


7.2
WATER EFFICIENT LANDSCAPE
REGULATIONS

**City of Laguna Woods
Agenda Report**

FOR: December 16, 2009 City Council Meeting

TO: Honorable Mayor and Councilmembers

FROM: Leslie A. Keane, City Manager 

AGENDA ITEM: Water Efficient Landscape Regulations

Recommendation (Staff and Land Use and Design Review Committee)

- A. Receive Staff Report.
- B. Open Public Hearing.
- C. Receive Public Comment.
- D. Close Public Hearing.
- E. Adopt an ordinance establishing water efficient landscape regulations, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA,
AMENDING THE LAGUNA WOODS MUNICIPAL CODE TO
ESTABLISH WATER EFFICIENT LANDSCAPE REGULATIONS

- F. Approve a resolution establishing guidelines for implementation of the water efficient landscape ordinance, entitled:

A RESOLUTION OF THE CITY OF LAGUNA WOODS, CALIFORNIA,
ESTABLISHING GUIDELINES FOR IMPLEMENTATION OF THE
WATER EFFICIENT LANDSCAPE ORDINANCE

Background

In 2006, Assembly Bill 1881 (Laird, Water Conservation) was chaptered into State law. It requires cities to adopt either the model water efficient landscape ordinance developed by the State Department of Water Resources (approved by the Office of

Administrative Law on September 10, 2009) or an ordinance that is “at least as effective” by January 1, 2010. If no action is taken, the State’s model ordinance will automatically become effective and the City will be required to enforce it. By January 31, 2010, the City is required to file proof of compliance with the State.

The Municipal Water District of Orange County, in partnership with the Orange County Division of the League of California Cities, formed a stakeholder group to develop an Orange County model water efficient landscape ordinance that meets Assembly Bill 1881’s “at least as effective” requirement. The group also sought to protect local control; promote general consistency throughout the county; and, minimize the cost and complexity of compliance. Participation in the ordinance drafting process was broad; including cities, water districts, irrigation consultants, landscape architects, green industries, and the Building Industry Association.

The Land Use and Design Review Committee recommended that the City Council approve the proposed water efficient landscape regulations at their meeting on November 12, 2009. The City Council approved the introduction and first reading of the proposed water efficient landscape ordinance at their meeting on November 18, 2009. At that time, staff was asked to include a plan check review option in the regulations, in addition to the self-certification process.

Discussion

The proposed water efficient landscape ordinance is based heavily on the Orange County model ordinance, with modifications made for formatting consistency with the City’s Municipal Code and clarity. It is accompanied by a technical guidelines document that contains specific implementation procedures. Staff believes that the technical guidelines will change in the coming years, as landscape and irrigation technologies continue to evolve, and is recommending that they be adopted by resolution rather than as a part of the ordinance.

In addition to adding a water efficient landscape chapter to Title 4 of the Municipal Code, the proposed ordinance amends Section 13.16.190 of the Municipal Code in order to eliminate conflicts with the water efficient landscape chapter.

Applicability

The proposed regulations would apply to the following types of landscape projects, provided they are subject to discretionary approval of a landscape plan (e.g., as part of a site development plan) or require the issuance of a ministerial permit for a landscape or water feature (e.g., building, grading, plumbing, or electrical permits):

Individual Homeowners

- New landscape installation projects with a landscape area equal to or greater than 5,000 square feet.

Public Agencies or Non-Residential Developers

- New landscape installations or rehabilitation projects with a landscaped area equal to or greater than 2,500 square feet.

Property Managers or Developers of Single-Family or Multi-Family Residential Projects or Complexes

- New landscape installation or rehabilitation projects with a landscaped area equal to or greater than 2,500 square feet.

The City does not require a permit for simply replanting a landscape; however, if a permit is required for a feature associated with a landscape that is being replanted and the project meets the criteria listed above, it would be required to comply with the regulations (e.g., the replanting of a multi-family residential landscape equal to or greater than 2,500 square feet would be subject to the regulations if a change was made to the irrigation system that required a permit). New landscape projects that are submitted with plans for building construction and are equal to or greater than the sizes listed above would be required to comply with the regulations.

With the exception of certain provisions related to water conservation and water waste prevention, the regulations would not apply to existing landscapes.

Exemptions

The following landscape projects are exempt from the proposed regulations:

- Registered local, state, or federal historical sites.
- Ecological restoration projects without permanent irrigation systems.
- Mined-land reclamation projects without permanent irrigation systems.
- Plant collections in botanical gardens or arboretums open to the public.

Additionally, the City Manager would have the ability to waive the requirements of the regulations for rehabilitation projects that meet all of the following criteria:

- They are limited to the replacement of plants with equal or lower water use.
- No changes are made to the irrigation system requiring ministerial permits.

- The irrigation system is found to be designed, operable, and programmed consistent with the El Toro Water District's water waste regulations.

Landscape Documentation Packages

The proposed regulations require applicants to submit a landscape documentation package to the City prior to being issued permits or beginning installation. The elements of the documentation package may vary based on the nature of a given project, but will generally include water efficiency calculations, a soil management report, landscape design plan, irrigation design plan, and grading design plan.

The bases of the landscape documentation packages are two values, the Maximum Applied Water Allowance (MAWA) and the Estimated Applied Water Use (EAWU), both of which would be calculated by the applicant. The MAWA is the annual limit of water that can be applied to a landscape taking into account various environmental factors. The EAWU is the annual amount of water that is required to keep plants in a healthy state in a particular landscape. Documentation packages must prove that the EAWU does not exceed the MAWA.

The cornerstone of the proposed regulations – and a significant change from the State's model ordinance – is the ability for applicants to self-certify elements of the documentation package prepared by licensed landscape professionals. This would streamline the permitting process and minimize costs.

Since this item was discussed at the City Council meeting on November 18, 2009, language has been added to the technical guidelines document that would allow applicants to prepare landscape documentation packages on their own and submit them to a licensed landscape professional of their choosing for review and comment (effectively, a plan check). This provision would provide applicants with additional flexibility, while still maintaining a level of oversight by licensed professionals. Upon submittal, a landscape professional would still be required to certify that the documentation package conforms to the City's regulations. In order for the City's regulations to be "at least as effective" as the State's model ordinance, a landscape professional would continue to be required to install or supervise installation of the landscape and sign a Certificate of Completion attesting that the landscape was installed in conformance with the approved documentation package.

Also, since the City Council meeting on November 18, 2009, the Orange County model ordinance was updated to allow the limited use of low volume overhead irrigation. That update is included in the technical guidelines document.

Provisions for Post-Installation and Existing Landscapes

The State's model ordinance includes a number of provisions that staff believes are effectively met by existing efforts, including the El Toro Water District's (ETWD) Water Conservation and Water Supply Shortage Ordinance. Rather than establish duplicative regulations, the proposed regulations state that irrigation practices for post-installation and existing landscapes must conform to the ETWD's rules and requirements, including penalties and incentives for water conservation and water waste prevention. All water users are currently subject to the ETWD's ordinance. Inclusion of a statement of support fulfills State law requirements without creating new regulations or enforcement responsibilities.

In addition to preventing water waste, State law now requires the implementation of programs targeted to existing landscapes larger than one acre that evaluate water use and provide recommendations, as necessary, to reduce it to levels at or below the Maximum Applied Water Allowance. Programs such as the Municipal Water District of Orange County's Landscape Performance Certification Program (LPCP) effectively meet this requirement. The City would assist the El Toro Water District with enrolling landscapes in the LPCP, including by sharing all applicable water efficiency calculations submitted with landscape documentation packages.

Common Interest Developments

In accordance with Assembly Bill 1881, the proposed regulations prohibit common interest developments from applying architectural guidelines that prohibit or have the effect of prohibiting the use of low-water use plants as a group. Assembly Bill 1061 (Lieu, Common interest developments: water efficient landscapes), which was chaptered into State law on October 11, 2009, also prohibits those guidelines, as well as guidelines that have the effect of prohibiting or restricting compliance with the City's water efficient landscape regulations.

Delegation

The proposed regulations allow for arrangements to be made with local agencies regarding their administration, implementation, and/or enforcement.

CEQA Compliance

The proposed ordinance is exempt from the California Environmental Quality Act pursuant to State CEQA Regulation 15307 (14 Cal. Code Regs., § 15307) in that they will not result in cumulative adverse environmental impacts.


Fiscal Impact

City projects that meet the applicability criteria would be required to comply with the proposed regulations. City Centre Park and portions of the Moulton Smart Street Project are expected to be subject to the regulations. The bulk of the fiscal impact would be associated with contracting with a licensed landscape professional to prepare landscape documentation packages. Sufficient funds are included in both of the aforementioned project budgets.

Additionally, while few private projects are expected to be subject to the proposed regulations, there would be a small impact on staff time associated with reviewing and processing landscape documentation packages. Staff time would be covered by application fees.

Conclusion

If the City does not adopt a water efficient landscape ordinance by January 1, 2010, the State's model ordinance will automatically become effective and the City will be required to enforce it. The proposed regulations provide for a less costly, less time-consuming, and less complex way of complying with Assembly Bill 1881. If approved, the regulations would be effective in January 2010.

Report prepared by: Christopher Macon, Special Projects Manager 

Attachments: Ordinance
Resolution
Proposed Guidelines

ORDINANCE NO. 09-XX

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AMENDING THE LAGUNA WOODS MUNICIPAL CODE TO ESTABLISH WATER EFFICIENT LANDSCAPE REGULATIONS

WHEREAS, the State Legislature reached findings related to water use, waste, conservation, and efficiency and included those findings in the chaptered text of Assembly Bill 1881 (Laird, Water Conservation); and

WHEREAS, the City of Laguna Woods intends to amend its Municipal Code so that it is consistent with Assembly Bill 1881; and

WHEREAS, the City of Laguna Woods intends to amend its Municipal Code so that it is “at least as effective” as the State of California’s Model Water Efficient Landscape Ordinance, which reflects the requirements of Assembly Bill 1881.

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Findings

The City Council hereby incorporates the foregoing recitals and findings.

SECTION 2. Adoption of Building Site Regulations

Section 13.16.190 (Landscaping) of the Laguna Woods Municipal Code is hereby amended in its entirety to read as follows:

Sec. 13.16.190. Landscaping.

Landscaping, consisting of trees, shrubs, vines, ground cover, turf, plants or any combination thereof, shall be installed and maintained subject to the following standards:

- (1) Landscaping along all streets and boundaries shall be in compliance with the fences and walls requirements.

(2) Boundary landscaping is required for a minimum depth equal to the required setback distance or ten feet (whichever is less) along all property lines abutting streets except for the required street openings.

(3) Any landscaped area shall be separated from an adjacent parking or vehicular area by a wall or curb at least six inches higher than the adjacent parking or vehicular area.

(4) Landscaping shall be maintained in a neat, clean and healthy condition, and, as applicable, in compliance with Chapter 4.28. This shall include proper pruning; mowing of lawns; weeding; removal of litter; fertilizing and watering as needed and permitted; provision of permanent water facilities as needed and permitted; and replacement of any landscaping as needed and permitted.

(5) In addition to other projects that may be subject to this section, the following projects shall be subject to these regulations regardless of the district or specific plan in which they are located:

- (1) Multifamily projects of five or more units;
- (2) Residential planned developments (common areas only); and
- (3) Commercial/office projects involving landscaping/irrigation of more than one cumulative acre.

SECTION 3. Adoption of Water Efficient Landscape Regulations

Chapter 4.28, entitled Water Efficient Landscapes, is hereby added to Title 4 (Health and Sanitation) of the Laguna Woods Municipal Code as follows:

CHAPTER 4.28. WATER EFFICIENT LANDSCAPES

- 4.28.010. Findings.
- 4.28.020. Purpose.
- 4.28.030. Definitions.
- 4.28.040. Applicability.
- 4.28.050. Exemptions.
- 4.28.060. Implementation procedures.
- 4.28.070. Landscape water use standards.
- 4.28.080. Delegation.
- 4.28.090. Relationship.

4.28.010. Findings.

- (a) All water services in the City of Laguna Woods are metered.
- (b) Landscape plan submittal and review for certain types of projects has been a long-standing practice in the City of Laguna Woods.
- (c) Current local design practices in new landscapes typically achieve the State Model Water Efficient Landscape Ordinance water use goals.
- (d) The average rainfall in Orange County is approximately 12 inches per year.
- (e) Orange County has an established reclaimed water infrastructure system.
- (f) The local water purveyor is implementing enforcement of water conservation and water waste prohibitions for all metered landscape areas throughout its service area, which includes the City of Laguna Woods.
- (g) Incentive-based and education-based water use efficiency programs have been and continue to be implemented in Orange County and made available to Laguna Woods residents.
- (h) Orange County is a leader in researching and promoting the use of smart automatic irrigation controllers.
- (i) Pursuant to State legislation, all new irrigation controllers sold in Orange County after 2012 will be smart automatic irrigation controllers.

4.28.020. Purpose.

The purpose of this chapter is to establish regulations to ensure that landscapes are planned, designed, installed, maintained, and managed in a manner that uses water efficiently, encourages water conservation, and prevents water waste.

Furthermore, the purpose of this chapter is to establish an alternative model acceptable under Assembly Bill 1881 (Laird, Water Conservation) as being “at least as effective” as the State of California’s Model Water Efficient Landscape Ordinance in the context of conditions relative to the City.

4.28.030. Definitions.

For the purposes of this chapter and the Guidelines, the following terms are defined:

- (05) *City* means the City of Laguna Woods.
- (10) *City Manager* means the City Manager of the City of Laguna Woods or his or her designee.
- (15) *Applicant* means the person submitting a landscape documentation package. Applicants can be the property owner or his or her designee.
- (20) *Applied water* means the portion of water supplied by the irrigation system to the landscape.
- (25) *Budget-based tiered-rate structure* means tiered or block rates for irrigation accounts charged by the local water purveyor in which the block definition for each customer is derived from lot size or irrigated area and the evapotranspiration requirements of landscaping.
- (30) *Ecological restoration project* means a project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.
- (35) *Estimated Applied Water Use* or *EAWU* means the average annual total amount of water estimated to be necessary to keep plants in a healthy state, calculated as provided in the Guidelines. It is based on factors such as the reference evapotranspiration rate, the size of the landscape area, plant water use factors, and the irrigation efficiency of the irrigation system.
- (40) *Evapotranspiration adjustment factor* or *ET adjustment factor* or *ETAF* is equal to the plant factor divided by the irrigation efficiency factor for a landscape project, as described in the Guidelines. The ETAF is calculated in the context of local reference evapotranspiration, using site-specific plant factors and irrigation efficiency factors that influence the amount of water that needs to be applied to the specific landscaped area. A combined plant mix with a site-wide average plant factor of 0.5 (indicating a moderate water need) and average irrigation efficiency of 0.71 produces an ET adjustment factor of $(0.7) = (0.5/0.71)$, which is the standard of water use efficiency generally required by this chapter and the Guidelines, except that the ETAF for a special landscaped area shall not exceed 1.0.
- (45) *Guidelines* refers to the Guidelines for Implementation of the Water Efficient Landscape Ordinance, as approved by the City, which describes procedures, calculations, and requirements for landscape projects subject to this chapter.

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

(55) *Homeowner installed* means any landscaping either installed by a private individual for a single-family or multi-family residential lot or installed by a licensed contractor hired and paid directly by a homeowner. A homeowner, for purposes of this chapter, is a person who occupies the dwelling he or she owns. This definition excludes speculative homes, which are not owner-occupied dwellings and which are subject under this chapter to the requirements applicable to developer-installed residential landscape projects.

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

(65) *Irrigation efficiency* or *IE* means the measurement of the amount of water beneficially used divided by the amount of water applied to the landscaped area. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The minimum average irrigation efficiency for purposes of this chapter is 0.71. Greater irrigation efficiency can be expected from well-designed and maintained systems.

(70) *Landscape Documentation Package* means the documents required to be provided to the City for review and approval of landscape projects subject to this chapter, as described in the Guidelines.

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

(80) *Landscape project* means total area of landscape in a project, as provided in the definition of "landscaped area," meeting the requirements under Section 4.28.040 of this chapter.

(85) *Landscape rehabilitation* means any re-landscaping project that meets the applicability criteria of Section 4.28.040(a) of this chapter, where the modified landscape area is greater than 2,500 square feet or where the cumulative modified area is greater than 2,500 square feet if the modifications are planned to occur incrementally within one year.

(90) *Landscaped area* means all the planting areas, turf areas, and water features in a landscape design plan subject to the Maximum Applied Water Allowance and Estimated Applied Water Use calculations. The landscaped area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or non-pervious hardscapes, and other non-irrigated areas designated for non-development (e.g., open spaces and existing native vegetation).

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

(100) *Local water purveyor* means any entity, including a city, county, public agency, or private water company that provides retail water service. Local water purveyor shall also mean any entity that provides wholesale water service, for the purpose of Section 4.28.060(b)(1) and Section 4.28.080.

(105) *Maximum Applied Water Allowance* or *MAWA* means the upper limit of annual applied water for the landscaped area as specified in the Guidelines. It is based upon the area's reference evapotranspiration, the ET adjustment factor, and the size of the landscaped area. The Estimated Applied Water Use shall not exceed the MAWA.

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

(115) *New landscape* means, for the purposes of this chapter, a new building with a landscape or other new landscape such as a park, playground, or greenbelt without an associated building.

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

(125) *Person* means any individual, firm, joint venture, joint stock company, partnership, public or private association, company, corporation, business trust, organization, public or private agency, government agency or institution, school district, college, university, any other user of water provided by the local water purveyor, or the manager, agent, officer, or employee thereof, or any other entity which is recognized by law as the subject of rights or duties.

(130) *Pervious* means any surface or material that allows the passage of water through the material and into the underlying soil.

(135) *Permit* means an authorizing document issued by a local agency for new construction or rehabilitated landscape.

(140) *Plant factor* or *plant water use factor* is a factor, when multiplied by *ET_o*, that estimates the amount of water needed by plants. For purposes of this chapter, the plant factor range for low water use plants is 0 to 0.3; the plant factor range for moderate water use plants is 0.4 to 0.6; and the plant factor range for high water use plants is 0.7 to 1.0. Plant factors cited in this chapter are derived from the Department of Water Resources 2000 publication "Water Use Classification of Landscape Species."

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

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

(155) *Smart automatic irrigation controller* means an automatic timing device used to remotely control valves that operate an irrigation system and which schedules irrigation events using either evapotranspiration (weather-based) or soil moisture data.

(160) *Special landscaped area* or *SLA* means an area of the landscape dedicated solely to edible plants such as orchards and vegetable gardens; areas irrigated with recycled water; water features using recycled water; and, areas dedicated to active play where turf provides a playing surface, such as parks, sports fields, and golf courses.

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

(170) *Valve* means a device used to control the flow of water in an irrigation system.

(175) *Water feature* means a design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools. The surface area of water features is included in the high water use hydrozone of the landscaped area. Constructed wetlands used for on-site wastewater treatment, habitat protection or storm water best management practices that are not irrigated and used solely for water treatment or storm water retention are not water features and, therefore, are not subject to the water budget calculation.

4.28.040. Applicability.

(a) Beginning January 1, 2010, this chapter shall apply to the following landscape projects:

(1) New landscape installations by public agencies or private non-residential developers, except for cemeteries, with a landscaped area equal to or greater than 2,500 square feet, and which are otherwise subject to a discretionary approval of a landscape plan, or which otherwise require a ministerial permit for a landscape or water feature.

(2) New landscape installations by developers or property managers of single-family and multi-family residential projects or complexes with a landscaped area equal to or greater than 2,500 square feet, and which are otherwise subject to a discretionary approval of a landscape plan, or which otherwise require a ministerial permit for a landscape or water feature.

(3) New landscapes that are homeowner installed on single-family or multi-family residential lots with a total project landscaped area equal to or greater than 5,000 square feet, and which are otherwise subject to a discretionary approval of a landscape plan, or which otherwise require a ministerial permit for a landscape or water feature.

(4) Landscape rehabilitation projects by public agencies or private non-residential developers, except for cemeteries, with a landscaped area equal to or greater than 2,500 square feet and which are otherwise subject to a discretionary approval of a landscape plan, or which otherwise require a ministerial permit for a landscape or water feature.

(5) Landscape rehabilitation projects by developers or property managers of single-family and multi-family residential projects or complexes with a landscaped area equal to or greater than 2,500 square feet and which are otherwise subject to a discretionary approval of a landscape plan, or which otherwise require a ministerial permit for a landscape or water feature.

(b) Section 4.28.070(b) of this chapter shall apply to:

(1) All landscaped areas installed prior to or after January 1, 2010.

4.28.050. Exemptions.

(a) This chapter does not apply to:

(1) Registered local, state, or federal historical sites;

(2) Ecological restoration projects that do not require a permanent irrigation system;

(3) Mined-land reclamation projects that do not require a permanent irrigation system; or

(4) Plant collections, as part of botanical gardens and arboretums open to the public.

(b) The requirements of this chapter may be partially or wholly waived, at the discretion of the City Manager or his or her designee, for landscape rehabilitation projects that are limited to replacement of plantings with equal or

lower water needs and where any modifications to the irrigation system do not require ministerial permits and the irrigation system is found to be designed, operable, and programmed consistent with minimizing water waste in accordance with the local water purveyor's regulations.

4.28.060. Implementation procedures.

(a) A Landscape Documentation Package is required to be submitted to the City for review and approval prior to the issuance of permits and prior to the start of construction. Any Landscape Documentation Package submitted to the City shall comply with the provisions of the Guidelines.

(b) The Landscape Documentation Package shall include a certification by a landscape professional stating that the landscape design plan, soil management report, irrigation design plan, and water calculations have been prepared by or under the supervision of the landscape professional and are certified to be in compliance with the provisions of this chapter.

(1) Water efficient landscape calculations shall be provided to the local water purveyor, as appropriate, under procedures determined by the City.

(2) Certification of Completion of a landscape project shall be obtained through a Certificate of Use and Occupancy or a Permit Final, as provided in the Guidelines.

4.28.070. Landscape water use standards.

(a) For applicable new landscape or landscape rehabilitation projects subject to Section 4.28.040(a) of this chapter, the Estimated Applied Water Use allowed for the landscaped area shall not exceed the MAWA calculated using an ET adjustment factor of 0.7, except for the portion of the MAWA applicable to any special landscaped areas within the landscape project, which shall be calculated using an ETAF of 1.0. Where the design of the landscaped area can be otherwise shown to be equivalently water efficient, the applicant may submit alternative or abbreviated information supporting the demonstration that the annual EAWU is less than the MAWA, at the discretion of and review and approval of the City.

(b) Irrigation of all landscaped areas shall be conducted in a manner conforming to the rules and requirements, and shall be subject to penalties and incentives for water conservation and water waste prevention as determined and

implemented by the local water purveyor or as mutually agreed by local water purveyor and the City.

4.28.080. Delegation.

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

4.28.090. Relationship.

Nothing in this Chapter is in any way intended to limit or excuse any person from having to comply with any other provision of this Code.

SECTION 4. Effective Date

This Ordinance shall take effect and be in full force and operation thirty (30) days after adoption.

SECTION 5. Severability

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase added by this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs sentences, clauses, or phrases are declared unconstitutional, invalid, or ineffective.

SECTION 6. Deputy City Clerk's Certification

The Deputy City Clerk shall certify to the passage of this Ordinance and shall cause this Ordinance to be published or posted as required by law.

PASSED, APPROVED AND ADOPTED this _____ day of _____ 2009.

ROBERT B. RING, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

APPROVED AS TO FORM:

STEPHEN A. MCEWEN, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF LAGUNA WOODS)

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do HEREBY CERTIFY that the foregoing **Ordinance No. 09-XX** was duly introduced and placed upon its first reading at a Regular Meeting of the City Council on the 18th of November, 2009, and that thereafter, said Ordinance was duly adopted and passed at a Regular Meeting of the City Council on the _____ day of _____, 2009 by the following vote to wit:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

YOLIE TRIPPY, Deputy City Clerk

RESOLUTION NO. 09-XX

A RESOLUTION OF THE CITY OF LAGUNA WOODS, CALIFORNIA,
ESTABLISHING GUIDELINES FOR IMPLEMENTATION OF THE
WATER EFFICIENT LANDSCAPE ORDINANCE

WHEREAS, the State Legislature reached findings related to water use, waste, conservation, and efficiency and included those findings in the chaptered text of Assembly Bill 1881 (Laird, Water Conservation); and

WHEREAS, the City of Laguna Woods intends to amend its Municipal Code so that it is consistent with Assembly Bill 1881; and

WHEREAS, the City of Laguna Woods intends to amend its Municipal Code so that it is “at least as effective” as the State of California’s Model Water Efficient Landscape Ordinance, which reflects the requirements of Assembly Bill 1881.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The City Council adopts the Guidelines for Implementation of the Water Efficient Landscape Ordinance as attached as Exhibit 1.

PASSED, APPROVED AND ADOPTED ON this ___ day of _____ 2009.

ROBERT B. RING, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF LAGUNA WOODS)

ITEM 7.2

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do HEREBY CERTIFY that the foregoing **Resolution No. 09-XX** was duly adopted by the City Council of the City of Laguna Woods at a regular meeting thereof, held on the ___ day of _____ 2009, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

YOLIE TRIPPY, Deputy City Clerk

EXHIBIT 1

**GUIDELINES
FOR IMPLEMENTATION OF THE
WATER EFFICIENT LANDSCAPE
ORDINANCE**

**City of Laguna Woods
24264 El Toro Road
Laguna Woods, CA 92637
www.lagunawoodscity.org**

TABLE OF CONTENTS

<u>Section</u>	<u>Page No.</u>
1. Purpose and Applicability.....	1
1.1 Purpose.....	1
1.2 Applicability	1
2. Submittal Requirements for New Landscape Installations or Landscape Rehabilitation Projects	1
2.1 Elements of the Landscape Documentation Package	2
2.2 Water Efficient Landscape Calculations and Alternatives	3
2.3 Soil Management Report	5
2.4 Landscape Design Plan	6
2.5 Irrigation Design Plan.....	9
2.6 Grading Design Plan	12
2.7 Certification of Completion.....	13
2.8 Post-Installation Irrigation Scheduling	14
2.9 Post-Installation Landscape and Irrigation Maintenance.....	14
3. Provisions for Existing Landscapes	14
Appendix A – Example Certification of Design.....	A-1
Appendix B – Water Efficient Landscape Worksheet.....	B-1
Appendix C – Reference Evapotranspiration (ET _o) Table.....	C-1
Appendix D – Example Installation Certificate of Completion.....	D-1
Appendix E – Supplemental Definitions.....	E-1

1. Purpose and Applicability

1.1 Purpose

- (a) The primary purpose of these Guidelines is to provide procedural and design guidance for applicants proposing new landscape or landscape rehabilitation projects that are subject to Chapter 4.28 of the Laguna Woods Municipal Code (herein after, the Water Efficient Landscape Ordinance). This document is also intended for use and reference by City staff in reviewing and approving designs and verifying compliance with the Water Efficient Landscape Ordinance.
- (b) Other regulations affecting landscape design and maintenance practices are potentially applicable and should be consulted for additional requirements. These regulations include but may not be limited to:
 - (1) State of California Assembly Bill 1881 (Laird, Water Conservation);
 - (2) National Pollutant Discharge Elimination Permit(s) for the Municipal Separate Storm Sewer System;
 - (3) Orange County Fire Authority Regulations for Fuel Modification in the Landscape;
 - (4) Water Conservation, Water Supply Shortage, and Drought Response Regulations of the Local Water Purveyor;
 - (5) Regulations of the Local Water Purveyor governing use of Recycled Water;
 - (6) Municipal Code, including Zoning Code;
 - (7) Building Code;
 - (8) Specific Plans, Master Plans, General Plan, or similar land use and planning documents; and
 - (9) Conditions of approval for a specific project

1.2 Applicability

See Section 4.28.040 of the Laguna Woods Municipal Code.

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

- (a) Discretionary approval is typically required for landscape projects that are subject to site plan reviews, or where a variance from a local building code is requested, or other procedural processes apply such that standard or special conditions of approval may be required by the City. Discretionary projects with conditions of

approval may be acted on in accordance with City code and policy. A typical standard condition of approval reads:

“Landscaping for the project shall be designed to comply with the City’s Water Efficient Landscape Ordinance and with the Guidelines for Implementation of the Water Efficient Landscape Ordinance.”

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

2.1 Elements of the Landscape Documentation Package

(a) A Landscape Documentation Package is required to be submitted by the applicant for review and approval prior to the issuance of ministerial permits and prior to the start of construction. Unless otherwise directed by the City, the Landscape Documentation Package shall include the following elements either on plan sheets or supplemental pages as directed by the City:

- (1) Project Information, including, but not limited to, the following:
 - (a) date;
 - (b) project name;
 - (c) project address, parcel, and/or lot number(s);
 - (d) total landscaped area (square feet) and rehabilitated landscaped area (if applicable);
 - (e) project type (e.g., new, rehabilitated, public, private, homeowner installed);
 - (f) water supply type (e.g., potable, recycled, or well) and identification of the local water purveyor if the project applicant is not served by a private well;
 - (g) checklist or index of all documents in the Landscape Documentation Package;
 - (h) project contacts, including contact information for the applicant and property owner;
 - (i) a Certification of Design in accordance with **Exhibit A** of these Guidelines; and

- (j) any other information the City Manager or his or her designee deems relevant for determining whether the landscape project complies with the Water Efficient Landscape Ordinance and these Guidelines.
- (2) Maximum Applied Water Allowance (MAWA) and Estimated Applied Water Use (EAWU) expressed as annual totals including, but not limited to, the following:
 - (a) a Water Efficient Landscape Worksheet for the landscape project;
 - (b) water budget calculations for the landscape project; and
 - (c) hydrozone information table (optional at the discretion of the City) for the landscape project.
 - (3) A soil management report or specification provision requiring a soil management report. (See Section 2.3 for more information)
 - (4) A landscape design plan for the landscape project.
 - (5) An irrigation design plan for the landscape project.
 - (6) A grading design plan, unless not required or unless grading information is included in the landscape design plan for the landscape project.

2.2 Water Efficient Landscape Calculations and Alternatives

- (a) The applicant shall provide the calculated Maximum Applied Water Allowance (MAWA) and Estimated Applied Water Use (EAWU) for the landscaped area as part of the Landscape Documentation Package submittal to the City. The MAWA and EAWU shall be calculated based on completing the Water Efficient Landscape Worksheets (in accordance with sample worksheets in **Appendix B**).
- (b) The EAWU allowable for the landscaped area shall not exceed the MAWA. The MAWA shall be calculated using an evapotranspiration adjustment factor (ETAF) of 0.7 except for the portion of the MAWA applicable to any special landscaped areas within the landscape project, which shall be calculated using an ETAF of 1.0. Where the design of the landscaped area can otherwise be shown to be equivalently water-efficient, the applicant may submit alternative or abbreviated information supporting the demonstration that the annual EAWU is less than the MAWA, at the discretion of and for the review and approval of the City.
- (c) Water budget calculations shall adhere to the following requirements:
 - (1) The MAWA shall be calculated using the Water Efficient Landscape Worksheets and equation presented in **Appendix B** on page B-1. The

example calculation on page B-1 is a hypothetical example to demonstrate proper use of the equation.

- (2) The EAWU shall be calculated using the Water Efficient Landscape Worksheets and equation presented in Appendix B on page B-2. The example calculation on page B-2 is a hypothetical example.
- (3) For the calculation of the MAWA and EAWU, an applicant shall use the ETo values from the closest location listed in the Reference Evapotranspiration Table in **Appendix C**. For geographic areas not covered in **Appendix C**, data from other cities located nearby in the same reference evapotranspiration zone may be used, as found in the CIMIS Reference Evapotranspiration Zones Map, Department of Water Resources, 1999.
- (4) For calculation of the EAWU, the plant water use factor shall be determined as appropriate to the project location from the Water Use Efficiency of Landscape Species (WUCOLS) Species Evaluation List. The plant factor is 0.1 for very low water use plants, 0.2 to 0.3 for low water use plants, 0.4 to 0.6 for moderate water use plants, and 0.7 to 1.0 for high water use plants.
- (5) For calculating the EAWU, the plant water use factor shall be determined for each valve hydrozone based on the highest-water-use plant species within the zone. The plant factor for each hydrozone may be required to be further refined as a "landscape coefficient," according to protocols defined in detail in the WUCOLS document, to reflect planting density and microclimate effects on water need at the option of the applicant or the City.
- (6) For calculation of the EAWU, the area of a water feature shall be defined as a high water use hydrozone with a plant factor of 1.0.
- (7) For calculation of the EAWU, a temporarily irrigated hydrozone area, such as an area of highly drought-tolerant native plants that are not intended to be irrigated after they are fully established, shall be defined as a very low water use hydrozone with a plant factor of 0.1.
- (8) For calculation of the MAWA, the ETAF for special landscaped areas shall be set at 1.0. For calculation of the EAWU, the ETAF for special landscaped areas shall be calculated as the special landscaped area (SLA) plant factor divided by the SLA irrigation efficiency factor.
- (9) Irrigation efficiency shall be calculated using the worksheet and equation presented in **Appendix B** on page B-2.
- (d) The Maximum Applied Water Allowance shall adhere to the following requirements:

- (1) The Maximum Applied Water Allowance shall be calculated using the equation presented in **Appendix B**. The example calculation in **Appendix B** is hypothetical to demonstrate proper use of the equation and does not represent an existing and/or planned landscape project. The reference evapotranspiration (ET_o) values used in this calculation are from the Reference Evapotranspiration Table in **Appendix C** and are for planning purposes only. For actual irrigation scheduling, automatic irrigation controllers are required and shall use current ET_o data, such as from the California Irrigation Management Information System (CIMIS), other equivalent data, or soil moisture sensor data.

2.3 Soil Management Report

- (a) In order to reduce runoff and encourage healthy plant growth, a soil management report shall be completed by the applicant, or his/her designee, as follows:
 - (1) Submit soil samples to a certified agronomic soils laboratory for analysis and recommendations.
 - (a) Soil sampling shall be conducted in accordance with laboratory protocol, including protocols regarding adequate sampling depth for the intended plants.
 - (b) The soil analysis may include, but is not limited to:
 1. soil texture;
 2. infiltration rate determined by laboratory test or soil texture infiltration rate table;
 3. pH;
 4. total soluble salts;
 5. sodium;
 6. percent organic matter; and
 7. recommendations.
 - (2) The applicant, or his/her designee, shall comply with one of the following:
 - (a) If significant mass grading is planned, the soil analysis report shall be submitted to the City as part of the Certification of Completion.

- (b) if significant mass grading is not planned, the soil analysis report shall be submitted to the City as part of the Landscape Documentation Package.
- (c) The soil analysis report shall be made available, in a timely manner, to the professionals preparing the landscape design plans and irrigation design plans in order to make any necessary adjustments to the design plans.
- (d) The applicant, or his/her designee, shall submit documentation verifying implementation of soil analysis report recommendations to the local agency with the Certification of Completion.

2.4 Landscape Design Plan

- (a) For the efficient use of water, a landscape shall be carefully designed and planned for the intended function of the project. The following design criteria shall be submitted as part of the Landscape Documentation Package.
 - (1) Plant Material
 - (a) Any plant may be selected for the landscaped area provided the EAWU in the landscaped area does not exceed the MAWA. To encourage the efficient use of water, the following is highly recommended:
 1. protection and preservation of non-invasive water-conserving plant species and water-conserving turf;
 2. selection of water-conserving plant species and water-conserving turf;
 3. selection of plants based on disease and pest resistance;
 4. selection of trees based on applicable City and local tree ordinances or tree shading guidelines; and
 5. selection of plants from local and regional landscape program plant lists.
 - (b) Each hydrozone shall have plant materials with similar water use, with the exception of hydrozones with plants of mixed water use, as specified in Section 2.5(a)(2)(D) of these Guidelines.
 - (c) Plants shall be selected and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the project site. To encourage the efficient use of water, the following is highly recommended for inclusion in the landscape design plan:

- (1) use the Sunset Western Climate Zone System which takes into account temperature, humidity, elevation, terrain, latitude, and varying degrees of continental and marine influence on local climate;
 - (2) recognize the horticultural attributes of plants (i.e., mature plant size, invasive surface roots) to minimize damage to property or infrastructure (e.g., buildings, sidewalks, and power lines); and
 - (3) consider the solar orientation for plant placement to maximize summer shade and winter solar gain.
- (d) Turf is discouraged on slopes greater than 25% where the toe of the slope is adjacent to an impermeable hardscape and where 25% means 1 foot of vertical elevation change for every 4 feet of horizontal length (rise divided by run x 100 = slope percent).
 - (e) A landscape design plan for projects in fire-prone areas and fuel modification zones shall comply with requirements of the Orange County Fire Authority, where applicable. When conflicts between water conservation and fire safety design elements exist, the fire safety requirements shall have priority.
 - (f) The use of invasive plant species and/or noxious plant species is strongly discouraged.
 - (g) The architectural guidelines of a common interest development, which include community apartment projects, condominiums, planned developments, and stock cooperatives, shall not prohibit or include conditions that have the effect of prohibiting the use of water efficient plant species as a group.
 - (h) Water Features
 - (a) Recirculating water systems shall be used for water features.
 - (b) Where available and consistent with public health guidelines, recycled water shall be used as a source for decorative water features.
 - (c) The surface area of a water feature shall be included in the high water use hydrozone area of the water budget calculation.
 - (d) Pool and spa covers are highly recommended.
 - (i) Mulch and Amendments
 - (a) A minimum two inch (2") layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated.

- (b) Stabilizing mulching products shall be used on slopes.
 - (c) The mulching portion of the seed/mulch slurry in hydro-seeded applications shall meet the mulching requirement.
 - (d) Soil amendments shall be incorporated according to recommendations of the soil report and what is appropriate for the plants selected (see Section 2.3 of these Guidelines).
- (j) The landscape design plan, at a minimum, shall:
- (1) delineate and label each hydrozone by number, letter, or other method;
 - (2) identify each hydrozone as low, moderate, high water, or mixed water use. Temporarily irrigated areas of the landscaped area shall be included in the low water use hydrozone for the water budget calculation;
 - (3) identify recreational areas;
 - (4) identify areas permanently and solely dedicated to edible plants;
 - (5) identify areas irrigated with recycled water;
 - (6) identify type of mulch and application depth;
 - (7) identify soil amendments, type, and quantity;
 - (8) identify type and surface area of water features;
 - (9) identify hardscapes (pervious and non-pervious);
 - (10) identify location and installation details of any applicable storm water best management practices that encourage on-site retention and infiltration of storm water. Storm water best management practices are encouraged in the landscape design plan and examples include, but are not limited to:
 - (a) infiltration beds, swales, and basins that allow water to collect and soak into the ground;
 - (b) constructed wetlands and retention ponds that retain water, handle excess flow, and filter pollutants; and
 - (c) pervious or porous surfaces (e.g., permeable pavers or blocks, pervious or porous concrete, etc.) that minimize runoff.
 - (11) identify any applicable rain harvesting or catchment technologies (e.g., rain gardens, cisterns, etc.);

2.5 Irrigation Design Plan

- (a) For the efficient use of water, an irrigation system shall meet all the requirements listed in this section and the manufacturer's recommendations. The irrigation system and its related components shall be planned and designed to allow for proper installation, management, and maintenance. An irrigation design plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package.
 - (1) System
 - (a) Dedicated landscape water meters are highly recommended on landscaped areas smaller than 5,000 square feet to facilitate water management.
 - (b) Smart automatic irrigation controllers utilizing evapotranspiration or soil moisture sensor data shall be required for irrigation scheduling in all irrigation systems.
 - (c) The irrigation system shall be designed to ensure that the dynamic pressure at each emission device is within the manufacturer's recommended pressure range for optimal performance.
 - 1. If the static pressure is above or below the required dynamic pressure of the irrigation system, pressure-regulating devices such as inline pressure regulators, booster pumps, or other devices shall be installed to meet the required dynamic pressure of the irrigation system.
 - 2. Static water pressure, dynamic or operating pressure, and flow reading of the water supply shall be measured at the point of connection. These pressure and flow measurements shall be conducted at the design stage. If the measurements are not available at the design stage, the measurements shall be conducted at installation.
 - (d) Sensors (rain, freeze, wind, etc.), either integral or auxiliary, that suspend or alter irrigation operation during unfavorable weather conditions shall be required on all irrigation systems, as appropriate for local climatic conditions. Irrigation should be avoided during windy or freezing weather or during rain.
 - (e) Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be required as close as possible to the point of connection of the water supply to minimize water loss in case of an emergency (such as a main line break) or routine repair.

- (f) Backflow prevention devices shall be required to protect the water supply from contamination by the irrigation system. A project applicant shall refer to the applicable City code for additional backflow prevention requirements.
- (g) High flow sensors that detect and report high flow conditions created by system damage or malfunction are recommended.
- (h) The irrigation system shall be designed to prevent runoff, low head drainage, overspray, or other similar conditions where irrigation water flows onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes, roadways, or structures.
- (i) Relevant information from the soil management plan, such as soil type and infiltration rate, shall be utilized when designing irrigation systems.
- (j) The design of the irrigation system shall conform to the hydrozones of the landscape design plan.
- (k) Average irrigation efficiency for the project shall be determined in accordance with the EAWU calculation sheet in **Appendix B**. Unless otherwise indicated by the irrigation equipment manufacturer's specifications or demonstrated by the applicant, the irrigation efficiency of the irrigation heads used within each hydrozone shall be assumed to be:
 - Pop-up stream rotator heads = 75%
 - Stream rotor heads = 75%
 - Microspray = 75%
 - Bubbler = 80%
 - Drip emitter = 85%
 - Subsurface irrigation = 90%
- (l) It is highly recommended that the applicant inquire with the local water purveyor about peak water operating demands (on the water supply system) or water restrictions that may impact the effectiveness of the irrigation system.
- (m) In mulched planting areas, the use of low volume irrigation is required to maximize water infiltration into the root zone.
- (n) Sprinkler heads and other emission devices shall have matched precipitation rates, unless otherwise directed by the manufacturer's recommendations.

- (o) Head to head coverage is recommended. However, sprinkler spacing shall be designed to achieve the highest possible distribution uniformity using the manufacturer's recommendations.
- (p) Swing joints or other riser-protection components are required on all risers subject to damage that are adjacent to high traffic areas.
- (q) Check valves or anti-drain valves are required for all irrigation systems.
- (r) Narrow or irregularly shaped areas, including turf, less than eight (8) feet in width in any direction shall be irrigated with subsurface irrigation, low volume irrigation or low volume overhead irrigation.
- (s) Overhead irrigation shall not be permitted within 24 inches of any non-permeable surface. Allowable irrigation within the setback from non-permeable surfaces may include drip, drip line, or other low flow non-spray technology. The setback area may be planted or unplanted. The surfacing of the setback may be mulch, gravel, or other porous material. These restrictions may be modified if:
 1. the landscaped area is adjacent to permeable surfacing and no runoff occurs; or
 2. the adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping; or
 3. the irrigation designer for the landscape project specifies an alternative design or technology, as part of the Landscape Documentation Package, and clearly demonstrates strict adherence to the irrigation system design criteria in Section 2.5 (a)(1)(H) hereof. Prevention of overspray and runoff must be confirmed during an irrigation audit.
 4. Slopes greater than 25% shall not be irrigated with an irrigation system with a precipitation rate exceeding 0.75 inches per hour. This restriction may be modified if the landscape designer of the landscape project specifies an alternative design or technology, as part of the Landscape Documentation Package, and clearly demonstrates no runoff or erosion will occur. Prevention of runoff and erosion must be confirmed during the irrigation audit.

(2) Hydrozone

- (a) Each valve shall irrigate a hydrozone with similar site, slope, sun exposure, soil conditions, and plant materials with similar water use.

- (b) Sprinkler heads and other emission devices shall be selected based on what is appropriate for the plant type within that hydrozone.
- (c) Where feasible, trees shall be placed on separate valves from shrubs, groundcovers, and turf.
- (d) Individual hydrozones that mix plants of moderate and low water use or moderate and high water use may be allowed if:
 1. the plant factor calculation is based on the proportions of the respective plant water uses and their respective plant factors; or
 2. the plant factor of the higher water using plant is used for the calculations.
- (e) Individual hydrozones that mix high and low water use plants shall not be permitted.
- (f) On the landscape design plan and irrigation design plan, hydrozone areas shall be designated by number, letter, or other designation. On the irrigation design plan, designate the areas irrigated by each valve and assign a number to each valve.
- (g) The irrigation design plan, at a minimum, shall contain:
 1. the location and size of separate water meters for landscape;
 2. the location, type, and size of all components of the irrigation system, including controllers, main and lateral lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers, pressure regulators, and backflow prevention devices;
 3. static water pressure at the point of connection to the public water supply;
 4. flow rate (gallons per minute), application rate (inches per hour), and design operating pressure (pressure per square inch) for each station;
 5. irrigation schedule parameters necessary to program smart timers specified in the landscape design;

2.6 Grading Design Plan

- (a) For the efficient use of water, grading of a landscape project site shall be designed to minimize soil erosion, runoff, and water waste. Finished grading configuration of the landscaped area, including pads, slopes, drainage, post-construction erosion control, and storm water control Best Management Practices, as applicable, shall

be shown on the Landscape Plan unless this information is fully included in separate Grading Plans for the project.

- (b) The applicant shall submit a landscape grading design plan that indicates finished configurations and elevations of the landscaped area including, but not limited to:
 - (1) height of graded slopes;
 - (2) drainage patterns;
 - (3) pad elevations;
 - (4) finish grade; and
 - (5) storm water retention improvements, if applicable.
- (c) To prevent erosion and runoff, it is highly recommended that the applicant:
 - (1) grade so that all irrigation and normal rainfall remains within property lines and does not drain on to non-permeable hardscapes;
 - (2) avoid disruption of natural drainage patterns and undisturbed soil; and
 - (3) avoid soil compaction in landscaped areas.
- (d) Certification of compliance with the City of Laguna Woods' Water Efficient Landscape Ordinance (Laguna Woods Municipal Code Chapter 4.28) and the City of Laguna Woods' Guidelines for Implementation of the Water Efficient Landscape Ordinance in form sufficient to the City Manager or his or her designee.

2.7 Certification of Completion

- (a) Landscape project construction shall not proceed until the Landscape Documentation Package has been approved by the City and any ministerial permits required are issued.
- (b) The applicant shall notify the City at the beginning of the installation work and at intervals, as necessary, for the duration of the landscape project work to schedule all required inspections.
- (c) Certification of Completion of the landscape project shall be obtained through a Certificate of Use and Occupancy or a Permit Final. The requirements for the Final Inspection and Permit Closure include submittal of:
 - (1) A Landscape Installation Certificate of Completion in the form included as **Appendix D** of these Guidelines, which shall include: (i) certification by a landscape professional that the landscape project has been installed per the approved Landscape Documentation Package;

- (2) Documentation of the irrigation scheduling parameters used to set the controller(s);
- (3) An irrigation audit report from a certified irrigation auditor, documentation of enrollment in regional or local water purveyor's water conservation programs, and/or documentation that the MAWA and EAWU information for the landscape project has been submitted to the local water purveyor, may be required at the option of the City.

2.8 Post-Installation Irrigation Scheduling

- (a) For the efficient use of water, all irrigation schedules shall be developed, managed, and evaluated to utilize the minimum amount of water required to maintain plant health. Irrigation schedules shall meet the following criteria:
 - (1) Irrigation scheduling shall be regulated by automatic irrigation controllers.
 - (2) Irrigation shall be scheduled in accordance with the local water purveyor's Water Conservation Ordinance, as applicable.

2.9 Post-Installation Landscape and Irrigation Maintenance

- (a) Landscapes shall be maintained to ensure water use efficiency in accordance with existing City codes governing landscape and property maintenance.

3. Provisions for Existing Landscapes

- (a) Irrigation of all landscaped areas shall be conducted in a manner conforming to the rules and requirements and shall be subject to penalties and incentives for water conservation and water waste prevention, as determined and implemented by the local water purveyor and as may be mutually agreed by the City.
- (b) The City and/or the regional or local water purveyor may administer programs such as irrigation water use analyses, irrigation surveys and/or irrigation audits, tiered water rate structures, water budgeting by parcel, or other approaches to achieve landscape water use efficiency community-wide to a level equivalent to or less than would be achieved by applying a MAWA calculated with an ETAF of 0.8 to all landscaped areas in the City over one acre in size.
- (c) The architectural guidelines of a common interest development, including apartments, condominiums, planned developments, and stock cooperatives, shall not prohibit or include conditions that have the effect of prohibiting the use of low-water use plants as a group.

CERTIFICATION OF LANDSCAPE DESIGN

I hereby certify that:

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

(2) The landscape design and water use calculations for the property located at _____

(provide street address or parcel number(s)) were prepared by me or under my supervision as defined in the City of Laguna Woods' Guidelines for Implementation of the Water Efficient Landscape Ordinance.

(3) The landscape design and water use calculations for the identified property comply with the requirements of the City of Laguna Woods' Water Efficient Landscape Ordinance (Laguna Woods Municipal Code Chapter 4.28) and the City of Laguna Woods' Guidelines for Implementation of the Water Efficient Landscape Ordinance.

(4) The information I have provided in this Certificate of Landscape Design is true and correct and is hereby submitted in compliance with the City of Laguna Woods' Guidelines for Implementation of the Water Efficient Landscape Ordinance.

Print Name

Date

Signature

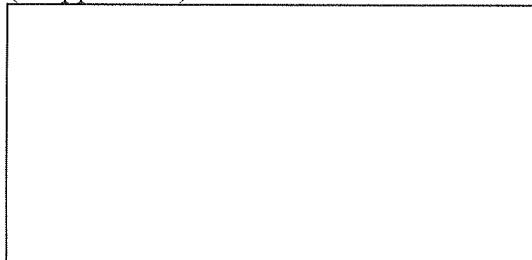
License Number

Address

Telephone

E-mail Address

Landscape Professional's Stamp
(If applicable)



EXAMPLE WATER EFFICIENT LANDSCAPE WORKSHEET

This worksheet is filled out for each Point of Connection. Please complete all sections of the worksheet.

Point of Connection # 1

Maximum Applied Water Allowance (MAWA)

Total MAWA = (ETo x 0.7 x LA in Sq. Ft. x 0.62) + (ETo x 1.0 x SLA in Sq. Ft. x 0.62) = Gallons per year for LA+SLA

where:

- MAWA = Maximum Applied Water Allowance (gallons per year)
- ETo = Reference Evapotranspiration **Appendix C** (inches per year)
- 0.7 = Evapotranspiration Adjustment Factor (ETAF)
- 1.0 = ETAF for Special Landscaped Area
- LA = Landscaped Area (square feet)
- 0.62 = Conversion factor (to gallons per square foot)
- SLA = Special Landscaped Area (square feet)

Example Calculation: a hypothetical landscape project in Santa Ana, CA with an irrigated landscaped area of 40,000 square feet with 10,000 square feet of Special Landscaped Area. To calculate MAWA, the annual reference evapotranspiration value for Santa Ana is 48.2 inches as listed in the Reference Evapotranspiration Table in **Appendix C**.

	ETo	ETAF	LA or SLA (ft ²)	Conversion	MAWA (Gallons Per Year)
MAWA for LA =	48.2	x 0.7	x 40,000	x 0.62	= 836,752
MAWA for SLA =	48.2	x 1.0	x 10,000	x 0.62	= 298,840
Total MAWA =			50,000		1,135,592 Gallons per year for LA+SLA

Estimated Applied Water Use

$$EAWU = ETo \times K_L \times LA \times 0.62 \div IE = \text{Gallons per year}$$

where:

- EAWU = Estimated Applied Water Use (gallons per year)
- ETo = Reference Evapotranspiration **Appendix C** (inches per year)
- K_L = Landscape Coefficient
- LA = Landscaped Area (square feet)
- 0.62 = Conversion factor (to gallons per square foot)
- IE = Irrigation Efficiency = IME x DU (See definition in Appendix E for example IE percentages)
- IME = Irrigation Management Efficiency (90%)
- DU = Distribution Uniformity of irrigation head

Example Calculation:

$$K_L = K_s \times K_d \times K_{mc}$$

- K_s = species factor (range = 0.1-0.9) (see WUCOLS list for values)
- K_d = density factor (range = 0.5-1.3) (see WUCOLS for density value ranges)
- K_{mc} = microclimate factor (range = 0.5-1.4) (see WUCOLS)

WUCOLS – www.owue.water.ca.gov/docs/wucols00.pdf

	ETo	K_L	LA	Conversion	IE	EAWU (Gallons per year)
Special Landscaped Area	48.2	x 1.00	x 10,000	x 0.62	÷ 0.75	= 398,453
Cool Season Turf	48.2	x 1.00	x 0	x 0.62	÷ 0.71	= 0
Warm Season Turf	48.2	x 0.65	x 0	x 0.62	÷ 0.71	= 0
High Water Using Shrub	48.2	x 0.70	x 0	x 0.62	÷ 0.71	= 0
Medium Water Using Shrub	48.2	x 0.50	x 15,000	x 0.62	÷ 0.65	= 344,815
Low Water Using Shrub	48.2	x 0.30	x 25,000	x 0.62	÷ 0.75	= 298,840
Very Low Water Using Shrub	48.2	x 0.20	x 0	x 0.62	÷ 0.71	= 0
Other	48.2	x 0.50	x 0	x 0.62	÷ 0.71	= 0
Other	48.2	x 0.50	x 0	x 0.62	÷ 0.71	= 0
Total EAWU =			50,000			1,042,109 Gallons per year

Compare EAWU with MAWA.

The EAWU (1,042,109 gallons per year) is less than MAWA (1,135,592 gallons per year). For this example, the water budget complies with the MAWA.

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

<u>Sprinkler Head Types</u>	<u>Average Precipitation Rate</u>	<u>Distribution Uniformity of Irrigation Head</u>
Drip		
Microspray		
Bubbler		
Low precipitation rotating nozzles		
Stream rotors		

WATER EFFICIENT LANDSCAPE WORKSHEET

This worksheet is filled out for each Point of Connection. Please complete all sections of the worksheet.

Point of Connection # _____

Maximum Applied Water Allowance (MAWA)

Total MAWA = $(ET_o \times 0.7 \times LA \text{ in Sq. Ft.} \times 0.62) + (ET_o \times 1.0 \times SLA \text{ in Sq. Ft.} \times 0.62) =$ Gallons per year for LA+SLA

where:

- MAWA = Maximum Applied Water Allowance (gallons per year)
- ET_o = Reference Evapotranspiration **Appendix C** (inches per year)
- 0.7 = Evapotranspiration Adjustment Factor (ETAF)
- 1.0 = ETAF for Special Landscaped Area
- LA = Landscaped Area (square feet)
- 0.62 = Conversion factor (to gallons per square foot)
- SLA = Special Landscaped Area (square feet)

MAWA Calculation:

	ET _o	ETAF	LA or SLA (ft ²)	Conversion	MAWA (Gallons Per Year)
MAWA for LA =	x	0.7	x	x 0.62	=
MAWA for SLA =	x	1.0	x	x 0.62	=
Total MAWA =					

Estimated Applied Water Use

$$EAWU = ETo \times K_L \times LA \times 0.62 \div IE = \text{Gallons per year}$$

where:

EAWU = Estimated Applied Water Use (gallons per year)

ETo = Reference Evapotranspiration **Appendix C** (inches per year)

K_L = Landscape Coefficient

LA = Landscaped Area (square feet)

0.62 = Conversion factor (to gallons per square foot)

IE = Irrigation Efficiency = IME x DU

IME = Irrigation Management Efficiency (90%)

DU = Distribution Uniformity of irrigation head

EAWU Calculation:

$$K_L = K_s \times K_d \times K_{mc}$$

K_s = species factor (range = 0.1-0.9) (see WUCOLS list for values)

K_d = density factor (range = 0.5-1.3) (see WUCOLS for density value ranges)

K_{mc} = microclimate factor (range = 0.5-1.4) (see WUCOLS)

WUCOLS – www.owue.water.ca.gov/docs/wucols00.pdf

	ETo	K_L	LA	Conversion	IE	EAWU (Gallons Per Year)
Special Landscaped Area	x	x	x	0.62	÷	=
Cool Season Turf	x	x	x	0.62	÷	=
Warm Season Turf	x	x	x	0.62	÷	=
High Water Using Shrub	x	x	x	0.62	÷	=
Medium Water Using Shrub	x	x	x	0.62	÷	=
Low Water Using Shrub	x	x	x	0.62	÷	=
Very Low Water Using Shrubs	x	x	x	0.62	÷	=
	x	x	x	0.62	÷	=
	x	x	x	0.62	÷	=
	x	x	x	0.62	÷	=
	x	x	x	0.62	÷	=
	x	x	x	0.62	÷	=
	x	x	x	0.62	÷	=
	x	x	x	0.62	÷	=
	x	x	x	0.62	÷	=
Other	x	x	x	0.62	÷	=
Total EAWU =						

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

<u>Sprinkler Head Types</u>	<u>Average Precipitation Rate</u>	<u>Distribution Uniformity of Irrigation Head</u>
Drip		
Microspray		
Bubbler		
Low precipitation rotating nozzles		
Stream rotors		

Reference Evapotranspiration (ETo) Table

Appendix C - Reference Evapotranspiration (ETo) Table*													
County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
Orange													
Irvine	2.2	2.5	3.7	4.7	5.2	5.9	6.3	6.2	4.6	3.7	2.6	2.3	49.6
Laguna Beach	2.2	2.7	3.4	3.8	4.6	4.6	4.9	4.9	4.4	3.4	2.4	2.0	43.2
Santa Ana	2.2	2.7	3.7	4.5	4.6	5.4	6.2	6.1	4.7	3.7	2.5	2.0	48.2
* The values in this table were derived from: 1) California Irrigation Management Information System (CIMIS) 2) Reference EvapoTranspiration Zones Map, UC Dept. of Land, Air & Water Resources and California Dept of Water Resources 1999, 3) Reference Evapotranspiration for California, University of California, Department of Agriculture and Natural Resources (1987) Bulletin 1922 4) Determining Daily Reference Evapotranspiration, Cooperative Extension UC Division of Agriculture and Natural Resources (1987), Publication Leaflet 21426													

Appendix D

CERTIFICATION OF LANDSCAPE COMPLETION

I hereby certify that:

- (1) I am a landscape professional meaning a licensed landscape architect, licensed landscape contractor, or any other person authorized to design a landscape pursuant to Sections 5500.1, 5615, 5641, 5641.1, 5641.2, 5641.3, 5641.4, 5641.5, 5641.6, 6701, 7027.5 of the California Business and Professions Code, Section 832.27 of Title 16 of the California Code of Regulations, and Section 6721 of the California Food and Agriculture Code.
- (2) The landscape project for the property located at _____
_____ (provide street address or parcel number(s)) was installed by me or under my supervision.
- (3) The landscape project for the identified property has been installed in substantial conformance with the approved Landscape Documentation Package and complies with the requirements of the City of Laguna Woods' Water Efficient Landscape Ordinance (Laguna Woods Municipal Code Chapter 4.28) and the City of Laguna Woods' Guidelines for Implementation of the Water Efficient Landscape Ordinance for the efficient use of water in the landscape.
- (4) The information I have provided in this Certificate of Landscape Design is true and correct and is hereby submitted in compliance with the City of Laguna Woods' Guidelines for Implementation of the Water Efficient Landscape Ordinance.

Print Name

Date

Signature

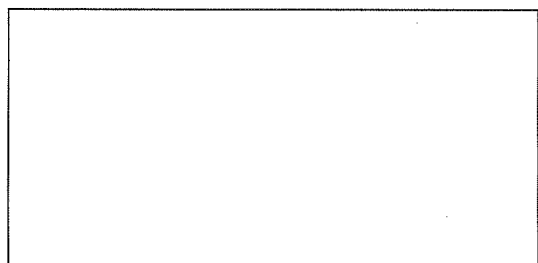
License Number

Address

Telephone

E-mail Address

Landscape Professional's Stamp
(If Appropriate)



Supplemental Definitions

Terms used in these Guidelines are defined in Section 4.28.030 of the Laguna Woods Municipal Code. Additional terms used in these Guidelines have the meaning set forth below:

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

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

“*Check valve*” or “*anti-drain valve*” means a valve located under a sprinkler head, or other location in the irrigation system, to hold water in the system to prevent drainage from sprinkler heads when the sprinkler is off.

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

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

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

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

“*Drip irrigation*” means any non-spray low volume irrigation system utilizing emission devices with a flow rate measured in gallons per hour. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

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

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

“*Flow rate*” means the rate at which water flows through pipes, valves and emission devices, measured in gallons per minute, gallons per hour, or cubic feet per second.

“*Infiltration rate*” means the rate of water entry into the soil expressed as a depth of water per unit of time (e.g., inches per hour).

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

“*Irrigation audit*” means an in-depth evaluation of the performance of an irrigation system conducted by a Certified Landscape Irrigation Auditor. An irrigation audit includes, but is not limited to: inspection, system tune-up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow, and preparation of an irrigation schedule.

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

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

“*Landscape Installation Certificate of Completion*” means the certificate included as Exhibit F of these Guidelines that must be submitted to the City pursuant to Section 2.7(a)(1) of hereof.

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

“*Low volume irrigation*” means the application of irrigation water at low pressure through a system of tubing or lateral lines and low-volume emitters such as drip, drip lines, and bubblers. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

“*Low volume overhead irrigation*” means the application of irrigation water through above-ground irrigation heads with an upper flow limit of 0.5 GPM.

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

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

“*Mulch*” means any organic material such as leaves, bark, straw or compost, or inorganic mineral materials such as rocks, gravel, or decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.

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

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

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

“*Prepared under the supervision of a landscape professional*” shall mean that the landscape professional (i) supervised those individuals responsible for the preparation of the landscape documentation package or (ii) provided direct and substantial input to the preparation of the landscape documentation package or (iii) reviewed the landscape documentation package and provided comments to the applicant or individuals responsible for preparing the landscape documentation package.

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

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

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

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

“*Swing joint*” means an irrigation component that provides a flexible, leak-free connection between the emission device and lateral pipeline to allow movement in any direction and to prevent equipment damage.

“*Water Efficient Landscape Ordinance*” means City of Laguna Woods Ordinance Number 09-XX, codified in Laguna Woods Municipal Code Chapter 4.28.


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

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

“*WUCOLS*” means the Water Use Classification of Landscape published by the University of California Cooperative Extension, the Department of Water Resources, and the Bureau of Reclamation, 2000. www.owue.water.ca.gov/docs/wucols00

8.1
CORTESE PROPERTIES, INC. OFFER TO
CONVEY PROPERTY

**City of Laguna Woods
Agenda Report**

FOR: December 16, 2009 City Council Meeting
TO: Honorable Mayor and Councilmembers
FROM: Leslie Keane, City Manager 
AGENDA ITEM: Cortese Properties, Inc. Offer to Convey Property

Recommendation

Approve a resolution accepting the conveyance of real property from Cortese Properties, Inc., entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPROVING AND ACCEPTING A GRANT DEED FOR THE CONVEYANCE OF REAL PROPERTY FROM CORTESE PROPERTIES, INC.

Background

Rossmoor Partners, LP., was one of the original real estate entities of the late Ross Cortese, developer of Leisure World [now Laguna Woods Village] in the City of Laguna Woods. On behalf of Rossmoor Partners, Cortese Properties, Inc. (CPI) is disposing of remaining real estate assets, including open space resource properties within the City of Laguna Woods. CPI has offered to donate two parcels to the City. The first along El Toro Road is a planter, approximately 431 sq. ft., on the south side of the street behind the sidewalk and near the entrance to the Valencia Center (Attachment A). The second piece is 14,122 sq. ft at the intersection of San Remo Drive and Santa Vittoria Drive, between the Third Laguna Hills Mutual perimeter wall and the Laguna Hills city limits (Attachments B and C).

Discussion

Cortese Partners, Inc. has offered the City the first right of refusal to acquire two pieces of property for public purposes. In the case of the piece along El Toro Road,

the City is already maintaining the property and was unaware until recently that it was not already in the public right-of-way. The second piece of property on Santa Vittoria borders 15,000 sq. ft. of open space owned by the Laguna Village Homeowners' Association in the City of Laguna Hills; the Homeowners' Association has been maintaining the majority of this property since prior to Laguna Woods' incorporation. A small piece of the property is located in the City of Laguna Hills' right-of-way and is maintained by that City.

Fiscal Impact

Cortese Properties has completed maintenance and graffiti removal on the property and has agreed to fund all the costs of the conveyance. There would be no additional fiscal impact for the piece along El Toro Road. If the City accepts ownership of second parcel, the roadway portion would continue to be maintained by the City of Laguna Hills, and it would be possible to issue an encroachment permit to the Laguna Village Homeowners Association so they could continue to maintain the property adjacent to their development. The City would retain the right to enter the property and to control its use, but would not incur costs for maintenance.

Conclusion

Cortese Properties, Inc. is currently liquidating all of its remaining holdings within the City of Laguna Woods and has offered to dedicate two small pieces of property to the City for public purposes. Approval of the attached resolution will authorize the Mayor to sign the certificate of acceptance.

Attachment: A – El Toro Road Property
 B – Santa Vittoria/San Remo Property
 C – Encumbrance Map

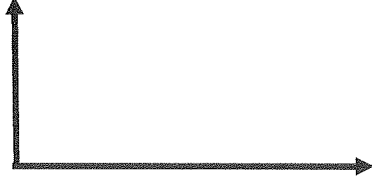
Valencia Center



El Toro Road



Laguna Woods Village



**Property along El Toro Road
431 sq. ft.**

Laguna Woods Village Perimeter Wall

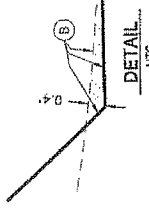
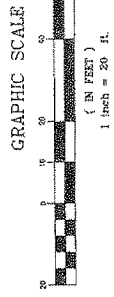
Laguna Village Open Space and Homes



**Property at Santa Vittoria and San Remo
14,122 sq. ft.**

ENCUMBRANCE MAP

IN THE CITY OF LAGUNA WOODS AND THE CITY OF LAGUNA HILLS, COUNTY OF ORANGE, STATE OF CALIFORNIA
W.O. 3649-1T DATE: OCTOBER, 2009



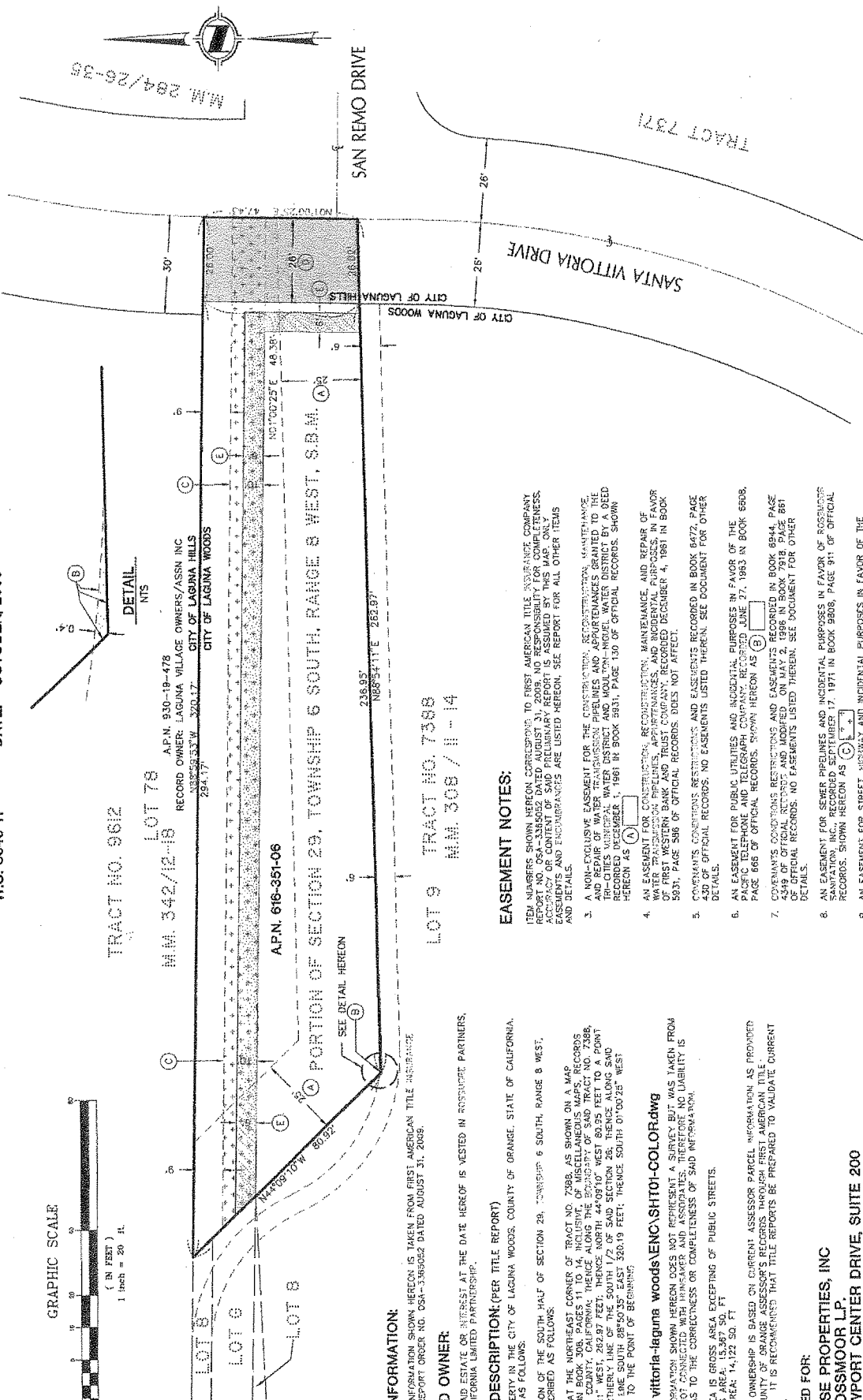
TRACT NO. 9612

LOT 79
M.M. 342/12-19
AP.N. 930-19-478
RECORD OWNER: LAGUNA VILLAGE OWNERS/ASSN INC
CITY OF LAGUNA HILLS

TRACT NO. 7388
LOT 9
M.M. 308 / II - 14

AP.N. 616-351-06

PORTION OF SECTION 29, TOWNSHIP 6 SOUTH, RANGE 8 WEST, S.B.M. (A)



TITLE INFORMATION:

THE TITLE INFORMATION SHOWN HEREON IS TAKEN FROM FIRST AMERICAN TITLE INSURANCE COMPANY REPORT ORDER NO. 054-3386062 DATED AUGUST 31, 2009.

RECORD OWNER:

TITLE TO SUB ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN ROSBOROUGH PARTNERS, L.P., A CALIFORNIA LIMITED PARTNERSHIP.

LEGAL DESCRIPTION (PER TITLE REPORT)

REAL PROPERTY IN THE CITY OF LAGUNA WOODS, COUNTY OF ORANGE, STATE OF CALIFORNIA, TRACT PORTION OF THE SOUTH HALF OF SECTION 29, TOWNSHIP 6 SOUTH, RANGE 8 WEST, S.B.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF TRACT NO. 7388, AS SHOWN ON A MAP RECORDED IN COUNTY OF CALIFORNIA, THENCE ALONG THE SOUTHWEST CORNER OF SAID TRACT NO. 7388, SOUTH 89°11' WEST, 262.97 FEET; THENCE NORTH 44°09'10" WEST 80.95 FEET TO A POINT IN THE NORTHERLY LINE OF THE SOUTH 1/2 OF SAID SECTION 29; THENCE ALONG SAID NORTHERLY LINE SOUTH 88°50'35" EAST 326.19 FEET; THENCE SOUTH 01°00'25" WEST 47.43 FEET TO THE POINT OF BEGINNING.

l:\santa vittoria-laguna woods\ENC\SH101-COLOR.dwg

1. THE INFORMATION SHOWN HEREON DOES NOT REPRESENT A SURVEY BUT WAS TAKEN FROM SOURCES NOT CONNECTED WITH HUNSAKER AND ASSOCIATES; THEREFORE NO LIABILITY IS ASSIGNED AS TO THE CORRECTNESS OR COMPLETENESS OF SAID INFORMATION.

2. NET AREA IS GROSS AREA EXCEPTING OF PUBLIC STREETS.
GROSS AREA: 15,367 SQ. FT.
NET AREA: 14,122 SQ. FT.

3. OFFSITE OWNERSHIP IS BASED ON CURRENT ASSESSOR PARCEL INFORMATION AS PROVIDED BY THE COUNTY OF ORANGE ASSESSOR'S RECORDS THROUGH FIRST AMERICAN TITLE. CORRECTION: IT IS RECOMMENDED THAT TITLE REPORTS BE PREPARED TO VALIDATE CURRENT OWNERSHIP.

PREPARED FOR:

CORTESE PROPERTIES, INC
FOR ROSSMOOR L.P.
110 NEWPORT CENTER DRIVE, SUITE 200
NEWPORT BEACH, CA 92660
(949)874-4443

PREPARED BY:

HUNSAKER & ASSOCIATES
I R V I N E , I N C .
P L A N N I N G ■ E N G I N E E R I N G ■ S U R V E Y I N G
Three Hughes • Irvine, CA 92618 • PH: (949) 583-1010 • FX: (949) 583-0759

EASEMENT NOTES:

1. EASEMENT SHOWN HEREON CORRESPOND TO FIRST AMERICAN TITLE INSURANCE COMPANY REPORT ORDER NO. 054-3386062 DATED AUGUST 31, 2009. NO RESPONSIBILITY FOR COMPLETENESS, ACCURACY OR CONTENT OF SAID PRELIMINARY REPORT IS ASSUMED BY THIS MAP. ONLY EASEMENTS AND ENCUMBRANCES ARE LISTED HEREON. SEE REPORT FOR ALL OTHER ITEMS AND DETAILS.
2. A NON-EXCLUSIVE EASEMENT FOR THE CONSTRUCTION, RECONSTRUCTION, MAINTENANCE, AND REPAIR OF WATER TRANSMISSION PIPELINES AND APPURTENANCES GRANTED TO THE TRI-CITIES MUNICIPAL WATER DISTRICT AND MULLIPPA MODEL WATER DISTRICT BY A DEED RECORDED NOVEMBER 1, 1961 IN BOOK 9501, PAGE 130 OF OFFICIAL RECORDS, SHOWN HEREON AS (A).
3. AN EASEMENT FOR CONSTRUCTION, RECONSTRUCTION, MAINTENANCE, AND REPAIR OF WATER TRANSMISSION PIPELINES AND APPURTENANCES GRANTED TO THE WATER UTILITY SYSTEM BANK AND TRUST COMPANY, RECORDED DECEMBER 4, 1981 IN BOOK 5031, PAGE 580 OF OFFICIAL RECORDS, DOES NOT AFFECT.
4. COVENANTS CONDITIONS RESTRICTIONS AND EASEMENTS RECORDED IN BOOK 6472, PAGE 430 OF OFFICIAL RECORDS, NO EASEMENTS LISTED THEREIN. SEE DOCUMENT FOR OTHER DETAILS.
5. AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES IN FAVOR OF THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY RECORDED JUNE 27, 1983 IN BOOK 6808, PAGE 666 OF OFFICIAL RECORDS, SHOWN HEREON AS (E).
6. COVENANTS CONDITIONS RESTRICTIONS AND EASEMENTS RECORDED IN BOOK 6944, PAGE 4349 OF OFFICIAL RECORDS AND MODIFIED ON MAY 2, 1986 IN BOOK 7918, PAGE 861 OF OFFICIAL RECORDS, NO EASEMENTS LISTED THEREIN. SEE DOCUMENT FOR OTHER DETAILS.
7. AN EASEMENT FOR SEWER PIPELINES AND INCIDENTAL PURPOSES IN FAVOR OF ROSSBOROUGH SANITATION, INC., RECORDED SEPTEMBER 17, 1971 IN BOOK 9806, PAGE 911 OF OFFICIAL RECORDS, SHOWN HEREON AS (C).
8. AN EASEMENT FOR STREET, HIGHWAY AND INCIDENTAL PURPOSES IN FAVOR OF THE COUNTY OF ORANGE, RECORDED SEPTEMBER 14, 1973 IN BOOK 10000, PAGE 941 OF OFFICIAL RECORDS, SHOWN HEREON AS (D).
9. AN EASEMENT FOR UNDERGROUND LINES AND INCIDENTAL PURPOSES IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, RECORDED NOVEMBER 26, 1973 IN BOOK 11000, PAGE 923 OF OFFICIAL RECORDS, SHOWN HEREON AS (E).

PREPARED BY ME OR UNDER MY DIRECTION

RORY S. WILLIAMS, L.S. 6654
MY LICENSE EXPIRES 12/31/09



RESOLUTION NO. 09-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, APPROVING AND ACCEPTING A GRANT DEED FOR THE CONVEYANCE OF REAL PROPERTY FROM CORTESE PROPERTIES, INC.

WHEREAS, Government Code Section 27281 provides that instruments conveying an interest in real property to the City may not be recorded without a Certificate of Acceptance from the City Council; and

WHEREAS, Cortese Properties, Inc. wished to convey to the City of Laguna Woods two pieces of real property within the boundaries of the City; and

WHEREAS, the property owner has prepared and executed a grant deed for the purpose of recordation;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The conveyance to the City of Laguna Woods of certain real property located in the City of Laguna Woods and described in Exhibit 1 attached hereto is hereby accepted, and the Mayor is hereby authorized and directed to execute a certificate of acceptance, and other documents as may be required to complete the conveyance.

Section 2. The Deputy City Clerk shall certify as to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED ON this ___ day of _____ 2009.

ROBERT B. RING, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF LAGUNA WOODS)

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do
HEREBY CERTIFY that the foregoing **Resolution No. 09-XX** was duly adopted
by the City Council of the City of Laguna Woods at a regular meeting thereof, held
on the __ day of _____, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

EXHIBIT 1**LEGAL DESCRIPTION OF PROPERTY**

That certain real property located in the City of Laguna Woods, County of Orange, State of California, described as follows:

PARCEL 1:

THAT PORTION OF THE SOUTH HALF OF SECTION 29, TOWNSHIP 6 SOUTH, RANGE 8 WEST, S.B.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF TRACT NO. 7388, AS SHOWN ON A MAP RECORDED IN BOOK 308, PAGES 11 TO 14, INCLUSIVE, OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA; THENCE ALONG THE BOUNDARY OF SAID TRACT NO. 7388, SOUTH 88° 11" WEST, 262.97 FEET; THENCE NORTH 44° 09' 10" WEST 80.95 FEET TO A POINT IN THE NORTHERLY LINE OF THE SOUTH 1/2 OF SAID SECTION 26; THENCE ALONG SAID NORTHERLY LINE SOUTH 88° 50' 35" EAST 320.19 FEET; THENCE SOUTH 01° 00' 25" WEST 47.43 FEET TO THE POINT OF BEGINNING.

APN: 616-351-06

PARCEL 2:


THAT PORTION OF LOT 5 OF TRACT NO. 5061, AS SHOWN ON A MAP RECORDED IN BOOK 183, PAGES 4 TO 8, INCLUSIVE, OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 5; THENCE ALONG THE NORTH LINE OF LOT 5 NORTH 87°34'35" WEST 107.76 FEET TO A POINT; THENCE SOUTH 83°20'51" EAST 108.39 FEET TO A POINT ON THE EAST LINE OF SAID LOT 5, WHICH IS 8.00 FEET SOUTH ALONG SAID EAST LINE FROM THE NORTHEAST CORNER OF SAID LOT 5; THENCE NORTH ALONG SAID EAST LINE 8.00 FEET TO THE POINT OF BEGINNING.

APN: 621-041-23

**8.2
FLOODPLAIN MANAGEMENT REGULATIONS**

**City of Laguna Woods
Agenda Report**

FOR: December 16, 2009 City Council Meeting
TO: Honorable Mayor and Councilmembers
FROM: Leslie A. Keane, City Manager 
AGENDA ITEM: Floodplain Management Regulations

Recommendation (Staff and Land Use and Design Review Committee)

Approve introduction and first reading of an ordinance modifying current floodplain management regulations, entitled:

AN ORDINANCE OF THE CITY OF LAGUNA WOODS,
CALIFORNIA, AMENDING CHAPTER 10.04 OF THE LAGUNA
WOODS MUNICIPAL CODE PERTAINING TO FLOODPLAIN
MANAGEMENT

Background

In 1968, the United States Congress created the National Flood Insurance Program (NFIP) to provide a means for property owners to financially protect themselves against flood-related losses not covered by standard homeowners insurance. The NFIP offers flood insurance to homeowners, renters, and business owners if their city participates in the NFIP. Participating cities agree to adopt, update and enforce ordinances that meet or exceed Federal Emergency Management Agency (FEMA) requirements to reduce the risk of flooding. The City of Laguna Woods joined the NFIP in 2004. As of September 2009, there were nine active policies in the City.

Discussion

On December 3, 2009, FEMA completed their paper to digital transition for flood insurance rate maps for the City. In response to this change, staff consulted with FEMA and the California Department of Water Resources to review the City's

floodplain management ordinance. This review highlighted the need to amend the Municipal Code to ensure continued compliance and enrollment in the NFIP. Specifically, the following additions and modifications are necessary:

1. Warning and Disclaimer of Liability – This new section addresses liability-related issues regarding the adoption and application of the City’s floodplain management ordinance.
2. Duties of the Floodplain Administrator; Notification to Other Agencies – The City’s Building Official serves as the City’s Floodplain Administrator and is responsible for administering, implementing, and enforcing floodplain management regulations. Modifications to this section add requirements for the Floodplain Administrator to ensure that FEMA is notified when the City’s boundaries change and when base flood elevations change due to physical alterations. Modifications are also made for clarity and formatting.

CEQA Compliance

The proposed ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Regulation 15061(b)(3) (14 Cal. Code Regs., § 15061) in that it will not result in a significant effect on the environment.

Fiscal Impact

None

Advisory Committee Action

The Land Use and Design Review Committee discussed this item at their meeting on December 10, 2009 and unanimously recommended approval by the City Council.

Conclusion

In order for City residents to continue to be eligible for flood insurance through the National Flood Insurance Program, the Municipal Code must be amended to add and modify sections related to liability and duties of the Floodplain Administrator.

Report Prepared by Chris Macon, Special Projects Manager *CM*

Attachment: Ordinance

ORDINANCE NO. 10-XX

AN ORDINANCE OF THE CITY OF LAGUNA WOODS, CALIFORNIA,
AMENDING CHAPTER 10.04 OF THE LAGUNA WOODS MUNICIPAL
CODE PERTAINING TO FLOODPLAIN MANAGEMENT

**THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS DOES
HEREBY ORDAIN AS FOLLOWS:**

SECTION 1. Chapter 10.04 (Floodplain Management) of the Laguna Woods Municipal Code is hereby amended to add the following section:

Sec. 10.04.075. Warning and Disclaimer of Liability

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of City, any officer or employee thereof, the State of California, or the Federal Emergency Management Agency, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

SECTION 2. Section 10.04.090(3) of Chapter 10.04 (Floodplain Management) of the Laguna Woods Municipal Code is hereby amended in its entirety to read:

(3) Notification to other agencies.

a. The Floodplain Administrator shall determine whether the applicant in any case involving alteration or relocation of a watercourse:

1. Has notified adjacent communities, the California Department of Fish and Game, and the California Department of Water Resources prior to alteration or relocation;

2. Has submitted evidence of such notification to the City, Federal Emergency Management Agency, and other agencies as necessary; and

3. Has assured that the flood carrying capacity within the altered or relocated portion of said watercourse is maintained.

b. Base Flood Elevation changes due to physical alterations:

1. Within 6 months of information becoming available or project completion, whichever comes first, the Floodplain Administrator shall submit or assure that the permit applicant submits technical or scientific data to the Federal Emergency Management Agency for a Letter of Map Revision (LOMR).

2. All LOMR's for flood control projects are approved prior to the issuance of building permits. Building Permits must not be issued based on Conditional Letters of Map Revision (CLOMR's). Approved CLOMR's allow construction of the proposed flood control project and land preparation as specified in the "start of construction" definition.

3. Such submissions are necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements are based on current data.

c. Changes in City boundaries:

1. The Floodplain Administrator shall notify the Federal Emergency Management Agency in writing whenever the City boundaries have been modified by annexation or other means and include a copy of a map of the community clearly delineating the new City boundaries.

SECTION 3. Effective Date.

This Ordinance shall take effect and be in full force and operation thirty (30) days after adoption.

SECTION 4. Severability

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase added by this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs sentences, clauses, or phrases are declared unconstitutional, invalid, or ineffective.

SECTION 5. Deputy City Clerk's Certification.

The Deputy City Clerk shall certify to the passage of this Ordinance and shall cause this Ordinance to be published or posted as required by law.

PASSED, APPROVED AND ADOPTED this _____ day of _____ 2010.

ROBERT B. RING, Mayor

ATTEST:

YOLIE TRIPPY, Deputy City Clerk

APPROVED AS TO FORM:

STEPHEN A. MCEWEN, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF LAGUNA WOODS)

I, YOLIE TRIPPY, Deputy City Clerk of the City of Laguna Woods, do HEREBY CERTIFY that the foregoing **Ordinance No. 10-XX** was duly introduced and placed upon its first reading at a Regular Meeting of the City Council on the ___ of _____, 2009, and that thereafter, said Ordinance was duly adopted and passed at a Regular Meeting of the City Council on the _____ day of _____, 2010 by the following vote to wit:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

YOLIE TRIPPY, Deputy City Clerk

8.3
2010 COMMUNITY SERVICES
ORGANIZATION GRANTS

**City of Laguna Woods
Agenda Report**

FOR: December 16, 2009 City Council Meeting
TO: Honorable Mayor and Councilmembers
FROM: Douglas C. Reilly, Assistant City Manager *DCR*
AGENDA ITEM: 2010 Community Services Organization Grants

Recommendations (Staff and Community Services Committee)

- A. Award \$65,000 in competitive Community Services grants to six grantees: The Braille Institute (\$20,000), South County Outreach (\$20,000), Trauma Intervention Program (\$5,000), Laura's House (\$5,000), Dayle McIntosh Center (\$5,000), and Laguna Canyon Foundation (\$10,000).
- B. Award \$75,000 in Community Services grants to South County Senior Services for -
- Adult Day Health Care - \$22,500
 - Transportation Services - \$22,500
 - General operations at Florence Sylvester Memorial Senior Center - \$30,000

Background

The City budgets \$150,000 annually for award of designated and competitive community services grants. The goal of the grant program is to fund programs and services that benefit residents or workers in the City and help non-profit organizations start up new programs that can eventually be self-supporting. The program is also to provide ongoing support to worthy programs, such as those provided by South County Senior Services (SCSS). The City Council adopted guidelines for the solicitation and award of the grants, and assigned the task of reviewing applications and recommending grant awards to the Community Services Committee.

This year, a public notice inviting applications for grants was published in the Laguna Woods Globe newspaper on July 23, 2009. Application packets were mailed to eighteen non-profit organizations that requested information. Ten applications, totaling \$172,000, were received by the August 31, 2009 deadline:

<u>Organization</u>	<u>Funding Request</u>
▪ The Braille Institute	\$20,000
▪ South County Outreach	\$20,000
▪ Saddleback Memorial Foundation	\$10,000
▪ Trauma Intervention Program	\$5,000
▪ Laura's House	\$5,000
▪ American Lung Association	\$15,000
▪ Pilgrimage Community Counseling	\$7,000
▪ Dayle McIntosh Center	\$5,000
▪ Laguna Canyon Foundation	\$10,000
▪ South County Senior Services	\$75,000

Discussion

Staff, the Community Services Committee (CSC) and two of its subcommittees reviewed the applications for grant funding. Seven applicants are recommended for funding totaling \$140,000, as shown in Attachment 1.

Following are grant recommendations for 2010 and the status of programs and services provided by organizations funded for the first six months of 2009:

1. South County Senior Services (\$75,000)

An award of \$75,000 is recommended, equaling the funds reserved each year by the City Council. SCSS requested \$22,500 for transportation services, \$30,000 for the Florence Sylvester Memorial Senior Center, and \$22,500 for adult day care services.

The City restricts the use of City funds in transportation services and adult day services. Applications were reviewed to ensure compliance with the following conditions.

Transportation

- City funds are to be used exclusively for Laguna Woods' residents that are handicapped or economically disadvantaged and have no other options for transportation services.
- No City funds are to be used to subsidize transit services for Laguna Woods' residents that are physically and/or financially capable of using transportation services provided by the City, their residential communities or the Orange County Transportation Authority (OCTA).

Adult Day Services

- City of Laguna Woods' community services grant funding is specifically for scholarships to Laguna Woods' residents who are under financial constraints and not covered by insurance or any other funding source for adult day services.
- City grant funds are strictly prohibited from being used to subsidize the shortfall between fees for adult day service received from insurance, private pay or any other funding source and the total cost to South County Seniors to provide a day's service.

The SCSS transportation application includes the City conditions and its quarterly reports will provide the following information:

- Number of Laguna Woods' residents per trip that are handicapped or economically disadvantaged.
- Number of residents per shopper shuttle trip from the Whispering Fountains senior apartment complex.
- Criteria used to determine that residents of Laguna Woods using SCSS transportation services subsidized by City funds are handicapped, economically disadvantaged or have no other options for transit services.

Quarterly reports received to date have included compliance information.

Programs and services provided between January – June 2009Adult day services

A total of 145 additional days of service were provided for financially limited Laguna Woods' residents who have no funding source or insurance coverage for additional days of health care services. This provided a respite from care-giving for 62 residents.

Transportation

There were 448 trips provided to handicapped or economically disadvantaged residents who have no other option for transportation service and 200 shopper shuttle trips were provided for residents of the Whispering Fountains senior apartment complex.

Florence Sylvester Memorial Senior Center

The senior center provided 4,556 congregate meals to 281 Laguna Woods' residents and 37,245 home delivered meals to 293 homebound seniors.

2. Braille Institute (\$20,000)

An award of \$20,000 is recommended. The organization is providing an important service to visually impaired residents of Laguna Woods which helps them adjust to sight loss, remain independent and improve self confidence.

Programs and services provided between January – June 2009

All classes and services are provided without charge; 390 residents attended classes. Additional services provided included: 55 low vision consultations, 18 orientation and mobility trainings, peer counseling for 106 individuals, and balance and mobility training for 46 individuals at Las Palmas. Other services included: in-home visits, home orientation training, telephone training, multi-week class sessions, and coordinating and planning for a blind/low vision golf tournament in August.

3. South County Outreach (\$20,000)

An award of \$20,000 is recommended. South County Outreach offers services and programs that provide emergency food, rental assistance, and utilities assistance to needy and low-income residents.

Programs and services provided between January – June 2009

Emergency food support was provided to 294 Laguna Woods residents, 4 residents received emergency utility assistance, 2 residents received rental assistance and 10 residents enrolled in a computer skills training program.

4. Trauma Intervention Programs (TIP) (\$5,000)

An award of \$5,000 is recommended to conduct emotional first aid seminars to prepare residents to assist others in need of emotional support, distribute trauma intervention resources guides, recruit residents to become TIP volunteers and provide follow-up to TIP clients.

Programs and services provided between January – June 2009

TIP has conducted a 4-hour emotional first aid seminar and graduated 22 residents and is scheduled to conduct another seminar later this year. In the last 6 months, TIP has provided follow up services to 25 Laguna Woods' residents, distributed 62 trauma resource guides, and distributed 150 TIP volunteer recruitment flyers throughout the City.

5. Laura's House (\$5,000)

An award of \$5,000 is recommended for a program aimed at ending family violence in later life by providing clinical, psychological and educational services to seniors who are at-risk of abuse or its recurrence in a domestic setting.

Programs and services provided between January – June 2009

In the last 6 months, Laura's House has provided domestic violence counseling services to 3 residents of Laguna Woods, conducted an educational program at City Hall, and made contacts with the Village Social Services Department, South County Seniors, Laguna Woods' religious organizations and community clubs.

6. Dayle McIntosh Center (DMC) (\$5,000)

An award of \$5,000 is recommended. The program, "Aging with Vision Loss," provides mobility training for seniors who are blind or visually impaired. It is the only program in Southern California that provides seniors with vision loss supportive services in their homes. The Aging with Vision Loss program is primarily funded through the state Department of Rehabilitation for the next three years and has the potential to become a fee for service program. Based on this information, the CSC is recommending that 2010 be the last year of City grant funding for this program.

Programs and services provided between January – June 2009

In the last 6 months, Dayle McIntosh Center provided specialized services to 22 visually impaired or blind residents of Laguna Woods.

7. Laguna Canyon Foundation (\$10,000)

An award of \$10,000 is recommended for a program to recruit and train Laguna Woods' residents as members of its South Coast Wilderness Volunteers and to add programs tailored specifically for seniors and their special needs. This is a first-time award to the Laguna Canyon Foundation.

Following Programs Not Recommended for Funding in 2010:

8. Saddleback Memorial Foundation (\$10,000)

The Foundation is requesting \$10,000 for salary and benefits relating to an existing staff position for the Heat Failure Disease Management Program. This program was implemented in 2007 with a \$10,000 Community Services Grant and continued in 2008 with another \$10,000 grant. No funds were requested for the program in 2009. The program is administered by the Clinical Resource Services Department at Saddleback Memorial Medical Center and is to be incorporated into the normal operation of that department. The CSC is not recommending funding for the program in 2010.

9. Pilgrimage Family Therapy Center (\$7,000)

The Pilgrimage Family Therapy Center is requesting \$7,000 for Individual Therapy/Face Your Fear Group therapy. Over 60% of the requested funding is for the cost of existing facility maintenance, insurance and supervision, leaving a very limited amount of funding for actual therapy. The CSC is not recommending funding for this program.

10. American Lung Association (\$15,000)

The American Lung Association (ALA) is requesting \$15,000 for a period of six months to develop and conduct an adult health "The Best Things in Life are Free: Breathing and Lunch" program. The program would conduct eight workshops at community centers or places of business in Laguna Woods. In a six month period, ALA proposes to develop the program, gain commitments from 8 public or private agencies to co-sponsor the program, and then advertise and schedule the

workshops. The CSC felt that this program was too ambitious to accomplish successfully in six months and is not recommending funding in 2010.

All grant applicants were invited to attend the October 28, 2009 CSC meeting where they were given the opportunity to provide additional information about their grant proposals.

Fiscal Impact

The Fiscal Year (FY) 2009-2010 budget approved by the City Council in June 2009 includes \$150,000 for community services grants. Approval of the recommended actions will allocate \$140,000 of these budgeted funds, leaving \$10,000 that will be returned to the unbudgeted General Fund balance at the end of the fiscal year.

Conclusion

Staff and the CSC have evaluated the applications for 2010 community services grants and are recommending awards of \$140,000. This amount is \$10,000 less than the amount budgeted by the City Council. Three applicants are not recommended for funding.

Approved:



Leslie A. Keane
City Manager

Attachment 1: Grant Funding Recommendations

2010 GRANT FUNDING RECOMMENDATIONS

ORGANIZATION	PROGRAM	AMOUNT	Recommendation
Braille Institute	Training for residents with sight loss	\$20,000	\$20,000
Trauma Intervention Program	TIP liaison conduct seminars, and train volunteers	\$5,000	\$5,000
South County Outreach	Community Outreach to assist low income residents with emergency food, rental assistance and utility assistance	\$20,000	\$20,000
Laura's House	End Family Violence in later life	\$5,000	\$5,000
Dayle McIntosh Center	Aging with vision loss mobility training for seniors who are blind	\$5,000	\$5,000
Laguna Canyon Foundation	South Coast Wilderness	\$10,000	\$10,000
	Total Recommended		\$65,000
South County Seniors	Adult Day Services	\$22,500	\$22,500
South County Seniors	Transportation	\$22,500	\$22,500
Florence Sylvester Memorial Senior Center	Health and Wellness	\$30,000	\$30,000
		Total	\$75,000

The total recommended for grant funding \$140,000.


8.4

**ENERGY EFFICIENCY AND CONSERVATION
BLOCK GRANT APPLICATION**

City of Laguna Woods Agenda Report

FOR: December 16, 2009 City Council Meeting

TO: Honorable Mayor and Councilmembers

FROM: Douglas C. Reilly, Assistant City Manager 

AGENDA ITEM: Energy Efficiency and Conservation Block Grant Application

Recommendation

Approve a resolution authorizing the City to apply for an Energy Efficiency and Conservation Block Grant from the California Energy Commission, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AUTHORIZING AN APPLICATION FOR ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT FUNDING

Background

The California Energy Commission (CEC) is soliciting applications for grant funding from the Energy Efficiency and Conservation Block Grant (EECBG) program. This is a formula-based, block grant program designed to provide eligible small cities with populations of less than 35,000 with funding to install cost effective energy efficiency improvements in City facilities. Funding for this program is provided by the Federal American Recovery and Reinvestment Act of 2009 (ARRA). The CEC is responsible for administering the state's share of these funds.

Based on EECBG guidelines and the block grant formula established by the CEC, the City of Laguna Woods is eligible to receive up to \$99,416 for energy efficiency improvements in City facilities.

Discussion

In May 2009, the City Council approved an agreement with the CEC for a consultant to provide technical assistance in identifying and recommending energy efficiency improvements in City facilities. The CEC grant guidelines list the most cost-effective energy efficiency projects as:

- Lighting retrofits and controls
- Street lighting and traffic signal retrofits
- Heating, ventilation and air conditioning (HVAC) modifications and controls
- Automated energy management systems, motors, variable speed drives and pumps

The CEC energy consultant, CTG Energetics Inc., has performed an initial assessment of city facilities and is recommending the following energy efficiency improvements:

1. Install occupancy sensors in bathrooms, stairwells, and the elevator to automatically turn off lights when lighting is not needed.
2. Upgrade to high efficiency, low energy lighting fixtures and lamps in the interior and on the exterior of City Hall, including replacing all existing interior 40 W T-12 and 32 W T-8 lamps with 25 W T-8 lamps.
3. Install small, high efficiency air conditioning units for equipment rooms to reduce energy consumption from main air conditioning units.
4. Install timers to control use of exhaust and supply fans to eliminate unnecessary equipment operation.
5. Replace existing water heater with a number of small, point of use water heaters to reduce wasted water heating energy.
6. Replace west façade single pane windows with dual pane, low-emittance glass to reduce air conditioning loads and energy.
7. Replace existing safety lighting over traffic signals with high efficiency lamps and fixtures- 250 W high pressure sodium lamps with 150 W induction lamps.
8. Install high efficiency, light emitting diode (LED) lighting in the Ridge Route Linear Park.

The attached resolution authorizes the City's application to the California Energy Commission for grant funding under the EECBG program, and authorizes the City Manager to execute all necessary contracts and agreements to implement the energy efficient improvement projects approved by the CEC.


Fiscal Impact

The City is eligible to receive up to \$99,416 in EECBG funds for energy efficient improvements in City facilities; no match is required. Some or all of the energy efficiency improvements recommended by the CEC consultant may also be eligible for utility rebates from Southern California Edison to help defray the cost of the improvements. Reporting requirements for this ARRA-funded program are more extensive than for other federally-funded projects. Monthly rather than quarterly reporting will be necessary, which will be performed by existing staff and take an estimated two hours per month for a minimum of six months. The cost for this reporting will be absorbed in the current fiscal year operating budget.

Conclusion

City Council approval of the attached resolution will authorize staff to submit the EECBG application to the CEC for funding of recommended energy efficiency improvement projects.

Approved by:


Leslie A. Keane
City Manager

Attachment: Resolution

RESOLUTION NO. 09-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, AUTHORIZING AN APPLICATION FOR ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT FUNDING

WHEREAS, the City of Laguna Woods recognizes that it is in the interest of the regional, state, and national economy to stimulate the economy; create and retain jobs; reduce fossil fuel emissions; and reduce total energy usage and improve energy efficiency within our jurisdiction; and

WHEREAS, Energy Efficiency and Conservation Block Grant (EECBG) funds are available through the California Energy Commission's EECBG Program for grants to eligible local governments for cost-effective energy efficiency projects; and

WHEREAS, The City of Laguna Woods is proposing to implement the energy efficiency projects described in Exhibit A in order to qualify for EECBG funds from the California Energy Commission; and

WHEREAS, the City of Laguna Woods has considered the application of the California Environmental Quality Act (CEQA) to the energy efficiency projects described in Exhibit A;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAGUNA WOODS, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The City Council finds that the energy efficiency projects described in Exhibit A are not a project under CEQA because the planned upgrades will require the issuance of a City building permit, which is a ministerial action and statutorily exempt under section 15268 of the CEQA guidelines.

SECTION 2. The City Council authorizes the submittal of the application to the California Energy Commission's Energy Efficiency and Conservation Block Grant Program for funds to execute the projects described in Exhibit A.

SECTION 3. The City Council authorizes acceptance of an Energy Efficiency and Conservation Block Grant Program award of up to \$99,416, and

EXHIBIT A

Proposed Energy Efficiency Projects

1. Install occupancy sensors in bathrooms, stairwells, and the elevator to automatically turn off lights when lighting is not needed.
2. Upgrade to high efficiency, low energy lighting fixtures and lamps in the interior and on the exterior of City Hall, including replacing all existing interior 40 W T-12 and 32 W T-8 lamps with 25 W T-8 lamps.
3. Install small, high efficiency air conditioning units for equipment rooms to reduce energy consumption from main air conditioning units.
4. Install timers to control use of exhaust and supply fans to eliminate unnecessary equipment operation.
5. Replace existing water heater with a number of small, point of use water heaters to reduce wasted water heating energy.
6. Replace west façade single pane windows with dual pane, low-emittance glass to reduce air conditioning loads and energy.
7. Replace existing safety lighting over traffic signals with high efficiency lamps and fixtures- 250 W high pressure sodium lamps with 150 W induction lamps.
8. Install high efficiency, light emitting diode (LED) lighting in the Ridge Route Linear Park.

8.5
CITY HALL FUMIGATION

City of Laguna Woods Agenda Report

FOR: December 16, 2009 City Council Meeting

TO: Honorable Mayor and Councilmembers

FROM: Douglas C. Reilly, Assistant City Manager



AGENDA ITEM: City Hall Fumigation

Recommendation

Allocate \$8,500 from the FY 09-10 Council Contingency reserve for fumigation of City Hall.

Background

A recent inspection of City Hall revealed that the building has drywood termites in many locations, including the attic, upstairs and downstairs bathrooms, both stairwells and the exterior of the building. Fumigation of the entire City Hall building was recommended by a professional pest control firm to eradicate the termite infestation.

Discussion

Fumigation is a method of pest control that completely fills an area with gaseous pesticides- or fumigants- to poison the pests within. It is often utilized to control pests in buildings, including those that inhabit a physical structure, such as drywood termites. Professional pest control experts consider fumigation to be the most effective method of termite extermination. It reaches every part of a building, even those areas that are less accessible, such as behind walls and under floors.

Fumigation requires a building to be empty for several days. In this case, the fumigation can be conducted while City Hall is closed over the holidays, from December 24, 2009 through January 3, 2010. Councilmembers and employees still come into City Hall during this period, however, the building would be closed to

anyone between December 24 through December 28. Fumigation will also require the relocation of plants, food and the bee hives on the roof of City Hall to an offsite location until the fumigation is completed. The total cost for the work will not exceed \$8,500.

Fiscal Impact

Funds were not budgeted in the FY 09-10 operating budget for City Hall fumigation services. The City Council has a contingency reserve of \$50,000 for unanticipated or extra expenses that arise during the fiscal year. City Council allocation of \$8,500 for this work will leave a \$41,500 balance in that reserve.

Conclusion

A recent inspection has revealed a significant infestation of drywood termites in City Hall. A professional pest control firm recommends fumigation of the building at a cost not to exceed \$8,500. Allocation of these funds from the City Council contingency reserve to perform this work will leave a balance of \$41,500 in the reserve.

Approved by:



Leslie A. Keane
City Manager