Code of Regulations, Chapter 3, Article 19, Section 15301.

### **PUBLIC NOTICE PROCESS**

This item has been noticed through the regular agenda notification process. Copies of this report are available at the City Hall public counter and the Sierra Madre Public Library.

**STAFF RECOMMENDATION**

Staff recommends that the City Council authorize staff to issue a Request for Proposals for civil engineering services relative to the construction of Americans with Disabilities Act access improvements to the Sierra Madre Public Library Site.

Attachments:

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**REQUEST FOR QUALIFICATIONS  
REQUEST FOR PROPOSAL**

**PROFESSIONAL CIVIL ENGINEERING/SURVEYING  
SERVICES**

**CITY OF SIERRA MADRE PUBLIC LIBRARY  
REMOVAL OF BARRIERS TO ACCESS**



**CITY OF SIERRA MADRE  
DEPARTMENT OF PUBLIC WORKS**

Bruce Inman, Director

**October 2016**

**(Project funded by Community Development Block Grant)**



### **Background**

The Sierra Madre Public Library is located at 440 West Sierra Madre Boulevard. It is a single-branch library which serves residents of the community as well as neighboring cities. The Library is open forty-seven hours per week, six days a week, including morning and evening hours. An average of 263 people visit the library daily, with an average of 6,581 patron visits per month and an annual circulation of more than 80,000 materials. Over 300 programs are offered yearly in the library for patrons of all ages ranging from infants to seniors. Access to the internet is available through wi-fi and through public computers located in a small computer room. The library is a well-used and valued resource in our City.

The existing Sierra Madre Public Library is 8,762 square feet, was built in 1955 and designed to hold 25,000 items. Currently over 70,000 items are housed in the library and the basement, and many new technologies, unforeseen when the building was originally built, such as computers, wi-fi, dvds, audio books, music cds, have been added to the collection. With the addition of the Local History Archives, the California Collection, Rare Books, and sharing the Basement area with the Friends of the Library, access to and storage of items is limited. In addition, the lack of a community room limits the ability to provide public programs and meeting space for the community.

The City of Sierra Madre has recently completed a self-survey of all city building facilities and public rights-of-way to identify barriers to access to those facilities by handicapped individuals. The survey, done by Disability Access Consultants (DAC) identified over 70 findings of non-conformance with the Americans with Disabilities Act at the library alone.

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### **The Project**

The intent of the project is to address the identified barriers to access of the building. That is, all exterior non-compliance issues with the library are to be resolved. Those issues are described in the attached findings from Disability Access Consultants (DAC) regarding sitework barriers to access.

The primary areas of concern listed in DAC's findings are:

- Excess slopes on ramps, walkways, and disabled-access parking stalls
- Width of disabled parking stalls
- Width of walkways and ramps
- Missing signage

### **City Expectations - The Design Effort**

The City of Sierra Madre Public Works Department is seeking a qualified civil engineering firm to prepare design survey (as necessary,) plans, specifications, and cost estimates relative to the elimination of barriers to access. The City has an existing 1"=10' scale topography of the project site. However, due to site modifications that have taken place since the topo was compiled and the close tolerances that will need to be met in the design of the work, it will be necessary to re-survey at least those areas affected by the potential project. The existing topo will be helpful but should not be utilized as the (only) basis for design.

The engineer shall prepare plans for the proposed site improvements at a scale of 1 inch equals 10 feet. The City's standard specification/bid document package is available in electronic format, and will be provided to the engineer as the basis for the specifications and bid documents for this project. The bid documents will have to be prepared in accordance with the latest requirements of the Los Angeles Community Development Commission for CDBG projects.

The project is funded through federal Community Development Block Grant (CDBG) funding. The project will be addressed in phases, with the first phase to be comprised of the sitework modifications necessary to correct all path of travel issues from the street or the existing 'accessible' parking into the front door of the library. The second phase of the project will include the architectural work necessary to modify the interior of the library to meet ADA standards. The total (2 phases) project budget, including design, construction, and construction management, is \$164,000. No additional funding is presently available. The Phase 1 sitework to be designed under this RFP is estimated to have a construction cost of approximately \$55,000.

Due to the limited budget available for the project, plans and bid documents shall be structured in such a manner as to allow for a base bid consisting of the modification of sitework associated with the front entries (Public and Staff entries), including ADA parking, ramps, and walkways. Modifications of the exit stairway from the west exit of the building to provide for ADA access will be included in the design effort as an additive alternate in the bid documents.

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### **Special Provisions**

The design effort as well as the construction phase of the project are intended by the City to be funded (almost) entirely with the City's current balance of CDBG funds. As such, the design and construction phases will be required to meet the stringent guidelines of the Federal Department of Housing and Urban Development (HUD) as administered by the Los Angeles County Community Development Commission (LACDC).

There will be specific requirements for the content of the bid package (plans, specifications, estimates) that must be met.

- LACDC will review the plans and specifications for proper, complete content and compliance with Federal labor standards provisions, along with Davis-Bacon Prevailing wage requirements.
- Project cost estimating as well as bid item listing in the spec package shall be broken down into two categories:
  - Removal of barriers (structural, hardscape replacement)
  - Misc. ADA requirements (signage, pavement marking)

### **Scope of Services**

The design documents required under this proposal shall include:

- Construction plans, at a scale of 1" = 10'
- Project general specifications and construction contract documents, including those documents required under state and federal law for projects funding with CDBG funds.
- Technical specifications for all items of work included in the construction contract documents, including but not limited to: demolition and disposal, NPDES Requirements, asphalt paving, concrete curbs and flatwork, removal and re-setting, of existing pavers, handrail installation, and traffic control.
- Because the project is likely to increase the impervious area on the site by more than 500 square feet, the City's Low Impact Development standards will be in effect.
- Plans shall be sufficient to clearly define the limits of the project and to describe the work to be done.
- Construction details, as necessary to allow for accurate bidding and proper construction.
- Construction quantity and cost estimates.

Two complete sets of plans and specifications shall be provided to the Director of Public Works and City Engineer for review and comment prior to final approval thereof. Additional plan check submittals may be required if initial review reveals that corrections or modifications are necessary.

The completed documents shall be provided to the City as follows:

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1 Mylar original  
10 "Hard Copies"  
CD form, Autocad r14, .PDF, and Word format

### **The Firm – The Qualifications**

The successful firm shall have ample experience in the preparation of sitework plans, specifications and estimates. The firm shall be familiar with ADA access requirements and with the special requirements associated with projects which are funded by CDBG funds.

The successful firm shall have experience in Public Works/Municipal projects, and be sensitive to the special needs of Sierra Madre's residents and businesses. In addition, the firm shall have a quality control program designed to limit design errors and the resulting construction change orders. The firm shall have adequate staff to provide a finished design project in a timely manner.

The firm shall staff this project with personnel capable of designing a project of this nature.

### **SOQ/Proposal Submittal Instructions**

Each proposing firm shall provide one hard copy of a Statement of Qualifications and one copy of a project proposal. These shall be separate documents. In addition to the hard copies, each submittal shall include digital copies of the SOQ and project proposal on CD format.

The Statement of Qualifications shall include the following:

#### **Corporate Qualifications**

This document shall provide general background on the proposing firm, including (at least) the following information:

Corporate History (Brief)

Quality Control Program

Special Qualifications-List particular areas of extraordinary expertise, awards received, notable Public Works projects similar to the project for which the proposal is being issued. The project list shall be limited to projects completed within the last 5 years, and projects shall not be listed in both the corporate qualifications and the individual resumes of assigned staff. It is left to the proposing firm to determine which location project experience will be shown.

The project proposal shall include:

#### **Project Approach**

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This section shall describe the proposing firm's envisioned approach to completion of the project and shall include (at least) the following information:

- Scope of services, listing each item of work, per phase
- Project schedule
- Quality control program (Special measures –if any- which the firm will take on this particular project, over and above its normal quality control process, to insure accuracy and completeness of design documents.)
- Resumes only of staff or subcontractors to be assigned to this project
- Current staffing levels
- Current workload
- Project Schedule

### Fee Proposal

This document, to be provided under a separate cover (and as a separate file on the SOQ/Proposal CD), shall describe the proposing firm's proposed Not-to-Exceed fees for the provision of the Scope of Services described under Project Approach and shall include (at least) the following information:

- Proposed fee for each item of work listed in Scope of Services
- Listing of proposed man-hours for each item of work listed in Scope of Services
- Schedule of Hourly Rates

### Required Design Features

Final plans shall be provided on mylar, with sheet size to be 24" by 36." Plans shall clearly indicate locations of existing buried utilities or irrigation system.

Specifications shall be prepared in 8 ½" x 11" comb-bound booklet form. Detail sheets, if any, shall be included in the P & S booklet at 8 ½" x 11".

Final plans and specifications shall also be provided in digital format for upload into bidding advertisement on the City's website.

It is expected that the project shall be awarded for construction prior to the end of Fiscal Year 2016-2017, which is June 30, 2017. Completion of the design effort includes design survey, design, preparation of technical specifications for addition to City standard format bid document, and assistance with bidding up to the award of the construction contract.

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## Terms and Conditions

The selected firm shall sign an "Agreement for Professional Services" as included herein as Attachment A.

Upon the receipt of notification from the City to proceed with work, the consultant shall immediately begin work and shall diligently proceed with each phase of the work until completion.

Questions regarding this RFP/Project must be submitted in writing to Bruce Inman, Director of Public Works at [binman@cityofsierramadre.com](mailto:binman@cityofsierramadre.com). Telephone questions will not be addressed. The deadline for written questions is Wednesday, November 16 in order to allow city staff time to respond with an addendum.

Statements of qualifications and fee proposals shall be due Monday, November 21, 2016 at 12:00 PM in the office of the Director of Public Works, City of Sierra Madre, 232 West Sierra Madre Boulevard, Sierra Madre, CA 91024.

Late proposals shall not be accepted, and shall be returned unopened. Faxed proposals will not be accepted; proposals received by facsimile will be immediately disposed of.

There will be no pre-proposal meeting for this project. Consultants interested in provided the requested services are encouraged to visit the City of Sierra Madre and review the condition of the subject streets prior to issuance of a proposal. Note, the alignment of Segment 5 is not visible from public rights-of-way. Owners of subject private properties are not to be disturbed during the pre-proposal period.

## Mandatory Proposal Requirements

### **Scored Mandatory Requirements**

The Consultant shall provide, as noted above, a description of its Corporate Qualifications, its Project Approach, and its Fee Proposal. These three items, along with the consultant's proposed project schedule will be the basis for proposal evaluation.

### **Proposal Evaluation Criteria**

There will be a total of 250 points possible for each proposal. It is the intent of the City to award the project to the firm scoring the most points in staff's evaluation of the proposals.

"Corporate Qualifications" will be allowed a maximum of 75 points. Proposals shall be evaluated on the basis of:

<u>Corporate History (Brief)</u>	<b>15 Points</b>
<u>Current staffing levels</u>	<b>10 Points</b>
<u>Current workload</u>	<b>10 Points</b>
Recent projects of a similar nature, complete with contact names and telephone numbers for clients on those projects. _____	<b>40 Points</b>

“Project Approach” will be allowed a maximum of 75 points. Proposals will be evaluated on the basis of:

Scope of services, listing each item of work, per phase. The Scope of services shall be an indicator of the Consultant’s understanding of the work to be done, within the context of this RFP, and any jobsite visits made prior to preparation of the proposal. _____	<b>40 Points</b>
<u>Quality control program</u>	<b>15 Points</b>
<u>Resumes of staff to be assigned to this project</u>	<b>20 Points</b>

While the City does not award professional services based solely on the basis of proposed fees, due to limited capital improvement budgets, consideration must be given to professional services costs. Therefore “Fee Proposal” will be allowed a maximum of 50 points. The proposal which is accompanied by the lowest fee will receive the full 50 points, with points given in descending 5-point increments for fee proposals of higher values. (45 points for second lowest, 40 points for third lowest, etc.)

“Project Schedule” will be evaluated on the basis of its demonstrated knowledge of the design work to be done by the engineer, and its representation of the level of priority that the firm will provide to the project.

The project schedule shall be allowed a maximum of 50 points.

The proposals shall be reviewed by Sierra Madre Public Works staff. The decision of staff on the amount of points awarded shall not be negotiable.

**Additional Desirable Elements**

Any firm which is officially listed as a Disadvantaged Business Enterprise (DBE) or a Woman Owned Business(WBE) is encouraged to note that fact in its proposal.

Any firm with considerable experience with LACDC/HUD experience related to the administration of CDBG-funded projects should note that experience and list examples of successfully-completed projects.

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**Exclusions – Not Provided by the City**

Blueprinting and document copying.

**RFQ/RFP Due Date**

Statements of qualifications and fee proposals shall be due Wednesday, November 30, 2016 at 12:00 PM in the office of the Director of Public Works, City of Sierra Madre, 232 West Sierra Madre Boulevard, Sierra Madre, CA 91024.

\* The City's available records and files are very limited in terms of street plans, water plans, and survey data. Staff will gladly make available all files for reference, but it will be the responsibility of the engineer to review the files and do the research necessary for plan and specification preparation.

Attachments:	Attachment A	Sample Professional Service Agreement
	Attachment B	DAC site work findings from ADA evaluation

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# **ATTACHMENT A**

## **SAMPLE PROFESSIONAL SERVICES AGREEMENT**

(City of Sierra Madre / *Company or Individual.*)

### **1. IDENTIFICATION**

THIS PROFESSIONAL SERVICES AGREEMENT (“Agreement”) is entered into by and between the City of Sierra Madre a California municipal corporation (“City”) and \_\_\_\_\_ *[enter consultant (company’s) name]* a \_\_\_\_\_ *[insert consultant’s state of incorporation]*, \_\_\_\_\_ *[enter consultant’s legal status e.g., individual, partnership, corporation, nonprofit public benefit corporation, limited liability company]* (“Consultant”).

### **2. RECITALS**

- 2.1 City has determined that it requires the following professional services from a consultant: \_\_\_\_\_ *[insert description of consultant’s services]*.
- 2.2 Consultant represents that it is fully qualified to perform such professional services by virtue of its experience and the training, education and expertise of its principals and employees. Consultant further represents that it is willing to accept responsibility for performing such services in accordance with the terms and conditions set forth in this Agreement.

**NOW, THEREFORE**, for and in consideration of the mutual covenants and conditions herein contained, City and Consultant agree as follows:

### **3. DEFINITIONS**

- 3.1 “Scope of Services”: Such professional services as are set forth in Consultant’s \_\_\_\_\_ *[enter consultant’s proposal date]* proposal to City attached hereto as Exhibit A and incorporated herein by this reference.
- 3.2 “Approved Fee Schedule”: Such compensation rates as are set forth in Consultant’s \_\_\_\_\_ *[insert date fee schedule submitted to City]* fee schedule to City attached hereto as Exhibit B and incorporated herein by this reference.
- 3.3 “Commencement Date”: \_\_\_\_\_.
- 3.4 “Expiration Date”: \_\_\_\_\_.

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4. **TERM**

The term of this Agreement shall commence at 12:00 a.m. on the Commencement Date and shall expire at 11:59 p.m. on the Expiration Date unless extended by written agreement of the parties or terminated earlier in accordance with Section 17 (“Termination”) below.

5. **CONSULTANT’S SERVICES**

- 5.1 Consultant shall perform the services identified in the Scope of Services. City shall have the right to request, in writing, changes in the Scope of Services. Any such changes mutually agreed upon by the parties, and any corresponding increase or decrease in compensation, shall be incorporated by written amendment to this Agreement. In no event shall the total compensation and costs payable to Consultant under this Agreement exceed the sum of \_\_\_\_\_ Dollars (\$\_\_\_\_\_, \_\_\_\_\_) unless specifically approved in advance and in writing by City.
- 5.2 Consultant shall obtain a City business license prior to commencing performance under this Agreement.
- 5.3 Consultant shall perform all work to the highest standards of Consultant’s profession and in a manner reasonably satisfactory to City. Consultant shall comply with all applicable federal, state and local laws and regulations, including the conflict of interest provisions of Government Code Section 1090 and the Political Reform Act (Government Code Section 81000 *et seq.*).
- 5.4 During the term of this Agreement, Consultant shall not perform any work for another person or entity for whom Consultant was not working at the Commencement Date if both (i) such work would require Consultant to abstain from a decision under this Agreement pursuant to a conflict of interest statute and (ii) City has not consented in writing to Consultant’s performance of such work.
- 5.5 Consultant represents that it has, or will secure at its own expense, all personnel required to perform the services identified in the Scope of Services. All such services shall be performed by Consultant or under its supervision, and all personnel engaged in the work shall be qualified to perform such services. \_\_\_\_\_ ***[enter name of project administrator]*** shall be Consultant’s project administrator and shall have direct responsibility for management of Consultant’s performance under this Agreement. No change shall be made in Consultant’s project administrator without City’s prior written consent.
- 5.6 To the extent that the Scope of Services involves trenches deeper than four feet (4’), Contractor shall promptly, and before the following conditions are disturbed, notify the City, in writing, of any:
- (1) Material that the contractor believes may be material that is hazardous waste, as defined in Health and Safety Code § 25117 which is required to be removed to a Class I, Class II, or Class III disposal site in accordance with provisions of law.

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(2) Subsurface or latent physical conditions at the site differing from those indicated by information about the site made available to bidders prior to the deadline for submitting bids.

(3) Unknown physical conditions at the site of any unusual nature that materially differ from those ordinarily encountered and generally recognized as inherent in work of the character provided for in this Agreement.

City shall promptly investigate the conditions, and if it finds that the conditions do so materially differ, or involve hazardous waste, and cause a decrease or increase in the contractor's cost of, or the time required for, performance of any part of the work, the City shall issue a change order under the procedures described in this Agreement.

## **6. COMPENSATION**

- 6.1 City agrees to compensate Consultant for the services provided under this Agreement, and Consultant agrees to accept payment in accordance with the Approved Fee Schedule in full satisfaction for such services.
- 6.2 Consultant shall submit to City an invoice, on a monthly basis or less frequently, for services performed pursuant to this Agreement. Each invoice shall itemize the services rendered during the billing period and the amount due. City shall not withhold applicable taxes or other payroll deductions from payments made to Consultant except as otherwise required by law.
- 6.3 Payments for any services requested by City and not included in the Scope of Services shall be made to Consultant by City on a time-and-materials basis pursuant to the Approved Fee Schedule. Consultant shall be entitled to increase the fees in this fee schedule at such time as it increases its fees for its clients generally; provided, however, in no event shall Consultant be entitled to increase fees for services rendered before the thirtieth day after Consultant notifies City in writing of an increase in that fee schedule or to compensation other than in compliance with this Agreement, including, without limitation, Section 5.1 above..
- 6.4 To the extent applicable, this Agreement is further subject to the provisions of Article 1.7 (commencing at § 20104.50) of Division 2, Part 3 of the Public Contract Code regarding prompt payment of contractors by local governments. Article 1.7 mandates certain procedures for the payment of undisputed and properly submitted payment requests within 30 days after receipt, for the review of payment requests, for notice to the contractor of improper payment requests, and provides for the payment of interest on progress payment requests which are not timely made in accordance with this Article. This Agreement hereby incorporates the provisions of Article 1:7 as though fully set forth herein.
- 6.5 To the extent applicable, at any time during the term of the Agreement, the

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Consultant may at its own expense substitute securities equivalent to the amount withheld as retention (or the retained percentage) in accordance with Public Contract Code § 22300. At the request and expense of the consultant, securities equivalent to the amount withheld shall be deposited with the City, or with a state or federally chartered bank in this state as the escrow agent, who shall then pay those moneys to the City. Upon satisfactory completion of the contract, the securities shall be returned to the Consultant.

**7. OWNERSHIP OF WRITTEN PRODUCTS**

All reports, documents or other written material (“written products” herein) developed by Consultant in the performance of this Agreement shall be and remain the property of City without restriction or limitation upon use or dissemination by City. Consultant may take and retain copies of such written products as desired, but shall not seek to copyright such written products.

**8. RELATIONSHIP OF PARTIES**

Consultant is, and shall at all times remain as to City, a wholly independent contractor. Consultant shall have no power to incur any debt, obligation, or liability on behalf of City or otherwise to act on behalf of City as an agent. Neither City nor any of its agents shall have control over the conduct of Consultant or any of Consultant’s employees, except as set forth in this Agreement. Consultant shall not represent that it is, or that any of its agents or employees are, in any manner employees of City.

Under no circumstances shall Consultant look to the City as his employer. Consultant shall not be entitled to any benefits. City makes no representation as to the effect of this independent contractor relationship on Consultant’s previously earned PERS retirement benefits, and Consultant specifically assumes the responsibility for making such a determination. Consultant shall be responsible for all reports and obligations including, but not limited to: social security taxes, income tax withholding, unemployment insurance, disability insurance, and workers’ compensation.

**9. CONFIDENTIALITY**

All data, documents, discussion, or other information developed or received by Consultant or provided for performance of this Agreement are deemed confidential and shall not be disclosed by Consultant without prior written consent by City. City shall grant such consent if disclosure is legally required. Upon request, all City data shall be returned to City upon the termination or expiration of this Agreement.

**10. INDEMNIFICATION**

10.1 The parties agree that City, its officers, agents, employees and volunteers should, to the fullest extent permitted by law, be protected from any and all loss, injury, damage, claim, lawsuit, cost, expense, attorneys’ fees, litigation costs, taxes, or any other cost arising out of or in any way related to the performance of this Agreement. Accordingly, the parties intend the provisions of this indemnity provision to be interpreted and construed to provide the City with the fullest

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protection possible under the law. Consultant acknowledges that City would not enter into this Agreement in the absence of Consultant's commitment to indemnify and protect City as set forth herein.

- 10.2 To the fullest extent permitted by law, Consultant shall indemnify, hold harmless, and when the City requests with respect to a claim provide a deposit for the defense of, and defend City, its officers, agents, employees and volunteers from and against any and all claims, losses, costs and expenses for any damage due to death or injury to any person, whether physical, emotional, consequential or otherwise, and injury to any property arising out of or in connection with Consultant's alleged negligence, recklessness or willful misconduct or other wrongful acts, errors or omissions of Consultant or any of its officers, employees, servants, agents, or subcontractors, or anyone directly or indirectly employed by either Consultant or its subcontractors, in the performance of this Agreement or its failure to comply with any of its obligations contained in this Agreement, except such loss or damage which is caused by the sole active negligence or willful misconduct of the City. Such costs and expenses shall include reasonable attorneys' fees due to counsel of City's choice, expert fees and all other expenses of litigation. Consultant shall not be entitled to any refund of attorneys' fees, defense costs or expenses in the event that it is adjudicated to have been non-negligent.
- 10.3 City shall have the right to offset against any compensation due Consultant under this Agreement any amount due City from Consultant as a result of Consultant's failure to pay City promptly any indemnification arising under this Section 10 and any amount due City from Consultant arising from Consultant's failure either to (i) pay taxes on amounts received pursuant to this Agreement or (ii) comply with applicable workers' compensation laws.
- 10.4 The obligations of Consultant under this Section 10 are not limited by the provisions of any workers' compensation or similar statute. Consultant expressly waives its statutory immunity under such statutes as to City, its officers, agents, employees and volunteers.
- 10.5 Consultant agrees to obtain executed indemnity agreements with provisions identical to those set forth here in this Section 10 from each and every subcontractor or any other person or entity involved by, for, with or on behalf of Consultant in the performance of this Agreement. If Consultant fails to obtain such indemnity obligations from others, Consultant agrees to indemnify, hold harmless and defend City, its officers, agents, employees and volunteers from and against any and all claims, losses, costs and expenses for any damage due to death or injury to any person and injury to any property resulting from any alleged intentional, reckless, negligent, or otherwise wrongful acts, errors or omissions of Consultant's subcontractors or any other person or entity involved by, for, with or on behalf of Consultant in the performance of this Agreement. Such costs and expenses shall include reasonable attorneys' fees incurred by counsel of City's choice.

10.6 City does not, and shall not, waive any rights that it may possess against Consultant because of the acceptance by City, or the deposit with City, of any insurance policy or certificate required pursuant to this Agreement. This hold harmless and indemnification provision shall apply whether or not any insurance policies apply to a claim, demand, damage, liability, loss, cost or expense.

## 11. INSURANCE

11.1 During the term of this Agreement, Consultant shall carry, maintain, and keep in full force and effect insurance against claims for death or injuries to persons or damages to property that may arise from or in connection with Consultant's performance of this Agreement.

11.2 Any available insurance proceeds broader than or in excess of the specified minimum Insurance coverage requirements or limits shall be available to the Additional Insured. Furthermore, the requirements for coverage and limits shall be the greater of (1) the minimum coverage and limits specified in this Agreement; or (2) the broader coverage and maximum limits of coverage of any Insurance policy or proceeds available to the named Insured.

11.3 Insurance required under this Agreement shall be of the types set forth below, with minimum coverage as described:

*[The City's Risk Manager should evaluate each agreement and determine the amount of insurance to require.]*

11.3.1 Comprehensive General Liability Insurance with coverage limits of not less than One Million Dollars (\$1,000,000) including products and operations hazard, contractual insurance, broad form property damage, independent consultants, personal injury, underground hazard, and explosion and collapse hazard where applicable.

**\*\*ALTERNATE LANGUAGE:**

Comprehensive General Liability Insurance with minimum limits of One Million Dollars (\$1,000,000) for each occurrence and in the aggregate for any personal injury, death, loss or damage. *[If consultant is a limited liability company, insert "General Liability coverage shall be amended so that Consultant and its managers, affiliates, employees, agents, and other persons necessary or incidental to its operation are insureds."]*

11.3.2 Automobile Liability Insurance for vehicles used in connection with the performance of this Agreement with minimum limits of One Million Dollars (\$1,000,000) per claimant and One Million dollars (\$1,000,000) per incident.

11.3.3 Worker's Compensation insurance if and as required by the laws of the State of California.

11.3.4 Professional Errors and Omissions Insurance with coverage limits of not less than One Million Dollars (\$1,000,000).

***Errors & omissions insurance is required whenever the City contracts for professional services, such as those by doctors, lawyers, architects, engineers, licensed surveyors, etc. When non-professional services, such as planning and general labor services are contracted for, Section 11.1.4 should be deleted.***

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- 11.4 Consultant shall require each of its subcontractors to maintain insurance coverage that meets all of the requirements of this Agreement.
  - 11.5 The policy or policies required by this Agreement shall be issued by an insurer admitted in the State of California and with a rating of at least A:VII in the latest edition of Best's Insurance Guide.
  - 11.6 Consultant agrees that if it does not keep the insurance coverages required by this Agreement in full force and effect, City may either (i) immediately terminate this Agreement; or (ii) take out the necessary insurance and pay the premium(s) thereon at Consultant's expense.
  - 11.7 At all times during the term of this Agreement, Consultant shall maintain on file with City's Risk Manager a certificate or certificates of insurance showing that the required coverages are in effect and naming the City and its officers, employees, agents and volunteers as additional insureds. Prior to commencement of work under this Agreement, Consultant shall file such certificate(s) with City's Risk Manager.
  - 11.8 Consultant shall provide proof that policies of insurance required by this Agreement expiring during the term of this Agreement have been renewed or replaced with other policies providing at least the same coverage. Such proof will be furnished at least two weeks prior to the expiration of the coverages.
  - 11.9 The general liability and automobile policies of insurance required by this Agreement shall contain an endorsement naming City and its officers, employees, agents and volunteers as additional insureds. All of the policies required under this Agreement shall contain an endorsement providing that the policies cannot be canceled or reduced except on thirty days' prior written notice to City. Consultant agrees to require its insurer to modify the certificates of insurance to delete any exculpatory wording stating that failure of the insurer to mail written notice of cancellation imposes no obligation, and to delete the word "endeavor" with regard to any notice provisions.
  - 11.10 The insurance provided by Consultant shall be primary to any other coverage available to City. Any insurance or self-insurance maintained by City and/or its officers, employees, agents or volunteers shall be in excess of Consultant's insurance and shall not contribute with it.
  - 11.11 All insurance coverage provided pursuant to this Agreement shall not prohibit Consultant, and Consultant's employees, agents or subcontractors, from waiving the right of subrogation prior to a loss. Consultant hereby waives all rights of

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subrogation against the City.

- 11.12 Any deductibles or self-insured retentions must be declared to and approved by the City. At the option of City, Consultant shall either reduce or eliminate the deductibles or self-insured retentions with respect to City, or Consultant shall procure a bond in the amount of the deductible or self-insured retention to guarantee payment of losses and expenses.
- 11.13 Procurement of insurance by Consultant shall not be construed as a limitation of Consultant's liability or as full performance of Consultant's duties to indemnify, hold harmless and defend under Section 10 of this Agreement.
- 11.14 Consultant may be self-insured under the terms of this Agreement only with express written approval from City.
  - 11.14.1 All self-insured retentions (SIR) must be disclosed to the City for approval and shall not reduce the limits of liability.
  - 11.14.2 Policies containing any self-insured retention (SIR) provision shall provide or be endorsed to provide that the SIR may be satisfied by either the named Insured or the City.
- 11.15 City reserves the right to obtain a full certified copy of any Insurance policy and endorsements. Failure to exercise this right shall not constitute a waiver of the right to exercise later.

## **12. MUTUAL COOPERATION**

- 12.1 City shall provide Consultant with all pertinent data, documents and other requested information as is reasonably available for the proper performance of Consultant's services under this Agreement.
- 12.2 If any claim or action is brought against City relating to Consultant's performance in connection with this Agreement, Consultant shall render any reasonable assistance that City may require in the defense of that claim or action.

## **13. RECORDS AND INSPECTIONS**

Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services or expenditures and disbursements charged to City under this Agreement for a minimum of three (3) years, or for any longer period required by law, from the date of final payment to Consultant under this Agreement. All such documents shall be made available for inspection, audit, and/or copying at any time during regular business hours, upon oral or written request of City. City shall further have the right to make transcripts therefrom and to inspect all program data, documents, proceedings, and activities.

In addition, pursuant to Government Code Section 8546.7, if the amount of public funds expended under this Agreement exceeds ten thousand dollars, all such documents and this Agreement shall be subject to the examination and audit of the State Auditor, at the request of City or as part of any audit of City, for a period of three (3) years after final payment under the Agreement.

**14. PERMITS AND APPROVALS**

Consultant shall obtain, at its sole cost and expense, all permits and regulatory approvals necessary for Consultant's performance of this Agreement. This includes, but shall not be limited to, professional licenses, encroachment permits and building and safety permits and inspections.

**15. NOTICES**

Any notices, bills, invoices, or reports required by this Agreement shall be deemed received on: (i) the day of delivery if delivered by hand, facsimile or overnight courier service during Consultant's and City's regular business hours; or (ii) on the third business day following deposit in the United States mail if delivered by mail, postage prepaid, to the addresses listed below (or to such other addresses as the parties may, from time to time, designate in writing).

If to City

City of Sierra Madre  
232 W. Sierra Madre Blvd.  
Sierra Madre, CA 91024  
Telephone: (626) 355-7135 x \_\_\_\_  
Facsimile: (626) ???-????

If to Consultant:

*Name of Consultant*  
*Street Address or P.O. Box*  
*City, State Zip Code*  
Telephone: ( ) \_\_\_\_ - \_\_\_\_  
Facsimile: ( ) \_\_\_\_ - \_\_\_\_

With courtesy copy to:

Teresa L. Highsmith, Esq.  
Sierra Madre City Attorney  
Colantuono, Highsmith & Whatley, P.C.  
300 South Grand Ave., Ste. 2700  
Los Angeles, CA 90071-3137  
Telephone: (213) 542-5700  
Facsimile: (213) 542-5710

**16. SURVIVING COVENANTS**

The parties agree that the covenants contained in Section 9, Section 10, Paragraph 12.2 and Section 13 of this Agreement shall survive the expiration or termination of this Agreement.

**17. TERMINATION**

17.1. City may terminate this Agreement for any reason on five calendar days' written

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notice to Consultant. Consultant may terminate this Agreement for any reason on thirty calendar days' written notice to City. Consultant agrees to cease all work under this Agreement on or before the effective date of any notice of termination. All City data, documents, objects, materials or other tangible things shall be returned to City upon the termination or expiration of this Agreement.

- 17.2 If City terminates this Agreement due to no fault or failure of performance by Consultant, then Consultant shall be paid based on the work satisfactorily performed at the time of termination. In no event shall Consultant be entitled to receive more than the amount that would be paid to Consultant for the full performance of the services required by this Agreement as provided in Section 5.1 above and as otherwise provided in this Agreement.

## **18. GENERAL PROVISIONS**

- 18.1 Consultant shall not delegate, transfer, subcontract or assign its duties or rights hereunder, either in whole or in part, without City's prior written consent, and any attempt to do so shall be void and of no effect. City shall not be obligated or liable under this Agreement to any party other than Consultant.
- 18.2 In the performance of this Agreement, Consultant shall not discriminate against any employee, subcontractor, or applicant for employment because of race, color, creed, religion, sex, marital status, sexual orientation, national origin, ancestry, age, physical or mental disability, medical condition or any other unlawful basis.
- 18.3 The captions appearing at the commencement of the sections hereof, and in any paragraph thereof, are for convenience in reference to this Agreement. Should there be any conflict between such heading, and the section or paragraph thereof at the head of which it appears, the section or paragraph shall govern construction of this Agreement. Masculine or feminine pronouns shall be substituted for the neuter form and vice versa, and the plural shall be substituted for the singular and vice versa, in any place or places herein in which the context requires such substitution(s).
- 18.4 The waiver by City or Consultant of any breach of any term, covenant or condition herein contained shall not be deemed to be a waiver of any other term, covenant or condition or of any subsequent breach of the same or any other term, covenant or condition herein contained. No term, covenant or condition of this Agreement shall be deemed to have been waived by City or Consultant unless in writing signed by one authorized to bind the party to be charged with the waiver.
- 18.5 Consultant shall not be liable for any failure to perform if Consultant presents acceptable evidence, in City's sole judgment, that such failure was due to causes beyond the control and without the fault or negligence of Consultant.
- 18.6 Each right, power and remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise shall be cumulative and shall be in addition

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to every other right, power, or remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise. The exercise, the commencement of the exercise, or the forbearance from the exercise by any party of any one or more of such rights, powers or remedies shall not preclude the simultaneous or later exercise by such party of any or all of such other rights, powers or remedies. If legal action shall be necessary to enforce any term, covenant or condition contained in this Agreement, the party prevailing in such action, whether or not reduced to judgment, shall be entitled to its reasonable court costs, including any accountants' and attorneys' fees expended in the action. The venue for any litigation shall be Placer County, California and Consultant hereby consents to jurisdiction in Placer County for purposes of resolving any dispute or enforcing any obligation arising under this Agreement.

- 18.7 If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, then such term or provision shall be amended to, and solely to the extent necessary to, cure such invalidity or unenforceability, and in its amended form shall be enforceable. In such event, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each term and provision of this Agreement shall be valid and be enforced to the fullest extent permitted by law.
- 18.8 This Agreement shall be governed and construed in accordance with the laws of the State of California.
- 18.9 All documents referenced as exhibits in this Agreement are hereby incorporated into this Agreement. In the event of any material discrepancy between the provisions of this Agreement and those of any document incorporated herein by reference, the provisions of this Agreement shall prevail. This instrument contains the entire Agreement between City and Consultant with respect to the transactions contemplated herein. No other prior oral or written agreements are binding upon the parties. Amendments hereto or deviations herefrom shall be effective and binding only if made in writing and executed on behalf of the City and Consultant.
- 18.10 To the extent applicable, this Agreement is further subject to the provisions of Article 1.5 (commencing at Section 20104) of Division 2, Part 3 of the Public Contract Code regarding the resolution of public works claims of less than \$375,000. Article 1.5 mandates certain procedures for the filing of claims and supporting documentation by the contractor, for the response to such claims by the contracting public agency, for a mandatory meet and confer conference upon the request of the contractor, for mandatory nonbinding mediation in the event litigation is commenced, and for mandatory judicial arbitration if the parties fail to resolve the dispute through mediation. This Agreement hereby incorporates the provisions of Article 1.5 as though fully set forth herein.

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18.11 This Agreement is further subject to the provisions of California Public Contracts Code § 6109 which prohibits the Consultant from performing work on this project with a subcontractor who is ineligible to perform work on the project pursuant to §§ 1777.1 or 1777.7 of the Labor Code.

19 **PREVAILING WAGES**

19.1 To the extent that the estimated amount of this Agreement exceeds \$1,000, this Agreement is subject to prevailing wage law, including, but not limited to, the following:

19.1.1 The Consultant shall pay the prevailing wage rates for all work performed under the Agreement. When any craft or classification is omitted from the general prevailing wage determinations, the Consultant shall pay the wage rate of the craft or classification most closely related to the omitted classification. The Consultant shall forfeit as a penalty to City \$200.00 or any greater penalty provided in the Labor Code for each calendar day, or portion thereof, for each worker paid less than the prevailing wage rates for any work done under the Agreement employed in the execution of the work by Consultant or by any subcontractor of Consultant in violation of the provisions of the Labor Code. In addition, the difference between such prevailing wage rates and the amount paid to each worker for each calendar day, or portion thereof, for which each worker was paid less than the prevailing wage rate shall be paid to each worker by the Consultant.

19.1.2 Consultant shall comply with the provisions of Labor Code § 1777.5 concerning the employment of apprentices on public works projects, and further agrees that Consultant is responsible for compliance with § 1777.5 by all of its subcontractors.

19.1.3 Pursuant to Labor Code § 1776, Consultant and any subcontractor shall keep accurate payroll records, showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by Consultant in connection with this Agreement. Each payroll record shall contain or be verified by a written declaration that it is made under penalty of perjury, stating both of the following: (1) The information contained in the payroll record is true and correct; and (2) The employer has complied with the requirements of Labor Code §§ 1811, and 1815 for any work performed by his or her employees on the public works project. The payroll records enumerated under subdivision (a) shall be certified and shall be available for inspection at all reasonable hours as required by Labor Code § 1776.

19.2 To the extent that the estimated amount of this Agreement exceeds \$1,000, this Agreement is further subject to 8-hour work day and wage and hour penalty law, including, but not limited to, Labor Code §§ 1810 and 1813, as well as California nondiscrimination laws, as follows:

19.2.1 Consultant shall strictly adhere to the provisions of the Labor Code regarding the 8-hour day and the 40-hour week, overtime, Saturday, Sunday and holiday work and nondiscrimination on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex or sexual orientation, except as provided in Government Code § 12940. Pursuant to the Labor Code, eight hours' labor shall constitute a legal day's work. Work performed by Consultant's employees in excess of eight hours per day, and 40 hours during any one week, must include compensation for all hours worked in excess of eight hours per day, or 40 hours during any one week, at not less than one and one-half times the basic rate of pay. Consultant shall forfeit as a penalty to City \$25.00 or any greater penalty set forth in the Labor Code for each worker employed in the execution of the work by Consultant or by any Subcontractor of Consultant, for each calendar day during which such worker is required or permitted to the work more than eight hours in one calendar day or more than 40 hours in any one calendar week in violation of the Labor Code.

**TO EFFECTUATE THIS AGREEMENT**, the parties have caused their duly authorized representatives to execute this Agreement on the dates set forth below.

**“City”**  
**City of Sierra Madre**

**“Consultant”**  
***Name of Company or Individual***

By \_\_\_\_\_

By: \_\_\_\_\_  
*Name, Level of Officer e.g., Vice President*

Date: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_  
*Name, Level of Officer e.g., Vice President*

Date: \_\_\_\_\_

pg.

***It takes two signatures to bind a corporation to a contract. If a contractor does not wish to provide two signatures, the City can accept one signature along with a resolution of the corporation's board of directors authorizing the person who signed the contract to bind the corporation to contracts.***

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Attest:

By \_\_\_\_\_  
Deputy City Clerk

Date: \_\_\_\_\_

Approved as to form:

By \_\_\_\_\_  
Teresa L. Highsmith, City Attorney

Date: \_\_\_\_\_

# ATTACHMENT B DAC SITEWORK DEFICIENCY FINDINGS

Click to open attached .pdf document

## Library

### Parking - Exterior : Parking Lot , Parking Space

#### Parking Lot

##### Next To Main Entrance, Left Accessible Space

Parking Lot, Parking Space - Parking Space Not Visible

#### Finding

The pavement marking of the designated accessible parking space is not centered and aligned with the end of the space.

**On-Site Finding** Not Visible

#### Recommendation

Provide a compliant pavement marking at the designated accessible parking space.

**Recommendation** See Recommendation

#### Costing Info (Estimated)

Stripe an accessible 5220

**Code Reference** CA 11B-502.6.4

**Record Number** 168150



### Parking - Exterior : Parking Lot , Parking Space

#### Parking Lot

##### Next To Main Entrance, Left Accessible Space

Parking Lot, Parking Space - Van Accessible Signage

#### Finding

There is no additional signage marked "van accessible" at the van accessible parking space.

**On-Site Finding** None Found

#### Recommendation

van accessible parking spaces shall provide additional signage that states "van accessible".

**Recommendation** See Recommendation

#### Costing Info (Estimated)

Install post-mounted sign 5250

**Code Reference** ADA 502, 502.5

**Record Number** 168151



## **ATTACHMENT B      DAC SITEWORK DEFICIENCY FINDINGS**

*Click to open attached .pdf document*



# City of Sierra Madre Agenda Report

*Gene Goss, Mayor*  
*Rachelle Arizmendi, Mayor Pro Tem*  
*John Capoccia, Council Member*  
*Denise Delmar, Council Member*  
*John Harabedian, Council Member*

*Melinda Carrillo, City Clerk*  
*Michael Amerio, City Treasurer*

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Elaine I. Aguilar, City Manager 

**INITIATED BY:** Larry Giannone, Director of Public Safety 

**REVIEWED BY:** Marcie Medina, Finance Director

**DATE:** October 25, 2016

**SUBJECT:** Expansion of Information Technology (I.T.) Service Hours and Computer Security Study

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## **SUMMARY**

The I.T. Master Plan was presented to the City Council on September 12, 2016. Two of the recommendations that were identified as high priority items were the review of security measures in place for the City's computer system infrastructure and the immediate need to increase the available hours of I.T. staff.

There has not been a formal study done on the computer system infrastructure for over 10 years, however the current I.T. staff feels the system is considered reasonably safe with the current policies in place. They do agree with the recommendation that the system infrastructure be reviewed and recommendations from the I.T. Master plan be implemented. Additionally during the recent transition of the new I.T. personnel it was discovered that the limited time that is budget for I.T. staff falls short of the necessary time needed to keep the City's computers, servers, and phone systems operating in an efficient manner.

The approved budget for I.T. staff represents only 12 hours a week for I.T. assistance. Staff is recommending to increase the hours to 24 hours a week until June 30, 2017. This will bring the current I.T. needs up to an appropriate working condition and ensure that the proper security measures are in place. During the next fiscal budget process, staff will return with a recommendation for I.T. services on a more permanent basis.

Funding for the 8 months of additional staff hours would cost approximately \$50,000. The funds would be appropriated from the Internal Service Fund Reserves.

**FOR CITY COUNCIL AGENDA** \_\_\_\_\_

**AGENDA ITEM #** \_\_\_\_\_

## **ANALYSIS**

Local government agencies are understanding the direct correlation of effective application utilization, organizational efficiency, and productivity gains. Increasing application utilization is key for the organization to do more with the same labor resources. Additionally, institutional knowledge too often leaves organizations, through retirements and other employment separations, due to many processes and procedures being inadequately automated. Typically, agency goals of improved transparency and constituent services are also accomplished through various software programs that automate and streamline processes. We are continually increasing our electronic needs on a daily basis, it is the way of doing business these days. Where it once could be looked at as an added service I.T. services are now a daily necessity.

The I.T. Master Plan was presented to the City Council on September 12, 2016. Two of the recommendations that were identified as high priority items were the review of security measures in place for the City's computer system infrastructure and the immediate need to increase the available hours of I.T. staff.

### ***I.T. Staff Hours:***

Currently the City budgets for 6 hours a week of contractual I.T. services. In a recent review by City Staff of the I.T. software systems, I.T. projects, and computer infrastructure things were found to be outdated and some projects behind as much as two years. City staff recruited staffing from Knight Communications to assist our current vendor, Axontech, to help with the lower level I.T. needs. Axontech continues to work on the enterprise level items, including but not limited to, server maintenance, backup systems, and maintenance of the finance system. Staff estimates that it will take approximately 8 months to bring everything up to an acceptable level. With the addition of the VoIP Phone system, the daily need to have an I.T. person available is paramount.

Staff is recommending that Knight Communications be funded for 16 hours a week (Monday through Thursday 8 am to Noon) and that Axontech's hours be decreased by four hours a week for a total of 8 hours. The revised hours would be temporary and would not to extend past June 30, 2017. During the next fiscal budget process, staff will return with a recommendation for I.T. service hours on a more permanent basis.

### ***Computer System Security:***

An I.T. Security Review is a complete review of I.T. assets and the development of recommendations for improvements to security-related policies, security systems, physical security, servers, workstations, laptop security, and compliance with existing policies and procedures. The focus of an I.T. Security Review is on the security of the

I.T. infrastructure, including the physical computer room(s) and environment, data network, file servers and backups, desktop PCs, laptops, and disaster recovery.

The review of the City's computer system and security measures has not been done for over 10 years as far as Staff was able to research. A shallow look into the system was performed as part of the I.T. Master plan, which readily identified that the system is obsolete and could possibly be vulnerable to cyber-attacks. The increased hours, along with the lower level help from Knight Communications, would allow Axontech to review the current security of the City's Computer System, implement some additional software and policy changes as well as some minor hardware upgrades to bring our current infrastructure up to an acceptable level.

### **FINANCIAL REVIEW**

To enhance the I.T. Services through June of 2017 the cost would be approximately \$50,000. Presently there is \$579,000 in the Internal Services Reserves. Staff is recommending the appropriation not to exceed \$50,000 from the Internal Service Fund Reserves to complete this project.

### **PUBLIC NOTICE PROCESS**

This item has been noticed through the regular agenda notification process. Copies of the report are available via the City's website at [www.cityofsierramadre.com](http://www.cityofsierramadre.com), at the City Hall public counter, and the Sierra Madre Public Library.

### **ALTERNATIVES**

The City Council may choose not to approve the increase in I.T. Service Hours and the completion of and IT Security Review.

The City Council may choose to direct Staff to look at other options for IT Services.

### **STAFF RECOMMENDATION**

Staff recommends that the City Council approve the increase of I.T. Service Hours, which will include the completion of an I.T. Security Review, not to extend past June 30, 2017 and to appropriate the funds not to exceed \$50,000 from the Internal Services Reserves.



# City of Sierra Madre Agenda Report

*Gene Goss, Mayor*  
*Rachelle Arizmendi, Mayor Pro Tem*  
*John Capoccia, Council Member*  
*Denise Delmar, Council Member*  
*John Harabedian, Council Member*

*Melinda Carrillo, City Clerk*  
*Michael Amerio, City Treasurer*

TO: Honorable Mayor Goss and Members of the City Council

FROM: Elaine I. Aguilar, City Manager 

DATE: October 25, 2016

**SUBJECT: Consideration of Amendment to the Joint Powers Agreement Dated June 12, 2000 to Form the Foothill Policy Board Which Will Administer the New Workforce Innovation and Opportunity Act Which Replaced the Workforce Investment Act of 1998**

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## **SUMMARY**

Attached is correspondence and an amendment to the Joint Powers Agreement with the Foothill Policy Board. It is recommended that the City Council approve the amendment.

## **ANALYSIS**

Sierra Madre, along with the cities of Arcadia, Duarte, Monrovia, South Pasadena and Pasadena, is a member of a consortium for the purpose of being recognized as a "local area" under the Job Training Partnership Act of 1982. The consortium is known as the Foothill Employment and Training Consortium.

There have been several iterations of workforce legislation since the Works Progress Administration (WPA). The Workforce Investment Act of 1998 replaced the Job Training Partnership Act (JPTA) of 1982, creating workforce investment boards and the current one-stop delivery system. WIA provided for local areas with a minimum population of 200,000 to be designated as workforce investment areas and for the chief local elected officials of the area to appoint a local majority private sector Workforce Investment Board (WIB). The WIB together with the chief local elected officials for the local area were charged with oversight and policy development for the local area.

The Workforce Innovation and Opportunity Act (WIOA) replaced the Workforce Investment Act of 1998. The WIOA makes changes to the governance of local programs in that population is no longer the determining factor in the designation of local workforce areas. However, WIOA, requires governors to designate as local workforce development areas all workforce investment areas under WIA which met

performance and fiscal integrity requirements. The Foothill Workforce Investment Area, is eligible for and has been informed by the state that it will be designated a workforce area to receive formula funds to implement workforce development programs in the six city local area.

Other than the elimination of population as a criterion for designation, WIOA charges states with grouping local development areas into regions which will be required to develop a single joint plan for the deployment of programs in the region and the negotiation of performance measures for the region. WIOA maintains the majority private sector local boards, although the membership is slightly different than under WIA. WIOA also maintains the one-stop delivery system and the three funding streams for adult, dislocated worker and youth programs.

As is the case with new legislation, the JPA needs to be updated to reflect the new legislation. The amendment if approved would:

1. Substitute the words Workforce Innovation and Opportunity Act or WIOA for the words Workforce Investment Act or WIA.
2. Substitute the words Workforce Development Board for the words Workforce Investment Board or WIB.
3. Substitute the words Workforce Development Area for the words Workforce Investment Area.
4. Eliminate the reference to a Youth Council as WIOA no longer requires a Youth Council. Instead local boards can, but are not required to, appoint committees one of which can be a youth committee. Unlike Youth Councils, youth committees have no prescribed membership requirements other than they include a representative of a community based organization.

None of these changes are material or change the current agreement and understanding among the cities who are party to the Joint Powers Agreement. When the state issues planning instructions for the new four year plan under WIOA, there will be a requirement to attach the updated Joint Powers Agreement.

### **FINANCIAL REVIEW**

Other than staff time preparing this report, there are no financial impacts associated with the approval of the amendment to the Joint Powers Agreement. The JPA is a non-financial agreement.

### **PUBLIC NOTICE PROCESS**

This item has been noticed through the regular agenda notification process. Copies of this report are available at the City Hall public counter, on the City's website, and the Sierra Madre Public Library.

## **ALTERNATIVES**

The alternatives are:

1. Approve the amendment to the Joint Powers Agreement between the cities of Arcadia, Duarte, Monrovia, Sierra Madre, South Pasadena, and Pasadena, and filed with the City of Pasadena as document #57378 entered into on June 12, 2000, for the purpose of forming a consortium to administer employment and training programs under the Workforce Investment Act of 1998, hereinafter referred to as WIA, P.L. 29 U.S.C. 2801 et seq., Public Law 105-220, 112 Stat. 936. This amendment does not make any material changes to the Joint Powers agreement.
2. Not approve the amendment.
3. Request additional information and direct staff to return to a future meeting.

## **STAFF RECOMMENDATION**

It is recommended that the City Council approve the amendment to the Joint Powers Agreement between the cities of Arcadia, Duarte, Monrovia, Sierra Madre, South Pasadena, and Pasadena, and filed with the City of Pasadena as document #57378 entered into on June 12, 2000, for the purpose of forming a consortium to administer employment and training programs under the Workforce Investment Act of 1998, hereinafter referred to as WIA, P.L. 29 U.S.C. 2801 et seq., Public Law 105-220, 112 Stat. 936.

Attachment: Correspondence and JPA Amendment from the Foothill workforce Development Board



**FOOTHILL WORKFORCE DEVELOPMENT BOARD**

The Workforce Partnership of Arcadia, Duarte, Monrovia, Pasadena, Sierra Madre, and South Pasadena

1207 East Green Street, Pasadena, California 91106

(626) 796-JOBS

**WORKFORCE DEVELOPMENT BOARD**

**Chair:**  
Tony P. Tartaglia  
The Gas Company

**Executive Director:**  
Phillip L. Dunn

**POLICY BOARD**  
**Chair:**  
Robert S. Joe  
City of South Pasadena

April 21, 2016

**MEMORANDUM**

**To:** **City Manager Elaine Aguilar**  
**City of Sierra Madre**  
232 W. Sierra Madre Boulevard  
Sierra Madre, CA 91024

**From:** **Phillip L. Dunn**, FETC Administrator

**cc:** FETC Policy Board Members: Sho Tay (Arcadia), John Fasana (Duarte), Larry Spicer (Monrovia), Tyron Hampton (Pasadena), John Harabedian (Sierra Madre) and Robert Joe (Chair, South Pasadena)

**Subject:** Amendment of the Joint Powers Agreement (JPA) entered into on June 12, 2000 to Substitute the words Workforce Innovation and Opportunity Act (WIOA) for the words Workforce Investment Act (WIA) and other minor non material changes occasioned by the passage of WIOA.

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At its 4/19/16 meeting, the Foothill Employment and Training Consortium (FETC) Policy Board of Elected Officials reviewed and discussed the amendments to the above noted JPA. The Policy Board recommended that the draft JPA amendments be distributed to the consortium cities for their review and comment. As such, at the behest of the Policy Board, I am forwarding you copies of the following draft documents:

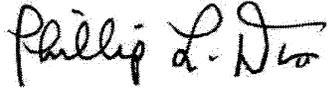
1. Old Joint Powers Agreement No. 17,318
2. Amended Joint Powers Agreement
3. Amended Joint Powers Agreement with Strike-Outs
4. Draft Agenda Report for the six City Councils

Please review the background section of the draft city council agenda report for details regarding the requirements to amend the JPA. Also, please note that there is no fiscal impact as a result of the action to amend the JPA. Please share a copy of the drafts with your city attorney's office and/or appropriate city administrators.

The Board has established a 30 day review and comment period for this process. Therefore, please forward to me any comments or edits you may have regarding the JPA or agenda report. After edits are incorporated, a final version of the documents will be sent to you for submission to your city council for review and approval.

Please contact me if you have questions about this matter. Also, if you need electronic copies of these documents, please contact Rita Magno at (626) 584-8395 or [rmagno@foothilletec.org](mailto:rmagno@foothilletec.org).

Thank you,

A handwritten signature in black ink that reads "Phillip L. Dunn". The signature is written in a cursive style with a large, stylized 'P' and 'D'.

**Phillip L. Dunn**  
FETC Administrator  
1207 E. Green Street  
Pasadena, CA 91106  
(626) 584-8396

JOINT EXERCISE OF POWERS AGREEMENT NO. 17,318

THIS JOINT EXERCISE OF POWERS AGREEMENT is among the cities of Arcadia, Duarte, Monrovia, Sierra Madre, South Pasadena, and Pasadena, each of which is a municipal corporation duly organized and existing under the laws of the State of California, hereinafter collectively referred to as "the parties."

RECITALS:

The following are the facts upon which this Agreement is based:

WHEREAS, the Workforce Investment Act of 1998, hereinafter referred to as the "Act" (29 U.S.C. 2801 et seq., Public Law 105-220, 112 Stat. 936), authorizes the expenditure of federal funds to provide workforce investment activities, through statewide and local workforce investment systems, that increase the employment, retention, and earnings of participants, and increase occupational skill attainment by participants, and, as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the Nation; and,

WHEREAS, the parties to this Agreement are willing to accept the responsibilities and duties as may be prescribed by the Act, as said legislation may from time to time be amended; and,

WHEREAS, the Act permits any consortium of units of local government with an aggregate population of 200,000 or more to form a separate "local area" so long as it was designated as a Service Delivery Area (hereafter "SDA") under the Job Training Partnership Act of 1938 (hereafter "JTPA"), and had acceptable programmatic outcomes and financial management; and,

WHEREAS, the Cities of Arcadia, Duarte, Monrovia, Sierra Madre, South Pasadena, and Pasadena are contiguous cities, located in the West San Gabriel Valley, having an aggregate population in excess of 200,000, and comprising an SDA having acceptable performance under the JTPA; and,

WHEREAS, said Cities desire to form a consortium for the purpose of becoming a recognized local area under the Act, which shall be known as the Foothill Employment and Training Consortium; and,

WHEREAS, the consortium would benefit the residents of the subject communities by maintaining local autonomy and allowing public officials to better respond to the needs of local business; and,

WHEREAS, the establishment of a consortium among said Cities would result in a more cohesive, locally based Workforce Investment Board and provide for the development of industry specific training based upon local labor market demands and characteristics of the eligible population; and,

WHEREAS, it is to the mutual benefit of the parties hereto and in the best public interest of said parties to join together to establish this Joint Powers Agreement to accomplish the purposes herein set forth; and,

WHEREAS, by this Agreement, the parties hereto intend to exercise their powers jointly to accomplish common objectives;

NOW, THEREFORE, the parties agree as follows:

SECTION 1. PURPOSE.

This Agreement is made pursuant to the provisions of Article 1, Chapter 5, Division 7, Title I of the Government Code of the State of California (commencing with Section 6500) relating to the joint exercise of powers common to the parties hereto. The purpose of this Agreement is to exercise such powers jointly in the establishment of a universally accessible workforce development system and in particular to develop, coordinate, and implement the delivery of a locally based Workforce Investment Act (hereafter "WIA") program in accordance with requirements of the Act. An additional purpose of this Agreement is also to develop, coordinate, and implement the delivery of other education, employment, and training programs that may benefit the parties and their residents.

SECTION 2. TERM.

A. This Agreement shall become effective and binding upon the parties hereto when each of the governing bodies of the parties has authorized the execution of this Agreement and the same has been executed by the duly authorized representative of

each of such parties. This Agreement shall continue in effect until terminated.

Additional cities and the County of Los Angeles may by mutual consent of the parties become parties to this Agreement subject to the approval of the governing bodies of the agencies participating in this Agreement. Any party to this Agreement may withdraw from the consortium by giving 90 days written notice to the Administrator of its intent to cease participation in the consortium. Provided, however, that the within Agreement shall continue in full force and effect until all except one party have withdrawn and the State has authorized another entity to receive and administer WIA funding for the residents of the parties to this Joint Powers Agreement.

B. For the purpose of this Agreement, the term "fiscal year" shall mean the period from July 1 to and including June 30 of the following year.

### SECTION 3. DESIGNATED ADMINISTRATOR -- CITY OF PASADENA

Pursuant to Section 6506 of the Government Code, the City of Pasadena is designated as the Grant Recipient, fiscal agent, and Administrator for the consortium of general local governmental units participating in this Agreement and shall provide the program administration necessary to implement the local Workforce Investment Area WIA Program, under the supervision and direction of the Policy Board and the Workforce Investment Board.

### SECTION 4. POLICY BOARD.

A. This consortium shall be administered by a Policy Board made up of an elected official of each participating public entity.

B. The legislative body of each of the participating public entities shall appoint one policy board member and one alternate board member. Each member of the Board, or subsequent replacement, shall serve a two-year term and each member shall serve at the pleasure of the appointing authority. Vacancies during a term and successors following expiration of the term of any member shall be filled in the same manner as the original appointments. Members shall receive no compensation except reimbursement for expenses incurred in conducting business on behalf of the consortium. Said expenses must be allowable under the Act, and reasonable and necessary as determined by the Policy Board.

C. If a board member cannot attend a meeting, the alternate attending shall be fully empowered to act as the board member for the meeting so attended.

#### SECTION 5. RESPONSIBILITIES OF THE POLICY BOARD.

It shall be the responsibility of the Policy Board to:

- A. Appoint members to the Workforce Investment Board in accordance with Section 117(c) of the Act;
- B. At its discretion, review the Workforce Investment Board's appointment of Youth Council Members;
- C. Determine general program policy;
- D. Approve the job training plan in conjunction with the Workforce Investment Board;

E. Review and approve memoranda of understanding entered into by the Workforce Investment Board and required one-stop partners described in Section 121(b)(1)(B);

F. Approve the Workforce Investment Board's designation or certification of one-stop operator(s);

G. With the Workforce Investment Board, conduct oversight with respect to the local one-stop delivery system;

H. Ensure that services rendered are in the best interest of the local Workforce Investment Area residents; and

I. Ensure that all activities are carried out in accordance with the Act and any other related legislation.

J. The Chairperson of the Policy Board shall be designated as the "chief elected official" as that term is used in Section 101 of the WIA.

#### SECTION 6. MEETINGS OF THE POLICY BOARD.

##### A. Regular Meetings.

The Policy Board shall provide for its regular, and special meetings, provided, however, that it shall hold at least one regular meeting in each year and such further meetings as the parties may reasonably request depending upon the pressure of business. The date, hour and place at which any regular meeting shall be held shall be fixed by resolution and a copy of such resolution shall be filed with each party. The place of the regular meetings shall be a public building or other facility

within the County of Los Angeles which complies with the requirements of the Ralph M. Brown Act. The Policy Board shall adopt rules for conducting its meetings and other business.

B. The Ralph M. Brown Act.

All meetings of the Board including, without limitation, regular, adjourned regular, and special meetings, shall be called, noticed, held and conducted in accordance with the provisions of the Ralph M. Brown Act (commencing with §54950 of the Government Code).

C. Minutes.

The secretary of the Policy Board shall cause to be kept minutes of regular, adjourned regular, and special meetings, and shall, as soon as possible after each meeting, cause a copy of the minutes to be forwarded to each member of the Board and to the parties hereto.

D. Quorum - Action.

A majority of members of the Policy Board present at a meeting shall constitute a quorum for the transaction of business, except that a lesser number may adjourn for lack of quorum. No action at a meeting shall be valid unless it receives the affirmative vote of a majority of those present.

SECTION 7. OFFICERS OF THE CONSORTIUM.

The Policy Board shall elect a Chairperson and Vice-Chairperson at its first meeting and, thereafter, at the first meeting in each succeeding fiscal year, the Policy

Board shall elect or re-elect its Chairperson and Vice-Chairperson. In the event that the Chairperson or Vice-Chairperson elected ceases to be a Board Member, the resulting vacancy shall be filled at the next regular meeting of the Policy Board held after such vacancy occurs. In the absence or inability of the Chairperson to act, the Vice-Chairperson shall act as Chairperson. The Chairperson, or in his absence the Vice-Chairperson, shall preside at and conduct all meetings of the Policy Board. The Executive Director shall be, and act as, the Secretary of the Policy Board. The Executive Director shall be appointed by the administrator of the consortium, the City of Pasadena. The Director of Finance of the City of Pasadena shall be, and act as, the Treasurer of consortium, and as, Controller of the consortium pursuant to Government Code §6505.5.

#### SECTION 8. POWERS.

A. The City of Pasadena shall have the power to operate a local Workforce Investment Area under the Act in the geographical areas comprising the incorporated Cities of Arcadia, Duarte, Monrovia, Sierra Madre, South Pasadena, and Pasadena, and such other communities as the governing legislative bodies of said communities, by resolution or contract, shall prescribe and the Policy Board shall consent to.

B. The City of Pasadena is authorized to do all acts necessary for the exercise of said common powers for the common benefit of the parties to this Agreement and the citizens thereof and consistent with such federal and state funding provided under the Act, to acquire by lease buildings or sites, and to maintain, operate, or lease the same for public purposes and to purchase general liability insurance; the City of Pasadena is

authorized to do all acts necessary for the exercise of said common powers for said purposes, including, but not limited to, any or all of the following: to make and enter into contracts, to employ agents and employees; to manage, maintain, or operate any buildings, facilities, works or improvements above enumerated; to acquire property by lease; to hold or dispose of property by lease or sale; to incur debts, liabilities or obligations required by the exercise of these powers; and to sue and be sued in its own name. Said powers shall be exercised in the manner provided in said Act, and, except as expressly set forth herein, subject only to such restrictions upon the manner of exercising such powers as are imposed upon the parties in the exercise of similar powers.

#### SECTION 9. DISPOSITION OF ASSETS.

At the end of the term hereof or upon the earlier termination of this Agreement, all property of the consortium shall automatically vest in the party hereto which has heretofore transferred said property to the consortium and shall thereafter remain the sole property of said party. All other property of the consortium shall be returned to the parties in proportion to their respective contribution to the cost of acquisition of such property or as the Policy Board may direct.

#### SECTION 10. DISPOSITION OF FUNDS UPON TERMINATION

Upon termination of this Agreement, any money in possession of the consortium after the payment of all costs, expenses and charges validly incurred under this Agreement, shall be returned to the parties in proportion to their contribution determined as of the time of termination.

SECTION 11. ASSISTANCE TO ADMINISTRATOR.

The parties may, in appropriate circumstances:

- A. make contributions from their treasuries for the purposes set forth herein;
- B. make advances of public funds for such purposes set forth in this Agreement on such terms of repayment as may be agreed to between the Administrator and the party making the advance; and,
- C. use their personnel, equipment or property in lieu of other contributions or advances.

Sums so contributed or obtained shall be paid to and disbursed by the Treasurer. The provisions of Government Code Section 6513 are hereby incorporated into this Agreement by reference.

SECTION 12. DISALLOWED COSTS.

- A. Each party to this Agreement shall pay its fair share of any disallowed costs which is finally determined by the State of California or the Federal Government to be due and owing to the State or Federal Government.
- B. The apportionment of disallowed costs incurred by the consortium, and payable by the parties to this Agreement involving funds disallowed under the Act, shall be based upon the allocation formula which the State of California is obligated to use in distributing funds to local Workforce Investment Areas as stated in the WIA.

SECTION 13. ACCOUNTS AND REPORTS.

A. The Controller of the consortium shall establish and maintain such funds and accounts as may be required by good accounting practice. The books and records of the consortium in the hands of the Controller shall be open to inspection at all reasonable times by representatives of the parties. The Controller of the consortium, within 90 days after the close of each fiscal year, shall give a complete written report of all financial activities for such fiscal year to the Executive Director of the WIB and the parties. The Controller furthermore shall either make or contract with a certified public accountant to make audits of the accounts and records of the consortium as required by the Act. Said report shall be filed within twelve months of the end of the fiscal year under examination. The audit shall comply with Section 6505 of the Government Code.

B. Any costs of such audits, including contracts with or employment of certified public accountants or public accountants in making an audit pursuant to this section, shall be borne by the consortium and shall be a charge against any unencumbered funds of the consortium available for such purpose.

C. The Treasurer of the consortium shall assume the duties described in California Government Code Section 6505.5 including to wit:

- (1) Receive and receipt for all money of consortium and place it in the City of Pasadena treasury to the credit of consortium;

- (2) Be responsible upon his official bond for the safekeeping and disbursement of all consortium money so held by him/her;
- (3) Pay sums due from consortium from consortium money, only upon warrants of the Controller of consortium; and,
- (4) Verify and report, in writing, to consortium and to the parties to this Agreement at the Policy Board's regular meetings, the amount of money held for the consortium, the amount of receipts since the last report, and the amount paid out since the last report.

#### SECTION 14. INSURANCE.

The Administrator shall maintain in force at all times during the terms of this Agreement, policies of insurance covering the operation of the consortium. Such insurance shall be primary and carriers shall be required to waive any right of contribution from other insurance which may be available to the parties of this Agreement.

#### SECTION 15. FUNDS AND PROPERTY.

A. The Treasurer of the consortium shall have the custody of and disburse consortium funds pursuant to the accounting procedures developed in accordance with the provisions hereinabove, and as nearly as possible in accordance with normal City of Pasadena procedures.

B. The Treasurer herein designated as the person responsible for all monies of the consortium, is also designated hereby as responsible for all other property of the consortium.

SECTION 16. AMENDMENTS.

All amendments to this Agreement shall require an affirmative vote of not less than five (5) of the parties. All amendments to this Agreement shall be in writing and signed by the parties agreeing thereto.

SECTION 17. NOTICES.

Notices hereunder shall be sufficient if delivered to the City Clerk of each of the member cities, and the Clerk of the legislative body of any other participating public entities.

SECTION 18. MISCELLANEOUS.

A. The section headings herein are for convenience of reference only and are not to be construed as modifying or governing the language or meaning referred to in the section.

B. Whenever in this Agreement any consent or approval is required, the same shall not be unreasonably withheld.

C. This Agreement is made in the State of California under the Constitution and laws of such State and is to be construed in accordance with those laws.

SECTION 19. SEVERABILITY.

Should any part, term or provision of this Agreement, or the application thereof to any person or circumstances, be held to be illegal or in conflict with any law of the State of California, or otherwise be rendered unenforceable or ineffectual, the validity of the remaining parts, terms, or provisions, or the application thereof to other persons or circumstances, shall be deemed severable and shall not be affected thereby, provided such remaining portions or provisions can be construed in substance to continue to constitute the Agreement that the parties intended to enter into in the first instance.

DATED: 7/10/2000

CITY OF PASADENA

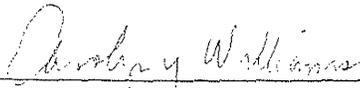
By 

Title Mayor

ATTEST:

  
Jane Rodriguez CMC  
City Clerk

APPROVED AS TO FORM:

  
Carolyn Y. Williams  
Assistant City Attorney

DATED: 8/1/00

CITY OF SOUTH PASADENA

By Dorothy M. Cohen  
Dorothy M. Cohen

Title Mayor

ATTEST:

Jeannine A. Gregory  
Jeannine A. Gregory  
City Clerk

APPROVED AS TO FORM:

Joseph W. Pannone  
Joseph W. Pannone  
City Attorney

DATED:

CITY OF ARCADIA

By Gary L. Kovacic

Title Mayor

ATTEST:

\_\_\_\_\_

APPROVED AS TO FORM:

Stephen P. Deutsch

DATED:

CITY OF SIERRA MADRE

By Robert H. Shook

Title Mayor

ATTEST:

Nancy Sue Shollenberg

APPROVED AS TO FORM:

\_\_\_\_\_

www.cityofsierramadre.com

DATED: July 25, 2000

CITY OF MONROVIA

By 

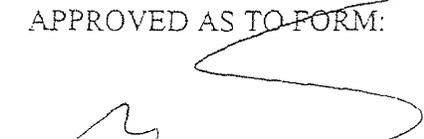
Title Mayor 

ATTEST:



Linda B. Proctor, CMC/AAE  
City Clerk

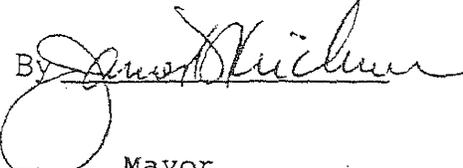
APPROVED AS TO FORM:



Michael G. Colantuono  
City Attorney

DATED:

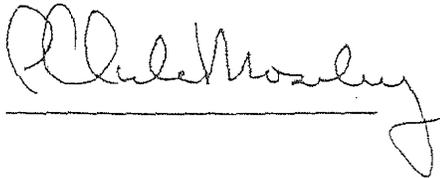
CITY OF DUARTE

By   
Title Mayor

ATTEST:

Maria Akana

APPROVED AS TO FORM:



AMENDMENT NUMBER ONE TO  
JOINT EXERCISE OF POWERS AGREEMENT NO. \_\_\_\_\_

THIS IS AN AMENDMENT TO THE JOINT EXERCISE OF POWERS AGREEMENT by and between the cities of Arcadia, Duarte, Monrovia, Sierra Madre, South Pasadena, and Pasadena, each of which is a municipal corporation duly organized and existing under the laws of the State of California, hereinafter collectively referred to as “the parties.”

RECITALS:

The following are the facts upon which this Agreement is based:

WHEREAS, the parties entered into an agreement in order to implement the Workforce Investment Act of 1998, hereinafter referred to as “WIA” (29 U.S.C. 2801 et seq., Public Law 105-220, 112 Stat. 936), and

WHEREAS, WIA has been repealed and replaced by the Workforce Innovation and Opportunity Act of 2014, hereinafter referred to as “WIOA,” (29 U.S.C. 3101 et seq., Public Law 113-128, 128 Stat.1425), and

WHEREAS, WIOA authorizes the expenditure of federal funds to provide workforce development activities, through statewide and local workforce development systems, that increase the employment, retention, and earnings of participants, and increase occupational skill attainment by participants, and, as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the Nation; and,

WHEREAS, the parties to this Agreement are willing continue to accept the responsibilities and duties as may be prescribed by WIOA, as they did under WIA and as said legislation may from time to time be amended; and,

WHEREAS, WIOA provides for the states to designate as workforce development areas, any area which was a service delivery area under WIA, that met its federal performance measures and sustained fiscal integrity for the two years preceding the enactment of WIOA, and,

WHEREAS, the Cities of Arcadia, Duarte, Monrovia, Sierra Madre, South Pasadena, and Pasadena came together under WIA to be a service delivery area known as the Foothill Employment and Training Consortium and have met the performance and financial management requirements to continue as a workforce

development area under WIOA; and,

WHEREAS, the continuing the consortium would benefit the residents of the subject communities by maintaining local autonomy and allowing public officials to better respond to the needs of local business; and,

WHEREAS, the establishment of a consortium among said Cities would result in the appointment of a more cohesive, locally based Workforce Development Board and provide for the development of industry specific training based upon local labor market demands and characteristics of the eligible population; and

WHEREAS, it is to the mutual benefit of the parties and in the best public interest of said parties to join together to amend the Joint Powers Agreement so that the Foothills Consortium can continue to oversee workforce development programs in their local workforce development area; and,

WHEREAS, by this Amendment, the parties hereto intend to continue to exercise their powers jointly to accomplish common objectives;

NOW, THEREFORE, the parties agree as follows:

The recitals are amended as follows:

The following are the facts upon which this Agreement is based:

WHEREAS, the Workforce Innovation and Opportunity Act of 2014 hereinafter referred to as the WIOA (29 U.S.C. 3101 et seq., Public Law 113-128, 442 128 Stat. 1425), authorizes the expenditure of federal funds to provide workforce investment activities, through statewide and local workforce development systems, that increase the employment, retention, and earnings of participants, and increase occupational skill attainment by participants, and, as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the Nation; and,

WHEREAS, the parties to this Agreement are willing to accept the responsibilities and duties as may be prescribed by WIOA, as said legislation may from time to time be amended; and,

WHEREAS, WIOA directs the Governor to designate "local area" so long as it was designated as a Workforce Development Area under the Workforce Investment Act of 1998, and had acceptable programmatic outcomes and financial management; and,

WHEREAS, the Cities of Arcadia, Duarte, Monrovia, Sierra Madre, South Pasadena, and Pasadena formed the Foothill Employment and Training Consortium under the Workforce Investment Act of 1998; and,

WHEREAS, Foothill Employment and Training Consortium had acceptable programmatic outcomes and financial management; and,

WHEREAS, the consortium would benefit the residents of the subject communities by continuing to maintain local autonomy allowing public officials to better respond to the needs of local business; and,

WHEREAS, it is to the mutual benefit of the parties hereto and in the best public interest of said parties to continue this Joint Powers Agreement to accomplish the purposes herein set forth; and,

WHEREAS, by this Agreement, the parties hereto intend to exercise their powers jointly to accomplish common objectives;

1. Section 1. Purpose shall be amended to read as follows:

SECTION 1. PURPOSE.

This Amendment is made pursuant to the provisions of Article 1, Chapter 5, Division 7, Title I of the Government Code of the State of California (commencing with Section 6500) relating to the joint exercise of powers common to the parties hereto. The purpose of this Amendment is to exercise such powers jointly in the establishment of a universally accessible workforce development system and in particular to develop, coordinate, and implement the delivery of locally based workforce development programs in accordance with the requirements of WIOA and to develop, coordinate, and implement the delivery of other education, employment, and training programs that may benefit the parties and their residents.

2. Section 2 is amended to substitute the word "WIOA" for the word "WIA" as follows:

SECTION 2. TERM.

- A. This Agreement shall become effective and binding upon the parties hereto when each of the governing bodies of the parties has authorized the execution of this Agreement and the same has been executed by the duly authorized representative of each of such parties. This Agreement

shall continue in effect until terminated. Additional cities and the County of Los Angeles may by mutual consent of the parties become parties to this Agreement subject to the approval of the governing bodies of the agencies participating in this Agreement. Any party to this Agreement may withdraw from the consortium by giving 90 days written notice to the Administrator of its intent to cease participation in the consortium. Provided, however, that the within Agreement shall continue in full force and effect until all except one party have withdrawn and the State has authorized another entity to receive and administer WIOA funding for the residents of the parties to this Joint Powers Agreement.

- B. For the purpose of this Agreement, the term “fiscal year” shall mean the period from July 1 to and including June 30 of the following year.
3. Section 3 is amended to substitute the word “WIOA” for “WIA” and “workforce development board for the words “workforce investment board.”

SECTION 3. DESIGNATED ADMINISTRATOR -- CITY OF PASADENA

Pursuant to Section 6506 of the Government Code, the City of Pasadena is designated as the Grant Recipient, fiscal agent, and Administrator for the consortium of general local governmental units participating in this Agreement and shall provide the program administration necessary to implement the local WIOA Program, under the supervision and direction of the Policy Board and the Workforce Development Board.

4. Section 4 is amended at paragraph B to substitute the word WIOA for the “Act,” as follows:

SECTION 4. POLICY BOARD.

- A. This consortium shall be administered by a Policy Board made up of an elected official of each participating public entity.
- B. The legislative body of each of the participating public entities shall appoint one policy board member and one alternate board member. Each member of the Board, or subsequent replacement, shall serve a two-year term and each member shall serve at the pleasure of the appointing authority. Vacancies during a term and successors following expiration of the term of any member shall be filled in the same manner as the original

appointments. Members shall receive no compensation except reimbursement for expenses incurred in conducting business on behalf of the consortium. Said expenses must be allowable under WIOA reasonable and necessary as determined by the Policy Board.

C. If a board member cannot attend a meeting, the alternate attending shall be fully empowered to act as the board member for the meeting so attended.

5. Section 5 is amended (a) to substitute the words "Workforce Development Board" for "Workforce Investment Board," "section 107" for section "117(c)" and "WIOA" for "the Act," in sub-paragraph A; (b) to eliminate sub paragraph B and renumber the sub paragraphs accordingly; (c) to substitute the words "four year strategic plan" for "job training plan" and Workforce Development Board for Workforce Investment Board in sub-paragraph C; (d) to substitute the words "Workforce Development Board" for "Workforce Investment Board," and substitute the words WIOA Section 121 for the words " Section 121(b)(1)(B) in sub-paragraph D; (e) to substitute the words "Workforce Development Board" for "Workforce Investment Board," in sub-paragraph E (f) to substitute the words "Workforce Development Board" for "Workforce Investment Board," and "workforce system" for "one-stop delivery system" in sub-paragraph F (g) substitute the words "Workforce Development Area" for Workforce Investment Area in sub paragraph G; (h) to substitute the word "WIOA" for the words " the Act" in sub paragraph H; (i) to substitute the words Section (3)(9) of WIOA for the words, "Section 101 of the WIOA" in sub paragraph h, as follows:

**SECTION 5. RESPONSIBILITIES OF THE POLICY BOARD.**

It shall be the responsibility of the Policy Board to:

- A. Appoint members to the Workforce Development Board in accordance with Section 107 of WIOA;
- B. Determine general program policy;
- C. Approve the four year strategic plan in conjunction with the Workforce Development Board;
- D. Review and approve memoranda of understanding entered into by the Workforce Development Board and required one-stop partners described

- in WIOA Section 121;
- E. Approve the Workforce Development Board's designation or certification of one-stop operator(s);
  - F. With the Workforce Investment Board, conduct oversight with respect to the local workforce system;
  - G. Ensure that services rendered are in the best interest of the local Workforce Development Area residents; and
  - H. Ensure that all activities are carried out in accordance with WIOA and any other related legislation.
  - I. The Chairperson of the Policy Board shall be designated as the "chief elected official" as that term is used in Section (3)(9) WIOA.
6. Section 8 is amended to substitute the words "Workforce Development Area for "Workforce Investment Area in sub paragraph A and to substitute the word "WIOA" for all references to "the Act" in sub paragraph B.

**SECTION 8. POWERS.**

- A. The City of Pasadena shall have the power to operate a local Workforce Development Area under the Act in the geographical areas comprising the incorporated Cities of Arcadia, Duarte, Monrovia, Sierra Madre, South Pasadena, and Pasadena, and such other communities as the governing legislative bodies of said communities, by resolution or contract, shall prescribe and the Policy Board shall consent to.
- B. The City of Pasadena is authorized to do all acts necessary for the exercise of said common powers for the common benefit of the parties to this Agreement and the citizens thereof and consistent with such federal and state funding provided under WIOA, to acquire by lease buildings or sites, and to maintain, operate, or lease the same for public purposes and to purchase general liability insurance; the City of Pasadena is authorized to do all acts necessary for the exercise of said common powers for said purposes, including, but not limited to, any or all of the following: to make and enter into contracts, to employ agents and employees; to manage, maintain, or operate any buildings, facilities, works or improvements above enumerated; to acquire property by lease; to hold or dispose of

property by lease or sale; to incur debts, liabilities or obligations required by the exercise of these powers; and to sue and be sued in its own name. Said powers shall be exercised in the manner provided in WIOA, and, except as expressly set forth herein, subject only to such restrictions upon the manner of exercising such powers as are imposed upon the parties in the exercise of similar powers.

7. Section 12 is amended to substitute the word "WIOA" for the words "the Act," the words "Workforce Development Area" for "Workforce Investment Area" and to substitute the word "WIOA" for the word "WIA" in sub paragraph B.

**SECTION 12. DISALLOWED COSTS.**

- A. Each party to this Agreement shall pay its fair share of any disallowed costs which is finally determined by the State of California or the Federal Government to be due and owing to the State or Federal Government.
  - B. The apportionment of disallowed costs incurred by the consortium, and payable by the parties to this Agreement involving funds disallowed under the Act, shall be based upon the allocation formula which the State of California is obligated to use in distributing funds to local Workforce Investment Areas as stated in the WIA.
8. Section 13 is amended to substitute the words "Workforce Development Board" for the word "WIB" in sub paragraph A.

**SECTION 13. ACCOUNTS AND REPORTS.**

- A. The Controller of the consortium shall establish and maintain such funds and accounts as may be required by good accounting practice. The books and records of the consortium in the hands of the Controller shall be open to inspection at all reasonable times by representatives of the parties. The Controller of the consortium, within 90 days after the close of each fiscal year, shall give a complete written report of all financial activities for such fiscal year to the Executive Director of the WDB and the parties. The Controller furthermore shall either make or contract with a certified public accountant to make audits of the accounts and records of the consortium as required by the Act. Said report shall be filed within twelve months of the end of the fiscal year under examination. The audit

shall comply with Section 6505 of the Government Code.

- B. Any costs of such audits, including contracts with or employment of certified public accountants or public accountants in making an audit pursuant to this section, shall be borne by the consortium and shall be a charge against any unencumbered funds of the consortium available for such purpose.
- C. The Treasurer of the consortium shall assume the duties described in California Government Code Section 6505.5 including to wit:
  - (1) Receive and receipt for all money of consortium and place it in the City of Pasadena treasury to the credit of consortium;
  - (2) Be responsible upon his official bond for the safekeeping and disbursement of all consortium money so held by him/her;
  - (3) Pay sums due from consortium from consortium money, only upon warrants of the Controller of consortium; and,
  - (4) Verify and report, in writing, to consortium and to the parties to this Agreement at the Policy Board's regular meetings, the amount of money held for the consortium, the amount of receipts since the last report, and the amount paid out since the last report.

DATED:

CITY OF PASADENA

By \_\_\_\_\_

Title \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Jane Rodriguez CMC  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Carolyn Y. Williams  
Assistant City Attorney

DATED:

CITY OF SOUTH PASADENA

By \_\_\_\_\_

Title \_\_\_\_\_

ATTEST:

\_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_

DATED:

CITY OF ARCADIA

By \_\_\_\_\_

Title \_\_\_\_\_

ATTEST:

\_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_

DATED:

CITY OF SIERRA MADRE

By \_\_\_\_\_

Title \_\_\_\_\_

ATTEST:

\_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_

DATED:

CITY OF MONROVIA

By \_\_\_\_\_

Title \_\_\_\_\_

ATTEST:

\_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_

DATED:

CITY OF DUARTE

By \_\_\_\_\_

Title \_\_\_\_\_

ATTEST:

\_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_

JOINT EXERCISE OF POWERS AGREEMENT NO. \_\_\_\_\_

THIS JOINT EXERCISE OF POWERS AGREEMENT is among the cities of Arcadia, Duarte, Monrovia, Sierra Madre, South Pasadena, and Pasadena, each of which is a municipal corporation duly organized and existing under the laws of the State of California, hereinafter collectively referred to as “the parties.”

RECITALS:

The following are the facts upon which this Agreement is based:

WHEREAS, the ~~Workforce Investment Act of 1998~~ Workforce Innovation and Opportunity Act of 2014 hereinafter referred to as the “Act” WIOA (29 U.S.C. 2801 3101 ~~et seq.~~, Public Law ~~105-220~~ 113-128, 112 128 Stat. ~~936-1425~~), authorizes the expenditure of federal funds to provide workforce investment activities, through statewide and local workforce investment development systems, that increase the employment, retention, and earnings of participants, and increase occupational skill attainment by participants, and, as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the Nation; and,

WHEREAS, the parties to this Agreement are willing to accept the responsibilities and duties as may be prescribed by the Act WIOA, as said legislation may from time to time be amended; and,

WHEREAS, the Act WIOA directs the Governor to designate ~~permits any consortium of units of local government with an aggregate population of 200,000 or more to form a separate~~ “local area” so long as it was designated as a ~~Service Delivery~~ Workforce Investment Area (hereafter “SDA”) under the ~~Job Training Partnership Act of 1938~~ (hereafter “JTPA”) Workforce Investment Act of 1998, and had acceptable programmatic outcomes and financial management; and,

WHEREAS, the Cities of Arcadia, Duarte, Monrovia, Sierra Madre, South Pasadena, and Pasadena formed the Foothill Employment and Training Consortium under the Workforce Investment Act of 1998, ~~are contiguous cities, located in the West San Gabriel Valley, having an aggregate population in excess of 200,000, and comprising an SDA having acceptable performance under the JTPA;~~ and,

WHEREAS, ~~said Cities desire to form a consortium for the purpose of becoming~~

~~a recognized local area under the Act, which shall be known as the Foothill Employment and Training Consortium had acceptable programmatic outcomes and financial management; and,~~

WHEREAS, the consortium would benefit the residents of the subject communities by continuing to maintain~~ing~~ local autonomy ~~and~~ allowing public officials to better respond to the needs of local business; and,

~~WHEREAS, the establishment of a consortium among said Cities would result in a more cohesive, locally based Workforce Investment Board and provide for the development of industry specific training based upon local labor market demands and characteristics of the eligible population; and,~~

WHEREAS, it is to the mutual benefit of the parties hereto and in the best public interest of said parties to continue ~~join together to establish~~ this Joint Powers Agreement to accomplish the purposes herein set forth; and,

WHEREAS, by this Agreement, the parties hereto intend to exercise their powers jointly to accomplish common objectives;

NOW, THEREFORE, the parties agree as follows:

SECTION 1. PURPOSE.

This Agreement is made pursuant to the provisions of Article 1, Chapter 5, Division 7, Title I of the Government Code of the State of California (commencing with Section 6500) relating to the joint exercise of powers common to the parties hereto. The purpose of this Agreement is to exercise such powers jointly in the establishment of a universally accessible workforce development system and in particular to develop, coordinate, and implement the delivery of a locally based ~~Workforce Investment Act~~ WIOA (~~hereafter "WIA"~~) program in accordance with requirements of WIOA ~~the Act~~. An additional purpose of this Agreement is also to develop, coordinate, and implement the delivery of other education, employment, and training programs that may benefit the parties and their residents.

SECTION 2. TERM.

A. This Agreement shall become effective and binding upon the parties hereto when each of the governing bodies of the parties has authorized the execution of this Agreement and the same has been executed by the duly authorized representative of each of such parties. This Agreement shall continue in effect until terminated.

Additional cities and the County of Los Angeles may by mutual consent of the parties become parties to this Agreement subject to the approval of the governing bodies of the agencies participating in this Agreement. Any party to this Agreement may withdraw from the consortium by giving 90 days written notice to the Administrator of its intent to cease participation in the consortium. Provided, however, that the within Agreement shall continue in full force and effect until all except one party have withdrawn and the State has authorized another entity to receive and administer ~~WIA~~ WIOA funding for the residents of the parties to this Joint Powers Agreement.

B. For the purpose of this Agreement, the term “fiscal year” shall mean the period from July 1 to and including June 30 of the following year.

### SECTION 3. DESIGNATED ADMINISTRATOR -- CITY OF PASADENA

Pursuant to Section 6506 of the Government Code, the City of Pasadena is designated as the Grant Recipient, fiscal agent, and Administrator for the consortium of general local governmental units participating in this Agreement and shall provide the program administration necessary to implement the local Workforce ~~Investment~~ Development Area ~~WIA~~ WIOA Program, under the supervision and direction of the Policy Board and the Workforce ~~Investment~~ Development Board.

### SECTION 4. POLICY BOARD.

A. This consortium shall be administered by a Policy Board made up of an elected official of each participating public entity.

B. The legislative body of each of the participating public entities shall appoint one policy board member and one alternate board member. Each member of the Board, or subsequent replacement, shall serve a two-year term and each member shall serve at the pleasure of the appointing authority. Vacancies during a term and successors following expiration of the term of any member shall be filled in the same manner as the original appointments. Members shall receive no compensation except reimbursement for expenses incurred in conducting business on behalf of the consortium. Said expenses must be allowable under WIOA ~~the Act~~, and reasonable and necessary as determined by the Policy Board.

C. If a board member cannot attend a meeting, the alternate attending shall be fully empowered to act as the board member for the meeting so attended.

SECTION 5. RESPONSIBILITIES OF THE POLICY BOARD.

It shall be the responsibility of the Policy Board to:

- A. Appoint members to the Workforce ~~Investment~~ Development Board in accordance with Section 107 of WIOA ~~117(e) of the Act~~;
- ~~B.~~ ~~At its discretion, review the Workforce Investment Board's appointment of Youth Council Members;~~
- ~~C.~~ B. Determine general program policy;
- ~~D.~~ C. Approve the job training plan in conjunction with the Workforce Investment Board;
- ~~E.~~ D. Review and approve memoranda of understanding entered into by the Workforce Investment Development Board and required one-stop partners described in Section 121(b)(1)(B);
- ~~F.~~ E. Approve the Workforce Investment Development Board's designation or certification of one-stop operator(s);
- ~~G.~~ F. With the Workforce Investment Development Board, conduct oversight with respect to the local one-stop delivery system;
- ~~H.~~ G. Ensure that services rendered are in the best interest of the local Workforce Investment Development Area residents; and
- ~~I.~~ H. Ensure that all activities are carried out in accordance with WIOA ~~the Act~~ and any other related legislation.
- ~~J.~~ I. The Chairperson of the Policy Board shall be designated as the "chief elected official" as that term is used in Section 101 of the WIA.

SECTION 6. MEETINGS OF THE POLICY BOARD.

A. Regular Meetings.

The Policy Board shall provide for its regular, and special meetings, provided, however, that it shall hold at least one regular meeting in each year and such further meetings as the parties may reasonably request depending upon the pressure of business. The date, hour and place at which any regular meeting shall be held shall be fixed by resolution and a copy of such resolution shall be filed with each party. The place of the regular meetings shall be a public building or other facility within the County of Los Angeles which complies with the requirements of the Ralph M. Brown

Act. The Policy Board shall adopt rules for conducting its meetings and other business.

B. The Ralph M. Brown Act.

All meetings of the Board including, without limitation, regular, adjourned regular, and special meetings, shall be called, noticed, held and conducted in accordance with the provisions of the Ralph M. Brown Act (commencing with §54950 of the Government Code).

C. Minutes.

The secretary of the Policy Board shall cause to be kept minutes of regular, adjourned regular, and special meetings, and shall, as soon as possible after each meeting, cause a copy of the minutes to be forwarded to each member of the Board and to the parties hereto.

D. Quorum - Action.

A majority of members of the Policy Board present at a meeting shall constitute a quorum for the transaction of business, except that a lesser number may adjourn for lack of quorum. No action at a meeting shall be valid unless it receives the affirmative vote of a majority of those present.

SECTION 7. OFFICERS OF THE CONSORTIUM.

The Policy Board shall elect a Chairperson and Vice-Chairperson at its first meeting and, thereafter, at the first meeting in each succeeding fiscal year, the Policy Board shall elect or re-elect its Chairperson and Vice-Chairperson. In the event that the Chairperson or Vice-Chairperson elected ceases to be a Board Member, the resulting vacancy shall be filled at the next regular meeting of the Policy Board held after such vacancy occurs. In the absence or inability of the Chairperson to act, the Vice-Chairperson shall act as Chairperson. The Chairperson, or in his absence the Vice-Chairperson, shall preside at and conduct all meetings of the Policy Board. The Executive Director shall be, and act as, the Secretary of the Policy Board. The Executive Director shall be appointed by the administrator of the consortium, the City of Pasadena. The Director of Finance of the City of Pasadena shall be, and act as, the Treasurer of consortium, and as, Controller of the consortium pursuant to Government Code §6505.5.

SECTION 8. POWERS.

A. The City of Pasadena shall have the power to operate a local Workforce ~~Investment~~ Development Area under the Act in the geographical areas comprising the incorporated Cities of Arcadia, Duarte, Monrovia, Sierra Madre, South Pasadena, and Pasadena, and such other communities as the governing legislative bodies of said communities, by resolution or contract, shall prescribe and the Policy Board shall consent to.

B. The City of Pasadena is authorized to do all acts necessary for the exercise of said common powers for the common benefit of the parties to this Agreement and the citizens thereof and consistent with such federal and state funding provided under the Act, to acquire by lease buildings or sites, and to maintain, operate, or lease the same for public purposes and to purchase general liability insurance; the City of Pasadena is authorized to do all acts necessary for the exercise of said common powers for said purposes, including, but not limited to, any or all of the following: to make and enter into contracts, to employ agents and employees; to manage, maintain, or operate any buildings, facilities, works or improvements above enumerated; to acquire property by lease; to hold or dispose of property by lease or sale; to incur debts, liabilities or obligations required by the exercise of these powers; and to sue and be sued in its own name. Said powers shall be exercised in the manner provided in said Act, and, except as expressly set forth herein, subject only to such restrictions upon the manner of exercising such powers as are imposed upon the parties in the exercise of similar powers.

SECTION 9. DISPOSITION OF ASSETS.

At the end of the term hereof or upon the earlier termination of this Agreement, all property of the consortium shall automatically vest in the party hereto which has heretofore transferred said property to the consortium and shall thereafter remain the sole property of said party. All other property of the consortium shall be returned to the parties in proportion to their respective contribution to the cost of acquisition of such property or as the Policy Board may direct.

SECTION 10. DISPOSITION OF FUNDS UPON TERMINATION

Upon termination of this Agreement, any money in possession of the consortium after the payment of all costs, expenses and charges validly incurred under this Agreement, shall be returned to the parties in proportion to their contribution determined as of the time of termination.

SECTION 11. ASSISTANCE TO ADMINISTRATOR.

The parties may, in appropriate circumstances:

- A. make contributions from their treasuries for the purposes set forth herein;
- B. make advances of public funds for such purposes set forth in this Agreement on such terms of repayment as may be agreed to between the Administrator and the party making the advance; and,
- C. use their personnel, equipment or property in lieu of other contributions or advances. Sums so contributed or obtained shall be paid to and disbursed by the Treasurer. The provisions of Government Code Section 6513 are hereby incorporated into this Agreement by reference.

SECTION 12. DISALLOWED COSTS.

- A. Each party to this Agreement shall pay its fair share of any disallowed costs which is finally determined by the State of California or the Federal Government to be due and owing to the State or Federal Government.
- B. The apportionment of disallowed costs incurred by the consortium, and payable by the parties to this Agreement involving funds disallowed under the Act, shall be based upon the allocation formula which the State of California is obligated to use in distributing funds to local Workforce Investment Development Areas as stated in the ~~WIA~~ WIOA.

SECTION 13. ACCOUNTS AND REPORTS.

A. The Controller of the consortium shall establish and maintain such funds and accounts as may be required by good accounting practice. The books and records of the consortium in the hands of the Controller shall be open to inspection at all reasonable times by representatives of the parties. The Controller of the consortium, within 90 days after the close of each fiscal year, shall give a complete written report of

all financial activities for such fiscal year to the Executive Director of the Workforce Development Board ~~WIB~~ and the parties. The Controller furthermore shall either make or contract with a certified public accountant to make audits of the accounts and records of the consortium as required by the Act. Said report shall be filed within twelve months of the end of the fiscal year under examination. The audit shall comply with Section 6505 of the Government Code.

B. Any costs of such audits, including contracts with or employment of certified public accountants or public accountants in making an audit pursuant to this section, shall be borne by the consortium and shall be a charge against any unencumbered funds of the consortium available for such purpose.

C. The Treasurer of the consortium shall assume the duties described in California Government Code Section 6505.5 including to wit:

- (1) Receive and receipt for all money of consortium and place it in the City of Pasadena treasury to the credit of consortium;
- (2) Be responsible upon his official bond for the safekeeping and disbursement of all consortium money so held by him/her;
- (3) Pay sums due from consortium from consortium money, only upon warrants of the Controller of consortium; and,
- (4) Verify and report, in writing, to consortium and to the parties to this Agreement at the Policy Board's regular meetings, the amount of money held for the consortium, the amount of receipts since the last report, and the amount paid out since the last report.

#### SECTION 14. INSURANCE.

The Administrator shall maintain in force at all times during the terms of this Agreement, policies of insurance covering the operation of the consortium. Such insurance shall be primary and carriers shall be required to waive any right of contribution from other insurance which may be available to the parties of this Agreement.

#### SECTION 15. FUNDS AND PROPERTY.

A. The Treasurer of the consortium shall have the custody of and disburse consortium funds pursuant to the accounting procedures developed in

accordance with the provisions hereinabove, and as nearly as possible in accordance with normal City of Pasadena procedures.

B. The Treasurer herein designated as the person responsible for all monies of the consortium, is also designated hereby as responsible for all other property of the consortium.

SECTION 16. AMENDMENTS.

All amendments to this Agreement shall require an affirmative vote of not less than five (5) of the parties. All amendments to this Agreement shall be in writing and signed by the parties agreeing thereto.

SECTION 17. NOTICES.

Notices hereunder shall be sufficient if delivered to the City Clerk of each of the member cities, and the Clerk of the legislative body of any other participating public entities.

SECTION 18. MISCELLANEOUS.

A. The section headings herein are for convenience of reference only and are not to be construed as modifying or governing the language or meaning referred to in the section.

B. Whenever in this Agreement any consent or approval is required, the same shall not be unreasonably withheld.

C. This Agreement is made in the State of California under the Constitution and laws of such State and is to be construed in accordance with those laws.

SECTION 19. SEVERABILITY.

Should any part, term or provision of this Agreement, or the application thereof to any person or circumstances, be held to be illegal or in conflict with any law of the State of California, or otherwise be rendered unenforceable or ineffectual, the validity of the remaining parts, terms, or provisions, or the application thereof to other persons or circumstances, shall be deemed severable and shall not be affected thereby, provided such remaining portions or provisions can be construed in substance to continue to constitute the Agreement that the parties intended to enter into in the first instance.

DATED:

CITY OF PASADENA

By \_\_\_\_\_

Title \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Jane Rodriguez CMC  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Carolyn Y. Williams  
Assistant City Attorney

DATED:

CITY OF SOUTH PASADENA

By \_\_\_\_\_

Title \_\_\_\_\_

ATTEST:

\_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_

DATED:

CITY OF ARCADIA

By \_\_\_\_\_

Title \_\_\_\_\_

ATTEST:

\_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_

DATED:

CITY OF SIERRA MADRE

By \_\_\_\_\_

Title \_\_\_\_\_

ATTEST:

\_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_

DATED:

CITY OF MONROVIA

By \_\_\_\_\_

Title \_\_\_\_\_

ATTEST:

\_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_

DATED:

CITY OF DUARTE

By \_\_\_\_\_

Title \_\_\_\_\_

ATTEST:

\_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_

**DRAFT**

**TO:** Honorable Mayor and City Council

**FROM:** Councilmember/

**Subject:** Approval of an Amendment to the joint powers agreement dated June 12, 2000 to form the Foothill Policy Board which will administer the new Workforce Innovation and Opportunity Act which replaced the Workforce Investment Act of 1998

**RECOMMENDATION:**

It is recommended that the City Council:

1. Find that the recommended action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines per Section 15061 (b)(3);
2. Approve an amendment to the, Joint Powers Agreement between the cities of Arcadia, Duarte, Monrovia, Sierra Madre, South Pasadena, and Pasadena and filed with the city of Pasadena as doc.#57378 entered into on June 12, 2000, for the purpose of forming a consortium to administer employment and training programs under the Workforce Investment Act of 1998, hereinafter referred to as WIA, P.L. 29 U.S.C. 2801 et seq., Public Law 105-220, 112 Stat. 936. WIA has been replaced by the Workforce Innovation and Opportunity Act of 2014, hereinafter referred to as WIOA (29 U.S.C. 3101 et seq., Public Law113 -128, 128 Stat. 1425). Similar to WIA, WIOA permits a consortium of units of local government designated as a Workforce Investment Area under the WIA that had acceptable programmatic outcomes and financial management, to be designated as a Workforce Development Area. This Amendment does not make any material changes to the Joint Powers Agreement

**BACKGROUND:**

There have been several iterations of workforce legislation since the days of the Works Progress Administration or WPA. WIA replaced the Job Training Partnership Act (JTPA) of 1982, creating workforce investment boards and the current one-stop delivery system. WIA provided for local areas with a minimum population of 200,000 to be designated as workforce investment areas and for the chief local elected officials of the area to appoint a local majority private sector Workforce Investment Board or WIB. The WIB together with the chief local elected officials for the local area were charged with oversight and policy development for the local area.

WIOA makes changes to the governance of local programs in that population is no longer the determining factor in the designation of local workforce areas. However, WIOA, requires governors to designate as local workforce development areas all workforce investment areas under WIA which met performance and fiscal integrity. The Foothill Workforce Investment Area, consisting of the cities of Arcadia, Duarte, Monrovia, Pasadena, Sierra Madre, South Pasadena is eligible for and has been informed by the state that it will be designated a workforce area to receive formula funds to implement workforce development programs in our six city local area.

Other than the elimination of population as a criterion for designation, WIOA charges states with grouping local development areas into regions<sup>1</sup> which will be required to develop a single joint plan for the deployment of programs in the region and the negotiation of performance measures for the region. WIOA maintains the majority private sector local boards, although the membership is slightly different than under WIA. WIOA also maintains the one-stop delivery system, and the three funding streams for adult, dislocated worker and youth programs.

As is the case with new legislation, the JPA needs to be updated to reflect the new legislation. The amendment if approved would:

1. Substitute the words Workforce Innovation and Opportunity Act or WIOA for the words Workforce Investment Act or WIA
2. Substitute the words Workforce Development Board for the words Workforce Investment Board or WIB
3. Substitute the words Workforce Development Area for the words Workforce Investment Area
4. Eliminate the reference to a Youth Council as WIOA no longer requires a Youth Council. Instead local boards can, but are not required, to appoint committees one of which can be a youth committee. Unlike Youth Councils, youth committees have no prescribed membership requirements other than they include a representative of a community based organization.

None of these changes are material or change the current agreement and understanding among the municipalities who are party to the Joint Powers Agreement. When the state issues planning instructions for the new four year plan under WIOA we will be required to attach the updated Joint Powers Agreement.

**CONSIDERATION:**

The proposed action supports and promotes the quality of life and the local economy—a goal of the City Council's Strategic Objectives.

**ENVIRONMENTAL ANALYSIS:**

The action proposed herein is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3). The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.; Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

**FISCAL IMPACT:**

The fiscal impact of this action will be none, as the JPA is a non-financial agreement. There is no anticipated fiscal impact on the General Fund as a result of this action and it will not have any indirect or support cost requirements. The anticipated impact to other operational programs as a result of this action will be none.

Respectfully submitted,



# City of Sierra Madre Agenda Report

*Gene Goss, Mayor*  
*Rachelle Arizmendi, Mayor Pro Tem*  
*John Capoccia, Council Member*  
*Denise Delmar, Council Member*  
*John Harabedian, Council Member*

*Melinda Carrillo, City Clerk*  
*Michael Amerio, City Treasurer*

TO: Honorable Mayor Goss and Members of the City Council

FROM: Elaine I. Aguilar, City Manager 

INITIATED BY: Stephen Heydorff, Fire Chief  
Richard Snyder, Fire Captain 

REVIEWED BY: Vincent Gonzalez, Director of Planning & Community Preservation 

DATE: October 25, 2016

**SUBJECT: 2016 Fire Code Adoption**

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## SUMMARY

On January 1, 2017, The State of California will be adopting a new fire code. Subsequently, the City of Sierra Madre is required to adopt and enforce the same code with local amendments. Currently, the City is enforcing the 2013 California Fire Code and the 2012 International Fire Code with local amendments.

Ordinance No.1381 has been written to amend Title 15.24 of the Sierra Madre Municipal Code relating to the adoption and amendment of the 2015 International Fire Code and the 2016 California Fire Code to meet with State requirements.

## ANALYSIS

Ordinance 1381 amends Title 15.24 as follows:

### **Section I** Adoption of the International Fire Code and the California Fire Code.

Section 15.24.010 is amended to adopt the 2015 International Fire Code with Appendix Chapters and Errata and the 2016 California Fire Code.

### **Section II** Amendments to the International Fire Code and the California Fire Code.

Section 101.1 of the International Fire Code is amended to identify "this code" as the Sierra Madre Fire Code.

FOR CITY COUNCIL AGENDA \_\_\_\_\_

ITEM NUMBER \_\_\_\_\_

Section 109.4 identifies fire code violations and penalties as Administrative Citations as defined in Sierra Madre Municipal Code Title 1.18 - Administrative Enforcement.

Section 111.4 identifies failure to comply penalties as Administrative Citations as defined in Sierra Madre Municipal Code Title 1.18 - Administrative Enforcement.

Section 307.4.2 of the International Fire Code is amended to allow the Fire Code Official to order recreational fires to be discontinued if such fires constitute a hazardous condition or if atmospheric conditions reach critical levels.

Section 503.2.1 of the International Fire Code is amended to require new fire access roads to have a minimum width of 26 feet within 25 feet of each side of a fire hydrant. This requirement will prevent the problem of an access road being blocked when a fire engine is utilizing a fire hydrant.

Sections 903.2.1.1, 903.2.1.2, 903.2.1.3, 903.2.1.4, 903.2.1.5, 903.2.2, 903.2.3, 903.2.4, 903.2.5, 903.2.6, 903.2.7, 903.2.8, 903.2.9, 903.2.9.1, 903.2.9.2, 903.2.10 and 903.2.10.1 of the fire code are amended in order to maintain the current fire sprinkler requirements as set forth in Section 15.24.120 of the Sierra Madre Municipal Code.

APPENDIX A-Board of Appeals: this Appendix Section is ***not*** being adopted. Appendix A contains optional criteria detailing administrative procedures and board member qualifications to supplement the basic requirements found in Section 108 of the code.

APPENDIX D-Fire Apparatus Access Roads is amended to require new fire access roads to have a minimum width of 26 feet within 25 feet of each side of a fire hydrant. This requirement will prevent the problem of an access road being blocked when a fire engine is utilizing a fire hydrant.

APPENDIX J-Building Information Sign: Appendix J is ***not*** being adopted. Appendix J, if adopted, would require that buildings install and maintain a 6"X6" Building Information Sign on the outside of the building stating the construction type, fire protection systems installed, occupancy type, hazards of contents and firefighting tactical considerations for the building. This information is currently maintained by the fire department in the form of a pre-plan book.

**Section III** Repeal of Conflicting Ordinances.

### **FINANCIAL REVIEW**

There is no fiscal impact related to the adoption of Ordinance 1381. Staff time was incurred in the preparation of the report and draft ordinance.

## **CEQA FINDINGS**

The project qualifies for an exemption from the California Environmental Quality Act review pursuant to Title 14, Section 15061(b)(3) of the California Code of Regulations as it can be seen with certainty that there is no possibility the adoption of this Ordinance may have a significant effect on the environment, because it will enforce the 2015 International Fire Code and the 2016 California Fire Code in compliance with State requirements.

## **PUBLIC NOTICE PROCESS**

This item has been noticed through the regular agenda notification process. Notice of the hearing was published consistent with the requirements of Government Code Section 65090, including publication of a summary notice of public hearing in the local adjudicated newspaper. Copies of this report are available at the City Hall public counter and the Sierra Madre Public Library, and at the City's website at [www.cityofsierramadre.com](http://www.cityofsierramadre.com)

## **ALTERNATIVES**

1. Introduce Ordinance No. 1381 and read for the first time by title only.
2. Direct staff to revise Ordinance No. 1381 and read, as amended, for the first time by title only.

## **STAFF RECOMMENDATION**

It is recommended that the City Council:

Introduce Ordinance 1381 for first reading by title only, recommending adoption of Ordinance 1381 pursuant to the 2015 International Fire Code and the 2016 California Fire Code State requirements.

Attachments (2):

Attachment 1 - Ordinance 1381. 2016 Fire Code Adoption

Exhibit A - Sierra Madre Fire Department 2016 Fire Code Findings

ORDINANCE 1381

AN ORDINANCE OF THE CITY OF SIERRA MADRE AMENDING TITLE 15.24 OF THE SIERRA MADRE MUNICIPAL CODE RELATING TO THE ADOPTION AND AMENDMENTS TO THE 2015 INTERNATIONAL FIRE CODE AND THE 2016 CALIFORNIA FIRE CODE.

The City Council of the City of Sierra Madre does hereby ordain as follows:

**SECTION 1. Municipal Code Amendment.** Section 15.24.010 of the Sierra Madre Municipal Code is hereby amended to read as follows:

SECTION 15.24.010 ADOPTION OF THE INTERNATIONAL FIRE CODE AND THE CALIFORNIA FIRE CODE

There is hereby adopted by the City Council of the City of Sierra Madre for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain Code known as the International Fire Code, published by the International Code Council, being particularly the 2015 edition thereof, including Appendix Chapters with errata, and Title 24, part 9 of the California Code of Regulations, except such portions as are hereinafter deleted, modified or amended by Section 15.24.070 of the Sierra Madre Municipal Code. From the date on which this ordinance shall take effect, the provisions of the 2015 International Fire Code and the 2016 California Fire Code shall be controlling within the limits of the City of Sierra Madre.

**SECTION 2. Municipal Code Amendment.** Section 15.24.070 of the Sierra Madre Municipal Code is hereby amended to read as follows:

SECTION 15.24.070 AMENDMENTS TO THE 2015 INTERNATIONAL FIRE CODE AND 2016 CALIFORNIA FIRE CODE

**A. Section 101.1 is amended to read as follows:**

101.1 Title. These regulations shall be known as the *Fire Code* of the City of Sierra Madre, hereinafter referred to as “this code”.

**B. Section 109.4 is amended to read as follows:**

109.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of an Administrative Violation in accordance with Sierra Madre Municipal Code Section 1.18.010.

**C. Section 111.4 is amended to read as follows:**

111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine in accordance with Sierra Madre Municipal Code Section 1.18.070.

**D. Section 307.4.2 is amended to read as follows:**

307.4.2 Recreational fires. Recreational fires shall not be conducted within 25 feet (760mm) of a structure or combustible material. Conditions which could cause a fire to spread within 25 feet (7620 mm) of a structure shall be eliminated.

Discontinuance. The fire code official or his representative is authorized to require that recreational fires be immediately discontinued if such fires are determined by the chief to constitute a hazardous condition or if atmospheric conditions reach critical levels as specified in the policies and procedures of the fire prevention bureau.

**E. Section 503.2.1 is amended to read as follows due to local topographical conditions as identified in the 2016 Fire Code Findings of Fact as filed with the California Building Standards Commission:**

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), except for approved security gates in accordance with section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115mm).

1. When fire hydrants are required, fire apparatus access roads shall have an unobstructed width of not less than 26 feet (4114 mm) within a linear distance of 25 feet (7620 mm) each side of the hydrant.

**F. Section 903.2.1.1 is amended to read as follows due to local topographical, geological and climatic conditions as identified in the 2016 Fire Code Findings of Fact as filed with the California Building Standards Commission:**

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided for Group A-1 occupancies in accordance with Code section 15.24.120.

**G. Section 903.2.1.2 is amended to read as follows due to local topographical, geological and climatic conditions as identified in the 2016 Fire Code Findings of Fact as filed with the California Building Standards Commission:**

903.2.1.2 Group A-2. An automatic sprinkler system shall be provided for Group A-2 occupancies in accordance with Code section 15.24.120.

- H. Section 903.2.1.3 is amended to read as follows due to local topographical, geological and climatic conditions as identified in the 2016 Fire Code Findings of Fact as filed with the California Building Standards Commission:**

903.2.1.3 Group A-3. An automatic sprinkler system shall be provided for Group A-3 occupancies in accordance with Code section 15.24.120.

- I. Section 903.2.1.4 is amended to read as follows due to local topographical, geological and climatic conditions as identified in the 2016 Fire Code Findings of Fact as filed with the California Building Standards Commission:**

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided for Group A-4 occupancies in accordance with Code section 15.24.120.

- J. Section 903.2.1.5 is amended to read as follows due to local topographical, geological and climatic conditions as identified in the 2016 Fire Code Findings of Fact as filed with the California Building Standards Commission:**

903.2.1.5 Group A-5. An automatic sprinkler system shall be provided for Group A-5 occupancies in the following areas: concession stands, retail areas, press boxes, and other accessory use areas in accordance with Code section 15.24.120.

- K. Section 903.2.2 is amended to read as follows due to local topographical, geological and climatic conditions as identified in the 2016 Fire Code Findings of Fact as filed with the California Building Standards Commission:**

903.2.2 Group B Ambulatory health care facilities. An automatic sprinkler system shall be provided throughout all buildings containing ambulatory health care facilities in accordance with Code section 15.24.120.

- L. Section 903.2.3 is amended to read as follows due to local topographical, geological and climatic conditions as identified in the 2016 Fire Code Findings of Fact as filed with the California Building Standards Commission:**

903.2.3 Group E. An automatic sprinkler system shall be provided throughout all buildings containing a Group E occupancy in accordance with Code section

15.24.120. (exception: For public school state-funded construction projects see Section 903.2.19)

- M. Section 903.2.4 is amended to read as follows due to local topographical, geological and climatic conditions as identified in the 2016 Fire Code Findings of Fact as filed with the California Building Standards Commission:**

903.2.4 Group F-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy in accordance with Code section 15.24.120.

- N. Section 903.2.5 is amended to read as follows due to local topographical, geological and climatic conditions as identified in the 2016 Fire Code Findings of Fact as filed with the California Building Standards Commission:**

903.2.5 Group H. Automatic sprinkler systems shall be provided in high-hazard occupancies as required in Sections 903.2.5.1 through 903.2.5.3.

903.2.5.1 General, An automatic sprinkler system shall be installed in Group H occupancies in accordance with Code section 15.24.120.

- O. Section 903.2.6 is amended to read as follows due to local topographical, geological and climatic conditions as identified in the 2016 Fire Code Findings of Fact as filed with the California Building Standards Commission:**

903.2.6 Group I. An automatic sprinkler system shall be provided throughout buildings with a Group I in accordance with Code section 15.24.120.

- P. Section 903.2.7 is amended to read as follows due to local topographical, geological and climatic conditions as identified in the 2016 Fire Code Findings of Fact as filed with the California Building Standards Commission:**

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy in accordance with Code section 15.24.120.

- Q. Section 903.2.8 is amended to read as follows due to local topographical, geological and climatic conditions as identified in the 2016 Fire Code Findings of Fact as filed with the California Building Standards Commission:**

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area and in accordance with Code section 15.24.110.

- R. Section 903.2.9 is amended to read as follows due to local topographical, geological and climatic conditions as identified in the 2016 Fire Code Findings of Fact as filed with the California Building Standards Commission:**

903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 in accordance with Code section 15.24.120.

- S. Section 903.2.9.1 is amended to read as follows due to local topographical, geological and climatic conditions as identified in the 2016 Fire Code Findings of Fact as filed with the California Building Standards Commission:**

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Code section 15.24.120.

- T. Section 903.2.9.2 is amended to read as follows due to local topographical, geological and climatic conditions as identified in the 2016 Fire Code Findings of Fact as filed with the California Building Standards Commission:**

903.2.9.2 Bulk storage of tires. Buildings and structures with an area for the storage of shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

- U. Section 903.2.10 is amended to read as follows due to local topographical, geological and climatic conditions as identified in the 2016 Fire Code Findings of Fact as filed with the California Building Standards Commission:**

903.2.10 Group S-2. An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.4 of the *California Building Code* or where located beneath other groups.

- V. Section 903.2.10.1 is amended to read as follows due to local topographical, geological and climatic conditions as identified in the 2016 Fire Code Findings of Fact as filed with the California Building Standards Commission:**

903.2.10.1 Commercial parking garages. An automatic sprinkler system shall be provided throughout buildings used for storage of commercial trucks or buses in accordance with Code section 15.24.120

**W. APPENDIX A-Board of Appeals:** *Not Adopted*

**X. APPENDIX D-Fire Apparatus Access Roads is amended to read as follows due to local topographical conditions as identified in the 2016 Fire Code Findings of Fact as filed with the California Building Standards Commission:**

D103.1 Access road width with a fire hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm), within a linear distance of 25 feet (7620 mm) each side of the hydrant, exclusive of shoulders.

**Y. APPENDIX J-Building Information Sign:** *Not Adopted*

**SECTION 3. Repeal of Conflicting Ordinances.** All existing ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or the California Fire Code adopted are hereby repealed.

**SECTION 4. References in Documents and Continuing Legal Effect.** References to prior versions of the California Fire Code, or of the Sierra Madre Municipal Code that are amended or renumbered in this Municipal Code, that are cited on notices issued by the City or other documents of ongoing or continuing legal effect, including resolutions adopting or imposing fees or charges, until converted, are deemed to be references to the new counterpart 2016 Fire Code or amended Municipal Code sections for the purposes of notice and enforcement. The provisions adopted hereby shall not in any manner affect deposits, established fees or other matters of record which refer to, or are otherwise connected with, ordinances which are specifically designated by number, code section or otherwise, but such references shall be deemed to apply to the corresponding provisions set forth in the code sections adopted or amended hereby.

**SECTION 5. Continuity.** To the extent the provisions of this Ordinance are substantially the same as previous provisions of the Sierra Madre Municipal Code, these provisions shall be construed as continuations of those provisions and not as amendments of the earlier provisions.

**SECTION 6. No Effect on Enforceability.** The repeal of any sections of the Municipal Code, shall not affect or impair any act done, or right vested or approved, or any proceeding, suit or prosecution had or commenced in any cause before such repeal shall take effect; but every such act, vested right, proceeding, suit, or prosecution shall remain in full force and effect for all purposes as if the applicable provisions of the Municipal Code, or part thereof, had remained in force and effect. No offense committed and no liability, penalty, or forfeiture, either civil or criminal, incurred prior to the repeal or alteration of any applicable

provision of the 2013 Code as amended, shall be discharged or affected by such repeal or alteration but prosecutions and suits for such offenses, liabilities, penalties or forfeitures shall be instituted and proceed in all respects as if the applicable provisions of the 2013 Code, as amended, had not been repealed or altered.

**SECTION 7.**           Supplementary of Existing Law. The City Council intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent.

**SECTION 8.**           Modifications to California Fire Code. All inconsistencies between the Municipal Fire Code, as adopted by this ordinance, and Part 9 of Title 24 the California Code of Regulations are changes, modifications, amendments, additions or deletions thereto authorized by California Health and Safety Code Sections 17858 and 17858.7.

**SECTION 9.**           Findings. The City Council hereby adopts the findings attached hereto as Exhibit A by this reference fully incorporated herein. These modifications to the 2016 California Fire Code, incorporating the 2015 International Fire Codes are reasonably necessary due to the local climatic, geological, and topographical reasons set forth in Exhibit A.

**SECTION 10.**          Severability. Should any section, subsection, clause, or provision of this Ordinance for any reason be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance; it being hereby expressly declared that this Ordinance, and each section, subsection, sentence, clause, and phrase hereof would have been prepared, proposed, approved, and ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

**SECTION 11.**          Effective Date. This Ordinance shall take effect thirty days following its adoption as provided by Government Code Section 36937, or January 1, 2017 whichever is later.

**SECTION 12.**          Copy with Clerk. The City Clerk shall maintain a copy of the California Fire Code, 2016 Edition, as amended by this ordinance, for use and examination by the public.

**SECTION 13.**          CEQA. This Ordinance has been determined to be exempt from the California Environmental Quality Act pursuant to State Guidelines §15061 (b) (3) as a project that has no potential for causing a significant effect on the environment.

**SECTION 14.**          Certification. The City Clerk shall certify to the adoption of this ordinance and shall cause the same to be processed in the manner required by law.

**SECTION 15.**          Filing with State. The City Clerk shall file a certified copy of this Ordinance with the California Building Standards Commission.

PASSED, APPROVED AND ADOPTED, this \_\_\_\_ day of \_\_\_\_\_, 2016

\_\_\_\_\_  
Gene Goss, Mayor

ATTEST:

\_\_\_\_\_  
Melinda Carrillo, City Clerk

STATE OF CALIFORNIA                    )  
COUNTY OF LOS ANGELES            )     SS:  
CITY OF SIERRA MADRE                )

I, \_\_\_\_\_, City Clerk of the City of Sierra Madre, hereby certify that the foregoing Ordinance 1381 was introduced at a regular meeting of the City Council of the City of Sierra Madre held on the 25<sup>th</sup> day of October 2016, and was approved and adopted by said Council at its regular meeting held on the 25<sup>th</sup> day of October 2016.

**2016 FIRE CODE FINDINGS**

Pursuant to Section 13869.7 of the California Health and Safety Code, the report contained herein shall be the "Findings" document to support City of Sierra Madre Ordinance No. 1381 Under this adopting ordinance, specific amendments have been established which are more restrictive in nature than those sections adopted by the State of California (State Building Standards Code, and State Housing and Community Development Code) commonly referred to as Title 24 and Title 25 of the California Administrative Code.

The amendments to the 2016 California Fire Code and 2015 International Fire Code have been recognized by the City of Sierra Madre. The amendments address the fire problem(s), concern(s), and future direction(s), by which the City can establish and maintain an environment which will afford an adequate level of fire and life safety protection to its citizens and guests.

Under the provisions of Section 13869.7 of the Health and Safety Code, local amendments shall be based on climatic, geographical, or topographical conditions. The "Findings" contained herein shall address each of these situations and shall present the local situation, which, either singularly, or in combination, cause the established amendments to be adopted.

**SIERRA MADRE COMMUNITY PROFILE**

The City of Sierra Madre was established in 1881. Sierra Madre encompasses an area of approximately 3.2 square miles at an elevation ranging from 700 to 800 feet above sea level. The residential population is approximately 10,800. The physical location of Sierra Madre is bordered by the city of Pasadena to the west, Arcadia to the south and east and the Angeles National Forest to the north.

The majority of Sierra Madre is residential housing, with a number of small businesses and light industrial, four elementary schools, a middle school, a high school and six churches.

Based on this profile of Sierra Madre, the Sierra Madre Fire Department established certain requirements to increase the level of fire safety to the citizens and guests of Sierra Madre, as well as the buildings within its boundaries. The following points were established as factors, which caused concern to the Sierra Madre Fire Department, and are herein established and submitted as its "Findings:"

1. **CLIMATIC**

Normal rainfall averages 15 inches annually. During the summer and fall months, temperatures average approximately 85 degrees and can exceed 100 degrees for a period of days. Dry winds remove the moisture from vegetation. During late summer and fall, winds can move a fire quickly across the foothills or through residential areas of Sierra Madre.

Because of periods of high temperatures, accompanied by low humidity and high winds each year. These conditions create an environment in which the Fire Department commits the majority of its fire fighting resources to the control and extinguishment of wildland fires. During such periods, the limited available firefighting resources may have great difficulty in controlling fires in structures with wood roofs and structures not having built-in fire protection.

## 2. GEOLOGICAL

Sierra Madre has within its boundaries active seismic hazards with respect to the San Andreas and Sierra Madre faults. While systems have been developed to study and monitor the activity of earthquakes, science has not yet been able to predict with reliability the potential for activity on these or on any other active fault.

While minor seismic activity within Sierra Madre occurs yearly without damage, the potential for severe damage does exist with these active faults, particularly with the Sierra Madre fault, which traverses the City.

The potential for earthquakes influences fire protection planning. A major seismic event would create a community-wide demand on fire protection services, which would be beyond the response capability of the Fire Department. This potential problem can be partially mitigated by requiring initial fire control through the installation of automatic fire protection systems.

Although the water system in Sierra Madre is rated Class 4 by the Insurance Services Offices, with the above noted hazard, it is possible that major fire flow requirements could be disrupted and automatic fire suppression systems requiring much less water would be the only means of extinguishment.

## 3. TOPOGRAPHICAL

The mountains that border the north of Sierra Madre create a beautiful backdrop, and at the same time, create a unique hazard. As one approaches the mountains, the elevation increases, and this lengthens the response time of emergency vehicles due to the increase in grade. Additionally, the steep, narrow canyons create narrow winding roads that also lengthen response times. The foothills have become prime sites for residential development because of their scenic beauty. These same scenic hills create barriers for accessibility by fire suppression forces.

The topographical layout of Sierra Madre's hillside areas creates hazardous conditions should a storm cause trees to fall and block roadways within Sierra Madre, again making accessibility difficult until properly cleared. These conditions have occurred in the past and have the potential to happen again.

During a fire, fire engines need to utilize the water from the many fire hydrants found in the canyons along these narrow roads. While using these hydrants, the access on the road is severely restricted. These conditions have occurred in the past and have the potential to happen again. This potential problem

can be partially mitigated by requiring new roads to have additional width to the roadway in the vicinity of fire hydrants.

Sierra Madre has areas that are in high fire hazard zones. As stated above, due to topography, access to structures in these fire hazard zones increases response time and delays fire suppression efforts. Extended response times allow fires to grow beyond the control of initial attack resources. Additionally, large structure fires in the hillside areas have a greater likelihood of starting wildland fires, which exposes additional structures to fire.

The value of the land in Sierra Madre is near the top in the County and maximum usage of the land is important to investors and developers. The multi-residential zones located within Sierra Madre encourage developers to seek maximum return on their investment. The most effective method of achieving this is to allow maximum density. This creates buildings that provide minimum required clearances between structures and maximum allowable height. This results in "barriers" that hinder fire-fighting operations, and restrict the movement of emergency personnel and equipment in the vicinity of the structure.

### STATEMENT OF THE PROBLEM

The Fire Department is charged with the task of providing a reasonable degree of fire and life safety in Sierra Madre with minimum budget and staffing levels.

The City of Sierra Madre places a high value on protection of human life against hazards of fire. While smoke detectors are intended to give an early warning that allow occupants to escape or defend themselves from the hazard of fire, automatic sprinklers are meant to control or extinguish a developing fire to enable occupants to better escape. Sprinkler systems have been found to be highly effective systems for the protection of human life and should be used whenever feasible.

The water supply in Sierra Madre makes extensive use of automatic sprinkler systems feasible. Most of the City is ideally located below the 6 reservoirs, which supply the gravity flow water system with storage capacity in excess of 6 million gallons. Many of our fire service installations maintain static pressures in excess of 80 pounds per square inch. The City of Sierra Madre water distribution system is the major contributing factor toward the fire suppression capabilities of the Sierra Madre Fire Department. There are jurisdictions within the State, which have difficulty providing required water flows for automatic fire sprinkler systems, making the operation of such sprinkler systems less feasible than in the City of Sierra Madre.

The City of Sierra Madre is also subject to certain dangers, making the use of automatic sprinkler systems a more significant factor in fire suppression. The City of Sierra Madre is located in one of the most active earthquake fault systems in the United States. Major damage corresponding to magnitude 7 or higher earthquake can be expected. Severe seismic action would place extreme demands on the limited resources of our small fire department. Communications could be disrupted. Damage to gas and water mains is to be expected. As previously mentioned, the City of Sierra Madre water system is the key to sprinkler supply. The City of Sierra Madre

water system is constructed in a grid to reduce the effect of a single pipe or area of pipes breaking. Therefore, entire system failure due to earthquake is more unlikely than a partial failure. Automatic fire sprinkler systems will operate on much less pressure than normally available in Sierra Madre. Although sprinklers may only partially control a fire, this would be important in reducing the fire problem or delayed response that may be created by broken communications and obstructed access. Automatic fire sprinkler systems would therefore reduce demands on firefighting forces during emergency earthquake conditions.

The Sierra Madre Fire Department's first alarm assignment varies depending on part-time and volunteer staffing availability and availability of mutual aid companies from surrounding cities. Most jurisdictions consider two engine companies, a rescue squad, and a Chief Officer to be a minimum for a single-family structure fire.

Because Sierra Madre's Fire Department staffing is dependent upon part-time employees and volunteers and mutual aid companies from other cities, it is imperative that developers and builders provide built-in fire protection within buildings covered by the City of Sierra Madre Sprinkler Ordinance. Unless fires are kept in their incipient stages, which automatic fire sprinkler systems achieve, the fire department, as presently staffed and equipped cannot function effectively against large or numerous fires. Large or numerous fire necessitate the immediate call for mutual aid, which if available, will be delayed.

Additionally, due to the winding narrow roads that are found in our canyon areas, it is imperative that access on these roads be maintained at all times, especially during a fire when the fire hydrants are being used.

While the adoption of regulations may not prevent incidents of fire, the implementation of the various regulations and/or requirements will reduce the severity and potential loss of life and property in our community.

The serious concerns based on these "Findings", support the imposition of built-in fire protection requirements greater than those set forth in the International Building and Fire Codes. Additionally, Sierra Madre Ordinance No. 1346 will provide effective protection of the populace and property, and help reduce the ravages of fire.

The Sierra Madre Fire Department submits these "Findings" and requests acceptance of same as defined under Section 13869.7 of the State of California Health and Safety Code.

Prepared and submitted by:

  
\_\_\_\_\_  
Captain Richard Snyder,  
City of Sierra Madre Fire Marshal

Date 9-28-16



# City of Sierra Madre Agenda Report

*Gene Goss, Mayor*  
*Rachelle Arizmendi, Mayor Pro Tem*  
*John Capoccia, Council Member*  
*Denise Delmar, Council Member*  
*John Harabedian, Council Member*

*Melinda Carrillo, City Clerk*  
*Michael Amerio, City Treasurer*

TO: Honorable Mayor and Members of the City Council

FROM: Elaine Aguilar, City Manager 

INITIATED BY: Vincent Gonzalez, Director of Planning & Community Preservation   
James M. Guerra, Building Official

DATE: October 25, 2016

**SUBJECT: 2016 California Building Code Adoption**

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## **SUMMARY**

The California Building Standards Code (Title 24, California Code of Regulations) serves as the basis for the design and construction of buildings in California. All parts of the Code are updated every three years with the goal of improved safety, sustainability, maintaining consistency, new technology and construction methods, and reliability.

On January 1, 2017, the updated California Building Code will become effective statewide. Subsequently, the City of Sierra Madre is required to adopt and enforce the same code with local amendments. Currently, the City is enforcing the 2014 California Buildings Laws with local amendments.

Ordinance 1380 has been written to amend the Sierra Madre Municipal Code relating to the adoption and amendment of the 2016 California Building Laws to meet State requirements.

## **ANALYSIS**

Ordinance 1380 amends Title(s): 15.04, 15.06, 15.08, 15.16, 15.20, 15.26, 15.30, 15.34 and 15.36 as follows:

**Section 1** Adoption of the California Building Code with specific amendments.

FOR CITY COUNCIL AGENDA \_\_\_\_\_

ITEM NUMBER \_\_\_\_\_

Section 15.04.010 is amended to adopt the 2016 California Building Code with specific amendments applicable to the City of Sierra Madre as the amendments developed by the Los Angeles County Regional Uniform Code Program.

**Section 2** Adoption of the California Residential Code with specific amendments.

Section 15.06.010 is amended to adopt the 2016 California Residential Code with specific amendments applicable to the City of Sierra Madre as the amendments developed by the Los Angeles County Regional Uniform Code Program.

**Section 3** Adoption of the California Mechanical Code with specific amendments.

Section 15.08.010 is amended to adopt the 2016 California Mechanical Code with specific amendments applicable to the City of Sierra Madre.

**Section 4** Adoption of the California Electrical Code with specific amendments.

Section 15.16.010 is amended to adopt the 2016 California Electrical Code with specific amendments applicable to the City of Sierra Madre.

**Section 5** Adoption of the California Plumbing Code with specific amendments.

Section 15.20.010 is amended to adopt the 2016 California Plumbing Code with specific amendments applicable to the City of Sierra Madre.

**Section 7** Adoption of the Existing Building Code.

Section 15.26.010 is amended to adopt the 2016 International Existing Building.

**Section 8** Adoption of the California Energy Code.

Section 15.30.010 is amended to adopt the 2016 California Energy Code with specific amendments applicable to the City of Sierra Madre as the amendments developed by the Los Angeles County Regional Uniform Code Program Code.

**Section 9** Adoption of the California Referenced Standards Code.

Section 15.34.010 is amended to adopt the 2013 California Referenced Standards Code.

**Section 10** Reference to previous code adoptions and continuing legal effect.

**Section 11** Continuity of previous codes.

**Section 12** Enforceability of code.

**Section 13** Supplementary of existing law.

**Section 14** Modifications of California Building Code.

**Section 15** Severability.

**Section 16** Effective Date.

**Section 17** CEQA exemption.

**Section 18** Publication.

**Section 19** Certification.

### **FINANCIAL REVIEW**

There is no fiscal impact related to the adoption of Ordinance 1380. Staff time was incurred in the preparation of the report and draft ordinance.

### **CEQA FINDINGS**

The project qualifies for an exemption from the California Environmental Quality Act review pursuant to Title 14, Section 15061(b)(3) of the California Code of Regulations as it can be seen with certainty that there is no possibility the adoption of this Ordinance may have a significant effect on the environment, because it will enforce the California Building Standards Code (Title 24 California Code of Regulations) that serves as the basis for the design and construction of buildings in California to improve safety, sustainability, maintaining consistency, new technology and construction methods, and reliability.

### **PUBLIC NOTICE PROCESS**

This item has been noticed through the regular agenda notification process. Notice of the hearing was published consistent with the requirements of Government Code Section 65090, including publication of a summary notice of public hearing in the local adjudicated newspaper. Copies of this report are available at the City Hall public counter and the Sierra Madre Public Library.

**ALTERNATIVES**

1. Introduce Ordinance 1380 for first reading by title only.
2. Direct staff to revise Ordinance 1380 and conduct first reading as amended by title only.

**RECOMMENDATION**

Staff recommends Alternative No. 1 that the City Council introduce for first reading by title only, recommending adoption of Ordinance 1380 pursuant to the 2016p California Building Standards Code amendments

Attachments:

Attachment 1 City Council Ordinance 1380

Exhibit A - Sierra Madre 2016 California Building Code Findings

Exhibit B - Los Angeles Region Uniform Code Program  
Recommended Code Amendments

## ORDINANCE NO 1380

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE AMENDING THE MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2016 CALIFORNIA BUILDING STANDARDS CODES WITH CERTAIN EXCEPTIONS, MODIFICATIONS AND ADDITIONS**

WHEREAS, the City Council of the City of Sierra Madre does hereby find that there is a need to enforce the most current editions of the California Building Standards Code, with the local amendments recited herein for regulating and controlling the design, erection, construction, enlargement, installation, alteration, repair, relocation, removal, use, occupancy, demolition, conversion, height, area, location, maintenance, and quality of materials of all buildings and structures and plumbing, mechanical, electrical and fire suppression systems and certain equipments within the City;

WHEREAS, pursuant to sections 17922, 17958, 17958.5 and 17958.7 of the California Health & Safety Code, the City may adopt the provisions of the Building, Residential, Green Building Standards, Energy, Referenced Standards Plumbing, Mechanical and Electric Codes, with certain amendments to the provisions of the codes which are reasonably necessary to protect the health, wealth and safety of citizens of Sierra Madre because of local climatic, geological and topographical conditions;

WHEREAS, the City Council of the City of Sierra Madre made the factual findings outlined in Exhibit 1 attached hereto relating to the amendments to the uniform codes recited herein in accordance with Health & Safety Code section 18941.5;

WHEREAS, the city City Council also finds that areas within the City are hazardous fire areas that have only limited fire suppression forces and facilities available for the protection of life and property;

WHEREAS, the City Council does hereby further find that the southern California region, which includes the City, is within a very active seismic area and local soil conditions can be highly expansive and subject to local topographic considerations including extensive hillside construction that is prone to erosion;

WHEREAS, the City Council does hereby further find that in accordance with section 15061(b)(3) of the California Code of Regulations, the adoption of local amendments to the California Building Standards Code, and amending the Sierra Madre Municipal Code are exempt from the provisions of the California Environmental Quality Act.

**THE CITY COUNCIL OF THE CITY OF SIERRA MADRE DOES ORDAIN AS FOLLOWS:**

**SECTION 1.**            Amendments to Chapter 15.04, entitled “Building Code and Permits.”

The following sections of the Municipal Code are hereby amended or added to provide as follows:

**15.04.010 Adoption of the 2016 California Building Code.**

Subject to the additions, deletions and amendments specified in this chapter, the rules, regulations, provisions and conditions set forth in that certain code entitled 2016 California Building Code based on the “International Building Code 2015 edition,” promulgated by the International Code Council and referred to and by this reference expressly incorporated herein and made part hereof as fully and for all intents and purposes as though set forth at length, and said 2016 California Building Code is made part of this code and the same shall be designated, known and referred to as the “building code” of and for the city.

**15.04.030    Amendment to Section 702 Very High Fire Hazard Severity Zone.**

A. The definition of “Very high fire hazard severity zone” in Section 702A of the 2016 California Building Code is amended to provide as follows.

Fire hazard severity zones are geographical areas designated pursuant to California Public Resources Code sections 4201 through 4204 and classified as very high, high, or moderate in state responsibility areas or as local agency very high fire hazard severity zones designated pursuant to California Government Code sections 51175 through 51189. See California Fire Code Article 86.

The California Code of Regulations Title 14 Sections 1280 entitles the maps of these geographical areas as “maps of the fire hazard severity zones in the state responsibility area of California.”

For the purposes of this code, the entire city of Sierra Madre is hereby established as a Fire District and shall contain within it an area designated as a very high fire hazard severity zone, and shall include such territories or portions of said city as outlined in Chapter 15.04 of the Sierra Madre Municipal Code. Whenever in this code, reference is made to any fire zone; it shall be construed to mean the fire zone created by this chapter.

B. Section 704A 2016 California Building Code is revised to add:

Building or structures hereafter erected, constructed, moved within or into the very high fire hazard severity zone shall meet the requirements of this section as follows:

1. Exterior walls of all buildings shall be of one-hour, fire-resistive construction. Exterior glass in such walls shall be double-glazed. Wood shake shingles being used as an exterior wall covering shall be treated with an approved fire retardant chemical.
2. Roof soffits (including eaves), open patios, carports, porches, unenclosed underfloor areas and all open structures, attached or detached, shall be protected on the under side with materials as approved for one-hour fire-resistive construction or shall be of incombustible materials throughout.

Exceptions:

- a. Asphalt composition shingles with Class "B" rating.
- b. When in the opinion of the Building Official, no material increase in fire hazard will occur, additions not exceeding twenty-five percent (25%) of the existing square footage over the life of the building, may be covered with the same materials used on the existing building.
- c. Any roof covering conforming to the specifications of the Underwriters Laboratory (UL) for Class "A" roof covering as published in the Underwriters Laboratory "List of Fire Protection Equipment and Materials" shall be considered a "fire-retardant" roof covering".

#### **15.04.090 Amendment to Section 1505 Roofs – Fire Classifications.**

The 2016 California Building Code Section is amended to add the following to Sections 1505:

- A. Any building alteration, replacement or repair, which does not exceed twenty-five percent of the area of the existing roof, over the life of the structure, may use existing like materials on said roof.
- B. Any building alteration, replacement or repair, which exceeds fifty percent of the area of the existing roof, over the life of the structure, shall be made with fire retardant covering as specified in the California Building Code.
- C. Any building alteration, replacement or repair, which exceeds fifty percent of the area of the existing roof, over the life of the structure, shall be made with fire retardant covering as specified in the 2013 California Building Code.
- D. Any building addition, which does not exceed twenty-five percent of the area of the existing roof, over the life of the structure, may use existing like material on

the roof addition, and any alteration, replacement or repairs to the existing roof, required by such addition may also use existing like materials.

E. Any building addition, which exceeds twenty-five percent of the area of the existing roof, over the life of the structure, shall be made with fire retardant covering as specified in the 2013 California Building Code, and any alterations, replacements or repairs to the existing roof, required by such addition, shall also be made with such fire retardant roof covering.

F. Wood roofs shall not be considered a Class A covering regardless of the rating of an assembly.

#### **15.04.100 Amendment – Section 202 – Additions, alterations or repairs.**

A. The following is added to the end of Section 202 of the 2016 California Building Code:

The phrase “additions, alterations and repairs” as used in this section, and all subsections thereof, shall not be construed to apply to the remodeling of an existing building to provide new facades or other aesthetic embellishments or accouterments which do not modify the structural support or members of such building.

B. Section 3403 of the 2016 California Building Code is amended to include and read as follows:

Section 3403 Buildings or structures to which additions, alterations or repairs are made shall comply with all requirements of this code for new facilities except as specifically provided in this section. See section 907 of the Building Code for provisions requiring installation of smoke detectors in existing Group R, Division 3 Occupancies.

#### **15.04.110 Amendment – Section 109.4 Work commencing before permit issuance.**

The following is added to the end of Section 109.4 of the 2016 California Building Code:

Where the work for which permit is required by this code is started or proceeded prior to obtaining said permit, the building permit fee shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this Code in the execution of the work nor from any penalties prescribed herein.

#### **15.04.115 – Section 105.7 Demolition Permits.**

The following is added to Section 105 of the 2016 California Building Code.

## **Section 105.7 Demolition Permits.**

- A. No permit for the demolition of all or any substantial portion of any building in the city shall be issued for a period of thirty days after such application is made. For the purposes of this chapter, demolition shall be considered the alteration, reconstruction, or elimination of 50% or more, of the floor area or monetary value. Projects that involve less than 50% of the alteration, reconstruction, or elimination of the floor area or monetary value may still be subject to requirements of Chapter 8.13 and/or 12.20 of this code.
- B. There is a 30 day wait period after the application is submitted.
- C. Within 10 days of the application, the applicant should submit a mitigation plan for vermin, noise, dust, asbestos, salvage, trash removal, air pollution, historic preservation, and neighborhood peace and enjoyment. Failure to submit such mitigation report may be grounds for denying such permit.
- D. Notice of the application for a demolition permit shall be made available within three days to every city councilmember and city official. Copies of the applicant's mitigation report shall also be made in similar fashion.
- E. Prior to the release of the demolition permit, the applicant shall demonstrate that notification of, and compliance with, the following:
  - 1. South Coast Air Quality Management District (AQMD);
  - 2. Electricity provider;
  - 3. Natural gas provider; and
  - 4. City Department of Public Works (Chapters 8.13 and 12.20.)
- F. Prior to the issuance of a demolition permit, the applicant shall file (in general terms) his/her intended reuse of the property with development services department. Such plan shall indicate the intended use and condition of the property after the demolition of structures requested within the demolition permit is concluded.
- G. Notwithstanding any other provision of this chapter, in the event of an immediate threat to the public health, safety and welfare, the thirty-day "wait" period for the issuance of a demolition permit may be waived. Evidence of such an immediate threat shall be submitted by the applicant to the director of development services. Upon receipt of such information, the director of development services shall determine if an immediate threat to the public

health, safety and welfare exists.

- H. The filing of any notice or report, as called for herein, is not intended to vest any discretion (under CEQA or otherwise) in the building official to deny such application. Instead, at the end of the thirty-day period, such permit shall be issued unless such issuance is contrary to any law or regulation applicable at that date.
- I. To the extent, if any, that this Section 115 differs from the 2016 California Building Code (CBC), the city council finds that there are conditions unique to this city that justify such change, including high fire danger, steep hillsides, vermin infestation, wildlife and asbestos levels, the issuance of a demolition permit shall be considered a ministerial duty under the provisions of CEQA Section 15268 except for historical and unique archeological resources as outlined in CEQA Section 15064.5. If the demolition permit is for a historic structure, a cultural resources report shall be prepared at the property owner's expense.
- J. Any person, firm or corporation demolishing a structure without a permit shall be guilty of a misdemeanor, and upon conviction of any such person shall be punishable by a fine of not more than one thousand dollars or by imprisonment in the city jail for not more than one hundred eighty days, or by both such fine and imprisonment.
- K. Demolitions of Historic Structure.
  - 1. If a structure that is deemed to be a historic resource is demolished without a permit:
    - a) The violator shall within one year completely rebuild the demolished structure to pre-existing condition and shall submit a surety bond that shall be in amount equal to the replacement value as calculated by the department of development services;
    - b) The city may rebuild it within said one-year period placing the costs thereof as a lien on the property which shall indemnify the city against all costs so incurred and all liabilities arising there from; or
    - c) No building or construction related permits shall be issued, and no permits or use of the property shall be allowed, from the date of demolition for a specified time period, as follows: for five years, if the structure was listed or deemed eligible for listing on the local, state, or Federal Registry of Historic Resources. In addition, for a historic structure, a cultural resources report shall be prepared at the property owner's expense. For the purposes of this section, the demolition shall be presumed to have occurred on the date the city has actual knowledge of the demolition. The owner shall have the burden of

proving a different date if one is claimed. Such waiting period shall be for the purpose of consideration of rebuilding, relocation, grants, etc., for replacement.

2. The director of development services shall cause notice that this section is applicable to property to be served by mail on the person shown as the owner on the rolls of the tax assessor, and on any other person known to have an interest in the property, as soon as practicable after having knowledge that the provisions of this section are applicable to property. The date the city first had actual knowledge of the demolition shall be stated in the notice. The provisions of this subsection are directory only.
3. The decision of the director that this section is applicable may be appealed by the property owner to the city council. The city council may grant relief from the requirements of this section if the demolition in violation of this section was not done to any of the following:
  - a) A building or structure deemed eligible for landmark status;
  - b) A building or structure listed or deemed eligible for listing in the National Register of Historic Places;
  - c) A building or structure listed or deemed eligible for listing in the California Register of Historical Resources;
  - d) Any cultural resource determined to have historic significance.

#### **15.04.117 Section 105.2 Work Exempt from Permits.**

Section 105.2 Building Exception 2 is hereby deleted and the following is added at the end of Section 105.2 of the 2016 California Building Code:

“All walls, retaining walls and fences regardless of type or height shall require building permits.”

#### **15.04.118 Amendment – Section 903 Automatic Fire Sprinklers.**

The following sections within section 903 of the 2016 California Building Code, entitled, “Automatic Sprinkler Systems” are revised to provide as follows:

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided for Group 1 occupancies in accordance with Sierra Madre Municipal Code section 15.24.120.

903.2.1.2 Group A-2. An automatic sprinkler system shall be provided for Group A-2 occupancies in accordance with Sierra Madre Municipal Code section 15.24.120.

903.2.1.3 Group A-3. An automatic sprinkler system shall be provided for Group A-3 occupancies in accordance with Sierra Madre Municipal Code section 15.24.120.

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided for Group A-4 occupancies in accordance with Code Sierra Madre Municipal section 15.24.120.

903.2.1.5 Group A-5. An automatic sprinkler system shall be provided for Group A-5 occupancies in the following areas: concession stands, retail areas, press boxes, and other accessory use areas in accordance with Code section 15.24.120.

903.2.2 Group B ambulatory health care facilities. An automatic sprinkler system shall be provided throughout all buildings containing Group B ambulatory health care occupancy in accordance with Sierra Madre Municipal Code section 15.24.120.

903.2.3 Group E. Except as provided for in Sections 903.2 .2 .1 for a new public school campus and 907.2.3.6.1 (fire alarm and detection) for modernization of an existing public school campus building(s), an automatic sprinkler system shall be provided for Group E occupancies in accordance with Code section 15.24.120.

903.2.4 Group F-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy in accordance with Sierra Madre Municipal Code section 15.24.120.

903.2.5 Group H. Automatic sprinkler systems shall be provided in high-hazard occupancies as required in Sections 903.2.5.1 through 903.2.5.3.

903.2.5.1 General. An automatic sprinkler system shall be installed in Group H occupancies in accordance with Code section 15.24.120.

903.2.6 Group I. An automatic sprinkler system shall be provided throughout buildings with a Group I in accordance with Sierra Madre Municipal Code section 15.24.120.

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy in accordance with Sierra Madre Municipal Code section 15.24.120.

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R in accordance with Sierra Madre Municipal Code section 15.24.110.

903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 in accordance with Code section 15.24.120.

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with the California Building Code.

903.2.9.2 Bulk storage of tires. Buildings and structures with an area for the storage of shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

903.2.10 Group S-2. An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.4 of the California Building Code or where physically located beneath other occupancy groups.

903.2.10.1 Commercial parking garages. An automatic sprinkler system shall be provided throughout buildings used for storage of commercial trucks or buses.

#### **15.04.120 Adoption of Los Angeles Regional Code Program – Los Angeles Basin Chapter 2016 Technical Amendments.**

The 2016 California Building, Code is hereby amended by adopting by reference the Technical Amendments as published on, 2016 by the Los Angeles Regional Uniform Regional Code Program – International Code Council – Los Angeles Basin Chapter.

#### **SECTION 2.            Amendments to Chapter 15.06, entitled “California Residential Code.”**

The following sections of the Municipal Code are hereby amended or added to provide as follows:

#### **15.06.010 Adoption of the 2016 California Residential Code.**

Subject to the additions, deletions and amendments specified in this chapter, the rules, regulations, provisions and conditions set forth in that certain code entitled 2013 California Residential Code based on the “International Residential Code 2012 edition,” promulgated by the International Code Council of Whittier, California. and referred to and by this reference expressly incorporated herein and made part hereof as fully and for all intents and purposes as though set forth at length, and said 2013 California Residential Code is made part of this code and the same shall be designated, known and referred to as the “Residential Code” of and for the city.

#### **15.06.020 Amendment - Section R105.2 Work Exempt from Permits.**

Section R102.2 Building Exception 2 is hereby deleted and the following is added to the end of Section R105.2 of the 2016 California Residential Code:

“All walls, retaining walls and fences regardless of type or height shall require building permits.”

**15.06.030 Amendment - Section R108.6 Work commencing before permit issuance.**

The following is added to the end of Section R108.6 of the 2016 California Residential Code:

Where the work for which permit is required by this code is started or proceeded prior to obtaining said permit, the building permit fee shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this Code in the execution of the work nor from any penalties prescribed herein.

**15.06.040 Amendment - Townhouse automatic fire sprinkler systems.**

Section R313.1 of the California 2016 Residential Code is amended to provide as follows:

“An automatic residential fire sprinkler system shall be installed in townhouses in accordance with accordance with Sierra Madre Municipal code section 15.24.110.”

**15.06.050 Amendment - One and two family dwellings automatic fire systems.**

The following is added to the end of Section R313.2 of the 2016 California Residential Code:

“An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings in accordance with accordance with Sierra Madre Municipal code section 15.24.110.”

**15.06.060 Amendment – Required sprinkler locations, exception 4.**

Section R313.3.1.1, of the California 2016 Residential Code exception 4 is amended to read as follows:

“Detached garages and carports in accordance with Sierra Madre Municipal code section 15.24.110.”

**15.06.070 Water flow detector alarm.**

A new section R313.3.3.5 of the California 2013 Residential Code is added to the Residential code and shall be entitled "Water flow detector alarm." That section shall provide:

"Water supply."

"The flow of one sprinkler shall activate a water flow detector alarm that shall be audible on the exterior of the building."

**15.06.080 Adoption of Los Angeles Regional Uniform Code Program Technical amendments to the 2016 California Residential Code.**

The 2013 California Residential Code is hereby amended by adopting by reference the Technical Amendments as published by the Los Angeles Regional Uniform Regional Code Program – International Code Council – Los Angeles Basin Chapter published September 5, 2013.

**SECTION 3.**            Amendments to Chapter 15.08, entitled "California Mechanical Code."

The following sections of the Municipal Code are hereby amended or added to provide as follows:

The following sections of the 2016 California Mechanical Code are amended or added to provide as follows:

**15.08.010 Adoption of the California Mechanical Code.**

The 2016 California Mechanical Code which is based on the Uniform Mechanical Code, 2015 Edition," published by the International Association of Plumbing and Mechanical Officials is adopted by reference, together with all indexes and appendixes therefore, except as herein amended in this chapter and said 2013 California Mechanical Code is made part of this code and this chapter shall be designated, as known and referred to as the "mechanical code" of and for the city.

**15.08.030**            Amendment – Section 110.0 Violation.

Section 110.0 of the 2016 California Mechanical code is amended to include the phrase:

"In addition to the penalties herein above provided, any condition caused or permitted to exist in violation of any of the provisions of this code shall be deemed a public nuisance and may be abated in the manner provided by law as such. Every day such condition continues shall be regarded as a new separate offense."

**SECTION 4.**            Amendments to Chapter 15.16, "California Electrical Code."

A. The following sections of the Municipal Code are hereby amended or added to provide as follows:

**15.16.010 Adoption of the 2016 California Electrical Code.**

Subject to the additions, deletions, and amendments specified in this chapter, the rules regulations, provisions and conditions set forth in those certain codes entitled, 2016 California Electrical Code which is based "National Electrical Code, 2014 Edition," therein contained, published by the National; Fire Protection Association is adopted by reference, together with all indexes and appendixes therefore, except as herein amended in this chapter and said 2013 California Electrical Code is made part of this code and this chapter shall be designated, as known and referred to as the "electrical code" of and for the city.

B. Section 15.16.015 is added to the municipal code to provide as follows:

**15.16.015 Amendment - Annex H: Administration Section 80.27 Inspectors Qualifications.**

Section 80.27 of the 2016 California Electrical Code is amended to provide the phrase "The Building Official is exempt from requiring certification as an electrical inspector."

**SECTION 5.**            Amendments to Chapter 15.20, entitled "California Plumbing Code."

The following sections of the Municipal Code are hereby amended or added to provide as follows:

**Chapter 15.20.10 Adoption of the 2016 California Plumbing Code and Appendixes.**

The 2016 California Plumbing Code which is based on The Uniform International Plumbing Code, 2015 Edition, is adopted. That certain document "International Plumbing Code, 2015 Edition," published by International Association of Plumbing and Mechanical Officials is adopted by reference, together with all indexes and appendixes thereof and therefore, except as herein amended in this chapter and said 2016 California Plumbing code is made part of this code and this chapter shall be referred to as the "plumbing code" of and for the city.

**15.20.060 Section 710.1 Drainage of fixtures located below the next upstream manhole or below the main sewer level.**

Section 710.1 of the 2016 California Plumbing Code shall be amended to read as follows:

Sewage backflow. Where the flood level rims of plumbing fixtures are below the elevation of the manhole cover of the next upstream manhole in the public sewer, such fixtures shall be protected by a backwater valve installed in the building drain, branch of the building drain or horizontal branch serving such fixtures. Plumbing fixtures having flood rim levels above the elevation of the manhole cover of the next upstream manhole in the public sewer shall not discharge through a backwater valve.

**SECTION 6.**            Amendments to Chapter 15.26, entitled "Existing Building Code."

The following sections of the Municipal Code are hereby amended or added to provide as follows:

**15.26.010 Adoption of the 2015 Existing Building Code.**

Subject to any additions, deletions and amendments that may exist in this chapter, the rules, regulations, provisions and conditions set forth in that certain code entitled "Existing Building Code 2015 Edition," promulgated by the International Code Conference and referred to and by this reference expressly incorporated herein and made a part thereof as fully and for all intents and purposes as though set forth at length, and said Existing Building Code is made a part of this code and the same shall be designated, known and referred to as the "existing building code" of and for the city.

**SECTION 7.**            Amendments to Chapter 15.30, entitled "Green Building Standards Code."

The following sections of the Municipal Code are hereby amended or added to provide as follows:

**Section 15.30.010 – Adoption of 2016 California Green Building Standards Code.**

Subject to any additions, deletions and amendments that may exist in this chapter, the rules, regulations, provisions and conditions set forth in that certain code entitled "California Green Building Standards Code 2016 Edition," and referred to and by this reference expressly incorporated herein and made a part thereof as fully and for all intents and purposes as though set forth at length, and said California Green Building Standards Code is made a part of this code and the same shall be designated, known and referred to as the "green building code" of and for the city.

**15.30.030 Adoption of Los Angeles Regional Uniform Code Program Technical Amendments to the 2013 California Green Building Standards Code.**

The 2016 California Green Buildings Standards Code is hereby amended by adopting all of the Technical Amendments as published by the Los Angeles Regional Uniform Regional Code Program – International Code Council – Los Angeles Basin Chapter published 2016 except for the two amendments that would have authorized the addition of Sections 101.12 and 101.12.1 to the Green Building Standards Code which would have authorize a 10% increase in fee to be charged for processing green building projects.

**SECTION 8.**            Amendments to Chapter 15.34, entitled “CALIFORNIA ENERGY CODE.”

The following sections of the Municipal Code are hereby amended or added to provide as follows:

**15.34.010 – Adoption of 2016 California Energy Code.**

Subject to any additions, deletions and amendments that may exist in this chapter, the rules, regulations, provisions and conditions set forth in that certain code entitled "California Energy Code 2016 Edition," and referred to and by this reference expressly incorporated herein and made a part thereof as fully and for all intents and purposes as though set forth at length, and said California Energy Code is made a part of this code and the same shall be designated, known and referred to as the "energy code" of and for the city.

**SECTION 9.**            Amendments to Chapter 15.36, entitled “REFERENCED STANDARDS CODE.”

The following sections of the Municipal Code are hereby amended or added to provide as follows:

**15.36.010 Adoption of the 2016 California Referenced Standards Code.**

Subject to any additions, deletions and amendments that may exist in this chapter, the rules, regulations, provisions and conditions set forth in that certain code entitled "California Referenced Standards Code 2016 Edition," promulgated by the International Code Conference and referred to and by this reference expressly incorporated herein and made a part thereof as fully and for all intents and purposes as though set forth at length, and said California Referenced Standards Code is made a part of this code and the same shall be designated, known and referred to as the "referenced standards" of and for the city.

**SECTION 10.**        References in Documents and Continuing Legal Effect. References to prior versions of any portion of the Building Standards Code, or of the Sierra Madre Municipal Code that are amended or renumbered in this Municipal Code, that are cited on notices issued by the City or other documents of ongoing or continuing legal effect, including resolutions adopting or imposing fees or charges, until converted, are deemed to be references to the new counterpart part of the Building Standards Code or amended Municipal Code sections for the purposes of notice and enforcement. The provisions adopted hereby shall not in any manner affect deposits, established fees or other matters of record which refer to, or are otherwise connected with, ordinances which are specifically designated by number, code section or otherwise, but such references shall be deemed to apply to the corresponding provisions set forth in the code sections adopted or amended hereby.

**SECTION 11.**        Continuity. To the extent the provisions of this Ordinance are substantially the same as previous provisions of the Sierra Madre Municipal Code, these provisions shall be construed as continuations of those provisions and not as amendments of the earlier provisions.

**SECTION 12.**        No Effect on Enforceability. The repeal of any sections of the Municipal Code, shall not affect or impair any act done, or right vested or approved, or any proceeding, suit or prosecution had or commenced in any cause before such repeal shall take effect; but every such act, vested right, proceeding, suit, or prosecution shall remain in full force and effect for all purposes as if the applicable provisions of the Municipal Code, or part thereof, had remained in force and effect. No offense committed and no liability, penalty, or forfeiture, either civil or criminal, incurred prior to the repeal or alteration of any applicable provision of the 2007 Code as amended, shall be discharged or affected by such repeal or alteration but prosecutions and suits for such offenses, liabilities, penalties or forfeitures shall be instituted and proceed in all respects as if the applicable provisions of the 2007 Code, as amended, had not been repealed or altered.

**SECTION 13.**        Supplementary of Existing Law. The City Council intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent.

**SECTION 14.**        Modifications to California Building Standards Code. All inconsistencies between the Building Standards Code as amended and adopted by this ordinance, and Parts 2, 2.5, 3, 4, 5, 6, 8, and 10 of Title 24 the California Code of Regulations are changes, modifications, amendments, additions or deletions thereto authorized by California Health and Safety Code Sections 17858 and 17858.7.

**SECTION 15.**        Severability. Should any section, subsection, clause, or provision of this Ordinance for any reason be held to be invalid or

unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance; it being hereby expressly declared that this Ordinance, and each section, subsection, sentence, clause, and phrase hereof would have been prepared, proposed, approved, and ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

**SECTION 16.**        Effective Date. This Ordinance shall be effective January 1, 2017.

**SECTION 17.**        CEQA. This Ordinance has been determined to be exempt from the California Environmental Quality Act pursuant to State Guidelines §15061 (b) (3) as a project that has no potential for causing a significant effect on the environment, because any changes caused by this ordinance would be speculative, and do not have any significant impact on the environment.

**SECTION 18.**        Publication. The City Clerk shall certify to the adoption of this ordinance and shall cause the same to be processed in the manner required by law.

**SECTION 19.**        Certification. The City Clerk shall file a certified copy of this Ordinance with the California Building Standards Commission.

**PASSED, APPROVED AND ADOPTED** this 25<sup>th</sup> day of October, 2016 by the following roll call vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Gene Goss  
Mayor

ATTEST:

\_\_\_\_\_  
Melinda Carrillo, City Clerk

STATE OF CALIFORNIA                    )  
COUNTY OF LOS ANGELES            )       SS:  
CITY OF SIERRA MADRE                 )

I, \_\_\_\_\_, City Clerk of the City of Sierra Madre, hereby certify that the foregoing Ordinance1380 was introduced at a regular meeting of the City Council of the City of Sierra Madre held on the 25<sup>th</sup> day of October 2016, and was approved and adopted by said Council at its regular meeting held on the 25<sup>th</sup> day of October 2016.

**SIERRA MADRE BUILDING DEPARTMENT**

**2016 BUILDING CODE FINDINGS**

This report contains the “Findings” to support this ordinance to amend the California Building Standards Code. Each of the proposed amendments to the non-administrative provisions of the building standards code are based on local climatic, geologic and topographical conditions and cause the new code to be more restrictive in nature than the underlying California Building Standards Code.

The amendments address the building problem(s), concern(s), and future direction(s), by which the City can establish and maintain an environment which will afford an adequate level of building and life safety protection to its citizens and guests.

Section 1 of this Exhibit sets forth the various finding.

Section 2 of this Exhibit explains which findings apply to which amendments.

**Section 1. General Findings**

The following findings apply in the City of Sierra Madre, and explain why the changes to the Building Standards Code are necessary because of climatic, geological and/or topographical condition is in the city.

**A. Climatic Conditions**

1. Normal rainfall averages 15 inches annually. During the summer and fall months, temperatures average approximately 85 degrees and can exceed 100 degrees for a period of days. Dry winds remove the moisture from vegetation. During late summer and fall, winds can move a fire quickly across the foothills or through residential areas of Sierra Madre. Winter rains often cause floods and the threat of damage due to water runoff.

**B. Geologic Conditions**

1. The beautiful mountains that border the north of Sierra Madre create a unique hazard. The foothills have become prime sites for residential development because of their scenic beauty. The steep, narrow canyons create narrow winding roads that lengthen response time of emergency vehicles due to the increase in grade. Also, due to the hills and mountainous terrain, it is difficult to ensure proper fence and wall heights and footing depths without requiring inspections and permits.

2. The city is a densely populated area having buildings and structures over and near major fault systems capable of producing major earthquakes. Thus there are proposed modifications to emphasize designs with seismic-force-resisting elements.

**C. Topographic Conditions**

1. The topographic element of this report is associated closely with the geologic element noted above. While the geologic features create the topographic conditions, the areas of findings in this Section are, for the most part, a result of the construction and design of Sierra Madre.
2. Sierra Madre has areas that are in high fire hazard zones. As stated above, due to topography, access to structures in these fire hazard zones increases response time and delays fire suppression efforts. Extended response times allow fires to grow beyond the control of initial attack resources. Additionally, large structure fires in the hillside areas have a greater likelihood of starting wild land fires, which exposes additional structures to fire.
3. Clarification of the design parameters for projects subject to the Building Code is necessary to assure that appropriate development is constructed in accordance with the scope and objectives of the International Building Code, as applied in the city of Sierra Madre.

**D. Administrative**

1. These amendments are necessary for administrative clarification and do not modify any building standards. They establish standards to effectively enforce building standards and therefore need to be incorporated into the code to assure that new building and structures and additions or alteration to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Building Standards Code.

**Section 2 – Which Findings Apply to Which Amendments**

The following amendments to the 2016 Edition of the California Building Standards Code are found reasonably necessary based on the climatic, geologic and/or topographic conditions cited in Section 1 of this Exhibit:

**California Building Code Sections**  
 Chapter 7  
 202, 3403  
 109.4  
 105.2

**Applicable Findings**  
 A-1, B-1, C-2  
 C-3  
 D-1  
 B-1, D-1

Section 903 (903.2.1.1; 903.2.1.2; 903.2.1.3; 903.2.1.4; 903.2.1.5; 903.2.2; 903.2.3; 903.2.4; 903.2.5; 903.2.5.1; 903.2.6; 903.2.7; 903.2.8; 903.2.9; 903.2.9.1; 903.2.9.2; 903.2.10; 9; 903.2.10.1)	A-1, B-1, C-2
Section 1505 (1505.1; 1505.1.1; 1505.1.2; 1505.1.3; 1505.1.4; 1505.2)	A-1; B-1; C-1; C-2
Technical Amendments	A-1, B-1, B-2, C-1, C-2, D-1
<b>2013 California Residential Code</b>	<b>Applicable Findings</b>
R105.2	B-1, D-1
R108.6	D-1
R313.1	A-1, B-1, C-2
R313.2	A-1, B-1, C-2
R313.3.1.1 exception 4	A-1, B-1, C-2
R313.3.3.5	A-1, B-1, C-2
Technical Amendments	A-1, B-1, B-2, C-1, C-2, D-1
<b>2013 California Mechanical Code</b>	<b>Applicable Findings</b>
110.0	D-1
<b>2013 California Electrical Code</b>	<b>Applicable Findings</b>
Annex H	D-1
<b>2013 California Plumbing Code</b>	<b>Applicable Findings</b>
710.1	B-1, C-1, D-1
<b>2012 Existing Building Code</b>	<b>Applicable Findings</b>
SMMC 15.26.020	D-1
<b>2013 California Green Building Code</b>	<b>Applicable Findings</b>
SMMC 15.30.020	D-1
Technical Amendments	A-1, B-1, B-2, C-1, C-2, D-1
<b>2013 California Energy Code</b>	<b>Applicable Findings</b>
SMMC 15.34.020	D-1
<b>2013 California Referenced Standards Code</b>	<b>Applicable Findings</b>
SMMC 15.36.020	D-1



**2016 EDITION OF THE  
LOS ANGELES REGION UNIFORM CODE PROGRAM**



**RECOMMENDED CODE AMENDMENTS TO THE  
2016 EDITION OF THE CALIFORNIA BUILDING CODE,  
CALIFORNIA RESIDENTIAL CODE, AND  
CALIFORNIA GREEN BUILDING STANDARDS CODE**

**PREPARED BY:**

**ICC LOS ANGELES BASIN CHAPTER'S  
GREEN AND SUSTAINABILITY COMMITTEE  
STRUCTURAL COMMITTEE**

**Final Version: August 5, 2016  
Updated Version: August 23, 2016**

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## 2016 EDITION OF THE LOS ANGELES REGION UNIFORM CODE PROGRAM

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### PREFACE

In 1957 our founding members established one of the earliest chapters of the International Conference of Building Officials. Today the Chapter has grown to over eighty-nine Southern California jurisdictions, plus consulting firms and other members of the construction industry. ICBO merged with two other building official organizations to create the International Code Council. The Los Angeles Basin Chapter officially became an ICC Chapter in December 2002.

The Los Angeles Basin Chapter has been very active throughout the years in leading an effort to create uniformity of building codes and regulations in the greater Los Angeles region as well as addressing policy issues of interest to building officials and the construction industry.

One such effort to promote uniformity of building regulations is through the Los Angeles Regional Uniform Code Program ("LARUCP"). The LARUCP program began in July 1999 with the purpose of developing uniform interpretations and handouts to serve as guidelines for building officials, contractors, engineers and architects in the consistent application of the codes. The mission of the program was to minimize the number of and to develop uniformity in local code amendments to the California codes for adoption by jurisdictions in the greater Los Angeles region and beyond.

Leading the efforts to creating uniformity of building codes and regulations within the region are the dedicated members of the Los Angeles County Building and Safety Division, City of Los Angeles Department of Building and Safety, City of Long Beach Building and Safety Bureau, and other jurisdictional members and partners in the greater Los Angeles region. Through the coordination of the ICC Los Angeles Basin Chapter's Fire-Life Safety Committee, Structural Committee, Green and Sustainability Committee, and Administration Committee, the following regulatory streamlining tasks to be completed are:

1. Create uniformity of building standards code that can be adopted in most of the jurisdictions in the greater Los Angeles region;
2. Reduce the total number of local technical amendments to the model code in the greater Los Angeles region;
3. Receive support from many, if not all, of the 89 jurisdictions in the greater Los Angeles region;
4. Obtain active participation from a majority of the jurisdictions in the greater Los Angeles region in formulating and implementing the program; and
5. With construction valuation of over \$5 billion in the region, conservatively assuming that the program produces a 1% construction cost savings, achieve an estimated cost saving of \$50 million per year in the greater Los Angeles region.

### DISCUSSION

Sections 13145.3, 17922, 17958 and 18941.5 of the California Health and Safety Code requires that the latest California Building Standards Codes apply to local construction 180 days after they become effective at the State level. The California Building Standards Commission has adopted the 2016 Edition of the California Building Code, California Residential Code, and California Green Building Standards Code. State Law requires that these Codes become effective at the local level on January 1, 2017.

Sections 17958.5 and 17958.7 of the California Health and Safety Code requires that local code amendments to the California Building Standards Codes and other regulations, including but not limited to, green building standards, be enacted only when an express finding is made that such modifications or changes are reasonably necessary because of local climatic, geological, topographical or environmental conditions.

## 2016 EDITION OF THE LOS ANGELES REGION UNIFORM CODE PROGRAM

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The ICC Los Angeles Basin Chapter's Structural Committee and Green Building Standards Committee are recommending that the 2016 Edition of the LARUCP Recommended Code Amendments contained in this document, some of which continues amendments enacted during the previous code adoption cycle, be considered for local code adoption for the following reasons:

1. To protect the community within the greater Los Angeles region from a vast array of fault systems capable of producing major earthquakes and/or climate systems capable of producing major winds, fire and rain related disaster.
2. To ensure and encourage energy efficiency and sustainable practices are incorporated into building designs and constructions.

The 2016 Edition of the LARUCP Recommended Code Amendments have been widely circulated and discussed over the past several months with various local jurisdictional members, SEAOSC Building Code Committee, design professionals in the construction industry, and other interested groups or individuals. The proposed code language along with the reasons and findings are detailed in this document for each of the recommended code amendments to the 2016 Edition of the California Building Standards Code.

### STATEMENT ON USE OF DOCUMENT

The primary purpose of the ICC Los Angeles Basin Chapter's Committees is to serve and benefit its members. To this end, the Committees provide a forum for the exchange, consideration, and discussion of ideas and proposals that are relevant to the construction industry and the consensus of which forms the basis for the proposed amendments contained in this document.

By making available the recommendations in this document, the Los Angeles Basin Chapter's Committees do not insure any jurisdiction using the information it contains against any liability arising from that use. The Committees disclaims liability for any injury to persons or to property, or other damages of any nature whatsoever, whether special, indirect, consequential or compensatory, directly or indirectly resulting from the publication, use of, or reliance on this document. The Committees makes no guaranty or warranty as to the accuracy or completeness of any information provided herein. Any jurisdiction using this document should rely on their own independent judgment and exercise reasonable care in any given circumstances. Each jurisdiction adopting the proposed amendments contained in this document should make an independent, substantiating investigation of the validity of that information for their particular use.

### ACKNOWLEDGEMENT

The ICC Los Angeles Basin Chapter would like to express its gratitude and appreciation to all the participating committee members and correspondents that spent countless hours over the past several months assisting in the review, discussion, evaluation and drafting of the proposed recommended code amendments to the 2016 Edition of the California Building Code, California Residential Code and California Green Building Standards Code. Special thanks go out to the following individuals without whose support and effort the recommendations presented herein would not be possible.

Aleia Long, County of Los Angeles Building and Safety Division  
Armen Sarkisian, City of Los Angeles Building and Safety Department  
Charles Russell, VCA Code Group  
Clint Lee, County of Los Angeles Building and Safety Division  
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## 2016 EDITION OF THE LOS ANGELES REGION UNIFORM CODE PROGRAM

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Truong Huynh, City of Long Beach Building and Safety Bureau  
Victor Cuevas, City of Los Angeles Building and Safety Department

### UPDATED VERSION

Whenever there is an updated version to this document, a symbol in the margins indicate where changes have been made.

| This symbol indicates that a change has been made.

## EXPRESS TERM LANGUAGE

### LOCAL GOVERNMENT AMENDMENTS UNDER THE BUILDING STANDARDS LAW:

Pursuant to Sections 17958.5 and 17958.7 of the California Health and Safety Code, the Building Standards Law takes a straightforward approach to amendments by local governments. Local code amendments are permitted under the following conditions:

- The governing body of the local government must make express findings that amendments to the building standard contained in California Codes of Regulation Title 24 are necessary because of local climatic, geological, topographical or environmental conditions.
- The local government amendments must provide a more restrictive building standard than that contained in California Codes of Regulation Title 24
- The amendments are not effective until copies of both the express findings and the amendments, with the amendments expressly marked and identified as to the applicable findings, have been filed with the California Building Standards Commission.

### LEGEND FOR PROPOSING AMENDMENTS TO PROPOSED BUILDING STANDARDS:

1. Existing California amendments or code language being modified: *All such language shown in italics, modified language is underlined or shown in ~~strikeout~~.*
2. Model code language with new California amendments: Model code language shown in Arial 10 fonts; California amendments to the model code texts shown underlined and in italics.
3. Proposed amended or adopted text: All language shown in underline.
4. Repealed text: All language shown in ~~strikeout~~.

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## PART I

### LARUCP RECOMMENDED CODE AMENDMENTS TO THE 2016 EDITION OF THE CALIFORNIA BUILDING CODE

2016 EDITION OF THE LOS ANGELES REGION UNIFORM CODE PROGRAM

SUMMARY OF RECOMMENDED LARUCP AMENDMENTS TO THE 2016 CBC

(N) 2016 LARUCP NO.	(E) 2013 LARUCP NO.	TITLE/DESCRIPTION	STATUS <sup>1</sup>
15-01	15-01	Amend CBC Section 1507.3.1 Deck Requirements	R
16-01	16-01	Add CBC Section 1613.5.2 Structural Separation	M
16-02	16-02	Add CBC Section 1613.5.3 Values for Vertical Combinations	M
16-03	16-03	Add CBC Section 1613.5.4 Wood Diaphragms	M
16-04		Add CBC Section 1613.5.5 Maximum $S_{DS}$ Value in Determination of $C_s$ and $E_v$	N
16-05	16-04	Add CBC Section 1613.7 Seismic Design Provisions for Hillside Buildings	R
16-06	16-05	Add CBC Section 1613.8 Suspended Ceilings	M
17-01	17-01	Amend CBC Section 1704.6 Structural Observations	M
17-02	17-02	Amend CBC Section 1704.6.1 Structural Observations Seismic Resistance	M
17-03	17-03	Amend CBC Section 1705.3 Special Inspections for Concrete Construction	R
	<del>17-04</del>	<del>Amend CBC Table 1705.3 Special Inspection for Concrete Construction</del>	<del>D</del>
17-04	17-05	Amend CBC Section 1705.12 Special Inspections for Seismic Resistance	M
	<del>17-06</del>	<del>Amend CBC Section 1711.1 Joist Hangers</del>	<del>D</del>
18-01	18-01	Amend CBC Section 1807.1.4 Permanent Wood Foundation System	M
18-02	18-02	Amend CBC Section 1807.1.6 Prescriptive Design of Concrete and Masonry Foundation Walls	R
18-03	18-03	Amend CBC Section 1809.3 Stepped Footings	M
18-04	18-04	Amend CBC Section 1809.7 and Table 1809.7 Prescriptive Footings for Light Frame Construction	R
18-05	18-05	Amend CBC Section 1809.12 Timber Footings	M
18-06	18-06	Amend CBC Section 1810.3.2.4 Timber	M
	<del>19-01</del>	<del>Amend CBC Section 1905.1.3 Wall Pier</del>	<del>D</del>
19-01	19-02	Amend CBC Section 1905.1.7 Minimum Reinforcement	M
19-02	19-03	Amend CBC Section 1905.1 and Add Sections 1905.1.9 thru 19.05.1.11 Reinforcement	M
23-01	23-01	Amend CBC Section 2304.10.1 Fastener Requirement	M
23-02	23-02	Amend CBC Section 2304.12.5 Wood Retaining Walls	M
23-03	23-03	Add CBC Section 2305.4 Quality of Nails	R
23-04	23-04	Add CBC Section 2305.5 Hold-down Connectors	R
23-05	23-05	Amend CBC Section 2306.2 Wood-Frame Diaphragms	M
23-06	23-06	Amend CBC Section 2306.3 Wood-Frame Shear Walls	M
23-07	23-06	Add CBC Section 2307.2 Wood-Frame Shear Walls	M
23-08	23-09	Amend CBC Table 2308.6.1 Wall Bracing Requirements	M
23-09	23-08	Amend CBC Sections 2308.6.5, Figure 2308.6.5.1 and Figure 2308.6.5.2 Alternative Bracing	M
23-10	23-07	Amend CBC Section 2308.6.8.1 Foundation Requirements	M
23-11	23-10	Amend CBC Section 2308.6.9 Attachment of Sheathing	M

FOOTNOTE:

1. R = Retain and update existing amendment, M = Modify existing amendment, D = Delete existing 2013 LARUCP amendment, N = New amendment proposed.

## 2016 EDITION OF THE LOS ANGELES REGION UNIFORM CODE PROGRAM

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**2016 LARUCP 15-01.** Section 1507.3.1 of the 2016 Edition of the California Building Code is amended to read as follows:

**1507.3.1 Deck requirements.** Concrete and clay tile shall be installed only over solid ~~sheathing or~~ spaced structural sheathing boards.

### **RATIONALE:**

Section 1507.3.1 is amended to require concrete and clay tiles to be installed only over solid structural sheathing boards. The change is necessary because there were numerous observations of tile roofs pulling away from wood framed buildings following the 1994 Northridge Earthquake. The SEAOSC/LA City Post Northridge Earthquake committee findings indicated significant problems with tile roofs was due to inadequate design and/or construction. Therefore, the amendment is needed to minimize such occurrences in the event of future significant earthquakes.

### **FINDINGS:**

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the 1994 Northridge Earthquake, the 1987 Whittier Narrows Earthquake, the 1971 San Fernando Earthquake and the 1933 Long Beach Earthquake. This amendment will reduce the failure of concrete and clay tile roofs during a significant earthquake and is in accordance with the scope and objectives of the California Building Code.

2016 EDITION OF THE LOS ANGELES REGION UNIFORM CODE PROGRAM

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2016 LARUCP 16-01. Section 1613.5.2 is added to Chapter 16 of the 2016 Edition of the California Building Code to read as follows:

1613.5.2 Structural Separation. Modify ASCE 7 Section 12.12.3 Equation 12.12-1 as follows:

$$\delta_M = \frac{C_d \delta_{max}}{I_e} \quad (12.12-1)$$

**RATIONALE:**

The inclusion of the importance factor in this equation has the unintended consequence of reducing the minimum seismic separation distance for important facilities such as hospitals, schools, police and fire stations from adjoining structures. The proposal to omit the importance factor from Equation 12.12-1 will ensure that a safe seismic separation distance is provided. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

**FINDINGS:**

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the 1994 Northridge Earthquake, the 1987 Whittier Narrows Earthquake, the 1971 San Fernando Earthquake and the 1933 Long Beach Earthquake. The proposed modification to omit the importance factor in the equation ensures that a safe seismic separation distance is maintained for important facilities from adjoining structures and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Building Code.

## 2016 EDITION OF THE LOS ANGELES REGION UNIFORM CODE PROGRAM

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2016 LARUCP 16-02. Section 1613.5.3 is added to Chapter 16 of the 2016 Edition of the California Building Code to read as follows:

**1613.5.3 Values for Vertical Combinations. Modify ASCE 7 Section 12.2.3.1 Exception 3 as follows:**

3. Detached one- and two-family dwellings up to two stories in height of light frame construction.

### **RATIONALE:**

Observed damages to one and two family dwellings of light frame construction after the Northridge Earthquake may have been partially attributed to vertical irregularities common to this type of occupancy and construction. In an effort to improve quality of construction and incorporate lesson learned from studies after the Northridge Earthquake, the proposed modification to ASCE 7-10 Section 12.2.3.1 Exception 3 by limiting the number of stories and height of the structure to two stories will significantly minimize the impact of vertical irregularities and concentration of inelastic behavior from mixed structural systems. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

### **FINDINGS:**

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the 1994 Northridge Earthquake. The proposed modification to limit mixed structural system to two stories is intended to improve quality of construction by reducing potential damages that may result from vertical irregularities of the structural system in buildings subject to high seismic load and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Building Code.

## 2016 EDITION OF THE LOS ANGELES REGION UNIFORM CODE PROGRAM

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2016 LARUCP 16-03. Section 1613.5.4 is added to Chapter 16 of the 2016 Edition of the California Building Code to read as follows:

### 1613.5.4 Wood Diaphragms. Modify ASCE 7 Section 12.11.2.2.3 as follows:

**12.11.2.2.3 Wood Diaphragms.** In wood diaphragms, the continuous ties shall be in addition to the diaphragm sheathing. Anchorage shall not be accomplished by use of toe nails or nails subject to withdrawal nor shall wood ledgers or framing be used in cross-grain bending or cross-grain tension. The diaphragm sheathing shall not be considered effective as providing ties or struts required by this section.

For structures assigned to Seismic Design Category D, E or F, wood diaphragms supporting concrete or masonry walls shall comply with the following:

1. The spacing of continuous ties shall not exceed 40 feet. Added chords of diaphragms may be used to form subdiaphragms to transmit the anchorage forces to the main continuous crossties.
2. The maximum diaphragm shear used to determine the depth of the subdiaphragm shall not exceed 75% of the maximum diaphragm shear.

### RATIONALE:

A joint Structural Engineers Association of Southern California (SEAOSC), Los Angeles County and Los Angeles City Task Force investigated the performance of concrete and masonry construction with flexible wood diaphragm failures after the Northridge earthquake. It was concluded at that time that continuous ties are needed at specified spacing to control cross grain tension in the interior of the diaphragm. Additionally, there was a need to limit subdiaphragm allowable shear loads to control combined orthogonal stresses within the diaphragm. Recognizing the importance and need to continue the recommendation made by the task force while taking into consideration the improve performances and standards for diaphragm construction today, this proposal increases the continuous tie spacing limit to 40 ft in lieu of 25 ft and to use 75% of the allowable code diaphragm shear to determine the depth of the subdiaphragm in lieu of the 300 plf and is deemed appropriate and acceptable. Due to the frequency of this type of failure during the past significant earthquakes, various jurisdictions within the Los Angeles region have taken this additional step to prevent roof or floor diaphragms from pulling away from concrete or masonry walls. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

### FINDINGS:

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the 1994 Northridge Earthquake. The proposed modification to require special anchorage of the diaphragm to the wall and limit the allowable shear will address special needs for concrete and masonry construction with flexible wood diaphragm and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Building Code.

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2016 LARUCP 16-04. Section 1613.5.5 is added to Chapter 16 of the 2016 Edition of the California Building Code to read as follows:

**1613.5.5 Maximum  $S_{DS}$  Value in Determination of  $C_s$  and  $E_v$ . Modify ASCE 7 Section 12.8.1.3 as follows:**

~~12.8.1.3 Maximum  $S_e$  Value in Determination of  $C_s$ . For regular structures five stories or less above the base, as defined in Section 11.2 and with a period,  $T$ , of 0.5 s or less,  $C_s$  is permitted to be evaluated using the larger of either  $S_e$  equal to 1.5 or 80 percent of the value of  $S_e$  determined per Section 11.4.1 or 11.4.7.~~

**12.8.1.3 Maximum  $S_{DS}$  Value in Determination of  $C_s$  and  $E_v$ . The value of  $C_s$  and  $E_v$  are permitted to be calculated using a value of  $S_{DS}$  equal to 1.0 but not less than 70% of  $S_{DS}$  as defined in Section 11.4.4, provided that all of the following criteria are met:**

- 1. The structure does not have irregularities, as defined in Section 12.3.2;**
- 2. The structure does not exceed five stories above the lower of the base or grade plane as defined in Section 11.2, and, where present, each mezzanine level shall be considered a story for the purpose of this limit;**
- 3. The structure has a fundamental period,  $T$ , that does not exceed 0.5 seconds, as determined using Section 12.8.2;**
- 4. The structure meets the requirements necessary for the redundancy factor,  $\rho$ , to be permitted to be taken as 1.0, in accordance with Section 12.3.4.2;**
- 5. The site soil properties are not classified as Site Classes E or F, as defined in Section 11.4.2;  
**and****
- 6. The structure is classified as Risk Category I or II, as defined in Section 1.5.1.**

### RATIONALE:

Amendment in the California Building Code is made to be consistent with ASCE 7-16, and is further amended herein to be consistent with ASCE 7-16 Supplement1. The modification is necessary to avoid misinterpretation on the intent of the five story limit for which the  $S_{DS}$  cap is applicable where there is flexible structure above a rigid podium base. The addition of "grade plane" clarifies the intent that the base is measured from the lowest structure in those instances where there is a vertical combination of two systems. Many of such combinations of systems will not satisfy exclusion 1, in which the structure must meet the definition of "regular" based on ASCE 7 Section 12.3.2. This modification provides safe design requirements in the selection of building period to calculate seismic base shear in building design accounting for dynamic story mass distribution throughout the inelastic range of ground motion. This amendment does not prevent designing of five levels of light frame wood construction on top of a concrete podium by using the calculated  $S_{DS}$  without the 70% cap.

### FINDINGS:

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the 1994 Northridge Earthquake. Currently mezzanines do not have to be considered as a floor level for Heights and Areas limits of Chapter 5 of the IBC. When applying the story height allowing  $S_{DS}$  to be equal to 1.0, but not less than 70% of calculated  $S_{DS}$ , the five story height limitation needs to consider mezzanines as individual floor levels due to added mass, overturning forces and variation in shear wall stiffness at the mezzanine floor levels, and therefore needs to be incorporated into the code to assure that new buildings and additions to existing buildings are designed and constructed in accordance with the scope and objectives of the California Building Code.

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2016 LARUCP 16-05. Section 1613.7 is added to Chapter 16 of the 2016 Edition of the California Building Code to read as follows:

### **1613.7 Seismic Design Provisions for Hillside Buildings.**

**1613.7.1 Purpose.** The purpose of this section is to establish minimum regulations for the design and construction of new buildings and additions to existing buildings when constructing such buildings on or into slopes steeper than one unit vertical in three units horizontal (33.3%). These regulations establish minimum standards for seismic force resistance to reduce the risk of injury or loss of life in the event of earthquakes.

**1613.7.2 Scope.** The provisions of this section shall apply to the design of the lateral-force-resisting system for hillside buildings at and below the base level diaphragm. The design of the lateral-force-resisting system above the base level diaphragm shall be in accordance with the provisions for seismic and wind design as required elsewhere in this division.

**Exception:** Non-habitable accessory buildings and decks not supporting or supported from the main building are exempt from these regulations.

**1613.7.3 Definitions.** For the purposes of this section certain terms are defined as follows:

**BASE LEVEL DIAPHRAGM** is the floor at, or closest to, the top of the highest level of the foundation.

**DIAPHRAGM ANCHORS** are assemblies that connect a diaphragm to the adjacent foundation at the uphill diaphragm edge.

**DOWNHILL DIRECTION** is the descending direction of the slope approximately perpendicular to the slope contours.

**FOUNDATION** is concrete or masonry which supports a building, including footings, stem walls, retaining walls, and grade beams.

**FOUNDATION EXTENDING IN THE DOWNHILL DIRECTION** is a foundation running downhill and approximately perpendicular to the uphill foundation.

**HILLSIDE BUILDING** is any building or portion thereof constructed on or into a slope steeper than one unit vertical in three units horizontal (33.3%). If only a portion of the building is supported on or into the slope, these regulations apply to the entire building.

**PRIMARY ANCHORS** are diaphragm anchors designed for and providing a direct connection as described in Sections 1613.7.5 and 1613.7.7.3 between the diaphragm and the uphill foundation.

**SECONDARY ANCHORS** are diaphragm anchors designed for and providing a redundant diaphragm to foundation connection, as described in Sections 1613.7.6 and 1613.7.7.4.

**UPHILL DIAPHRAGM EDGE** is the edge of the diaphragm adjacent and closest to the highest ground level at the perimeter of the diaphragm.

**UPHILL FOUNDATION** is the foundation parallel and closest to the uphill diaphragm edge.

### **1613.7.4 Analysis and Design.**

**1613.7.4.1 General.** Every hillside building within the scope of this section shall be analyzed, designed, and constructed in accordance with the provisions of this division. When the code-

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prescribed wind design produces greater effects, the wind design shall govern, but detailing requirements and limitations prescribed in this and referenced sections shall be followed.

**1613.7.4.2 Base Level Diaphragm-Downhill Direction.** The following provisions shall apply to the seismic analysis and design of the connections for the base level diaphragm in the downhill direction.

**1613.7.4.2.1 Base for Lateral Force Design Defined.** For seismic forces acting in the downhill direction, the base of the building shall be the floor at or closest to the top of the highest level of the foundation.

**1613.7.4.2.2 Base Shear.** In developing the base shear for seismic design, the response modification coefficient (R) shall not exceed 5 for bearing wall and building frame systems. The total base shear shall include the forces tributary to the base level diaphragm including forces from the base level diaphragm.

**1613.7.5 Base Shear Resistance-Primary Anchors.**

**1613.7.5.1 General.** The base shear in the downhill direction shall be resisted through primary anchors from diaphragm struts provided in the base level diaphragm to the foundation.

**1613.7.5.2 Location of Primary Anchors.** A primary anchor and diaphragm strut shall be provided in line with each foundation extending in the downhill direction. Primary anchors and diaphragm struts shall also be provided where interior vertical lateral-force-resisting elements occur above and in contact with the base level diaphragm. The spacing of primary anchors and diaphragm struts or collectors shall in no case exceed 30 feet (9144 mm).

**1613.7.5.3 Design of Primary Anchors and Diaphragm Struts.** Primary anchors and diaphragm struts shall be designed in accordance with the requirements of Section 1613.7.8.

**1613.7.5.4 Limitations.** The following lateral-force-resisting elements shall not be designed to resist seismic forces below the base level diaphragm in the downhill direction:

1. Wood structural panel wall sheathing.
2. Cement plaster and lath.
3. Gypsum wallboard, and
4. Tension only braced frames.

Braced frames designed in accordance with the requirements of Section 2205.2.1.2 may be used to transfer forces from the primary anchors and diaphragm struts to the foundation provided lateral forces do not induce flexural stresses in any member of the frame or in the diaphragm struts. Deflections of frames shall account for the variation in slope of diagonal members when the frame is not rectangular.

**1613.7.6 Base Shear Resistance-Secondary Anchors.**

**1613.7.6.1 General.** In addition to the primary anchors required by Section 1613.7.5, the base shear in the downhill direction shall be resisted through secondary anchors in the uphill foundation connected to diaphragm struts in the base level diaphragm.

Exception: Secondary anchors are not required where foundations extending in the downhill direction spaced at not more than 30 feet (9144 mm) on center extend up to and are directly connected to the base level diaphragm for at least 70% of the diaphragm depth.

**1613.7.6.2 Secondary Anchor Capacity and Spacing.** Secondary anchors at the base level diaphragm shall be designed for a minimum force equal to the base shear, including forces

tributary to the base level diaphragm, but not less than 600 pounds per lineal foot (8.76 kN/m) based on Allowable Stress Design (ASD) levels. The secondary anchors shall be uniformly distributed along the uphill diaphragm edge and shall be spaced a maximum of 4 feet (1219 mm) on center.

1613.7.6.3 Design. Secondary anchors and diaphragm struts shall be designed in accordance with Section 1613.7.8.

1613.7.7 Diaphragms Below the Base Level-Downhill Direction. The following provisions shall apply to the lateral analysis and design of the connections for all diaphragms below the base level diaphragm in the downhill direction.

1613.7.7.1 Diaphragm Defined. Every floor level below the base level diaphragm shall be designed as a diaphragm.

1613.7.7.2 Design Force. Each diaphragm below the base level diaphragm shall be designed for all tributary loads at that level using a minimum seismic force factor not less than the base shear coefficient.

1613.7.7.3 Design Force Resistance-Primary Anchors. The design force described in Section 1613.7.7.2 shall be resisted through primary anchors from diaphragm struts provided in each diaphragm to the foundation. Primary anchors shall be provided and designed in accordance with the requirements and limitations of Section 1613.7.5.

1613.7.7.4 Design Force Resistance-Secondary Anchors.

1613.7.7.4.1 General. In addition to the primary anchors required in Section 1613.7.7.3, the design force in the downhill direction shall be resisted through secondary anchors in the uphill foundation connected to diaphragm struts in each diaphragm below the base level.

Exception: Secondary anchors are not required where foundations extending in the downhill direction, spaced at not more than 30 feet (9144 mm) on center, extend up to and are directly connected to each diaphragm below the base level for at least 70% of the diaphragm depth.

1613.7.7.4.2 Secondary Anchor Capacity. Secondary anchors at each diaphragm below the base level diaphragm shall be designed for a minimum force equal to the design force but not less than 300 pounds per lineal foot (4.38 kN/m) based on Allowable Stress Design (ASD) levels. The secondary anchors shall be uniformly distributed along the uphill diaphragm edge and shall be spaced a maximum of 4 feet (1219 mm) on center.

1613.7.7.4.3 Design. Secondary anchors and diaphragm struts shall be designed in accordance with Section 1613.7.8.

1613.7.8 Primary and Secondary Anchorage and Diaphragm Strut Design. Primary and secondary anchors and diaphragm struts shall be designed in accordance with the following provisions:

1. Fasteners. All bolted fasteners used to develop connections to wood members shall be provided with square plate washers at all bolt heads and nuts. Washers shall be minimum 0.229 inch by 3 inches by 3 inches (5.82 mm by 76 mm by 76 mm) in size. Nuts shall be tightened to finger tight plus one half (1/2) wrench turn prior to covering the framing.
2. Fastening. The diaphragm to foundation anchorage shall not be accomplished by the use of toenailing, nails subject to withdrawal, or wood in cross-grain bending or cross-grain tension.

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3. Size of Wood Members. Wood diaphragm struts, collectors, and other wood members connected to primary anchors shall not be less than 3 inch (76 mm) nominal width. The effects of eccentricity on wood members shall be evaluated as required per Item 9.
4. Design. Primary and secondary anchorage, including diaphragm struts, splices, and collectors shall be designed for 125% of the tributary force.
5. Allowable Stress Increase. The one-third allowable stress increase permitted under Section 1605.3.2 shall not be taken when the working (allowable) stress design method is used.
6. Steel Element of Structural Wall Anchorage System. The strength design forces for steel elements of the structural wall anchorage system, with the exception of anchor bolts and reinforcing steel, shall be increased by 1.4 times the forces otherwise required.
7. Primary Anchors. The load path for primary anchors and diaphragm struts shall be fully developed into the diaphragm and into the foundation. The foundation must be shown to be adequate to resist the concentrated loads from the primary anchors.
8. Secondary Anchors. The load path for secondary anchors and diaphragm struts shall be fully developed in the diaphragm but need not be developed beyond the connection to the foundation.
9. Symmetry. All lateral force foundation anchorage and diaphragm strut connections shall be symmetrical. Eccentric connections may be permitted when demonstrated by calculation or tests that all components of force have been provided for in the structural analysis or tests.
10. Wood Ledgers. Wood ledgers shall not be used to resist cross-grain bending or cross-grain tension.

**1613.7.9 Lateral-Force-Resisting Elements Normal to the Downhill Direction.**

1613.7.9.1 General. In the direction normal to the downhill direction, lateral-force-resisting elements shall be designed in accordance with the requirements of this section.

1613.7.9.2 Base Shear. In developing the base shear for seismic design, the response modification coefficient (R) shall not exceed 5 for bearing wall and building frame systems.

1613.7.9.3 Vertical Distribution of Seismic Forces. For seismic forces acting normal to the downhill direction the distribution of seismic forces over the height of the building using Section 12.8.3 of ASCE 7 shall be determined using the height measured from the top of the lowest level of the building foundation.

1613.7.9.4 Drift Limitations. The story drift below the base level diaphragm shall not exceed 0.007 times the story height at strength design force level. The total drift from the base level diaphragm to the top of the foundation shall not exceed 3/4 inch (19 mm). Where the story height or the height from the base level diaphragm to the top of the foundation varies because of a stepped footing or story offset, the height shall be measured from the average height of the top of the foundation. The story drift shall not be reduced by the effect of horizontal diaphragm stiffness.

**1613.7.9.5 Distribution of Lateral Forces.**

1613.7.9.5.1 General. The design lateral force shall be distributed to lateral-force-resisting elements of varying heights in accordance with the stiffness of each individual element.

1613.7.9.5.2 Wood Structural Panel Sheathed Walls. The stiffness of a stepped wood structural panel shear wall may be determined by dividing the wall into adjacent rectangular

elements, subject to the same top of wall deflection. Deflections of shear walls may be estimated by AWC SDPWS Section 4.3.2. Sheathing and fastening requirements for the stiffest section shall be used for the entire wall. Each section of wall shall be anchored for shear and uplift at each step. The minimum horizontal length of a step shall be 8 feet (2438 mm) and the maximum vertical height of a step shall be 2 feet 8 inches (813 mm).

1613.7.9.5.3 Reinforced Concrete or Masonry Shear Walls. Reinforced concrete or masonry shear walls shall have forces distributed in proportion to the rigidity of each section of the wall.

1613.7.9.6 Limitations. The following lateral force-resisting-elements shall not be designed to resist lateral forces below the base level diaphragm in the direction normal to the downhill direction:

1. Cement plaster and lath.
2. Gypsum wallboard, and
3. Tension-only braced frames.

Braced frames designed in accordance with the requirements of Section 2205.2.1.2 of this Code may be designed as lateral-force-resisting elements in the direction normal to the downhill direction, provided lateral forces do not induce flexural stresses in any member of the frame. Deflections of frames shall account for the variation in slope of diagonal members when the frame is not rectangular.

#### 1613.7.10 Specific Design Provisions.

1613.7.10.1 Footings and Grade Beams. All footings and grade beams shall comply with the following:

1. Grade beams shall extend at least 12 inches (305 mm) below the lowest adjacent grade and provide a minimum 24 inch (610 mm) distance horizontally from the bottom outside face of the grade beam to the face of the descending slope.
2. Continuous footings shall be reinforced with at least two No. 4 reinforcing bars at the top and two No. 4 reinforcing bars at the bottom.
3. All main footing and grade beam reinforcement steel shall be bent into the intersecting footing and fully developed around each corner and intersection.
4. All concrete stem walls shall extend from the foundation and reinforced as required for concrete or masonry walls.

1613.7.10.2 Protection Against Decay and Termites. All wood to earth separation shall comply with the following:

1. Where a footing or grade beam extends across a descending slope, the stem wall, grade beam, or footing shall extend up to a minimum 18 inches (457 mm) above the highest adjacent grade.

Exception: At paved garage and doorway entrances to the building, the stem wall need only extend to the finished concrete slab, provided the wood framing is protected with a moisture proof barrier.

2. Wood ledgers supporting a vertical load of more than 100 pounds per lineal foot (1.46 kN/m) based on Allowable Stress Design (ASD) levels and located within 48 inches (1219 mm) of adjacent grade are prohibited. Galvanized steel ledgers and anchor bolts,

with or without wood nailers, or treated or decay resistant sill plates supported on a concrete or masonry seat, may be used.

**1613.7.10.3 Sill Plates.** All sill plates and anchorage shall comply with the following:

1. All wood framed walls, including nonbearing walls, when resting on a footing, foundation, or grade beam stem wall, shall be supported on wood sill plates bearing on a level surface.
2. Power-driven fasteners shall not be used to anchor sill plates except at interior nonbearing walls not designed as shear walls.

**1613.7.10.4 Column Base Plate Anchorage.** The base of isolated wood posts (not framed into a stud wall) supporting a vertical load of 4,000 pounds (17.8 kN) based on Allowable Stress Design (ASD) levels or more and the base plate for a steel column shall comply with the following:

1. When the post or column is supported on a pedestal extending above the top of a footing or grade beam, the pedestal shall be designed and reinforced as required for concrete or masonry columns. The pedestal shall be reinforced with a minimum of four No. 4 bars extending to the bottom of the footing or grade beam. The top of exterior pedestals shall be sloped for positive drainage.
2. The base plate anchor bolts or the embedded portion of the post base, and the vertical reinforcing bars for the pedestal, shall be confined with two No. 4 or three No. 3 ties within the top 5 inches (127 mm) of the concrete or masonry pedestal. The base plate anchor bolts shall be embedded a minimum of 20 bolt diameters into the concrete or masonry pedestal. The base plate anchor bolts and post bases shall be galvanized and each anchor bolt shall have at least 2 galvanized nuts above the base plate.

**1613.7.10.5 Steel Beam to Column Supports.** All steel beam to column supports shall be positively braced in each direction. Steel beams shall have stiffener plates installed on each side of the beam web at the column. The stiffener plates shall be welded to each beam flange and the beam web. Each brace connection or structural member shall consist of at least two 5/8 inch (15.9 mm) diameter machine bolts.

**RATIONALE:**

Due to the difficulty of fire suppression vehicles accessing winding and narrow hillside properties and the probabilities for future earthquakes in the Los Angeles region, this technical amendment is required to address the special needs for buildings constructed on hillside locations. A joint Structural Engineers Association of Southern California (SEAOSC) and both the Los Angeles County and Los Angeles City Task Force investigated the performance of hillside building failures after the Northridge earthquake. Numerous hillside failures resulted in loss of life and millions of dollars in damage. These criteria were developed to minimize the damage to these structures and have been in use by both the City and County of Los Angeles for several years with much success. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

**FINDINGS:**

Local Topographical and Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. Additionally, the topography within the Los Angeles region includes significant hillsides with narrow and winding access that makes timely response by fire suppression vehicles challenging and difficult. The

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proposed modification establishes design parameters to better mitigate and limit property damage that are the results of increased seismic forces which are imparted upon hillside buildings and structures and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Building Code.

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2016 LARUCP 16-06. Section 1613.8 is added to Chapter 16 of the 2016 Edition of the California Building Code to read as follows:

1613.8 Suspended Ceilings. Minimum design and installation standards for suspended ceilings shall be determined in accordance with the requirements of Section 2506.2.1 of this Code and this section.

1613.8.1 Scope. This part contains special requirements for suspended ceilings and lighting systems. Provisions of Section 13.5.6 of ASCE 7 shall apply except as modified herein.

1613.8.2 General. The suspended ceilings and lighting systems shall be limited to 6 feet (1828 mm) below the structural deck unless the lateral bracing is designed by a licensed engineer or architect.

1613.8.3 Sprinkler Heads. All sprinkler heads (drops) except fire-resistance-rated floor/ceiling or roof/ceiling assemblies, shall be designed to allow for free movement of the sprinkler pipes with oversize rings, sleeves or adaptors through the ceiling tile. Sprinkler heads and other penetrations shall have a 2 inch (50mm) oversize ring, sleeve, or adapter through the ceiling tile to allow for free movement of at least 1 inch (25mm) in all horizontal directions. Alternatively, a swing joint that can accommodate 1 inch (25 mm) of ceiling movement in all horizontal directions is permitted to be provided at the top of the sprinkler head extension.

Sprinkler heads penetrating fire-resistance-rated floor/ceiling or roof/ceiling assemblies shall comply with Section 714 of this Code.

1613.8.4 Special Requirements for Means of Egress. Suspended ceiling assemblies located along means of egress serving an occupant load of 30 or more shall comply with the following provisions.

1613.8.4.1 General. Ceiling suspension systems shall be connected and braced with vertical hangers attached directly to the structural deck along the means of egress serving an occupant load of 30 or more and at lobbies accessory to Group A Occupancies. Spacing of vertical hangers shall not exceed 2 feet (610 mm) on center along the entire length of the suspended ceiling assembly located along the means of egress or at the lobby.

1613.8.4.2 Assembly Device. All lay-in panels shall be secured to the suspension ceiling assembly with two hold-down clips minimum for each tile within a 4-foot (1219 mm) radius of the exit lights and exit signs.

1613.8.4.3 Emergency Systems. Independent supports and braces shall be provided for light fixtures required for exit illumination. Power supply for exit illumination shall comply with the requirements of Section 1008.3 of this Code.

1613.8.4.4 Supports for Appendage. Separate support from the structural deck shall be provided for all appendages such as light fixtures, air diffusers, exit signs, and similar elements.

**RATIONALE:**

The California Building Code has little to no information regarding the safe design and construction requirements for ceiling suspension systems subject to seismic loads. It is through the experience of prior earthquakes, such as the Northridge Earthquake, that this amendment is proposed so as to minimize the amount of bodily and building damage within the spaces in which this type of ceiling will be installed. This proposed amendment complements ASCE 7-10 Chapter 13 Section 13.5.6.2.2 and the cited reference to ASTM E580. The amended requirements retained herein are a continuation of portions of an amendment adopted during the previous code adoption cycles.

**FINDINGS:**

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Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the 1994 Northridge Earthquake. The proposed modification requiring safe design and construction requirements for ceiling suspension systems to resist seismic loads is intended to minimize the amount of damage within a building and therefore need to be incorporated into the code to assure that new buildings and additions to existing buildings are designed and constructed in accordance with the scope and objectives of the California Building Code.

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2016 LARUCP 17-01. Section 1704.6 of the 2016 Edition of the California Building Code is amended to read as follows:

**1704.6 Structural Observations.** Where required by the provisions of Section 1704.6.1 or 1704.6.2, the owner or the owner's authorized agent shall employ ~~a registered design professional~~ structural observer to perform structural observations. Structural observation does not include or waive the responsibility for the inspections in Section 110 or the special inspections in Section 1705 or other section of this code. The structural observer shall be one of the following individuals:

1. The registered design professional responsible for the structural design, or
2. A registered design professional designated by the registered design professional responsible for the structural design.

Prior to the commencement of observations, the structural observer shall submit to the building official a written statement identifying the frequency and extent of structural observations.

~~At the conclusion of the work included in the permit, the structural observer shall submit to the building official a written statement that the site visits have been made and identify any reported deficiencies that, to the best of the structural observer's knowledge, have not been resolved.~~

The owner or owner's authorized agent shall coordinate and call a preconstruction meeting between the structural observer, contractors, affected subcontractors and special inspectors. The structural observer shall preside over the meeting. The purpose of the meeting shall be to identify the major structural elements and connections that affect the vertical and lateral load resisting systems of the structure and to review scheduling of the required observations. A record of the meeting shall be included in the report submitted to the Building Official.

Observed deficiencies shall be reported in writing to the owner or owner's authorized agent, special inspector, contractor and the Building Official. Upon the form prescribed by the Building Official, the structural observer shall submit to the Building Official a written statement at each significant construction stage stating that the site visits have been made and identifying any reported deficiencies which, to the best of the structural observer's knowledge, have not been resolved. A final report by the structural observer which states that all observed deficiencies have been resolved is required before acceptance of the work by the Building Official.

### RATIONALE:

The language in Section 1704.6 of the California Building Code permits the owner to employ any registered design professional to perform structural observations with minimum guideline. However, it is important to recognize that the registered design professional responsible for the structural design has thorough knowledge of the building he/she designed. By requiring the registered design professional responsible for the structural design or their designee who were involved with the design to observe the construction, the quality of the observation for major structural elements and connections that affect the vertical and lateral load resisting systems of the structure will greatly be increased. Additional requirements are provided to help clarify the role and duties of the structural observer and the method of reporting and correcting observed deficiencies to the building official. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

### FINDINGS:

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the 1994 Northridge Earthquake. The proposed

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modification to require the registered design professional in responsible charge for the structural design to observe the construction will help ensure acceptable standards of workmanship is provided and to improve the quality of the observation and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Building Code.

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2016 LARUCP 17-02. Section 1704.6.1 of the 2016 Edition of the California Building Code is amended to read as follows:

**1704.6.1 Structural observations for seismic resistance.** Structural observations shall be provided for those structures assigned to Seismic Design Category D, E or F, where one or more of the following conditions exist:

1. The structure is classified as Risk Category III or IV in accordance with Table 1604.5.
2. The height of the structure is greater than 75 feet (22860 mm) above the base.
3. The structure ~~is assigned to Seismic Design Category E, is~~ classified as Risk Category I or II in accordance with Table 1604.5, ~~and is greater than two stories one stories above grade plane a~~ lateral design is required for the structure or portion thereof.

Exception: One-story wood framed Group R-3 and Group U Occupancies less than 2,000 square feet in area, provided the adjacent grade is not steeper than 1 unit vertical in 10 units horizontal (10% sloped), assigned to Seismic Design Category D.

4. When so designated by the registered design professional responsible for the structural design.
5. When such observation is specifically required by the building official.

### RATIONALE:

With the higher seismic demand placed on buildings and structures in this region, the language in Section 1704.6.1 of the California Building Code would permit many low-rise buildings and structures with complex structural elements to be constructed without the benefit of a structural observation. By requiring a registered design professional to observe the construction, the quality of the observation for major structural elements and connections that affect the vertical and lateral load resisting systems of the structure will greatly be increased. An exception is provided to permit simple structures and buildings to be excluded. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

### FINDINGS:

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the 1994 Northridge Earthquake. The proposed modification to require the registered design professional in responsible charge for the structural design to observe the construction will help ensure acceptable standards of workmanship is provided and to improve the quality of the observation and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Building Code.

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2016 LARUCP 17-03. Section 1705.3 of the 2016 Edition of the California Building Code is amended to read as follows:

**1705.3 Concrete Construction.** The special inspections and tests for concrete construction shall be performed in accordance with this section and Table 1705.3.

**Exceptions:** Special inspections and tests shall not be required for:

1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength,  $f_c$ , no greater than 2,500 pounds per square inch (psi) (17.2 Mpa) regardless of the compressive strength specified in the construction documents or used in the footing construction.
2. Continuous concrete footings supporting walls of buildings three stories or less above grade plane that are fully supported on earth or rock where:
  - 2.1. The footings support walls of light-frame construction;
  - 2.2. The footings are designed in accordance with Table 1809.7; or
  - 2.3. The structural design of the footing is based on a specified compressive strength,  $f_c$ , no greater than 2,500 pounds per square inch (psi) (17.2 Mpa), regardless of the compressive strength specified in the construction documents or used in the footing construction.
3. Nonstructural concrete slabs supported directly on the ground, including prestressed slabs on grade, where the effective prestress in the concrete is less than 150 psi (1.03 Mpa).
- ~~4. Concrete foundation walls constructed in accordance with Table 1807.1.6.2.~~
- ~~5. Concrete patios, driveways and sidewalks, on grade.~~

### RATIONALE:

Results from studies after the 1994 Northridge Earthquake indicated that a lot of the damage was attributed to a lack of quality control during construction resulting in poor performance of the building or structure. Therefore, the proposed amendment requires special inspection for concrete with a compressive strength greater than 2,500 pounds per square inch. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

### FINDINGS:

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the 1994 Northridge Earthquake. The proposed modification to require special inspection for concrete with a compressive strength greater than 2,500 psi to improve quality of control during construction and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Building Code.

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**2016 LARUCP 17-04.** Exception 3 of Section 1705.12 of the 2016 Edition of the California Building Code is amended to read as follows:

**1705.12 Special inspections for seismic resistance.** Special inspections for seismic resistance shall be required as specified in Sections 1705.12.1 through 1705.12.9, unless exempted by the exceptions of Section 1704.2.

**Exception:** The special inspections specified in Sections 1705.12.1 through 1705.12.9 are not required for structures designed and constructed in accordance with one of the following:

1. The structure consists of light-frame construction; the design spectral response acceleration at short periods,  $S_{DS}$ , as determined in Section 1613.3.4, does not exceed 0.5; and the building height of the structure does not exceed 35 feet (10 668 mm)
2. The seismic force-resisting system of the structure consists of reinforced masonry or reinforced concrete; the design spectral response acceleration at short periods,  $S_{DS}$ , as determined in Section 1613.3.4, does not exceed 0.5; and the building height of the structure does not exceed 25 feet (7620 mm)
3. The structure is a detached one- or two-family dwelling not exceeding two stories above grade plane, is not assigned to Seismic Design Category D, E or F and does not have any of the following horizontal or vertical irregularities in accordance with Section 12.3 of ASCE 7:
  - 3.1 Torsional or extreme torsional irregularity.
  - 3.2 Nonparallel systems irregularity.
  - 3.3 Stiffness-soft story or stiffness-extreme soft story irregularity.
  - 3.4 Discontinuity in lateral strength-weak story irregularity.

### RATIONALE:

In Southern California, very few detached one- or two-family dwellings not exceeding two stories above grade plane are built as "box-type" structures, especially those in hillside areas and near the oceanfront. Many steel moment frames or braced frames and/or cantilevered columns within buildings can still be shown as "regular" structures by calculations. With the higher seismic demand placed on buildings and structures in this region, the language in Section 1705.12 Exception 3 of the California Building Code would permit many detached one- or two-family dwellings not exceeding two stories above grade plane with complex structural elements to be constructed without the benefit of special inspections. By requiring special inspections, the quality of major structural elements and connections that affect the vertical and lateral load resisting systems of the structure will greatly be increased. The exception should only be allowed for detached one- or two-family dwellings not exceeding two stories above grade plane assigned to Seismic Design category A, B and C.

### FINDINGS:

**Local Geological Conditions** – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the 1994 Northridge Earthquake. The proposed modification to require special inspections for detached one- or two-family dwellings not exceeding two stories above grade plane assigned to Seismic Design Category D, E and F will help ensure that acceptable standards of workmanship and quality of construction are provided and therefore needs to be incorporated into the code to assure that new buildings and structures and additions or alterations to

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existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Building Code.

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2016 LARUCP 18-01. Section 1807.1.4 of the 2016 Edition of the California Building Code is amended to read as follows:

**1807.1.4 Permanent wood foundation systems.** Permanent wood foundation systems shall be designed and installed in accordance with AWC PWF. Lumber and plywood shall be treated in accordance with AWPA U1 (Commodity Specification A, Use Category 4B and Section 5.2) and shall be identified in accordance with Section 2303.1.9.1. Permanent wood foundation systems shall not be used for structures assigned to Seismic Design Category D, E or F.

### RATIONALE:

No substantiating data has been provided to show that wood foundation systems are effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effects of constant moisture in the soil and wood-destroying organisms. Wood foundation systems not properly treated and protected against deterioration, have performed very poorly and have led to slope failures. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic events and wet applications. The proposed amendment takes the precautionary steps to reduce or eliminate potential problems that may result in using wood foundation systems that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

### FINDINGS:

**Local Climatic and Geological Conditions** – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the 1994 Northridge Earthquake. In addition, the region is within a climate system capable of producing major winds, fire and rain related disasters, including but not limited to those caused by the Santa Ana winds and El Nino (or La Nina) subtropical-like weather. This region is especially susceptible to more active termite and wood attacking insects and microorganisms. The proposed modification to prohibit the use of wood foundation systems as well as limit prescriptive design provisions in an effort to mitigate potential problems or deficiencies due to the proliferation of wood-destroying organisms and therefore needs to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Building Code.

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**2016 LARUCP 18-02.** Section 1807.1.6 of the 2016 Edition of the California Building Code is amended to read as follows:

**1807.1.6 Prescriptive design of concrete and masonry foundation walls.** Concrete and masonry foundation walls that are laterally supported at the top and bottom shall be permitted to be designed and constructed in accordance with this section. Prescriptive design of foundation walls shall not be used for structures assigned to Seismic Design Category D, E or F.

### **RATIONALE:**

With the higher seismic demand placed on buildings and structures in this region, it is deemed necessary to take precautionary steps to reduce or eliminate potential problems that may result by following prescriptive design provisions that does not take into consideration the surrounding environment. Plain concrete performs poorly in withstanding the cyclic forces resulting from seismic events. In addition, no substantiating data has been provided to show that under-reinforced foundation walls are effective in resisting seismic loads and may potentially lead to a higher risk of failure. It is important that the benefit and expertise of a registered design professional be obtained to properly analyze the structure and take these issues into consideration. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

### **FINDINGS:**

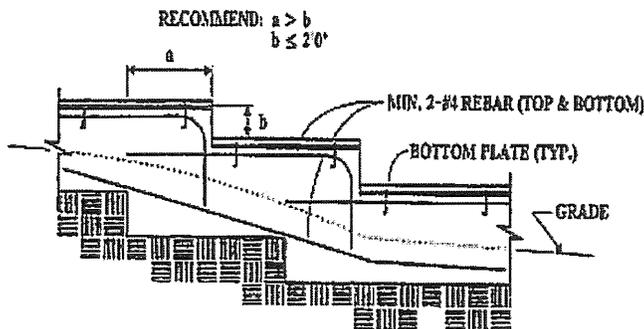
**Local Geological Conditions –** The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the 1994 Northridge Earthquake. The proposed modification to prohibit prescriptive design provisions for foundation walls as plain concrete have performed poorly in withstanding the cyclic forces resulting from seismic events and to require the walls to be designed by a registered design professional to ensure that the proper analysis of the structure takes into account the surrounding condition and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Building Code.

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2016 LARUCP 18-03. Section 1809.3 of the 2016 Edition of the California Building Code is amended to read as follows:

**1809.3 Stepped footings.** The top surface of footings shall be level. The bottom surface of footings shall be permitted to have a slope not exceeding one unit vertical in 10 units horizontal (10-percent slope). Footings shall be stepped where it is necessary to change the elevation of the top surface of the footing or where the surface of the ground slopes more than one unit vertical in 10 units horizontal (10-percent slope).

For structures assigned to Seismic Design Category D, E or F, the stepping requirement shall also apply to the top surface of grade beams supporting walls. Footings shall be reinforced with four No. 4 bars. Two bars shall be placed at the top and bottom of the footings as shown in Figure 1809.3.



STEPPED FOUNDATIONS

FIGURE 1809.3  
STEPPED FOOTING

**RATIONALE:**

With the higher seismic demand placed on buildings and structures in this region, precautionary steps are proposed to reduce or eliminate potential problems that may result for under reinforced footings located on sloped surfaces. Requiring minimum reinforcement for stepped footings is intended to address the problem of poor performance of plain or under-reinforced footings during a seismic event. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

**FINDINGS:**

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification to require minimum reinforcement in stepped footings is intended to improve performance of buildings and structures and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Building Code.

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2016 LARUCP 18-04. Section 1809.7 and Table 1809.7 of the 2016 Edition of the California Building Code are amended to read as follows:

**1809.7 Prescriptive footings for light-frame construction.** Where a specific design is not provided, concrete or masonry-unit footings supporting walls of light-frame construction shall be permitted to be designed in accordance with Table 1809.7. Prescriptive footings in Table 1809.7 shall not exceed one story above grade plane for structures assigned to Seismic Design Category D, E or F.

**TABLE 1809.7  
PRESCRIPTIVE FOOTINGS SUPPORTING WALLS OF  
LIGHT-FRAME CONSTRUCTION<sup>a, b, c, d, e</sup>**

NUMBER OF FLOORS SUPPORTED BY THE FOOTING <sup>f</sup>	WIDTH OF FOOTING (Inches)	THICKNESS OF FOOTING (Inches)
1	12	6
2	15	6
3	18	8 <sup>g</sup>

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm

- a. Depth of footings shall be in accordance with Section 1809.4.
- b. The ground under the floor shall be permitted to be excavated to the elevation of the top of the footing.
- c. ~~Interior stud-bearing walls shall be permitted to be supported by isolated footings. The footing width and length shall be twice the width shown in this table, and footings shall be spaced not more than 6 feet on center. Not Adopted.~~
- d. See Section 1908 for additional requirements for concrete footings of structures assigned to Seismic Design Category C, D, E or F.
- e. For thickness of foundation walls, see Section 1807.1.6.
- f. Footings shall be permitted to support a roof addition to the stipulated number of floors. Footings supporting roof only shall be as required for supporting one floor.
- g. ~~Plain concrete footings for Group R-3 occupancies shall be permitted to be 6 inches thick.~~

**RATIONALE:**

No substantiating data has been provided to show that under-reinforced footings are effective in resisting seismic loads and may potentially lead to a higher risk of failure. Therefore, this proposed amendment requires minimum reinforcement in continuous footings to address the problem of poor performance of plain or under-reinforced footings during a seismic event. With the higher seismic demand placed on buildings and structures in this region, precautionary steps are proposed to reduce or eliminate potential problems that may result by following prescriptive design provisions for footing that does not take into consideration the surrounding environment. It was important that the benefit and expertise of a registered design professional be obtained to properly analyze the structure and take these issues into consideration. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Task Force that investigated the poor performance observed in the 1994 Northridge Earthquake. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

**FINDINGS:**

**Local Geological Conditions** – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification to limit the use of the prescriptive design provisions and under-reinforced or plain concrete is to ensure that the proper analysis of the structure takes into account the surrounding condition and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Building Code.

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2016 LARUCP 18-05. Section 1809.12 of the 2016 Edition of the California Building Code is amended to read as follows:

**1809.12 Timber footings.** Timber footings shall be permitted for buildings of Type V construction and as otherwise approved by the building official. Such footings shall be treated in accordance with AWWA U1 (Commodity Specification A, Use Category 4B). Treated timbers are not required where placed entirely below permanent water level, or where used as capping for wood piles that project above the water level over submerged or marsh lands. The compressive stresses perpendicular to grain in untreated timber footing supported upon treated piles shall not exceed 70 percent of the allowable stresses for the species and grade of timber as specified in the AF&PAANSI/AWC NDS. Timber footings shall not be used in structures assigned to Seismic Design Category D, E or F.

### RATIONALE:

No substantiating data has been provided to show that timber footings are effective in supporting buildings and structures during a seismic event, especially while being subjected to deterioration caused by the combined detrimental effects of moisture in the soil and wood-destroying organisms. Timber footings, when they are not properly treated and protected against deterioration, have performed very poorly. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic event and wet applications. The proposed amendment takes the precautionary steps to reduce or eliminate potential problems that may result by using timber footings that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

### FINDINGS:

**Local Climatic and Geological Conditions –** The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. In addition, the region is within a climate system capable of producing major winds, fire and rain related disasters, including but not limited to those caused by the Santa Ana winds and El Nino (or La Nina) subtropical-like weather. This region is especially susceptible to more active termite and wood attacking insects and microorganisms. The proposed modification to prohibit the use of timber footings in an effort to mitigate potential problems or deficiencies due to the proliferation of wood-destroying organisms and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Building Code.

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**2016 LARUCP 18-06.** Section 1810.3.2.4 of the 2016 Edition of the California Building Code is amended to read as follows:

**1810.3.2.4 Timber.** Timber deep foundation elements shall be designed as piles or poles in accordance with ~~AF&PAANSI/AWC~~ NDS. Round timber elements shall conform to ASTM D 25. Sawn timber elements shall conform to DOC PS-20. Timber shall not be used in structures assigned to Seismic Design Category D, E or F.

### RATIONALE:

No substantiating data has been provided to show that timber deep foundation is effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effect of constant moisture in the soil and wood-destroying organisms. Timber deep foundation, when they are not properly treated and protected against deterioration, has performed very poorly. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic event and wet applications. The proposed amendment takes the precautionary steps to reduce or eliminate potential problems that may result by using timber deep foundation that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

### FINDINGS:

**Local Climatic and Geological Conditions** – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. In addition, the region is within a climate system capable of producing major winds, fire and rain related disasters, including but not limited to those caused by the Santa Ana winds and El Nino (or La Nina) subtropical-like weather. This region is especially susceptible to more active termite and wood attacking insects and microorganisms. The proposed modification to prohibit the use of timber deep foundation in an effort to mitigate potential problems or deficiencies due to the proliferation of wood-destroying organisms and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Building Code.

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2016 LARUCP 19-01. Section 1905.1.7 of the 2016 Edition of the California Building Code is amended to read as follows:

1905.1.7 ACI 318, Section 14.1.4. Delete ACI 318, Section 14.1.4, and replace with the following:

14.1.4 – Plain concrete in structures assigned to Seismic Design Category C, D, E or F.

14.1.4.1 – Structures assigned to Seismic Design Category C, D, E or F shall not have elements of structural plain concrete, except as follows:

- (a) ~~Structural plain concrete basement, foundation or other walls below the base as defined in ASCE 7 are permitted in detached one and two family dwellings three stories or less in height constructed with stud bearing walls. In dwellings assigned to Seismic Design Category D or E, the height of the wall shall not exceed 8 feet (2438 mm), the thickness shall not be less than 7½ inches (190 mm), and the wall shall retain no more than 4 feet (1219 mm) of unbalanced fill. Walls shall have reinforcement in accordance with 14.6.1. Concrete used for fill with a minimum cement content of two (2) sacks of Portland cement or cementitious material per cubic yard.~~
- (b) Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.

~~Exception: In detached one and two family dwellings three stories or less in height, the projection of the footing beyond the face of the supported member is permitted to exceed the footing thickness.~~

- (c) Plain concrete footings supporting walls are permitted provided the footings have at least two continuous longitudinal reinforcing bars. Bars shall not be smaller than No. 4 and shall have a total area of not less than 0.002 times the gross cross-sectional area of the footing. ~~For footings that exceed 8 inches (203 mm) in thickness, a~~ minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.

Exceptions:

- ~~1. In Seismic Design Categories A, B and C, Detached one- and two-family dwellings three stories or less in height and constructed with stud-bearing walls, are permitted to have plain concrete footings without longitudinal reinforcement with at least two continuous longitudinal reinforcing bars not smaller than No. 4 are permitted to have a total area of less than 0.002 times the gross cross-sectional area of the footing.~~
- ~~2. For foundation systems consisting of a plain concrete footing and a plain concrete stemwall, a minimum of one bar shall be provided at the top of the stemwall and at the bottom of the arc footing.~~
- ~~3. Where a slab on ground is cast monolithically with the footing, one No. 5 bar is permitted to be located at either the top of the slab or bottom of the footing.~~

### RATIONALE:

This proposed amendment requires minimum reinforcement in continuous footings to address the problem of poor performance of plain or under-reinforced footings during a seismic event. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance observed in

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1994 Northridge Earthquake. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

### FINDINGS:

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification to require minimum reinforcement to address the problem of poor performance of plain or under-reinforced footings during a seismic event and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Building Code.

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**2016 LARUCP 19-02.** Section 1905.1 is amended and Sections 1905.1.9 thru 1905.1.11 are added to Chapter 19 of the 2016 Edition of the California Building Code to read as follows:

**1905.1 General.** The text of ACI 318 shall be modified as indicated in Sections 1905.1.1 through 1905.1.8 and 1905.1.11.

**1905.1.9 ACI 318, Section 18.7.5.** Modify ACI 318, Section 18.7.5, by adding Section 18.7.5.7 and 18.7.5.8 as follows:

*18.7.5.7 Where the calculated point of contraflexure is not within the middle half of the member clear height, provide transverse reinforcement as specified in ACI 318 Sections 18.7.5.1, Items (a) through (c), over the full height of the member.*

*18.7.5.8 – At any section where the design strength,  $\phi P_n$ , of the column is less than the sum of the shears  $V_e$  computed in accordance with ACI 318 Sections 18.7.6.1 and 18.6.5.1 for all the beams framing into the column above the level under consideration, transverse reinforcement as specified in ACI 318 Sections 18.7.5.1 through 18.7.5.3 shall be provided. For beams framing into opposite sides of the column, the moment components are permitted to be assumed to be of opposite sign. For the determination of the design strength,  $\phi P_n$ , of the column, these moments are permitted to be assumed to result from the deformation of the frame in any one principal axis.*

**1905.1.10 ACI 318, Section 18.10.4.** Modify ACI 318, Section 18.10.4, by adding Section 18.10.4.6 as follows:

*18.10.4.6 – Walls and portions of walls with  $P_u > 0.35P_c$  shall not be considered to contribute to the calculated shear strength of the structure for resisting earthquake-induced forces. Such walls shall conform to the requirements of ACI 318 Section 18.14.*

**1905.1.11 ACI 318, Section 18.12.6.** Modify ACI 318, by adding Section 18.12.6.2 as follows:

*18.12.6.2 Collector and boundary elements in topping slabs placed over precast floor and roof elements shall not be less than 3 inches (76 mm) or  $6d_b$  in thickness, where  $d_b$  is the diameter of the largest reinforcement in the topping slab.*

### RATIONALE:

This amendment is intended to carry over critical provisions for the design of concrete columns in moment frames from the legacy 1997 Uniform Building Code. Increased confinement is critical to the integrity of such columns and these modifications ensure that it is provided when certain thresholds are exceeded.

In addition, this amendment carries over from the legacy 1997 Uniform Building Code a critical provision for the design of concrete shear walls. It essentially limits the use of very highly gravity-loaded walls in being included in the seismic load resisting system, since their failure could have catastrophic effect on the building.

Furthermore, this amendment was incorporated in the code based on observations from the 1994 Northridge Earthquake. Rebar placed in very thin concrete topping slabs have been observed in some instances to have popped out of the slab due to insufficient concrete coverage. This modification ensures that critical boundary and collector rebars are placed in sufficiently thick topping slab to prevent buckling of such reinforcements.

This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

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**FINDINGS:**

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification to increase confinement in critical columns, limiting the use of highly gravity loaded walls, and increase concrete coverage in thin slabs will have to prevent failure of the structure and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Building Code.

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2016 LARUCP 23-01. Section 2304.10.1 of the 2016 Edition of the California Building Code is amended to read as follows:

**2304.10.1 Fastener requirements.** Connections for wood members shall be designed in accordance with the appropriate methodology in Section 2301.2. The number and size of fasteners connecting wood members shall not be less than that set forth in Table 2304.10.1. Staple fasteners in Table 2304.10.1 shall not be used to resist or transfer seismic forces in structures assigned to Seismic Design Category D, E or F.

Exception: Staples may be used to resist or transfer seismic forces when the allowable shear values are substantiated by cyclic testing and approved by the building official.

### RATIONALE:

Due to the high geologic activities in the Southern California area and the expected higher level of performance on buildings and structures, this proposed local amendment limit the use of staple fasteners in resisting or transferring seismic forces. In September 2007, limited cyclic testing data was provided to the ICC Los Angeles Chapter Structural Code Committee showing that stapled wood structural shear panels do not exhibit the same behavior as the nailed wood structural shear panels. The test results of the stapled wood structural shear panels appeared much lower in strength and drift than the nailed wood structural shear panel test results. Therefore, the use of staples as fasteners to resist or transfer seismic forces shall not be permitted without being substantiated by cyclic testing. This proposed amendment is a continuation of a similar amendment adopted during previous code adoption cycles.

### FINDINGS:

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification to limit the use of staple fasteners to resist or transfer seismic load improve the performance of buildings and structures during a seismic event and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Building Code.

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2016 LARUCP 23-02. Section 2304.12.5 of the 2016 Edition of the California Building Code is amended to read as follows:

**2304.12.5 Wood used in retaining walls and cribs.** Wood installed in retaining or crib walls shall be preservative treated in accordance with AWPA U1 for soil and fresh water use. Wood shall not be used in retaining or crib walls for structures assigned to Seismic Design Category D, E or F.

### RATIONALE:

No substantiating data has been provided to show that wood used in retaining or crib walls are effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effect of constant moisture in the soil and wood-destroying organisms. Wood used in retaining or crib walls, when they are not properly treated and protected against deterioration, have performed very poorly. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic event and wet applications. The proposed amendment takes the precautionary steps to reduce or eliminate potential problems that may result by using wood in retaining or crib walls that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

### FINDINGS:

Local Climatic and Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. In addition, the region is within a climate system capable of producing major winds, fire and rain related disasters, including but not limited to those caused by the Santa Ana winds and El Nino (or La Nina) subtropical-like weather. This region is especially susceptible to more active termite and wood attacking insects and microorganisms. The proposed modification to prohibit the use of wood in retaining or crib walls in an effort to mitigate potential problems or deficiencies due to the proliferation of wood-destroying organisms and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Building Code.

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2016 LARUCP 23-03. Section 2305.4 is added to Chapter 23 of the 2016 Edition of the California Building Code to read as follows:

2305.4 Quality of Nails. In Seismic Design Category D, E or F, mechanically driven nails used in wood structural panel shear walls shall meet the same dimensions as that required for hand-driven nails, including diameter, minimum length and minimum head diameter. Clipped head or box nails are not permitted in new construction. The allowable design value for clipped head nails in existing construction may be taken at no more than the nail-head-area ratio of that of the same size hand-driven nails.

### RATIONALE:

The overdriving of nails into the structural wood panel still remains a concern when pneumatic nail guns are used for wood structural panel shear wall nailing. Box nails were observed to cause massive and multiple failures of the typical 3/8-inch thick plywood during the 1994 Northridge Earthquake. The use of clipped head nails as allowed in Table A1 of AFPA SDPWS footnote referencing to ASTM F1667, continues to be restricted from being used in wood structural panel shear walls where the minimum nail head size must be maintained in order to minimize nails from pulling through sheathing materials. Clipped or mechanically driven nails used in wood structural panel shear wall construction were found to perform much less in previous wood structural panel shear wall testing done at the University of California Irvine. The existing test results indicated that, under cyclic loading, the wood structural panel shear walls were less energy absorbent and less ductile. The panels reached ultimate load capacity and failed at substantially less lateral deflection than those using same size hand-driven nails. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance observed in 1994 Northridge Earthquake. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

### FINDINGS:

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification to require mechanically driven nails to have the same dimensions as hand-driven nail will result in improved quality of construction and performance of wood structural panel shear walls and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Building Code.

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2016 LARUCP 23-04. Section 2305.5 is added to Chapter 23 of the 2016 Edition of the California Building Code to read as follows:

2305.5 Hold-down connectors. In Seismic Design Category D, E or F, hold-down connectors shall be designed to resist shear wall overturning moments using approved cyclic load values or 75 percent of the allowable seismic load values that do not consider cyclic loading of the product. Connector bolts into wood framing shall require steel plate washers on the post on the opposite side of the anchorage device. Plate size shall be a minimum of 0.229 inch by 3 inches by 3 inches (5.82 mm by 76 mm by 76 mm) in size. Hold-down connectors shall be tightened to finger tight plus one half (1/2) wrench turn just prior to covering the wall framing.

### RATIONALE:

ICC-ES AC 155 Acceptance Criteria for Hold-downs (Tie-Downs) Attached to Wood Members is widely used to establish allowable values for hold-down connectors in evaluation reports. AC 155 uses monotonic loading to establish allowable values. Yet, cyclic and dynamic forces imparted on buildings and structures by seismic activity cause more damage than equivalent forces that are applied in a monotonic manner. However, the engineering, regulatory and manufacturing industries have not reached consensus on the appropriate cyclic or dynamic testing protocols. This condition is expected to continue for some time. In the interim, this proposed amendment continues to limit the allowable capacity to 75% of the evaluation report value to provide an additional factor of safety for statically tested anchorage devices. Steel plate washers will reduce the additional damage that can result when hold-down connectors are fastened to wood framing members. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance observed in 1994 Northridge Earthquake. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles with additional editorial revisions for clarification.

### FINDINGS:

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification to establish minimum performance requirements for hold-down connectors will reduce failure of wood structural panel shear walls due to excessive deflection and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Building Code.

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2016 LARUCP 23-05. Section 2306.2 of the 2016 Edition of the California Building Code is amended to read as follows:

**2306.2 Wood-frame diaphragms.** Wood-frame diaphragms shall be designed and constructed in accordance with AWC SDPWS. Where panels are fastened to framing members with staples, requirements and limitations of AWC SDPWS shall be met and the allowable shear values set forth in Table 2306.2(1) or 2306.2(2) shall only be permitted for structures assigned to Seismic Design Category A, B, or C.

Exception: Allowable shear values where panels are fastened to framing members with staples may be used if such values are substantiated by cyclic testing and approved by the building official.

The allowable shear values in Tables 2306.2(1) and 2306.2(2) are permitted to be increased 40 percent for wind design.

Wood structural panel diaphragms used to resist seismic forces in structures assigned to Seismic Design Category D, E or F shall be applied directly to the framing members.

Exception: Wood structural panel diaphragms are permitted to be fastened over solid lumber planking or laminated decking, provided the panel joints and lumber planking or laminated decking joints do not coincide.

### RATIONALE:

The Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the damages to buildings and structures during the 1994 Northridge Earthquake recommended reducing allowable shear values in wood structural panel shear walls or diaphragms that were not substantiated by cyclic testing. That recommendation was consistent with a report to the Governor from the Seismic Safety Commission of the State of California recommending that code requirements be "more thoroughly substantiated with testing." The allowable shear values for wood structural panel shear walls or diaphragms fastened with staples are based on monotonic testing and does not take into consideration that earthquake forces load shear wall or diaphragm in a repeating and fully reversible manner.

In September 2007, limited cyclic testing was conducted by a private engineering firm to determine if wood structural panels fastened with staples would exhibit the same behavior as the wood structural panels fastened with common nails. The test result revealed that wood structural panel fastened with staples appeared to be much lower in strength and stiffness than wood structural panels fastened with common nails. It was recommended that the use of staples as fasteners for wood structural panel shear walls or diaphragms not be permitted to resist seismic forces in structures assigned to Seismic Design Category D, E and F unless it can be substantiated by cyclic testing.

Furthermore, the cities and county within the Los Angeles region has taken extra measures to maintain the structural integrity of the framing of shear walls and diaphragms designed for high levels of seismic forces by requiring wood sheathing be applied directly over the framing members and prohibiting the use of panels placed over gypsum sheathing. This proposed amendment is intended to prevent the undesirable performance of nails when gypsum board softens due to cyclic earthquake displacements and the nail ultimately does not have any engagement in a solid material within the thickness of the gypsum board.

This proposed amendment continues the previous amendment adopted during the 2010 code adoption cycle.

### FINDINGS:

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Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification to place design and construction limits on staples as fasteners used in wood structural panel or diaphragms not substantiated with cyclic testing will help to maintain minimum quality of construction and performance standards of structures and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Building Code.

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2016 LARUCP 23-06. Section 2306.3 of the 2016 Edition of the California Building Code is amended to read as follows:

**2306.3 Wood-frame shear walls.** Wood-frame shear walls shall be designed and constructed in accordance with AWC SDPWS. For structures assigned to Seismic Design Category D, E, or F, application of Tables 4.3A and 4.3B of AWC SDPWS shall include the following:

1. Wood structural panel thickness for shear walls shall not be less than 3/8 inch thick and studs shall not be spaced at more than 16 inches on center.
2. The maximum nominal unit shear capacities for 3/8 inch wood structural panels resisting seismic forces in structures assigned to Seismic Design Category D, E or F is 400 pounds per linear foot (plf).

Exception: Other nominal unit shear capacities may be permitted if such values are substantiated by cyclic testing and approved by the building official.

3. Nails shall be placed not less than 1/2 inch in from the panel edges and not less than 3/8 inch from the edge of the connecting members for shear greater than 350 plf using ASD or 500 plf using LRFD. Nails shall be placed not less than 3/8 inch from panel edges and not less than 1/4 inch from the edge of the connecting members for shears of 350 plf or less using ASD or 500 plf or less using LRFD.
4. Table 4.3B application is not allowed for structures assigned to Seismic Design Category D, E, or F.

For structures assigned to Seismic Design Category D, application of Table 4.3C of AWC SDPWS shall not be used below the top level in a multi-level building.

Where panels are fastened to framing members with staples, requirements and limitations of AWC SDPWS shall be met and the allowable shear values set forth in Table 2306.3(1), 2306.3(2) or 2306.3(3) shall only be permitted for structures assigned to Seismic Design Category A, B, or C.

Exception: Allowable shear values where panels are fastened to framing members with staples may be used if such values are substantiated by cyclic testing and approved by the building official.

The allowable shear values in Tables 2306.3(1) and 2306.3(2) are permitted to be increased 40 percent for wind design. Panels complying with ANSI/APA PRP-210 shall be permitted to use design values for Plywood Siding in the AWC SDPWS.

### RATIONALE:

The Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the damages to buildings and structures during the 1994 Northridge Earthquake recommended reducing allowable shear values in wood structural panel shear walls or diaphragms that were not substantiated by cyclic testing. That recommendation was consistent with a report to the Governor from the Seismic Safety Commission of the State of California recommending that code requirements be "more thoroughly substantiated with testing." The allowable shear values for wood structural panel shear walls or diaphragms fastened with stapled nails are based on monotonic testing and does not take into consideration that earthquake forces load shear wall or diaphragm in a repeating and fully reversible manner.

In September 2007, limited cyclic testing was conducted by a private engineering firm to determine if wood structural panels fastened with stapled nails would exhibit the same behavior as the wood structural panels fastened with common nails. The test result revealed that wood structural panel fastened with

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stapled nails appeared to be much lower in strength and stiffness than wood structural panels fastened with common nails. It was recommended that the use of stapled nail as fasteners for wood structural panel shear walls or diaphragms not be permitted to resist seismic forces in structures assigned to Seismic Design Category D, E and F unless it can be substantiated by cyclic testing.

Furthermore, the cities and county within the Los Angeles region has taken extra measures to maintain the structural integrity of the framing of shear walls and diaphragms designed for high levels of seismic forces by requiring wood sheathing be applied directly over the framing members and prohibiting the use of panels placed over gypsum sheathing. This proposed amendment is intended to prevent the undesirable performance of nails when gypsum board softens due to cyclic earthquake displacements and the nail ultimately does not have any engagement in a solid material within the thickness of the gypsum board.

This proposed amendment continues the previous amendment adopted during the 2010 code adoption cycle.

### FINDINGS:

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification to place design and construction limits on stapled nail fasteners used in wood structural panel shear walls or diaphragms not substantiated with cyclic testing will help to maintain minimum quality of construction and performance standards of structures and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Building Code.

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2016 LARUCP 23-07. Section 2307.2 is added to the 2016 Edition of the California Building Code to read as follows:

2307.2 Wood-frame shear walls. Wood-frame shear walls shall be designed and constructed in accordance with Section 2306.3 as applicable.

### RATIONALE:

The Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the damages to buildings and structures during the 1994 Northridge Earthquake recommended reducing allowable shear values in wood structural panel shear walls or diaphragms that were not substantiated by cyclic testing. That recommendation was consistent with a report to the Governor from the Seismic Safety Commission of the State of California recommending that code requirements be "more thoroughly substantiated with testing." The allowable shear values for wood structural panel shear walls or diaphragms fastened with stapled nails are based on monotonic testing and does not take into consideration that earthquake forces load shear wall or diaphragm in a repeating and fully reversible manner.

In September 2007, limited cyclic testing was conducted by a private engineering firm to determine if wood structural panels fastened with stapled nails would exhibit the same behavior as the wood structural panels fastened with common nails. The test result revealed that wood structural panel fastened with stapled nails appeared to be much lower in strength and stiffness than wood structural panels fastened with common nails. It was recommended that the use of stapled nail as fasteners for wood structural panel shear walls or diaphragms not be permitted to resist seismic forces in structures assigned to Seismic Design Category D, E and F unless it can be substantiated by cyclic testing.

Furthermore, the cities and county within the Los Angeles region has taken extra measures to maintain the structural integrity of the framing of shear walls and diaphragms designed for high levels of seismic forces by requiring wood sheathing be applied directly over the framing members and prohibiting the use of panels placed over gypsum sheathing. This proposed amendment is intended to prevent the undesirable performance of nails when gypsum board softens due to cyclic earthquake displacements and the nail ultimately does not have any engagement in a solid material within the thickness of the gypsum board.

This proposed amendment continues the previous amendment adopted during the 2010 code adoption cycle.

### FINDINGS:

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification to place design and construction limits on stapled nail fasteners used in wood structural panel shear walls or diaphragms not substantiated with cyclic testing will help to maintain minimum quality of construction and performance standards of structures and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Building Code.

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2016 LARUCP 23-08. Table 2308.6.1 of the 2016 Edition of the California Building Code is amended to read as follows:

TABLE 2308.6.1\*  
WALL BRACING REQUIREMENTS

SEISMIC DESIGN CATEGORY	STORY CONDITION (SEE SECTION 2308.2)	MAXIMUM SPACING OF BRACED WALL LINES	BRACED PANEL LOCATION, SPACING (O.C.) AND MINIMUM PERCENTAGE (%)			MAXIMUM DISTANCE OF BRACED WALL PANELS FROM EACH END OF BRACED WALL LINE
			Bracing method <sup>a</sup>			
			LFB	DWB, WSP	SFB, PBS, PCP, HPS, GB <sup>c,d</sup>	
A and B		35'-0"	Each end and ≤ 25'-0" o.c.	Each end and ≤ 25'-0" o.c.	Each end and ≤ 25'-0" o.c.	12'-6"
		35'-0"	Each end and ≤ 25'-0" o.c.	Each end and ≤ 25'-0" o.c.	Each end and ≤ 25'-0" o.c.	12'-6"
		35'-0"	NP	Each end and ≤ 25'-0" o.c.	Each end and ≤ 25'-0" o.c.	12'-6"
C		35'-0"	NP	Each end and ≤ 25'-0" o.c.	Each end and ≤ 25'-0" o.c.	12'-6"
		35'-0"	NP	Each end and ≤ 25'-0" o.c. (minimum 25% of wall length) <sup>f</sup>	Each end and ≤ 25'-0" o.c. (minimum 25% of wall length) <sup>f</sup>	12'-6"
D and E <i>f, e, h</i>		25'-0"	NP	$S_{DS} < 0.50$ : Each end and ≤ 25'-0" o.c. (minimum 21% of wall length) <sup>f</sup>	$S_{DS} < 0.50$ : Each end and ≤ 25'-0" o.c. (minimum 43% of wall length) <sup>f</sup>	8'-0"
				$0.5 \leq S_{DS} < 0.75$ : Each end and ≤ 25'-0" o.c. (minimum 32% of wall length) <sup>f</sup>	$0.5 \leq S_{DS} < 0.75$ : Each end and ≤ 25'-0" o.c. (minimum 59% of wall length) <sup>f</sup>	
				$0.75 \leq S_{DS} \leq 1.00$ : Each end and ≤ 25'-0" o.c. (minimum 37% of wall length) <sup>f</sup>	$0.75 \leq S_{DS} \leq 1.00$ : Each end and ≤ 25'-0" o.c. (minimum 75% of wall length)	
				$S_{DS} > 1.00$ : Each end and ≤ 25'-0" o.c. (minimum 48% of wall length) <sup>f</sup>	$S_{DS} > 1.00$ : Each end and ≤ 25'-0" o.c. (minimum 100% of wall length) <sup>f</sup>	

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

NP = Not Permitted.

a. This table specifies minimum requirements for braced wall panels along interior or exterior braced wall lines.

b. See Section 2308.6.3 for full description of bracing methods.

c. For Method GB, gypsum wallboard applied to framing supports that are spaced at 16 inches on center.

d. The required lengths shall be doubled for gypsum board applied to only one face of a braced wall panel.

e. Percentage shown represents the minimum amount of bracing required along the building length (or wall length if the structure has an irregular shape).

f. DWB, SFB, PBS, and HPS wall braces are not permitted in Seismic Design Categories D or E.

g. Minimum length of panel bracing of one face of the wall for WSP sheathing shall be at least 4'-0" long or both faces of the wall for GB or PCP sheathing shall be at least 8'-0" long; h/w ratio shall not exceed 2:1. Wall framing to which sheathing used for bracing is applied shall be nominal 2 inch wide (actual 1 1/2 inch (38 mm) or larger members and spaced a maximum of 16 inches on center. Braced wall panel construction types shall not be mixed within a braced wall line.

h. WSP sheathing shall be a minimum of 15/32" thick nailed with 8d common placed 3/8 inches from panel edges and spaced not more than 6 inches on center and 12 inches on center along intermediate framing members.

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### RATIONALE:

This proposed amendment specifies minimum sheathing thickness and nail size and spacing so as to provide a uniform standard of construction for designers and buildings to follow. This is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands placed on buildings or structure in this region. This proposed amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance observed in 1994 Northridge Earthquake. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

### FINDINGS:

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. Conventional framing does not address the need for a continuous load path, critical shear transfer mechanisms, connection-ties, irregular and flexible portions of complex shaped structures. The proposed modification to provide specific detailing requirements will improve the performance of buildings and structures and therefore needs to be incorporated into the code to assure that new buildings and additions to existing buildings are designed and constructed in accordance with the scope and objectives of the California Building Code.

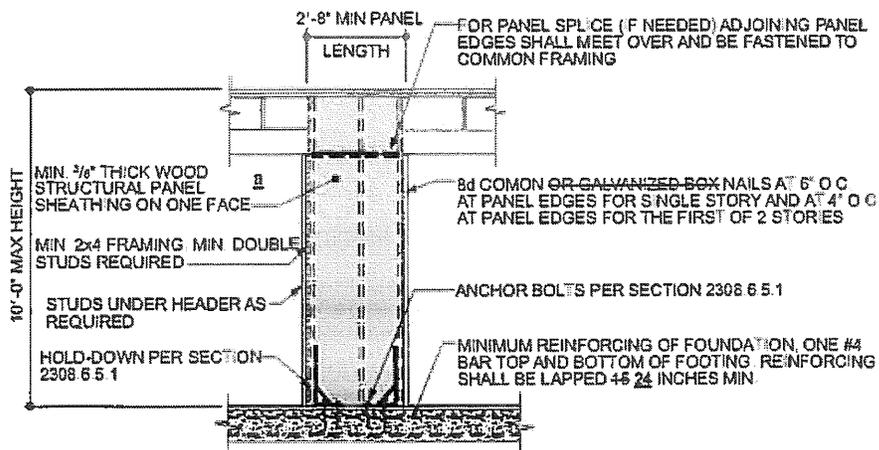
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2016 LARUCP 23-09. Section 2308.6.5, Figure 2308.6.5.1, and Figure 2308.6.5.2 of the 2016 Edition of the California Building Code are amended to read as follows:

**2308.6.5 Alternative bracing.** An alternate braced wall (ABW) or a portal frame with hold-downs (PFH) described in this section is permitted to substitute for a 48-inch (1219 mm) braced wall panel of Method DWB, WSP, SFB, PBS, PCP or HPS. For Method GB, each 96-inch (2438 mm) section (applied to one face) or 48-inch (1219 mm) section (applied to both faces) or portion thereof required by Table 2308.6.1 is permitted to be replaced by one panel constructed in accordance with Method ABW or PFH.

**2308.6.5.1 Alternate braced wall (ABW).** An ABW shall be constructed in accordance with this section and Figure 2308.6.5.1. In one-story buildings, each panel shall have a length of not less than 2 feet 8 inches (813 mm) and a height of not more than 10 feet (3048 mm). Each panel shall be sheathed on one face with 3/8-inch (3.2 mm) minimum-thickness wood structural panel sheathing nailed with 8d common or galvanized box nails in accordance with Table 2304.10.1 and blocked at wood structural panel edges. For structures assigned to Seismic Design Category D or E, each panel shall be sheathed on one face with 15/32-inch-minimum-thickness (11.9 mm) wood structural panel sheathing nailed with 8d common nails spaced 3 inches on panel edges, 3 inches at intermediate supports. Two anchor bolts installed in accordance with Section 2308.3.1 shall be provided in each panel. Anchor bolts shall be placed at each panel outside quarter points. Each panel end stud shall have a hold-down device fastened to the foundation, capable of providing an approved uplift capacity of not less than 1,800 pounds (8006 N). The hold-down device shall be installed in accordance with the manufacturer's recommendations. The ABW shall be supported directly on a foundation or on floor framing supported directly on a foundation that is continuous across the entire length of the braced wall line. This foundation shall be reinforced with not less than one No. 4 bar top and bottom. Where the continuous foundation is required to have a depth greater than 12 inches (305 mm), a minimum 12-inch by 12-inch (305 mm by 305 mm) continuous footing or ~~turned-down slab edge~~ is permitted at door openings in the braced wall line. This continuous footing or ~~turned-down slab edge~~ shall be reinforced with not less than one No. 4 bar top and bottom. This reinforcement shall be lapped 45 ~~24~~ inches (384 ~~610~~ mm) with the reinforcement required in the continuous foundation located directly under the braced wall line.

Where the ABW is installed at the first story of two-story buildings, the wood structural panel sheathing shall be provided on both faces, three anchor bolts shall be placed at one-quarter points and tie-down device uplift capacity shall be not less than 3,000 pounds (13 344 N).



For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

b. For structures assigned to Seismic Design Category D or E, sheathed on one face with 15/32-inch-minimum-thickness (11.9 mm) wood structural panel sheathing.

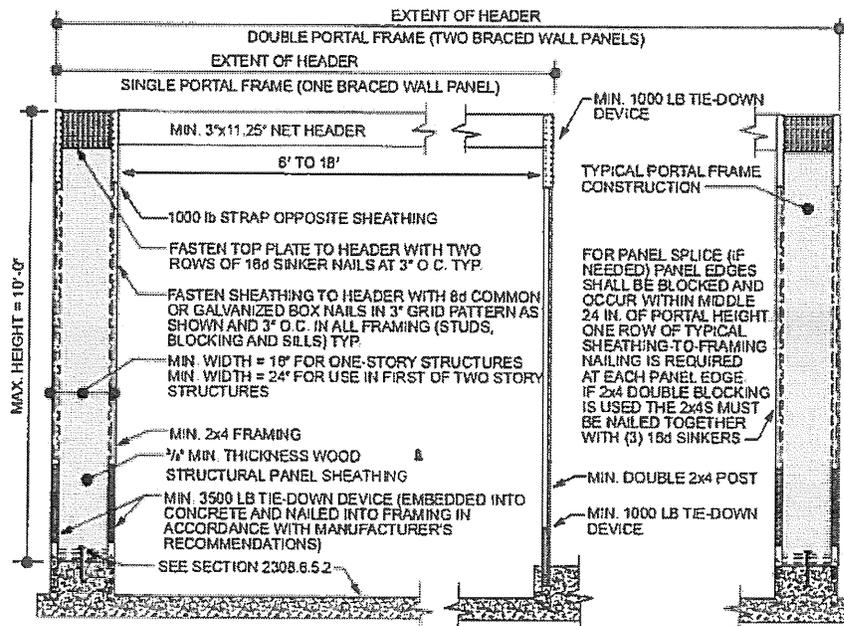
FIGURE 2308.6.5.1  
ALTERNATE BRACED WALL PANEL (ABW)

**2308.6.5.2 Portal frame with hold-downs (PFH).** A PFH shall be constructed in accordance with this section and Figure 2308.6.5.2. The adjacent door or window opening shall have a full-length header.

In one-story buildings, each panel shall have a length of not less than 16 inches (406 mm) and a height of not more than 10 feet (3048 mm). Each panel shall be sheathed on one face with a single layer of 3/8-inch (9.5 mm) minimum-thickness wood structural panel sheathing nailed with 8d common or galvanized box nails in accordance with Figure 2308.6.5.2. For structures assigned to Seismic Design Category D or E, each panel shall be sheathed on one face with 15/32-inch-minimum-thickness (11.9 mm) wood structural panel sheathing nailed with 8d common nails spaced 3 inches on panel edges, 3 inches at intermediate supports and in accordance with Figure 2308.6.5.2. The wood structural panel sheathing shall extend up over the solid sawn or glued-laminated header and shall be nailed in accordance with Figure 2308.6.5.2. A built-up header consisting of at least two 2-inch by 12-inch (51 mm by 305 mm) boards, fastened in accordance with Item 24 of Table 2304.10.1 shall be permitted to be used. A spacer, if used, shall be placed on the side of the built-up beam opposite the wood structural panel sheathing. The header shall extend between the inside faces of the first full-length outer studs of each panel. The clear span of the header between the inner studs of each panel shall be not less than 6 feet (1829 mm) and not more than 18 feet (5486 mm) in length. A strap with an uplift capacity of not less than 1,000 pounds (4,400 N) shall fasten the header to the inner studs opposite the sheathing. One anchor bolt not less than 5/8 inch (15.9 mm) diameter and installed in accordance with Section 2308.3.1 shall be provided in the center of each sill plate. The studs at each end of the panel shall have a hold-down device fastened to the foundation with an uplift capacity of not less than 3,500 pounds (15 570 N).

Where a panel is located on one side of the opening, the header shall extend between the inside face of the first full-length stud of the panel and the bearing studs at the other end of the opening. A strap with an uplift capacity of not less than 1,000 pounds (4400 N) shall fasten the header to the bearing studs. The bearing studs shall also have a hold-down device fastened to the foundation with an uplift capacity of not less than 1,000 pounds (4400 N). The hold-down devices shall be an embedded strap type, installed in accordance with the manufacturer's recommendations. The PFH panels shall be supported directly on a foundation that is continuous across the entire length of the braced wall line. This foundation shall be reinforced with not less than one No. 4 bar top and bottom. Where the continuous foundation is required to have a depth greater than 12 inches (305 mm), a minimum 12-inch by 12-inch (305 mm by 305 mm) continuous footing ~~or turned-down-slab edge~~ is permitted at door openings in the braced wall line. This continuous footing ~~or turned-down-slab edge~~ shall be reinforced with not less than one No. 4 bar top and bottom. This reinforcement shall be lapped not less than ~~45~~ 24 inches (~~384~~ 610 mm) with the reinforcement required in the continuous foundation located directly under the braced wall line.

Where a PFH is installed at the first story of two-story buildings, each panel shall have a length of not less than 24 inches (610 mm).



For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 pound = 4.448 N.

a. For structures assigned to Seismic Design Category D or E, sheathed on one face with 15/32-inch minimum thickness (11.9 mm) wood structural panel sheathing.

FIGURE 2308.6.5.2  
PORTAL FRAME WITH HOLD-DOWNS (PFH)

**RATIONALE:**

3/8" thick, 3 ply-plywood shear walls experienced many failures during the Northridge Earthquake. Box nails were observed to cause massive and multiple failures of the typical 3/8" thick 3-ply plywood during the Northridge Earthquake. This proposed amendment specifies minimum sheathing thickness, nail size and spacing so as to provide a uniform standard of construction for designers and buildings to follow. This is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands and reduce and limit potential damages to property. This proposed amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance observed in 1994 Northridge Earthquake.

**FINDINGS:**

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification requiring minimum sheathing thickness and nailing type and size will help to maintain minimum quality of construction and performance standards of structures and therefore needs to be incorporated into the code to assure that new buildings and additions to existing buildings are designed and constructed in accordance with the scope and objectives of the California Building Code.

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2016 LARUCP 23-10. Section 2308.6.8.1 of Chapter 23 of the 2016 Edition of the California Building Code is amended to read as follows:

**2308.6.8.1 Foundation requirements.** Braced wall lines shall be supported by continuous foundations.

**Exception:** For structures with a maximum plan dimension not more than 50 feet (15240 mm), continuous foundations are required at exterior walls only for structures assigned to Seismic Design Category A, B, or C.

For structures in Seismic Design Categories D and E, exterior braced wall panels shall be in the same plane vertically with the foundation or the portion of the structure containing the offset shall be designed in accordance with accepted engineering practice and Section 2308.1.1.

**Exceptions:**

- ~~1. Exterior braced wall panels shall be permitted to be located not more than 4 feet (1219 mm) from the foundation below where supported by a floor constructed in accordance with all of the following:
  - ~~1.1. Cantilevers or setbacks shall not exceed four times the nominal depth of the floor joists.~~
  - ~~1.2. Floor joists shall be 2 inches by 10 inches (51 mm by 254 mm) or larger and spaced not more than 16 inches (406 mm) on center.~~
  - ~~1.3. The ratio of the back span to the cantilever shall be not less than 2 to 1.~~
  - ~~1.4. Floor joists at ends of braced wall panels shall be doubled.~~
  - ~~1.5. A continuous rim joist shall be connected to the ends of cantilevered joists. The rim joist is permitted to be spliced using a metal tie not less than 0.058 inch (1.47 mm) (16 galvanized gage) and 1 1/2 inches (38 mm) in width fastened with six 16d common nails on each side. The metal tie shall have a yield stress not less than 33,000 psi (227 MPa).~~
  - ~~1.6. Joists at setbacks or the end of cantilevered joists shall not carry gravity loads from more than a single story having uniform wall and roof loads nor carry the reactions from headers having a span of 8 feet (2438 mm) or more.~~~~
- ~~2. The end of a required braced wall panel shall be allowed to extend not more than 1 foot (305 mm) over an opening in the wall below. This requirement is applicable to braced wall panels offset in plane and braced wall panels offset out of plane as permitted by Exception 1. Braced wall panels are permitted to extend over an opening not more than 8 feet (2438 mm) in width where the header is a 4 inch by 12 inch (102 mm by 305 mm) or larger member.~~

**RATIONALE:**

With the higher seismic demand placed on buildings and structures in this region, interior walls can easily be called upon to resist over half of the seismic loading imposed on simple buildings or structures. Without a continuous foundation to support the braced wall line, seismic loads would be transferred through other elements such as non-structural concrete slab floors, wood floors, etc. The proposed change is to limit the use of the exception to structures assigned to Seismic Design Category A, B or C where lower seismic demands are expected. Requiring interior braced walls be supported by continuous foundations is intended to reduce or eliminate the poor performance of buildings or structures. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

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### FINDINGS:

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. Conventional framing does not address the need for a continuous load path, critical shear transfer mechanisms, connection-ties, irregular and flexible portions of complex shaped structures. The proposed modification to require continuous footings under braced wall lines will improve performance of buildings or structure during a seismic event and therefore need to be incorporated into the code to assure that new buildings and additions to existing buildings are designed and constructed in accordance with the scope and objectives of the California Building Code.

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2016 LARUCP 23-11. Section 2308.6.9 of the 2016 Edition of the California Building Code is amended to read as follows:

**2308.6.9 Attachment of sheathing.** Fastening of braced wall panel sheathing shall not be less than that prescribed in Tables 2308.6.1 or 2304.10.1. Wall sheathing shall not be attached to framing members by adhesives. Staple fasteners in Table 2304.10.1 shall not be used to resist or transfer seismic forces in structures assigned to Seismic Design Category D, E or F.

Exception: Staples may be used to resist or transfer seismic forces when the allowable shear values are substantiated by cyclic testing and approved by the building official.

All braced wall panels shall extend to the roof sheathing and shall be attached to parallel roof rafters or blocking above with framing clips (18 gauge minimum) spaced at maximum 24 inches (6096 mm) on center with four 8d nails per leg (total eight 8d nails per clip). Braced wall panels shall be laterally braced at each top corner and at maximum 24 inches (6096 mm) intervals along the top plate of discontinuous vertical framing.

### RATIONALE:

This proposed amendment is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands placed on buildings or structure in this region. This proposed amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance observed in 1994 Northridge Earthquake. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

### FINDINGS:

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. Conventional framing does not address the need for a continuous load path, critical shear transfer mechanisms, connection-ties, irregular and flexible portions of complex shaped structures. The proposed modification to provide specific detailing requirements will improve the performance of buildings and structures and therefore needs to be incorporated into the code to assure that new buildings and additions to existing buildings are designed and constructed in accordance with the scope and objectives of the California Building Code.



## PART II

### LARUCP RECOMMENDED CODE AMENDMENTS TO THE 2016 EDITION OF THE CALIFORNIA RESIDENTIAL CODE

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**SUMMARY OF RECOMMENDED LARUCP AMENDMENTS TO THE 2016 CRC**

(N) 2016 LARUCP NO.	(E) 2013 LARUCP NO.	TITLE/DESCRIPTION	STATUS <sup>1</sup>
R3-01	R3-01	Amend CRC Section R301.1.3.2 Woodframe Structures	R
R3-02	R3-02	Add CRC Section R301.1.4 Slopes Steeper Than 33%	R
	R3-03	Amend CRC Table 301.2.2.1.1 and Section R301.2.2.1.2 Seismic Design Category	D
R3-03	R3-04	Amend CRC Section R301.2.2.2.5 Irregular Buildings	R
R3-04	R3-05	Add CRC Section R301.2.2.3.8 Anchorage of Equipment	R
R4-01	R4-01	Amend CRC Section R401.1 Foundation Application	M
R4-02	R4-02	Amend CRC Sections R403.1 General Footings	M
R4-03	R4-03	Amend CRC Section R404.2 Wood Foundation Walls	R
R5-01	R5-01	Amend CRC Section R501.1 Application	R
R5-02	R5-02	Add CRC Section R503.2.4 Openings In Horizontal Diaphragms	R
R6-01	R6-01	Amend CRC Table R602.3(1) Fastener Schedule	M
R6-02	R6-02	Amend CRC Table R602.3(2) Alternate Attachment	R
R6-03	R6-03	Amend CRC Table R602.10.3(3) Bracing Requirements	M
R6-04	R6-04	Amend CRC Table R602.10.4 Bracing Methods	M
R6-05	R6-05	Amend CRC Figure R602.10.6.1 Alternate Braced Wall Panel	R
R6-06	R6-06	Amend CRC Figure R602.10.6.2 Portal Frame	M
R6-07	R6-07	Amend CRC Table R602.10.5 Braced Wall Lengths	M
R6-08	R6-08	Amend CRC Section R602.10.2.3 Minimum Number of Braced Wall Panels	R
R6-09	R6-09	Amend CRC Figure R602.10.6.4 Method CS-PF	R
	R6-10	Delete Amendment for CRC Section R602.10.8.1 Braced Wall Panel Support	D
R6-10	R6-11	Amend CRC Section R606.4.4 Parapet Walls	M
R6-11	R6-12	Amend CRC Section R606.12.2.2.3 Reinforcement for Masonry	R
R6-12	R6-13	Amend CRC Section R602.3.2 Top Plate	M
R8-01	R8-01	Add CRC Section R803.2.4 Openings in Horizontal Diaphragms	R
R10-01	R10-01	Amend CRC Section R1001.3.1 Vertical Reinforcing	R

**FOOTNOTE:**

1. R = Retain and update existing amendment, M = Modify existing amendment, D = Delete existing 2013 LARUCP amendment. N = New amendment proposed.

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2016 LARUCP R3-01. Section R301.1.3.2 of the 2016 Edition of the California Residential Code is amended to read as follows:

**R301.1.3.2 Woodframe structures ~~greater than two stories~~.** The building official shall require construction documents to be approved and stamped by a California licensed architect or engineer for all dwellings of woodframe construction more than two stories and basement in height located in Seismic Design Category A, B or C. Notwithstanding other sections of law, the law establishing these provisions is found in Business and Professions Code Section 5537 and 6737.1.

The building official shall require construction documents to be approved and stamped by a California licensed architect or engineer for all dwellings of woodframe construction more than one story in height or with a basement located in Seismic Design Category D<sub>0</sub>, D<sub>1</sub>, D<sub>2</sub> or E.

### RATIONALE:

After the 1994 Northridge Earthquake, the Wood Frame Construction Joint Task Force recommended that the quality of wood frame construction need to be greatly improved. One such recommendation identified by the Task Force is to improve the quality and organization of structural plans prepared by the engineer or architect so that plan examiners, building inspectors, contractors and special inspectors may logically follow and construct the presentation of the seismic force-resisting systems in the construction documents. For buildings or structures located in Seismic Design Category D<sub>0</sub>, D<sub>1</sub>, D<sub>2</sub> or E that are subject to a greater level of seismic forces, the requirement to have a California licensed architect or engineer prepare the construction documents is intended to minimize or reduce structural deficiencies that may cause excessive damage or injuries in wood frame buildings. Structural deficiencies such as plan and vertical irregularities, improper shear transfer of the seismic force-resisting system, missed details or connections important to the structural system, and the improper application of the prescriptive requirements of the California Residential Code can be readily addressed by a registered design professional.

### FINDINGS:

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification to require construction documents for wood frame construction greater than one story in height or with a basement to be approved and stamped by a California licensed architect or engineer is intended to assure that both the structural design and prescriptive requirement of the code are properly utilized and presented and therefore need to be incorporated into the code to assure that new buildings and structures, and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Residential Code.

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2016 LARUCP R3-02. Section R301.1.4 is added to Chapter 3 of the 2016 Edition of the California Residential Code to read as follows:

**R301.1.4 Seismic design provisions for buildings constructed on or into slopes steeper than one unit vertical in three units horizontal (33.3 percent slope). The design and construction of new buildings and additions to existing buildings when constructed on or into slopes steeper than one unit vertical in three units horizontal (33.3 percent slope) shall comply with Section 1613.9 of the Building Code.**

### RATIONALE:

Due to the difficulty of fire suppression vehicles accessing winding and narrow hillside properties and the probabilities for future earthquakes in the Los Angeles region, this technical amendment is required to address the special needs for buildings constructed on hillside locations. A joint Structural Engineers Association of Southern California (SEAOSC) and both the Los Angeles County and Los Angeles City Task Force investigated the performance of hillside building failures after the Northridge earthquake. Numerous hillside failures resulted in loss of life and millions of dollars in damage. These criteria were developed to minimize the damage to these structures and have been in use by both the City and County of Los Angeles for several years with much success. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.

### FINDINGS:

Local Topographical and Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. Additionally, the topography within the Los Angeles region includes significant hillsides with narrow and winding access that makes timely response by fire suppression vehicles challenging and difficult. The proposed modification establishes design parameters to better mitigate and limit property damage that are the results of increased seismic forces which are imparted upon hillside buildings and structures and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Residential Code.

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2016 LARUCP R3-03. Items 1, 3 and 5 of Section R301.2.2.2.5 of the 2016 Edition of the California Residential Code are amended to read as follows:

1. Where exterior shear wall lines or braced wall panels are not in one plane vertically from the foundation to the uppermost story in which they are required.

~~Exception: For wood light frame construction, floors with cantilevers or setbacks not exceeding four times the nominal depth of the wood floor joists are permitted to support braced wall panels that are out of plane with braced wall panels below provided that:~~

- ~~1. Floor joists are nominal 2 inches by 10 inches (51 mm by 254 mm) or larger and spaced not more than 16 inches (406 mm) on center.~~
- ~~2. The ratio of the back span to the cantilever is not less than 2 to 1.~~
- ~~3. Floor joists at ends of braced wall panels are doubled.~~
- ~~4. For wood frame construction, a continuous rim joist is connected to ends of cantilever joists. When spliced, the rim joists shall be spliced using a galvanized metal tie not less than 0.058 inch (1.5 mm) (16 gage) and 1 1/2 inches (38 mm) wide fastened with six 16d nails on each side of the splice or a block of the same size as the rim joist of sufficient length to fit securely between the joist space at which the splice occurs fastened with eight 16d nails on each side of the splice; and~~
- ~~5. Gravity loads carried at the end of cantilevered joists are limited to uniform wall and roof loads and the reactions from headers having a span of 8 feet (2438 mm) or less.~~

3. When the end of a braced wall panel occurs over an opening in the wall below and ends at a horizontal distance greater than 1 foot (305 mm) from the edge of the opening. This provision is applicable to shear walls and braced wall panels offset in plane and to braced wall panels offset out of plane as permitted by the exception to item 4.

~~Exception: For wood light frame wall construction, one end of a braced wall panel shall be permitted to extend more than one foot (305 mm) over an opening not more than 8 feet (2438 mm) in width in the wall below provided that the opening includes a header in accordance with the following:~~

- ~~1. The building width, loading condition and framing member species limitations of Table R602.7(1) shall apply; and~~
- ~~2. Not less than one 2x12 or two 2x10 for an opening not more than 4 feet (1219 mm) wide; or~~
- ~~3. Not less than two 2x12 or three 2x10 for an opening not more than 6 feet (1829 mm) in width; or~~
- ~~4. Not less than three 2x12 or four 2x10 for an opening not more than 8 feet (2438 mm) in width; and~~
- ~~5. The entire length of the braced wall panel does not occur over an opening in the wall below.~~

5. Where portions of a floor level are vertically offset.

~~Exceptions:~~

- ~~1. Framing supported directly by continuous foundations at the perimeter of the building.~~

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2. ~~For wood-light frame construction, floors shall be permitted to be vertically offset when the floor framing is lapped or tied together as required by section R502.6.1.~~

### RATIONALE:

With the higher seismic demand placed on buildings and structures in this region, precautionary steps are proposed to reduce or eliminate potential problems that may result by limiting the type of irregular conditions specified in the California Residential Code. Such limitations are intended to reduce the potential structural damage expected in the event of an earthquake. The cities and county of the Los Angeles region has taken extra measures to maintain the structural integrity of the framing of the shear walls and all associated elements when designed for high levels of seismic loads.

### FINDINGS:

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed amendment limits the type of irregular conditions within buildings that may lead to higher structural damage during a seismic event and therefore needs to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Residential Code and consistent with the requirements in the ASCE 7-10.

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2016 LARUCP R3-04. Section R301.2.2.3.8 is added to Chapter 3 of the 2016 Edition of the California Residential Code to read as follows:

**R301.2.2.3.8 Anchorage of Mechanical, Electrical, or Plumbing Components and Equipment.**  
Mechanical, electrical, or plumbing components and equipment shall be anchored to the structure. Anchorage of the components and equipment shall be designed to resist loads in accordance with the California Building Code and ASCE 7, except where the component is positively attached to the structure and flexible connections are provided between the component and associated ductwork, piping, and conduit; and either

1. The component weighs 400 lb (1,780 N) or less and has a center of mass located 4 ft (1.22 m) or less above the supporting structure; or
2. The component weighs 20 lb (89N) or less or, in the case of a distributed system, 5 lb/ft (73 N/m) or less.

### RATIONALE:

There is no limitation for weight of mechanical and plumbing fixtures and equipment in the California Residential Code. Requirements from ASCE 7 and the California Building Code would permit equipment weighing up to 400 lbs. when mounted at 4 feet or less above the floor or attic level without engineering design. Where equipment exceeds this requirement, it is the intent of this proposed amendment that a registered design professional be required to analyze if the floor support is adequate and structurally sound.

### FINDINGS:

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification to limit the equipment weight is intended to reduce injuries, save lives, and minimize structural damages and therefore needs to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Residential Code.

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2016 LARUCP R4-01. Section R401.1 of the 2016 Edition of the California Residential Code is amended to read as follows:

**R401.1 Application.** The provisions of this chapter shall control the design and construction of the foundation and foundation spaces for buildings. In addition to the provisions of this chapter, the design and construction of foundations in flood hazard areas as established by Table R301.2(1) shall meet the provisions of Section R322. Wood foundations shall be designed and installed in accordance with AWC PWF.

**Exception:** The provisions of this chapter shall be permitted to be used for wood foundations only in the following situations:

1. In buildings that have no more than two floors and a roof.
2. When interior basement and foundation walls are constructed at intervals not exceeding 50 feet (15 240 mm).

Wood foundations in Seismic Design Category D<sub>0</sub>, D<sub>1</sub>, or D<sub>2</sub> shall be designed in accordance with accepted engineering practice not be permitted.

Exception: In non-occupied, single-story, detached storage sheds and similar uses other than carport or garage, provided the gross floor area does not exceed 200 square feet, the plate height does not exceed 12 feet in height above the grade plane at any point, and the maximum roof projection does not exceed 24 inches.

### RATIONALE:

No substantiating data has been provided to show that wood foundation is effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effect of constant moisture in the soil and wood-destroying organisms. Wood foundation, when they are not properly treated and protected against deterioration, have performed very poorly and have led to slope failures. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic event and wet applications. The proposed amendment takes the precautionary steps to reduce or eliminate potential problems that may result in using wood foundation that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms. However, an exception is made for non-occupied, single-story storage structures that pose significantly less risk to human safety and may utilize the wood foundation guidelines specified in this Chapter. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles for the California Residential Code.

### FINDINGS:

**Local Climatic and Geological Conditions –** The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. In addition, the region is within a climate system capable of producing major winds, fire and rain related disasters, including but not limited to those caused by the Santa Ana winds and El Nino (or La Nina) subtropical-like weather. This region is especially susceptible to more active termite and wood attacking insects and microorganisms. The proposed modification to prohibit the use of wood foundation systems as well as limit prescriptive design provisions in an effort to mitigate potential problems or deficiencies due to the proliferation of wood-destroying organisms and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures

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are designed and constructed in accordance with the scope and objectives of the California Residential Code.

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2016 LARUCP R4-02. Sections R403.1.2, R403.1.3.6 and R403.1.5 of the 2016 Edition of the California Residential Code are amended to read as follows:

**R403.1.2 Continuous footing in Seismic Design Categories D<sub>0</sub>, D<sub>1</sub> and D<sub>2</sub>.** Exterior walls of buildings located in Seismic Design Categories D<sub>0</sub>, D<sub>1</sub> and D<sub>2</sub> shall be supported by continuous solid or fully grouted masonry or concrete footings. ~~Other footing materials or systems shall be designed in accordance with accepted engineering practice.~~ All required interior braced wall panels in buildings located in Seismic Design Categories D<sub>0</sub>, D<sub>1</sub> and D<sub>2</sub> with plan dimensions greater than 50 feet (15 240 mm) shall be supported by continuous solid or fully grouted masonry or concrete footings in accordance with Section R403.1.3.4, ~~except for two-story buildings in Seismic Design Category D<sub>2</sub>, in which all braced wall panels, interior and exterior, shall be supported on continuous foundations.~~

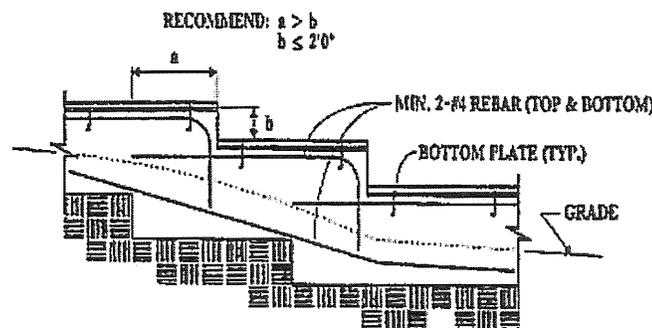
~~Exception: Two-story buildings shall be permitted to have interior braced wall panels supported on continuous foundations at intervals not exceeding 50 feet (15 240 mm) provided that:~~

- ~~1. The height of cripple walls does not exceed 4 feet (1219 mm).~~
- ~~2. First floor braced wall panels are supported on doubled floor joists, continuous blocking or floor beams.~~
- ~~3. The distance between bracing lines does not exceed twice the building width measured parallel to the braced wall line.~~

**R403.1.3.6 Isolated concrete footings.** In detached one- and two-family dwellings located in Seismic Design Category A, B, or C that are three stories or less in height and constructed with stud bearing walls, isolated plain concrete footings supporting columns or pedestals are permitted.

**R403.1.5 Slope.** The top surface of footings shall be level. The bottom surface of footings shall not have a slope exceeding one unit vertical in 10 units horizontal (10-percent slope). Footings shall be stepped where it is necessary to change the elevation of the top surface of the footings or where the slope of the bottom surface of the footings will exceed one unit vertical in 10 units horizontal (10-percent slope).

For structures located in Seismic Design Categories D<sub>0</sub>, D<sub>1</sub> or D<sub>2</sub>, stepped footings shall be reinforced with four No. 4 rebar. Two bars shall be placed at the top and bottom of the footings as shown in Figure R403.1.5.



STEPPED FOUNDATIONS

FIGURE R403.1.5  
STEPPED FOOTING

**RATIONALE:**

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With the higher seismic demand placed on buildings and structures in this region, precautionary steps are proposed to reduce or eliminate potential problems that may result for under-reinforced footings located on sloped surfaces. Requiring minimum reinforcement for stepped footings is intended to address the problem of poor performance of plain or under-reinforced footings during a seismic event. Furthermore, interior walls can easily be called upon to resist over half of the seismic loading imposed on simple buildings or structures. Without a continuous foundation to support the braced wall line, seismic loads would be transferred through other elements such as non-structural concrete slab floors, wood floors, etc. The proposed change is to limit the use of the exception to structures assigned to Seismic Design Category A, B or C where lower seismic demands are expected. Requiring interior braced walls be supported by continuous foundations is intended to reduce or eliminate the poor performance of buildings or structures. This proposed amendment is consistent with an amendment adopted during previous code adoption cycles for the California Residential Code.

### FINDINGS:

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification to require continuous footings under braced wall lines, require reinforcement in one- and two-family dwelling, and minimum reinforcement in stepped footings will improve performance of buildings or structure during a seismic event and minimize potential problems or deficiencies and therefore need to be incorporated into the code to assure that new buildings and additions to existing buildings are designed and constructed in accordance with the scope and objectives of the California Residential Code.

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2016 LARUCP R4-03. Section R404.2 of the 2016 Edition of the California Residential Code is amended to read as follows:

**R404.2 Wood foundation walls.** Wood foundation walls shall be constructed in accordance with the provisions of Sections R404.2.1 through R404.2.6 and with the details shown in Figures R403.1(2) and R403.1(3). Wood foundation walls shall not be used for structures located in Seismic Design Category D<sub>0</sub>, D<sub>1</sub> or D<sub>2</sub>.

### RATIONALE:

No substantiating data has been provided to show that wood foundation wall is effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effect of constant moisture in the soil and wood-destroying organisms. Wood foundation walls, when they are not properly treated and protected against deterioration, have performed very poorly and have led to slope failures. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic event and wet applications. The proposed amendment takes the precautionary steps to reduce or eliminate potential problems that may result in using wood foundation walls that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms. This proposed amendment is consistent with an amendment adopted during previous code adoption cycles for the California Residential Code.

### FINDINGS:

**Local Climatic and Geological Conditions** – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. In addition, the region is within a climate system capable of producing major winds, fire and rain related disasters, including but not limited to those caused by the Santa Ana winds and El Nino (or La Nina) subtropical-like weather. This region is especially susceptible to more active termite and wood attacking insects and microorganisms. The proposed modification to prohibit the use of wood foundation wall in an effort to mitigate potential problems or deficiencies due to the proliferation of wood-destroying organisms and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Residential Code.

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**2016 LARUCP R5-01.** Section R501.1 of the 2016 Edition of the California Residential Code is amended to read as follows:

**R501.1 Application.** The provisions of this chapter shall control the design and construction of the floors for buildings, including the floors of attic spaces used to house mechanical or plumbing fixtures and equipment. Mechanical or plumbing fixtures and equipment shall be attached (or anchored) to the structure in accordance with Section R301.2.2.3.8

### **RATIONALE:**

There is no limitation for weight of mechanical and plumbing fixtures and equipment in the California Residential Code. Requirements from ASCE 7 and the California Building Code would permit equipment weighing up to 400 lbs. when mounted at 4 feet or less above the floor or attic level without engineering design. Where equipment exceeds this requirement, it is the intent of this proposed amendment that a registered design professional is required to analyze if the floor support is adequate and structurally sound.

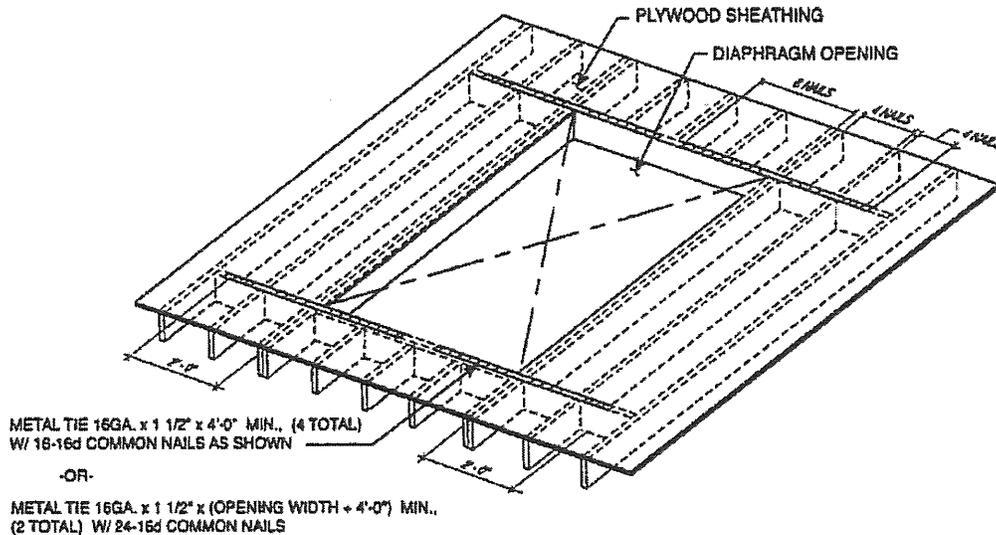
### **FINDINGS:**

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification to limit the equipment weight is intended to reduce injuries, save lives, and minimize structural damages and therefore needs to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Residential Code.

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2016 LARUCP R5-02. Section R503.2.4 is added to Chapter 5 of the 2016 Edition of the California Residential Code to read as follows:

**R503.2.4 Openings in horizontal diaphragms.** Openings in horizontal diaphragms with a dimension perpendicular to the joist that is greater than 4 feet (1.2 m) shall be constructed in accordance with Figure R503.2.4.



For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

- Blockings shall be provided beyond headers.
- Metal ties not less than 0.058 inch (1.47 mm (16 galvanized gage)) by 1.5 inches (38 mm) wide with eight 16d common nails on each side of the header-joist intersection. The metal ties shall have a minimum yield of 33,000 psi (227 MPa).
- Openings in diaphragms shall be further limited in accordance with Section R301.2.2.2.5.

**FIGURE R503.2.4**  
**OPENINGS IN HORIZONTAL DIAPHRAGMS**

**RATIONALE:**

Section R502.10 of the Code does not provide any prescriptive criteria to limit the maximum floor opening size nor does Section R503 provide any details to address the issue of shear transfer near larger floor openings. With the higher seismic demand placed on buildings and structures in this region, it is important to ensure that a complete load path is provided to reduce or eliminate potential damages caused by seismic forces. Requiring blocking with metal ties around larger floor openings and limiting opening size is consistent with the requirements of Section R301.2.2.2.5.

**FINDINGS:**

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification to require specific detailing at large floor openings is intended to address the poor performance of floor diaphragms with openings and limit or reduce property damages during a seismic

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event and therefore needs to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Residential Code.

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2016 LARUCP R6-01. Lines 35 and 36 of Table R602.3(1) of the 2016 Edition of the California Residential Code are amended to read as follows:

TABLE 602.3(1)  
FASTENING SCHEDULE—continued

ITEM	DESCRIPTION OF BUILDING ELEMENTS	NUMBER AND TYPE OF FASTENER <sup>a, b, c</sup>	SPACING AND LOCATION	
Floor				
24	2" subfloor to joist or girder	3-16d box (3 1/2" x 0.135"); or 2-16d common (3 1/2" x 0.162")	Blind and face nail	
25	2" planks (plank & beam—floor & roof)	3-16d box (3 1/2" x 0.135"); or 2-16d common (3 1/2" x 0.162")	At each bearing, face nail	
26	Band or rim joist to joist	3-16d common (3 1/2" x 0.162") 4-10 box (3" x 0.128"), or 4-3" x 0.131" nails; or 4-3" x 14 ga. staples, 1/16" crown	End nail	
27	Built-up girders and beams, 2-inch lumber layers	20d common (4" x 0.192"); or 10d box (3" x 0.128"); or 3" x 0.131" nails	Nail each layer as follows: 32" o.c. at top and bottom and staggered.	
		And: 2-20d common (4" x 0.192"); or 3-10d box (3" x 0.128"); or 3-3" x 0.131" nails	24" o.c. face nail at top and bottom staggered on opposite sides	
28	Ledger strip supporting joists or rafters	4-16d box (3 1/2" x 0.135"); or 3-16d common (3 1/2" x 0.162"); or 4-10d box (3" x 0.128"); or 4-3" x 0.131" nails	Face nail at ends and at each splice	
29	Bridging to joist	2-10d (3" x 0.128")	At each joist or rafter, face nail	
ITEM	DESCRIPTION OF BUILDING ELEMENTS	NUMBER AND TYPE OF FASTENER <sup>a, b, c</sup>	SPACING OF FASTENERS	
			Edges (inches) <sup>h</sup>	Intermediate supports <sup>e, g</sup> (inches)
Wood structural panels, subfloor, roof and interior wall sheathing to framing and particleboard wall sheathing to tranning [see Table R602.3(3) for wood structural panel exterior wall sheathing to wall framing]				
30	3/8" - 1/2"	6d common (2" x 0.113") nail (subfloor, wall) <sup>f</sup> 8d common (2 1/2" x 0.131") nail (roof)	6	12 <sup>f</sup>
31	19/32" - 1"	8d common nail (2 1/2" x 0.131")	6	12 <sup>f</sup>
32	1 1/8" - 1 1/4"	10d common (3" x 0.148") nail; or 8d (2 1/2" x 0.131") deformed nail	6	12
Other wall sheathing <sup>g</sup>				
33	1/2" structural cellulose fiberboard sheathing	1 1/2" galvanized roofing nail, 1/16" head diameter, or 1" crown staple 16 ga., 1 1/4" long	3	6
34	25/32" structural cellulose fiberboard sheathing	1 3/4" galvanized roofing nail, 1/16" head diameter, or 1" crown staple 16 ga., 1 1/4" long	3	6
35 <sup>l</sup>	1/2" gypsum sheathing <sup>d</sup>	1 1/2" galvanized roofing nail; staple galvanized, 1 1/2" long; 1 1/4" screws, Type W or S	7	7
36 <sup>l</sup>	5/8" gypsum sheathing <sup>d</sup>	1 1/4" galvanized roofing nail; staple galvanized, 1 5/8" long; 1 5/8" screws, Type W or S	7	7
Wood structural panels, combination subfloor underlayment to framing				
37	3/4" and less	6d deformed (2" x 0.120") nail; or 8d common (2 1/2" x 0.131") nail	6	12
38	7/8" - 1"	8d common (2 1/2" x 0.131") nail; or 8d deformed (2 1/2" x 0.120") nail	6	12
39	1 1/8" - 1 1/4"	10d common (3" x 0.148") nail; or 8d deformed (2 1/2" x 0.120") nail	6	12

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 mile per hour = 0.447 m/s; 1 ksi = 6.895 MPa.

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TABLE R602.3(1)—continued  
FASTENING SCHEDULE

- a. Nails are smooth-common, box or deformed shanks except where otherwise stated. Nails used for framing and sheathing connections shall have minimum average bending yield strengths as shown: 80 ksi for shank diameter of 0.192 inch (20d common nail), 90 ksi for shank diameters larger than 0.142 inch but not larger than 0.177 inch, and 100 ksi for shank diameters of 0.142 inch or less.
- b. Staples are 16 gage wire and have a minimum  $\frac{1}{16}$ -inch on diameter crown width.
- c. Nails shall be spaced at not more than 6 inches on center at all supports where spans are 48 inches or greater.
- d. Four-foot by 8-foot or 4-foot by 9-foot panels shall be applied vertically.
- e. Spacing of fasteners not included in this table shall be based on Table R602.3(2).
- f. Where the ultimate design wind speed is 130 mph or less, nails for attaching wood structural panel roof sheathing to gable end wall framing shall be spaced 6 inches on center. Where the ultimate design wind speed is greater than 130 mph, nails for attaching panel roof sheathing to intermediate supports shall be spaced 6 inches on center for minimum 48-inch distance from ridges, eaves and gable end walls; and 4 inches on center to gable end wall framing.
- g. Gypsum sheathing shall conform to ASTM C 1396 and shall be installed in accordance with CA 253. Fiberboard sheathing shall conform to ASTM C 208.
- h. Spacing of fasteners on floor sheathing panel edges applies to panel edges supported by framing members and required blocking and at floor perimeters only. Spacing of fasteners on roof sheathing panel edges applies to panel edges supported by framing members and required blocking. Blocking of roof or floor sheathing panel edges perpendicular to the framing members need not be provided except as required by other provisions of this code. Floor perimeter shall be supported by framing members or solid blocking.
- i. Where a rafter is fastened to an adjacent parallel ceiling joist in accordance with this schedule, provide two toe nails on one side of the rafter and toe nails from the ceiling joist to top plate in accordance with this schedule. The toe nail on the opposite side of the rafter shall not be required.
- j. Use of staples in braced wall panels shall be prohibited in Seismic Design Category D<sub>0</sub>, D<sub>1</sub>, or D<sub>2</sub>.

### RATIONALE:

The Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the damages to buildings and structures during the 1994 Northridge Earthquake recommended reducing allowable shear values in wood structural panel shear walls or diaphragms that were not substantiated by cyclic testing. That recommendation was consistent with a report to the Governor from the Seismic Safety Commission of the State of California recommending that code requirements be "more thoroughly substantiated with testing." The allowable shear values for wood structural panel shear walls or diaphragms fastened with staples are based on monotonic testing and does not take into consideration that earthquake forces load shear wall or diaphragm in a repeating and fully reversible manner.

In September 2007, limited cyclic testing was conducted by a private engineering firm to determine if wood structural panels fastened with staples would exhibit the same behavior as the wood structural panels fastened with common nails. The test result revealed that wood structural panel fastened with staples appeared to be much lower in strength and stiffness than wood structural panels fastened with common nails. It was recommended that the use of staples as fasteners for wood structural panel shear walls or diaphragms not be permitted to resist seismic forces in structures assigned to Seismic Design Category D<sub>0</sub>, D<sub>1</sub> and D<sub>2</sub> unless it can be substantiated by cyclic testing.

This proposed amendment is a continuation of an amendment adopted during the previous code adoption cycle.

### FINDINGS:

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification to place design and construction limits on staples as fasteners used in wood structural panel or diaphragms not substantiated with cyclic testing will help to maintain minimum quality of construction and performance standards of structures and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Residential Code.

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2016 LARUCP R6-02. Footnote "b" of Table R602.3(2) of the 2016 Edition of the California Residential Code is amended to read as follows:

b. Staples shall have a minimum crown width of 7/16-inch on diameter except as noted. Use of staples in roof, floor, subfloor, and braced wall panels shall be prohibited in Seismic Design Category D<sub>0</sub>, D<sub>1</sub>, or D<sub>2</sub>.

### RATIONALE:

The Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the damages to buildings and structures during the 1994 Northridge Earthquake recommended reducing allowable shear values in wood structural panel shear walls or diaphragms that were not substantiated by cyclic testing. That recommendation was consistent with a report to the Governor from the Seismic Safety Commission of the State of California recommending that code requirements be "more thoroughly substantiated with testing." The allowable shear values for wood structural panel shear walls or diaphragms fastened with staples are based on monotonic testing and does not take into consideration that earthquake forces load shear wall or diaphragm in a repeating and fully reversible manner.

In September 2007, limited cyclic testing was conducted by a private engineering firm to determine if wood structural panels fastened with staples would exhibit the same behavior as the wood structural panels fastened with common nails. The test result revealed that wood structural panel fastened with staples appeared to be much lower in strength and stiffness than wood structural panels fastened with common nails. It was recommended that the use of staples as fasteners for wood structural panel shear walls or diaphragms not be permitted to resist seismic forces in structures assigned to Seismic Design Category D<sub>0</sub>, D<sub>1</sub> and D<sub>2</sub> unless it can be substantiated by cyclic testing.

This proposed amendment is a continuation of an amendment adopted during the previous code adoption cycle.

### FINDINGS:

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification to place design and construction limits on staples as fasteners used in wood structural panel or diaphragms not substantiated with cyclic testing will help to maintain minimum quality of construction and performance standards of structures and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Residential Code.

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2016 LARUCP R6-03. Table R602.10.3(3) of the 2016 Edition of the California Residential Code is amended to read as follows:

TABLE R602.10.3(3)  
BRACING REQUIREMENTS BASED ON SEISMIC DESIGN CATEGORY

<ul style="list-style-type: none"> <li>• SOIL CLASS D<sup>b</sup></li> <li>• WALL HEIGHT = 10 FEET</li> <li>• 10 PSF FLOOR DEAD LOAD</li> <li>• 16 PSF ROOF/CEILING DEAD LOAD</li> <li>• BRACED WALL LINE SPACING ≤ 25 FEET</li> </ul>			MINIMUM TOTAL LENGTH (FEET) OF BRACED WALL PANELS REQUIRED ALONG EACH BRACED WALL LINE <sup>a</sup>				
Seismic Design Category	Story Location	Braced Wall Line Length (feet) <sup>c</sup>	Method LIB <sup>d</sup>	Method GB <sup>e</sup>	Methods DWB, SFB, PBS, PCP, HPS, CS-SFB <sup>g</sup>	Method WSP	Methods CS-WSP, CS-G
C (townhouses only)		10	2.5	2.5	2.5	1.6	1.4
		20	5.0	5.0	5.0	3.2	2.7
		30	7.5	7.5	7.5	4.8	4.1
		40	10.0	10.0	10.0	6.4	5.4
		50	12.5	12.5	12.5	8.0	6.8
		10	NP	4.5	4.5	3.0	2.6
		20	NP	9.0	9.0	6.0	5.1
		30	NP	13.5	13.5	9.0	7.7
		40	NP	18.0	18.0	12.0	10.2
		50	NP	22.5	22.5	15.0	12.8
		10	NP	6.0	6.0	4.5	3.8
		20	NP	12.0	12.0	9.0	7.7
		30	NP	18.0	18.0	13.5	11.5
		40	NP	24.0	24.0	18.0	15.3
		50	NP	30.0	30.0	22.5	19.1
D <sub>0</sub>		10	NP	<del>2.5</del> 5.6	<del>2.5</del> 5.6	1.8	1.6
		20	NP	<del>5.0</del> 11.0	<del>5.0</del> 11.0	3.6	3.1
		30	NP	<del>7.5</del> 16.6	<del>7.5</del> 16.6	5.4	4.6
		40	NP	<del>10.0</del> 22.0	<del>10.0</del> 22.0	7.2	6.1
		50	NP	<del>12.5</del> 27.6	<del>12.5</del> 27.6	9.0	7.7
		10	NP	<del>4.5</del> NP	<del>4.5</del> NP	3.8	3.2
		20	NP	<del>9.0</del> NP	<del>9.0</del> NP	7.5	6.4
		30	NP	<del>13.5</del> NP	<del>13.5</del> NP	11.3	9.6
		40	NP	<del>18.0</del> NP	<del>18.0</del> NP	15.0	12.8
		50	NP	<del>22.5</del> NP	<del>22.5</del> NP	18.8	16.0
		10	NP	<del>6.0</del> NP	<del>6.0</del> NP	5.3	4.5
		20	NP	<del>12.0</del> NP	<del>12.0</del> NP	10.5	9.0
		30	NP	<del>18.0</del> NP	<del>18.0</del> NP	15.8	13.4
		40	NP	<del>24.0</del> NP	<del>24.0</del> NP	21.0	17.9
		50	NP	<del>30.0</del> NP	<del>30.0</del> NP	26.3	22.3

(continued)

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TABLE R602.10.3(3)—continued  
BRACING REQUIREMENTS BASED ON SEISMIC DESIGN CATEGORY

<ul style="list-style-type: none"> <li>• SOIL CLASS D<sup>b</sup></li> <li>• WALL HEIGHT = 10 FEET</li> <li>• 10 PSF FLOOR DEAD LOAD</li> <li>• 15 PSF ROOF/CEILING DEAD LOAD</li> <li>• BRACED WALL LINE SPACING ≤ 25 FEET</li> </ul>			MINIMUM TOTAL LENGTH (FEET) OF BRACED WALL PANELS REQUIRED ALONG EACH BRACED WALL LINE <sup>a</sup>				
Seismic Design Category	Story Location	Braced Wall Line Length (feet) <sup>c</sup>	Method LIB <sup>d</sup>	Method GB <sup>f</sup>	Methods DWB, SFB, PBS, PCP, HPS, CS-SFB <sup>g,j</sup>	Method WSP	Methods CS-WSP, CS-G
D <sub>1</sub>		10	NP	3.0 6.0	3.0 6.0	2.0	1.7
		20	NP	6.0 12.0	6.0 12.0	4.0	3.4
		30	NP	9.0 18.0	9.0 18.0	6.0	5.1
		40	NP	12.0 24.0	12.0 24.0	8.0	6.8
		50	NP	15.0 30.0	15.0 30.0	10.0	8.5
		10	NP	6.0 NP	6.0 NP	4.5	3.8
		20	NP	12.0 NP	12.0 NP	9.0	7.7
		30	NP	18.0 NP	18.0 NP	13.5	11.5
		40	NP	24.0 NP	24.0 NP	18.0	15.3
		50	NP	30.0 NP	30.0 NP	22.5	19.1
		10	NP	8.5 NP	8.5 NP	6.0	5.1
		20	NP	17.0 NP	17.0 NP	12.0	10.2
		30	NP	25.5 NP	25.5 NP	18.0	15.3
		40	NP	34.0 NP	34.0 NP	24.0	20.4
		50	NP	42.5 NP	42.5 NP	30.0	25.5
D <sub>2</sub>		10	NP	4.0 8.0	4.0 8.0	2.5	2.1
		20	NP	8.0 16.0	8.0 16.0	5.0	4.3
		30	NP	12.0 24.0	12.0 24.0	7.5	6.4
		40	NP	16.0 32.0	16.0 32.0	10.0	8.5
		50	NP	20.0 40.0	20.0 40.0	12.5	10.6
		10	NP	7.5 NP	7.5 NP	5.5	4.7
		20	NP	15.0 NP	15.0 NP	11.0	9.4
		30	NP	22.5 NP	22.5 NP	16.5	14.0
		40	NP	30.0 NP	30.0 NP	22.0	18.7
		50	NP	37.5 NP	37.5 NP	27.5	23.4
		10	NP	NP	NP	NP	NP
		20	NP	NP	NP	NP	NP
		30	NP	NP	NP	NP	NP
		40	NP	NP	NP	NP	NP
		50	NP	NP	NP	NP	NP
Cripple wall below one- or two-story dwelling	10	NP	NP	NP	NP	7.5	6.4
	20	NP	NP	NP	NP	15.0	12.8
	30	NP	NP	NP	NP	22.5	19.1
	40	NP	NP	NP	NP	30.0	25.5
	50	NP	NP	NP	NP	37.5	31.9

- a. Linear interpolation shall be permitted.
- b. Wall bracing lengths are based on a soil site class "D." Interpolation of bracing length between the  $S_{ds}$  values associated with the seismic design categories shall be permitted when a site-specific  $S_{ds}$  value is determined in accordance with Section 1613.3 of the *International Building Code*.
- c. Where the braced wall line length is greater than 50 feet, braced wall lines shall be permitted to be divided into shorter segments having lengths of 50 feet or less, and the amount of bracing within each segment shall be in accordance with this table.
- d. Method LIB shall have gypsum board fastened to not less than one side with nails or screws in accordance with Table R602.3(1) for exterior sheathing or Table R702.3.5 for interior gypsum board. Spacing of fasteners at panel edges shall not exceed 8 inches.
- e. Method CS-SFB does not apply in Seismic Design Categories D<sub>1</sub>, D<sub>1</sub> and D<sub>2</sub>.
- f. Methods GB and PCP braced wall panel h/w ratio shall not exceed 1:1 in SDC D<sub>0</sub>, D<sub>1</sub> or D<sub>2</sub>. Methods DWB, SFB, PBS, and HPS are not permitted in SDC D<sub>0</sub>, D<sub>1</sub> or D<sub>2</sub>.

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### RATIONALE:

Due to the high geologic activities in the Southern California area and the expected higher level of performance on buildings and structures, this proposed local amendment increase the length and limits the location where shear walls sheathed with lath, plaster or gypsum board are used in multi-level buildings. In addition, shear walls sheathed with other materials are prohibited in Seismic Design Category D<sub>0</sub>, D<sub>1</sub> and D<sub>2</sub> to be consistent with the design limitation for similar shear walls found in the California Building Code. The poor performance of such shear walls in the 1994 Northridge Earthquake was investigated by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Task Force and formed the basis for this proposed amendment. Considering that shear walls sheathed with lath, plaster or gypsum board are less ductile than steel moment frames or wood structural panel shear walls, the cities and county of the Los Angeles region has taken the necessary measures to limit the potential structural damage that may be caused by the use of such walls at the lower level of multi-level building that are subject to higher levels of seismic loads. This proposed amendment is a continuation of an amendment adopted during the previous code adoption cycle.

### FINDINGS:

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification to increase the length and limit the location where shear walls sheathed with lath, plaster or gypsum board are used will help to ensure that multi-level building will reach its performance objective in resisting higher levels of seismic loads and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Residential Code.

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2016 LARUCP R6-04. Table R602.10.4 of the 2016 Edition of the California Residential Code is amended to read as follows:

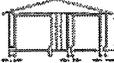
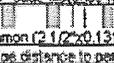
TABLE R602.10.4  
BRACING METHODS 1

METHODS, MATERIAL	MINIMUM THICKNESS	FIGURE	CONNECTION CRITERIA*		
			Fasteners	Spacing	
Intermittent Bracing Method	LIB Let-in-bracing		Wood: 2-8d common nails or 3-8d (2 1/2" long x 0.113" dia.) nails  Metal strap: per manufacturer	Wood: per stud and top and bottom plates  Metal: per manufacturer	
	DWB Diagonal wood boards		2-8d (2 1/2" long x 0.113" dia.) nails or 2 - 1 1/2" long staples	Per stud	
	WSP Wood structural panel (See Section R604)	$\frac{3}{4}$ " 15/32"		8d common (2 1/2" x 0.131") nails - Exterior sheathing per Table R602.3(2) 3/8" edge distance to panel edge  8d common (2 1/2" x 0.131") nails - Interior sheathing per Table R602.3(1) or R602.3(2) 3/8" edge distance to panel edge	6" edges 12" field  Varies by fastener 6" edges 12" field
	EWSP* Wood Structural Panels with Stone or Masonry Veneer (See Section R602.10.6.5)	3/16"	See Figure R602.10.6.5	8d common (2 1/2" x 0.131") nails	4" at panel edges 12" at intermediate supports 4" at braced wall panel end posts
	SFB Structural fiberboard sheath- ing	1/2" or 2 1/2" for maximum 16" stud spacing		1 1/2" long x 0.12" dia. (for 1/2" thick sheathing) 1 1/2" long x 0.12" dia. (for 2 1/2" thick sheathing) galvanized roofing nails or 8d common (2 1/2" long x 0.131" dia.) nails	3" edges 6" field
	GB Gypsum board	1/2"		Nails or screws per Table R602.3(1) for exterior locations  Nails or screws per Table R702.3.5 for interior locations	For all braced wall panel locations: 7" edges (including top and bottom plates) 7" field
	PBS Particleboard sheathing (See Section R605)	3/8" or 1/2" for maximum 16" stud spacing		For 3/8", 6d common (2" long x 0.113" dia.) nails For 1/2", 8d common (2 1/2" long x 0.131" dia.) nails	3" edges 6" field
	PCP Portland cement plaster	See Section R703.6 for maximum 16" stud spacing		1 1/2" long, 11 gage, 3/16" dia. head nails or 3/4" long, 16 gage staples B	6" o.c. on all framing members
	EPS Hardboard panel siding	3/16" for maximum 16" stud spacing		0.092" dia., 0.225" dia. head nails with length to accommodate 1 1/2" penetration into studs	4" edges 8" field
	ABW Alternate braced wall	3/8"		See Section R602.10.6.1	See Section R602.10.6.1

(continued)

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TABLE R602.10.4—continued  
BRACING METHODS 1

METHODS, MATERIAL	MINIMUM THICKNESS	FIGURE	CONNECTION CRITERIA <sup>a</sup>		
			Fasteners	Spacing	
Intermittent Bracing Methods	PFH Portal frame with hold-downs	$\frac{3}{8}$ "		See Section R602.10.6.2	See Section R602.10.6.2
	PFG Portal frame at garage	$\frac{7}{16}$ "		See Section R602.10.6.3	See Section R602.10.6.3
Continuous Sheathing Methods	CS-WSP Continuously sheathed wood structural panel	$\frac{3}{8}$ " 15/32"		Exterior sheathing per Table R602.3(3) Interior sheathing per Table R602.3(1) or R602.3(2)	6" edges 12" field Varies by fastener— 6" edges 12" field
	CS-G <sup>1</sup> Continuously sheathed wood structural panel adjacent to garage openings	$\frac{3}{8}$ " 15/32"		See Method CS-WSP	See Method CS-WSP
	CS-PF Continuously sheathed portal frame	$\frac{7}{16}$ " 15/32"		See Section R602.10.6.4	See Section R602.10.6.4
	CS-SFB <sup>4</sup> Continuously sheathed structural fiberboard	$\frac{1}{2}$ " or $\frac{23}{32}$ " for maximum 16" stud spacing		$1\frac{1}{2}$ " long $\times$ 0.12" dia. (for $\frac{1}{8}$ " thick sheathing) $1\frac{1}{2}$ " long $\times$ 0.12" dia. (for $\frac{23}{32}$ " thick sheathing) galvanized roofing nails or 8d common ( $2\frac{1}{2}$ " long $\times$ 0.131" dia.) nails	3" edges 6" field

- For SI: 1 inch = 25.4 mm, 1 foot = 305 mm, 1 degree = 0.0175 rad, 1 pound per square foot = 47.8 N/m<sup>2</sup>, 1 mile per hour = 0.447 m/s
- Adhesive attachment of wall sheathing, including Method GB, shall not be permitted in Seismic Design Categories C, D<sub>0</sub>, D<sub>1</sub> and D<sub>2</sub>.
  - Applies to panels next to garage door opening where supporting gable end wall or roof load only. Shall only be used on one wall of the garage. In Seismic Design Categories D<sub>0</sub>, D<sub>1</sub> and D<sub>2</sub>, roof covering dead load shall not exceed 3 psf.
  - Garage openings adjacent to a Method CS-G panel shall be provided with a header in accordance with Table R602.5(1). A full-height clear opening shall not be permitted adjacent to a Method CS-G panel.
  - Method CS-SFB does not apply in Seismic Design Categories D<sub>0</sub>, D<sub>1</sub> and D<sub>2</sub>.
  - Method applies to detached one- and two-family dwellings in Seismic Design Categories D<sub>0</sub> through D<sub>1</sub> only.
  - Methods GB and PCP braced wall panel h/w ratio shall not exceed 1:1 in SDC D<sub>0</sub>, D<sub>1</sub>, or D<sub>2</sub>. Methods LIB, DWB, SFB, PBS, HPS, and PFG are not permitted in SDC D<sub>0</sub>, D<sub>1</sub>, or D<sub>2</sub>.
  - Use of staples in braced wall panels shall be prohibited in SDC D<sub>0</sub>, D<sub>1</sub>, or D<sub>2</sub>.

RATIONALE:

3/8" thick 3 ply-plywood shear walls experienced many failures during the Northridge Earthquake. Box nails were observed to cause massive and multiple failures of the typical 3/8" thick 3-ply plywood during the Northridge Earthquake. This proposed amendment specifies minimum sheathing thickness, nail size and spacing so as to provide a uniform standard of construction for designers and buildings to follow. This is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands and reduce and limit potential damages to property. This proposed amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance observed in 1994 Northridge Earthquake.

In September 2007, limited cyclic testing was conducted by a private engineering firm to determine if wood structural panels fastened with staples would exhibit the same behavior as the wood structural panels fastened with common nails. The test result revealed that wood structural panel fastened with

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staples appeared to be much lower in strength and stiffness than wood structural panels fastened with common nails. It was recommended that the use of staples as fasteners for wood structural panel shear walls or diaphragms not be permitted to resist seismic forces in structures assigned to Seismic Design Category D<sub>0</sub>, D<sub>1</sub> and D<sub>2</sub> unless it can be substantiated by cyclic testing.

This proposed amendment is a continuation of an amendment adopted during the previous code adoption cycle.

### FINDINGS:

**Local Geological Conditions** – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification to place design and construction limits on stapled nail fasteners used in wood structural panel shear walls not substantiated with cyclic testing and requiring minimum sheathing thickness and nailing type and size will help to maintain minimum quality of construction and performance standards of structures and therefore need to be incorporated into the code to assure that new buildings and additions to existing buildings are designed and constructed in accordance with the scope and objectives of the California Residential Code.

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2016 LARUCP R6-05. Figure R602.10.6.1 of the 2016 Edition of the California Residential Code is amended to read as follows:

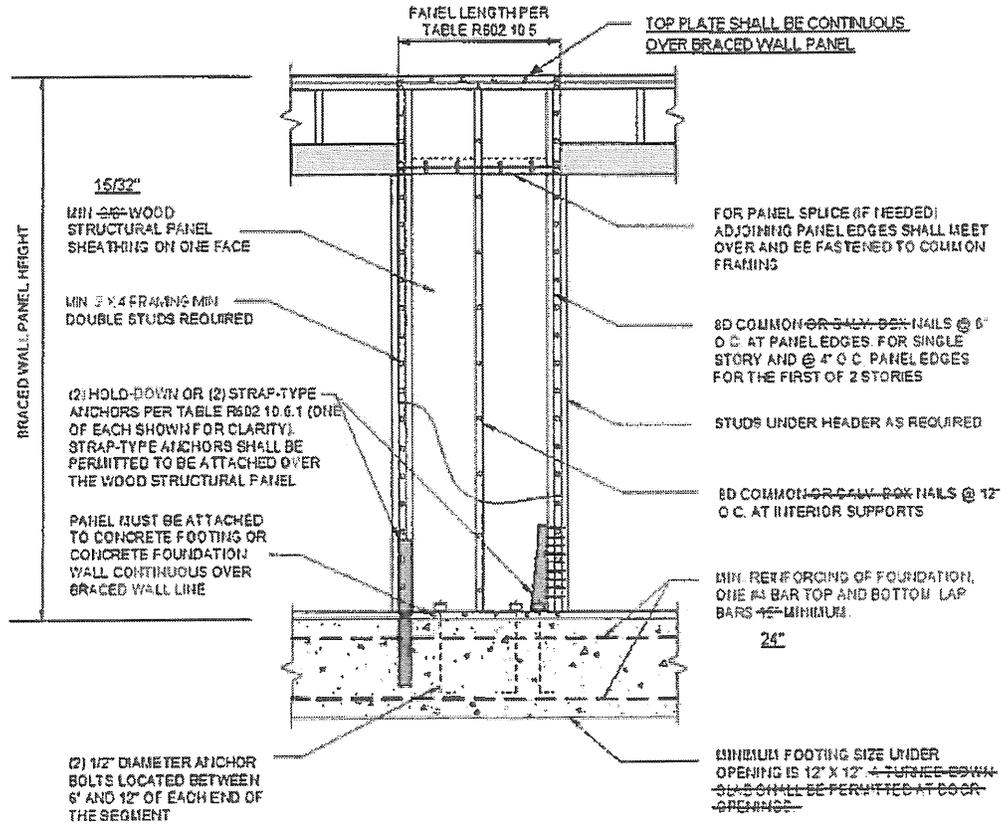


FIGURE R602.10.6.1  
METHOD ABW—ALTERNATE BRACED WALL PANEL

**RATIONALE:**

3/8" thick 3 ply-plywood shear walls experienced many failures during the Northridge Earthquake. Box nails were observed to cause massive and multiple failures of the typical 3/8" thick 3-ply plywood during the Northridge Earthquake. This proposed amendment specifies minimum sheathing thickness, nail size and spacing so as to provide a uniform standard of construction for designers and buildings to follow. This is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands and reduce and limit potential damages to property. This proposed amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance observed in 1994 Northridge Earthquake. This proposed amendment is a continuation of an amendment adopted during the previous code adoption cycle.

**FINDINGS:**

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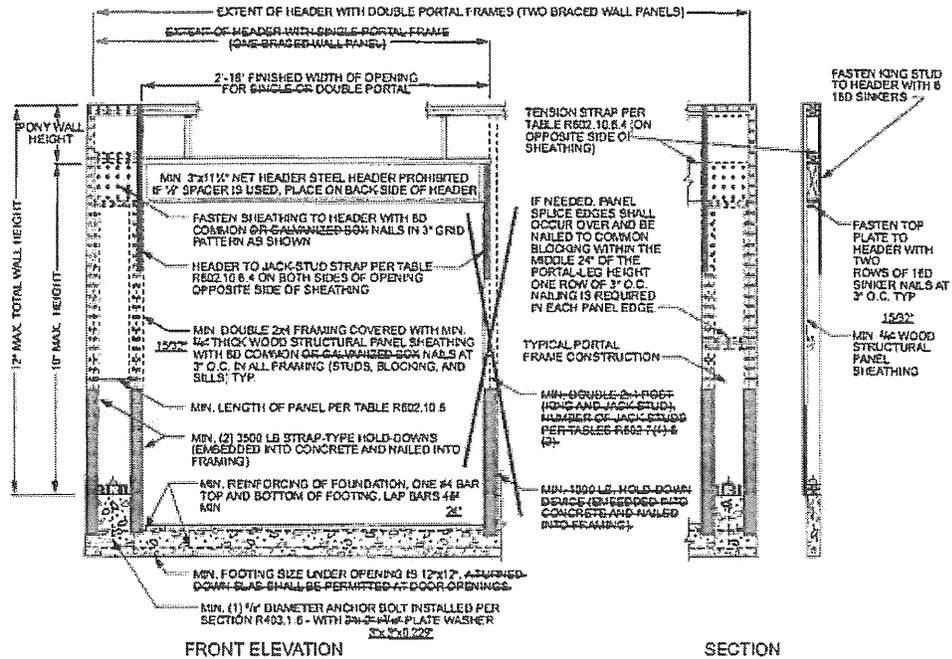
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Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification requiring minimum sheathing thickness and nailing type and size will help to maintain minimum quality of construction and performance standards of structures and therefore need to be incorporated into the code to assure that new buildings and additions to existing buildings are designed and constructed in accordance with the scope and objectives of the California Residential Code.

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2016 LARUCP R6-06, Figure R602.10.6.2 of the 2016 Edition of the California Residential Code is amended to read as follows:



For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

FIGURE R602.10.6.2  
METHOD PFH—PORTAL FRAME WITH HOLD-DOWNS  
AT DETACHED GARAGE DOOR OPENINGS

**RATIONALE:**

3/8" thick 3 ply-plywood shear walls experienced many failures during the Northridge Earthquake. Box nails were observed to cause massive and multiple failures of the typical 3/8" thick 3-ply plywood during the Northridge Earthquake. This proposed amendment specifies minimum sheathing thickness, nail size and spacing so as to provide a uniform standard of construction for designers and buildings to follow. This is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands and reduce and limit potential damages to property. This proposed amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance observed in 1994 Northridge Earthquake. This proposed amendment is a continuation of an amendment adopted during the previous code adoption cycle.

**FINDINGS:**

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification requiring minimum sheathing thickness and nailing type and size will help to maintain minimum quality of construction and performance standards of structures and therefore need to be

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incorporated into the code to assure that new buildings and additions to existing buildings are designed and constructed in accordance with the scope and objectives of the California Residential Code.

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2016 LARUCP R6-07. Table R602.10.5 of the 2016 Edition of the California Residential Code is amended to read as follows:

TABLE R602.10.5  
MINIMUM LENGTH OF BRACED WALL PANELS

METHOD (See Table R602.10.4)		MINIMUM LENGTH <sup>a</sup> (Inches)					CONTRIBUTING LENGTH (Inches)
		Wall Height					
		8 feet	9 feet	10 feet	11 feet	12 feet	
DWB, WSP, SFB, PBS, PCP, HPS, BV-WSP		48	48	48	53	58	Actual <sup>b</sup>
GB		48	48	48	53	58	Double sided = Actual Single sided = 0.5 × Actual
LIB		55	62	69	NP	NP	Actual <sup>b</sup>
ABW	SDC A, B and C, ultimate design wind speed < 140 mph	28	32	34	38	42	48
	SDC D <sub>0</sub> , D <sub>1</sub> and D <sub>2</sub> , ultimate design wind speed < 140 mph	32	32	34	NP	NP	
PFH	Supporting roof only	46 2/4	46 2/4	46 2/4	48 <sup>c</sup> 2/4	48 <sup>c</sup> 2/4	48
	Supporting one story and roof	24	24	24	27 <sup>c</sup>	29 <sup>c</sup>	48
PFG		24	27	30	33 <sup>d</sup>	36 <sup>d</sup>	1.5 × Actual <sup>b</sup>
CS-G		24	27	30	33	36	Actual <sup>b</sup>
CS-PF	SDC A, B and C	16	18	20	22 <sup>e</sup>	24 <sup>e</sup>	1.5 × Actual <sup>b</sup>
	SDC D <sub>0</sub> , D <sub>1</sub> and D <sub>2</sub>	46 2/4	48 2/4	49 2/4	49 <sup>e</sup> 2/4	24 <sup>e</sup>	Actual <sup>b</sup>
CS-WSP, CS-SFB	Adjacent clear opening height (Inches)						Actual <sup>b</sup>
	≤ 64	24	27	30	33	36	
	68	26	27	30	33	36	
	72	27	27	30	33	36	
	76	30	29	30	33	36	
	80	32	30	30	33	36	
	84	35	32	32	33	36	
	88	38	35	33	33	36	
	92	43	37	35	35	36	
	96	48	41	38	36	36	
	100	---	44	40	38	38	
	104	---	49	43	40	39	
	108	---	54	46	43	41	
	112	---	---	50	45	43	
	116	---	---	55	48	45	
	120	---	---	60	52	48	
	124	---	---	---	56	51	
128	---	---	---	61	54		
132	---	---	---	66	58		
136	---	---	---	---	62		
140	---	---	---	---	66		
144	---	---	---	---	72		

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 mile per hour = 0.447 m/s.

NP = Not Permitted.

a. Linear interpolation shall be permitted.

b. Use the actual length where it is greater than or equal to the minimum length.

c. Maximum header height for PFH is 10 feet in accordance with Figure R602.10.6.2, but wall height shall be permitted to be increased to 12 feet with pony wall.

d. Maximum opening height for PFG is 10 feet in accordance with Figure R602.10.6.3, but wall height shall be permitted to be increased to 12 feet with pony wall.

e. Maximum opening height for CS-PF is 10 feet in accordance with Figure R602.10.6.4, but wall height shall be permitted to be increased to 12 feet with pony wall.

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### RATIONALE:

It was observed by the Structural Engineer Association of Southern California (SEAOSC) and the Los Angeles City Task Force that high aspect ratio shear walls experienced many failures during the 1994 Northridge Earthquake. This proposed amendment provides a uniform standard of construction for designers and buildings to follow. This is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands and reduce and limit potential damages to property. This proposed amendment is consistent with an amendment adopted during the previous code adoption cycle for the California Residential Code.

### FINDINGS:

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification ensures that the structural integrity with respect to “maximum shear wall aspect ratios” is maintained, therefore need to be incorporated into the code to assure that new buildings and additions to existing buildings are designed and constructed in accordance with the scope and objectives of the California Residential Code.

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2016 LARUCP R6-08. Section R602.10.2.3 of the 2016 Edition of the California Residential Code is amended to read as follows:

**R602.10.2.3 Minimum number of braced wall panels.** Braced wall lines with a length of 16 feet (4877 mm) or less shall have a minimum of two braced wall panels of any length or one braced wall panel equal to 48 inches (1219 mm) or more. Braced wall lines greater than 16 feet (4877 mm) shall have a minimum of two braced wall panels. No braced wall panel shall be less than 48 inches in length in Seismic Design Category D<sub>0</sub>, D<sub>1</sub>, or D<sub>2</sub>.

### RATIONALE:

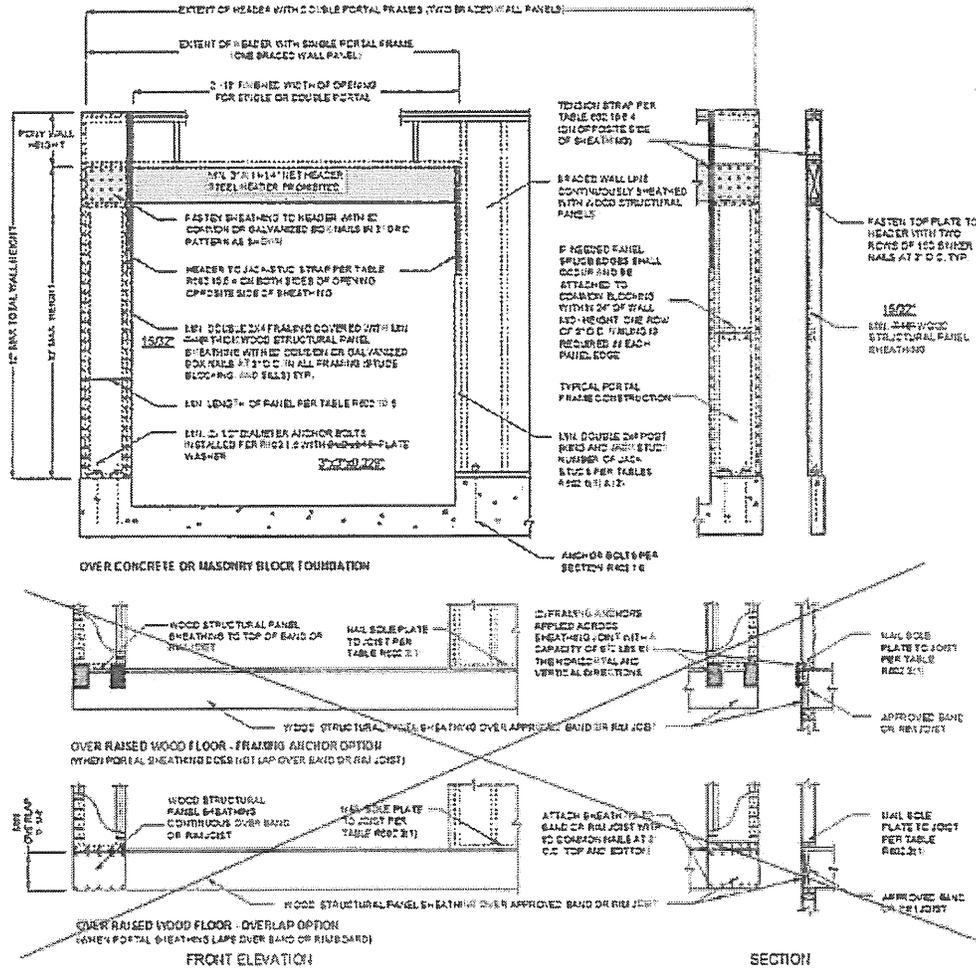
Plywood shear walls with high aspect ratio experienced many failures during the Northridge Earthquake. This proposed amendment specifies a minimum braced wall length to meet an aspect ratio consistent with other sections of the Residential Code as to provide a uniform standard of construction for designers and buildings to follow. This is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands and reduce and limit potential damages to property. This proposed amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance observed in 1994 Northridge Earthquake. This proposed amendment is consistent with an amendment adopted during previous code adoption cycles for the California Residential Code.

### FINDINGS:

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification reduces the aspect ratio help to maintain minimum quality of construction and performance standards of structures and therefore need to be incorporated into the code to assure that new buildings and additions to existing buildings are designed and constructed in accordance with the scope and objectives of the California Residential Code.

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2016 LARUCP R6-09, Figure R602.10.6.4 of the 2016 Edition of the California Residential Code is amended to read as follows:



For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

FIGURE R602.10.6.4  
METHOD CS-PF-CONTINUOUSLY SHEATHED PORTAL FRAME PANEL CONSTRUCTION

**RATIONALE:**

3/8" thick 3 ply-plywood shear walls experienced many failures during the Northridge Earthquake. Box nails were observed to cause massive and multiple failures of the typical 3/8" thick 3-ply plywood during the Northridge Earthquake. This proposed amendment specifies minimum sheathing thickness, nail size and spacing so as to provide a uniform standard of construction for designers and buildings to follow. This is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands and reduce and limit potential damages to property. This proposed amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance observed in 1994 Northridge

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Earthquake. This proposed amendment is a continuation of an amendment adopted during the previous code adoption cycle.

### FINDINGS:

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification requiring minimum sheathing thickness and nailing type and size will help to maintain minimum quality of construction and performance standards of structures and therefore need to be incorporated into the code to assure that new buildings and additions to existing buildings are designed and constructed in accordance with the scope and objectives of the California Residential Code.

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**2016 LARUCP R6-10.** Section R606.4.4 of the 2016 Edition of the California Residential Code is amended to read as follows:

**R606.4.4 Parapet walls.** Unreinforced solid masonry parapet walls shall not be less than 8 inches (203 mm) thick and their height shall not exceed four times their thickness. Unreinforced hollow unit masonry parapet walls shall be not less than 8 inches (203 mm) thick, and their height shall not exceed three times their thickness. Masonry parapet walls in areas subject to wind loads of 30 pounds per square foot (1.44 kPa) or located in Seismic Design Category D<sub>0</sub>, D<sub>1</sub> or D<sub>2</sub>, or on townhouses in Seismic Design Category C shall be reinforced in accordance with Section R606.12.

### **RATIONALE:**

The addition of the word "or" will prevent the use of unreinforced parapets in Seismic Design Category D<sub>0</sub>, D<sub>1</sub>, or D<sub>2</sub>, or on townhouses in Seismic Design Category C.

This proposed amendment is a continuation of an amendment adopted during the previous code adoption cycle.

### **FINDINGS:**

**Local Geological Conditions –** The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification to not allow the use of unreinforced masonry is intended to prevent non-ductile failures and sudden structural collapses and therefore needs to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Residential Code.

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2016 LARUCP R6-11. Section R606.12.2.2.3 of the 2016 Edition of the California Residential Code is amended to read as follows:

**R606.12.2.2.3 Reinforcement requirements for masonry elements.** Masonry elements listed in Section R606.12.2.2 shall be reinforced in either the horizontal or vertical direction as shown in Figure ~~R606.11(2)~~-R606.11(3) and in accordance with the following:

1. Horizontal reinforcement. Horizontal joint reinforcement shall consist of ~~at least two longitudinal W1.7 wires spaced not more than 16 inches (406 mm) for walls greater than 4 inches (102 mm) in width and at least one longitudinal W1.7 wire spaced not more than 16 inches (406 mm) for walls not exceeding 4 inches (102 mm) in width; or at least one No. 4 bar spaced not more than 48 inches (1219 mm).~~ Where two longitudinal wires of joint reinforcement are used, the space between these wires shall be the widest that the mortar joint will accommodate. Horizontal reinforcement shall be provided within 16 inches (406 mm) of the top and bottom of these masonry elements.
2. Vertical reinforcement. Vertical reinforcement shall consist of at least one No. 4 bar spaced not more than 48 inches (1219 mm). Vertical reinforcement shall be within ~~46-8~~ inches (406mm) of the ends of masonry walls.

### RATIONALE:

Reinforcement using longitudinal wires for buildings and structures located in high seismic areas are deficient and not as ductile as deformed rebar. Having vertical reinforcement closer to the ends of masonry walls help to improve the seismic performance of masonry buildings and structures.

This proposed amendment is a continuation of an amendment adopted during the previous code adoption cycle.

### FINDINGS:

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification to increase reinforcements will ensure that the ductility requirements for buildings in high seismic region meet the intent of the code and limit potential property damages and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Residential Code.

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2016 LARUCP R6-12. Exception of Section R602.3.2 and Table R602.3.2 of the 2016 Edition of the California Residential Code is amended to read as follows:

Exception: A—In other than Seismic Design Category D<sub>0</sub>, D<sub>1</sub> or D<sub>2</sub>, a single top plate used as an alternative to a double top plate shall comply with the following:

1. The single top plate shall be tied at corners, intersecting walls, and at in-line splices in straight wall lines in accordance with Table R602.3.2.
2. The rafters or joists shall be centered over the studs with a tolerance of not more than 1 inch (25 mm).
3. Omission of the top plate is permitted over headers where the headers are adequately tied to adjacent wall sections in accordance with Table R602.3.2.

TABLE R602.3.2  
SINGLE TOP-PLATE SPLICE CONNECTION DETAILS

CONDITION	TOP-PLATE SPLICE LOCATION			
	Corners and intersecting walls		Butt joints in straight walls	
	Splice plate size	Minimum nails each side of joint	Splice plate size	Minimum nails each side of joint
Structures in SDC A-C, and in SDC D <sub>0</sub> , D <sub>1</sub> and D <sub>2</sub> with braced wall line spacing less than 25 feet	3" x 6" x 0.036" galvanized steel plate or equivalent	(6) 8d box (2 1/2" x 0.113") nails	3" x 12" x 0.036" galvanized steel plate or equivalent	(12) 8d box (2 1/2" x 0.113") nails
Structures in SDC D <sub>0</sub> , D <sub>1</sub> and D <sub>2</sub> with braced wall line spacing greater than or equal to 25 feet	3" x 8" by 0.036" galvanized steel plate or equivalent	(8) 8d box (2 1/2" x 0.113") nails	3" x 16" x 0.036" galvanized steel plate or equivalent	(16) 8d box (2 1/2" x 0.113") nails

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

**RATIONALE:**

The cities and county of the Los Angeles region have taken extra measures to maintain the structural integrity of the framing of the shear wall system for buildings and structures subject to high seismic loads by eliminating single top plate construction. The performance of modern day braced wall panel construction is directly related to an adequate load path extending from the roof diaphragm to the foundation system. A single top plate is likely to be over nailed due to the nailing requirements at a rafter, stud, top plate splice, and braced wall panel edge in a single location. In addition, notching on a single top plate for plumbing, ventilation and electrical wiring may reduce the load transfer capacity of the plate without proper detailing. Majority of buildings and structures designed and built per the California Residential Code with a single top plate may not need structural observation and special inspections. The potential construction mistakes mentioned above could not be caught and corrected by knowledgeable engineers and inspectors, and could jeopardize structural performance of buildings and structures located in high seismic areas.

This proposed amendment is a continuation of an amendment adopted during the previous code adoption cycle.

**FINDINGS:**

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification to eliminate the usage of a single top plate will help to maintain minimum quality of construction and performance standards of structures and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Residential Code.

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2016 LARUCP R8-01. Section R803.2.4 is added to Chapter 8 of the 2016 Edition of the California Residential Code to read as follows:

R803.2.4 Openings in horizontal diaphragms. Openings in horizontal diaphragms shall conform with Section R503.2.4.

### RATIONALE:

Section R802 of the Code does not provide any prescriptive criteria to limit the maximum roof opening size nor does Section R803 provide any details to address the issue of shear transfer near larger roof openings. With the higher seismic demand placed on buildings and structures in this region, it is important to ensure that a complete load path is provided to reduce or eliminate potential damages caused by seismic forces. Requiring blocking with metal ties around larger roof openings and limiting opening size is consistent with the requirements of Section R301.2.2.2.5.

### FINDINGS:

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification to require specific detailing at large roof openings is intended to address the poor performance of roof diaphragms with openings and limit or reduce property damages during a seismic event and therefore needs to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Residential Code.

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2016 LARUCP R10-01. Section R1001.3.1 of the 2016 Edition of the California Residential Code is amended to read as follows:

**R1001.3.1 Vertical reinforcing.** For chimneys up to 40 inches (1016 mm) wide, four No. 4 continuous vertical bars adequately anchored into the concrete foundation shall be placed between wythes of solid masonry or within the cells of hollow unit masonry and grouted in accordance with Section R609. Grout shall be prevented from bonding with the flue liner so that the flue liner is free to move with thermal expansion. For chimneys more than 40 inches (1016 mm) wide, two additional No. 4 vertical bars adequately anchored into the concrete foundation shall be provided for each additional flue incorporated into the chimney or for each additional 40 inches (1016 mm) in width or fraction thereof.

### RATIONALE:

The performance of fireplace/chimney without anchorage to the foundation has been observed to be inadequate during major earthquakes. The lack of anchorage to the foundation can result in the overturning or displacement of the fireplace/chimney.

### FINDINGS:

Local Geological Conditions – The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including but not limited to the recent 1994 Northridge Earthquake. The proposed modification to anchor masonry chimneys into concrete foundation will reduce injuries, save lives, and minimize structural damages and therefore needs to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Residential Code.

## **PART III**

### **LARUCP RECOMMENDED CODE AMENDMENTS TO THE 2016 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE (MANDATORY REQUIREMENTS)**

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**SUMMARY OF RECOMMENDED LARUCP AMENDMENTS TO THE 2016 CALGREEN**

(N) 2016 LARUCP NO.	(E) 2013 LARUCP NO.	TITLE/DESCRIPTION	STATUS <sup>1</sup>
G1-16	G1-01	Add CALGreen Section 101.12 Fee for Mandatory Measures	R
G2-16	G1-02	Add CALGreen Section 101.12.1 Fee for TIER Measures	R
G3-16	G2-01	Amend CALGreen Section 202 Sustainability Definition	R
G4-16	G3-01	Amend CALGreen Section 301.1 Scope	R
G5-16	G3-02	Amend CALGreen Section 301.1.1 Additions & Alteration	R
G6-16	G5-01	Amend CALGreen Section 5.408.3 Excavated Soil and Land Clearing Debris	R

**FOOTNOTE:**

1. R = Retain and update existing amendment. M = Modify existing amendment. D = Delete existing 2013 LARUCP amendment.  
N = New amendment proposed.

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2016 LARUCP G1-16. Section 101.12 is added to the 2016 Edition of the California Green Building Standards Code to read as follows:

101.12 Fee for Mandatory Measures. A fee of ten percent (10%) of the plan check/permit fee shall be assessed to verify compliance with the mandatory measure of this code.

OR ALTERNATIVELY

2016 LARUCP G1-16. Section [INSERT NUMBER] is added to the [INSERT NAME OF CITY] Municipal Code to read as follows.

[INSERT SECTION NUMBER] Fee for Mandatory Measures. A fee of ten percent (10%) of the plan check/permit fee shall be assessed to verify compliance with the mandatory measure of the California Green Building Standards Code.

**RATIONALE:**

Due to the extra work it will take staff to review and verify compliance with the measures in the new code, a recommended fee of 10% of either the plan check and/or permit is proposed. While it is understood that each jurisdiction must determine what fee is appropriate for their municipality, the recommended 10% is a starting point. This amount is based upon similar fees assessed for other supplemental reviews or inspections such as for accessibility or energy compliance. It may be used as a basis for justifying the proposed fees based upon comparison to other similar fees as indicated above.

**FINDINGS:**

Local Administrative Finding – This amendment is necessary for administrative clarification. It does not modify a Building Standards pursuant to Sections 17958 and 18941.5 of the California Health and Safety Code and does not require an express finding to be made pursuant to Sections 17958.5 and 17958.7 of the California Health and Safety Code. This amendment established administrative standards for the effective enforcement of green building standards and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Green Building Standards Code.

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2016 LARUCP G2-16. Section 101.12.1 is added to the 2016 Edition of the California Green Building Standards Code to read as follows:

101.12.1 Fee for Tier Measures. When Tier 1 or Tier 2 measures need to be verified by the enforcing agency, an additional ten percent (10%) of the plan check/permit fee shall be assessed.

OR ALTERNATIVELY

2016 LARUCP G2-16. Section [INSERT NUMBER] is added to the [INSERT NAME OF CITY] Municipal Code to read as follows.

[INSERT SECTION NUMBER] Fee for Tier Measures. When Tier 1 or Tier 2 measures need to be verified by the enforcing agency, an additional ten percent (10%) of the plan check/permit fee shall be assessed.

**RATIONALE:**

Due to the extra work it will take staff to review and verify compliance with the measures in the new code, a recommended fee of 10% of either the plan check and/or permit is proposed. While it is understood that each jurisdiction must determine what fee is appropriate for their municipality, the recommended 10% is a starting point. This amount is based upon similar fees assessed for other supplemental reviews or inspections such as for accessibility or energy compliance. It may be used as a basis for justifying the proposed fees based upon comparison to other similar fees as indicated above.

**FINDINGS:**

Local Administrative Finding – This amendment is necessary for administrative clarification. It does not modify a Building Standards pursuant to Sections 17958 and 18941.5 of the California Health and Safety Code and does not require an express finding to be made pursuant to Sections 17958.5 and 17958.7 of the California Health and Safety Code. This amendment established administrative standards for the effective enforcement of green building standards and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Green Building Standards Code.

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2016 LARUCP G3-16. Section 202 of the 2016 Edition of the California Green Building Standards Code is amended to include the term "sustainability" that read as follows:

**SUSTAINABILITY.** Consideration of present development and construction impacts on the community, the economy, and the environment without compromising the needs of the future.

### **RATIONALE:**

CALGreen contains the word "sustainable" but does not define it. Although it is a term used in association with green building, the word "sustainability" is often confused to mean the same as green building. The proposed amendment allows clarity and distinguishing understanding while providing for a general definition.

### **FINDINGS:**

Local Administrative Finding – This amendment is necessary for administrative clarification. It does not modify a Building Standards pursuant to Sections 17958 and 18941.5 of the California Health and Safety Code and does not require an express finding to be made pursuant to Sections 17958.5 and 17958.7 of the California Health and Safety Code. This amendment established administrative standards for the effective enforcement of green building standards and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Green Building Standards Code.

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**2016 LARUCP G4-16.** Section 301.1 of the 2016 Edition of the California Green Building Standards Code is amended to read as follows:

**301.1 Scope.** Buildings shall be designed to include the green building measures specified as mandatory ~~in the application checklists contained in this code.~~ Voluntary green building measures are also included in this code the application checklists and may be included in the design and construction of structures covered by this code, but are not required unless they are adopted by a city or county as specified in Section 101.7.

**RATIONALE:**

The proposed editorial change provides clarity and consistency for the application of CALGreen.

**FINDINGS:**

Local Administrative Finding – This amendment is necessary for administrative clarification. It does not modify a Building Standards pursuant to Sections 17958 and 18941.5 of the California Health and Safety Code and does not require an express finding to be made pursuant to Sections 17958.5 and 17958.7 of the California Health and Safety Code. This amendment established administrative standards for the effective enforcement of green building standards and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Green Building Standards Code.

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2016 LARUCP G5-16. Section 301.1.1 of the 2016 Edition of the California Green Building Standards Code is amended to read as follows:

**Section 301.1.1 Additions and alterations. [HCD]** The mandatory provisions of Chapter 4 shall be applied to additions or alterations of existing residential buildings ~~where the additions or alterations increase the building's conditioned area, volume, or size. The requirement shall apply only to and/or within the specific area of the addition or alteration.~~ Code sections relevant to additions and alterations shall only apply to the portions of the building being added or altered within the scope of the permitted work.

**Note:** On and after January 1, 2014, residential buildings undergoing permitted alterations, additions or improvements shall replace noncompliant plumbing fixtures with water-conserving plumbing fixtures. Plumbing fixture replacement is required prior to issuance of a certificate of final completion, certificate of occupancy or final permit approval by the local building department. See Civil Code Section 1101.1, et seq., for the definition of a noncompliant plumbing fixture, types of residential buildings affected and other important enactment dates.

### RATIONALE:

This proposed amendment simplifies the language and increase the scope of application that requires the CALGreen Code to be applied to all residential projects. This section, as written, can only be applied to an existing dwelling if the volume or size of the condition space is increased and does not encompass interior remodels. This proposed amendment modifies the State language to require additions, alterations, and interior remodels to comply with applicable sections of the CALGreen Code that are relevant to the scope of work.

Studies have shown that new dwellings built equal to less than 10% of the total housing stock in the State. Although new dwellings have complied with the CALGreen Code, the larger challenge is with existing dwellings.

The bulk of California's energy is generated by aging power plants. Increasingly, the development and application of alternate energy methods such as photovoltaics has gained market adoption. Coupling these new energy generation processes with energy saving measures in the California Energy Code will allow jurisdictions, states or the federal government to potentially offset the need to construct new power plants, which would equate to a savings of billions of tax-payer dollars.

Water conservation is addressed by the CALGreen Code by implementing more restrictive requirements for landscape irrigation and plumbing fixtures.

Indoor air quality is addressed by the CALGreen Code by implementing multiple limits for VOC (volatile organic compounds) in paints, sealants and construction adhesives and formaldehyde contents in composite wood products. These new standards that restricts VOC and formaldehyde contents have shown to improve indoor air quality and minimize or eliminate occupant health issues related to sick building syndrome.

### FINDINGS:

**Local Environmental Condition –** This amendment is necessary on the basis of a local environmental condition. The majority of the building stocks in the greater Los Angeles region are existing dwellings. To reduce the impact that the existing dwelling is having on energy, water, and air quality, this amendment proposes to address compliance with the CALGreen Code at the time when a permit is issued. Existing buildings have been estimated to account for up to 40% of greenhouse gas emissions. This amendment offset this impact on the communities by implementing more restrictive measures in the CALGreen Code, whenever possible. Any residential projects that require a permit to be issued will be required to comply with only those sections that are relevant to the scope of work and thereby begin to contribute to

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improving the environment. This amendment established more restrictive green building standards for improving the environment and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Green Building Standards Code.

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2016 LARUCP G6-16. Section 5.408.3 of the 2016 Edition of the California Green Building Standards Code is amended to read as follows:

**5.408.3 Excavated soil and land clearing debris [BSC-CG]** 100 percent of trees, stumps, rocks and associated vegetation and soils resulting primarily from land clearing shall be reused or recycled. For a phased project, such material may be stockpiled on site until the storage site is developed.

**Exception:** Reuse, either on-or off-site, of vegetation or soil contaminated by disease or pest infestation.

**Notes:**

1. If contamination by disease or pest infestation is suspected, contact the County Agricultural Commissioner and follow its direction for recycling or disposal of the material. ([www.cdfa.ca.gov/exec/county/county\\_contacts.html](http://www.cdfa.ca.gov/exec/county/county_contacts.html))
2. For a map of known pest and/or disease quarantine zones, consult with the California Department of Food and Agriculture. ([www.cdfa.ca.gov](http://www.cdfa.ca.gov))
3. Contaminated soil shall not be reused and shall be disposed of or remediated in accordance with relevant regulations.

**RATIONALE:**

On occasions, projects are proposed on sites where the soil is contaminated and fall outside the scope of a designated authority. The addition of Note #3 provides a mechanism for a jurisdiction to require the removal or remediation of contaminated soils within guidelines established by that jurisdiction or method developed by the applicant and approved by that jurisdiction.

**FINDINGS:**

Local Administrative Finding – This amendment is necessary for administrative clarification. It does not modify a Building Standards pursuant to Sections 17958 and 18941.5 of the California Health and Safety Code and does not require an express finding to be made pursuant to Sections 17958.5 and 17958.7 of the California Health and Safety Code. This amendment established administrative standards for the effective enforcement of green building standards and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Green Building Standards Code.

## PART IV

LARUCP RECOMMENDED CODE AMENDMENTS TO THE  
2016 EDITION OF THE CALIFORNIA GREEN BUILDING  
STANDARDS CODE  
(VOLUNTARY REQUIREMENTS)

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SUMMARY OF RECOMMENDED LARUCP AMENDMENTS TO THE 2016 CALGREEN

(N) 2016 LARUCP NO.	(E) 2013 LARUCP NO.	TITLE/DESCRIPTION	STATUS <sup>1</sup>
GA1-16	GA4-01	Amend CALGreen Section A4.105.2 Reuse of Materials	R
GA2-16	GA4-02	Amend CALGreen Section A4.106.5 Cool Roof for Reduction of Heat Island Effect	R
GA3-16	GA4-03	Amend CALGreen Section A4.303.4 Nonwater Supplied Urinals and Waterless Toilets	R
GA4-16	GA4-04	Amend CALGreen Section A4.404.3 Building Systems	R
GA5-16	GA4-05	Amend CALGreen Section A4.405.1 Prefinished Building Materials	R
GA6-16	GA4-07	Amend CALGreen Section A4.405.4 Use of Building Materials From Rapidly Renewable Sources	R
GA7-16	GA4-08	Amend CALGreen Section A4.407.1 Drainage Around Foundation	R
	GA4-09	Amend CALGreen Section A4.408.1 Enhanced Construction Waste Reduction	D
GA8-16	GA5-01	Amend CALGreen Section A5.106.4.1 Short Term Bicycle Parking	R
GA9-16	GA5-02	Amend CALGreen Section A5.106.4.3 Changing Rooms	R
GA10-16	GA5-03	Amend CALGreen Section A5.106.6.1 Reducing Parking Capacity	R
	GA5-04	Amend CALGreen Section A5.106.11.2 Cool Roof	D
GA11-16	GA5-05	Amend CALGreen Section A5.406.1 Choice of Materials	R

FOOTNOTE:

1. R = Retain and update existing amendment. M = Modify existing amendment. D = Delete existing 2013 LARUCP amendment. N = New amendment proposed.

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2016 LARUCP GA1-16. Section A4.105.2 of the 2016 Edition of the California Green Building Standards Code is amended to read as follows:

**A4.105.2 Reuse of materials.** Use salvaged, refurbished or reused materials for a minimum of 2.5 percent of the total value, based on estimated cost of materials on the project. Materials which can be easily reused include but are not limited to the following:

1. Light fixtures.
2. Plumbing fixtures.
3. Doors and trim.
4. Masonry. (reused masonry may only be used for flatwork)
5. Electrical devices.
6. Appliances.
7. Foundations or portions of foundations.

**Note:** Reused material must be in compliance with the appropriate Title 24 requirements.

### RATIONALE:

This section provides no guidelines for the percentage of materials to be recycled or reused to achieve compliance with this section. The proposed editorial change provides a minimum percentage of material that must be recycled or reused for the applicant to obtain compliance.

### FINDINGS:

Local Administrative Finding – This amendment is necessary for administrative clarification. It does not modify a Building Standards pursuant to Sections 17958 and 18941.5 of the California Health and Safety Code and does not require an express finding to be made pursuant to Sections 17958.5 and 17958.7 of the California Health and Safety Code. This amendment established administrative standards for the effective enforcement of green building standards and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Green Building Standards Code.

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2016 LARUCP GA2-16. Section A4.106.5, Table A4.106.5.1(1), Table A4.106.5.1(2), Table A4.106.5.1(3), and Table A4.106.5.1(4) of the 2016 Edition of the California Green Building Standards Code are amended to read as follows:

A4.106.5 Cool roof for reduction of heat island effect. Roofing materials for Tier 1 and Tier 2 buildings shall comply with this section:

**Exceptions:**

Roof constructions that have a thermal mass over the roof membrane including areas of vegetated (green) roofs, weighing at least 25 lbs/sf.

Roof areas covered by building-integrated solar photovoltaic panels and building-integrated solar thermal panels.

TABLE A4.106.5.1(1)  
TIER 1 – LOW-RISE RESIDENTIAL

ROOF SLOPE	CLIMATE ZONE	MINIMUM 3-YEAR AGED SOLAR REFLECTANCE	THERMAL EMITTANCE	SRI
≤ 2:12	<del>4, 8, 15</del>	0.63	0.75	75
> 2:12	<del>10, 15</del>	0.20	0.75	16

TABLE A4.106.5.1(2)  
TIER 2 – LOW-RISE RESIDENTIAL

ROOF SLOPE	CLIMATE ZONE	MINIMUM 3-YEAR AGED SOLAR REFLECTANCE	THERMAL EMITTANCE	SRI
≤ 2:12	<del>2, 4, 6, 15</del>	<del>0.65</del> 0.68	85	<del>78</del> 82
> 2:12	<del>2, 4, 6, 15</del>	<del>0.23</del> 0.28	85	<del>20</del> 27

TABLE A4.106.5.1(3)  
TIER 1 – HIGH-RISE RESIDENTIAL BUILDINGS, HOTELS, AND MOTELS

ROOF SLOPE	CLIMATE ZONE	MINIMUM 3-YEAR AGED SOLAR REFLECTANCE	THERMAL EMITTANCE	SRI
≤ 2:12	<del>9, 10, 11, 13, 14, 15</del>	<del>0.55</del> 0.63	0.75	<del>64</del> 75
> 2:12	<del>2, 15</del>	0.20	0.75	16

TABLE A4.106.5.1(4)  
TIER 2 – HIGH-RISE RESIDENTIAL BUILDINGS, HOTELS, AND MOTELS

ROOF SLOPE	CLIMATE ZONE	MINIMUM 3-YEAR AGED SOLAR REFLECTANCE	THERMAL EMITTANCE	SRI
≤ 2:12	<del>2, 15</del>	<del>0.65</del> 0.68	<del>0.75</del> 0.85	<del>78</del> 82
> 2:12	<del>2, 15</del>	<del>0.23</del> 0.28	<del>0.75</del> 0.85	<del>20</del> 27

**RATIONALE:**

Tables A4.106.5.1.1, A4.106.5.1.2, A4.106.5.1.3 and A4.106.5.1.4 are indicating new values for Cool roof rating. These new values for cool roof rating are higher than the standards being proposed by the California Energy Commission and have been shown to be cost-effective through studies previously

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conducted. Research has shown that the greater Los Angeles region suffers from heat island with the temperature having increased as the region became more urban. The higher temperatures are closely related to air pollution. Additionally, raising temperatures increase the overall and peak energy consumption for cooling creating additional air pollution from the increased power production.

### FINDINGS:

Local Environmental Condition – This amendment is necessary on the basis of a local environmental condition. The greater Los Angeles region [OR NAME OF CITY OR REGION] is a densely populated area where a majority of the building stocks are existing residential buildings. Existing dwellings have been estimated to account for up to 40% of greenhouse gas emissions. This amendment offset this impact on the communities by requiring addition or alteration to existing dwellings to comply with the CALGreen Code. Any dwellings that require a permit to be issued will be required to comply with only those sections that are relevant to the scope of work and thereby begin to contribute to improving the environment. This amendment established more restrictive green building standards for improving the environment and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Green Building Standards Code.

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**2016 LARUCP GA3-16.** Section A4.303.4 of the 2016 Edition of the California Green Building Standards Code is amended to read as follows:

**A4.303.4 Nonwater supplied urinals and composting toilets.** Nonwater supplied urinals or composting toilets are installed throughout the scope of the permit or comply with Sections 1101.1 thru 1101.8 of the California Civil Code, whichever is the most restrictive.

Where approved, hybrid urinals, as defined in Chapter 2, shall be considered waterless urinals.

**RATIONALE:**

The proposed code does not stipulate the number of fixtures to be installed to achieve compliance. The proposed editorial change clarifies the quantity of fixtures to be installed to comply with this code section.

**FINDINGS:**

Local Administrative Finding – This amendment is necessary for administrative clarification. It does not modify a Building Standards pursuant to Sections 17958 and 18941.5 of the California Health and Safety Code and does not require an express finding to be made pursuant to Sections 17958.5 and 17958.7 of the California Health and Safety Code. This amendment established administrative standards for the effective enforcement of green building standards and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Green Building Standards Code.

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2016 LARUCP GA4-16. Section A4.404.3 of the 2016 Edition of the California Green Building Standards Code is amended to read as follows:

**A4.404.3 Building systems.** Use premanufactured building systems to eliminate solid sawn lumber whenever possible. One or more of the following premanufactured building systems is used throughout:

1. Composite floor joist or premanufactured floor framing system
2. Composite roof rafters or premanufactured roof framing system
3. Panelized (SIPS, ICF or similar) wall framing system
4. Other methods approved by the enforcing agency

### **RATIONALE:**

The proposed code does not stipulate the amount of premanufactured components to be installed to achieve compliance. The proposed editorial change clarifies the quantity to be installed to comply with this code section.

### **FINDINGS:**

Local Administrative Finding – This amendment is necessary for administrative clarification. It does not modify a Building Standards pursuant to Sections 17958 and 18941.5 of the California Health and Safety Code and does not require an express finding to be made pursuant to Sections 17958.5 and 17958.7 of the California Health and Safety Code. This amendment established administrative standards for the effective enforcement of green building standards and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Green Building Standards Code.

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2016 LARUCP GA5-16. Section A4.405.1 of the 2016 Edition of the California Green Building Standards Code is amended to read as follows:

**A4.405.1 Prefinished building materials.** Utilize prefinished building materials which do not require additional painting or staining ~~when possible~~. One or more of the following building materials that do not require additional resources for finishing are used:

1. Exterior trim not requiring paint or stain
2. Windows not requiring paint or stain
3. Siding or exterior wall coverings which do not require paint or stain

### RATIONALE:

The application statement allows for the applicant to stipulate that pre-finished materials are not possible and still achieve compliance with the requirement. The editorial change removes the condition and requires compliance to achieve credit.

### FINDINGS:

Local Administrative Finding – This amendment is necessary for administrative clarification. It does not modify a Building Standards pursuant to Sections 17958 and 18941.5 of the California Health and Safety Code and does not require an express finding to be made pursuant to Sections 17958.5 and 17958.7 of the California Health and Safety Code. This amendment established administrative standards for the effective enforcement of green building standards and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Green Building Standards Code.

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2016 LARUCP GA6-16. Section A4.405.4 of the 2016 Edition of the California Green Building Standards Code is amended to read as follows:

**A4.405.4 Use of building materials from rapidly renewable sources.** One or more of the following materials manufactured from rapidly renewable sources or agricultural by-products is used for a minimum of 2.5 percent of the total value, based on estimated cost of materials on the project:

1. Insulation
2. Bamboo or cork
3. Engineered products
4. Agricultural based products
5. Other products acceptable to the enforcing agency

**Note:** The intent of this section is to utilize building materials and products which are typically harvested within a 10-year or shorter cycle

### RATIONALE:

This section provides no guidelines for the percentage of materials to be used from rapidly renewable sources. The proposed editorial change provides a minimum percentage of material from a rapidly renewable source that must be used for the applicant to obtain compliance and receive credit.

### FINDINGS:

Local Administrative Finding – This amendment is necessary for administrative clarification. It does not modify a Building Standards pursuant to Sections 17958 and 18941.5 of the California Health and Safety Code and does not require an express finding to be made pursuant to Sections 17958.5 and 17958.7 of the California Health and Safety Code. This amendment established administrative standards for the effective enforcement of green building standards and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Green Building Standards Code.

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2016 LARUCP GA7-16. Section A4.407.1 of the 2016 Edition of the California Green Building Standards Code is amended to read as follows:

**A4.407.1 Drainage around foundations.** Install foundation and landscape drains which discharge to a dry well, sump, bioswale or other approved on-site location except when not required by state code or locally approved ordinance.

### RATIONALE:

This section does not take into consideration the requirements of other codes or ordinances. The proposed editorial change addresses the requirements of other codes or ordinances and eliminates an applicant's ability to achieve credit while complying with the requirement of another code.

### FINDINGS:

Local Administrative Finding – This amendment is necessary for administrative clarification. It does not modify a Building Standards pursuant to Sections 17958 and 18941.5 of the California Health and Safety Code and does not require an express finding to be made pursuant to Sections 17958.5 and 17958.7 of the California Health and Safety Code. This amendment established administrative standards for the effective enforcement of green building standards and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Green Building Standards Code.

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2016 LARUCP GA8-16. Section A5.106.4.1 of the 2016 Edition of the California Green Building Standards Code is amended to read as follows:

A5.106.4.1 ~~Reserved.~~ Short-term bicycle parking. If the project is anticipated to generate visitor traffic, provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for 15 percent of visitor motorized vehicle parking capacity, with a minimum of one two-bike capacity rack.

### RATIONALE:

This section for bicycle parking only requires 5 percent of the motorized vehicle parking capacity which is equal to mandatory requirement in section 5.106.4.1. The editorial change to 15 percent increases the requirement and removes an applicant's ability to obtain compliance in two different sections.

### FINDINGS:

Local Environmental Conditions – This amendment is necessary on the basis of a local environmental condition. The greater Los Angeles region [OR NAME OF CITY OR REGION] is a densely populated area having congested streets and highways that results in increased atmospheric pollutions from active and idle vehicles. The proposed modification to increase other alternative means of transportation that is more environmental friendly will reduce both traffic and pollution to the region and promote healthier living and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Green Building Standards Code.

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2016 LARUCP GA9-16. Table A5.106.4.3 of the 2016 Edition of the California Green Building Standards Code is amended to read as follows:

A5.106.4.3 Changing rooms. For buildings with over 10 tenant-occupants, provide changing/shower facilities for tenant-occupants only in accordance with Table A5.106.4.3 or document arrangements with nearby changing/shower facilities.

TABLE A5.106.4.3

NUMBER OF TENANT-OCCUPANTS	SHOWER/CHANGING FACILITIES REQUIRED <sup>2</sup>	2-TIER (12" X 15" X 72") PERSONAL EFFECTS LOCKERS <sup>1,2</sup> REQUIRED
0-10	01 unisex shower	01
11-50	1 unisex shower	2
51-100	1 unisex shower	3
101-200	1 shower stall per gender	4
Over 200	1 shower stall per gender for each 200 additional tenant-occupants	One 2-tier locker for each 50 additional tenant-occupants

~~1. One 2-tier locker serves two people. Lockers shall be lockable with either padlock or combination lock.~~

~~2. Tenant spaces housing more than 10 tenant-occupants within buildings sharing common toilet facilities need not comply; however, such common shower facilities shall accommodate the total number of tenant-occupants served by the toilets and include a minimum of one unisex shower and two 2-tier lockers.~~

Note: Additional information on recommended bicycle accommodations may be obtained from Sacramento Area Bicycle Advocates

**RATIONALE:**

This table permits an applicant can obtain credit for installing zero changing rooms. By modifying the requirement in the table, an applicant is required to install at least one changing room to receive credit for this section.

**FINDINGS:**

Local Administrative Finding – This amendment is necessary for administrative clarification. It does not modify a Building Standards pursuant to Sections 17958 and 18941.5 of the California Health and Safety Code and does not require an express finding to be made pursuant to Sections 17958.5 and 17958.7 of the California Health and Safety Code. This amendment established administrative standards for the effective enforcement of green building standards and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Green Building Standards Code.

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**2016 LARUCP GA10-16.** Section A5.106.6.1 of the 2016 Edition of the California Green Building Standards Code is amended to read as follows:

**A5.106.6.1 Reduce parking capacity.** With the approval of the enforcement authority, employ strategies to reduce on-site parking area by 20 percent by

1. Use of on street parking or compact spaces, illustrated on the site plan or
2. Implementation and documentation of programs that encourage occupants to carpool, ride share or use alternate transportation.

Note: Strategies for programs may be obtained from local TMAs.

**RATIONALE:**

This section does not establish a minimum number of reduced parking spaces to achieve compliance, only that the local authority approves the proposed reduction. The editorial change establishes a minimum percentage to achieve a credit for this section.

**FINDINGS:**

Local Environmental Conditions – This amendment is necessary on the basis of a local environmental condition. The greater Los Angeles region [OR NAME OF CITY OR REGION] is a densely populated area having congested streets and highways that results in increased atmospheric pollutions from active and idle vehicles. The proposed modification to increase other alternative means of transportation that is more environmental friendly will reduce both traffic and pollution to the region and promote healthier living and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Green Building Standards Code.

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**2016 LARUCP GA11-16.** Section A5.406.1 of the 2016 Edition of the California Green Building Standards Code is amended to read as follows:

**A5.406.1 Choice of materials.** Compared to other products in a given product category, choose materials proven to be characterized by one or more of the following for a minimum of 5 percent of the total value, based on estimated cost of materials on the project.

### **RATIONALE:**

This section does not provide any guidelines for a quantity of materials to achieve compliance. The editorial change establishes a minimum percentage for the different categories located within this section.

### **FINDINGS:**

Local Administrative Finding – This amendment is necessary for administrative clarification. It does not modify a Building Standards pursuant to Sections 17958 and 18941.5 of the California Health and Safety Code and does not require an express finding to be made pursuant to Sections 17958.5 and 17958.7 of the California Health and Safety Code. This amendment established administrative standards for the effective enforcement of green building standards and therefore need to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Green Building Standards Code.



# City of Sierra Madre Agenda Report

*Gene Goss, Mayor*  
*Rachelle Arizmendi, Mayor Pro Tem*  
*John Capoccia, Council Member*  
*Denise Delmar, Council Member*  
*John Harabedian, Council Member*

*Melinda Carrillo, City Clerk*  
*Michael Amerio, City Treasurer*

TO: Honorable Mayor Goss and Members of the City Council

FROM: Elaine I. Aguilar, City Manager 

INITIATED BY: Bruce Inman, Director of Public Works 

DATE: October 25, 2016

SUBJECT: **DISCUSSION OF METHODOLOGY USED IN CONSTRUCTION OF A  
COMPUTER HYDRAULIC MODEL OF THE CITY'S WATER  
DISTRIBUTION SYSTEM**

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## **SUMMARY**

Staff recommends that the City Council receive and file this report.

## **ANALYSIS**

On September 13<sup>th</sup>, the City Council adopted Resolution 16-51 awarding a contract to IDModeling of Arcadia a professional service contract to prepare a computer hydraulic model of the city's water distribution system along with a complete water system master plan of improvements. City Council has asked that the Consultant provide a presentation on distribution system modeling and their firm's methodology to be used in developing the City's model.

Mr. Paul Hauffen is in attendance at tonight's meeting and will provide the requested presentation. Mr. Hauffen is the founder, president, CEO, and Chairman of ID Modeling. The presentation has been agendized as a discussion item in order to allow City Council to ask questions and provide comments.

Mr. Hauffen has dedicated his career to hydraulic model applications and related technologies to help water/wastewater utilities understand system operations and make better, more informed decisions. His background includes both engineering consulting, and engineering software, which serves as the basis for IDModeling's industry focus. A current member of the AWWA Engineering Modeling Applications Committee, Paul assisted with the update of AWWA's M32 Manual for Computer Modeling of Water Distribution Systems, while overseeing the Company's authorship of Esri's GIS-Hydraulic Model Reference Guide.

FOR CITY COUNCIL AGENDA \_\_\_\_\_

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Mr. Hauffen has delivered hydraulic model seminars around the globe to thousands of utilities and consulting engineers, while coauthoring papers and presentations on hydraulic modeling, distribution system optimization, GIS integration, calibrations, documentation and standardization.

**FINANCIAL REVIEW**

There is no financial impact associated with this agenda item.

**PUBLIC NOTICE PROCESS**

This item has been noticed through the regular agenda notification process. Copies of this report are available at the City Hall public counter and the Sierra Madre Public Library.

**STAFF RECOMMENDATION**

Staff recommends that the City Council receive and file this report.



*Gene Goss, Mayor*  
*Rachelle Arizmendi, Mayor Pro Tem*  
*John Capoccia, Council Member*  
*Denise Delmar, Council Member*  
*John Harabedian, Council Member*

# City of Sierra Madre Agenda Report

*Melinda Carrillo, City Clerk*  
*Michael Amerio, City Treasurer*

TO: Honorable Mayor Goss and Members of the City Council

FROM: Elaine I. Aguilar, City Manager 

INITIATED BY: Laura M. Aguilar, Assistant to the City Manager 

DATE: October 25, 2016

**SUBJECT: Consideration of Appointments to the Senior Community Commission**

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## **SUMMARY**

Members of the Senior Community Commission are appointed by the City Council to serve three-year terms; Commissioners may serve two, consecutive full terms. Currently there are two full-term vacancies on the Senior Community Commission for terms beginning July 1, 2016 and ending June 30, 2019.

At a previous Council meeting, Mayor Goss directed staff to return on the October 25<sup>th</sup> meeting with submitted applications for consideration of filling the two vacancies on the Senior Community Commission.

## **ANALYSIS**

A total of three (3) applications were received for the two vacancies.

The selection process is summarized below.

- All applications to fill Board or Commission vacancies are forwarded to the City Council for its review. The Council may individually interview applicants, should they desire to do so. At a regular or special meeting the City Council may interview the applicants and provide their recommendation(s) to the Mayor.
- At the same meeting, or a subsequent meeting, the Mayor submits to the City Council, for its approval the names of the applicants proposed to fill each vacancy. The appointment requires a majority vote of approval of the Council. If the Council fails to approve a proposed appointment, any Council member may propose an alternative applicant.

The applicants are (in alphabetical order):

- ◆ Nina Bartolai
- ◆ J.J. Eckman
- ◆ Sally Olson

### **FINANCIAL REVIEW**

There are no financial impacts associated with the appointment of Commissioners.

### **PUBLIC NOTICE PROCESS**

This item has been noticed through the regular agenda notification process. Copies of this report are available at the City Hall public counter, the Sierra Madre Public Library, and the City's website, [www.cityofsierramadre.com](http://www.cityofsierramadre.com).

### **ALTERNATIVES**

The alternatives are:

1. Upon receiving the Council's recommendations, the Mayor may make a recommendation for City Council consideration.
2. Take no action, and direct staff to continue to solicit applications for the vacant position.

### **STAFF RECOMMENDATION**

It is recommended that the City Council provide staff with direction regarding the appointment of Senior Community Commissioners for terms ending June 30, 2019.



# City of Sierra Madre Agenda Report

*Gene Goss, Mayor*  
*Rachelle Arizmendi, Mayor Pro Tem*  
*John Capoccia, Council Member*  
*Denise Delmar, Council Member*  
*John Harabedian, Council Member*

*Melinda Carrillo, City Clerk*  
*Michael Amerio, City Treasurer*

TO: Honorable Mayor Goss and Members of the City Council

FROM: Elaine I. Aguilar, City Manager *EIA*

INITIATED BY: Laura M. Aguilar, Assistant to the City Manager *LMA*

DATE: October 25, 2016

**SUBJECT: Consideration of Appointments to the Community Services Commission**

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## **SUMMARY**

Members of the Community Services Commission are appointed by the City Council to serve three-year terms; Commissioners may serve two, consecutive full terms.

Currently there are two vacancies on the Community Services Commission. A full-term vacancy occurred when Commissioner Pat Alcorn termed-out on June 30, 2016 after completing two full terms. The term for this commission appointment is from July 1, 2016 to June 30, 2019.

A second vacancy was unexpected and occurred when Commissioner Darlene Mathieson resigned in August 2016 for personal reasons. Commissioner Mathieson's term would have ended on June 30, 2017. It is recommended that the City Council make an appointment to complete Commissioner Mathieson's term.

## **ANALYSIS**

A total of five (5) applications were received for the two vacancies.

The selection process is summarized below.

- All applications to fill Board or Commission vacancies are forwarded to the City Council for its review. The Council may individually interview applicants, should they desire to do so. At a regular or special meeting the City Council may interview the applicants and provide their recommendation(s) to the Mayor.
- At the same meeting, or a subsequent meeting, the Mayor submits to the City Council, for its approval the names of the applicants proposed to fill each vacancy. The appointment requires a majority vote of approval of the Council. If

the Council fails to approve a proposed appointment, any Council member may propose an alternative applicant.

The five applicants are (in alphabetical order):

- ◆ Monica Moran
- ◆ David J. Ouch
- ◆ Art Sripipat
- ◆ Nina Takenouchi
- ◆ Anita Thompson

If the Council makes the appointments this evening, the Council will need to designate which appointment is for the full term (July 2016-June 2019) and which for the partial term (October 2016-June 2017.)

#### **FINANCIAL REVIEW**

There are no financial impacts associated with the appointment of Commissioners.

#### **PUBLIC NOTICE PROCESS**

This item has been noticed through the regular agenda notification process. Copies of this report are available at the City Hall public counter, the Sierra Madre Public Library, and the City's website, [www.cityofsierramadre.com](http://www.cityofsierramadre.com).

#### **ALTERNATIVES**

The alternatives are:

1. Upon receiving the Council's recommendations, the Mayor may make a recommendation for City Council consideration.
2. Take no action, and direct staff to continue to solicit applications for the vacant position.

#### **STAFF RECOMMENDATION**

It is recommended that the City Council provide staff with direction regarding the appointment of Community Services Commissioners to fill the two vacant seats.



# City of Sierra Madre Agenda Report

*Gene Goss, Mayor*  
*Rachelle Arizmendi, Mayor Pro Tem*  
*John Capoccia, Council Member*  
*Denise Delmar, Council Member*  
*John Harabedian, Council Member*

*Melinda Carrillo, City Clerk*  
*Michael Amerio, City Treasurer*

TO: Honorable Mayor and Members of the City Council

FROM: Elaine I. Aguilar, City Manager *EA*

INITIATED BY: James Carlson, Management Analyst *JC*

REVIEWED BY: Bruce Inman, Director of Public Works

DATE: October 25, 2016

SUBJECT: **ADOPTION OF RESOLUTION 16-65 SUPPORTING MEASURE M ON THE NOVEMBER 8, 2016 ELECTION BALLOT**

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## **SUMMARY**

At the previous City Council meeting, Council Member Capoccia requested that this item be on tonight's agenda. Staff recommends the City Council adopt Resolution 16-65 supporting ballot Measure M (Los Angeles County Metropolitan Transportation Authority one-half percent (0.5%) sales tax increase) on the November 8, 2016 ballot.

## **ANALYSIS**

### **Background**

On November 4, 2008, Los Angeles County voters approved Measure R, which established a one-half percent (0.5%) sales tax for transportation projects, transit operations, and maintenance. Measure R will sunset on June 30, 2029. The City typically uses these funds for street projects. However, among the regional projects funded by Measure R were initial studies and environmental studies to connect northernmost point of State Route 710 to the southernmost point of the 210 freeway.

Per City Council direction, City staff has participated in discussions regarding the alternative projects to the initial "710 Gap Closure" efforts. Sierra Madre participates in the Connected Cities and Communities, which is comprised of the cities of Glendale, La Canada Flintridge, Pasadena, South Pasadena plus the National Resources Defense Council, the National Trust for Historic Preservation, and the No 710 Action Committee. Through these and other regional efforts, both the San Gabriel Valley Council of Governments and the Southern California Association of Governments have issued strong opposition to "SR-710 North Project". The proposed ballot Measure M specifically excludes funding for the SR-710 North Project.

FOR CITY COUNCIL AGENDA \_\_\_\_\_

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### Revenue Allocation

If approved by the voters, Measure M is anticipated to provide over \$121 billion dollars between 2018 and 2057. Funding would be allocated to the following four subfunds accordingly:

- Transit, Operating and Maintenance – 27%
- Transit, First/Last Mile (Capital) – 37%
- Highway, Active Transportation, Complete Streets (Capital) – 19%
- Local Return/Regional Rail – 17%

Local Return allocations are determined based on each jurisdiction's population and each jurisdiction will be eligible for transportation projects defined by the Local Return Guidelines that will be developed between November 2016 and July 2017. Sierra Madre's allocation is estimated to be \$158,163 per year. This is in addition to Measure R funds, as well as in addition to Prop A and Prop C funds which are also transportation related. When Measure R expires in 2039, an additional one-half percent (.05%) sales tax will be added to Measure M to cover the funding source. Measure M does not have a specified sunset date and will not be terminated until a future vote repeals the tax.

Measure R currently provides the largest share of the City's street rehabilitation funds. Measure M will be roughly the same amount, effectively doubling the funding available for rehabilitation of streets which there is not scheduled public transportation operations. Prop C funds, also from Metro, are limited to specific types of rehabilitation and can only be used on streets traveled by public transportation.

### FINANCIAL REVIEW

There are no financial impacts adopting the resolution.

### PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process. Copies of the report are available via the City's website at [www.cityofsierramadre.com](http://www.cityofsierramadre.com), at the City Hall public counter, and the Sierra Madre Public Library.

### ALTERNATIVES

1. The City Council may adopt Resolution 16-65 supporting ballot Measure M (Los Angeles County Metropolitan Transportation Authority one-half percent (0.5%) sales tax increase) on the November 8, 2016.
2. The City Council may choose not to adopt Resolution 16-65 supporting ballot Measure M (Los Angeles County Metropolitan Transportation Authority one-half percent (0.5%) sales tax increase) on the November 8, 2016.
3. The City Council may direct staff to provide additional information.

Subject: Resolution 16-65 supporting Ballot Measure M on the November 8, 2016  
Election

Date: October 25, 2016

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**STAFF RECOMMENDATION**

Staff recommends the City Council adopt Resolution 16-65 supporting ballot Measure M (Los Angeles County Metropolitan Transportation Authority one-half percent (0.5%) sales tax increase) on the November 8, 2016 ballot.

Attachments (1):

Attachment A: Resolution 16-65

## RESOLUTION NO. 16-65

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIERRA  
MADRE, CALIFORNIA, SUPPORTING BALLOT MEASURE M (LOS  
ANGELES COUNTY METROPOLITAN TRANSPORTATION  
AUTHORITY ONE-HALF PERCENT SALES TAX INCREASE) ON THE  
NOVEMBER 8, 2016 ELECTION BALLOT**

**WHEREAS**, on June 23, 2016, the Los Angeles County Metropolitan Transportation Authority (Metro) Board approved Ordinance #16-01 to authorize a one-half percent (0.5%) sales tax increase and the associated Expenditure Plan that excluded the SR-710 North Project for a sales tax ballot measure (Measure M) to be placed on the November 8, 2016 Election Ballot for consideration by the voters of Los Angeles County; and

**WHEREAS**, Los Angeles County needs additional funding for regionally significant projects such as the Orange Line Bus Rapid Transit Connector to the Metro Gold Line, Metro Gold Line Foothill Extension, and the Metro Gold Line Eastside Extension; and

**WHEREAS**, Measure M provides much needed funding to, among other things, ease traffic congestion; expand rail and rapid transit system; repave local streets, repair potholes, make public transportation more accessible, convenient, and affordable for seniors, students and the disabled; earthquake-retrofit bridges; embrace technology and innovation; create jobs, reduce pollution, and generate local economic benefits; and provide accountability and transparency; and

**WHEREAS**, Measure M will provide \$29.9 billion for Bus and Rail Operations; \$22.5 billion for Local Street Improvements; \$2.4 billion for State of Good Repair; \$2.4 billion for Programs for Students, Seniors, and the Disabled; \$2.4 billion for Bike and Pedestrian Connections to Transit; and \$1.9 billion for Regional Rail; and

**WHEREAS**, Measure M will provide additional Local Return funding to the City of Sierra Madre through the San Gabriel Valley Subregion for transportation projects within the City; and

**WHEREAS**, on August 20, 2016 the San Gabriel Valley Council of Governments (SGVCOG) voted to remove the SR-710 North Project from the SGVCOG priority list of projects; and

**WHEREAS**, on March 3, 2016, the Southern California Association of Governments' Draft 2016-2040 Regional Transportation Plan and Sustainable Communities Strategy identified the SR-710 North Project's Tunnel Alternative as the "worst-case scenario"; and

**WHEREAS**, Section 7, Paragraph H of Ordinance #16-01 states that “No Net Revenues generated from the Sales Tax shall be expended on the State Route 710 North Gap Closure Project,” so no proceeds from Measure M may be used to fund construction of the SR-710 North Project Tunnel Alternative; and

**WHEREAS**, the City has joined the Connected Cities and Communities comprised of the cities of Glendale, La Canada Flintridge, Pasadena, South Pasadena plus the National Resources Defense Council, the National Trust for Historic Preservation, and No 710 Action Committee, which has developed the “Beyond the 710 Initiative”, a community-based transportation initiative that attempts to accurately identify the transportation needs of the region to connect people to employment centers, universities, creates more open space, and housing opportunities in an environmentally and fiscally responsible manner.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City Sierra Madre supports the proposed Measure M (Los Angeles County Metropolitan Transportation Authority One-Half Percent Sales Tax Increase) on the November 8, 2016 Election.

The City Clerk shall certify as to the adoption of this resolution and shall cause the same to be processed in the manner required by law.

Approved and Adopted on the 25<sup>th</sup> day of October, 2016.

I, the undersigned, hereby certify that the foregoing Resolution Number No. 16-65 was duly adopted by the Sierra Madre City Council following a roll call vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Gene Goss, Mayor

ATTEST:

\_\_\_\_\_  
Melinda Carrillo, City Clerk



# City of Sierra Madre Agenda Report

*Gene Goss, Mayor*  
*Rachelle Arizmendi, Mayor Pro Tem*  
*John Capoccia, Council Member*  
*Denise Delmar, Council Member*  
*John Harabedian, Council Member*

*Melinda Carrillo, City Clerk*  
*Michael Amerio, City Treasurer*

TO: Honorable Mayor and Members of the City Council

FROM: Elaine I. Aguilar, City Manager 

INITIATED BY: Vincent Gonzalez, Director of Planning & Community Preservation 

REVIEWED BY: Gregory Silva, Code Enforcement Officer

DATE: October 25, 2016

**SUBJECT: REGULATION OF POWERED GARDENING EQUIPMENT**

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## SUMMARY

At the request of Council member Denise Delmar, staff is providing this report to inform a discussion regarding the City's regulations of "powered gardening equipment."

The 2015 General Plan Update also addresses specific objectives and policies regarding powered gardening equipment and their impacts to air quality. Objective R22 addresses attaining safe air standards. Policy R22.5 provides a directive to publicize incentives offered by the Southern California Air Quality Management District, such as leaf-blower and lawnmower exchanges. Objective R24 highlights policies to reduce fugitive dust generated from the use of gardening equipment and construction activity. Objective R24 provides a directive to continue to review guidelines from time to time regarding the use of gas-powered lawn equipment, and consider tightening the restrictions on the type of equipment, hours and duration of operation.

Staff previously presented reports to the City Council on September 9<sup>th</sup> and September 23<sup>rd</sup> 2008, and again on January 13<sup>th</sup> and February 10<sup>th</sup> 2009. **Ordinance 1287**, attached as **Exhibit A** was adopted on May 26, 2009, updating Title 9.32 – Noise of the Sierra Madre Municipal Code. Copies of the **City Council meeting minutes** for each of the referenced meetings are attached as background to this report as **Exhibits B through F**.

The amendments to Chapter 9.32.020 – added definitions for "holiday" and "powered gardening equipment;" and amended Chapter 9.32.060(D) – Special Exception Provisions restricting the operation of powered equipment on Monday through Friday

FOR CITY COUNCIL AGENDA \_\_\_\_\_

ITEM NUMBER \_\_\_\_\_

between the hours of 9 AM to sundown, and 12 PM to sundown on Sundays and holidays. The hours of operation excludes the commercial overlay district, emergencies, and construction activities which are regulated by other sections within this Chapter.

Staff was asked to provide information about the City's leaf blower regulations.

## **BACKGROUND**

Since the 1970's, gardeners and residents using gas-powered leaf-blower machines have created noise and pollution in California neighborhoods, causing some residents to complain to city officials, who in turn passed laws to restrict or ban leaf blowers. The most common ordinance restrictions on leaf blowers include:

- Restricting operating hours during the day and day of the week;
- Restricting noise levels as determined by decibel rating;
- Prohibitions from specified distances from residential areas, and
- Bans on gas-powered leaf blowers.

Since the initial two-stroke gas-powered leaf-blowers were introduced, advancements in technology have allowed for the development of quieter models often seen as back-pack leaf-blowers which are endorsed by the Air Quality Management District.

Prior to adoption of Ordinance 1287 staff examined and presented to the City Council numerous options regarding the regulation of powered gardening equipment. Staff also evaluated a sampling of Los Angeles County cities and their leaf-blower noise ordinances prior to rendering a decision.

Associated cost impacts were also addressed during the discussion and development of Ordinance 1287. It was determined that a ban on powered gardening equipment would increase costs to residents. Gardeners would need to spend more time per property and would pass this cost on to the resident. The City would also incur increased costs. Public Works crews spend approximately 20 hours per week using leaf blowers. Additionally, the City also currently contracts for a leaf-blower equipped hand crew through Athens Services to clean municipal parking lots and the downtown bow-out areas that street sweepers cannot reach. In each case, it was determined that increased fees would be imposed.

Upon thorough evaluation by the City Council, Ordinance 1287 was adopted and implements the following restrictions and exemptions:

**Time Restrictions.** Currently, Municipal Code §9.32.060(D) restricts the operation of powered gardening equipment within the City outside of the hours of 9 AM to sundown, Monday through Saturday, and 12 PM to sundown, Sundays and holidays.

The Council determined to exempt the downtown overlay zone area from the above regulations due to disruptions to downtown businesses if the area must be maintained during business operating hours. The maintenance of the downtown area during business hours could result in complaints, particularly from establishments that have an outdoor component, such as outdoor dining.

**Noise Restrictions.** Currently, Municipal Code §9.32.060(A) – Daytime Exceptions, stipulates that any noise source which does not exceed 80-dba at a distance of 25 feet under its most noisy condition of use shall be exempt from the provisions of Sections 9.32.030, 9.32.040, 9.32.050 between the hours of 7:00 AM to 9:00 PM daily, except Sundays and holidays when the operating hours are from 10 AM to 6 PM. The hours of operation enable construction and other machinery to continue operations.

**Construction Exemptions.** Construction, alteration, or repair activities which are authorized by a valid city permit shall be allowed if the noise level at any point outside the property plane shall not exceed 85 decibels between the hours of 7 AM and 6 PM daily, except Sundays and holidays when the exemption shall apply between 10 Am and 6 PM.

**Emergencies.** Emergencies are exempt for this Chapter.

A complete copy of Title 9.32–Noise, Chapter 9.32.060(D) Special Exception Provisions is attached herein as **Exhibit A**.

## **FINANCIAL REVIEW**

There is no financial impact related to the discussion item. Staff time was incurred in the preparation of the report.

## **PUBLIC NOTICE PROCESS**

This item has been noticed though the regular agenda notification process. Copies of the report are available via the City's website at [www.cityofsierramadre.com](http://www.cityofsierramadre.com), at the City Hall public counter, and the Sierra Madre Public Library. Notice of the hearing was published consistent with the requirements of Government Code Section 65090.

## **ALTERNATIVES**

1. City Council can take no action.
2. Direct staff to work with the City Attorney to amend Ordinance 1287 pertaining to powered gardening equipment such as modifying the start and end times (currently weekdays and Saturdays 9 AM to sundown, or noon to sundown on

Sundays and holidays).

3. Any other options desired by the City Council.

**STAFF RECOMMENDATION**

It is recommended that the City Council provide staff with direction.

Attachments (2):

- Exhibit A: City Council Ordinance 1287
- Exhibit B: September 9, 2008 Meeting Minutes
- Exhibit C: September 23, 2008 Meeting Minutes
- Exhibit D: January 13, 2009 Meeting Minutes
- Exhibit E: February 10, 2009 Meeting Minutes
- Exhibit F: May 26, 2009 Meeting Minutes

**ORDINANCE NO. 1287**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE,  
CALIFORNIA AMENDING CHAPTER 9.32 BY ADDING PROVISIONS RELATING  
TO POWERED GARDENING EQUIPMENT**

**WHEREAS**, the City Council of the City of Sierra Madre makes the following findings:

I. Powered gardening equipment, such as leaf blowers and hedge trimmers have a negative impact on the public health and welfare by disrupting the rest and relaxation of our residents through the excessive noise that these devices generate. For this reason, it is essential that non-work hours, weekends, and holidays be protected and reserved for the benefit of our community without the intrusion of excessive noise;

2. Powered gardening equipment endangers the health and welfare of our residents by dispersing dust which may at times contain harmful pollutants. This Ordinance is designed to protect our community from the potential harmful effects of dust;

**WHEREAS**, this Ordinance is categorically exempt from the provisions of Chapter 3 (commencing with Section 21000) of Division 13 of the Public Resources Code (California Environmental Quality Act(CEQA)) pursuant to the State CEQA Guidelines Section 15308 in that the provisions of this Ordinance protect the environment from noise, emission, and dust pollution.

**THE CITY COUNCIL OF THE CITY OF SIERRA MADRE, CALIFORNIA DOES  
HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** Section 9.32.020 of Title 9 is hereby amended by adding a definition for "holiday" and "powered gardening equipment" to read as follows:

"'Holiday' means and includes New Year's Day (January 1), Martin Luther King Day (the third Monday in January), Washington's Birthday (the third Monday in February), Memorial Day (the last Monday in May), Independence Day (July 4), Labor Day (the first Monday in September), Columbus Day (the second Monday in October), Veteran's Day (November 11), Thanksgiving Day (the fourth Thursday in November), and Christmas Day (December 25)."

'Powered gardening equipment' means any portable equipment powered by a gas or electric self-contained engine used for landscape maintenance."

**SECTION 2.** Section 9.32.060 of Title 9 is hereby amended to read as follows:

"A. Daytime Exceptions. Any noise source which does not produce a noise level exceeding 80 dba at a distance of twenty-five feet under its most noisy condition of use shall be exempt from the provisions of Sections 9.32.030, 9.32.040 and 9.32.050 between the hours of seven a.m. and

nine p.m. daily except Sundays and holidays, when the exemption herein shall apply between ten a.m. and six p.m.

B. Emergencies. Emergencies are exempt from this chapter.

C. Construction. Notwithstanding any other provision of this chapter, including section 9.32.100, between the hours of seven a.m. and seven p.m. daily, except Sundays and holidays when the exemption herein shall apply between ten a.m. and six p.m., construction, alteration or repair activities which are authorized by a valid city permit shall be allowed if the noise level at any point outside the property plane shall not exceed 85 dba.

D. Powered gardening equipment. Notwithstanding any other provision of this chapter, including section 9.32.100, no person shall operate powered gardening equipment within the City outside of the hours of nine a.m. to sundown, Monday through Saturday, and twelve p.m. to sundown, Sundays and holidays. The foregoing prohibition shall not apply within any commercial zone. Noise generated by powered gardening equipment within any commercial zone shall be regulated by other sections of this Chapter."

**SECTION 3. Severability.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance or the rules adopted hereby. The City Council of the City of Sierra Madre hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

**SECTION 4. Effective Date.** This Ordinance shall take effect thirty days after its passage and adoption pursuant to California Government Code section 36937.

**SECTION 5. Certification.** The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published according to law.

PASSED, APPROVED AND ADOPTED, this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

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Mayor Kurt Zimmerman

**10. LEAF BLOWER MACHINES**

Mayor Zimmerman stated that he received several e-mails that this item has been postponed to the next meeting. There are no gardeners present this evening. He would like to table.

Council Member Watts stated that he contacted a gentlemen in the Leaf Blower industry and he wants to speak on this subject.

Chief of Police, Marilyn Diaz, gave the staff report as follows:

The City Council directed staff to prepare a report on the noise and health problems associated with the use of gas-powered leaf blower machines. Health risks are unknown, according to a 2000 California government study. Some cities have passed ordinances that: ban or restrict the sale of leaf blowers, set noise limits, and specify the days and hours of operation. The City of Los Angeles restricts usage within 500' of residences; other cities restrict use from 7:00 a.m. to 7:00 p.m.

The California Landscape Contractors Association declares that leaf blowers are five times faster than rake and broom sweeping techniques and landscape workers state electric leaf blowers are undesirable as they are 50% less powerful than gasoline powered leaf blowers. The City of Sierra Madre does not track leaf blower related complaints; however, the city responds to approximately 6-10 leaf blower complaints per year.

The Police Chief noted that she received phone calls and people flagtged her down and they are against limiting use of leaf blowers.

Mayor Zimmerman asked that comments be reserved until the next City Council meeting.

Mayor Zimmerman opened for community input because some residents stayed for Discussion of this item. They did not know it was going to be tabled until the next meeting.

De Alcorn, E. Grandview

Mr. Alcorn feels noise is an issue, but not a big issue. His issue the gardeners blow the waste into the street and the city needs to clean up. My concern is stuff in the air. It affects the atmosphere and creates pollution. We used to rake and put in barrels.

Heather Allen, Grove Street

Ms. Allen stated that she was irritated at the way this was handled. How did the community think this item would be postponed? I waited until 10:30 p.m. to speak on this. I typed up my remarks for the City Clerk and now you want to put off. Why didn't you announce this earlier? You should go by what is on the agenda. E-mails are

great, but you need to stick to your word. You stole my thunder and popped my balloon. Her prepared remarks are as follows:

Have you ever noticed that when the commercials come on while watching television, suddenly the volume goes up? Or while walking through the mall, you can't hear yourself think because the music is being played everywhere? These days, we are subject to auditory overload! As a kid back in the 80s, I remember how quiet it was on my street. It was great! But sadly, the situation has changed dramatically. Between leaf blowers, lawn mowers, and the sounds of construction, there is no peace and quiet anymore where I live. I appeal to you, City Council, please consider banning the use of leaf blowers in Sierra Madre. Let's limit the amount of noise pollution in our town. Thank you.

Steven Knight, E. Laurel

Mr. Knight wanted to ask the City Council to continue this item and is glad they are. He is strongly in favor of leaf blower ban. There is not a day that I don't hear leaf blowers. The Chief of Police noted the complaints. Please consider banning. Barking dogs are addressed. Leaf blowers are banned in the City of L. A. and Carmel. I am filled with hope that we can get rid of leaf blowers because of noise, pollution and dust. I don't know if it will raise costs to maintain our parks. The City Manager of Claremont considered banning leaf blowers but doomsday didn't occur. Let people gather data and thanks for addressing.

Council Member Buchanan asked that this item be ajenized earlier in the evening.

7. LEAF BLOWER MACHINE

Police Chief Diaz gave the following staff report.

On September 9, 2008, staff presented City Council with a report on gas-powered leaf blower machines. After a brief discussion, City Council directed staff to return on September 23, 2008 with more information for further discussion. The new information includes recent noise level readings taken in Sierra Madre, a survey of area cities with leaf blower restrictions and bans, enforcement issues associated with imposing greater restrictions on leaf blower machines, and whether a switch to electric leaf blowers would result in increased costs for municipalities in landscaping and park maintenance.

The Police Chief reviewed the noise levels at certain times and addresses in the City and they were all lower than is required. After reviewing the 1993 findings, the data showed that the average noise level recorded on September 17, 2008 was 56 dba, considerably lower than the 77 dba average taken in 1993. This is likely due to the quieter models of leaf blowers manufactured over the past 10 days. South Pasadena banned gas-powered leaf blowers and then rescinded the ordinance.

The AQMD program ended, but may be renewed. Our Public Works Department would be able to exchange up to 10 leaf blowers starting about June of 2009 if the program is renewed. Additionally, the City also currently contracts for a leaf blower-equipped hand crew through Athens Services to clean municipal parking lots and the downtown bow-out areas that street sweepers cannot reach. Athens Services projected cost increase for services without using leaf blowers is \$4,000 a month; or \$48,000 a year.

Mayor Pro Tern MacGillivray had no questions and wanted to hear from the public.

Bruce Inman, Director of Public Works, stated that he did speak to the representative at AQMD regarding the annual program and it is very competitive the leaf blowers go quickly. The City is on the list to receive if the program is started again in June 2009.

Mayor Zimmerman stated, "If we want a real ban, we need to hire another Code Enforcement Officer, is that true Chief?"

The Police Chief stated, "You're correct, there is a fairly lengthy education process".

Mayor Zimmerman opened for community input.

Barbara Leigh, Sierra Madre Blvd.

Ms. Leigh suggested paying the gardeners more.

Bill Tice, N. Hermosa

Mr. Tice was a gardener and used a leaf blower for over 15 years. There is a health issue here dust. I suggest attack the health issue and check on immigration status.

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Pat Birdsall, N. Mountain Trail

Ms. Birdsall circulated three articles to the City Council. She has asthma and would like to see leafblowers banned in the City.

Heather Allen, Grove St.

Ms. Allen would like to reiterate what she stated at the last city Council meeting. There is no peace and quiet on Grove Street anymore. She guesses the question is...."What price to you put on peace and quiet?" What price do you put on saving the environment? (Keeping the environment pollution free?) Ms. Allen would ask the City Council to seriously consider banning these leafblowers. And if you cannot do that, please consider restricting their use, or reducing the decibel level at which they are used.

Linda Palmrose, E. Highland

Ms. Palmrose asked the City Council to please ban leaf blowers. We used to have a quiet neighborhood. Sometimes there is continuous noise. We have exhaust fumes, dust makes pollution, gardeners wear masks.

De Alcorn, E. Grandview

Mr. Alcorn has no issue with noise, but pollution in the air is a problem. Some gardeners blow the grass into the street. The issue is pollution in the air with blowers in general.

Tim Osti, N. Auburn

Mr. Osti noted that we don't live in a perfect world. It is sad to see that as citizens we don't cooperate. Government dictates how we live our lives. The issue is misuse of blowers. Is it a citywide problem? Look at the facts before you make an all or nothing decision. Blowers go faster than raking. If you put a ban on leaf blowers, you will have more people working. I would recommend businesses clean their sidewalks. Work with solutions first before mandates.

Hope Smith, W. Orange Grove

Ms. Smith works at a maid in Sierra Madre and she is also their gardener. Every day she is surrounded by gardeners. She sweeps every day. She doesn't like noise and dust. It starts at 7:30a.m. There must be a happy medium on the start and stop time...

Bill Coburn, Lima

Mr. Coburn lives on 2.2 acres – that is too much to rake. You would need a generator to use electric blowers. The cost to citizens would be more and what about the City's expenses, as stated for Code Enforcement. To carry a cord will take longer. You could limit hours of use.

Mayor Zimmerman closed public input portion.

Council Member Watts noted that when this item was agenzized and the issue of noise he thought there would be a room full of people. He called a guy on the East Coast and discussed the problem with him. He said that the issue is air pollution and proper use of leaf blowers. Council Member Watts invited him to come and speak. The California Environmental Quality people are redrafting a sensible ordinance and addressing: Noise; pollution, and cost effectiveness to keep yards clean – both sides of the argument are legitimate. He reviewed the noise of jet engines. It is not so much the noise of the equipment, but ambient noise in the neighborhood. You could lose your hearing with 100-120 dba. Don't see the answer to completely ban leaf blowers. That is not the direction to go. More efficient systems are coming out all the time. Athens Services gives off more pollution than leaf blowers. My gardener's leaf blower is quiet. The newer ones are lower level of noise. Pat Birdcall's concern about pollution is true, but enforcement and cost to the City is a concern of everybody. We could restrict the hours.

Council Member Buchanan noted that he has mixed reactions. Not a lot of people in the audience, but communications were received in large volume. I received Jots of e-mails for ban or restriction. A large amount of literature has been generated on leaf blowers. There was a 60 pg. report by CABB on the Internet in 2000. I share he concerns about health issues – "fugitive dust" by leaf blowers. There is a misuse. Noise is an issue, not so much the level of noise, but the type of sound, frequency of use. Construction is temporary. Gardening is never ending. Could restrict use. Can't get my mind around a ban. Would consider hours of use. Favor City exchanging old leaf blowers. An education campaign on the courtesy use of leaf blowers could be done. We need to phase in if we do anything. The City's cost issues outweigh what we gain from ban. Gardeners should not pollute the neighbors.

Mayor Pro Tern McGillivray stated that she agrees with the comments so far. Misuse is well taken. We can't single out leaf blowers. I walk early in the morning – 6:40a.m. Gardeners are out in full force. Lawn mowers make more noise. Weed wickers are just as bad. Many lawnmowers are on at 7:00a.m. In 1993 we grappled with this before – there is a valid argument on both sides of issue – cost and personnel, but lack of ability to rake. Enforcement is a problem. We could limit use. The owner of the property determines what the gardener uses. The best approach is to limit use. Can it be enforced – it's a problem. Reasonable, but restrictive time is good place to start 10:00 to 2:00 is good.

Council Member Musca stated that he Received lots of phone calls, e-mails and visits. He discussed it with seniors - it is quite a disturbance. The issue is misuse of leaf blowers. Exchanging the leaf blowers is good and he hopes the City can this through AQMD grant. We could go out and have a PR campaign. We could exchange leaf blowers and help subsidize. Educate on proper use of leaf blowers. Encourage exchange of old to new.

Mayor Zimmerman also noted that he received more e-mails on leaf blowers than on Measure V. This would call for an outright ban. A ban could take money out of gardener's pockets and residents. Some e-mails pointed out that in some communities this would work, but with the water issue in Sierra Madre, it is not an issue. We could restrict hours. As you know, gardeners are not highly compensated. As an incremental approach we could restrict hours, focus on educational program, and swap out older models using AQMD program.

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The City Manager stated that staff will work with the Police Chief on a comprehensive approach. We will come up with a proposal to address without a ban.

Council Member Watts stated that there are programs out there on use of leaf blowers to avoid excess dust. Gardeners need to use appropriately. Pamphlets are pictorials. Remember, the gentleman I talked with will fly out and suggest his program.

Council Member Buchanan wanted to remind everyone to deal with the time of use which is a sensitive issue. Flew restrict too much, we could have a problem of concentration of noise.

Mayor Zimmerman asked the City Manager is she had sufficient direction and she said yes.

5. REGULATION OF LEAF BLOWER MACHINES

Marilyn Diaz, Police Chief, reviewed the staff report. On September 9<sup>th</sup> AND 23<sup>rd</sup>, 2008, STAFF PRESENTED REPORTS ON THE NOISE AND HEALTH PROBLEMS ASSOCIATED WITH THE USE OF LEAF BLOWER MACHINES. Council directed staff to return, with a proposal to incrementally address the problems without resorting to a ban on leaf blower machines. Staff is proposing amending the Municipal Code to restrict the weekday hours noise sources are permitted in the City with an exemption for the Community Redevelopment Agency area and City property, engaging in an educational campaign to encourage gardeners to use quieter leaf blowers, and encouraging their participation in the South coast AQMD exchange program. Furthermore, the Public Works Department will replace its leaf blowers for quieter models.

The Police Chief noted that some residents have complained about the early and later hours that leaf blowers and machinery operate. Currently, Municipal Code Ordinance 9.32.060 A. allows sources not exceeding 80 dba from 7:00 a.m. to 9:00p.m, except Sundays and holidays when the operating hours are from 10:00 a.m. to 6:00p.m.

Council Member Mosca questioned educational program for AQMD exchange of leaf blowers and type of program. He would ask the residents to let their gardeners know about the exchange.

The Police Chief noted that the residents don't see their gardeners on a regular basis. Maybe Code Enforcement Officer could stop and distribute.

The City Manager remarked that maybe the Business License is a good mailing list.

Mayor Pro Tem MacGillivray stated that the word "limited" – to chop one hour off isn't much. If you want to give relief, you need to give more than two hours. Maybe 10:00 a.m. to 6:00 and no Sundays or Holidays.

Council Member Buchanan stated that many homeowners do their own gardening on weekends. Relief is limited. The type of sound is the issue, concentration of sound, decibel level is addressed. We could phase out older pieces of equipment, have less intrusive leaf blowers.

The Police Chief felt that if the City Council consider broader restrictions of usage, you will need a staff person to monitor.

The City Manager stated that she would recommend that the City property be exempt as it would increase the cost to the City.

Council Member Watts feels two-phase engines should be phased out. When gardeners come in for a business license, limit to 80 decibels or less. I know enforcement will be a problem. Maybe 8:00 a.m. to 6:00 on Saturday and 12:00 to 6:00 on Sunday.

Mayor Zimmerman opened for public comment.

David Darbyshire, Monterey Lane

Mr. Darbyshire feels leaf blowers are view of his life – I don't allow my gardeners to Use leaf blowers. They rake and sweep. The leaf blowers in the neighborhood blow their dust over the whole neighborhood. I can't hear TV, and it spread pollution. Leaf blowers should be limited. Addressing two-cycle engines is good.

Gary Hood, Park Avenue

Mr. Hood agrees with Mr. Darbyshire's remarks. Mr. Hood uses electric. You could consider lawn vacuum. It might be warranted.

Mayor Zimmerman closed public comment portion.

Council Member Mosca stated that it doesn't settle well with him that the City doesn't live with same restrictions as the residents.

Mayor Pro Tem MacGillivray stated that we have struggled with this for years. The solution is difficult. The suggestions given are not much relief. Could consider businesses being different than residential. The City needs to review cists. Maybe best to offer 9:00 a.m. til sundown on weekdays, limit weekend hours and get a response from the residents. Using a vacuum is a great idea.

Council Member Watts stated that pamphlets are available from leaf blower companies. They could be handed out with the business license.

Council Member Buchanan feels 8:00 a.m. start time allowance is good. It might be appropriate for the City to notify its maintenance company to buy new equipment. We are asking for Ordinance amendment. Phase out noise engines. We need 8:00a.m. to 6:00p.m. – more modest restriction.

Mayor Zimmerman stated that this issue has been faced with multiple City Councils. We voted to use incremental approach. Residents did not like. It would increase costs. The suggested fixes all have merit, but we have a difference of opinions. I propose 9:00 a.m. as start time and consider major holidays only for restricted use. He would recommend motion for the City Attorney to bring back a Resolution that represents compromise among the city Council and phase out is a good idea. When business come in for new business license, have equipment certified, maybe by 2010 or 2011. Provide all gardeners with two-stroke engine limitation, including the City.

Council Member Buchanan moved for approval to direct the City Attorney to return with an Ordinance for approval hours for power lawn equipment, electric and gas, reflect restriction to be 9:00 a.m. weekends and Saturday to sundown. Tighten hours from noon to 6:00 on Sunday. I am not in favor of closing down on major holidays. Exempt redevelopment area. I don't have a problem with exempting the city. Mayor MacGillivray seconded the motion and it passed by unanimous vote.

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Mayor Zimmerman requested a break at 9:40 P.M. and tire City Council reconvened at 9:45 P.M.

5. CONSIDERATION OF ORDINANCE 1287 REGARDING POWERED GARDENING EQUIPMENT.

Elaine Aguilar, City Manager, gave the staff report. At a previous Council meeting, the City Council directed staff to return with a draft Ordinance regulating the use of powered gardening equipment. Tire City Attorney's office has prepared three draft Ordinances for the Council's consideration. Each of the ordinances restricts the time periods during which powered gardening equipment can be used. The difference between the three Ordinances is the area of the City where the restriction is applicable, i.e., city-wide, inresidential zones only, or in non-downtown areas only. All three Ordinances limit the use of powered gardening equipment to 9:00 a.m.-sundown on Monday through Saturday, and from 12:00 p.m. to sundown on Sundays and holidays. The holidays are defined as: New Year's Day, Martin Luther King Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day and Christmas Day. The difference between the three ordinances is as follows:

- All Zones – Would restrict the use of powered gardening equipment city-wide, with no exemptions.
- Residential Zones – Would restrict the use of powered gardening equipment within residential zones only.
- Downtown Area – Would restrict the use of powered gardening equipment in areas OUTSIDE the Downtown Overlay Zone. This is the version recommended by staff. Originally staff requested an exemption that covered "city property" and the downtown business area. Upon further consideration, it is recommended that only the downtown area be exempted because of the disruption to downtown businesses if the area must be maintained during their business hours. The maintenance of the downtown area during business hours could result in complaints, particularly from establishments that have an outdoor component (outside dining, sales, etc.).

It is recommended that tire City Council provide staff with direction regarding restrictions on powered gardening equipment.

Council Member Mosca stated that he favors everything outside downtown area.

Council Member Buchanan feels 8:00 a.m. is better time as we are pushing more sound in shorter area of time .I suggest you define the Downtown Overlay Zone.

Council Member Mosca feels that part of the solution we should have a good outreach plan – there are options of obtaining grants to get new equipment. Let's cater to the people in town.

The City Attorney noted that t h e Ordinance for "Downtown Area" she needs a correction to add prior to Section One:

THE CITY COUNCIL OF THE CITY OF SIERRA MADRE, CALIFORNIA DOES  
HEREBY ORDAIN AS FOLLOWS:

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Mayor Zimmerman opened for public comment.

Barbara Leigh, E.Sierra Madre Blvd.

Ms. Leigh noted that all gardeners meet the decibel level now= we are getting fussier and fussier.

Heather Allen, Grove Street

Ms. Allen questioned if the fines were "misdemeanors"? and how much? Will homeowners and gardeners be advised of this change?

The City Attorney advised that the City has not yet adopted an Ordinance for "Administration Citation" and this needs to be done. It is friendly and tolerant at the moment. We will bring an ordinance back to you for consideration. As it is proposed tonight it is a misdemeanor and no fine has been set.

The City Manager stated that there will be a significant public relations campaign, newsletters, lots of ways to get the information out to the public.

Teryl Willis, Carter Avenue

Ms. Willis noted that she is an expert on noise. The time schedule doesn't matter to her because she can mow her yard without noise.

Gary Hood, Park Avenue

Mr. Hood feels we should be considerate of neighbors. This is commendable. He would suggest further consideration of people eating, gas, electric and manual – consider vacuuming. Blowers cause a "cloud"!

Mayor Zimmerman closed public comment portion.

Council Member Buchanan moved for approval to adopt Ordinance 1287 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE, CALIFORNIA, AMENDING CHAPTER 9.32 BY ADDING PROVISIONS RELATING TO POWERED GARDENING EQUIPMENT" for first reading by title only. The motion was seconded by Mayor Pro Tem MacGillivray and passed by voice vote of all City Council members present. The City Attorney read the Ordinance, by title only, for first reading, for the record.

Mayor Zimmerman felt, due to the late hour, and the importance of the next two agenda items, that they be postponed until the next meeting. They are both very important items.

Mayor Pro Tem MacGillivray noted that she doesn't have a problem doing this, although she would like to give a brief update on the skilled nursing facility.

Council Member Buchanan stated that he may not be able to make the next City Council meeting.

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Council Member Mosca asked that we discuss Item 7 this evening and postpone Item 6 until the March 10<sup>th</sup> meeting.

All City Council Members agreed to do this.

**REGULAR MEETING MINUTES OF THE SIERRA MADRE CITY COUNCIL  
& COMMUNITY REDEVELOPMENT AGENCY**

May 26, 2009

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**4. CONSIDERATION OF MODIFICATIONS TO ORDINANCE 1287  
RELATING TO POWERED GARDENING EQUIPMENT.**

Elaine Aguilar, City Manager, gave the staff report. At the February 24<sup>th</sup> city Council meeting, the City Council passed second reading and approved Ordinance #1287, regarding powered lawn equipment. Since approval of the Ordinance, concerns have been expressed by members of the public, and the Council directed that this Ordinance be placed on a future agenda for consideration of modifying sections of the ordinance. Any modifications to the Ordinance would need to return to the City Council in the form of a new Ordinance, and would need to pass first and second reading before going into effect. It is recommended that the City Council provide staff with direction regarding modifications to Ordinance #1287, pertaining to powered gardening equipment, and direct that a revised Ordinance be placed on a future agenda for consideration.

Mayor McGillivray opened for public comment.

Laurie Cooper, E. Laurel

Ms. Cooper stated that it seems discriminatory to take some items out of Ordinance. The City should not be exempt and businesses should not be exempt. It should be an Ordinance that covers everything equally. 9:00 a.m. To start is a hardship. The Ordinance should be more uniform. Make a compromise.

Tim Ostia, N. Auburn

Mr. Ostia spent 20 hours preparing a study on this subject. He presented a copy to the City Clerk. If anyone would like a copy please call the City Clerk and she will provide you with a copy. Mr. Ostia feels we should eliminate everything and go back to the original schedule and square one. There were 11 speakers on this item when agenzized before and only three people wanted an all-out ban. He read his article in its entirety.

Barbara Leigh, Sierra Madre Blvd.

Ms. Leigh stated that she stands behind Tim Ostia and his comments. What he presented is reasonable. We can't exclude certain people. Either include everyone or you are singling out.

Mayor McGillivray closed public comment portion.

Council Member Musca also thanked Tim Ostia for his research and information and coming to the City Council Meeting and expressing himself. It is wise to discuss the problem and offer resolutions. Leaf blowers started this. Maybe we should go back and address noise of leaf blowers. Maybe permit process could state rules and regulations.

Council Member Watts noted that we crafted an ordinance on our perceptions. We need public comment. He asked if Tim Ostia could help craft an ordinance with the staff. He has good ideas. Hours need to be addressed. The ordinance got out of control. It is tough to work in the heat of the day. Hours should be more flexible, especially in the summer.

REGULAR MEETING MINUTES OF THE SIERRA MADRE CITY COUNCIL  
& COMMUNITY REDEVELOPMENT AGENCY

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Council Member Zimmerman noted that this issue was considered and discussed at least four times. He is dismayed to hear the City Council should start over. After four meetings and presentations, let's move forward with the ordinance with amendments. We can have an exception for tree trimming. Ironically, we could scrap and go back to what we had before.

Council Member Buchanan feels this ordinance is one you vote for compromise. This ordinance made everyone unhappy. People need an earlier start time. The ordinance started out as leaf blowers and grew. He felt the time was too restrictive. 8:00 a.m. Monday through Saturday is good. Sunday and Holidays could be 10:00 a.m. Homeowners should be able to do their yard work. He likes a number of Tim Ostia's recommendations. This current ordinance may not be workable. Let's look at the time limit and see how it works. I don't agree to exclude tree trimmers, I don't want a distinction. I might favor an earlier stop time, maybe 7:00p.m. I don't want to revisit the ordinance.

Mayor McGillivray stated, "Now you can see why we didn't have an Ordinance". Ordinance #1287 is a noise ordinance. It only adds Gardening Section (Section D). Page 1, Section, defines Holidays. We haven't created a new ordinance. Let's go back and address leaf blowers and noise.

We should not allow equipment with a noise level exceeding 80 dba. Let's address Holidays. Redefine Holidays or take out. We should just restrict to major holidays. Enforcement is an issue. The permit process might be good.

Council Member Musca questioned is we could regulate through licensing.

The City Manager felt the gardeners could not update their equipment, but we could require them to.

Tim Ostia

Mr. Ostia noted that he read all the meetings on this discussion. The residents did not show up on the leaf blower discussions. I offered my expertise at the meetings. Tree trimmers should not be excluded. The most modern equipment meets the requirements and below. You have unprofessional gardeners. Approach this educationally. Go back to original ordinance. Leaf blowers cost between \$160-\$170. Homeowners need to pay their gardeners a reasonable rate so they can use a rake or broom. Residents could be less concerned with their yard cleaning program. I will cooperate regardless -you could have a moratorium and remove quickly.

The City Attorney stated that if you want to limit to leaf blowers, we can change the definition to accomplish that. It is problematic to enforce a decibel level. Approving equipment is hard to enforce.

The City Manager stated that the Code Enforcement Officer reviewed over a dozen instances and none went over the 80 dba.

Council Member Buchanan stated that we went through this whole process before. We wanted to give residents relief. We came up with hour restrictions. It should have been earlier. We are working a hardship on people making a living. Let's have 8:00 a.m. as start time; 7:00 p.m. as stop time and 9:00 or 10:00 a.m. start time on holidays and leave the ordinance in place.

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Mayor Pro Tern Watts questioned if there was a way to alert the Fire Department when residents on the hillside are trimming during "weed abatement". Power equipment can start fires.

Mr. Ostia feels the City Council is going in a good direction. All residents can talk with neighbors and communicate problems and maybe correct at this point.

Council Member Musca moved and it was seconded by Council Member Buchanan for approval to amend Ordinance No. 1287 under "Holiday" to mean New Year's Day (January 1), Memorial Day (the last Monday in May), Independence Day (July 4), Thanksgiving Day (the fourth Thursday in November), Christmas Day (December 25) and Labor Day (first Monday in September); and under Section D, Powered Gardening Equipment (Leaf Blowers Only) start time 8:00 a.m. to 7:00p.m. Monday through Saturday, and 10:00 a.m. to 6:00 p.m. Sundays and Holidays. Also encourage education of public at large and gardeners. The motion passed by unanimous voice vote.

The City Attorney announced that this ordinance will be brought back with changes for first and second reading.

The City Manager felt the gardeners could not update their equipment, but we could require them to.



# City of Sierra Madre Agenda Report

*Gene Goss, Mayor*  
*Rachelle Arizmendi, Mayor Pro Tem*  
*John Capoccia, Council Member*  
*Denise Delmar, Council Member*  
*John Harabedian, Council Member*

*Melinda Carrillo, City Clerk*  
*Michael Amerio, City Treasurer*

TO: Honorable Mayor Goss and Members of the City Council

FROM: Elaine I. Aguilar, City Manager 

DATE: October 25, 2016

**SUBJECT: Consideration of Resolution 16-64 Nominating Rosemead Council Member Margaret Clark to the San Gabriel Basin Water Quality Authority Representing Cities without Pumping Rights**

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## SUMMARY

Attached is correspondence from the San Gabriel Basin Water Quality Authority (WQA) regarding nominations for the WQA Board Member representing cities without pumping rights. At the previous Council Meeting, Council Member Capoccia placed this item on tonight's agenda, and recommended that a nomination be submitted for Rosemead Council Member Margaret Clark.

This item is on the agenda so that the City Council may submit a nomination. Only one nomination may be submitted by the City. A draft resolution is attached for the Council's consideration.

## ANALYSIS

The WQA Board was established to develop, finance and implement groundwater treatment programs in the valley. The WQA is governed by a seven member board with one member nominated/appointed by cities that do not have pumping rights in the basin. (The term is for a four year period.) The City of Sierra Madre is a city that does not have pumping rights in the San Gabriel water basin. The Board Member seat representing cities without pumping has become vacant, and the WQA Board has called a special election to fill the vacancy.

The special election to fill the vacancy is being conducted in the same manner as a regular election, except for the timing. Nominations must be made by resolution and received between October 20, 2016 and November 18, 2016. The deadline for submittal of City's election resolution is January 18, 2017 at 12 pm. The election resolution will be placed on the Council's January 10, 2017 agenda.

Additional information is in the attached WQA correspondence.

The newly elected Board Member will fill the unexpired term of the previous Board Member.

At the previous Council meeting, Council Member Capoccia placed this item on the agenda, and stated that he would like to place the nomination of Rosemead Council Member Margaret Clark before the Council. A resolution is attached which names Rosemead Council Member Margaret Clark as the nominee. However, it is possible for the Council to nominate any City Council Member from a city without pumping rights. This list of cities is in the attached correspondence.

### **FINANCIAL REVIEW**

There are no financial impacts associated with the nomination or appointment of the WQA Board member.

### **PUBLIC NOTICE PROCESS**

This item has been noticed through the regular agenda notification process. Copies of this report are available at the City Hall public counter, on the City's website, and the Sierra Madre Public Library.

### **ALTERNATIVES**

The alternatives are:

1. Authorize the submittal of a resolution nominating Rosemead Council Member Margaret Clark to the WQA Board.
2. Authorize the submittal of a resolution nominating any City Council member from a city without pumping rights.
3. Take no action.

### **STAFF RECOMMENDATION**

It is recommended that the City Council authorize Resolution 16-64 nominating Rosemead Council Member Margaret Clark to the San Gabriel Basin Water Quality Authority Board for cities without pumping rights.

Attachment: Correspondence from the WQA

Resolution 16-64 Nominating Rosemead Council Member Margaret Clark to the San Gabriel Basin Water Quality Authority Representing Cities without Pumping Rights



## San Gabriel Basin Water Quality Authority

1720 W. Cameron Avenue, Suite 100, West Covina, CA 91790 • 626-338-5555 • Fax 626-338-5775

September 21, 2016

City Manager  
CITY OF SIERRA MADRE  
232 West Sierra Madre Blvd.  
Sierra Madre, CA 91024

**RE: NOMINATIONS TO FILL VACANCY FOR WQA BOARD MEMBER  
REPRESENTING CITIES WITHOUT PUMPING RIGHTS**

Dear City Manager:

The San Gabriel Basin Water Quality Authority (WQA) was established by the State Legislature (SB 1679) on February 11, 1993 to develop, finance and implement groundwater treatment programs in the San Gabriel Valley. The WQA is under the direction and leadership of a seven member board, one member each from an overlying municipal water district, one from a city with water pumping rights, one from a city without water pumping rights and two members representing water purveyors. The Board Member seat representing cities without pumping has become vacant. Under section 508 of the San Gabriel Basin Water Quality Authority Act ("WQA Act") a vacancy now exists on the WQA Board of Directors for the Member representing cities without pumping rights. Under the WQA Act, a vacancy in the office of a Member who was elected by cities without pumping rights shall be filled by a special election called by the WQA. Nominations and balloting are conducted in the same manner as a regular election, except that the date of the election and other time periods shall be as prescribed by the WQA. (WQA Act §134-508). The Member elected to fill a vacancy shall meet the qualifications applicable to the vacant office and shall serve for the remaining term of the vacant office.

The WQA Board has called a special election to fill the vacancy for January 18, 2017 at 12:00 PM at the WQA offices. Nominations must be made by resolution of the city council of the nominating city. **Nominations must be received between October 20, 2016 and November 18, 2016.** A city is not limited to nominating members of its own council, but may nominate a city council member from any city without pumping rights. The cities without pumping rights are as follows:

CITIES WITHOUT PUMPING RIGHTS

Baldwin Park  
La Puente  
San Dimas  
Sierra Madre  
West Covina

Bradbury  
La Verne  
San Gabriel  
South El Monte

Duarte  
Rosemead  
San Marino  
Temple City

Please find enclosed the "Call for Nominations" form and a sample resolution. Please read through the enclosures and forward copies to your council members. All nominations must be made by resolution and must be submitted to the Water Quality Authority from October 20, 2016 through November 18, 2016 at 5:00 p.m. **Nominations arriving before or after the nomination period will not be accepted.**

To ensure that we receive your nominations, **please send the resolution by certified mail, FedEx, UPS, etc. with "signature required" or hand deliver** to our office Monday through Friday 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m. After nominations are collected, a ballot listing the candidates will be sent to cities without pumping rights to vote no later than December 2, 2016.

If I can be of any assistance, please contact me at (626) 338-5555 or at [Stephanie@wqa.com](mailto:Stephanie@wqa.com) .

Sincerely,



Stephanie Moreno  
San Gabriel Basin Water Quality Authority  
[Stephanie@wqa.com](mailto:Stephanie@wqa.com)

Enclosures

CALL FOR NOMINATIONS  
FOR  
ELECTION OF CITY MEMBER FROM  
CITIES WITHOUT PUMPING RIGHTS  
TO THE BOARD OF THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY  
PURSUANT TO SB 1679

CITY: SIERRA MADRE

TO THE CITY COUNCIL:

The election of the city member of the Board of the San Gabriel Basin Water Quality Authority ("the Authority") from cities without pumping rights will take place at the regular meeting of the Board of the Authority set for January 18, 2017, at 12:00 p.m., at 1720 W. Cameron Ave., Suite 100, West Covina, California.

Nominations for candidates for a city member elected by cities without pumping rights may be made by any city without pumping rights. Each city may nominate only one candidate.

The member shall be City Council members or Mayors from cities without pumping rights. An alternate member acts in the place, and performs all the duties, of the city member selected by the same cities if that city member is absent from a meeting of the Authority or has vacated his or her office until the vacancy is filled pursuant to the provisions of SB 1679.

No person who, directly or indirectly, at the time of election, receives, or during the two-year period immediately preceding election received, 10 percent or more of his or her income from any person or public entity subject to regulation by, or that received grants from or contracts for work with, the Authority may serve as a member of the Authority.

Your city may nominate one candidate by resolution of the City Council. Your nomination must be submitted to the Authority at least 60, but not more than 90 days preceding the meeting at which the election is to be held.

# (SAMPLE RESOLUTION)

If you would like an electronic version of this resolution please email Stephanie Moreno to request one at: [stephanie@wqa.com](mailto:stephanie@wqa.com)

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF \_\_\_\_\_, CALIFORNIA  
NOMINATING COUNCILMEMBER \_\_\_\_\_  
TO REPRESENT CITIES WITHOUT PRESCRIPTIVE WATER  
PUMPING RIGHTS ON THE BOARD OF THE  
SAN GABRIEL BASIN WATER QUALITY AUTHORITY**

**WHEREAS**, on September 22, 1992, Senate Bill 1679 was signed into law by Governor Pete Wilson authorizing the creation of the San Gabriel Basin Water Quality Authority; and

**WHEREAS**, the Board of the San Gabriel Basin Water Quality Authority is composed of seven members with three appointed members from each of the three municipal water districts, one elected city council person from cities in the San Gabriel Basin with prescriptive water pumping rights, one elected city council person from cities in the San Gabriel Basin without prescriptive water pumping rights, and two members representing water producers in the San Gabriel Basin and;

**WHEREAS**, the City of \_\_\_\_\_ is one of the cities in the San Gabriel Basin without prescriptive water pumping rights;

**WHEREAS**, the City of \_\_\_\_\_ may nominate a representative by resolution;

**WHEREAS**, all nominations must be submitted to the San Gabriel Basin Water Quality Authority between October 20, 2016 and November 18, 2016.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF \_\_\_\_\_,  
CALIFORNIA DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:**

**SECTION 1.** The City Council of the City of \_\_\_\_\_ nominates Councilmember \_\_\_\_\_ as the representative for cities in the San Gabriel Basin without prescriptive water pumping rights.

**PASSED, APPROVED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**MAYOR:**  
SANDRA ARMENTA

**MAYOR PRO TEM:**  
POLLY LOW

**COUNCIL MEMBERS:**  
WILLIAM ALARCON  
MARGARET CLARK  
STEVEN LY



## City of Rosemead

8838 E. VALLEY BOULEVARD P.O BOX 399  
ROSEMEAD, CALIFORNIA 91770  
TELEPHONE (626) 569-2100  
FAX (626) 307-9218

September 21, 2016

City of Sierra Madre  
Attn: Mayor Gene Goss  
232 W. Sierra Madre Blvd.  
Sierra Madre, CA 91024

RE: Request for Nomination to the San Gabriel Basin Water Quality Authority

Dear Mayor Goss:

As you know, I am the alternate to Louie Aguinaga, Former Mayor of South El Monte, who was your representative of the cities without pumping rights on the San Gabriel Basin Water Quality Authority (WQA). As I'm sure you are aware, Louie Aguinaga had to resign from his seat due to pleading guilty to bribery charges. See Article: [San Gabriel Valley Tribune \(September 1, 2016\): Former South El Monte Mayor pleads guilty to bribery.](#)

As a result, his seat on the WQA is vacant and an election to fill it is being held. While I hold the alternate seat, I would like to move back into the boardmember seat for the remainder of the term which expires in January 2019. I have represented your City on the WQA which oversees the groundwater cleanup in the San Gabriel Basin. We are continuing to make great progress and to date have removed more than 68 tons of contaminants but the job isn't done.

Our 13 cities must hold the election and the nomination period opens with nominations being accepted in the form of a resolution from each City between October 20, 2016 and November 18, 2016. Then between December 3, 2016 and January 18, 2017, the cities' final votes by resolution can be accepted.

I would really appreciate having your City's nomination and subsequent vote. If you have any questions, I would be happy to speak to you. My cell phone number for talking or texting is (626) 833-6672 and my email is [clarkeesc@yahoo.com](mailto:clarkeesc@yahoo.com).

Thank you so much for your consideration,

Margaret "Maggie" Clark  
Councilmember  
City of Rosemead  
Alternate Boardmember, San Gabriel Basin Water Quality Authority

**CITY COUNCIL RESOLUTION 16 -- 64**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE  
NOMINATING ROSEMEAD COUNCILMEMBER MARGARET CLARK TO  
REPRESENT CITIES WITHOUT PRESCRIPTIVE WATER PUMPING RIGHTS ON  
THE BOARD OF THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY**

THE CITY COUNCIL OF THE CITY OF SIERRA MADRE DOES HEREBY  
RESOLVE:

WHEREAS, on September 22, 1992, Senate bill 1679 was signed into law by Governor Pete Wilson authorizing the creation of the San Gabriel Basin Water quality Authority; and

WHEREAS, the Board of the San Gabriel Basin Water quality Authority is composed of seven members with three appointed members from each of the three municipal water districts, one elected city council person from cities in the San Gabriel Basin with prescriptive water pumping rights, one elected city council person from cities in the San Gabriel basin without prescriptive water pumping rights, and two members representing water producers in the San Gabriel Basin; and

WHEREAS, the City of Sierra Madre is one of the cities in the San Gabriel Basin without prescriptive water pumping rights;

WHEREAS, the City of Sierra Madre may nominate a representative by resolution;

WHEREAS, all nominations must be submitted to the San Gabriel Basin Water Quality Authority between October 20, 2016 and November 18, 2016.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SIERRA MADRE, CALIFORNIA DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

SECTION 1. The City Council of the City of Sierra Madre nominates Council Member Margaret Clark as the representative for cities in the San Gabriel Basin without prescriptive water pumping rights.

PASSED, APPROVED and ADOPTED, this 25<sup>th</sup> day of October, 2016 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Gene Goss, Mayor  
City of Sierra Madre

ATTEST:

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Melinda Carrillo, City Clerk

I, MELINDA CARRILLO, CITY CLERK OF THE CITY OF SIERRA MADRE, hereby certify that the foregoing Resolution was adopted by the City Council of the City of Sierra Madre at a regular meeting held on the 25<sup>th</sup> day of October, 2016.

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Melinda Carrillo, City Clerk