ADJOURNED REGULAR MEETING
OF THE SAN MARINO CITY COUNCIL
FRIDAY, JUNE 28, 2019 AT 8:30 A.M.
CROWELL PUBLIC LIBRARY – BARTH ROOM
1890 HUNTINGTON DRIVE
SAN MARINO, CA 91108

TELECONFERENCE LOCATION:
BEST WESTERN PLUS PEPPER TREE INN
3850 STATE STREET
BARK ROOM
SANTA BARBARA, CA 93105

The City of San Marino appreciates your attendance. Citizens’ interest provides the Council with valuable information regarding issues of the community.

Regular Meetings are held on the 2nd Wednesday of every month at 6:00 p.m. Typically, Adjourned Meetings are held on the last Friday of every month at 8:30 a.m.

In compliance with the American Disabilities Act, any person with a disability who requires a modification or accommodation in order to participate in a meeting should contact the City Clerk’s Office at (626) 300-0705 prior to the meeting.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL: Council Member Jakubowski, Council Member Talt, Council Member Ude, Vice Mayor Shepherd Romey, and Mayor Huang.

POSTING OF AGENDA

The agenda is posted 72 hours prior to each meeting at the following locations: City Hall, 2200 Huntington Drive, the Crowell Public Library, 1890 Huntington Drive, and
the Recreation Department, 1560 Pasqualito Drive. For this meeting, the agenda is posted 72 hours prior to the meeting at the Best Western Plus Pepper Tree Inn, 3850 State Street, Santa Barbara. The agenda is also posted on the City’s website: http://www.cityofsanmarino.org.

PUBLIC COMMENTS

The City welcomes public input. Members of the public may address the City Council by completing a public comment card and giving it to the City Clerk prior to the meeting. At this time, the public may address the City Council on items that are not on the agenda. Pursuant to state law, the City Council may not discuss or take action on issues not on the meeting agenda (Government Code Section 54954.2). The Mayor reserves the right to place limits on duration of comments. Staff may be asked to follow up on such items.

NEW BUSINESS

1. APPROVAL OF RESOLUTION PERTAINING TO THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2019

Recommendation: Staff recommends the City Council adopt: (1) Resolution No. R-19-18 calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, November 5, 2019, for the election of certain officers as required by the provisions of the laws of the State of California relating to General Law Cities and requesting the Registrar of Voters of the County of Los Angeles to conduct said election; (2) Resolution No. R-19-19 requesting the Board of Supervisors of the County of Los Angeles to render services to the City relating to the conduct of a General Municipal Election to be held on Tuesday, November 5, 2019; and (3) Resolution No. R-19-20 adopting regulations for candidates for elective office pertaining to candidates’ statements submitted to the voters at an election to be held on November 5, 2019.

2. APPROVAL OF A RESOLUTION SETTING A PUBLIC SAFETY TAX FOR PLACEMENT ON THE NOVEMBER 5, 2019 ELECTION

Recommendation: Staff recommends the City Council direct that a Measure be included on the November 5, 2019 election ballot that will give residents of the City of San Marino the opportunity to decide to continue the Special Public Safety Tax for paramedic, police, and fire protection services.

CONTINUED BUSINESS

3. AWARD OF A PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF $149,840 TO ITERIS FOR THE CITYWIDE TRAFFIC...
CIRCULATION STUDY

Recommendation: Staff recommends that the City Council proceed with the preparation of a comprehensive evaluation of the traffic circulation in and through the City and move to award a professional services agreement in the amount of $149,840 to Iteris of Los Angeles for the preparation of a study of citywide traffic circulation and authorize the City Manager to execute the agreement on behalf of the City.

PUBLIC HEARING

4. APPEAL OF CONDITIONAL USE PERMIT NO. CUP19-3
1885 VIRGINIA ROAD, (YOUNG)

Recommendation: Staff recommends that the City Council conduct the duly noticed de novo public hearing and render a decision based on the facts and findings submitted for the appeal of Conditional Use Permit CUP19-3.

WRITTEN COMMUNICATIONS OR PUBLIC WRITINGS DISTRIBUTED

This is an opportunity to announce any written communications pertaining to the City received by members of the City Council. All public writings distributed by the City of San Marino to at least a majority of the City Council regarding any item on this agenda will be made available at the Public Counter at City Hall located at 2200 Huntington Drive, San Marino, California 91108.

PUBLIC COMMENTS

CLOSED SESSION

The City Council will recess to closed session to discuss:

5. CONFERENCE WITH LABOR NEGOTIATOR(S) pursuant to Government Code § 54957.6:

City negotiator(s):

City Manager, Labor Attorney, and Interim Human Resources Manager

Employee organization(s):

San Marino City Employees’ Association
San Marino Firefighters Association
San Marino Police Officers’ Association
San Marino Supervisory/Confidential Employees Association

RECONVENE TO OPEN SESSION

CLOSED SESSION REPORT

ADJOURNMENT

Dated: June 25, 2019  EVA HETER
Posted: June 25, 2019  CITY CLERK
STRATEGIC PLAN CRITICAL SUCCESS FACTORS

- Engaged and Connected Residents
- Efficient, Responsive, and Effective City Service
- Fiscally Responsible and Transparent City Government

BACKGROUND

The General Municipal Election will be held on November 5, 2019 for the purpose of electing two members to the City Council for full terms. The two (2) incumbent members of the City Council whose terms are expiring are Steven W. Huang and Steve Talt. Prior to the holding of an election, the City must adopt three resolutions in relation thereto. The first resolution calls and gives notice of holding an election. The second resolution requests the Los Angeles County Board of Supervisors to allow consolidation with the statewide election being held on the same day and to direct the County Elections Department to render services; and the third resolution adopts regulations for the candidates’ statements.

In 2016, the City Council gave direction to change the General Municipal Election dates to align with the dates of statewide elections in even years beginning in 2022, which will have the effect of extending two terms of office to five years pursuant to SB 415. The final step in this process will be to adopt an ordinance to formally change the General Municipal Election date, which will be brought to Council for their consideration next month.

DISCUSSION

Significant dates for the General Municipal Election are as follows:
- July 15, 2019 – Filing period opens for nomination papers
- August 9, 2019 – Last day to file nomination papers
- August 14, 2019 – Last day to file nomination papers should an incumbent not file
- August 15, 2019 - Secretary of State to determine Order of Names on Ballot
- August/September, 2019 – Candidates Orientation Workshop (to be determined)
- September 6, 2019 – Voters may request vote by mail ballots with regular application
- October 21, 2019 – Last day to register to vote for this election
- November 5, 2019 – ELECTION DAY

Resolution No. R-19-18 “Calling and Giving Notice” must be submitted to the County no later than 120 days prior to the election (July 8, 2019). This resolution is to call the City’s General Municipal Election to elect two City Council members. The resolution includes language that would allow - but not require - the City to submit a ballot measure or measures to the voters at the same election. A filing fee of twenty-five dollars ($25) shall be paid by the candidate upon the filing of nomination papers.

Resolution No. R-19-19 requests the Board of Supervisors to consolidate the City’s election with other elections on the same date the County will conduct and to permit the County Elections Department to take any and all steps necessary for the holding of the election. The services to be provided by the County Registrar of Voters include, but are not limited to, the appointment of all required election officers and establishment of polling places; publishing the notice of appointment of election officers, preparing and mailing the official and sample ballots including candidates’ statements, process vote by mail ballots; supply all needed materials for polling places; conduct the election, canvass the election returns and certify the results; and in the event of a tie vote between two or more persons receiving an equal and the highest number of votes for the offices to be voted for, to determine the tie by lot. The City would reimburse the County for the costs of providing the services.

Resolution No. R-19-20 adopts regulations for candidates pertaining to candidates’ statements submitted to the voters. The regulations limit the candidate’s statement to 200 words describing the candidate’s education and qualifications expressed by the candidate. The statement shall not include party affiliation nor membership or activity in partisan political organizations. The candidates will be required to pay a deposit of $300 at the time of filing his/her nomination paper in order to have the statement included in the voters’ pamphlet. The candidate will be billed for any cost in excess of the deposit and will receive a refund of any unused portion of the deposit.

**FISCAL IMPACT & PROCUREMENT REVIEW**

The County has provided an estimate of the cost for this election which is approximately $103,000. The funds have been included in the 2019-20 Fiscal Year Budget.
alternative to contracting with the County for these services, as a private contractor no longer offers these services.

**LEGAL REVIEW**

The City Attorney’s office has reviewed and approved as to form.

**RECOMMENDATION**

Staff recommends the City Council adopt: (1) Resolution No. R-19-18 calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, November 5, 2019, for the election of certain officers as required by the provisions of the laws of the State of California relating to General Law Cities and requesting the Registrar of Voters of the County of Los Angeles to conduct said election; (2) Resolution No. R-19-19 requesting the Board of Supervisors of the County of Los Angeles to render services to the City relating to the conduct of a General Municipal Election to be held on Tuesday, November 5, 2019; and (3) Resolution No. R-19-20 adopting regulations for candidates for elective office pertaining to candidates’ statements submitted to the voters at an election to be held on November 5, 2019.

If the City Council concurs with staff’s recommendation, an appropriate motion would be:


**ATTACHMENTS**

1. Resolution No. R-19-18, a resolution calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, November 5, 2019
2. Resolution No. R-19-19, a resolution requesting the Board of Supervisors of the County of Los Angeles to render services to the City relating to the conduct of a General Municipal Election
3. Resolution No. R-19-20, a resolution adopting regulations for candidates for elective office
RESOLUTION NO. R-19-18


WHEREAS, under the provisions of the laws relating to General Law Cities in the State of California, a General Municipal Election shall be held on dates specified according to law, for the purpose of electing members of the City Council and for possibly presenting a ballot measure or measures for consideration by the voters;

WHEREAS, pursuant to the requirements of SB 415, the City Council has adopted a plan to change future General Municipal Election dates to align with Statewide elections in even years and will consider adopting an ordinance to formally enact such changes.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MARINO, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities within the State, there is called and ordered held in the City of San Marino, California, on Tuesday, November 5, 2019, a General Municipal Election of the qualified electors of the City for the purpose of electing two (2) members of the City Council both for full terms as provided by law, and for presenting a ballot measure or measures for consideration by the voters of the City.

SECTION 2. That pursuant to the provisions of Section 10002 of the Elections Code of the State of California, this City Council hereby requests the Registrar of Voters of the County of Los Angeles to conduct the General Municipal Election for the City of San Marino.

SECTION 3. That the ballots to be used at the Election shall be, in form and content,
such as may be required by law to be used in the Election.

SECTION 4. That the City Clerk is hereby authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the Election.

SECTION 5. That the polls for the Election shall be open at seven o’clock a.m. on the day of the Election and shall remain open continuously from that time until eight o’clock p.m. of the same day when the polls shall be closed, except as provided in Section 14401 of the Elections Code of the State of California.

SECTION 6. That a filing fee of twenty-five dollars ($25) shall be paid by each candidate upon the filing of his or her nomination papers.

SECTION 7. That in all particulars not recited in this Resolution, the Election shall be held and conducted as provided by law for holding municipal elections in a general law City.

SECTION 8. That notice of the time and place of holding the Election is given and the City Clerk is authorized, instructed and directed to give such further or additional notice of the Election, in time, form and manner as required by law.

SECTION 9. That the City Council of San Marino requests that the Los Angeles County Registrar of Voters canvass the results of the said Election.

SECTION 10. That the City of San Marino shall reimburse the County of Los Angeles Registrar of Voters for the cost of services performed relative to the conduct of the General Municipal Election, after completion of all work and upon presentation to the City of a properly detailed bill.

SECTION 11. That the City Clerk is hereby directed to forward a certified copy of this Resolution to said Los Angeles County Registrar of Voters.

SECTION 12. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions of the City of San Marino.

PASSED, APPROVED, AND ADOPTED, at a Regular Meeting of the City Council of the City of San Marino, California, on this 28th day of June, 2019.
STATE OF CALIFORNIA    )
COUNTY OF LOS ANGELES  ) ss.
CITY OF SAN MARINO     )

I, EVA HETER, City Clerk of the City of San Marino, California, hereby certify that Resolution No R-19-18 was adopted by the City Council of the City of San Marino at a Regular Meeting held on the 28th day of June, 2019, and that the same was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

EVA HETER, CITY CLERK
CITY OF SAN MARINO
RESOLUTION NO. R-19-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARINO, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2019 WITH THE STATEWIDE AND LOCAL AND MUNICIPAL CONSOLIDATED ELECTION TO BE HELD ON THE DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE

WHEREAS, the City Council of the City of San Marino has called a General Municipal Election to be held on November 5, 2019, for the purpose of electing two Members of the City Council to full year terms of office and for the purpose of submitting one or more ballot measures for consideration by the voters; and

WHEREAS, it is desirable that the General Municipal Election be consolidated with the Statewide and Local and Municipal Consolidated Election to be held on the same date, and that within the City the precincts, polling places and election officers of the two elections be the same, and that the County Elections Department of the County of Los Angeles canvass the returns of the General Municipal Election, and that the election be held in all respects as if there were only one election.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MARINO DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Los Angeles is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide and Local and Municipal Consolidated Election to be conducted by the County on Tuesday, November 5, 2019.

SECTION 2. That the County Elections Department is authorized to canvass the returns of the General Municipal Election. The Election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

SECTION 3. That the Board of Supervisors is requested to issue instructions to the County Elections Department to take any and all steps necessary for the holding of the
consolidated election.

**SECTION 4.** That the City of San Marino recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for all costs upon conclusion of the work and presentation to the City of an invoice for the reasonable costs of conducting the election.

**SECTION 5.** That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the County Elections Department of the County of Los Angeles forthwith.

**SECTION 6.** That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.
PASSED, APPROVED, AND ADOPTED, at a Regular Meeting of the City Council of the City of San Marino, California, on this 28th day of June 2019.

___________________________
STEVEN W. HUANG, DDS, MAYOR
CITY OF SAN MARINO

ATTEST:

___________________________
EVA HETER, CITY CLERK
CITY OF SAN MARINO

STATE OF CALIFORNIA  )
COUNTY OF LOS ANGELES  ) ss.
CITY OF SAN MARINO     )

I, EVA HETER, City Clerk of the City of San Marino, California, hereby certify that Resolution No. R-19-19 was adopted by the City Council of the City of San Marino at a Regular Meeting held on the 28th day of June, 2019, and that the same was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

___________________________
EVA HETER, CITY CLERK
CITY OF SAN MARINO
RESOLUTION NO. R-19-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARINO, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES’ STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON NOVEMBER 5, 2019

WHEREAS, §13307 of the Elections Code of the State of California, provides that the governing body of any local agency may adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidate’s statement.

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

SECTION 1. GENERAL PROVISIONS. That pursuant to §13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at an Election to be held in the City of San Marino on November 5, 2019, may prepare a candidate’s statement on an appropriate form provided by the City Clerk. The statement may include the name, age and occupation of the candidate and a brief description of no more than 200 words of the candidate’s education and qualifications expressed by the candidate. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed, in typewritten form, in the Office of the City Clerk at the time the candidate’s nomination papers are filed. The statement may be withdrawn, but not changed, during the period of filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

SECTION 2. In compliance with California law, the City Clerk shall provide a Spanish translation of the candidate’s statement at the candidate’s request. The City Clerk shall require each candidate filing a statement to pay a deposit of THREE HUNDRED DOLLARS ($300) for English, and SIX HUNDRED DOLLARS ($600) for English and Spanish, in advance as a condition of having his or her statement included in the voters’ pamphlet. The City Clerk shall bill each candidate for any cost in excess of the deposit and shall refund any unused portion of any deposit.

SECTION 3. The City Clerk shall provide each candidate or the candidate’s representative a copy of this Resolution at the time nomination petitions are issued.
SECTION 4. FOREIGN LANGUAGE POLICY.

A. Multilingual translations of candidate statements for voter information booklets may be provided in Chinese, Hindi, Japanese, Khmer, Korean, Spanish, Tagalog/Filipino, Thai and Vietnamese for qualifying jurisdictions in accordance with the National Voting Rights Act provisions and Department of Justice specifications.

B. The County will print sample ballots and candidates’ statements in English and all qualified languages that equal 3% or more of voting age residents in San Marino. The County will make the sample ballots and candidates’ statements in the required languages available at all polling places, on the County’s website, in the office of the City Clerk for the City of San Marino, and to voters requesting such material.

SECTION 5. PAYMENT.

A. Translations.

1. The candidate shall be required to pay for the pro rata cost of translating the candidate’s statement into any required foreign language as specified in (A) and/or (B) of Section 2 above, pursuant to Federal and/or State law.

2. The candidate shall be required to pay for the pro rata cost of translating the candidate’s statement into any foreign language that is not required as specified in (A) and/or (B) of Section 2 above, pursuant to Federal and/or State law, but is requested as an option by the candidate.

B. Printing.

1. The candidate shall be required to pay for the pro rata cost of printing the candidate’s statement in English in the main voter’s pamphlet.

2. The candidate shall be required to pay for the pro rata cost of printing the candidate’s statement in a foreign language required in (A) of Section 2 above, in the main voters’ pamphlet.

3. The candidate shall be required to pay for the cost of printing the candidate’s statement in a foreign language requested by the candidate per (B) of Section 2 above, in the main voters’ pamphlet.
The County Registrar of Voters shall estimate the total cost of printing, handling, translating, and mailing the candidate’s statements filed pursuant to this section, including costs incurred as a result of complying with the Voting Rights Act of 1965 (as amended), and require each candidate filing a statement to pay in advance to the local agency his or her statement included in the voters’ pamphlet. In the event the estimated payment is required, the estimate is just an approximation of the actual cost that varies from one election to another and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the City is not bound by the estimate specified above and may, on a pro rata basis, bill the candidate for additional actual expenses or refund any excess paid depending on the final actual cost. In the event of underpayment, the clerk shall require the candidate to pay the balance of the cost incurred. In the event of overpayment, the clerk shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days of the election.

SECTION 6. ADDITIONAL MATERIALS. No candidate will be permitted to include additional materials in the sample ballot package.

SECTION 7. That the City Clerk shall provide each candidate or the candidate’s representative a copy of this resolution at the time nominating petitions are issued.

SECTION 8. That all previous resolutions establishing Council policy on payment for candidates’ statements are repealed.

SECTION 9. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, AND ADOPTED, at a Regular Meeting of the City Council of the City of San Marino, California, on this 28th day of June, 2019.

____________________
STEVEN W. HUANG, DDS, MAYOR
CITY OF SAN MARINO

ATTEST:

_______________________________
EVA HETER, CITY CLERK
CITY OF SAN MARINO
STATE OF CALIFORNIA  )
COUNTY OF LOS ANGELES  ) ss.
CITY OF SAN MARINO  )

I, EVA HETER, City Clerk of the City of San Marino, California, hereby certify that Resolution No. R-19-20 was adopted by the City Council of the City of San Marino at a Regular Meeting held on the 28th day of June, 2019, and that the same was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

_________________________  
EVA HETER, CITY CLERK 
CITY OF SAN MARINO
STRATEGIC PLAN CRITICAL SUCCESS FACTORS

- Engaged and Connected Residents
- Efficient, Responsive, and Effective City Services
- Fiscally Responsible and Transparent City Government

BACKGROUND

The current City of San Marino Public Safety Tax will expire on June 30, 2020. This ballot measure would extend for five years the City of San Marino Public Safety Tax for paramedic, police, and fire protection services. The Public Safety Tax is a tax on each parcel of real property in the City and is authorized under the authority of Section 4 of Article XIII-A of the California Constitution. Estimated collections for FY 19-20 is $3,284,000. As a special tax, the proceeds can only be used for paramedic, police, and fire protection services. The City may not use the funds for any other purpose.

This item was originally slated for the June 12, 2019, City Council meeting, but staff removed the item in order to have clarity about how the proposed five year period for the parcel tax (due to the election date realignment from odd years to even years) might impact the Gann Limit (a limitation on the budget). An analysis of that issue is included below; staff has concluded that there is likely no issue, and we may proceed as intended on June 12.
DISCUSSION

Parcel Tax

As a special tax, the measure requires a two-thirds vote of the persons voting at the election. Although previous approved versions of the tax were in effect for four years, staff recommends that the City Council submit an ordinance with a five year time extension, to align with future City elections that will be held in even years going forward. A yes vote on the measure would extend the existing Special Public Safety Tax and assessment amounts for five years. This tax has been in effect since 1980. A no vote would eliminate the Special Public Safety Tax at the end of the 2019-2020 fiscal year. The General Municipal Election will be held on November 5, 2019.

Gann Limit Considerations

The annual appropriations limit was put in place as a result of a voter initiative originally passed in 1979 known as the “Gann Limit” due to its sponsor Paul Gann. It is a limitation on the amount of proceeds of taxes that a unit of government in California can receive and spend in any one year. The initiative became Article XIIIB of the State Constitution. Section 4 of Article XIIIB provides that the annual appropriations limit may be increased by voter-approved overrides, and that such voter-approved overrides shall be for a term no longer than four years from the most recent election authorizing the override.

Previous ordinances authorizing the public safety parcel tax in San Marino have included a provision that the City’s annual appropriations limit shall be increased by the maximum projected aggregate collection authorized by the parcel tax levy each year, and previous ordinances have authorized the parcel tax for a period of four years.

With the change in the City’s regular election date to even-numbered years, and the requirement that the parcel tax elections occur at the same time as the regular City elections, the next parcel tax renewal can be structured as either a three-year or five-year renewal. If the City chooses a five-year renewal, then the voter-approved override provision as it relates to the annual appropriations limit would lapse at the end of year 4 (FY 2022-23) and there would be no voter-approved override in year 5 (FY 2023-24).

The lack of a voter-approved override to the appropriations limit in FY 2023-24 could provide some risk to the City that the appropriations subject to the limit that year might exceed the legal limit. For the past five years, the City’s appropriations subject to the limit have averaged out at 79% of the legal limit that included the voter-approved override. Without the override, the appropriations subject to the limit during the past five years would have ranged between 84% and 94% of the legal limit.

The key factors that affect the gap, or margin, between the legal limit (without a voter-approved override) and the appropriations subject to the limit are:

- Legal Limit calculation:
  - Population (growth in population of the City or County, whichever is larger)
Inflation (increase in California per capita income or growth in non-residential assessed valuation, whichever is larger)

Factors Affecting Appropriations Subject to the Limit calculation:
- Growth in tax proceeds
- Number of large capital projects funded from tax proceeds

Large capital projects that are funded from tax proceeds can be excluded from the appropriations subject to the limit, and they therefore will increase the margin. So to the extent that the growth in the City’s tax proceeds net of the large capital projects exceeds the combined growth in population and inflation, the margin between the legal limit and the appropriations subject to the limit will shrink, and vice versa.

For the past five years, the population change has been essentially flat and the inflation factor has averaged 4%. For this same period, the growth in appropriations subject to the limit has ranged from -2.78% to +17.36%, with an average of 4.23%. Using these averages and projecting for the next five years, the City would have appropriations subject to the limit that are 88% of the legal limit without the override in FY 2023-24, which is well under the legal limit.

It would take an average annual growth of 7% or more each year for the next five years in appropriations subject to the limit to exceed the projected legal limit without the voter-approved override. Therefore, based on historical trends for the past five years, it is likely that the City would not exceed its legal appropriations limit in FY 2023-24, if there were to be no voter-approved override of the limit in that year.

It is therefore the opinion of the Interim Finance Director that the risk of a five-year extension of the Parcel Tax is minimal, if the historical trends continue. We are therefore reaffirming the recommendation to place the special tax on the ballot with an extension period of five years.

FISCAL IMPACT & PROCUREMENT REVIEW

The cost of placing this ballot measure on the November 5, 2019 election is included in the total estimated cost of the election, which is $103,000. This amount is included in the Fiscal Year 2019-20 Operating Budget.

LEGAL REVIEW

The City Attorney’s office has reviewed and approved as to form. The City Attorney has also confirmed that we may move up the election to 2022 (from the proposed 2024) if it appears that we need to, in order for the voters to approve the Gann limit override for FY 2023-24.

RECOMMENDATION

Staff recommends the City Council direct that a Measure be included on the November 5, 2019 election ballot that will give residents of the City of San Marino the opportunity to decide whether to continue the Special Public Safety Tax for paramedic, police, and fire protection services. If the City Council concurs with staff’s recommendation, an appropriate motion would be:
“I move to adopt Resolution No. R-19-21, a resolution of the San Marino City Council ordering that a measure to extend the City’s existing Public Safety Special Tax for five (5) years be submitted to the voters at the general municipal election to be held on Tuesday, November 5, 2019, and directing the City Attorney to prepare an impartial analysis.”

ATTACHMENTS

1. Resolution No. R-19-21, a resolution of the San Marino City Council ordering that a measure to extend the City’s existing Public Safety Special Tax for five (5) years
2. Ordinance No. O-19-1351, an ordinance levying a special public safety tax for paramedic services, police protection, and fire prevention, including Exhibit 1 to the ordinance.
RESOLUTION NO. R-19-21

A RESOLUTION OF THE SAN MARINO CITY COUNCIL
ORDERING THAT A MEASURE TO EXTEND THE CITY’S EXISTING
PUBLIC SAFETY SPECIAL TAX FOR FIVE (5) YEARS BE SUBMITTED
TO THE VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE
HELD ON TUESDAY, NOVEMBER 5, 2019, AND DIRECTING THE
CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS

WHEREAS, pursuant to the requirements of the laws of the State of California relating to
general law cities, there has been called and ordered to be held in the City of San Marino on Tuesday,
November 5, 2019, a General Municipal Election for the purpose of electing two members of the
City Council; and

WHEREAS, pursuant to its existing authority under the Elections Code, the City Council
proposes to submit to the voters of the City at said General Municipal Election a ballot measure to
extend the City’s existing Public Safety Special Tax; and

WHEREAS, the proposed ballot measure would extend the existing special tax that is
already paid by San Marino property owners, to continue to raise revenue needed for the City to
provide excellent public safety services; and

WHEREAS, fast emergency response times and crime prevention remains a top community
priority; this extended tax would help ensure there are enough police officers, firefighters, and
paramedics to respond quickly to 9-1-1 emergencies; and

WHEREAS, all funds raised by this measure will be used only to fund essential City public
safety services; and

WHEREAS, without the passage of this measure, the existing Public Safety Tax ordinance
will expire in 2020 and public safety in the City will be underfunded;

NOW, THEREFORE, THE SAN MARINO CITY COUNCIL HEREBY RESOLVES AS
FOLLOWS:

SECTION 1. Pursuant to California Elections Code Sections 9222 and 10201, the City
Council, pursuant to its right and authority, does hereby order that a ballot measure be submitted
to the voters at the General Municipal Election on Tuesday, November 5, 2019 in the form set
forth herein.
SECTION 2. The City Council hereby orders that the question to be submitted to the voters at the said General Municipal Election shall appear and be printed on the ballot as follows:

<table>
<thead>
<tr>
<th>Shall an ordinance be adopted to continue the Special Public Safety Tax for Paramedic Services, Fire Protection and Prevention and Police Protection in the City of San Marino, providing approximately $3,400,000 annually, until 2025?</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
</table>

SECTION 3. The text of the proposed ordinance to be submitted to the voters, as attached hereto as Exhibit “A,” is hereby approved and incorporated herein by reference. The type of tax proposed is the extension of an existing Special Parcel Tax at the rates specified in the proposed ordinance for five (5) additional years. The measure shall not take effect unless and until approved by a vote of at least 2/3 of the voters voting on the question at the election.

SECTION 4. The ballots to be used at the election shall be in form and content as required by law.

SECTION 5. The City Attorney is directed to prepare and file an Impartial Analysis of the ballot measure. The City Council authorizes any and all members of the City Council to file a written argument in favor or against the above referenced measure.

SECTION 6. The election on this measure shall be conducted on the same ballot as the General Municipal Election for candidates, and shall be held and conducted as provided by law for holding municipal elections.

SECTION 7. The City Manager and all other officers of the City are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents that they may deem necessary or advisable in order to complete the process for placing the measure on the November 5, 2019 ballot.

SECTION 8. The City Clerk shall certify to the passage and adoption of this Resolution, enter it into the book of original resolutions and transmit it to the County of Los Angeles Registrar/Recorder forthwith.

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of San Marino, California, on this 28th day of June 2019.

______________________________
STEVEN W. HUANG, DDS, MAYOR
CITY OF SAN MARINO
I, EVA HETER, City Clerk of the City of San Marino, California, hereby certify that Resolution No R-19-21 was adopted by the City Council of the City of San Marino at a Regular Meeting held on the 28th day of June, 2019, and that the same was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

EVA HETER, CITY CLERK
CITY OF SAN MARINO
EXHIBIT A

ORDINANCE NO. O-19-1351

AN ORDINANCE OF THE CITY OF SAN MARINO, CALIFORNIA, LEVYING A SPECIAL PUBLIC SAFETY TAX FOR PARAMEDIC SERVICES, POLICE PROTECTION AND FIRE PREVENTION

THE CITY COUNCIL OF THE CITY OF SAN MARINO, CALIFORNIA DOES ORDAIN AS FOLLOWS:

SECTION 1. Pursuant to the authority of Section 4 of Article XIII-A of the California Constitution, California Government Code Section 53978, there is hereby levied and assessed as special safety tax by the City of San Marino on each parcel of property in the City of San Marino for each fiscal year, commencing with the fiscal year (2020-2021) and ending with the fiscal year (2024-2025).

SECTION 2. Unless territory is annexed to the City of San Marino following the date of adoption of this ordinance by the City Council, the maximum annual amounts of said special public safety tax for each fiscal year shall be as indicated on Exhibit 1 of the ordinance, which is incorporated herein in its entirety. In the event territory is annexed to the City of San Marino following the date of adoption of this ordinance by the City Council, the special public safety tax shall be imposed on such annexed parcels in the same amounts as other parcels in the same zoning classification, and the maximum amount of said public safety tax for the fiscal year of such annexation and each of the fiscal years thereafter shall be increased by the amounts equal to the total special public safety tax imposed on the annexed parcels.

(A) The special public safety tax zones shall be those designated on the official zone map of the City.

(B) The records of the Los Angeles County Assessor as of March 1, of each year preceding the applicable fiscal year shall determine whether or not any particular lot is unimproved for the purposes of this section. "Parcel of property" as used in this ordinance shall mean any contiguous unit of improved or unimproved real property held in separate ownership, including, but not limited to, any single family residence, or any other unit or real property subject to the California Subdivided Lands Act (Business and Professional Code, Section 11000, et seq.).

(C) The tax imposed by this ordinance shall be a tax upon each parcel of property, and the tax shall not be measured by the value of the property.

SECTION 3. The special public safety tax imposed by this ordinance shall be due in two equal installments in accordance with the collection procedures of the Los Angeles County Tax Collector, in the same manner, and on the same applicable dates as established by law for the due dates for the other charges and taxes fixed and collected by the County of Los Angeles on behalf of the City of San Marino.
SECTION 4. The revenue raised by this ordinance shall be placed in a special fund to be used only for the purposes of obtaining, providing, operating and maintaining paramedic services, police equipment or apparatus therefor; paying the salaries and benefits to paramedic, police protection and firefighting protection and prevention personnel; and for other necessary paramedic expenses, police protection expenses and fire protection and prevention expenses of the City of San Marino.

SECTION 5. The City Council, by three (3) affirmative votes, is empowered:

(A) To establish the amounts of the special public safety tax levy annually each fiscal year in amounts not to exceed the maximum amounts specified for each component of the special public safety tax in Section 2 of this ordinance as is required in the discretion of the City Council to provide an adequate level of paramedic service, police protection and fire protection and prevention services in the City in accordance with the purposes set forth in this ordinance;

(B) To sit as a Board of Equalization under procedures to be adopted to equalize inequities and reduce hardships created by a literal application of this ordinance, and such shall be deemed and administrative remedy; and

(C) To annually provide an official Assessment Book designating the actual tax levy on each parcel, and to place same on file in the office of the City Clerk.

SECTION 6. The City Council shall be empowered to amend this ordinance by three (3) affirmative votes of the members thereof for the purposes of carrying out the general purposes of this ordinance in order to conform to the state law that permits the County Tax Collector; or other proper official, to collect a special tax such as is levied by this ordinance in conjunction with County taxes or in order to assign duties pursuant to the ordinance to other officers.

SECTION 7. This ordinance shall be null and void as of midnight, June 30, 2025, and shall have no force and effect whatsoever after said time and date, and any action by the City Council of the City of San Marino to the contrary, notwithstanding, except that Section 10, relating to the collection and enforcement of liens or obligations for the special public safety tax previously levied hereunder, shall continue in effect until such time as the collection and enforcement procedures have been completed.

SECTION 8. No section of this ordinance shall be construed to permit, and the City Council is expressly prohibited from extending, the terms of this ordinance beyond June 30, 2025 or increasing the maximum amount of any special public safety tax levy, or component thereof, or penalty imposed by this ordinance.

SECTION 9. The special public safety tax imposed hereby shall be collected in the same manner, on the same dates, and subject to the same penalties and interest in accordance with the established dates as, or with, other charges and taxes fixed and collected by the County of Los Angeles on behalf to the City of San Marino and the said County may deduct its reasonable costs incurred for such services before remittal of the balance to the City.

Said special public safety tax, together with all penalties and interest thereon, shall constitute a
lien upon the parcel upon which it is levied until it has been paid, and said special public safety tax, together with all penalties and interest thereon, shall, until paid, constitute a personal obligation to the City of San Marino by the persons who own the parcel on the date the tax is due.

SECTION 10. The special public safety tax hereby imposed shall not be imposed upon a Federal or State Governmental agency or any local agency or upon any parcel of property that is exempt from the special tax imposed by this ordinance pursuant to any provision of the Constitution or any paramount law.

SECTION 11. Pursuant to the California Constitution, Article XIIIb, the appropriation limit for the City of San Marino will be increased by the maximum projected aggregate collection authorized by the levy of this special public safety tax, as indicated in Section 2, commencing with fiscal year (2020-2021) and ending with fiscal year (2023-2024), plus the amount, if any, by which the appropriations limit is decreased by law as a result of the assessment of the special public safety tax set forth in this ordinance.

SECTION 12. Unexpended residue of any money raised by the City under this ordinance may only be used in the succeeding year for the purposes stated in this ordinance, by lowering the next year's tax by the amount unexpended, or by returning the amount unexpended to the taxpayers on the same pro rata basis as originally levied.

SECTION 13. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or applications, and to this end the provisions of this ordinance are declared to be severable. The City Council and the electorate by referendum, do hereby declare that they would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases, parts or portions therefore be declared invalid or unconstitutional.

SECTION 14. This ordinance, or any provisions thereof other than those provisions, if any, which provide for modification by the City Council of the City of San Marino, may only be amended or repealed by approval of two-thirds (2/3) of the voters voting on the provisions at any City election.

SECTION 15. This ordinance shall be effective only if approved by two-thirds (2/3) of the voters voting at an election to be held in the City on November 5, 2019, and, in such case, shall go into effect ten (10) days after the City Council has, by resolution, declared that such measure was approved by two-thirds (2/3) of the voters voting thereon.

SECTION 16. The City Clerk shall certify the passage and adoption of this ordinance and shall cause same to be published as required by law, shall update the San Marino Municipal Code as required, and shall publish a synopsis of the measure to be voted on as required by law.
PASSED, APPROVED AND ADOPTED this 5th day of November, 2019.

____________________________
STEFAN W. HUANG, DDS
MAYOR

ATTEST:

___________________________
EVA HETER
CITY CLERK

APPROVED AS TO FORM:

___________________________
STEPHANIE CAO
CITY ATTORNEY
### ORDINANCE NO. O-19-1351

**MAXIMUM SPECIAL PUBLIC SAFETY TAX LEVY AND ASSESSMENT AMOUNTS**

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<th>Zones</th>
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</table>

**4,694**

**PROJECTED MAXIMUM TOTAL COLLECTION:**

| Component | 3,250,411.10 | 342,226.27 | 3,412,931.66 | 359,337.58 | 3,583,578 | 377,304.46 | 3,762,757.15 | 396,169.68 | 3,950,895.01 | 415,978.17 |
| Combined  | 3,592,637    | 3,772,269  | 3,960,883    | 4,158,927   | 4,368,873 |

**ANTICIPATED CREDITS:**

| Component | 236,874 | 248,718 | 261,153 | 274,211 | 287,922 |

**ESTIMATED TOTAL COLLECTABLE:**

| Component | 3,355,764 | 3,523,552 | 3,699,729 | 3,844,716 | 4,078,952 |

* Including churches, non-profit holdings and the like

**SENIOR CITIZEN CREDIT:** Upon application, the City Council shall make available a credit of $100 per year for parcels owned by senior citizens (65 years or older) whose income does not exceed levels the City Council establishes.
STRATEGIC PLAN CRITICAL SUCCESS FACTORS

- Well-Maintained Infrastructure
- Fiscally Responsible and Transparent City Government

BACKGROUND

This item was continued from the June 12 regular City Council meeting so that the Council could discuss in further detail changes in the scope of work and provide direction to the Department.

In January, the Department prepared and circulated a request for proposals to qualified professional engineering firms for the preparation of a comprehensive evaluation of the traffic circulation in and through the City. The work includes traffic modeling, identification of capacity constraints, analysis of system conditions, preparation of a traffic calming toolbox, and evaluation and prioritization of capacity enhancements and needs. This study will form the foundational data to be used in the design of the future capacity-related projects that might include innovative traffic management approaches that preserve and sustain the quality of the residential neighborhoods while conveying regional through traffic as efficiently as possible. The primary emphasis of the study is passenger vehicles and trucks: alternate modes such as transit, ride sharing, bicycle and pedestrian routes may be considered only if there are significant benefits to the vehicular transportation system.

DISCUSSION

The City received proposals from Iteris, Kimley-Horn, KOA and Minagar & Associates, all regionally recognized traffic and transportation engineering firms. After carefully reviewing their qualifications, experience and understanding of our scope of work, we are recommending to
award a professional services agreement to Iteris. They are experts in transportation planning and traffic engineering, and provide similar services to other communities in Los Angeles County. We negotiated a fair and within budget contract amount that preserves the unique computer modeling and traffic signal operation simulations they will be providing for us as part of the work while also completing the journeyman’s work of traffic volume counts.

**FISCAL IMPACT & PROCUREMENT REVIEW**

The adopted FY 2018/19 capital budget includes $150,000 allocated for the preparation of a “citywide traffic circulation study” in account no. 394-48-4600-0500. Without broaching the proprietary information included in the other proposals and Government Code §4526 and 4528, Iteris’ cost proposal of $149,840 is approximately $100,000 lower than the highest cost proposal and $50,000 higher than the lowest cost proposal. Still, Iteris is deemed the most suitable firm to effectively carry out the comprehensive evaluation of the traffic circulation in and through the City based on their qualifications and expertise, experience and understanding of the City’s needs. The entire project budget of $150,000 has been requested as part of the FY 2019-20 Proposed Budget to be re-appropriated into next year’s capital budget, under the assumption that no expenditures for this project would be incurred prior to June 30. To the extent expenditures are incurred this fiscal year, the City Council will be asked in September to adjust the re-appropriation amount.

**LEGAL REVIEW**

The City Attorney reviewed the proposed agreement and has approved it to legal form.

**RECOMMENDATION**

It is recommended that the City Council proceed ahead with preparation of a comprehensive evaluation of the traffic circulation in and through the City utilizing the services of a professional transportation engineering firm. If the Council concurs, the appropriate action would be:

“I move to award a professional services agreement in the amount of $149,840 to Iteris of Los Angeles, California, which is attached as Attachment 1 to the staff report, for the preparation of a study of citywide traffic circulation and authorize the City Manager to execute the agreement on behalf of the City.”

**ATTACHMENTS**

1. Professional services agreement
2. Iteris’ statement of qualifications and proposal
This Professional Service Agreement (“the Agreement”) is made as of June 24, 2019 (the “Effective Date”), by and between ITERIS (“Consultant”), a Delaware corporation, and the City of San Marino (“City”), a California municipal corporation, (collectively, “the Parties”).
RECITALS

A. City desires certain professional services as specified in this Agreement.

B. Consultant represents that it is qualified and able to provide City with such services.

NOW THEREFORE, in consideration of the Parties’ performance of the promises, covenants, and conditions stated herein, the Parties hereto agree as follows:

AGREEMENT

1.0 Scope of Services

1.1. Consultant shall provide those services (“Services”) set forth in the attached Exhibit A.

1.2. Consultant shall perform all Services under this Agreement in accordance with the standard of care generally exercised by like professionals under similar circumstances and in a manner reasonably satisfactory to City.

1.3. In performing this Agreement, Consultant shall comply with all applicable provisions of federal, state, and local laws, ordinances, codes, and regulations.

1.4. Consultant shall not be compensated for any work performed unless it is specified in Exhibit A or City authorizes such work in advance and in writing. Any work so authorized by City shall become part of the Services for purposes of this Agreement.

2.0 Term

The term of this Agreement shall commence as of the Effective Date and shall continue through JUNE 30, 2020 unless sooner terminated as provided in Section 5.0 of this Agreement.

3.0 Consultant’s Compensation

City will pay Consultant in accordance with the fee schedule set forth in Exhibit B but in no event will the City pay more than $149,840. Any additional work authorized by the City pursuant to Section 1.4 will be compensated in accordance with the fee schedule set forth in Exhibit B, unless otherwise approved by City in writing. Pursuant to Section 02.06.05 of the San Marino City Code, this Agreement shall not be effective unless previously approved by the City Council if it is for professional services greater than thirty thousand dollars ($30,000.00).
4.0 Method of Payment

4.1. Consultant shall submit to City monthly invoices for all services rendered pursuant to this Agreement. Such invoices shall be submitted within 15 days of the end of the month during which the services were rendered and shall describe in detail the services rendered during the period, the days worked, number of hours worked, the hourly rates charged, and the services performed for each day in the period. City will pay Consultant all undisputed charges within 30 days of receiving Consultant’s invoice. City will not withhold any applicable federal or state payroll and other required taxes, or other required or authorized deductions from payments made to Consultant.

4.2. Upon 24-hour notice from City, Consultant shall allow City or City’s agents or representatives to inspect at Consultant’s offices during reasonable business hours all records, invoices, time cards, cost control sheets and other records maintained by Consultant in connection with this Agreement. City’s rights under this Section 4.2 shall survive for two years following the expiration or earlier termination of this Agreement.

5.0 Termination

5.1. City may terminate this Agreement at any time, at will, for any reason or no reason, after giving written notice to Consultant at least five (5) calendar days before the termination is to be effective.

5.2. Consultant may terminate this Agreement for cause in the event City fails to cure a default under this Agreement within thirty (30) days after Consultant has given City notice of such default.

5.3. Upon termination of this Agreement, Consultant shall cease all work under this Agreement and deliver to City all materials, reports, documents, notes or other written materials compiled through the last working day this Agreement is in effect. City shall pay Consultant for all services satisfactorily rendered through the last working day this Agreement is in effect; provided that in no event, including but not limited to termination, shall Consultant be entitled to receive more than the maximum compensation set forth in Section 3. Neither party shall have any other claim against the other party by reason of termination pursuant to this Section 5.0.

6.0 Reports, Information and Work Product

6.1. Consultant shall deliver to City: (1) any reports on the status of the Services upon City’s request and in such time and in such form as City may require; and (2) all material furnished to Consultant by City upon City’s request and/or upon the expiration or termination of this Agreement.

6.2. Unless the Parties agree in writing, all draft and final reports, documents, and other written material, and any and all images, ideas, concepts, designs including without limitation any website designs, source code, object code, electronic data and files, and/or other media whatsoever created or developed by Consultant in the performance of this Agreement (collectively, “Work Product”) shall be considered to be “works made
for hire” for the benefit of City. All Work Product and any and all intellectual property rights arising from their creation, including, but not limited to, all copyrights and other proprietary rights, shall be and remain the property of City without restriction or limitation upon their use, duplication or dissemination by City upon final payment being made. Consultant shall not obtain or attempt to obtain copyright protection as to any of the Work Product. Consultant hereby assigns to City all rights of ownership to the Work Product, including but not limited to any and all related intellectual property and proprietary rights that are not otherwise vested in the City pursuant to this paragraph.

6.3. Consultant warrants and represents that it has secured all necessary licenses, consents or approvals necessary to the production of the Work Product, and that upon final payment, City shall have full legal title to the Work Product, and full legal authority and the right to use and reproduce the Work Product for any purpose. Consultant shall defend, indemnify, and hold City, and its elected officials, officers, employees, servants, attorneys, designated volunteers, and agents serving as independent contractors in the role of city officials, harmless from any loss, claim, or liability in any way related to a claim that any use by the City of any of the Work Product violates federal, state, or local laws, or any contractual provisions, or any rights or laws relating to trade names, licenses, franchises, copyrights, patents, or other means of protecting intellectual property rights, and/or interests in products, ideas, or inventions. Consultant shall bear all costs arising from the use of patented, copyrighted, trade secret, or trademarked documents, materials, equipment, devices, or processes in connection with its provision of the Work Product produced under this Agreement. If any use by city of any of the Work Product or other deliverables is held to constitute an infringement and the use of any of the same is enjoined, Consultant, at its expense, shall: (a) secure for City the right to continue using such Work Product and/or other deliverables by suspension of any injunction, or by procuring a license or licenses for City; or (b) modify the Work Product and other deliverables so that they become non-infringing while remaining in compliance with the requirements of this Agreement.

6.4. Consultant’s obligations under this Section 6.0 shall survive the expiration or termination of this Agreement.

7.0 Party Representatives

7.1. City’s representative for purposes of this Agreement is the City Manager or the person designated in writing by the City Manager. The City Manager’s designee may exercise the authority of the City Manager provided in this Agreement excepting approval of any expenditure that would exceed a total compensation allowed under the Agreement.

7.2. Deepak Kaushik, PE, is Consultant’s representative for purposes of this Agreement.

8.0 Notices

8.1. All notices permitted or required under this Agreement shall be deemed made when personally delivered or when mailed 48 hours after deposit in the United
States Mail, first class postage prepaid and addressed to the party at the following addresses:

To City: City of San Marino  
2200 Huntington Drive  
San Marino, California 91108  
Attn: City Manager

To Consultant: Iteris  
1700 Carnegie Avenue, Suite 100  
Santa Ana, California 927057  
Attn: Vice President, Legal

8.2. Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service.

9.0 Independent Consultant

9.1. Consultant is an independent contractor and not an employee of City. All services provided pursuant to this Agreement shall be performed by Consultant or under its supervision. Consultant will determine the means, methods, and details of performing the services. Any additional personnel performing services under this Agreement on behalf of Consultant shall also not be employees of City and shall at all times be under Consultant’s exclusive direction and control. Consultant shall pay all wages, salaries, and other amounts due such personnel in connection with their performance of services under this Agreement and as required by law. Consultant shall be responsible for all reports and obligations respecting such additional personnel, including, but not limited to: social security taxes, income tax withholding, unemployment insurance, disability insurance, and workers’ compensation insurance.

9.2. Consultant shall indemnify and hold harmless City and its elected officials, officers, employees, servants, designated volunteers, and agents serving as independent contractors in the role of City officials, from any and all liability, damages, claims, costs, and expenses of any nature to the extent arising from Consultant’s personnel practices. City shall have the right to offset against the amount of any fees due to Consultant under this Agreement any amount due to City from Consultant as a result of Consultant’s failure to promptly pay to City any reimbursement or indemnification arising under this Section. All duties of Consultant under this Section 9.2 shall survive termination of this Agreement.

9.3. In the event that Consultant provides any of the Services by or through any employee or any person whose work under this Agreement becomes cause for any payment or contribution required by law, including but not limited to the California Public Employees’ Pension Reform Act (PEPRA), to the Public Employee Retirement System, Consultant shall be solely responsible for all such payments or contributions. Consultant shall indemnify and hold harmless City and its elected officials, officers, employees, servants, designated volunteers, and agents serving as independent contractors in the role of City officials, from any and all liability, damages, claims, costs, and expenses of
any nature to the extent arising from Consultant’s failure to make any such payment or contribution. City shall have the right to offset against the amount of any fees due to Consultant under this Agreement any amount due to City from Consultant as a result of Consultant’s failure to promptly pay to City any reimbursement or indemnification arising under this Section. All duties of Consultant under this Section 9.3 shall survive termination of this Agreement.

10.0 Subcontractors

Unless otherwise specified in Exhibit A, no portion of this Agreement shall be subcontracted without the prior written approval of the City Manager. Consultant is fully responsible to City for the performance of any and all subcontractors, if any.

11.0 Assignment

Consultant shall not assign or transfer any interest in this Agreement whether by assignment or novation, without the prior written consent of City Manager, which consent shall not be unreasonable withheld. Any purported assignment without such consent shall be void and without effect.

12.0 Insurance

12.1. Consultant shall not commence work under this Agreement until it has provided evidence satisfactory to City that Consultant has secured all insurance required under this Section. Consultant shall furnish City with original certificates of insurance and endorsements, including but not limited to additional insured endorsements, effecting coverage required by this Agreement on forms satisfactory to City. The certificates and endorsements for each insurance policy shall be signed by a person authorized by that insurer to bind coverage on its behalf, and shall be on forms provided by City, if requested. All certificates and endorsements shall be received and approved by City before work commences. City reserves the right to require complete, certified copies of all required insurance policies, at any time.

12.2. Consultant shall, at its expense, procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damages to property that may arise from or in connection with the performance of this Agreement. Insurance is to be placed with insurers licensed to do business in California with a current A.M. Best’s rating no less than A:VIII unless otherwise approved in writing by City. Coverage shall be at least as broad as the latest version of the following: (1) General Liability: Insurance Services Office Commercial General Liability Coverage form (CG 0001); (2) Workers’ Compensation: Consultant shall maintain Workers’ Compensation insurance as required by the State of California and Employer’s Liability insurance; (3) Automobile Liability: Insurance Services Office Business Auto Coverage form number CA 0001, code 1 (any auto); and, (4) Professional Liability: Insurance Services Office Professional Liability Coverage form RHIC 6101. Consultant shall maintain limits no less than: (1) General Liability: $2,000,000 per occurrence for bodily injury, personal injury and property damage and if Commercial General Liability Insurance or other form with a general aggregate limit
is used, either the general aggregate limit shall apply separately to this
Agreement/location or the general aggregate limit shall be twice the required occurrence
limit; (2) Workers’ Compensation: Consultant shall maintain Workers’ Compensation
insurance as required by the State of California and Employer’s Liability insurance with
limits of at least $1,000,000) per occurrence; (3) Automobile Liability: $1,000,000 per
accident for bodily injury and property damage; and (4) Professional Liability: $2,000,000
per claim/aggregate.

12.3. The insurance policies shall contain the following provisions, or Consultant
shall provide endorsements on forms supplied or approved by City to state: (1) coverage
shall not be suspended, voided, reduced or canceled by Consultant except after 30 days
prior written notice by certified mail, return receipt requested, has been given to City;
(2) any failure to comply with reporting or other provisions of the policies, including
breaches of warranties, shall not affect coverage provided to City, its directors, officials,
or officers; (3) coverage shall be primary insurance as respects City, its directors, officials,
officers, employees, agents and volunteers, or if excess, shall stand in an unbroken chain
of coverage excess of Consultant’s scheduled underlying coverage and that any
insurance or self-insurance maintained by City, its directors, officials, employees,
agents and volunteers shall be excess of Consultant’s insurance and shall not be called
upon to contribute with it; (4) for general liability insurance, that City, its directors, officials,
officers, employees, agents and volunteers shall be covered as additional insureds with
respect to the services or operations performed by or on behalf of Consultant, including
materials, parts or equipment furnished in connection with such work; and (5) for
automobile liability, that City, its directors, officials, officers, employees, agents and
volunteers shall be covered as additional insureds with respect to the ownership,
operation, maintenance, use, loading or unloading of any auto owned, leased, hired or
borrowed by Consultant or for which Consultant is responsible.

12.4. All insurance required by this Section shall contain standard separation of
insureds provisions and shall not contain any special limitations on the scope of protection
afforded to City, its directors, officials, officers, employees, agents, and volunteers.

12.5. Any deductibles or self-insured retentions shall be declared to and approved
by the City Manager. Consultant guarantees that, at the option of the City Manager,
either: (1) the insurer shall reduce or eliminate such deductibles or self-insured retentions
as respects City, its directors, officials, officers, employees, agents, and volunteers; or
(2) Consultant shall procure a bond guaranteeing payment of losses and related
investigation costs, claims, and administrative and defense expenses.

12.6. Consultant waives any right to subrogation that any insurer of Consultant
may acquire by virtue of payment of any loss under the policies required by this
Agreement. Consultant shall obtain any endorsement that may be necessary to affect
this waiver of subrogation.
13.0 Indemnification, Hold Harmless, and Duty to Defend

13.1 Indemnity for Design Professional Services. To the maximum extent permitted by law, and to the extent caused by the acts or omissions of Consultant, its employees, or its agents in connection with the performance of design professional services under this Agreement, Consultant shall hold harmless and indemnify City, and its officials, officers, employees, volunteers, and agents serving as independent contractors in the role of City officials (collectively, “Indemnitees”), with respect to any and all claims, demands, causes of action, costs, expenses liability, loss, damage or injury in law or equity, to property or persons, including wrongful death, including without limitation the payment of all consequential damages, attorneys’ fees and other related costs and expenses (collectively, “Claims” hereinafter), including but not limited to Claims relating to death or injury to any person and injury to any property, that arise out of, pertain to, or relate to in whole or in part to the negligence, recklessness, or willful misconduct of Consultant or any of its officers, employees, subcontractors, or agents in the performance of its design professional services under this Agreement. With respect to such Claims, Consultant shall, at its own cost, expense, and risk, defend Indemnitees in any action or actions filed in connection with any Claims with counsel of Indemnitees’ choice, and shall pay and satisfy any judgment, award, or decree that may be rendered against Indemnitees to the extent caused by the acts or omissions of Consultant, its employees, or its agents, as determined by judicial decision or agreement of the Parties.

13.2. Other Indemnities. In connection with any and all claims, demands, damages, liabilities, losses, costs or expenses, including attorneys’ fees and costs of defense (collectively, “Damages” hereinafter) not covered by Subsection 13.1, Consultant shall, to the maximum extent permitted by law, defend, indemnify, and hold Indemnitees free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury, in law or equity, to property or persons, including wrongful death, in any manner arising out of or incident to any acts or omissions of Consultant, its employees, or its agents in connection with the performance of this Agreement, including without limitation the payment of all consequential damages and attorneys’ fees and other related costs and expenses, except for such loss or damage arising from the sole negligence or willful misconduct of City. With respect to any and all such aforesaid suits, actions, or other legal proceedings of every kind that may be brought or instituted against Indemnitees, Consultant shall defend Indemnitees, at Consultant’s own cost, expense, and risk, and shall pay and satisfy any judgment, award, or decree that may be rendered against Indemnitees. Consultant shall reimburse City and its directors, officials, officers, employees, agents and/or volunteers, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided. Consultant’s obligation to indemnify shall not be restricted to insurance proceeds, if any, received by Consultant, City, its directors, officials, officers, employees, agents or volunteers. All duties of Consultant under this Section shall survive termination of this Agreement.

13.3. Consultant must obtain executed indemnity agreements with provisions identical to those in Sections 13.1 and 13.2 from each and every subcontractor or any other person or entity involved by, for, with or on behalf of Consultant in the performance
of the Services. If Consultant fails to obtain such indemnities, Consultant shall be fully responsible and indemnify, hold harmless, and defend the Indemnitees from and against any and all Claims in law or equity, whether actual, alleged, or threatened, arising or claimed to arise out of, pertaining to, or relating to the acts or omissions of Consultant’s subcontractor, its officers, agents, servants, employees, subcontractors, materialmen, contractors, or their respective officers, agents, servants or employees (or any entity or individual that Consultant’s subcontractor shall bear the legal liability thereof) in the performance of this Agreement, including the Indemnitees’ active or passive negligence, except for Claims arising from the sole negligence or willful misconduct of the Indemnitees, as determined by final arbitration or court decision or by the agreement of the Parties.

14.0 Equal Opportunity

Consultant shall not discriminate against any subcontractor, employee, or applicant for employment because of race, religion, color, national origin, handicap, ancestry, sex, sexual orientation, or age. Such non-discrimination includes, but is not limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff, or termination.

15.0 Labor Certification

15.1. By its signature hereunder, Consultant certifies it is aware of the provisions of Section 3700 of the California Labor Code that require every employer to be insured against liability for Workers’ Compensation or to undertake self-insurance in accordance with the provisions of that Code. Consultant shall provide evidence of such coverage before commencing the performance of the Services.

15.2. Consultant certifies that in the performance of this Services, Consultant shall not, in any manner, employ any person or contract with any person so that any Services so performed by such person would be subject to the workers’ compensation laws of the State of California unless and until Consultant gives City a certificate of consent to self-insure, or a certificate of Workers’ Compensation Insurance Coverage.

15.3. In the event Consultant hires a subcontractor who has employees to perform the Services or any part thereof, then Consultant shall either require the subcontractor to obtain Workers’ Compensation Insurance Coverage, or must obtain Workers’ Compensation Insurance Coverage for the subcontractor’s employees.

15.4. Any Workers’ Compensation Insurance Coverage required by or for this Agreement shall be endorsed with a waiver of subrogation in favor of City for all work performed by Consultant, its employees, its agents, and its subcontractors.

16.0 Entire Agreement

This Agreement contains the entire agreement of the parties with respect to the subject matter hereof, and supersedes all prior negotiations, understandings, or agreements. This Agreement may only be modified by a writing signed by both parties.
17.0 **Severability**

The invalidity in whole or in part of any provisions of this Agreement shall not void or affect the validity of the other provisions of this Agreement.

18.0 **Governing Law**

This Agreement shall be governed by and construed in accordance with the laws of the State of California.

19.0 **No Third Party Rights**

No third party shall be deemed to have any rights hereunder against either party as a result of this Agreement.

20.0 **Waiver**

No waiver of any default shall constitute a waiver of any other default or breach, whether of the same or other covenant or condition. No waiver, benefit, privilege, or service voluntarily given or performed by a party shall give the other party any contractual rights by custom, estoppel, or otherwise.

21.0 **Headings**

Headings used in this Agreement are for reference purposes only and shall not be deemed a part of this Agreement.

22.0 **Force Majeure**

Consultant shall not be liable for any failure to perform any obligation under this Agreement if Consultant presents that City in its sole judgment deems acceptable that such failure was due to strikes, lockouts, labor disputes, embargoes, acts of God, governmental restrictions, governmental regulations, governmental controls, judicial orders, enemy or hostile governmental action, civil commotion, fire or other casualty, or other causes beyond Consultant’s reasonable control and not due to any act by Consultant.

23.0 **Final Payment Acceptance Constitutes Release**

Consultant’s acceptance of City’s final payment under this Agreement shall operate as and be a release of City from all claims and liabilities for compensation to Consultant for the Services or anything done or furnished relating thereto. Neither City’s payment to Consultant nor approval of payment constitute, nor be deemed, a release of the responsibility and liability of Consultant, its employees, sub-contractors and agents for the accuracy and competency of the information provided and/or work performed; nor shall such or payment or approval be deemed to be an assumption of such responsibility or liability by City for any defect or error in the work prepared by Consultant, its employees, subcontractors and agents.
24.0 Prohibited Interests; Conflict of Interest

24.1. Consultant covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which may be affected by the Services, or which would conflict in any manner with the performance of the Services. Consultant further covenants that, in performance of this Agreement, no person having any such interest shall be employed by it. Furthermore, Consultant shall avoid the appearance of having any interest, which would conflict in any manner with the performance of the Services. Consultant shall not accept any employment or representation during the term of this Agreement which is or may likely make Consultant “financially interested” (as provided in California Government Code §§1090 and 87100) in any decision made by City on any matter in connection with which Consultant has been retained.

24.2. Consultant further warrants and maintains that it has not employed or retained any person or entity, other than a bona fide employee working exclusively for Consultant, to solicit or obtain this Agreement. Nor has Consultant paid or agreed to pay any person or entity, other than a bona fide employee working exclusively for Consultant, any fee, commission, gift, percentage, or any other consideration contingent upon the execution of this Agreement. Upon any breach or violation of this warranty, City shall have the right, at its sole and absolute discretion, to terminate this Agreement without further liability, or to deduct from any sums payable to Consultant hereunder the full amount or value of any such fee, commission, percentage or gift.

24.3. Consultant warrants and maintains that it has no knowledge that any officer or employee of City has any interest, whether contractual, noncontractual, financial, proprietary, or otherwise, in this transaction or in the business of Consultant, and that if any such interest comes to the knowledge of Consultant at any time during the term of this Agreement, Consultant shall immediately make a complete, written disclosure of such interest to City, even if such interest would not be deemed a prohibited “conflict of interest” under applicable laws as described in this subsection.

25.0 Attorneys’ Fees

If either party commences any legal, administrative, or other action against the other party arising out of or in connection with this Agreement, the prevailing party in such action shall be entitled to have and recover from the losing party all of its attorneys’ fees and other costs incurred in connection therewith.

26.0 Exhibits

Each exhibit referenced in this Agreement is hereby incorporated into the Agreement as if set forth in full herein. In the event of any material discrepancy between the terms of any exhibit so incorporated and the terms of this Agreement, the terms of this Agreement shall control.
27.0 Corporate Authority

27.1. Each person executing this Agreement on behalf of Consultant warrants that he or she is duly authorized to execute this Agreement on behalf of Consultant and that by his or her execution, Consultant is formally bound to the provisions of this Agreement.

27.2. Consultant certifies it is aware of the requirements of Sections 313 of the California Corporations Code. If Consultant is a corporate entity, it shall either: (a) provide City written proof that each person executing this Agreement on Consultant’s behalf is duly authorized to bind Consultant; or (b) provide two signatories to this Agreement, of whom the first must be Consultant’s chairman of the board, president, or a vice president and the second who must be Consultant’s secretary, an assistant secretary, its chief financial officer, or an assistant treasurer.

IN WITNESS WHEREOF, the Parties hereto, through their respective authorized representatives have executed this Agreement as of the Effective Date.

CITY OF SAN MARINO

By: _________________________
    Marcella Marlowe, Ph.D.
    City Manager

Attest:

By: _________________________
    City Clerk

Approved as to Form:

By: _________________________
    Stephanie Cao
    City Attorney

CONSULTANT

By: _____________________________ (Sign)
    Name: ____________________________ (Print)
    Title: _____________________________ (Print)

By: _____________________________ (Sign)
    Name: ____________________________ (Print)
    Title: _____________________________ (Print)
Exhibit A

Scope of Services

Scope of Services found on the following page.
San Marino Circulation - Iteris Scope of Work

TASK 1. PROJECT MANAGEMENT

Iteris strongly believes that excellent project management is essential to the successful completion of any project. Successful completion does not only mean finishing the project, but also completing the project to the client’s satisfaction, within budget, and on schedule. Iteris understands the City’s needs for this project to be completed in a quick and prudent fashion, in tandem with comprehensive public outreach and multiple briefings and meetings with City staff, officials, and Council.

Mr. Deepak Kaushik, PE will serve as the Project Manager (PM) for this project. He will be the principal contact with the City and other entities per the City’s direction and will prepare and present status reports. Mr. Kaushik will be available for regular meetings with City staff and to attend key briefings, meetings, and workshops with the San Marino Public Safety Commission, Traffic Commission (if necessary), and City Council. Mr. Kaushik will be supported by Mr. Viggen Davidian, who will serve as the Principal-in-Charge on this project, and Mr. Michael Meyer, who will be Senior Advisor for the project.

Communication
Active and open communication between the City and our Team is vital. Communication is essential to the successful outcome of any project. The team’s primary objective is to keep the City abreast of the developments that impact the project.

Internal Quality Assurance/Quality Control (QA/QC)
The Iteris Team’s quality assurance also includes internal management reviews. Iteris’ upper-level management is committed to maintaining a proper environment for the successful execution of the project, providing projects with adequate resources, and monitoring the effectiveness of the project PM and the project team. Internal management conducts monthly project review meetings, reviewing the current project status against the current project schedule to ensure that projects are kept on schedule and on budget. Viggen Davidian will be the Principal-in-Charge responsible for the QA/QC process and will review all the documents and plans prior to each submittal.

Subtask 1.1. Kick-Off Meeting
Following the Notice to Proceed from the City, the Iteris team will prepare an agenda and a detailed project schedule using Microsoft Project software for a Kick-Off meeting with City staff to discuss project objectives and project administration. Meeting minutes and action items will be distributed to invitees within five (5) business days of the kick-off meeting along with a revised schedule based on feedback obtained at the meeting.

Subtask 1.2. Project Team Meetings
Throughout the duration of the project, Iteris will facilitate and lead a number of regular progress meetings. Our team will prepare an agenda and supporting materials for meetings to City staff to ensure thoroughness of direction to the Iteris team and accuracy of the study deliverables. These meetings will cover project activities, address any issues as they arise, and coordinate activities such as outreach activities and preparation/review of deliverables. Iteris will send out agendas prior to each meeting and will distribute meeting notes and action items to invitees within five (5) business days following the dates of these meetings.

Subtask 1.3. Monthly Invoice and Progress Reports
Iteris will prepare monthly invoices and progress reports to the City of San Marino. In the monthly progress report, Iteris will summarize activities conducted during the reporting period (typically the previous calendar month) as
well as a look at anticipated activities for the upcoming reporting period. The progress reports will clearly identify each task, and include detail provided on the work completed for each task as invoices are submitted to the City.

Deliverables
- Kick-Off Meeting agenda and minutes
- Detailed project work plan and schedule, refined based on comments from Kick-Off meeting
- Meeting agenda and minutes for Project Team meetings
- Invoices and monthly progress reports

**TASK 2. REVIEW OF PREVIOUS STUDIES AND TRAFFIC CONTROL INVENTORY**

The objective of this task is twofold. The first goal is to understand the recent and past historical studies conducted by the City of San Marino, including plans and recommendations associated with the City’s overall circulation and traffic goals, as well as find best options regarding traffic calming and safety improvements. Secondly, this task will seek to understand and identify the existing traffic control system conditions and City’s newest capital improvements, especially including a thorough inventory of the traffic control systems in place within the City limits.

Subtask 2.1. Past Studies/Literature Review
In consultation with the City, Iteris will conduct a thorough review of previous studies conducted for the City of San Marino, including the most recent and active traffic analyses as well as the City’s Circulation Element within its General Plan. In particular, recent studies such as the Huntington Drive Safe Streets Corridor Plan will be reviewed and understood in order to provide this study with the appropriate context on the City’s current vision and goals on the transportation system within its borders. Other documentation that could also be reviewed for relevance include neighboring cities, countywide, and regional documentation where the City was a key stakeholder, as well as previous traffic calming plan reviews. Additional studies that Iteris (previously Meyer Mohaddes Associates) has previously completed for the City, including the Granada Avenue Traffic Calming Design, San Marino Neighborhood Traffic Study and Circulation Element, and San Marino Unified School District Campus Modifications, will be reviewed as well.

This subtask will also help to identify best-practice and industry-standard reports and analyses related to traffic, circulation, and traffic calming applicable to the City. A major goal of this study is to identify effective methods and ways for the City to calm traffic at the neighborhood level, in order to alleviate cut-through traffic bypassing arterial congestion and to enhance safety. Iteris will review traffic calming documentation, guidelines, and literature in order to set a baseline of available solutions and processes to discourage the intrusion of regional traffic onto local streets and encourage better and more efficient use of the transportation network for all users. This subtask will feed into the development of a traffic calming toolbox within Task 5.

Subtask 2.2. Traffic Control Systems/Capital Improvements Inventory
In coordination with the City, Iteris will conduct a thorough review of all traffic control systems within the City, including striping, signal control type, and roadway categorization; this review will be done both through document review as well as comprehensive field visits throughout the City. Additionally, the City will provide Iteris with capital improvement project records, particularly those transportation and roadway-related. This overall inventory will be performed to provide a comprehensive setting of the City’s current transportation network and understand the existing efficiencies/deficiencies within the system.

Within this subtask Iteris will incorporate GIS mapping in order to properly inventory all information acquired as part of the review. The team is familiar with the existing transportation network and GIS information needed, as Iteris previously worked on the 2014 Draft City of San Marino Bicycle and Pedestrian Plan. Information will be compiled and organized by unique identifier for different type of characteristics, such as signal control type, number of lanes, available sidewalks, turn pocket lengths, etc. These datasets will be provided to the City for their use during and following the conclusion of the study.
Deliverables

- Literature review/best practices memorandum
- Traffic control systems/capital improvements inventory memorandum
- GIS MXD and shapefile with traffic control/project inventory

**TASK 3. TRAFFIC OPERATIONS ANALYSIS**

In Task 3, Iteris will obtain existing traffic count data, lane configuration data, review the data for accuracy, and analyze existing year citywide traffic conditions in order to understand the circulation patterns and conditions within San Marino.

**Subtask 3.1. Existing Traffic Counts and Roadway Configurations**

Iteris will conduct citywide intersection counts at all signalized intersections within the City and at the City limits (19 total) for a typical weekday morning and evening peak period; counts could potentially include trucks, pedestrians and bicycles at some locations, in order to document how trucks and/or non-vehicular modes use the roadway network. Additional counts at some key unsignalized intersections may also be collected based on input from City staff. Our cost estimate includes provision for intersection turning movement counts at 21 locations. Iteris will also collect existing 24-hour ADT volumes (i.e., tube counts) along major and minor arterials at up to 6 locations throughout the City to develop roadway link volumes by time of day. The team will also collect lane geometry information as part of the data collection, including necessary field checks to confirm that the lane configurations, traffic operations, and count data were correctly collected.

Based on this data collection, Iteris will generate a series of GIS maps to indicate the areas of greatest activity within the City. These may include maps such as ADT volumes, pedestrian/bicycle activity, and collision data. Figure 2 shows a heat map of all collisions reported by the SWITRS database, indicating that there are concentrations in collisions along Huntington Drive, California Boulevard, and Sierra Madre Boulevard.

**Subtask 3.2. Existing Conditions LOS Analysis**

Using the counts collected as part of Subtask 3.1, existing conditions intersection and roadway segment peak hour level of service (LOS) analysis will be conducted. The approach will use Highway Capacity Manual (HCM) 2010 methodology based on peak hour volumes for intersections and daily Volume/Capacity (V/C) ratios for arterial segments, which is a methodology consistent with best industry practices and City standards. Truck volumes will be converted to standard auto vehicles using a passenger car equivalent (PCE) factor.

This analysis will be performed in order to understand the existing circulation system and its operations and deficiencies. As part of the analysis, it is assumed that the City will provide relevant signal timing plans. Following collection of counts and provision of signal timing plans, Iteris will develop a citywide Synchro model that will tie in all study intersections within the same network. The model will be developed in a way so that LOS, delay, queues, and other outputs can be readily obtained, as well as be prepared for potential traffic simulation modeling using the SimTraffic module.

SimTraffic is an add-on software module within the Synchro software package that can readily convert a Synchro model into a simulation model so that metrics such as corridor travel times and unique intersection setups can be measured more accurately. An additional benefit of the SimTraffic portion of the analysis is the ability to record videos and share draft improvements to the public during a workshop or meeting. SimTraffic is included as a separate optional item in the cost estimate.

**Subtask 3.3. Near-Term 2023 Conditions LOS Analysis**

This subtask is included in order to understand how the City’s existing transportation system will perform under a near-term future scenario where near term improvements such as the five infrastructure projects identified within
the RFP could be constructed and in place; these projects include additional left-turn pockets and signal coordination, among others. Additional “pipeline” projects within the City that would be in place by 2023 that would change or affect traffic volumes would also be identified and incorporated on City roadways. Example projects could include new commercial developments, redevelopments, or overall growth within the City. This near-term analysis will be conducted for the study intersections and roadway segments using the same HCM and V/C methodology performed under existing conditions.

Subtask 3.4. **2040 Conditions Analysis**

This subtask involves a qualitative analysis of a future 2040 scenario, using forecasted traffic growth and changes associated with regional roadway and development projects, using the 2023 Near-Term Conditions roadway network. Iteris will extract forecast volumes on streets in San Marino from the SCAG Baseline travel demand model under 2040 conditions and compare these to the existing conditions model run in order to estimate future long term growth in volumes. The SCAG 2040 Baseline scenario does not contain the I-710 freeway gap closure project. The growth rates from SCAG will be applied to the Citywide traffic network to obtain an estimate of overall growth in traffic. A detailed operational analysis will not be performed for 2040.

**Deliverables**

- Existing Conditions arterial Average Daily Traffic (ADT) map
- Existing Conditions/Near-Term 2023 Conditions/ arterial segment daily performance summary table to include classifications, number of lanes, counts, capacity, V/C and LOS identifying deficient segments
- Existing Conditions/Near-Term 2023 Conditions/ intersection LOS map
- Existing Conditions/Near-Term 2023 Conditions/ intersection peak hour and LOS summary table to include roadway configurations, signal control type, counts, and V/C and LOS identifying deficient intersections
- Technical Analysis memorandum for Existing Conditions/Near-Term 2023 Conditions/2040 Conditions
- Citywide Synchro model for City use for Existing Conditions/Near-Term 2023 Conditions/

**TASK 4. CIRCULATION IMPROVEMENT RECOMMENDATIONS AND COST ESTIMATES**

The objective of this task is to prepare a list of proposed improvements and upgrades to the circulation and traffic system within the City based on the technical analysis conducted in Task 3, with a focus on near-term implementation. The task will also include providing cost estimates of each improvement in order to implement each upgrade. Following the preparation of the circulation improvement list and associated costs, Near-Term 2023 and 2040 Conditions will be re-evaluated with the inclusion of the improvements in order to assess the changes in traffic operations and performance in the City.

Subtask 4.1. **Circulation Improvement Recommendations, Concept Plans and Cost Estimates**

Based on the understanding of the City’s current traffic control system and overall physical inventory from Task 2, and in combination with results from the traffic operations analysis in Task 3, Iteris will prepare a comprehensive list of proposed improvements that can be applied for each study intersection and roadway segment in the City. Some improvements could also include multiple intersections/roadway segments along a corridor. The intent of this list is to produce a set of reasonable and specific recommendations that will achieve the City’s overall goal of efficiently transporting regional traffic along its primary major streets while reducing cut-through and diverted traffic using neighborhood streets. Each improvement will be provided with an associated rough order of magnitude (ROM) cost estimate in order to provide the financial implications of implementing the proposed improvement; these cost estimates, which may include a review of currently developed estimates from the City, will be based on best-practice regional/local costs taken from recent implemented projects that are similar in scope and type, and will be reviewed with City staff prior to their inclusion.

At a minimum, the developed cost estimates will include, but not be limited to, costs associated with studies, design, signalization, signing, pavement markings, engineering, construction, construction engineering, and Right of Way (ROW). ROW requirements will be identified for each improvement along with any environmental clearances that
Subtask 4.2. **Circulation Improvements Analysis**

In order to evaluate the network with these circulation improvements in place, an updated “with improvements” Synchro analysis will be performed. Iteris will perform updated arterial and intersection analysis for the Near-Term 2023 Conditions and evaluate the implementation of the improvements on delay, queuing, and other measures. This evaluation would then be compared with the cost estimates associated with the improvements to calculate the overall effectiveness of the improvement in terms of cost effectiveness and potentially be used to guide the City in terms of prioritization for implementation. Using each scenario’s generated volumes throughout the City, Iteris will perform updated intersection peak hour LOS analysis for all study intersections, and develop supporting tables and figures.

**Deliverables**
- Circulation Improvement Recommendations and Costs memorandum
- Near-Term 2023 Conditions “With Improvements” intersection peak hour LOS summary table to include roadway configurations, signal control type, counts, and V/C and LOS identifying deficient intersections
- Citywide Synchro model for City use for Near-Term 2023 Conditions “With Improvements”

Subtask 4.3 **Improvement Project Prioritization**

This subtask involves prioritizing the recommended circulation improvements. Once the list of proposed improvements has been developed from Subtask 4.1, these will then be prioritized using a series of quantitative and qualitative measures. These measures and their relative weightings will be discussed and agreed with City staff and potentially the Public Safety Commission, prior to this analysis being performed. Potential ranking criteria include:

- Travel time/delay savings
- Overall cost
- Cost of improvement per vehicle
- Overall traffic volume at the location
- Number of collisions (safety)
- Proximity to key facilities (schools/hospitals)
- Feasibility of construction/ease of implementation (i.e. need for environmental analysis)
- ROW requirements
- Future development accommodation
- AM Peak/PM Peak impact or both

Each improvement will be allocated a score for specific criteria, which will be weighted to achieve an overall score. The improvements will then be ranked by this score in order to generate an overall prioritized list of recommended improvements. Travel time savings will be calculated based on change in delay at the intersection level from the HCM analysis.

**TASK 5. TRAFFIC CALMING TOOLBOX AND PUBLIC OUTREACH**

Iteris understands that a main goal of the City is to maintain the livability and preserve the nature of its neighborhoods. A major part of this goal can be achieved through this circulation study via a comprehensive evaluation of traffic calming measures intended to reduce cut-through traffic, enhance safety, and keep regional traffic on the main arterials in the City. This task is designed to determine a set of quickly implementable, effective, context-sensitive, and cost-efficient traffic calming measures that the City can use for their neighborhood
circulation goals, as well as introduce a civic process for the general public in the City to request these type of measures. As part of this task, an emphasis on reaching out to the public for their input will be critical to ensure a process that is fair, reasonable, and useful towards the City’s traffic calming goals.

Subtask 5.1. Traffic Calming Toolbox
Iteris will identify and consolidate improvement recommendations from previous projects in order to prepare a traffic calming “toolbox” intended to provide the City of San Marino with a set of traffic calming measures that best fit the City’s traffic calming goals, in terms of its appropriateness to the traffic context, stakeholder/resident acceptance, and its usefulness throughout the City’s neighborhoods. The team will conduct a comprehensive best-practice review of all potential measures that would be suitable for use within the City and provide documentation on overall effectiveness, costs, and advantages/disadvantages of each measure. An important piece of the creation of this toolbox will also be to understand the most effective and useful public process to allow for implementing traffic calming measures in an inclusive and fair manner, with emphasis on neighborhood resident and stakeholder agreement.

As the results of the circulation analysis from previous tasks will inform us about the key hot spots and critical locations where cut-through traffic and safety is most impacted, the analysis will be used hand-in-hand with this best-practice research in order to best understand the City’s main circulation and traffic challenges, especially the interface of neighborhood streets with regional arterials.

Subtask 5.2. Public Outreach and Workshops
While not explicitly requested in the RFP, Iteris believes that a critical component of this study involves input from local stakeholders and residents within the City. Since the goal of the study is to evaluate traffic circulation both within and through the City, it will be important to gather a variety of stakeholders to understand how City residents, visitors, and businesses use the street system and receive feedback on important issues and suggestions for improvements. The Iteris team understands the context and importance of including the City of San Marino community within this study process and understanding their overall priorities and preferences.

With this in mind, the Iteris team proposes conducting one focus group meeting and one public workshop for the project. The focus group meeting will be undertaken near the beginning of the study and will be intended to solicit and listen to input from a select group of stakeholders and community members about traffic and safety issues caused by poor driving behavior, traffic diversion caused by congestion, and the user mobility experience within the City. Preliminary ideas about how to address these identified behaviors in addition to circulation improvements will also be obtained from this meeting. The public community meeting would be scheduled following completion of the circulation analysis and during the process of undergoing the circulation improvement analysis and best practice research. The intent of this meeting would be to receive feedback about initial results, proposed initial recommendations, and respond to stakeholders regarding ideas obtained as part of the first meeting.

The Iteris team will secure the location and handle logistical details such as set-up and breakdown, and that audio-visual requirements are met. The format of the workshop and presentation shall be determined by the team, with suggestions/recommendations by KPA. It is expected that the workshop will be held on either a weekday evening or on a Saturday to draw the greatest number of participants possible. Community meetings will be designed to be interactive and iterative in nature. KPA will provide three staff persons, two are experienced graphic recorders and facilitators, as needed. KPA will provide an agenda, comment card, sign-in sheets, and light refreshments. KPA can also provide suggestions for community-friendly presentations, and graphic design of the Presentation and displays for consistent branding.

Promotion
KPA will design a meeting flyer incorporating distinctive graphic design to brand the project and a call to action to inspire attendance. The team will conduct outreach activities including contacting and inviting key stakeholders, organizations, etc., by phone, email, social media and media strategies. KPA will call 10-12 Key Organizations,
Neighborhood Groups, business groups or grass-roots leaders to inform them of the workshop, motivate stakeholders’ participation, and seek their assistance in getting the word out through websites and their social media networks. KPA will provide e-blasts of the approved meeting flyer to a project database of key organizations, and provide social media messages to be distributed through the City’s channels as part of the notification process. In addition, KPA will design flyers, posters for dissemination in key locations, public counters, and libraries with high-traffic.

Press Release
As directed, KPA will also prepare a draft press release and submit for staff review and approval. Upon approval, the release can be submitted to local media.

Community Meeting Summaries
Iteris will document and compile the results, including all comments, questions, sign-in sheets of the Focus Group meeting and Community Workshop, and report the findings and possible implications in an Outreach Summary.

Deliverables
- Draft and final traffic calming measure toolbox memorandum
- Materials and presentations for one focus group and one public workshop meeting with documentation of comments and outcomes.

**TASK 6. REPORTING AND PUBLIC MEETINGS**

**Subtask 6.1. Draft and Final Report**
Iteris will prepare a draft and final 2019 San Marino Citywide Traffic Circulation Study Report. The format and content of this report will primarily consist of a compilation of previously submitted memos as part of the previous tasks within this study, with the addition of an executive summary and relevant supplemental tables, figures and appendices not previously included in the memos. The report will contain an executive summary, a best practice review of previous studies, circulation analysis summary of Existing, Near-Term 2023, and Future 2040 traffic conditions, public outreach process, identification of improvement recommendations, concept plans, cost estimates, and a traffic calming toolbox that can be treated as a standalone document for future use by City staff. Iteris will update the draft report based on comments received from City staff and resubmit as a final report. All comments will be documented in a comment response matrix to ensure that all comments have been addressed appropriately.

**Subtask 6.2. Public Safety Commission, City Council Workshop, and City Council Meeting Presentations**
Iteris will attend all project related meetings, including three Public Safety Commission meetings/briefings, one City Council workshop presenting initial findings, and one City Council Meeting presenting the final study. Iteris will assist in presenting the findings of the study, provide PowerPoint slides as necessary and answer technical questions. Our objective is to ensure that tangible results are presented to interested parties and that meetings include meaningful discussion and action items. This scope assumes that KPA and CWE would not be required to attend these meetings.

Deliverables
- Electronic copy of preliminary draft report
- Ten (10) bound copies of the draft report and appendices
- Summary of comments on draft report
- Electronic copy of final report
- Ten (10) bound copies of the final report and appendices
- Electronic copy of PowerPoint slides
Exhibit B

Fee Schedule

Fee schedule found on the following page.
## Tasks for Traffic Study

**Viggen Davidian, PE**
Principal in Charge

**Michael Meyer, TE**
Senior Advisor

**Deepak Kaushik, PE**
Project Manager

**Ryan Greenway**
Senior Planner

**Ted Huynh, PE**
Senior Engineer

**Braulio Ramirez, PE**
Senior Engineer

**Sowmya Chandrasekhar, PE**
Transportation Engineer

**Tyler Lindberg**
Transportation Planner

**Marie Marston**
Nexus Study Advisor

**Tamara Alle, PE**
Cost Estimate Lead

**J.A. Rosen**
Senior PM

**Katherine Padilla Associates (KPA)**

**TOTAL HOURS** | **TOTAL COST** | **Labor cost per firm**
--- | --- | ---

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<th>Description</th>
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**Outreach ODC**

- **$1,020**

**Other ODC**

- **$600**

**Traffic Counts**

- **$10,340**

**All Direct Costs**

- **$121,440**

**PROJECT COST WITHOUT OPTIONS**

- **$149,840**
Iteris’ Statement of Qualifications for
CITYWIDE TRAFFIC CIRCULATION STUDY
Project No. 48-0500

January 31, 2019

Submitted to:

Innovating Through Informatics™

08063-447.19

ATTACHMENT 2 - 1
January 31, 2019

Mr. Michael Throne, PE
City of San Marino
Parks and Public Works Department
2200 Huntington Drive
San Marino, California 91108-2639

Re: Proposal for Citywide Traffic Circulation Study (RFP No. 48-0500)

Dear Mr. Throne:

Iteris, Inc. (Iteris) is pleased to submit the enclosed response to the Request for Proposal (RFP) to provide assistance in preparation of the Citywide Circulation Study for the City of San Marino (City). Iteris’ highly experienced engineers, planners, and data analysts specialize in the design and implementation of innovative solutions that help agencies reduce traffic congestion, enhance system reliability, improve mobility and safety, and advance the development of thriving communities, which are important goals of this study. A robust and professional outreach process is also a very important component of this study and we are pleased to team with Katherine Padilla & Associates, Inc. (KPA), a highly experienced and respected public outreach firm and certified DBE/WBE. Also on our team is Civil Works Engineers, Inc. (CWE), a professional civil engineering consulting firm providing a broad range of planning, design, and project management services, and who are also a certified DBE/WBE. CWE will develop concept plans and cost estimates for proposed improvements. Iteris proposes Mr. Deepak Kaushik, PE, as Project Manager for this project. He will be the principal contact with the City and other entities per the City’s direction. Mr. Kaushik will oversee work from project inception to completion, and will also be responsible for coordinating staff activities and meetings. The Iteris Team provides the following distinct advantages:

- **EXPERIENCED PROJECT MANAGER AND PROJECT TEAM**
  Mr. Kaushik is an experienced project manager with outstanding project management skills. He has performed numerous similar traffic and circulation studies. He will be supported by a team of seasoned task leads and support staff who are experts in transportation planning, data collection, simulation modeling, traffic signal operations, civil engineering and public outreach.

- **BROAD AND DEEP TECHNICAL EXPERTISE**
  Our team consists of experts across all of the technical disciplines that are required to successfully deliver the project, including public outreach, transportation planning, traffic engineering, and civil design.

- **LEADERS IN MULTIMODAL TRANSPORTATION SOLUTIONS**
  Iteris is currently assisting agencies from federal to local levels in preparing multimodal transportation plans including: truck routes, Complete Streets solutions and active transportation components. We are currently performing similar studies in other southern California jurisdictions, which consist of public outreach, identification of issues, the development of mitigation measures, and the costing and prioritization of those improvements.

Project team point of contact and subconsultant location information includes:

<table>
<thead>
<tr>
<th>PRIME CONSULTANT PROJECT POINT OF CONTACT</th>
<th>SUBCONSULTANTS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Iteris, Inc.</strong></td>
<td><strong>Civil Works Engineers, Inc. (CWE)</strong></td>
</tr>
<tr>
<td>Deepak Kaushik, PE</td>
<td>Marie Marston, PE</td>
</tr>
<tr>
<td>801 S. Grand Ave., Ste. 530</td>
<td>3151 Airway Ave., Ste. T-1</td>
</tr>
<tr>
<td>Los Angeles, CA 90017*</td>
<td>Costa Mesa, CA 92626</td>
</tr>
<tr>
<td>(213) 802-1715</td>
<td>(714) 966-9060</td>
</tr>
</tbody>
</table>

*Office from which the project will be managed and where the majority of key personal are assigned

Role: Improvement Cost Estimates

Role: Public Outreach Support
The following includes a listing of Iteris’ officers, locations and phone numbers:

<table>
<thead>
<tr>
<th>NAME AND TITLE</th>
<th>LOCATION</th>
<th>PHONE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Joe Bergera, President &amp; CEO</td>
<td></td>
<td>(949) 270-9556</td>
</tr>
<tr>
<td>Andy Schmidt, VP of Finance, CFO</td>
<td></td>
<td>(949) 270-9643</td>
</tr>
<tr>
<td>Joe Boissy, Chief Marketing Officer</td>
<td></td>
<td>(949) 270-9697</td>
</tr>
<tr>
<td>Ramin Massoumi, Senior VP &amp; General Manager, Transportation Systems</td>
<td>Iteris Corporate Office  1700 Carnegie Ave., Ste. 100 Santa Ana, CA 92705</td>
<td>(949) 270-9527</td>
</tr>
<tr>
<td>Todd Kreter, Senior VP &amp; General Manager, Roadway Sensors</td>
<td></td>
<td>(949) 270-9611</td>
</tr>
<tr>
<td>Khristine Arakaki, VP Legal, Assistant Secretary</td>
<td></td>
<td>(949) 270-9487</td>
</tr>
<tr>
<td>Jeff McDermott, Senior VP Human Resources</td>
<td></td>
<td>(949) 270-9623</td>
</tr>
<tr>
<td>Scott Carlson, VP &amp; Assistant General Manager, Transportation Systems (West)</td>
<td>1250 Capital of Texas Hwy, West Lake Hills, TX 78746</td>
<td>(949) 270-9578</td>
</tr>
<tr>
<td>Moe Zarean, VP &amp; Assistant General Manager, Transportation Systems (East)</td>
<td>11781 Lee Jackson Memorial Hwy., Fairfax, VA 22033</td>
<td>(703) 623-3454</td>
</tr>
<tr>
<td>Jim Chambers, Senior VP &amp; General Manager, Ag and Weather Analytics</td>
<td>North Carolina</td>
<td>(630) 347-7874</td>
</tr>
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Iteris acknowledges receipt of the revised RFP issued on January 17, 2019 and all Q&A responses posted to date.

This proposal is submitted subject to the successful negotiation of a mutually agreeable contract between Iteris and the City of San Marino.

Iteris looks forward to assisting the City on this important Citywide Circulation Study. Please feel free to contact me at (949) 270-9527 or rmm@iteris.com, or the designated Project Manager, Mr. Kaushik, at (213) 802-1715 or djk@iteris.com, should you have any questions.

Sincerely,

Iteris, Inc.

Ramin Massoumi
Senior Vice President and General Manager
Transportation Systems
TABLE OF CONTENTS

A QUALIFICATIONS AND EXPERIENCE OF FIRM AND KEY TEAM MEMBERS................................................................. 1
   Firm Overview and Experience .................................................................................................................................... 1
   Core Disciplines .................................................................................................................................................... 1
   Services Relevant to this Project .......................................................................................................................... 2
   Relevant Project Experience ................................................................................................................................ 4
   Project Team ....................................................................................................................................................... 11
      Project Management .......................................................................................................................................... 11
      Project Organization ........................................................................................................................................ 11
      Project Team Profiles ....................................................................................................................................... 12

B REFERENCES ............................................................................................................................................................. 15

C PROJECT APPROACH, COORDINATION AND SCHEDULE .......................................................................................... 16
   Project Approach .................................................................................................................................................. 16
      Scope of Work .................................................................................................................................................. 16
   Coordination with the City .................................................................................................................................... 24
      Schedule ........................................................................................................................................................... 26

D CONFLICT OF INTEREST STATEMENT ....................................................................................................................... 27

E CONTRACT EXCEPTIONS ........................................................................................................................................... 28

F INSURANCE REQUIREMENTS .................................................................................................................................... 29

G COST PROPOSAL & FEE SCHEDULE ........................................................................................................................... 30
   Appendix Resumes .................................................................................................................................................. 31

Figures

Figure 1 – Project Organization Chart ......................................................................................................................... 11
Figure 2 – Heat Map Showing All Collisions in San Marino 2013-2017 – Source SWITRS ........................................... 19
Figure 3 – Example SimTraffic Simulation ................................................................................................................... 20
Figure 4 – Sample Concept Plan ................................................................................................................................ 21
Figure 5 – Sample Cost Estimate Worksheet ............................................................................................................. 21
Figure 6 – Proposed Project Schedule ......................................................................................................................... 26
Figure 7 – Insurance Requirements Summary ........................................................................................................... 29

Tables

Table 1 – Key Team Member Role, Location and Experience ..................................................................................... 12
Table 2 – Iteris References ......................................................................................................................................... 15
QUALIFICATION AND EXPERIENCE OF FIRM AND KEY TEAM MEMBERS

Firm Overview and Experience

Iteris, Inc., a publicly-traded corporation (NASDAQ: ITI), is the market leader in applying informatics solutions to the transportation industry since 1987. Iteris’ 433 staff have decades of expertise in traffic management, along with superior services and patented products that help detect, measure, and manage traffic and vehicular performance; minimize traffic congestion; and empower Iteris clients with solutions to better manage their transportation networks. The firm is headquartered in Santa Ana, CA with 13 offices nationwide.

Iteris team members are experts in the fields of transportation planning, traffic engineering and Intelligent Transportation Systems (ITS). Knowledge of these practice areas enables Iteris to provide comprehensive services ranging from initial traffic impact studies, transportation modeling, planning, systems engineering, and detailed design, through implementation and performance monitoring. Iteris combines the knowledge of transportation engineers, systems engineers, system integrators, software engineers and transportation planners to offer an unmatched combination of talent and experience. Iteris develops and deploys innovative solutions that help agencies reduce traffic congestion, enhance transit use, monitor and manage transportation networks and provide greater access to reliable traveler information.

CORE DISCIPLINES

Iteris was founded based on the principle of providing quality solutions on time and within budget. Committed to the transportation industry, Iteris applies in depth knowledge to solve the most challenging problems associated with the movement of people and goods to enhance a growing economy. Iteris delivers precise solutions that meet customer needs and expectations in the following areas:

- ITS & Engineering
- Mobility & Analytics
- Data Insights
- Smart Communities
- Connected & Autonomous Vehicles
- Integration, Operations & Maintenance
- Advanced Traveler Information Systems
- Commercial Vehicle Operations
SERVICES RELEVANT TO THIS PROJECT

Iteris has extensive, relevant experience in transportation planning and has work with several agencies throughout California. Projects range from planning and design to the implementation of multimodal transportation systems.

TRANSPORTATION PLANNING AND MULTIMODAL TRANSPORTATION STUDIES

- Demand Modeling/Forecasting
- Transit Planning
- Traffic Impact Analysis
- Geographic Information Systems
- Microsimulation
- Goods Movement
- Bus Rapid/Light Rail Transit
- Environmental Studies
- Airport Ground Access
- Area-Wide Circulation Plans
- Corridor/Parking Studies
- Neighborhood Traffic Impacts
- Non-Motorized Planning
- Policy Analysis Land-Use Planning
- Master Plan Development
- Strategic Transportation Plans
- System Performance Monitoring
- Traffic Operations Analysis
- Transportation Finance

Every successful project begins with thorough planning, from site access studies for neighborhood commercial centers to route alignment studies for new rail corridors. Iteris applies technical planning expertise to a wide variety of transportation projects, establishing a solid foundation of success in Transportation Planning. Iteris thoroughly understands the project development process and the importance of building public consensus in order to implement successful, long-term transportation solutions. Iteris offers experienced transportation planners who exemplify innovation in multimodal travel demand modeling, traditional and innovative transportation planning, and traffic engineering. Iteris’ transportation planners apply travel demand modeling to prepare transportation master plans for cities and counties, as well as for large private development projects. Iteris’ expertise in goods movement analysis and forecasting makes the firm a leader in traffic analysis, circulation, and master planning for ports and airports. Iteris’ expertise in traffic operations analysis allows the firm to team with agencies proposing roadway and freeway improvements. Iteris is involved in every facet of transit planning, from conceptual corridor alignment studies to environmental clearance of light rail, heavy rail, commuter rail and Bus Rapid Transit. Iteris is at the leading edge of traffic impact fee studies, climate change analysis related to transportation, and can assist clients with Senate Bill 743 VMT analysis, climate action plans, GHG emissions studies, and transportation system sustainability planning.

MULTIMODAL MICROSIMULATION/MODELING STUDIES

- Micro/Mesosimulation
- Travel Demand Modeling and Forecasting
- Model Development
- Model Calibration and Validation
- Customization
- Tour-based Models
- Trip Generation, Distribution and Assignment
- Special Generators
- Transit Modeling
- Model Installation
- Model Applications and Scenarios
- Agency Staff Training
- Modeling Research

Iteris is well known as an industry leader for its expertise in microsimulation modeling and using various modeling applications for an assortment of projects. The firm provides high-quality and responsive simulation models for all types of needs, from single local intersections with congestion or signal timing challenges up to large freeway corridors that have complex traffic movements, weaving maneuvers, and tolling components. Iteris is particularly skilled at projects involving challenging issues involving multiple modes of travel such as transit signal priority for light rail and BRT, freight loading and queuing at active ports, pedestrian and bicycle-oriented areas, railroad preemption at grade crossings, and highly congested vehicle corridors with multiple traffic bottlenecks. Analysis results from the microsimulation modeling analysis efforts are used in environmental impact report documentation, addressing poor transportation level of service, understanding how to optimized travel corridors for users, and introducing proposals to improve safety and mobility in the study area.

Iteris staff has worked closely with various agencies including VCTC, SCAG, Metro, OCTA, LADOT, and multiple individual cities in California in the development and application of microsimulation models for project use. As an example, Iteris recently created a small VISSIM microsimulation model that
simulated local traffic operations of a large arterial and nearby intersections affected by a new LRT grade crossing that would alter the existing signal phasing and introduce preemption at a highly traveled intersection. The model developed was then used to understand and interpret anticipated queues generated by the new grade crossing and see expected changes in LOS and travel time in the area. The model was also able to generate high-quality 2D and 3D videos for the general public and elected officials to visually understand the anticipated changes in the area and how traffic in the vicinity would be affected, which were well-received by stakeholders.

Iteris staff will provide expert support under a variety of simulation tools, including SimTraffic, Vistro, VISSIM, TransModeler, and/or another software if desired by the City. These models will first be populated with existing data, such as counts and signal timings. Once an existing network is built, the model will also be calibrated to FHWA standards to ensure the data provided matches the existing traffic conditions, using metrics such as travel time, queues, and delays. Iteris staff will then model the future condition networks using preliminary engineering drawings or concepts to compare existing conditions with the future project and then identify potential improvements. If necessary, Iteris staff will also provide basic training via handouts and/or presentations in order to assist City with understanding the models, especially if using a software that is new to City staff. Any recording of simulations for meetings and/or board presentations will also be generated by Iteris staff per City staff request.

TRAFFIC ENGINEERING

- Signal System Selection, Design, Deployment, Operation and Coordination
- Bicycle Lane Design
- Bulb-outs Design
- Intersection Modifications
- Lighting Design
- Parking Design
- Traffic Simulation
- Pedestrian Crosswalk Enhancement
- Road Widening/Realignment
- Traffic Circles Planning/Design
- Traffic Control Plans
- Training and Research
- Warrant Studies

Iteris specializes in the design, evaluation, and operation of intersections and arterials to improve the efficiency and safety of vehicular traffic flow, pedestrian mobility, transit operations, and bicycle traffic. Iteris has co-authored the industry standard FHWA Traffic Control Systems Handbook and has assisted multiple agencies throughout the U.S. in the development of signal operation standards.

TRAFFIC SIGNAL TIMING AND SYNCHRONIZATION

- Signal timing/coordination analysis
- Inter-jurisdictional and regional traffic signal coordination optimizations
- Traffic signal phasing
- Development of arterial traffic calming measures

Iteris excels in the assessment of existing traffic signal timing operations to improve the efficiency and safety of vehicular traffic flow, pedestrian mobility, transit operations and bicycle traffic. Iteris has designed, deployed or equipped over 1/3 of the signalized intersections in the U.S. Iteris continues to innovate in developing advanced solutions to complex problems with traffic operations. Iteris has extensive experience successfully completing numerous signal timing optimization projects throughout the country.
QUALIFICATION AND EXPERIENCE OF
FIRM AND KEY TEAM MEMBERS

- Transit Signal Priority (TSP) timing
- Before and after studies
- Area-wide street network analysis
- Vehicular and pedestrian safety
- Ongoing O&M
- Construction assistance
- Training

GRAPHIC INFORMATION SYSTEMS (GIS)

- Spatial Analysis and Mapping
- ArcGIS/ArcGIS Online
- Web-Based GIS Applications
- GIS-Based Asset Management Systems
- Geo-Coding
- Geodatabase Development and Management

GIS is an invaluable tool for analyzing and visualizing information and identifying patterns. Iteris successfully uses GIS for many applications in the Transportation sector including collision analysis, demographic data analysis, travel demand forecasting, traffic asset management systems, documentation of fiber-optic networks, traffic signal synchronization projects, the development of traffic noise contours and many more. Iteris is highly experienced in collecting, organizing, analyzing and presenting geographic data in order to identify trends and present results to stakeholders, including developing web-based interactive map applications such as the PeMS traffic data system. Iteris staff are highly experienced GIS certified professionals with ArcGIS and Amazon Web Services (AWS) credentials and a broad range of scripting and programing languages such as Python, SQL and Java, which are used to improve efficiency and automate data analysis and work streams.

RELEVANT PROJECT EXPERIENCE

Iteris has the resources of over 100 team members throughout California dedicated to Traffic Engineering, Transportation Planning, and ITS. Iteris’ team of highly experienced engineers, planners, and data analysts routinely design and implement innovative solutions that help government agencies and municipalities reduce traffic congestion, enhance system reliability, improve mobility and safety, and advance the development of thriving communities, which are important goals of this study.

Civil Works Engineers, Inc. (CWE), a professional civil engineering consulting firm providing a broad range of planning, design, and project management services, and who are also a certified DBE/WBE. CWE will develop concept plans and cost estimates for proposed improvements.

While not explicitly requested in the RFP and as a result of experience on similar projects, Iteris recommends a “robust and professional” outreach process for this project. For this reason, Iteris has teamed with Katherine Padilla & Associates (KPA), a highly experienced and respected public outreach firm and certified DBE/WBE in order to facilitate such a process. National Data and Surveying Services (NDS) an experienced transportation data collection company will perform any traffic counts that may need to be collected.
The Iteris Team is highly experienced in performing multimodal transportation studies. These projects typically involve extensive data collection and analysis, modeling of existing and future traffic conditions, development of transportation improvements, public outreach and presentation of results to stakeholders. Examples of similar transportation projects include:

- Carbon Canyon Road (SR-142) Phase 2 Study – City of Chino Hills, CA
- Santa Ynez Valley Traffic Circulation & Safety Study – Santa Ynez Valley, CA
- Griffith Park Circulation And Parking Study – City Of Los Angeles, CA
- Ventura County Traffic Model (VCTM) – Ventura County, CA
- On-Call Transportation Planning, Traffic Engineering And Parking Services – City of Anaheim, CA
- North County Multimodal Integrated Transportation Study – Northern Los Angeles County, CA
- San Fernando Valley (SFV) Sub regional Mobility Matrix, Metro – Los Angeles County, CA

Iteris also assisted with the development of the Draft City of San Marino Bicycle and Pedestrian Plan in 2014. Examples of public outreach projects include:

- Union Pacific Railroad, Intermodal Container Transfer Facility Modernization EIR and Miscellaneous Public Relations Services – Cities of Carson and Long Beach, CA
- Los Angeles County Devil’s Gate Reservoir Sediment Removal and EIR – Pasadena, CA

### CARBON CANYON ROAD (SR-142) PHASE 2 STUDY – CITY OF CHINO HILLS, CA

| Reference | Joe Dyer, City of Chino Hills, (909) 364-2771, jdyer@chinohills.org Deepak Kaushik |
| Staff | Deepak Kaushik, Viggen Davidian |
| Duration | 3/2018 – 12/2018 |
| Budget | $70,397 |

Iteris led a corridor study that evaluates Carbon Canyon Road (SR-142) within the Cities of Chino Hills and Brea, for the purposes of identifying improvement measures to address key traffic (vehicular and non-motorized) and safety issues. Carbon Canyon Road is a state route, thus coordination with Caltrans was required to obtain an encroachment permit for traffic count collection. Improvement measures were recommended to reduce minor street vehicle delay, reduce speeds along the corridor, and enhance pedestrian and bicycle mobility. These recommended measures included traffic signals, speed feedback signs, channelizer islands, and left-turn refuge lanes at T-intersections. Conceptual layout plans were prepared for most of the measures, where applicable. Iteris also identified rough order of magnitude cost estimates for the recommended improvements, including construction, design, and right-of-way. These costs help to inform decision makers on the short-term or long-range feasibility of implementing each measure. Iteris staff presented initial analysis findings and recommendations to City staff members including the mayor and city council, as well as a group of residents along the corridor. Feedback received during the meeting/presentation is currently being incorporated in the draft corridor study.

### SANTA YNEZ VALLEY TRAFFIC CIRCULATION & SAFETY STUDY – SANTA YNEZ VALLEY, CA

| Reference | Michael Becker, SBCAG, (805) 961-8900, mbecker@sbcag.org |
| Staff | Viggen Davidian, Deepak Kaushik, Ted Huynh |
| Duration | 1/2019 – Ongoing |
| Budget | $299,648 |
Iteris was contracted by the Santa Barbara County Association of Governments to prepare a traffic circulation and safety study for the Santa Ynez Valley. The existing highway network is stressed serving growing numbers of local trips, tourism, regional trips, and commuters. This project includes a quantitative assessment of travel conditions and assess the potential value of various improvement scenarios. The project will ultimately identify short and long-term improvements to accommodate increasing demand, improve safety, increase connectivity and prioritize improvements to the highway network leading to increased quality of life and sustainability for residents in the Valley. The study will balance and incorporate public and stakeholder input, and the character of the Santa Ynez Valley with solutions to address mobility and safety challenges. Katherine Padilla & Associates is a subconsultant to Iteris on this project.

**GRIFFITH PARK CIRCULATION AND PARKING STUDY – CITY OF LOS ANGELES, CA**

Reference: Tracy James, City of Los Angeles, (323) 661.9465, tracy.james@lacity.org

Staff: Deepak Kaushik, Sowmya Chandrasekhar

Duration: 6/2015 – 6/2018

Budget: $44,797

Iteris evaluated vehicle, shuttle bus, bicycle and pedestrian circulation conditions within Griffith Park in the City of Los Angeles, as part of a study to mitigate traffic congestion and improve multimodal accessibility while protecting the natural environment and urban wilderness identity. Based on the data and analysis, as well as coordination with the Department of Recreation and Parks, Iteris recommended circulation and parking improvements near the Griffith Observatory and along surrounding roads. Conceptual design plans for intersection and parking improvements were prepared for multiple alternatives. Recommended lane configurations and widths, parking stall angles and lengths, pedestrian crossings, and bike lanes were included within the conceptual design plans in each alternative. Iteris’ findings and recommendations were included in the Griffith Observatory Circulation and Parking Enhancement Plan Initial Study and Mitigated Negative Declaration. Subsequent assistance will be provided to address circulation issues at the western entrances to Griffith Park, and to further improve circulation conditions in the surrounding neighborhood.

**VENTURA BOULEVARD PARKING FEASIBILITY STUDY – CITY OF LOS ANGELES, CA**

Reference: Sergio Valdez, LADOT, (818) 374-4690, sergio.valdez@lacity.org

Staff: Deepak Kaushik, Viggen Davidian

Duration: 11/2016 – 2/2018

Budget: $40,000

Iteris worked with an interdisciplinary team on the Ventura Boulevard Parking Feasibility Study for the City of Los Angeles Department of Transportation in collaboration with Department of City Planning and Council District 3.
The assessment focused on increasing parking capacity while improving the pedestrian and bicyclist experience and safety in the half mile study area along Ventura Boulevard from Sale to Royer Avenues. Conceptual streetscape alternatives were developed in conjunction with community outreach meetings which included local business owners and the residential community. Intersection and roadway segment traffic analyses for typical weekday conditions along Ventura Boulevard were completed to show before and after results for each conceptual design alternative. Both front-in and back-in angled parking schemes were evaluated as part of the conceptual design alternatives. Since back-in angle parking does not exist within City of LA, the team included education on the benefits and disadvantages of the different parking styles for the community. Ultimately, the feasibility study served as a strategy for implementing angled parking as a temporary Pilot project. Katherine Padilla & Associates was a subconsultant to Iteris on this project.

The City of Anaheim selected Iteris to serve as an extension of City Planning Department staff to provide on-call services for Transportation Planning, Traffic Engineering and Parking Services. In this capacity, Iteris facilitated land use development project reviews with focus on their contributing to the City’s General Plan goals to 1) provide comprehensive multimodal transportation system for circulation of people and goods; 2) protect and encourage active transportation (bike/ ped) travel and transit connectivity; and 3) ensure adequate parking with consideration of strategies for the control of parking demand such as improved transit service, amenities for bicyclists, and rideshare vehicles, and strategies for shared parking opportunities in mixed-use and multiple-use development. Projects to date have included:

- Anaheim Platinum Triangle Model Runs
- Ball Road Basin ATAM Model Support
- Trumark at Lewis Model Runs
- Anaheim Plaza Hotel Traffic Impact Analysis
- Anabella Hotel Traffic Impact Analysis
- Hampton Inn Traffic Study - 100 W Katella
- Radisson Hotel Traffic Impact Analysis
- Quality Inn Traffic Study – 1441 S. Manchester
- TIA Peer Review – 901 E. South Street
- TIA Peer Review – 1601 Disneyland Drive
- TIA Peer Review – Link OC
- Anaheim Canyon Specific Plan Environmental Impact Report Traffic Analysis
NORTH COUNTY MULTIMODAL INTEGRATED TRANSPORTATION STUDY (NCMITS) – NORTHERN LOS ANGELES COUNTY, CA

Reference: Brian Lin, Metro, (213) 922-3036, linb@metro.net
Staff: Viggen Davidian, Michael P. Meyer, Deepak Kaushik
Budget: $825,000

Iteris led a multidisciplinary team of consultants to develop the NCMITS. Metro directed the development of NCMITS with the cooperation of the North County Transportation Coalition (NCTC) to update the North County Combined Highway Corridors Study (NCCHCS), which was a major previous subregional study. The goal of the NCMITS was to provide an integrated multimodal blueprint for North County and envisions an interactive planning process involving all stakeholders including Metro, NCTC, County of Los Angeles, the cities of Palmdale, Lancaster and Santa Clarita, as well as SCAG, Caltrans, Kern COG and SANBAG. In addition to updating the NCCHCS, this multimodal study comprises comprehensive components for integration of existing and future rail transit projects, including: Metrolink improvements; the California High Speed Rail Project through Antelope Valley; Xpress West connecting the Victor Valley area to Antelope Valley; a study of the feasibility of an Inland Port within the North County area, considering physical and economic implications; and Airport Ground Access study for the Palmdale Airport and Fox Airfield in Lancaster.

SAN FERNANDO VALLEY (SFV) SUB REGIONAL MOBILITY MATRIX, LOS ANGELES COUNTY

Reference: Renee Berlin, Metro, (213) 922-3035, berlinr@metro.net
Staff: Viggen Davidian, Deepak Kaushik, Sowmya Chandrasekhar
Duration: 7/2014 – 3/2017
Budget: $130,000

As part of a comprehensive Metro project, Iteris was part of a multidisciplinary team which developed the San Fernando Valley Subregional Mobility Matrix. In February 2014, the Metro Board directed staff to undertake a holistic countywide approach for preparing Mobility Matrices for seven county subregions including the SFV. The purpose of the SFV Subregional Mobility Matrix is to establish subregional transportation goals and objectives, and to identify and evaluate projects and programs that meet these goals and objectives. This comprehensive list of project and programs is intended to serve as a starting point for the update of the Metro Long Range Transportation Plan (LRTP) in 2017. The project encompasses several elements including the development of subregional goals and objectives to guide the development of future transportation investments, a comprehensive assessment of baseline transportation system conditions, which was used to identify critical needs and deficiencies, and an initial screening of project and programs based on their potential to address subregional
QUALIFICATION AND EXPERIENCE OF
FIRM AND KEY TEAM MEMBERS

Citywide Traffic Circulation Study (RFP No. 48-0500)

ITERIS’ SUBCONSULTANTS

Civil Works Engineers, Inc. (CWE) is a small professional civil engineering consulting firm providing a broad range of planning, design, and project management services for three primary areas: transportation, drainage and site civil. CWE works for public and private clients and provides project development from project inception through design and ultimately through construction. CWE provides continuous client interaction to meet the project needs for schedule, funding, and quality. The team has maintained long-term clients over numerous years, demonstrating their satisfaction with Civil Works Engineers’ services. CWE is a small firm and provides senior engineer involvement on every project. Success is founded on experience, knowledge, and preparation of clear and communicative technical documents through a collaborative and coordinated approach with all project stakeholders. Since 2005, CWE has been providing civil engineering services to southern California public agencies and private developers at all levels of project development, including initial planning, preliminary and final design, and construction. CWE is a California corporation and a certified DBE/WBE/SBE. CWE has performed on a range of projects providing professional engineering services, over a range of project development phases and roles including:

- Feasibility Studies
- Preliminary Engineering
- Final Engineering & Construction Documents
- Construction Engineering Assistance
- Quality Reviews / Plan Check / Peer Review / Constructability Review
- Project and Program Management
- Funding Applications Assistance/Preparation

Project included preparation of a Project Study Report-Project Development Support (PSR-PDS) document for two of the connectors at the I-710/I-5 interchange. The two connectors include the northbound I-5 to the northbound I-710 and the southbound I-710 to the southbound I-5. The other two connectors are part of the I-710 Freight Corridor study. The purpose of the project is to determine if a standard configuration can be achieved for these two existing left-hand connectors as federal policy is to have right-hand connectors. Significant study has been made in the entire area and needs to be incorporated into this study and consists of the Metro I-710 Freight Corridor Study segments 1-7, the Caltrans I-5 HOV design, the East-West

I-710/I-5 NORTHEAST QUADRANT TWO CONNECTORS PSR-PDS – LOS ANGELES, CA

Reference: Ernesto Chaves, Metro, (213) 922-7343, chavese@metro.net
Staff: Marie Marston (PM), Francois Zugmeyer
Duration: 12/2013 – 1/2016
Budget: $60,000

Iteris, Inc. | 9
ATTACHMENT 2 - 13
Freight Corridor study by Metro and City of Industry, the Strategic Transportation Plan, and previous interchange configuration changes at I-5/Eastern Avenue/Atlantic Boulevard. The site is physically constrained by numerous residences along the I-5 and I-710, the cemetery along the west side of I-710, the proximity of SR-60 to the north, and a sports park along I-5.

Katherine Padilla & Associates (KPA), a certified WBE, MBE, SBE and DBE, specializes in a wide range of public and private outreach and communications issues. Projects range from major infrastructure and waterfront development, to environmental impact reports, urban master plans, downtown revitalization, and residential redevelopment. KPA has more than 20 years of experience providing consulting community relation services to public sector and private sector clients in California. KPA is known for its ability to synthesize complex technical issues, along with opportunities and constraints, in everyday language and images that can be easily understood by people from all walks of life—in English and Spanish. KPA has provided public information campaigns for private clients such as ConocoPhillips—Installation of the Wet Gas Scrubber EIR—and Union Pacific Railroad—Intermodal Container Transfer Facility Modernization EIR. For public clients, KPA has provided, education and stakeholder engagement for complex projects such as LA County Devil’s Gate Sediment Removal and Management Plan EIR and Geothermal-Renewable Energy Element Update and EIR for Imperial County. KPA provides guidance to build public understanding and support for critical projects. In situations that require stakeholder involvement, including keeping informed elected officials or facilitating interagency collaboration, KPA provides strategic advice and guidance in developing briefings that impart understanding and support for actions that must be undertaken for public safety. KPA’s services include:

- Community outreach plans
- Stakeholder mapping and analysis
- Community-based research
- Graphic design and collateral development
- Facilitation and mediation
- Community event-public meeting planning and execution
- Videography and photography
- Social media and traditional media outreach
- Government relations

**EAST SAN FERNANDO VALLEY TRANSIT STUDY PRE-SCOPING ALTERNATIVE ANALYSIS AND ENVIRONMENTAL IMPACT REPORT (EIR)**

| Reference | Walt Davis, Metro, (213) 922-3079, daviswa@metro.net |
| Staff | Katherine Padilla Otanez, Thelma Herrera, Jomel Rosel, Cindy Suh |
| Duration | 2011 – Ongoing |
| Budget | $240,000 |

Wanting to improve north-south mobility through the East San Fernando Valley, Metro commissioned a performance analysis of various transit modes—light rail, bus rapid transit, and tram—along with an assessment of the engineering challenges of running a system from Van Nuys Boulevard to the San Fernando/Sylmar Metrolink Station. KPA provided broad community outreach services for the study through the environmental review phase. To ensure community support and meaningful participation, KPA conducted a wide variety of activities including planning and staffing community meetings, assisting in the design and translation of presentations, collateral materials, and talking points, and updating elected officials, neighborhood councils, and homeowner associations. KPA also reached out to economic development and business leaders like VICA and chambers of commerce, and also conducted grassroots outreach to environmental justice groups and community-based organizations. In addition, KPA performed small-business outreach to storefront establishments along the alignment including door-to-door contacts and phone calls in Spanish and English, as well as a series of informal, informational dialogues.

Citywide Traffic Circulation Study (RFP No. 48-0500)

Iteris, Inc. | 10

ATTACHMENT 2 - 14
QUALIFICATION AND EXPERIENCE OF FIRM AND KEY TEAM MEMBERS

Project Team

PROJECT MANAGEMENT

Mr. Deepak Kaushik, PE, serves as an Associate Vice President for Iteris’ Transportation Systems division and has been with the firm since September 2008. He has over 15 years of transportation planning and engineering experience which includes transportation systems analysis, multimodal mobility planning, highway operations, traffic safety and travel demand modeling.

Mr. Kaushik will serve as Project Manager and will be the principal contact with the City. He will be responsible for coordinating staff activities, coordinating meetings and project strategy, and will oversee work from project inception to completion. He enjoys the technical aspects of the projects he manages, but also embraces the interaction with stakeholders, city officials, and the public. Most of all, he welcomes the challenge in finding solutions that improve mobility for all users. With his extensive background and experience on other projects similar to this one, Mr. Kaushik is the ideal Project Manager for the City.

PROJECT ORGANIZATION

Iteris has the resources of over 100 team members throughout California dedicated to Traffic Engineering, Transportation Planning, and ITS. KPA is an experienced Public Outreach Firm and a certified DBE, SBE and WBE business. Civil Works Engineers, Inc. (CWE) is a small professional civil engineering consulting firm providing a broad range of planning, design, and project management services for three primary areas: transportation, drainage and site civil. Iteris’ proposed team organization is provided in Figure 1.

Figure 1 – Project Organization Chart

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<th>KEY</th>
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<th>Task Support</th>
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<th>PROJECT MANAGEMENT</th>
<th>ANALYSIS</th>
<th>IMPROVEMENT &amp; RECOMMENDATIONS</th>
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Citywide Traffic Circulation Study (RFP No. 48-0500)
STAFF AVAILABILITY AND RESOURCES

Iteris has a resource allocation-based project management system that is geared toward assuring that staff are productive and management is recruiting and training to provide Iteris project managers with the appropriate level of staff resources to complete all client commitments. This includes a monthly assessment by each project manager of the status of each project, in terms of progress against objectives, and a forecast of the resources required to complete the project on-time and within budgetary constraints.

Iteris utilizes an Oracle-based Project Management system through which all costs (labor and direct costs) for each project are recorded and tracked and project managers can monitor the status of their projects on a weekly basis. As a publicly-traded company, Iteris is required to accurately monitor and forecast costs and profits, therefore the accounting system is designed to facilitate such efforts in an accurate and transparent way. The monthly cost-to-complete estimates made by Iteris project managers are used by the management team to balance staff resources and complete projects successfully.

Table 1 provides a summary of the roles, current commitments, and availability of team members.

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<th>NAME / PROPOSED POSITION</th>
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<th>CURRENT ASSIGNMENTS / LEVEL OF COMMITMENT</th>
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PROJECT TEAM PROFILES

Iteris is pleased to present the following key personnel assigned to the project who will assist Mr. Kaushik in successfully deliver this project to the City. Resumes for all proposed staff are located in the Appendix.
QUALIFICATION AND EXPERIENCE OF FIRM AND KEY TEAM MEMBERS

VIGGEN DAVIDIAN, PE

Role on Project
Principal-in-Charge

Education and Registrations
MS, Civil Engineering (Transportation)
BS, Civil Engineering
PE, CA #36335

Mr. Davidian serves as a Vice President for Iteris' Transportation Systems division and has been with the firm since February 1994. He has over 38 years of project engineering and management experience encompassing transportation planning, traffic engineering design, and civil engineering, both in the private and the public sectors. He has managed and directed a wide range of projects from traffic, circulation and parking design for various size developments to large-scale multimodal transportation strategic plans as well as corridor and area-wide studies. These assignments have involved traffic engineering design on-call projects, traffic management system plans, system performance measurement studies, ITS technologies, major investment studies, corridor alternatives analysis and needs assessments, travel demand model development and forecasting, short and long-range transit plans, high-speed rail, general plan circulation elements, and highway alignment and preliminary design studies. Mr. Davidian has extensive experience in transportation policy planning and analysis, and consensus building skills working with multi-jurisdictional policy and technical advisory committees, elected officials, planning commissions and agency staff. He also has a broad knowledge of state, federal and local guidelines, procedures and regulations related to transportation system planning, design, financing and implementation. Mr. Davidian oversees Iteris’ capabilities and resources in Multimodal Transportation Strategic Plans and Travel Demand Forecasting. His expertise includes conducting comprehensive traffic analyses and studies to support interchange and freeway corridor improvement projects for local jurisdictions and Caltrans. Mr. Davidian has conducted and managed the full range of services from assessment of existing conditions, development of traffic forecasts, drafting purpose and need analyses, project justification, alternatives evaluation, traffic operations analysis, identification of traffic impacts and mitigation measures, traffic simulation, and support of environmental analyses.

MICHAEL P. MEYER, TE

Role on Project
Senior Advisor

Education and Registrations
MA, Transportation Planning/Public Policy
BS, Civil Engineering
TE CA #1390

Mr. Meyer serves as a Vice President for Iteris’ Transportation Systems division and has been with the firm since January 1991. He has managed transportation planning and traffic engineering projects of increasing importance during his 41 years as a transportation consultant. Mr. Meyer’s wide ranging client base includes both the public and private sector and he is frequently a member of multidisciplinary teams developing integrated land use and transportation plans. Projects that have been managed by Mr. Meyer include the Metro Orange Line Northern (Canoga) Extension, Santa Monica Boulevard Transit Parkway Project and Downtown Los Angeles Transportation Access Plan and New Street Design Standards in Los Angeles, Westside Subway Extension Consensus Building Effort, San Fernando Valley North-South Transit Corridor Study, Ontario Agricultural Preserve Transportation Implementation Plan, and Neighborhood Traffic Management projects in Long Beach, Pasadena, Beverly Hills and San Marino. Mr. Meyer has developed transportation plans for transit oriented developments and he is well-versed in complete streets and context sensitive design principles. Mr. Meyer has prepared transportation analyses for environmental documents on projects such as the Metro Red, Blue, Green and Expo Lines, Los Angeles Coliseum Renovation, Saint John’s Hospital, Our Lady of Angels Cathedral, and numerous retail and commercial office developments. Mr. Meyer performed the San Marino Neighborhood Traffic Study and Circulation Element in the 1990’s.
TED HUYNH, PE, TE

Role on Project
Task Lead

Education and Registrations
MS, Civil Engineering
BS, Civil Engineering
PE, CA #80087
CA, TE #2778

Mr. Huynh serves as a Senior Engineer for Iteris’ Transportation Systems division and has been with the firm since November 2017. He has over **9 years of experience** working in the field of transportation engineering. His expertise includes traffic operations analyses, transportation impact analyses, traffic microsimulations, parking management planning, rail planning, complex spreadsheet and dataset analyses, cost estimation, and benefit-cost analyses. Mr. Huynh’s software experience includes VISSIM, Synchro, SimTraffic, Traffix, ArcGIS, HCS, Adobe Creative Suite, Microsoft Office and AutoCAD.

RYAN GREENWAY

Role on Project
Task Lead

Education
MS, Transportation Management
BS, Urban and Regional Planning

Mr. Greenway serves as a Senior Manager for Iteris’ Transportation Systems division and has been with the firm since September 2018. Mr. Greenway has over **10 years of progressive responsibility and experience** in land use, transportation, environmental, and regional planning in both public and private sectors, has extensive experience leading staff and large multidisciplinary teams responsible for development, implementation, and delivery of over 50 complex infrastructure projects and programs ranging in cost between $20 million and $2 billion. Mr. Greenway specializes in project and program management and overseeing preparation of environmental documents for large scale transportation infrastructure projects. He has worked on various types of transportation projects and in varying capacities, including highway and transit corridor expansions, station area planning, bus rapid transit, light-rail transit maintenance facilities, transit oriented development, pedestrian and bicycle roadway improvements, high-speed rail, ridership forecasting, and public outreach and stakeholder engagement.

MARIE MARSTON, PE (CIVIL WORKS ENGINEERS)

Role on Project
Cost Estimates

Education and Registrations
MBA
BS, Civil Engineering
PE, CA #38798

Civil Works Engineers Founding Principal Marie Marston, has more than **35 years of experience** in civil engineering planning, design, and project development for a wide range of public and private projects. Her company, Civil Works Engineers, has been in existence for 15+ years, where she has brought her vast experience at Caltrans and several private engineering consulting firms to provide personalized customer service to transportation, municipal, institutional, commercial and government clients throughout Southern California. She is a hands-on project manager and engineer leading project teams ranging from planning studies to PS&E development for roadways, site improvements, and drainage improvement projects.

KATHERINE PADILLA (KATHERINE PADILLA & ASSOCIATES)

Role on Project
Outreach Support

Education
MBA
BS, Business Administration

Principal of Katherine Padilla and Associates (KPA) for **24 years**, Ms. Padilla Otanez is a communications specialist and strategist with expertise in organizational development/systems thinking, facilitation and mediation, marketing research and integrated communications strategy, and community and government relations. Expertise include global logistics, planning, architecture, and engineering. Other areas of education and expertise include NEPA Policies, Procedures and Practices; CEQA Overview and Policies; and Environmental Justice in Land Use Planning.
Iteris has provided the following key staff references as shown in Table 2.

### Table 2 – Iteris References

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<td>Michael P. Meyer, TE</td>
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<td>Metro</td>
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<td>(323)851-2121</td>
<td>Outpost Estates Traffic Mgmt. Plan</td>
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<td>Councilmember David Ryu</td>
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C PROJECT APPROACH, COORDINATION AND SCHEDULE

Project Approach

This section provides a description of our proposed technical approach to the work program. Each task description includes a task objective, a list of task activities, a list of deliverable products, and a discussion of key elements or issues addressed in our approach.

SCOPE OF WORK

The following paragraphs describe Iteris’ general approach to providing professional traffic consulting services for this study, and is divided into the following tasks:

1. Project Management
2. Review of Previous Studies and Traffic Control Inventory
3. Traffic Operations Analysis
4. Circulation Improvement Recommendations and Cost Estimates
5. Traffic Calming Toolbox and Public Outreach
6. Reporting and Public Meetings

Iteris’ approach will draw on all available information relating to existing conditions as well any plans and cost estimates already performed including those shown in the attachment to the RFP. One key component would be the development of an operational traffic model to test the effects of potential improvements and which would become an ongoing resource for the City to continue testing alternatives after the conclusion of the project.

TASK 1. PROJECT MANAGEMENT

Iteris strongly believes that excellent project management is essential in the successful completion of any project. Successful completion does not only mean finishing the project, but also completing the project to the client’s satisfaction, within budget, and on schedule. Iteris understands the City’s needs for this project to be completed in a quick and prudent fashion, in tandem with comprehensive public outreach and multiple briefings and meetings with City staff, officials, and Council.

Mr. Deepak Kaushik, PE will serve as the Project Manager (PM) for this project. He will be the principal contact with the City and other entities per the City’s direction and will prepare and present status reports. Mr. Kaushik will be available for regular meetings with City staff and to attend key briefings, meetings, and workshops with the San Marino Public Safety Commission, Traffic Commission (if necessary), and City Council. Mr. Kaushik will be supported by Mr. Viggen Davidian, who will serve as the Principal-in-Charge on this project, and Mr. Michael Meyer, who will be Senior Advisor for the project.

Communication

Active and open communication between the City and our Team is vital. Communication is essential to the successful outcome of any project. The team’s primary objective is to keep the City abreast of the developments that impact the project.

Internal Quality Assurance/Quality Control (QA/QC)

The Iteris Team’s quality assurance also includes internal management reviews. Iteris’ upper-level management is committed to maintaining a proper environment for the successful execution of the project, providing projects...
Citywide Traffic Circulation Study (RFP No. 48-0500)

Iteris, Inc.

ATTACHMENT 2 - 21

with adequate resources, and monitoring the effectiveness of the project PM and the project team. Internal management conducts monthly project review meetings, reviewing the current project status against the current project schedule to ensure that projects are kept on schedule and on budget. Vigen Davidian will be the Principal-in-Charge responsible for the QA/QC process and will review all the documents and plans prior to each submittal.

Subtask 1.1. Kick-Off Meeting
Following the Notice to Proceed from the City, the Iteris team will prepare an agenda and a detailed project schedule using Microsoft Project software for a Kick-Off meeting with City staff to discuss project objectives and project administration. Meeting minutes and action items will be distributed to invitees within five (5) business days of the kick-off meeting along with a revised schedule based on feedback obtained at the meeting.

Subtask 1.2. Project Team Meetings
Throughout the duration of the project, Iteris will facilitate and lead a number of regular progress meetings. Our team will prepare an agenda and supporting materials for meetings to City staff to ensure thoroughness of direction to the Iteris team and accuracy of the study deliverables. These meetings will cover project activities, address any issues as they arise, and coordinate activities such as outreach activities and preparation/review of deliverables. Iteris will send out agendas prior to each meeting and will distribute meeting notes and action items to invitees within five (5) business days following the dates of these meetings.

Subtask 1.3. Monthly Invoice and Progress Reports
Iteris will prepare monthly invoices and progress reports to the City of San Marino. In the monthly progress report, Iteris will summarize activities conducted during the reporting period (typically the previous calendar month) as well as a look at anticipated activities for the upcoming reporting period. The progress reports will clearly identify each task, and include detail provided on the work completed for each task as invoices are submitted to the City.

Deliverables
- Kick-Off Meeting agenda and minutes
- Detailed project work plan and schedule, refined based on comments from Kick-Off meeting
- Meeting agenda and minutes for Project Team meetings
- Invoices and monthly progress reports

TASK 2. REVIEW OF PREVIOUS STUDIES AND TRAFFIC CONTROL INVENTORY

The objective of this task is twofold. The first goal is to understand the recent and past historical studies conducted by the City of San Marino, including plans and recommendations associated with the City’s overall circulation and traffic goals, as well as find best options regarding traffic calming and safety improvements. Secondly, this task will seek to understand and identify the existing traffic control system conditions and City’s newest capital improvements, especially including a thorough inventory of the traffic control systems in place within the City limits.

Subtask 2.1. Past Studies/Literature Review
In consultation with the City, Iteris will conduct a thorough review of previous studies conducted for the City of San Marino, including the most recent and active traffic analyses as well as the City’s Circulation Element within its General Plan. In particular, recent studies such as the Huntington Drive Safe Streets Corridor Plan will be reviewed and understood in order to provide this study with the appropriate context on the City’s current vision and goals on the transportation system within its borders. Other documentation that could also be reviewed for relevance include neighboring cities, countywide, and regional documentation where the City was a key stakeholder, as well as previous traffic calming plan reviews. Additional studies that Iteris (previously Meyer Mohaddes Associates) has previously completed for the City, including the Granada Avenue Traffic Calming Design, San Marino Neighborhood Traffic Study and Circulation Element, and San Marino Unified School District Campus Modifications, will be reviewed as well.
This subtask will also help to identify best-practice and industry-standard reports and analyses related to traffic, circulation, and traffic calming applicable to the City. A major goal of this study is to identify effective methods and ways for the City to calm traffic at the neighborhood level, in order to alleviate cut-through traffic bypassing arterial congestion and to enhance safety. Iteris will review traffic calming documentation, guidelines, and literature in order to set a baseline of available solutions and processes to discourage the intrusion of regional traffic onto local streets and encourage better and more efficient use of the transportation network for all users. This subtask will feed into the development of a traffic calming toolbox within Task 5.

**Subtask 2.2. Traffic Control Systems/Capital Improvements Inventory**

In coordination with the City, Iteris will conduct a thorough review of all traffic control systems within the City, including striping, signal control type, and roadway categorization; this review will be done both through document review as well as comprehensive field visits throughout the City. Additionally, the City will provide Iteris with capital improvement project records, particularly those transportation and roadway-related. This overall inventory will be performed to provide a comprehensive setting of the City’s current transportation network and understand the existing efficiencies/deficiencies within the system.

Within this subtask Iteris will incorporate GIS mapping in order to properly inventory all information acquired as part of the review. The team is familiar with the existing transportation network and GIS information needed, as Iteris previously worked on the 2014 Draft City of San Marino Bicycle and Pedestrian Plan. Information will be compiled and organized by unique identifier for different type of characteristics, such as signal control type, number of lanes, available sidewalks, turn pocket lengths, etc. These datasets will be provided to the City for their use during and following the conclusion of the study.

**Deliverables**

- Literature review/best practices memorandum
- Traffic control systems/capital improvements inventory memorandum
- GIS MXD and shapefile with traffic control/project inventory

**TASK 3. TRAFFIC OPERATIONS ANALYSIS**

In Task 3, Iteris will obtain existing traffic count data, lane configuration data, review the data for accuracy, and analyze existing year citywide traffic conditions in order to understand the circulation patterns and conditions within San Marino.

**Subtask 3.1. Existing Traffic Counts and Roadway Configurations**

Iteris will conduct citywide intersection counts at all signalized intersections within the City and at the City limits (19 total) for a typical weekday morning and evening peak period; counts could potentially include trucks, pedestrians and bicycles at some locations, in order to document how trucks and/or non-vehicular modes use the roadway network. Additional counts at some key unsignalized intersections may also be collected based on input from City staff. Our cost estimate includes provision for intersection turning movement counts at 25 locations. Iteris will also collect existing 24-hour ADT volumes (i.e., tube counts) along major and minor arterials at up to 25 locations throughout the City to develop roadway link volumes by time of day. The team will also collect lane geometry information as part of the data collection, including necessary field checks to confirm that the lane configurations, traffic operations, and count data were correctly collected.

Based on this data collection, Iteris will generate a series of GIS maps to indicate the areas of greatest activity within the City. These may include maps such as ADT volumes, pedestrian/bicycle activity, and collision data. **Figure 2** shows a heat map of all collisions reported by the SWITRS database, indicating that there are concentrations in collisions along Huntington Drive, California Boulevard, and Sierra Madre Boulevard.
Subtask 3.2. Existing Conditions LOS Analysis

Using the counts collected as part of Subtask 3.1, existing conditions intersection and roadway segment peak hour level of service (LOS) analysis will be conducted. The approach will use Highway Capacity Manual (HCM) 2010 methodology based on peak hour volumes for intersections and daily Volume/Capacity (V/C) ratios for arterial segments, which is a methodology consistent with best industry practices and City standards. Truck volumes will be converted to standard auto vehicles using a passenger car equivalent (PEC) factor.

This analysis will be performed in order to understand the existing circulation system and its operations and deficiencies. As part of the analysis, it is assumed that the City will provide relevant signal timing plans. Following collection of counts and provision of signal timing plans, Iteris will develop a citywide Synchro model that will tie in all study intersections within the same network. The model will be developed in a way so that LOS, delay, queues, and other outputs can be readily obtained, as well as be prepared for potential traffic simulation modeling using the SimTraffic module.

SimTraffic is an add-on software module within the Synchro software package that can readily convert a Synchro model into a simulation model so that metrics such as corridor travel times and unique intersection setups can be measured more accurately. An additional benefit of the SimTraffic portion of the analysis is the ability to record videos and share draft improvements to the public during a workshop or meeting. SimTraffic is included as a separate optional item in the cost estimate. An example of a SimTraffic simulation is provided in Figure 3.

Figure 2 – Heat Map Showing All Collisions in San Marino 2013-2017 – Source SWITRS

[Heat map image of collision locations in San Marino]
Subtask 3.3. **Near-Term 2023 Conditions LOS Analysis**

This subtask is included in order to understand how the City’s existing transportation system will perform under a near-term future scenario where near term improvements such as the five infrastructure projects identified within the RFP could be constructed and in place; these projects include additional left-turn pockets and signal coordination, among others. Additional “pipeline” projects within the City that would be in place by 2023 that would change or affect traffic volumes would also be identified and incorporated on City roadways. Example projects could include new commercial developments, redevelopments, or overall growth within the City. This near-term analysis will be conducted for the study intersections and roadway segments using the same HCM and V/C methodology performed under existing conditions.

Subtask 3.4. **2040 Conditions LOS Analysis**

This subtask involves the development of a future 2040 scenario, using forecasted traffic growth and changes associated with regional roadway and development projects, using the 2023 Near-Term Conditions roadway network. Iteris will extract forecast volumes on streets in San Marino from the SCAG Baseline travel demand model under 2040 conditions and compare these to the existing conditions model run in order to estimate future long term growth in volumes. The SCAG 2040 Baseline scenario does not contain the I-710 freeway gap closure project. The growth rates from SCAG will be applied to the Citywide traffic network to obtain future 2040 forecasted turning movement volumes. Conditions would then be evaluated using the same HCM and V/C methodology in Subtasks 3.2 and 3.3.

**Deliverables**

- Existing Conditions arterial Average Daily Traffic (ADT) map
- Existing Conditions/Near-Term 2023 Conditions/2040 Conditions arterial segment daily performance summary table to include classifications, number of lanes, counts, capacity, V/C and LOS identifying deficient segments
- Existing Conditions/Near-Term 2023 Conditions/2040 Conditions intersection LOS map
- Existing Conditions/Near-Term 2023 Conditions/2040 Conditions intersection peak hour and LOS summary table to include roadway configurations, signal control type, counts, and V/C and LOS identifying deficient intersections
- Technical Analysis memorandum for Existing Conditions/Near-Term 2023 Conditions/2040 Conditions
- Citywide Synchro model for City use for Existing Conditions/Near-Term 2023 Conditions/2040 Conditions
The objective of this task is to prepare a list of proposed improvements and upgrades to the circulation and traffic system within the City based on the technical analysis conducted in Task 3, with a focus on near-term implementation. The task will also include providing cost estimates of each improvement in order to implement each upgrade. Following the preparation of the circulation improvement list and associated costs, Near-Term 2023 and 2040 Conditions will be re-evaluated with the inclusion of the improvements in order to assess the changes in traffic operations and performance in the City.


Based on the understanding of the City’s current traffic control system and overall physical inventory from Task 2, and in combination with results from the traffic operations analysis in Task 3, Iteris will prepare a comprehensive list of proposed improvements that can be applied for each study intersection and roadway segment in the City. Some improvements could also include multiple intersections/roadway segments along a corridor. The intent of this list is to produce a set of reasonable and specific recommendations that will achieve the City’s overall goal of efficiently transporting regional traffic along its primary major streets while reducing cut-through and diverted traffic using neighborhood streets. Each improvement will be provided with an associated cost in order to provide the financial implications of implementing the proposed improvement; these cost estimates will be based on best-practice regional/local costs taken from recent implemented projects that are similar in scope and type, and will be reviewed with City staff prior to their inclusion.

At a minimum, the developed cost estimates will include, but not be limited to, costs associated with studies, design, signalization, signing, pavement markings, engineering, construction, construction engineering, and Right of Way (ROW). ROW requirements will be identified for each improvement along with any environmental clearances that may be needed. Civil Works Engineers will be responsible for developing the cost estimates. For major improvements recommended, concept plans will be developed to serve as the basis for the cost estimates. The concept plans will be prepared to be consistent with City layout standards. Quality concept plans will be generated to ensure high quality cost estimates are prepared for City planning purposes. The cost proposal was developed based on the assumption that up to eight concept plans will be developed. The cost proposal also includes an optional cost for the purchase of high-resolution aerial imagery for use as a background in the concept plans. However, if the City has aerial imagery that can be made available and is deemed to be at an acceptable resolution, then this will be used instead, eliminating the cost of the imagery. A sample concept plan is shown in Figure 4 and a sample cost estimate worksheet in shown in Figure 5.
Subtask 4.2. Circulation Improvements Analysis
In order to evaluate the network with these circulation improvements in place, an updated “with improvements” Synchro analysis will be performed. Iteris will perform updated arterial and intersection analysis for the Near-Term 2023 and 2040 Conditions and evaluate the implementation of the improvements on delay, queuing, and other measures. This evaluation would then be compared with the cost estimates associated with the improvements to calculate the overall effectiveness of the improvement in terms of cost effectiveness and potentially be used to guide the City in terms of prioritization for implementation. Using each scenario’s generated volumes throughout the City, Iteris will perform updated intersection peak hour LOS analysis for all study intersections, and develop supporting tables and figures.

Deliverables
- Circulation Improvement Recommendations and Costs memorandum
- Near-Term 2023 Conditions/2040 Conditions “With Improvements” intersection peak hour LOS summary table to include roadway configurations, signal control type, counts, and V/C and LOS identifying deficient intersections
- Citywide Synchro model for City use for Near-Term 2023 Conditions/2040 Conditions “With Improvements”

Subtask 4.3 Improvement Project Prioritization
This subtask involves prioritizing the recommended circulation improvements. Once the list of proposed improvements has been developed from Subtask 4.1, these will then be prioritized using a series of quantitative and qualitative measures. These measures and their relative weightings will be discussed and agreed with City staff and potentially the Public Safety Commission, prior to this analysis being performed. Potential ranking criteria include:

- Travel time/delay savings
- Overall cost
- Cost of improvement per vehicle
- Overall traffic volume at the location
- Number of collisions (safety)
- Proximity to key facilities (schools/hospitals)
- Feasibility of construction/ease of implementation (i.e. need for environmental analysis)
- ROW requirements
- Future development accommodation
- AM Peak/PM Peak impact or both

Each improvement will be allocated a score for specific criteria, which will be weighted to achieve an overall score. The improvements will then be ranked by this score in order to generate an overall prioritized list of recommended improvements. Travel time savings will be calculated based on change in delay at the intersection level from the HCM analysis.

Task 5. Traffic Calming Toolbox and Public Outreach
Iteris understands that a main goal of the City is to maintain the livability and preserve the nature of its neighborhoods. A major part of this goal can be achieved through this circulation study via a comprehensive evaluation of traffic calming measures intended to reduce cut-through traffic, enhance safety, and keep regional traffic on the main arterials in the City. This task is designed to determine a set of quickly implementable, effective, context-sensitive, and cost-efficient traffic calming measures that the City can use for their neighborhood circulation goals, as well as introduce a civic process for the general public in the City to request these type of measures. As part of this task, an emphasis on reaching out to the public for their input will be critical to ensure a process that is fair, reasonable, and useful towards the City’s traffic calming goals.
Subtask 5.1. Traffic Calming Toolbox
Iteris will prepare a traffic calming “toolbox” intended to provide the City of San Marino with a set of traffic calming measures that best fit the City’s traffic calming goals, in terms of its appropriateness to the traffic context, stakeholder/resident acceptance, and its usefulness throughout the City’s neighborhoods. The team will conduct a comprehensive best-practice review of all potential measures that would be suitable for use within the City and provide documentation on overall effectiveness, costs, and advantages/disadvantages of each measure. An important piece of the creation of this toolbox will also be to understand the most effective and useful public process to allow for implementing traffic calming measures in an inclusive and fair manner, with emphasis on neighborhood resident and stakeholder agreement.

As the results of the circulation analysis from previous tasks will inform us about the key hot spots and critical locations where cut-through traffic and safety is most impacted, the analysis will be used hand-in-hand with this best-practice research in order to best understand the City’s main circulation and traffic challenges, especially the interface of neighborhood streets with regional arterials.

Subtask 5.2. Public Outreach and Workshops
While not explicitly requested in the RFP, Iteris believes that a critical component of this study involves input from local stakeholders and residents within the City. Since the goal of the study is to evaluate traffic circulation both within and through the City, it will be important to gather a variety of stakeholders to understand how City residents, visitors, and businesses use the street system and receive feedback on important issues and suggestions for improvements. The Iteris team understands the context and importance of including the City of San Marino community within this study process and understanding their overall priorities and preferences.

With this in mind, the Iteris team proposes conducting two public workshops during the duration of the project. The first community meeting will be undertaken near the beginning of the study and will be intended to solicit and listen to community input about traffic and safety issues caused by poor driving behavior, traffic diversion caused by congestion, and the user mobility experience within the City. Preliminary ideas about how to address these identified behaviors in addition to circulation improvements will also be obtained from this workshop. The second community meeting would be scheduled following completion of the circulation analysis and during the process of undergoing the circulation improvement analysis and best practice research. The intent of this meeting would be to receive feedback about initial results, proposed initial recommendations, and respond to stakeholders regarding ideas obtained as part of the first meeting.

The Iteris team will secure the location and handle logistical details such as set-up and breakdown, and that audio-visual requirements are met. The format of the workshop and presentation shall be determined by the team, with suggestions/recommendations by KPA. It is expected that the workshops will be held on either weekday evenings or on Saturdays to draw the greatest number of participants possible. Community meetings will be designed to be interactive and iterative in nature. KPA will provide three staff persons, two are experienced graphic recorders and facilitators, as needed. KPA will provide an agenda, comment card, sign-in sheets, and light refreshments. KPA can also provide suggestions for community-friendly presentations, and graphic design of the Presentation and displays for consistent branding.

Promotion
KPA will design a meeting flyer incorporating distinctive graphic design to brand the project and a call to action to inspire attendance. The team will conduct outreach activities including contacting and inviting key stakeholders, organizations, etc., by phone, email, social media and media strategies. KPA will call 10-12 Key Organizations, Neighborhood Groups, business groups or grass-roots leaders to inform them of the workshop, motivate stakeholders’ participation, and seek their assistance in getting the word out through websites and their social media networks. KPA will provide e-blasts of the approved meeting flyer to a project database of key organizations, and provide social media messages to be distributed through the City’s channels as part of the notification process. In addition, KPA will design flyers, posters for dissemination in key locations, public counters, and libraries with high-traffic.
Press Release
As directed, KPA will also prepare a draft press release and submit for staff review and approval. Upon approval, the release can be submitted to local media.

Community Meeting Summaries
Iteris will document and compile the results, including all comments, questions, sign-in sheets of the Community Workshops, and report the findings and possible implications in a Workshop Summary.

Deliverables
- Draft and final traffic calming measure toolbox memorandum
- Materials and presentations for two public workshops/meetings with documentation of comments and outcomes.

**TASK 6. REPORTING AND PUBLIC MEETINGS**

Subtask 6.1. **Draft and Final Report**
Iteris will prepare a draft and final 2019 San Marino Citywide Traffic Circulation Study Report. The format and content of this report will primarily consist of a compilation of previously submitted memos as part of the previous tasks within this study, with the addition of an executive summary and relevant supplemental tables, figures and appendices not previously included in the memos. The report will contain an executive summary, a best practice review of previous studies, circulation analysis summary of Existing, Near-Term 2023, and Future 2040 traffic conditions, public outreach process, identification of improvement recommendations, concept plans, cost estimates, and a traffic calming toolbox that can be treated as a standalone document for future use by City staff. Iteris will update the draft report based on comments received from City staff and resubmit as a final report. All comments will be documented in a comment response matrix to ensure that all comments have been addressed appropriately.

Subtask 6.2. **Public Safety Commission, City Council Workshop, and City Council Meeting Presentations**
Iteris will attend all project related meetings, including three Public Safety Commission meetings/briefings, one City Council workshop presenting initial findings, and one City Council Meeting presenting the final study. Iteris will assist in presenting the findings of the study, provide PowerPoint slides as necessary and answer technical questions. Our objective is to ensure that tangible results are presented to interested parties and that meetings include meaningful discussion and action items.

Deliverables
- Electronic copy of preliminary draft report
- Ten (10) bound copies of the draft report and appendices
- Summary of comments on draft report
- Electronic copy of final report
- Ten (10) bound copies of the final report and appendices
- Electronic copy of PowerPoint slides

Coordination with the City

The following is a summary list of components that would be required in order to complete the scope of work.

Documentation
- Provision of prior City reports including the San Marino Neighborhood Traffic Study and General Plan Circulation Element.
- Recent development traffic impact, safety, and/or circulation studies reviewed by the City.
**Data Needs**

- Intersection/Roadway Segment Traffic Counts - any recently collected (no older than 2015) and available counts from the City. The cost estimate includes provision for new intersection turning movement counts at 25 locations and new roadway segment tube counts at 25 locations.
- Signal timing plans (for HCM analysis).
- Any available current traffic control system inventory details.
- Truck routes or truck restrictions within the City
- High-quality aerial imagery for improvement concept plans. The cost estimate includes an optional cost for high-resolution imagery should no aerial imagery be available.
- Any currently available improvement concept plans and cost estimates – including improvements identified in the Appendices of the RFQ and any other upcoming City roadway/traffic capital improvement.
- Future major near term cumulative development projects (for 2023 analysis)
- SCAG model outputs for developing future 2040 regional growth. Iteris has a version of this in-house.
- Synchro license for City – in order for the City to have the on-going benefit and use of the Citywide Synchro network that will be developed.
- Any available relevant GIS shapefiles and layers

**Meetings**

- List of suggested stakeholders for public workshop and recommendation of venue within the City
- Kick off meeting with key stakeholders
- Two public workshops for development of traffic calming toolbox
- Three public safety commission meetings
- One City Council workshop to review initial findings and recommendations
- One City Council meeting for final adoption of study
Iteris has provided the following proposed project schedule as shown in Figure 6.

**Figure 6 – Proposed Project Schedule**

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<td>5.2 Public Outreach</td>
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<td>6 Reporting and Public Meetings</td>
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<td>6.1 Draft and Final Report</td>
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<td>6.2 Commission and City Council Meeting Presentations</td>
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= Public Safety Commission Meeting  ◆ = City Council Meeting Presentations  ▲ = City Council Approval
D CONFLICT OF INTEREST STATEMENT

Iteris does not have any financial, business or other relationship with the City that may have an impact upon the outcome of this contract. Further, Iteris does not have any current clients who may have a financial interest in the outcome of this contract or any City construction project that may follow.
Iteris wishes to submit the following statement with regards to the terms and conditions contained within the City’s standard Professional Services Agreement:

“The requested Notice of Cancellation endorsement is not commercially available for the Professional Liability policy however the Iteris broker will provide this notice.”
Figure 7 summarizes Iteris’ current insurance coverage for comprehensive, general liability, professional liability, automotive liability and workers’ compensation insurance, and indicates the limits of coverage on each policy. Iteris will provide City required endorsements and minimum coverage limits upon award of contract.

![Certificate of Liability Insurance](image-url)
G COST PROPOSAL & FEE SCHEDULE

Per the instructions outlined in the RFQ, Iteris’ cost proposal has been provided in a separate password protected file, clearly titled “Citywide Traffic Circulation Study Cost Proposal.” Iteris has provided the password to the City of San Marino via FedEx delivery service.
APPENDIX RESUMES

Iteris, Inc.

- Deepak Kaushik, PE
- Viggen Davidian, PE
- Michael P. Meyer, TE
- Ted Huynh, PE, TE
- Ryan Greenway
- Braulio Ramirez, PE
- Sowmya Chandrasekhar, PE, TE, PTOE
- Tyler Lindberg

CWE

- Marie Marston, PE
- Tamara Allee

Katherine Padilla & Associates

- Katherine Padilla Otanez
- Cindy Suh
Mr. Kaushik serves as an Associate Vice President for Iteris’ Transportation Systems division and has been with the firm since September 2008. He has over 15 years of transportation planning and engineering experience which includes transportation systems analysis, multimodal mobility planning, highway operations, traffic safety, and travel-demand modeling. He enjoys the technical aspects of the projects he manages, but also embraces the interaction with stakeholders, city officials, and the public. Most of all, he welcomes the challenge of finding solutions that improve mobility for all users.

Project Experience

Griffith Park Circulation and Parking Study – City of Los Angeles, CA
Mr. Kaushik served as Task Manager for the evaluation of traffic/circulation conditions within Griffith Park in the City of Los Angeles. Iteris evaluated vehicle, shuttle bus, bicycle, and pedestrian circulation conditions within Griffith Park, as part of a study to mitigate traffic congestion and improve multimodal accessibility while protecting the natural environment and urban wilderness identity. Important responsibilities included recommending multimodal improvements such as new bicycle lanes, one-way traffic flow, and angled/diagonal parking in the vicinity of the Griffith Observatory. He also led the team in preparation of conceptual design plans for the intersection, roadway, and parking enhancements. The project began June 2015 and completed in June 2018.

Ventura Boulevard Parking Feasibility Study – City of Los Angeles, CA
Mr. Kaushik served as Project Manager in preparation of a parking feasibility study along Ventura Blvd in the City of Los Angeles. The assessment focused on increasing parking capacity through the addition of angled/diagonal parking, as well as improving multi-modal transportation via the addition of protected bicycle lanes and mid-block crosswalks. He led the traffic analysis as well as the public outreach. The project began in November 2016 and completed in February 2018.

San Fernando Valley Subregional Mobility Matrix – San Fernando Valley, CA
Mr. Kaushik served as Task Manager for the preparation of the San Fernando Valley Subregional Mobility Matrix. His role included the development of subregional goals and objectives to guide the development of future transportation investments. The San Fernando Valley Mobility Matrix included a preliminary assessment of potential anticipated investment needs and project and program implementation over the short-term (2015-2024), mid-term (2025-2034) and long-term (2035-2045). Mr. Kaushik also provided key traffic analysis for two special case studies: the San Fernando Valley to San Gabriel Valley High Capacity Transit Corridor, which includes the North Hollywood to Pasadena Corridor as its Central Segment, and a preliminary evaluation of the feasibility of converting the Metro Orange Line (MOL) Busway to Light Rail Transit. The project began in July 2014 and completed in March 2017.
Orange Grove Roadway Reconfiguration – City of Pasadena, CA
Mr. Kaushik serves as Project Manager providing transportation planning and engineering services on the Orange Grove Boulevard Roadway Reconfiguration project for the City of Pasadena. The project consists of traffic and safety improvements along the 4-mile corridor from Lincoln Avenue to Sierra Madre Villa. Iteris is analyzing the potential traffic and travel time impacts of reducing the current 4-lane roadway down to a 2-lane roadway with buffered bicycle lanes and improved pedestrian facilities. The project began in February 2018 and completed in May 2018.

Beverly Hills Complete Streets Plan – CA
Mr. Kaushik serves as Task Lead for the Complete Streets project for the City of Beverly Hills. The Plan will define and provide guiding policy that will prioritize mobility elements and propose implementation phases for Complete Streets elements. Mr. Kaushik’s responsibilities include leading the development of the draft and final complete streets plan. The project began in October 2017 and completed in October 2018.

North Santa Monica Boulevard Reconstruction – City of Beverly Hills, CA
Mr. Kaushik served as a Project Engineer supporting the evaluation of alternatives and recommended a concept to the City Council that would allow for the addition of bicycle lanes and median islands as part of the project. Visual simulations of the existing and future conditions along the corridor were used to illustrate the limited impact of the minor street widening recommended. As part of design, Iteris led signing and striping, decorative street lighting, traffic signal modifications at all signalized intersections and coordinated with IT communication design. The project began Jan 2013 and completed Jun 2017.

Senate Bill 743 Mitigation Measures Analysis, Los Angeles Metro – Los Angeles County, CA
Mr. Kaushik served as Project Manager analyzing potential impacts under a new VMT metric to previously certified Environmental Impact Reports (EIRs) where Metro is/was the Lead Agency. This effort addressed the State of California, OPR update to CEQA Guidelines pursuant to Senate Bill 743, which would change the transportation impact analysis methodology from LOS to VMT under CEQA. Iteris evaluated six case studies assembled by CEQA under the VMT metric, and assisted with making judgments regarding determining and assigning mitigation measures to the projects. The project began in Sep 2017 and completed Mar 2018.

Ontario Airport Northwest Cargo TS, Ontario International Airport Authority – Ontario, CA
Mr. Kaushik serves as Project Manager preparing a traffic impact study, as part of an environmental planning team, for the OIAA. The study is evaluating the potential traffic impacts of constructing a new cargo facility on a 51-acre site located in the northwest corner of the airport. The analysis will evaluate the effects of new truck (delivery) and passenger vehicle (employee) trips associated with the project within the study area (Grove Avenue, Vineyard Avenue, Archibald Avenue, Haven Avenue). The project began in December 2017 and is anticipated to complete in August 2020.

Metro Orange Line (MOL) Speed Evaluation Study, Los Angeles Metro – Los Angeles County, CA
Iteris completed a contract with Metro to evaluate operations of the MOL in order to provide potential recommendations for improved bus speeds and reliability, and Mr. Kaushik served as Task Manager, helping with preparation of a study to designate safe intersection crossing speeds for Metro buses, with a goal of increasing bus speeds along the corridor. Iteris reviewed the operating characteristics of the MOL by conducting “line rides” to understand the issues from an operator’s and passenger’s perspective. Upon completion of the field reviews, Iteris reviewed each crossing along the MOL to determine if the operating speed through the crossing should be increased, or remain at 10 mph, and what recommended changes would entail in order to allow for increased speed operations. The project resulted in a number of immediate and long-term recommendations to increase operating speeds. Immediate recommendations have been implemented by Metro, and the agency developed plans for implementation of the long-term recommendations. Mr. Kaushik also participated in several on-bus line rides to observe the current conditions, as well as engage in discussions with bus operators. The project began in July 2015 and completed in December 2015.
Mr. Davidian serves as a Vice President for Iteris’ Transportation Systems division and has been with the firm since February 1994. He has over 38 years of comprehensive project engineering and management experience encompassing transportation planning, traffic engineering design, and civil engineering, both in the private and the public sectors. He has managed and directed a wide range of projects from traffic, circulation and parking design for various size developments to large-scale multi-modal transportation strategic plans as well as corridor and area-wide studies. These assignments have involved traffic engineering design on-call projects, traffic management system plans, system performance measurement studies, ITS technologies, major investment studies, corridor alternatives analysis and needs assessments, travel demand model development and forecasting, short and long-range transit plans, high-speed rail, general plan circulation elements, and highway alignment and preliminary design studies. He has extensive experience in transportation policy planning and analysis, and consensus building skills working with multi-jurisdictional policy and technical advisory committees, elected officials, planning commissions, and agency staffs. He has a broad knowledge of state, federal and local guidelines, procedures and regulations related to transportation system planning, design, financing and implementation.

Mr. Davidian oversees Iteris’ capabilities and resources in Multimodal Transportation Strategic Plans and Travel Demand Forecasting. His expertise includes conducting comprehensive traffic analyses and studies to support interchange and freeway corridor improvement projects for local jurisdictions and Caltrans. Mr. Davidian has conducted and managed the full range of services from assessment of existing conditions, development of traffic forecasts, drafting purpose and need analyses, project justification, alternatives evaluation, traffic operations analysis, identification of traffic impacts and mitigation measures, traffic simulation for ramps and freeway mainline, and support of environmental analyses.

Project Experience

Last-Mile Freight Delivery Study, Southern California Association of Governments (SCAG) – Los Angeles, CA
Mr. Davidian serves as Principal in Charge on this project to provide an examination of urban delivery operations at key locations throughout the City of Los Angeles—specifically identifying current conditions as experienced by both last-mile delivery providers and shipment receivers to understand the larger community impacts. Iteris is examining a broad array of potential issues impacting, or arising from, last-mile freight deliveries and developing critical area profiles along with strategic recommendations for increasing the efficiency and effectiveness of last mile freight operations while minimizing conflicts with other users of public streets and curbside space. The project began in April 2017 and is expected to complete in June 2018.
VIGGEN DAVIDIAN, PE
Principal-in-Charge

Riverside County Transportation Commission Long Range Transportation Plan – Riverside County, CA
Mr. Davidian serves as Principal in Charge on the preparation of RCTC’s first Long Range Transportation Plan (LRTP). As part of this planning process, Iteris is assisting with the development of the LRTP vision and goals, defining existing and future transportation conditions and developing transportation issues and strategies for investments to address those issues. The project began in July 2017 and is ongoing.

Senate Bill 743 Mitigation Measures Analysis, Los Angeles Metro – Los Angeles County, CA
Mr. Davidian serves as Principal in Charge on this project analyzing potential impacts under a new Vehicle Miles Traveled (VMT) metric to previously certified Environmental Impact Reports (EIRs) where Metro is/was the Lead Agency. This effort addressed the State of California, Office of Planning and Research’s (OPR) update to California Environmental Quality Act (CEQA) Guidelines pursuant to Senate Bill 743, which would change the transportation impact analysis methodology from Level of Service (LOS) to VMT under CEQA. Iteris evaluated six case studies assembled by Metro under the VMT metric, and assisted with making judgments regarding determining and assigning mitigation measures to the projects. The project began in September 2017 and completed in March 2018.

Orange Grove Roadway Reconfiguration – City of Pasadena, CA
Mr. Davidian serves as Principal in Charge providing transportation planning and engineering services on the Orange Grove Boulevard Roadway Reconfiguration project for the City of Pasadena. The project consists of traffic and safety improvements along the 4-mile corridor from Lincoln Avenue to Sierra Madre Villa. Iteris is analyzing the potential traffic and travel time impacts of reducing the current 4-lane roadway down to a 2-lane roadway with buffered bicycle lanes and improved pedestrian facilities. The project began in February 2018 and will complete in May 2018.

Ontario Airport NW Cargo ITS – Ontario, CA
Mr. Davidian serves as Principal in Charge on this project preparing a traffic impact study, as part of an environmental planning team, for the Ontario International Airport Authority (OIAA). The study is evaluating the potential traffic impacts of constructing a new cargo facility on a 51-acre site located in the northwest corner of the airport. The analysis will evaluate the effects of new truck (delivery) and passenger vehicle (employee) trips associated with the project within the study area (Grove Avenue, Vineyard Avenue, Archibald Avenue, Haven Avenue). The project began in December 2017 and is anticipated to complete in August 2020.

Metro Orange Line Grade Separation Analysis and Operational Improvements Technical Study, Los Angeles County Metropolitan Transportation Authority (Metro) – Los Angeles County, CA
Mr. Davidian serves as Project Manager on this project for the Los Angeles County Metropolitan Transportation Authority (Metro) to study the feasibility of grade separating sections of the Metro Orange Line, as well as evaluate potential street closures and other operational improvements. Mr. Davidian serves as Deputy Project Manager on this project seeking to better define parameters that would justify changes to the Orange Line. The project began in December 2017 and is anticipated to complete in August 2020.

Ventura County Traffic Model (VCTM) – Ventura County, CA
Mr. Davidian serves as Project Manager for the new model for the County of Ventura. This model is being built as a customized countywide travel demand model using the new Subregional Modeling Tool.

Metro Orange Line (MOL) Major Investment Study (MIS) and Environmental Impact Report (EIR), Los Angeles Metro – Los Angeles, CA
Mr. Davidian served as Project Manager for the transportation elements of the MIS and EIR/EIS for a Bus Rapid Transit (BRT) system on an exclusive right-of-way from the terminus of the Metro Red Line in North Hollywood to the Warner Center Transit Center.

San Fernando Valley North-South Transit Corridor Major Investment Study (MIS) – Los Angeles, CA
Mr. Davidian served as Task Leader for the analysis of north-south Bus Rapid Transit alternatives intended to connect the Ventura Boulevard Metro Rapid and the Metro Orange Line (MOL) Project.
Mr. Meyer serves as a Vice President for Iteris’ Transportation Systems division and has been with the firm since January 1991. He has managed transportation planning and traffic engineering projects of increasing importance during his 41 years as a transportation consultant. Mr. Meyer’s wide ranging client base includes both the public and private sector and he is frequently a member of multidisciplinary teams developing integrated land use and transportation plans. Recent projects that have been managed by Mr. Meyer include the Metro Orange Line Northern (Canoga) Extension, Santa Monica Boulevard Transit Parkway Project and Downtown Los Angeles Transportation Access Plan and New Street Design Standards in Los Angeles, Westside Subway Extension Consensus Building Effort, San Fernando Valley North-South Transit Corridor Study, Ontario Agricultural Preserve Transportation Implementation Plan, and Neighborhood Traffic Management projects in Long Beach, Pasadena, Beverly Hills and San Marino. Mr. Meyer has developed transportation plans for transit oriented developments and he is well-versed in complete streets and context sensitive design principles. Mr. Meyer has prepared transportation analyses for environmental documents on projects such as the Metro Red, Blue, Green and Expo Lines, Los Angeles Coliseum Renovation, Saint John’s Hospital, Our Lady of Angels Cathedral, and numerous retail and commercial office developments.

Project Experience

North Santa Monica Blvd Reconstruction Project – Beverly Hills, CA
Mr. Meyer serves as Project Manager, responsible for transportation planning in the planning, design, and construction phases of the reconstruction project. This effort included working with a citizens committee to evaluate alternatives and select the preferred project design. Mr. Meyer led community outreach efforts, including the effort to prepare a traffic mitigation toolbox to be used during construction to prevent traffic intrusion into neighborhoods. During construction, he has been part of the construction management team assessing conditions during each phase of the three-segment construction project, identifying strategies to keep traffic moving on North and South Santa Monica Boulevards and keep it out of residential neighborhoods. He also advised the City Council on alternative plans for adding bicycle lanes to the boulevard, something they belatedly elected to include in the project with green high-visibility lanes. The project began in January 2013 and completed in June 2017.

Circulation Element Updates – Multiple Cities in Southern California
Mr. Meyer served as Project Manager for Circulation Element Updates in the Cities of Long Beach, Solvang, Santa Monica, Hermosa Beach, Claremont, San Bernardino, Santa Barbara, and San Marino. Several included EIR’s, neighborhood traffic management programs, and fee programs to implement improvements.
Beverly Hills Complete Streets Plan – City of Beverly Hills, CA
Mr. Meyer serves as Principal-in-Charge for the Complete Streets project for the City of Beverly Hills. The Plan will define and provide guiding policy that will prioritize mobility elements and propose implementation phases for Complete Streets elements. The project began in October 2017 and is scheduled to be completed in January 2019.

Metro Orange Line (MOL), Los Angeles Metro – Los Angeles, CA
Mr. Meyer served as Project Manager for the preparation of the Alternatives Analysis, Conceptual Engineering and Environmental Clearance, Final Design of key elements and preparation of Design/Build Documents for the four-mile extension of the MOL north from Canoga/Warner Center to Chatsworth Metrolink Station. Following award of the Design/Build contract, Mr. Meyer served as project liaison during the Design/Build phase of the project, which was completed ahead of schedule and below budget. Earlier in his career, Mr. Meyer also led the transportation planning on the East-West Transit Corridor that became the Metro Orange Line. This included the major investment study and Draft and Final EIRs for the corridor. The project began in April 2007 and completed in June 2013.

Metro Orange Line Northern (Canoga) Extension, Los Angeles Metro – Los Angeles, CA
Mr. Meyer served as Project Manager for the preparation of the Alternatives Analysis, Conceptual Engineering and Environmental Clearance, Final Design of key elements and preparation of Design/Build Documents for the four-mile extension of the Metro Orange Line north from Canoga/Warner Center to Chatsworth Metrolink Station. Nine alternatives were screened to two build alternatives and TSM for the EIR. The build alternatives included on-street dedicated bus-only lanes on Canoga Avenue and an off-street Busway alternative on Metro-owned railroad right-of-way with a parallel bikeway/pedestrian pathway. Following award of the Design/Build contract, Mr. Meyer served as project liaison during the Design/Build phase of the project, which was completed ahead of schedule and below budget. The project began in 2007 and completed in 2009.

Travel Demand Forecasting – Southern California
Mr. Meyer served as Project Manager and Principal-in-Charge for dozens of model development and application projects, including multi-county and city-wide models. Examples include City of Long Beach, community plans in Los Angeles for Wilshire, Hollywood and Silverlake areas, and RIV-SAN model of River-side and San Bernardino counties. Transit patronage modeling has been conducted for San Fernando Valley Bus rapid transit routes, light rail, heavy rail and Maglev train projects.

Downtown Los Angeles Access & Circulation Study
Mr. Meyer served as Project Manager for a study which analyzed access issues related to the freeway ring around Downtown Los Angeles and circulation within Downtown. A key issue was one-way versus two-way street circulation patterns. New street standards, respective of historic and permanent high-rise buildings were developed on a block-by-block basis.

Westside Cities Transportation Planning – CA
For six years, Mr. Meyer served as Project Manager for transportation policy analysis for the Cities of Beverly Hills, Culver City, Santa Monica and West Hollywood, providing input to regional policy documents, developing traffic impact study guidelines, pedestrian safety tool box, taxi licensing program, and other focused studies.

Community Plan Updates – CA
Mr. Meyer served as Project Manager for the preparation of a transportation improvement and mitigation programs (TIMP) to accommodate future build out of the Wilshire Community Plan Area, the Hollywood Community Plan Area, Silverlake Community Plan Area and Central City (Downtown Los Angeles) area.

San Fernando Valley North-South Transit Corridor Major Investment Study – San Fernando Valley, CA
Mr. Meyer served as Project Manager for the analysis of north south BRT alternatives, which will connect to the Ventura Rapid Bus and east-west transit way. Alternatives include use of a railroad right-of-way, mixed flow buses with signal priority, and dedicated peak period bus lanes. Mr. Meyer’s involvement on the project began in 2008 and concluded in 2010.
Mr. Huynh serves as a Senior Engineer for Iteris’ Transportation Systems division and has been with the firm since November 2017. He has over 9 years of experience working in the field of transportation engineering. His expertise includes traffic operations analyses, transportation impact analyses, traffic microsimulations, parking management planning, rail planning, complex spreadsheet and dataset analyses, cost estimation, and benefit-cost analyses. Mr. Huynh’s software experience includes VISSIM, Synchro, SimTraffic, Traxxf, ArcGIS, HCS, Adobe Creative Suite, Microsoft Office and AutoCAD.

**Project Experience**

**Crenshaw Light Rail Transit (LRT) Grade Separation at Centinela Avenue, Los Angeles County Metropolitan Transportation Authority (Metro) – City of Inglewood, CA**

Mr. Huynh served as the primary simulation modeler and traffic engineer for the study. He re-calibrated existing conditions, developed preemption signal timing parameters in VISSIM, conducted alternatives analysis for queues and delays at the grade crossing, and prepared videos for use in stakeholder meetings. Iteris prepared a Grade Crossing Traffic Analysis for the Centinela Avenue crossing of the future Metro Crenshaw LRT Line in the City of Inglewood. As part of the analysis, Iteris prepared a VISSIM microsimulation to evaluate the impact of the at-grade train crossing on intersection operations in the study area. The existing VISSIM network was calibrated to current peak hour queue lengths and a calibration/validation report was provided to Metro. The microsimulation included existing and future year traffic volumes, assessing weekday and weekend peak hours. Future year traffic conditions include recently updated future development projects within the City of Inglewood, including the Hollywood Park Commercial and Entertainment Complex (NFL stadium) project. Based on the analysis results, a determination of at-grade crossing feasibility was provided using Metro’s Grade Crossing Policy for LRT. The project began in August 2017 and completed in April 2018.

**On-Call Transportation Engineering Services – City of Buena Park, CA**

Mr. Huynh provided traffic engineering support for various transportation engineering functions for the City of Buena Park’s Public Works Department. In July 2015, the City initiated a new approach to managing transportation issues, and determined that future transportation engineering services would be more efficiently provided by consultants rather than City staff. Iteris currently provides on-site staffing four days per week, functioning as an extension of City staff and participated in interdepartmental meetings on new developments and initiatives. Iteris staff also reviewed plans for new developments and temporary construction closures, represented the City at County-level meetings, coordinated maintenance responsibilities with the City’s traffic signal maintenance contractor, and addressed traffic inquiries from City...
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TED HUYNH, PE, TE
Task Lead

Councilmembers and residents. Furthermore, Iteris staff provided training and education to City staff so they can be well-versed in the full capabilities of the City’s TMC and signal system. Iteris staff also attended City Council and Transportation Commission meetings on behalf of the City, speaking to projects and specific items under consideration. Last, Iteris staff prepared and submitted a grant application for the Caltrans Active Transportation Plan (ATP) Cycle 3 call for projects for a Safe Routes to School (SR2S) project. As part of this application, improvements to pedestrian facilities around elementary schools and school bus stops were researched and identified. The project provided improved pedestrian facilities and improved infrastructure around schools and bus stops to reduce pedestrian/vehicle conflicts, as well as enhance pedestrian safety, mobility, and access. The grant application was selected by OCTA for funding via the County’s Measure M sales tax measure, and Iteris worked with the City to fast-track funding and completion. The project began in December 2015 and completed in December 2018.

Metro I-10/I-110 Express Lanes Microsimulation – Los Angeles, CA
Mr. Huynh was the primary traffic engineer, modeler, and task lead for the microsimulation and data collection efforts for the fast-paced ExpressLanes to HOT lane microsimulation analysis for two major corridors within Los Angeles County. Ted was primarily responsible for delivering fully calibrated AM and PM peak period VISSIM microsimulation models for the 15-mile I-10 corridor, to test the effect of converting current ExpressLanes facilities into fully tolled facilities for all private vehicles. The models were then tested under the policy change scenario; Ted then compiled results, statistics, and documented the model runs and process. The project began in May 2018 and completed in December 2018.

Metro Orange Line (MOL) Environmental Clearance, Los Angeles County Metropolitan Transportation Authority (Metro) – Los Angeles, CA
Mr. Huynh served as a Senior Engineer and reviewed the existing VISSIM model, including signal operations and vehicle behaviors, and helped to recalibrate the model, as well as prepare a calibration and results memorandum for the project. He then prepared the project VISSIM model, which included complex preemption parameters, revised geometrics, and updated signal timing. Iteris staff updated and expanded the traffic simulation model previously developed for the MOL Grade Separation Feasibility Study, which had served as the traffic analysis tool for comparing improvement alternatives along the MOL. The model network contains approximately 50 signalized intersections, including the busway priority signals and signalized intersections on parallel roadways. The project began in November 2017 and is still ongoing.

On-Call Transportation Support - Port of Long Beach, Long Beach, CA
Mr. Huynh served as the Primary Engineer and Simulation Modeler responsible for corridor analysis along the Pico Avenue study area. The Port of Long Beach has asked Iteris to provide traffic engineering services involving a study of travel times, queuing, and intersection LOS performance for the Pico Avenue corridor while construction of the new Gerald Desmond bridge is ongoing. For the project the Port is removing and rebuilding multiple connectors and roadways, all of which alter traffic and circulation patterns in the area. This project began in March 2018 and completed in September 2018.

US-101 NB Auxiliary Lanes and NB/SB Ramp Metering PSR-PDS – City of Camarillo, CA
Mr. Huynh is serving as the Project Manager and Primary Engineer responsible for public meeting materials, an initial work plan, an HCM and safety analysis, and overall preparation of a Caltrans Traffic Engineering Performance Assessment (TEPA). The City of Camarillo, in coordination with Caltrans, is proposing to construct new northbound auxiliary lanes along US 101 in order to enhance safety and improve traffic operations in the area. This project began in December 2017 and will complete in December 2018.
Mr. Greenway serves as a Senior Manager for Iteris’ Transportation Systems division and has been with the firm since September 2018. Mr. Greenway has over 10 years of progressive responsibility and experience in land use, transportation, environmental, and regional planning in both public and private sectors, has extensive experience leading staff and large multidisciplinary teams responsible for development, implementation, and delivery of over 50 complex infrastructure projects and programs ranging in cost between $20 million and $2 billion. Mr. Greenway specializes in project and program management and overseeing preparation of environmental documents for large scale transportation infrastructure projects. He has worked on various types of transportation projects and in varying capacities, including highway and transit corridor expansions, station area planning, bus rapid transit, light-rail transit maintenance facilities, transit oriented development, pedestrian and bicycle roadway improvements, high-speed rail, ridership forecasting, and public outreach and stakeholder engagement. Mr. Greenway is known for his ability to think regionally and take a “big picture” approach to planning. He is strategic, communicates effectively both written and orally, and able to successfully work with teams, internal/external agencies and the public, manage contractors, contracts, budgets and schedules.

Project Experience

Central Valley Wye Study, California High Speed Rail Authority (CHSRA) – Merced to Fresno, CA
Mr. Greenway served as Environmental Task Manager for the Merced to Fresno Project Section: Central Valley Wye Draft Supplemental Environmental Impact Report/Environmental Impact Statement (EIR/EIS), which evaluates four build alternatives between 51-53 miles in length and the No Build alternative. This project required FRA and the Authority to prepare a joint environmental document under CEQA and NEPA. Mr. Greenway oversaw the environmental processes, documents, and permits for the delivery of the Authority’s environmental program on this project. He also managed the environmental component of the project section for all environmental clearance documents and processes, ensured timely and quality preparation of NEPA/CEQA environmental documents, provided direction to consultants regarding Authority standards and expectations, and coordinated with other Environmental Managers to provide consistency between project sections. All documents were required to comply with CHSRA standards, procedures, and methodologies. This project also required meetings with other agencies, including the U.S. Environmental Protection Agency, U.S. Army Corps of Engineers, U.S. Bureau of Reclamation, and the Surface Transportation Board for consultation purposes. This project began in 2016 and completed in 2018.
Ryan Greenway
Task Lead

Local Generated Alternative (F-B LGA), Central Valley Wye Study, California High Speed Rail Authority (CHSRA) – Fresno to Bakersfield, CA
Mr. Greenway served as Deputy Project Manager for the preparation of the environmental documents. This project required the coordination with multiple agencies and team members, including CHSRA, Federal Railroad Administration (FRA), legal counsel, and regional teams. Mr. Greenway was responsible for conducting initial reviews of regional team’s work for quality and consistency with CHSRA’s adopted environmental methods, style, standards, and guidelines. Mr. Greenway conducted technical analysis, research, author technical memorandums, and provided project management services and program level support as well as environmental compliance for construction and right-of-way activity. Projects began in 2016 and completed in 2018.

East San Fernando Valley Transit Corridor Project, Los Angeles Metro – East San Fernando Valley, CA
Mr. Greenway served as Project Manager for the Administrative Draft EIR/EIS process. Mr. Greenway reviewed and provided comments and recommendations on engineering/urban design drawings and environmental reports/chapters, prepared technical reports and graphics for use in the Draft EIR/EIS. He also conducted research, site visits, field work, statistical analysis, and provided technical expertise and recommendations for bus and rail development, engineering/urban design drawings, and environmental reports/chapters. Lead major outreach efforts presenting to elected offices, community/neighborhood groups and other stakeholders. Coordinated with internal business groups, and local, state, and federal agencies on the Draft EIR/EIS. Managed contractors, scopes of works, Request for Proposals (RFPs), conducted cost estimates, and managed the procurement process to negotiate and execute a signed contract with selected contractor.

High Desert Corridor Project, Los Angeles Metro - Los Angeles County, San Bernardino County, and cities of Palmdale, Lancaster, Adelanto, Victorville and the Town of Apple Valley, CA
Mr. Greenway managed the early stages of the project development process and initial study concept. Coordinated with agencies, wrote scopes of work, Request for Proposals (RFPs), conducted cost estimates, and managed the procurement process to negotiate and execute a signed contract with selected contractor.

Eastside Transit Corridor Phase 2, Los Angeles Metro – East Los Angeles, City of Los Angeles, Montebello, Whittier, Santa Fe Springs and Pico Rivera, CA
Mr. Greenway provided technical expertise for the evaluation of two Light Rail Transit (LRT) alignment alternatives, support for public outreach and stakeholder engagement, and addressed comment received from Cooperating and Participating Agencies on the Draft EIS/EIR. This project began in 2015 and completed in 2016.

High Desert Corridor Project, Los Angeles Metro - Los Angeles County, San Bernardino County, and cities of Palmdale, Lancaster, Adelanto, Victorville and the Town of Apple Valley, CA
Mr. Greenway managed the early stages of the project development process and initial study concept. Coordinated with agencies, wrote scopes of work, Request for Proposals (RFPs), conducted cost estimates, and managed the procurement process to negotiate and execute a signed contract with selected contractor.

East San Fernando Valley Transit Corridor Alternative Analysis (AA), Los Angeles Metro – City of Los Angeles, City of San Fernando, CA
Mr. Greenway served as Project Manager for the evaluation of the East San Fernando Valley Transit Corridor AA. The AA evaluated 26 build alternatives plus Transportation Systems Management (TSM) and No-Build Alternatives. Route segments were also evaluated to determine feasible alignments in the study area. Mr. Greenway reviewed and provided comments and recommendations on engineering/urban design drawings and environmental reports/chapters, prepared technical reports and graphics, conducted quality reviews of the evaluation criteria and supporting documentation, conducted research, site visits, field work, statistical analysis, and provided technical expertise and recommendations for bus and rail development, engineering/urban design drawings, and environmental reports/chapters. Lead major outreach efforts presenting to elected offices, community/neighborhood groups and other stakeholders. This project began in 2010 and completed in 2013.
Mr. Ramirez serves as a Senior Engineer of Iteris’ Transportation Systems division and has been with the firm since August 2007. He has over ten and a half years of experience with a background in Intelligent Transportation Systems (ITS) Design and Traffic Engineering, and has served as Project Engineer on numerous ITS, Transit Signal Priority (TSP), and traffic engineering projects. Mr. Ramirez’ design experience includes wireless communication systems, fiber optic communication systems, Wireless Vehicle Detection Systems, Video Detection Systems (VDS), Closed-Circuit Television (CCTV) cameras, Dynamic Message Signs (DMS), signing and striping, traffic control, stage construction, neighborhood traffic management, and operations of other ITS elements. He has worked with multiple agencies including Caltrans, LADOT, Minnesota DOT, Utah DOT, Kansas DOT, Texas DOT, and Missouri DOT, and is familiar with their CAD standards and standard plans. Mr. Ramirez’s software knowledge includes MicroStation, CADConform, AutoCAD, Synchro, and Tru-Traffic.

Project Experience

I-405 Design-Build Improvement Project, Orange County Transportation Authority (OCTA) – Orange County, CA
Mr. Ramirez is serving as a Project Engineer for Iteris, acting as a subconsultant of a multidisciplinary design and construction team, on this $1.2 billion dollar design build project in Orange County California. The project will improve 16 miles of the I-405 between the SR-73 freeway in Costa Mesa and the I-605 near the Los Angeles County line. The project includes adding one regular lane in each direction from Euclid Street to I-605, making improvements to freeway entrances, exits and bridges, and will also implement Express Lanes that expands the existing HOV lane from one lane to two lanes in each direction from SR-73 to I-605. Iteris is responsible for the design of the Caltrans ITS field infrastructure, temporary ITS field infrastructure supporting maintenance of traffic during construction, toll system infrastructure and coordination, street lighting, agency traffic signal improvements along the corridor and development of the project Traffic Management Plan. Mr. Ramirez is responsible for preparing ETTM & signal plans. The project began in February 2017 and is ongoing.

Traffic Signal Modifications for Hawthorne Boulevard and Highridge Boulevard Road – City of Hawthorne, CA
Mr. Ramirez is serving as a Project Manager responsible for coordinating field work and review of Plans, Specifications and Estimates (PS&E). Traffic Signal Modification Plans for Hawthorne Boulevard and Highridge Road under an on-call agreement. The project began in October 2017 and is scheduled to be completed July 2018.

Harbor Boulevard Traffic Signal Synchronization (TSS) Project – City of Santa Ana, CA
Mr. Ramirez serves as Task Lead for the construction management tasks along the Harbor Boulevard corridor for the cities of Garden Grove and Costa Mesa, which included close coordination with the lead agency, Santa Ana. The project began in June 2015 with an anticipated completion
BRAULIO RAMIREZ, PE  
Project Engineer

date of April 2018 for which a 2-year Operations and Maintenance (O&M) period will commence.

Traffic Consulting Engineer Plan Checking Services, Orange County Public Works – Orange County, CA  
Mr. Ramirez is serving as a Project Engineer as part of a multidisciplinary team and providing plan checking services to the County of Orange. Iteris is serving as a consultant to Orange County Public Works to provide on-site plan checking services related to traffic engineering for the new Ranch development in South Orange County. Iteris staff provides technical reviews of the plans for conformance to County, Caltrans, MUTCD, and the Ranch development standards. The project began in January 2017 and completed in January 2018.

Bristol Street Traffic Signal Synchronization Project (TSSP), Orange County Transportation Authority (OCTA) – Orange County, CA  
As Project Manager, Mr. Ramirez’ responsibility will be to ensure all project stakeholders are receiving the equipment and signal timing improvement requested for this project. This OCTA-led project consists of 45 study intersections along the eight-mile stretch of Bristol Street in the cities of Santa Ana, Costa Mesa, and Newport Beach. Mr. Ramirez will coordinate with his team to provide necessary ITS improvements (e.g. controller, Ethernet switches, communication, Bluetooth travel time devices, detection, etc.). These improvements will feed into the ultimate goal of the project, which is regional synchronization. The project began in July 2016 and expected to be completed in April 2018 for which a 2-year Operations and Maintenance (O&M) period will commence.

Hamner Avenue Traffic Signal Synchronization Project (TSSP) – City of Eastvale, CA  
Mr. Ramirez is serving as the Lead Engineer to provide traffic/ITS design services for the City of Eastvale as part of Iteris’ on-call traffic signal operations contract. The project involves the design of new fiber-optic communications systems along 6 intersections of Hamner Avenue, as well as the upgrade of Video Detection Systems (VDS) at two intersections. In addition to the traffic signal infrastructure improvements, Iteris is also developing signal coordination plans for AM, Mid-Day, and PM peak hours for all project traffic signals along the corridor. The project began in June 2014 and completed June 2016.

Katella Avenue Traffic Light Synchronization Project (TLSP) – Orange County, CA  
Mr. Ramirez served as Project Engineer to design and implement traffic signal synchronization and equipment upgrades for 68 traffic signals along 13-mile section of Katella Avenue from I-605 to Cannon Street. A total of nine agencies were involved, including: Cities of Los Alamitos, Stanton, Cypress, Garden Grove, Anaheim, Orange, Villa Park, County of Orange, and Caltrans. Besides providing optimized and synchronized timings during the AM, mid-day, PM and weekend peak periods to improve traffic flow and safety, the project also provided equipment upgrades, including new controllers and cabinets, Encom 5.8 GHz Ethernet wireless communications between Tustin Street and Wanda Road in Orange, and various GPS units for time-based coordination. The project began in July 2011 and completed in June 2012.

Countywide Metro Rapid Signal Priority Expansion Phase 2 Project, Los Angeles County Metropolitan Transportation Authority (Metro) – Los Angeles, CA  
Mr. Ramirez served as Project Engineer assisting with the design, deployment, ongoing operations and maintenance of bus traffic signal priority systems at signalized intersections maintained by 26 local agencies along two Metro Rapid corridors: Garvey Boulevard and Atlantic Boulevard in Los Angeles County. The wireless communication system includes both Cisco and Encom radios which are designed to communicate with the onboard Bus Rapid Transit (BRT) computer. Project responsibilities include coordination with local agencies, line of sight surveys, preparation of design plans, equipment configuration, installation of intersection traffic signal priority systems, and acceptance testing. This project began in September 2008 and is currently in the Operations and Maintenance (O&M) phase.
Ms. Chandrasekhar serves as an Engineer for Iteris’ Transportation Systems division and has been with the firm since February 2014. She has ten years of experience as a transportation engineer. She has participated in and provided support for the development of traffic impact analyses, corridor operational analyses, traffic signal designs, illumination design, temporary/ permanent traffic control plans, crash analyses, and parking studies. In addition, she has also provided data collection and analysis support for the development of transportation simulation models. She is proficient with MicroStation, AutoCAD, VISSIM, Synchro, Sidra and Highway Capacity Software applications. In addition, she has working knowledge of CORSIM, TransModeler, Maptitude, ArcGIS, TransCAD and CUBE applications.

Project Experience

Iteris is providing transportation engineering support for the preparation of a Project Study Report (PSR/PDS) for Caltrans’ consideration for the US-101 Corridor Segment 4 near Universal Studios in Los Angeles. Ms. Chandrasekhar is responsible for evaluating and establishing existing traffic conditions to serve as a baseline for future year (2045) traffic forecasts. The traffic analysis includes evaluation of mainline segments; merge, diverge and weaving areas, and 20 ramp termini/intersections. Ms. Chandrasekhar used Iteris’ proprietary iPeMS system to assess weekday freeway speed conditions to provide for more informed decision making for concept development. Iteris will prepare a TEPA for the project. In addition, Ms. Chandrasekhar assisted in evaluating over 25 alternatives for the new on-ramp to southbound US-101 from the Universal Studios Boulevard overpass to provide a direct connection to the freeway for traffic exiting NBC Universal’s development. Many of the alternatives were previously developed by NBC Universal, and Iteris had been hired to review all previous alternatives and identify potential new alternatives, in order to address community concerns regarding freeway access and neighborhood circulation concerns. The project began in January 2016 and is ongoing.

California State University Long Beach (CSULB) Access Improvement Study – Long Beach, CA
CSULB required recommendations for access improvements at a proposed drop-off location on West Campus Drive on campus. The issues to be addressed included traffic operations and circulation at the proposed drop-off area. Ms. Chandrasekhar served as a Transportation Planner and assisted in reviewing the conceptual plans for the site and providing recommendations based on standard engineering codes and practices. She also prepared a conceptual drawing to communicate the recommendations which included modifications to the drop-off location access and installation of traffic control and signage.
The recommendations were developed to facilitate ease in ingress and egress operations of vehicles using the drop-off location. The project began in March 2015 and completed in April 2015.

On-Call Transportation Engineering Services – City of Buena Park, CA
Ms. Chandrasekhar currently serves as the on-call traffic engineer for the City of Buena Park. In this capacity, Ms. Chandrasekhar supports the City Staff in the completion of all transportation engineering functions within the City’s Public Works Department. Ms. Chandrasekhar is present at City Hall one day per week, providing as-needed services to support City services in the Public Works, Planning, and Police Departments. Ms. Chandrasekhar supports in the review of new development plans, the completion of new traffic signal installations or signal upgrades, and the response to citizen inquiries regarding traffic safety conditions. As a part of this assignment, Ms. Chandrasekhar supported a complete review of the City’s current Engineering and Traffic Study which established speed limits citywide, and led an application for the Caltrans Active Transportation Plan (ATP) Cycle 3 call for projects for a Safe Routes to School (SR2TS) project. The grant application has been selected by the Orange County Transportation Authority (OCTA) for funding via the County’s Measure M sales tax measure, and Iteris is working with the City to fast-track funding and completion. The project began in December 2015 and is ongoing.

SR-60/I-605 PSR-PDS – Los Angeles County, CA
Iteris served as the lead traffic firm for Project study report (PSR-PDS) Traffic Engineering Performance Assessment (TEPA) efforts for the SR-60/I-605 interchange project. The project improvement limits include the I-605 segment from south of the Rose Hills Road interchange to the I-10 interchange and along SR-60 from Santa Anita Avenue to east of Turnbull Canyon Road. Ms. Chandrasekhar led the assessment of freeway and intersection operations, conducted safety analysis and assisted in writing the TEPA documentation. Ms. Chandrasekhar used the projected traffic volumes to assess freeway mainline, weave and merge/ diverge sections using Highway Capacity Manual (HCM) methods, and also performed intersection capacity analysis at ramp termini intersections. Special studies related to the east/west freight corridor proposals were also conducted along with studies of the effects of the Gold Line Eastern extension. Ms. Chandrasekhar worked with Caltrans to obtain TASAS crash tables and data and used that data to assess historical crash rates. Using all of this information, Ms. Chandrasekhar drafted the TEPA documentation and prepared the traffic section of the PSR-PDS document for Metro and Caltrans review and comment. The project began in May 2014 and completed in December 2015.

California State University Long Beach (CSULB) Pedestrian Crossing Study – Long Beach, CA
CSULB required recommendations for pedestrian crossing improvements at four locations on campus. The issues to be addressed included pedestrian and vehicle observation and compliance with a newly installed signal at Beach Dr Pedestrian Crossing, safety concerns at West Campus Pedestrian Crossing, a stop sign installation at East Campus Dr Pedestrian Crossing, and addition of new crossing on State University Dr. Ms. Chandrasekhar served as a Transportation Planner conducting field reconnaissance, observe operations, and study locations plan review. She also conducted research into best practices for pedestrian crossing treatments as followed at similar sites and in particular at universities and other areas with heavy pedestrian movements. She provided recommendations adhering to engineering standards to address issues and deficiencies as identified in the system. The project began in May 2014 and completed in June 2014.

Rapid Transit Cotton Belt Extension – Dallas-Fort Worth International Airport to Plano, TX
Ms. Chandrasekhar served as a Transportation Analyst and was responsible for performing/reviewing traffic grade separation analysis for 46 roadway at-grade crossings on a 22 miles stretch of proposed Cotton Belt Regional Rail line, and evaluating the traffic impacts of 12 proposed stations located along the rail corridor. The proposed regional rail alignment extended between Dallas-Fort Worth International Airport and the Dallas Area Rapid Transit (DART) Red Line in the Plano/ Richardson area of Texas. The project began in February 2013 and completed in September 2013.
Mr. Lindberg has served as an Assistant Transportation Engineer in Iteris’ Mobility Services division since May of 2017. Mr. Lindberg has over three years of professional experience in urban planning, research, and data analysis. His prior work has involved drafting plans and policy reports, performing spatial analysis, and conducting research abroad in both South Africa and Italy. He has technical proficiency in ArcGIS and background in HTML programming and Synchro, among other software.

**Project Experience**

**OCTA Vehicle-to-Infrastructure State of the Practice Review – Orange County, CA**
Mr. Lindberg served as research analyst on this study that developed a comprehensive approach to assess connected vehicle (CV) applications in terms of their availability, maturity, functionality and cost. The study concluded with recommending roles that the Authority should adopt in supporting the deployment of V2I technologies, bearing in mind the Authority’s charge as a planning and funding agency for streets and highways. A further consideration for this study involves an emphasis on those CV applications which may be incorporated into the Authority’s signal synchronization program. Specifically, the Measure M2 Project P Regional Traffic Signal Synchronization Program is to provide funding and assistance to implement multi-agency signal synchronization. The program target is to regularly coordinate signals for 2,000 intersections along 750 miles of roadway to enhance the efficiency of the street grid and reduce travel delay. This project began in May 2017 and was completed in November 2017.

**Last-Mile Freight Delivery Study, Southern California Association of Governments (SCAG) – Los Angeles, CA**
Iteris was contracted by SCAG to provide an examination of urban delivery operations at key locations throughout the City of Los Angeles—specifically identifying current conditions as experienced by both last-mile delivery providers and shipment receivers to understand the larger community impacts. Mr. Lindberg serves as research analyst responsible for review of literature and compilation of best practices in freight delivery management and operations; spatial analysis of freight activity in the City of Los Angeles, determining hot spots that would serve as case study locations; analyzing and visualizing curb activity at case study locations; attending PAC meetings and contributing toward report(s). The project began in April 2017 and is ongoing.

**Riverside County Transportation Commission (RCTC) Long Range Transportation Plan – Riverside County, CA**
Mr. Lindberg served as research analyst on the preparation of RCTC’s first Long Range Transportation Plan (LRTP). As part of this planning process, Iteris is assisting with the development of the LRTP vision and goals, defining existing and future transportation conditions and developing transportation issues and strategies for investments to address those issues. Mr. Lindberg has been responsible for compilation and evaluation of

**EDUCATION**

- MPL, Urban and Regional Planning, University of Southern California (USC), CA, 2017
- BA, Geography and Urban Studies, University of Miami, FL, 2014

**YEARS OF EXPERIENCE**

3

**CORE COMPETENCIES**

- Urban and Transportation Planning and Policy
- Research and Analysis
- Geographic Information Systems (GIS)
transportation projects in Riverside County based on their financial status; conducted spatial analysis of these projects and generated maps for the “Existing Conditions” report. The project began in July 2017 and is ongoing.

Beverly Hills Complete Streets Plan – City of Beverly Hills, CA
Mr. Lindberg served as research analyst on this project to develop the City’s Complete Streets Plan. The Plan will define and provide guiding policy that will prioritize mobility elements and propose implementation phases for Complete Streets elements. The Complete Streets Plan would be designed to accommodate all modes of transportation, and also address emerging technologies and transportation trends (e.g., autonomous vehicles, new light rail). Mr. Lindberg has been responsible for background research and spatial analysis ultimately leading to production of Existing Conditions report and associated graphics. The project began in October 2017 and completed in October 2018.

Beverly Hills On-Call Traffic Consulting Services – Beverly Hills, CA
Iteris is currently providing the City of Beverly Hills with Traffic Consulting Services on an on-call/as-needed basis. Iteris has provided a variety of traffic-related services including traffic studies, travel demand forecasting, signal timing recommendations, and peer reviews of reports prepared by other consultants. Mr. Lindberg has served as assistant project engineer responsible for conducting an evaluation of traffic control devices and safety issues for a segment of the Wilshire Boulevard corridor in Beverly Hills; compiled data on collisions, speed surveys, and other background information to produce maps and a memorandum for the City. Mr. Lindberg has also conducted inventory of traffic signal, streetlight, and signage infrastructure for the City, and reviewed and consolidated collision reports for them as part of those services. The on-call began in June 2015 and is ongoing.

Buena Park On-Call Transportation Engineering – City of Buena Park, CA
Iteris currently provides on-call transportation engineering services to the City of Buena Park. Iteris staff provide on-site staffing two days per week, review plans for new developments and temporary construction closures, represent the City at County-level meetings, coordinate maintenance responsibilities, and address traffic inquiries from City Councilmembers and residents. Mr. Lindberg served as research analyst responsible for researching transportation elements for consideration of addition to the City of Buena Park’s Municipal Code, with an emphasis on traffic speed control devices. Mr. Lindberg’s involvement in the project began in October 2017 to December 2017.

Camarillo Auxiliary Lane TIF and Model Update – City of Camarillo, CA
Mr. Lindberg served as assistant project engineer responsible for deriving freeway mainline and ramp counts and conducting LOS analysis on a stretch of US-101 in Camarillo. Mr. Lindberg’s involvement in the project began in January 2018 and completed in March 2018.

of projects undergoing development in Downtown Miami to serve as a resource for businesses and decision-makers. The application is readily updated and available at: miamidda.com/map/index.html
EDUCATION
B.S., 1980, Civil Engineering, Oregon State University
M.B.A., 1988, University of California, Irvine

PROFESSIONAL DATA
Registered Professional Engineer in California (#38798 – 1984, exp. 03/31/19)
Qualified SWPPP Developer & Practitioner in California (#23572 – 2012, exp. 10/06/20)

PROFESSIONAL AFFILIATIONS
Women’s Transportation Seminar – OC Board Member 2001-12
American Society of Civil Engineers – Fellow
American Public Works Association – Director at Large 2016-19
Institute of Transportation Engineers – Fellow

EXPERIENCE OVERVIEW
Marie Marston, P.E., principal and president of Civil Works Engineers, Inc., has over 35 years of professional civil engineering experience. Her background includes general infrastructure and public works improvement projects such as transportation including streets and freeways, site improvements for commercial and public facilities, hydrology and storm drains, water distribution, right-of-way engineering, marine, utility modifications, grading, retaining walls, as well as providing funding applications assistance. Her experience covers projects from inception to completion including project and program management, planning, design, and construction. She has experience in working with both the public and private sector including cities, counties, state agencies, federal agencies, school districts, universities, developers, and architects/engineers. She is accustomed to working on projects involving several jurisdictions therefore, requiring extensive coordination among the project team with multiple agencies, utility companies, and other project stakeholders.

REPRESENTATIVE PROJECTS

Irvine Business Complex Traffic and Nexus Study, Iteris, City of Irvine. Civil Manager. CWE assisted Iteris with the civil engineering portion of the preparation of the traffic and nexus fee study for the City of Irvine. The civil portion of the project involved the development of concept plans and cost estimates at 20 intersections and 3 arterial locations requiring traffic mitigation measures identified within the traffic study analyzing the scenarios of with and without the SR-55 Alton Avenue overcrossing and the Red Hill widening. We assisted Iteris with the preparation of the final report.

Jamboree Road / Main Street Intersection Improvements, City of Irvine. Principal in Charge. Project involved preparation of a Project Report and Environmental Documents to widen Jamboree Road at the Main Street intersection. Improvements included adding a fifth northbound and southbound through lane on Jamboree Road, removing the free right turns on Main Street, and installing controlled dual right turns. Widening will impact adjacent commercial, residential and hotel properties plus an OCFCD drainage channel. Right of way acquisition and modifications to the private property improvements were also required. Coordinated with Caltrans District 12 with respect to the proximity of the intersection to the northbound I-405 ramps at Jamboree Road.

Traffic Reclassification Study for Santiago Canyon Road, Jeffrey Road Extension and Black Star Canyon Road, County of Orange. Project Manager. The County of Orange desired to amend the County’s Master Plan of Arterial Highways (MPAH) to reclassify a portion of Santiago Canyon Road, delete the proposed Jeffrey Road Extension from SR-241 to Santiago Canyon Road, and delete the Black Star Canyon Road from Silverado Canyon Road to the Orange/Riverside county line. To make these amendments required the preparation of a traffic study to evaluate current traffic conditions for these roads and compare current designations to proposed MPAH Amendment for 2040 traffic conditions. The project involved coordination with numerous cities including Irvine, Orange, Lake Forest, and Tustin as well as Caltrans ad OCTA. Two separate analyses were performed 1) a focused analysis for purposes of identifying the localized impacts of the MPAH downgrades on the adjacent roadway system and 2) a wider study area requested by the City of Irvine to ATTACHMENT 2 - 52
determine potential impacts within the North Irvine Transportation Mitigation (NITM) program area. MPAH analysis was prepared for existing year 2016 and cumulative year 2040. Intersection level of service analysis was performed for 33 intersections. Arterial roadway level of service analysis was performed for 382 arterial roadway segments. Identified mitigation measures for the intersection were determined along with concept sketches and cost estimates prepared.

**Great Street Project 2017-18, City of San Gabriel. Principal in Charge / QA/AC Manager.** Provided pavement rehabilitation and reconstruction design services for 18 streets (3.6 miles) within the City. The 18 streets are located primarily in residential and commercial areas of the city. Since most of 18 streets haven’t been rehabilitated for more than 20 years, the existing roadway exhibits signs of various asphalt distress including block, transverse, longitudinal, map, and alligator cracking. The project included pavement rehabilitation, field review, surveying, geotechnical investigations, pavement analysis, geotechnical report, pre-design report, ADA ramp reconstruction, sidewalk reconstruction, striping, final PS&E, bidding document preparation, and construction support.

**I-710 / I-5 Northeast Quadrant Two Connectors PSR-PDS,** KOA, Metro. **Deputy Project Manager.** Preparing a Project Study Report (Project Development Support) (PSR-PDS) document for two of the connectors at the I-710/I-5 interchange. The two connectors included the northbound I-5 to the northbound I-710 and the southbound I-710 to the southbound I-5. The other two connectors were part of the I-710 Freight Corridor study. The purpose of the project was to determine if a standard configuration could be achieved for these two existing left-hand connectors as federal policy is to have right-hand connectors. Significant study was previously made in the entire area and was incorporated into this study, consisting of the Metro I-710 Freight Corridor Study segments 1-7, the Caltrans I-5 HOV design, the East-West Freight Corridor study by Metro and City of Industry, the Strategic Transportation Plan, and previous interchange configuration changes at I-5/Eastern Avenue/Atlantic Boulevard. The site is physically constrained by numerous residences along the I-5 and I-710, the cemetery along the west side of I-710, the proximity of SR-60 to the north, and a sports park along I-5.

**SR-91 - Tustin Avenue to SR-55 Auxiliary Lane Addition,** Orange County Transportation Authority, Caltrans District 12, City of Anaheim. **Project Manager.** Prepared Project Study Report for three alternatives examining a potential auxiliary lane addition from the northbound to westbound SR-55 to SR-91 connector to the westbound Tustin Avenue off-ramp. Project involved the examination of Riverdale Avenue overcrossing replacement, Santa Ana River bridge widening, and Tustin Avenue overcrossing replacement. Also examined a potential “braided” grade separated solution between the connector and the off-ramp. Project components included traffic analysis and forecasting, fact sheets to document non-standard design features, structural advance planning studies, preliminary geotechnical assessment, review of the river freeboard, initial site assessment, storm water data report, utility review, right of way review / data sheet, and preparation of the PSR.

**US-101 / California Street Northbound Off-Ramp,** City of San Buenaventura, Caltrans District 7. **Project Manager.** Preparation of Project Report for relocation of off-ramp terminus from California Street to Oak Street. Involved geometric study of existing overcrossing extension / tunnel to provide for off-ramp beneath it or complete replacement. The grade of the overcrossing was fixed on the south side due to the nearby railroad at-grade track. Project included structure review, initial site assessment, traffic projections, right-of-way and structural considerations (building) for adjacent commercial businesses impacted by the relocated off-ramp, drainage impacts, and coordination with Caltrans for their completion of the environmental document.

**Portola Parkway Improvements at SR-241,** City of Lake Forest. **Principal in Charge.** Improvements included the widening of the existing roadway and rehabilitation of center medians to provide irrigation and landscaping between El Toro Road and SR-241. This street widening connected the existing southbound right turn lane at Rancho Parkway with the SR-241 off-ramp and allowed for the addition of a third southbound lane on Portola Parkway through the SR-241 interchange. Median improvements included removal of existing median paving and installation of new irrigation and landscaping. As the prime consultant, Civil Works prepared the civil engineering and project management for the project including the street improvements, utility coordination and improvements, and coordination with the landscape architect. Improvements also required review and approval from Caltrans District 12 which included preparation and processing of a Fact Sheet for exception to design standards to maintain existing non-standard left and right shoulder widths and nonstandard through lanes through the SR-241 interchange.
EDUCATION & PROFESSIONAL REGISTRATION
B.S., 1979, Civil Engineering, University of California, Irvine
Registered Professional Engineer in California (#34277, 1982, expires 9/30/2017)
Qualified SWPPP Developer & Practitioner (#25572, 2015, expires 7/21/2017)

EXPERIENCE OVERVIEW
Ms. Allee has over 15 years of professional civil engineering experience in public works including
street improvements and utilities, hydrology, hydraulics, stormwater, floodplain evaluation, water
resources, drainage design, water distribution, right-of-way engineering, utility modifications, and
retaining walls.

REPRESENTATIVE PROJECTS
County of Orange MPAH Traffic Reclassification Study for Santiago Canyon Road, Jeffrey
Road Extension and Black Star Canyon Road, County of Orange. Assisted in report preparation
and cost estimates to document a proposed change to the MPAH to remove widening of SCR and
delete JRE and BCR from the County’s Master Plan of Arterial Highways.

Pacific Coast Highway and Huntington Street Intersection Improvements, Caltrans 12. Project
Engineer. Prepared final design to upgrade the pedestrian facilities to the current ADA
standards. Included preparation construction details, signing and striping plans, TMP, pedestrian
detour plans, cost estimate.

I-15 / Cajalco Road Interchange, Jacobs, Caltrans District 8, and City of Corona. QC Engineer for
Drainage. Responsible for the QC of the PS&E for all drainage and stormwater improvements for
the interchange project. Tasks included preparation of a Storm Water Data Report, the Bedford
Wash Bridge Hydraulics Report, hydrology and hydraulic studies, the drainage report, drainage
plans, estimates and specifications.

Pepper Avenue New Interchange at SR-210, SBCTA, City of Rialto, Caltrans District 8. QC
Engineer. Responsible for QA/QC of PS&E Quantity for a new interchange on SR-210 and the
design of a new 1,300-foot extension of Pepper Avenue. The project included development of
gerometrics, an environmental document, fact sheets, surveys, right-of-way engineering, utility
modifications, traffic forecasting and modeling, traffic management plan, three new signals, drainage
and storm water data reports, two new stormwater basins, construction staging, landscape
architecture, geotechnical investigation and study, and retaining walls.

California Street Northbound US-101 Off-Ramp Relocation, City of San Buenaventura, Caltrans
District 7. Support Engineer. Project proposed moving the ramp terminus from California Street to
Oak Street. Prepared geometric study, advance planning study for replacement of existing
overcrossing including an alternative that considers a tunnel to minimize right of way take from an
impacted business. Prepared Project Report. The overcrossing also includes a complex drainage
piping system which must be redesigned through the new overcrossing or to an alternative drainage
system to provide drainage of California Street to the ocean outlet. Also prepared Noise Abatement
Decision Report (NADR) with recommendations on the feasibility and reasonability of three
proposed sound walls.
KATHERINE PADILLA OTANEZ  
Owner/Managing Principal  

kpadilla@katherinepadilla.com

KEY QUALIFICATIONS
Principal of Katherine Padilla and Associates (KPA) for 24 years, Ms. Padilla Otanez is a communications specialist and strategist with expertise in organizational development/systems thinking, facilitation and mediation, marketing research and integrated communications strategy, and community and government relations. Other areas of expertise include global logistics, planning, architecture, and engineering. And KPA is a certified DBE/MBE/WBE/SBE firm. Prior to forming KPA, Ms. Padilla Otanez managed and delivered drafting services for structural engineering and architecture projects, while obtaining her MBA and Bachelor of Science degrees. Other areas of education and expertise include NEPA Policies, Procedures and Practices, UCLA Extension; CEQA Overview and Policies, Association of Environmental Professionals; and Environmental Justice in Land Use Planning, 2-day American Planning Association Workshop.

EDUCATION
Master of Business Administration, California State University, Los Angeles.  
Bachelor of Science, Business Administration, California State University, Los Angeles.

TRAINING
Certified Charrette Planner, Certified Charrette Manager, Certified Public Meeting Facilitator, National Charrette Institute; Trained in Mediation, LA City Attorney’s Office, Dispute Resolution Program; Trained (and experienced) in Project Management and Interpersonal Communication, UCLA Extension; Completed coursework for Global Logistics Specialist®, Professional Certification Program, CA State University Long Beach; Completed training in “The Art of Hosting Conversations that Matter”, Facilitative Techniques, Berkana Institute, Bangor, PA.

REPRESENTATIVE PRIOR PROJECTS INVOLVING COMMUNITY OUTREACH INCLUDE:

• Metro East San Fernando Valley Transit Study (Pre-Scoping Alternative Analysis and EIR). Since 2011, KPA has provided community outreach services for the East San Fernando Valley Transit Corridor Study—from the Alternative Analysis through to the current Environmental Review phase. As principal-in-charge, Ms. Padilla Otanez’s responsibilities include overseeing all tasks and aspects of the Public Participation activities as well as attending appropriate Project Development Team Meetings.

• Antelope Valley Transit Authority Comprehensive Operational Analysis and Ten-Year Plan. As principal-in-charge, Ms. Padilla Otanez developed an outreach plan to conduct a Comprehensive Operational Analysis that led to the development of a Ten-Year Service Plan. KPA also conducted field-based research consisting of one-on-one and small-group interviews at Palmdale and Lancaster Transit Centers. In addition, KPA conducted impromptu bus-based passenger focus groups, and interviewed individuals, college students (on campuses), and students at several transit centers.

• City of LA Glendale-Hyperion Bridge Complex Environmental Review. As principal-in-charge for community outreach and public participation services, Ms. Padilla Otanez partnered with City staff and project team members to complete the environmental review of this historic and complex six-bridge structure connecting Atwater Village and Silverlake.

• Metro Mobility Matrix – San Fernando Valley and Las Virgenes/Malibu Subregion. As a subconsultant to STV, KPA helped the Project Development Teams (Councils of Government Directors and City Planning Department staff) advance the “bottom-up” study approach by identifying promising transportation projects that meet each sub-region’s unique, self-identified goals, objectives, and performance measures and through meeting coordination and facilitation.

• SCAG Safe Routes to School (SRTS) Imperial County Regional Master Plan. As a member of the Transpo Group, Ms. Padilla Otanez supervised the outreach to 18 school districts by holding community workshops, distributing questionnaires, and processing teacher tallies to elicit opinions from students and stakeholders for SRTS plan development.

• Riverside County Transportation Commission (RCTC) Strategic Assessment. Teamed with prime consultant HDR, Ms. Padilla Otanez led the community engagement effort to assess public attitudes and community priorities. KPA planned and facilitated a series of six transportation summits throughout Riverside County and captured substantive opinions from people of all walks of life and summarized its findings in a report.
• **Metro Gold Line Eastside Stations Access Project.** As outreach manager, Ms. Padilla Otanez developed and managed a Community Advisory Committee, provided strategic advice/direction to the project team, developed and implemented a Public Participation Plan, briefed elected officials, directed staff in providing outreach, and interacted with people from all walks of life at community events. In addition, KPA provided creative ideas to engage hard-to-reach residents by developing family-friendly workshops in conjunction with established community festivals.

• **SCAG Pacific Electric West Santa Ana Branch Right-of-Way Alternatives Analysis.** As a subconsultant to AECOM, Ms. Padilla Otanez spearheaded the community engagement program which involved 17 cities and communities in LA and Orange County. She developed the Outreach Plan, and co-conducted interviews of elected officials in each affected jurisdiction. In addition, she, with her staff, planned, organized and helped facilitate community meetings, Technical Advisory Committee meetings, and Steering Committee meetings.

• **Metro Transit Oriented Development Toolkit.** Funded by a Sustainable Communities Planning Grant (from the California Strategic Growth Council), the project sought to produce a countywide climate action and sustainability plan with a core element assessing sustainable TOD land use planning tools, strategies, and best practices. Ms. Padilla Otanez developed a Public Participation Framework for best practices (including messages and strategies) to communicate the benefits of TOD to a broad range of stakeholders.

• **SCAG Norwalk Green Line Extension, Orange County to LAX Connectivity Study.** As a subconsultant to the IBI Group, Ms. Padilla Otanez led the outreach program. That included developing and implementing the Community Outreach Plan, planning community meetings and open houses, producing press releases and social media messages, and attending Project Development Team meetings, all in service of advancing the project.

• **SCAG City of Calexico Downtown Revitalization Plan.** Partnering with the City and the technical team, Ms. Padilla Otanez organized and staffed a Community Advisory Committee, conducted stakeholder interviews, compiles results, and organized and staffed well-attended community workshops. KPA also helped gain community support by working closely with key organizations like the Chamber of Commerce and Calexico Downtown Merchants.

• **SCAG City of Calexico Transit Study.** As a subconsultant to Nelson Nygaard, Ms. Padilla Otanez developed an outreach plan, organized and staffed Technical Advisory Committee meetings, developed an interview guide, and co-conducted stakeholder interviews. KPA also supervised the administration of intercept surveys at Calexico bus stops to gain additional insight into issues surrounding much-needed transit improvements.

• **City of Pasadena Transit Operations and Maintenance Facility.** As a subconsultant of MDG (now HDR), Ms. Padilla Otanez led the public outreach program and oversaw the development and implementation of the outreach plan, including the creation and distribution of meeting materials and the organization, promotion, and staffing of community meetings.
KEY QUALIFICATIONS
With more than 14 years of experience, Ms. Suh serves as a project manager with extensive planning, community outreach, and management experience. Prior to joining KPA, Ms. Suh served as a senior right-of-way agent for Kinder Morgan, analyzing ROW agreements. Before that, she was a senior project analyst for Edison International, managing distribution line projects. As a project manager for the Community Services Department at the City of Anaheim, she supervised contractors and consultants working on construction projects. She also coordinated public relations for the City of Anaheim’s Capital Improvement Projects program. As a project manager for the Los Angeles County Department of Public Works—Landscape Architectural Unit, Ms. Suh monitored and coordinated multiple County projects. A program manager for the Los Angeles County Supervisor’s Earth Day Celebration, she recruited sponsors and integrated multiple agencies. She has also prepared water conservation landscape and construction plans for the Los Angeles River, Sun Valley, and many other projects. As a private sector consultant, Ms. Suh focused on community outreach activities for projects.

EDUCATION
Master of Science, Urban and Regional Planning, California State Polytechnic University, Pomona.
Bachelor of Science, Landscape Architecture, California State Polytechnic University, Pomona.

REPRESENTATIVE KPA PROJECTS INCLUDE:
• City of Los Angeles, South Ventura Blvd Diagonal Parking Study. As an outreach project manager, Ms. Suh interacted with elected officials’ staff, developed an outreach plan, and led outreach efforts including conducting door-to-door outreach to business owners/tenants within the project area to notify them of the project and encourage their attendance at community meetings. She also coordinated stakeholder efforts with other communities and gathered project feedback from involved organizations.

• City of Los Angeles MYFIG Complete Streets. Ms. Suh conduct outreach to businesses via door-to-door canvassing along the Figueroa Corridor, resulting in more than 200 attendees at the community meeting.

• City of Los Angeles Glendale Hyperion Complex of Bridges Seismic Retrofit. Focusing on meeting optimization, Ms. Suh developed an outreach database and calendar of neighborhood meetings and events to make the community aware of important meetings. In addition, she provided critical support of those meetings alone with database management of gathered intelligence.

• Santa Ana Safe Routes to School. As an outreach project manager, Ms. Suh oversaw outreach activities over 30 schools from multiple school districts within the City of Santa Ana boundary. She coordinated and oversaw of scheduling of walk audits and tally sheets over 15 schools. She also developed outreach outline to ensure consistent outreach message and outreach methods.

• Bellflower Paramount Active Transportation Plan. As an outreach project manager, Ms. Suh develop outreach plan to deliver consistent message and outreach methods throughout the project. She identified major stakeholders and developed key messages and press release for maximum outreach effort to a wide range of community members. She also coordinated with City personnel to attend pop up events for outreach activities as well as coordinating with both cities’ Public Information Officer to disseminate survey link and outreach messages to thousands of subscribers.

• Metro Gold Line Eastside Stations Access Program. Partnering with Metro, Ms. Suh conducted extensive outreach actions including staffing community meetings, compiling intelligence from community meetings and public presentations, and analyzing and prioritizing key issues findings and frequently asked questions.
Prior to joining KPA:

- **Kinder Morgan** – As a senior right-of-way (ROW) agent, Ms. Suh managed various ROW tasks in the ROW Department including analyzing ROW/easement/franchise agreements and providing recommendations to project engineers and operations staff on prior rights, abandonment, maintenance, and termination. She also developed obligation lists for various agencies to cover annual/monthly payments, transitioned agreements/easements/franchises to a central database system, performed QA/QC and developed protocols for consistency, and monitored obligation fee payments to various agencies for quality control and consistency.

- **City of Anaheim** – **Project Management.** Managing projects for the Community Services Department, Ms. Suh provided a comprehensive and broad range of services. Those services included RFP development; CEQA document reports (for Negative Declaration); WQMP report development and SWPPP plans through the support of the Sanitation and Street Divisions; review and approval of design proposals, soil reports, engineering, landscape, and architectural design plans; preparation of bid packages including finalized construction plans, specifications, general special provisions, funding sources, and schedules for the construction advertisement; Emergency Disaster Specialist coordination to utilize FEMA funds; consultant design services contract supervision, coordination, and monitoring; preparation of the Per Capita Grant application for the Carbon Creek Bridge Project (allocated by the Orange County Supervisors office); coordination and monitoring of Capital Improvement Projects during the construction phase in coordination with the construction administration; construction technical support to contractors and subcontractors including review and approval of change-order costs, construction shop submittals, and Requests for Information; and coordination with inspectors, contractors, and engineers for punch-walkthrough meetings for construction quality control.

- **City of Anaheim** - In a public relations capacity, Ms. Suh coordinated and monitored community meetings relating to various capital improvement projects and informed residents about those projects. She also developed a consensus-building communications system, answered the full range of residents’ project concerns and questions, and presented conceptual design plans at community meetings. Leading group Q&A sessions, Ms. Suh also coordinated with Neighborhood Services Specialists for quarterly community neighborhood meetings to update stakeholders about the capital improvement project status and schedule.

- **Los Angeles County Department of Public Works** - **Project Management.** As a project manager for landscape design and construction projects, Ms. Suh reviewed and approved design proposals, landscape design plans, and technical specifications. She also monitored and coordinated various landscape construction projects for design, road maintenance, program development, project management, and watershed departments; provided in-field construction technical support to contractors and subcontractors, including review and approval of change-order costs, soils reports, construction-shop submittals, and Requests for Information; and prepared construction bid packages that included finalized construction plans, specifications, general special provisions, funding sources, and schedules for construction advertisements. She also supervised, coordinated, and monitored consultant design service contracts.

- **Los Angeles County Department of Public Works - Water Conservation Programs.** Ms. Suh served as the program manager of a six-person team for the Los Angeles County Supervisor’s Earth Day Celebration (2001-2005). In addition, in her water conservation role she managed landscape design, construction, and recruited and coordinated sponsors and other public agencies, prepared water conservation landscape and construction plans utilizing California native plants and drip-irrigation systems for the Los Angeles River projects, developed a strategic partnership with the City of Los Angeles Bureau of Engineering to complete the project, and produced landscape plans for bio-swales for the Sun Valley Park to increase groundwater recharge and decrease water runoff. In coordination with the LA City Parks Department, the project was completed successfully in 2006.

- **Los Angeles County Department of Public Works - Public Relations.** In a public relations capacity, Ms. Suh presented landscape design plans at public meetings for several projects including Workman Mills Road, Ernie’s Walk, and Los Angeles River projects. She also performed planting demonstrations with native plants at Earth Day events for local residents.
STRATEGIC PLAN CRITICAL SUCCESS FACTORS

- Engaged and Connected Residents
- Efficient, Responsive, and Effective City Services
- Beautiful, Preserved, Single-Family Neighborhoods

BACKGROUND

On June 12, 2019, the City Council conducted a de novo public hearing and received public comments on the appeal of Conditional Use Permit CUP19-3 for the property located at 1885 Virginia Road (the “Property”). Two separate motions were made, one to deny the appeal application and one to approve the application, of which both resulted in a tie vote and failed to pass. Councilmember Steve Talt recused himself due to his residence being within a 500-foot radius of the project site. Ultimately, the City Council continued the public hearing to allow for the additional investigation of facts bearing on the application, including the potential option of allowing the north side setback to remain and to require the minimum 8 feet for the south side yard setback at the Property, in addition to further discussion and a determination on the appeal by the City Council.

During the hearing, several points were raised that warrant additional investigation and clarification. As part of the Design Review application process, the Property owner submitted construction valuation data based on what was required by the former City Code Section 23.02.22. At that time, the Code referenced “building standards” published by an organization called the International Conference of Planning and Building Directors. Since this organization was no longer in existence, the City’s practice was to accept an engineer’s estimate of the project construction cost based on the market rate and other factors, including the applicant’s owner-builder status. Then, in October 2018, staff took an opportunity to amend City Code Section 23.02.22. With the amendment of the Code, staff has remedied the potential for
inconsistencies within valuation data in the future by using a standardized approach that will help avoid possible inaccuracies.

During construction, the Property owner’s contractor discovered that the existing walls along the nonconforming setbacks had been severely impacted by dry rot and termite damage. In January 2019, the Property owner consulted with the City about the problem and submitted a structural engineer’s report, which the City confirmed. Revised construction valuation data was provided to staff to reflect the removal of the damaged walls. At this time, the updated City Code (Section 23.02.22) required the data to be based on calculations from the latest edition of the Building Valuation Data published by the International Code Council (ICC). Staff found the revised construction valuation data to be consistent with the calculations published by the ICC.

Lastly, the plans that were approved by the Design Review Committee on February 21, 2018 show the same walls to be removed as what was submitted for structural plan check and approved for the building permit. The plans were not modified to propose any additional demolition, including the walls along the north and side property lines that ultimately were removed with the City’s permission, due to termite damage and dry rot. The plans did show that the south wall was going to be revised to eliminate the chimney.

Based on the facts and evidence provided, the City Council must decide whether to approve or deny the appeal. If the Council were to approve the appeal of CUP19-3, the Property owner would be required to redesign and rebuild the structure to provide the minimum 8 foot side yard setbacks required by current City Code for the pre-existing walls that were demolished and return to the Design Review Committee for a revision to DRC17-46.

**FISCAL IMPACT & PROCUREMENT REVIEW**

None.

**LEGAL REVIEW**

The City Attorney has reviewed and approved the staff report as to legal form. If the City Council determines to uphold the Planning Commission’s decision to approve the Conditional Use Permit, the City Attorney’s office recommends that the City Council revise Condition A.1 of the conditions of approval to include a revised indemnification as set forth in Exhibit A of the attached resolution. On the other hand, if the City Council determines that the appeal should be granted and the Planning Commission’s decision should be overturned, then Staff should be directed to prepare an alternate resolution for adoption at the next City Council meeting.

**RECOMMENDATION**

Staff recommends that the City Council conduct the continued duly noticed public hearing and render a decision based on the facts and findings submitted for the appeal of Conditional Use Permit CUP19-3.

If the City Council agrees with the Planning Commission’s decision to approve the conditional...
use permit to maintain legal nonconforming side yard setbacks at the Property, which are less than the five feet required by the current City Code for legal nonconforming setbacks, this would allow the applicant to proceed with the construction of the Project and the associated site improvements with conditions as set forth in Planning Commission Resolution PCR-19-06, as revised by the City Attorney. If the Council concurs, an appropriate motion would be:

“Motion to affirm the action of the Planning Commission and adopt Resolution R-19-14.”

On the other hand, if the City Council disagrees with the Planning Commission’s decision and denies the conditional use permit to maintain legal nonconforming side yard setbacks at the Property, which are less than the five feet required by the current City Code for legal nonconforming setbacks, then an appropriate motion would be:

“Motion to reverse the action of the Planning Commission and direct Staff to prepare a resolution reflecting the City Council’s decision for adoption at the next City Council meeting.”

ATTACHMENTS

1. Design Review Staff Report – November 1, 2017
2. Design Review Staff Report – December 20, 2017
3. Design Review Staff Report – February 21, 2018
4. Design Review No. DRC17-46 Approval Letter
5. Planning Commission Staff Report – March 27, 2019
6. Planning Commission Meeting Minutes (March 27, 2019)
7. Resolution No. PCR-19-06
8. Planning Commission Appeal Application
9. Property Owner Letters to City Council
10. Code Sections Analysis
11. City Council Staff Report – June 12, 2019
12. Exhibit A - Resolution No. R-19-14
TO: CHAIRMAN AND MEMBERS OF THE
DESIGN REVIEW COMMITTEE

FROM: CHRISTINE SONG, ASSISTANT PLANNER

DATE: NOVEMBER 1, 2017

SUBJECT: DESIGN REVIEW CASE NO. DRC17-46
1885 VIRGINIA RD., (YOUNG/CHUI)

PROJECT DESCRIPTION

The applicant proposes to construct a second-story addition and exterior modifications to the existing two-story residence.

ENVIRONMENTAL DETERMINATION

The project is Categorically Exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301(e)(1) – Existing Structures.

PROJECT HISTORY

November 1, 2017 – First hearing before DRC
December 8, 2017 – Required action date

NEIGHBOR APPROVAL/OBJECTION LETTERS

Approve - 8
Object - 0
No response - 3

DESIGN REVIEW FINDINGS

Section 23.15.08 of the San Marino City Code states that the DRC shall approve the application if it finds all of the following to be true:

1. That the proposed structure is compatible with the neighborhood.
   Staff can make this finding: ☒YES ☐NO ☐NOT APPLICABLE

   Comments: The neighborhood is comprised of two-story Colonial Revival, Tudor, and Spanish style homes. The proposed second-story addition will maintain the Colonial Revival style of the home and
is compatible with the neighborhood. The proposed size and scale of the structure is compatible with surrounding properties.

2. That the proposed structure is designed and will be developed in a manner which balances the reasonable expectation of privacy of persons residing on contiguous properties with the reasonable expectations of the applicants to develop their property within the restrictions of this Code.

Staff can make this finding: ☒YES  ☐NO  ☐NOT APPLICABLE

Comments: The proposed second story addition will not negatively impact the neighbors’ privacy as the addition will extend past the edge of both the south and north neighbors’ houses and will not be within their field of vision. The new addition is also buffered by existing hedges along the south side yard.

3. In the case of a building addition, the proposal is compatible with the existing building which includes the rooflines.

Staff can make this finding: ☒YES  ☐NO  ☐NOT APPLICABLE

Comments: Staff finds that the addition is compatible with the existing structure and the new rooflines will integrate with the existing roof seamlessly.

The remodeling of the front porch appears appropriate and remains true to the Colonial Revival style by utilizing a pediment and square fluted columns to create a prominent porch.

4. That the colors and materials are consistent and match the existing building or structure.

Staff can make this finding: ☒YES  ☐NO  ☐NOT APPLICABLE

Comments: The windows and roofing materials are selected from the City’s Pre-Approved Lists and will be consistent with the style of the existing structure. Staff finds that the color selections will produce a good contrast that is appropriate for the structure and for the proposed changes.
TO: CHAIRMAN AND MEMBERS OF THE DESIGN REVIEW COMMITTEE

FROM: CHRISTINE SONG, ASSISTANT PLANNER

DATE: DECEMBER 20, 2017

SUBJECT: DESIGN REVIEW CASE NO. DRC17-46
1885 VIRGINIA RD., (YOUNG/CHUI)

PROJECT DESCRIPTION

The applicant proposes to construct a second-story addition and exterior modifications to the existing two-story residence.

ENVIRONMENTAL DETERMINATION

The project is Categorically Exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301(e)(1) – Existing Structures.

PROJECT HISTORY

November 1, 2017 – First hearing before DRC
December 20, 2017 – Second hearing before DRC
March 8, 2018 – Required action date

NEIGHBOR APPROVAL/OBJECTION LETTERS

Approve - 6
Object – 1
Neither - 1
No response - 3

DESIGN REVIEW FINDINGS

Section 23.15.08 of the San Marino City Code states that the DRC shall approve the application if it finds all of the following to be true:

1. That the proposed structure is compatible with the neighborhood.

   Staff can make this finding: ☒YES ☐NO ☐NOT APPLICABLE
Comments: The neighborhood is comprised of two-story Colonial Revival, Tudor, and Spanish style homes. The proposed second-story addition will maintain the Colonial Revival style of the home and is compatible with the neighborhood. The proposed size and scale of the structure is compatible with surrounding properties.

2. That the proposed structure is designed and will be developed in a manner which balances the reasonable expectation of privacy of persons residing on contiguous properties with the reasonable expectations of the applicants to develop their property within the restrictions of this Code.

Staff can make this finding: ☒YES ☐NO ☐NOT APPLICABLE

Comments: At the prior hearing, the Committee cited privacy issues with respect to the north and south neighbors. The designer has revised the project to eliminate the previously proposed second story addition on the north side. The proposed second floor master bedroom and balcony have been relocated to the rear of the house (west elevation), above the existing living room to resolve the boxy and massive design that was previously seen on the north elevation. The configuration of the windows has been adjusted to install only one master bedroom window on the second floor with obscured glass to address any privacy impact to the north neighbor. The applicant is also proposing to install 12’-tall hedges along the south property line to mitigate any additional privacy concerns.

3. In the case of a building addition, the proposal is compatible with the existing building which includes the rooflines.

Staff can make this finding: ☒YES ☐NO ☐NOT APPLICABLE

Comments: At the previous hearing, the Committee identified design issues with the front entry way and porch. The porch has been redesigned to exhibit a gabled roof with traditional elements and the selection of a squared column style. Staff recommends that the applicant and designer consider the use of a consistent grid system to apply to the rear porch glass doors for additional overall compatibility with the structure.

4. That the colors and materials are consistent and match the existing building or structure.

Staff can make this finding: ☒YES ☐NO ☐NOT APPLICABLE

Comments: Staff finds that the colors and materials chosen for this project can be consistent with the existing structure provided that the siding be applied only to the second floor with a matching color of stucco on the first floor. The application of siding to the entire structure would provide minimal contrast and result in a boxy monotonous appearance. The windows and roofing materials are selected from the City’s Pre-Approved Lists and will be compatible with the style of the existing structure.
TO: CHAIRMAN AND MEMBERS OF THE DESIGN REVIEW COMMITTEE

FROM: CHRISTINE SONG, ASSISTANT PLANNER

DATE: FEBRUARY 21, 2018

SUBJECT: DESIGN REVIEW CASE NO. DRC17-46 1885 VIRGINIA RD., (YOUNG/CHUI)

PROJECT DESCRIPTION

The applicant proposes to construct a second-story addition and exterior modifications to the existing two-story residence.

ENVIRONMENTAL DETERMINATION

The project is Categorically Exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301(e)(1) – Existing Structures.

PROJECT HISTORY

November 1, 2017 – First hearing before DRC. The project was continued due to issues with the color scheme and compatibility of the overall addition with the existing house and the general neighborhood.
December 20, 2017 – Second hearing before DRC. The project was continued due to design issues regarding privacy impacts and massing.
February 21, 2018 – Third hearing before DRC
March 8, 2018 – Required action date

NEIGHBOR APPROVAL/OBJECTION LETTERS

Approve - 6
Object – 1
Neither - 1
No response - 3

DESIGN REVIEW FINDINGS

Section 23.15.08 of the San Marino City Code states that the DRC shall approve the application if it finds all of the following to be true:

1. That the proposed structure is compatible with the neighborhood.
Staff can make this finding: ☒YES ☐NO ☐NOT APPLICABLE

Comments: The neighborhood is comprised of two-story Colonial Revival, Tudor, and Spanish style is compatible with the neighborhood. Since the last hearing, the proposed addition has been reduced from 724 square feet to 656 square feet, minimizing the size of the master bedroom addition and eliminating portions of the first floor addition. Staff can find the proposed size and scale of the structure compatible with surrounding properties.

2. That the proposed structure is designed and will be developed in a manner which balances the reasonable expectation of privacy of persons residing on contiguous properties with the reasonable expectations of the applicants to develop their property within the restrictions of this Code.

Staff can make this finding: ☒YES ☐NO ☐NOT APPLICABLE

Comments: At the prior hearing, the Committee identified privacy impacts to the adjacent neighbors that would result from the proposed second floor balcony and first floor addition. The project designer has revised the plan to recess the second floor balcony to eliminate any direct sight lines to the south neighbor. Additionally, the previously proposed covered patio and bathroom along the north side of the property has been eliminated. Staff finds that the proposed addition sufficiently maintains the reasonable expectation of the neighbors’ privacy.

3. In the case of a building addition, the proposal is compatible with the existing building which includes the rooflines.

Staff can make this finding: ☒YES ☐NO ☐NOT APPLICABLE

Comments: At the last hearing, the Committee expressed concerns over the window shutter widths and the front entry portico. The project designer has enlarged the window shutters on the front elevation to be proportional to the size of the windows and has provided additional details of the elements of the front entry pediment and columns.

4. That the colors and materials are consistent and match the existing building or structure.

Staff can make this finding: ☒YES ☐NO ☐NOT APPLICABLE

Comments: Staff finds that the colors and materials chosen for this project are consistent with the existing structure. The windows and roofing materials are selected from the City’s Pre-Approved Lists and will be compatible with the style of the house.
February 23, 2018

Marcol Young
1885 Virginia Rd.
San Marino, CA 91108

SUBJECT: DECISION OF THE DESIGN REVIEW COMMITTEE
AT A MEETING HELD ON FEBRUARY 21, 2018 FOR
DESIGN REVIEW APPLICATION NO. DRC#17-46
1885 VIRGINIA RD., SAN MARINO, CA

Dear Mr. Young:

The Design Review Committee thanks you for participating in the Design Review Process regarding the addition and remodel to an existing two-story residence at the property known as 1885 Virginia Road. The City of San Marino encourages and appreciates efforts to upgrade and improve property insofar as such improvements are aesthetically complementary as well as compatible with neighboring buildings. After a full review and consideration of your application and after an open, public hearing held February 21, 2018, the Design Review Committee approved your application subject to the following conditions:

1. Work with staff to modify the design of the front entry to include engaged pilasters at the rear of the portico.
2. Choose patio doors at rear which include appropriate grid system that matches the predominant fenestration throughout the house.
3. Maintain the hedges between the property and the south neighbor at a maximum height of 15 feet.

The Design Review Committee’s decision is final unless appealed to the Planning Commission within fifteen (15) days from the date of their action. The appeal must be filed in writing with the Planning and Building Department by 4:00PM, March 8, 2018. Please contact Planning staff for the appeal application.

This action is valid for a period of one year from the date of the meeting. If no appeal is filed, you may submit the project for plan check on or after March 9, 2018. Please place this approval letter on the plans submitted for plan check. The approved plans are legal documents and the project must be constructed exactly per the approved plans. Any modifications to these plans must be presented to the City, prior to construction, for determination if Design Review Committee’s approval of such changes is required. Construction that is not in accordance to the approved plan is subject to a fine of 5% of the valuation of the construction or $2,500, whichever is greater. After payment of the penalty fee, the modifications would still require review and approval by the Design Review Committee. The Design Review Committee could approve, conditionally approve, or deny the proposed modifications.

The Design Review Committee members extend their best wishes to you for the successful completion of your improvement project.

Sincerely,

Christine Song
Assistant Planner

2200 Huntington Drive, San Marino, CA 91108 • Phone: (626) 300-0700 Fax: (626) 300-0709
TO: Chair Cheng and Members of the Planning Commission
FROM: Aldo Cervantes, Planning and Building Director
BY: Christine Song, Assistant Planner
DATE: March 27, 2019
SUBJECT: CONDITIONAL USE PERMIT NO. CUP19-3
1885 VIRGINIA RD., (YOUNG)

STRATEGIC PLAN CRITICAL SUCCESS FACTORS

- Engaged and Connected Residents
- Beautiful, Preserved, Single-Family Neighborhoods

PROPOSAL

The applicant requests to reconstruct walls of a primary residential structure in the R-1 zone that were legal nonconforming due to side yard setbacks of 4'1" and 4'4", which is less than the minimum 8 feet required by the current Code. This requires a conditional use permit pursuant to City Code Section 23.06.04(E)(2).

This is a request for after-the-fact approval because the previous walls were removed after they were discovered to be structurally deficient during work on a remodeling project previously approved by the Design Review Committee.

REQUIRED ACTIONS

CONDITIONAL USE PERMIT NO. CUP19-3 – LEGAL NONCONFORMING SIDE YARD SETBACK
**BACKGROUND**

General Plan: Very Low Density Residential (2-4 dwelling units per acre)
Zoning: R-1, District V
Location: The subject property is located on the west side of Virginia Road, north of Lorain Road and south of Roanoke Road.
Lot Size: 11,361 square feet
Existing Use: Two-story single-family residence with an attached two-car garage.
Surrounding Uses: The site is bordered by residential properties in Area District V to the east, west, south, and north.
Environmental Determination: Categorically Exempt under Class I, Section 15301.

<table>
<thead>
<tr>
<th>CRITERIA</th>
<th>REQUIRED/ALLOWED</th>
<th>PROVIDED/PROPOSED</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ZONING:</strong></td>
<td></td>
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<tr>
<td>Maximum Living Area/Lot Coverage</td>
<td>3,600 sq. ft.</td>
<td>Proposed Livable area: 3,528 sq. ft.</td>
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<td>Lot coverage: 2,373 sq. ft.</td>
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<td><strong>HEIGHT:</strong></td>
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<tr>
<td>Maximum Allowed</td>
<td>30'</td>
<td>Existing: 22'-7''</td>
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<td></td>
<td></td>
<td>Proposed: 24'-7'' (addition)</td>
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<td><strong>YARDS:</strong></td>
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<tr>
<td>Front</td>
<td>30'</td>
<td>Existing: 40'-2''</td>
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<td></td>
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<td>Proposed: No change</td>
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<tr>
<td>Side</td>
<td>8'</td>
<td>Existing: 4'-1'' (north)</td>
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<td></td>
<td></td>
<td>Proposed: 8'-0'' (addition)</td>
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<td></td>
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<td>Existing: 4'-4'' (south)</td>
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<td></td>
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<td>Proposed: 43'-1'' (addition)</td>
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<tr>
<td>Rear</td>
<td>30'</td>
<td>Existing: 80'-11''</td>
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<td></td>
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<td>Proposed: 65'-11'' (addition)</td>
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<td><strong>PARKING AND DRIVEWAYS:</strong></td>
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<td>Garage Spaces</td>
<td>2</td>
<td>2</td>
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<td><strong>DESIGN:</strong></td>
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<tr>
<td>Architectural Style</td>
<td>American Colonial (Existing)</td>
<td>American Colonial (no change)</td>
</tr>
</tbody>
</table>
The subject property is an interior lot previously improved with a two-story residence, an attached two-car garage, and a swimming pool. It was a legal nonconforming property due to side yard setbacks of 4'1" and 4'4", which is less than the minimum 8 feet required by the current Code.

On February 21, 2018, the Design Review Committee approved the applicant’s proposal to modify the exterior of the front façade of the residence and build a 656-square foot addition to the first and second stories. The applicant was not required at the time to correct the existing nonconforming setbacks because: (1) the existing walls along the nonconforming setback side were not part of the remodeling project; (2) the proposed addition would meet the 8-foot side yard setback requirement; and (3) he demonstrated to the satisfaction of the City Plan Checker that the project would not exceed 50% of the replacement value of the existing structure.

The applicant submitted plans for structural plan check on March 26, 2018, and the City issued building permits on July 17, 2018.

During construction, the applicant’s contractor discovered that the existing walls along the nonconforming setbacks had been severely impacted by dry rot and termite damage. The applicant consulted the City about the problem and submitted a structural engineer’s report, which the City confirmed. The applicant also submitted additional valuation information for the replacing the damaged walls, and the City determined that the additional work would not exceed the 50% threshold requiring correction of the nonconforming setbacks, even when added to the work previously approved by the DRC. The damaged walls were then demolished pursuant to the City Building Official’s authority under the Building Code to approve modifications when structurally required for safety reasons.

However, the City later determined that because the damaged walls were along nonconforming side yard setbacks of less than 5 feet, a CUP was required. Section 23.06.04(E)(2) of the City Code states, “For a primary structure in the R-1 zone with a legal nonconforming side yard setback, the existing side yard setback shall be considered the required side yard setback for any single-story addition to or remodeling of that side of the structure, subject to the following requirements…If the existing side yard setback is less than five feet (5’), a conditional use permit is first obtained.” Planning staff informed the applicant of the need for a CUP on February 25, 2019 and the applicant submitted a CUP application on the same day.

ANALYSIS

The Planning Commission’s consideration of CUP19-3 is limited to whether to allow the damaged walls to be reconstructed in the same legal nonconforming location. The DRC has already reviewed and approved the larger addition and remodel of the residence, and the
applicant has already performed substantial work on the project based on valid City-issued building permits.

Before the Planning Commission can approve the CUP it must make all of the following required findings:

1. That the establishment, maintenance or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing in or working in the area of such proposed use nor be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the City; and

2. That the site for the proposed conditional use is adequate in size and shape to accommodate the yards, walls and fences, parking and loading, landscaping and other development features prescribed in this Chapter or required by the Commission in order to integrate said conditional use with the land and uses in the neighborhood; and

3. That proposed conditional use will not have a detrimental effect upon the nature, condition and development of nearby uses and buildings; and

4. That the site for the proposed conditional use will relate to streets and highways adequate in width and pavement to carry the kind and quantity of traffic such use would generate.

Staff believes that each of the required findings can be made in this case. The remodeled walls will replace walls that previously existed in the same place without detriment to neighboring properties. The residential use is not changing and would still be typical of the Area District V neighborhood, where many of the homes appear to be constructed very close to the side property lines. There are several properties within a 300-foot radius which appear to be built within the required side yard setback (1470 Lorain Road, 1626 Lorain Road, 1625 Lorain Road, 1874 Warwick Road and 1828 Warwick Road). The proposal is therefore similar in nature to the existing conditions on other properties in the surrounding area and would not intensify the structure’s impact on neighboring lots nor expand the footprint of the home to be any closer to the adjacent neighbors’ properties than what existed previously. The proposed project would also not generate any additional traffic than what is already typical for Virginia Road and the surrounding neighborhood, as it is an addition to an existing private residence.

Staff has therefore prepared the attached draft Resolution PCR19-6 setting forth findings in support of approving CUP 19-3, subject to conditions of approval, which are also attached.
RECOMMENDATION

Staff recommends approval of CUP19-3. If the Planning Commission concurs with staff's recommendation, then, following the public hearing, the actions would be:

1. Find that CUP 19-3 is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15301 of the State CEQA Guidelines (Class 1(a) exemption).

2. The Planning Commission in the exercise of its independent judgment hereby makes the findings listed on attached Data Sheet No. 1 for CUP19-3, which are incorporated herein by this reference.

3. The Planning Commission approves CUP19-3 subject to the attached Conditions on Data Sheet No. 2, all of which are incorporated herein by this reference, through adoption of Planning Commission Resolution PCR19-6.

ATTACHMENTS

Application
Location/Radius Map
Data Sheet 1
Data Sheet 2
Resolution PCR19-6
Conditional Use Permit CUP19-3

That the establishment, maintenance or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing in or working in the area of such proposed use nor be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the City.

That the site for the proposed conditional use is adequate in size and shape to accommodate the yards, walls and fences, parking and loading, landscaping and other development features prescribed in this Chapter or required by the Commission in order to integrate said conditional use with the land and uses in the neighborhood.

That proposed conditional use will not have a detrimental effect upon the nature, condition and development of nearby uses and buildings.

That the site for the proposed conditional use will relate to streets and highways adequate in width and pavement to carry the kind and quantity of traffic such use would generate.
Calculation of Planning and Design Review Fees

For up to three conditional use permit, variance and/or design review applications for a single project to be processed concurrently, the fee collected shall be the fee required for the single highest application. For more than three such applications, the fee collected shall be the cost as provided, plus the cost for each additional individual application.

Please complete the following:

1. Date: 02/25/2019

2. The undersigned applicant(s) is (are) the owner(s) of property located at:
   1885 Virginia Road, San Marino, CA 91108

3. And legally described as follow (Lot No., Block No., Tract No.):
   (legal description may be attached separately if necessary)

4. State in your own words:
   a. The use (or improvement) you intend to make to the above described property:
      REMODEL PROJECT EXISTING SETBACK (SIDEWALK) 4'.
      APPLYING FOR MINOR CONDITIONAL USE PERMIT.

   b. The provisions or restrictions of the code which prompts the need for this application:
      SM 23.06.04 YARDS GENERALLY E1.7.

5. I (we) certify or declare under penalty of perjury, that the foregoing is true and correct*.
   I (we) also understand that in submitting this application that I (we) am (are) to expect City officials to conduct exterior inspections of my (our) property.

Signatures of all owners of record of the property herein described:

Mailing Address: 1885 Virginia Road, San Marino, CA 91108

Owner's Phone Number (Home): (626) 426-4233

Owner's Phone Number (Work): (____) 

Agent's Name and Address:

Agent's Phone Number: (____) 

*The verification form being signed under penalty of perjury does not require notarization.
PLANNING AND BUILDING DEPARTMENT

STANDARD CONDITIONS

PROJECT #: Conditional Use Permit No. CUP19-3
SUBJECT: Request to maintain an existing legal nonconforming side yard setback for an existing two-story structure.
APPLICANT: Marcel Young
LOCATION: 1885 Virginia Road

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT.

APPLICANT SHALL CONTACT THE PLANNING DEPARTMENT, (626) 300-0784, FOR COMPLIANCE WITH THE FOLLOWING CONDITIONS:

A. General Requirements

1. The applicant shall agree to defend at his sole expense any action brought against the City, its agents, officers, or employees, because of the issuance of such approval, or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers, or employees, for any Court costs and attorney’s fees which the City, its agents, officers, or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his obligations under this condition. __/__/__

2. Copies of the signed Planning Commission Resolution of Approval or Approval Letter, Standard Conditions, and all environmental mitigations shall be included on the plans (full size). The sheet(s) are for information only to all parties involved in the construction/grading activities and are not required to be wet sealed/stamped by a licensed Engineer/Architect. __/__/__

B. Time Limits

1. Any approval shall expire if Building Permits are not issued or approved use has not commenced within 1 year from the date of approval or a time extension has been granted. __/__/__

C. Site Development

1. The site shall be developed and maintained in accordance with the approved plans which include site plans, architectural elevations, exterior materials and colors, landscaping, sign program, and grading on file in the Planning and Building Department, the conditions contained herein, and the Zoning Code regulations. __/__/__
2. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning and Building Director. _____ / _____

3. Operation of the facilities shall not commence until such time as all California Building Code and Fire Marshal regulations have been complied with. Prior to commencement of operation, plans shall be submitted to the San Marino Fire Department and the Building Department to show compliance. The facility shall be inspected for compliance and final acceptance granted prior to start of operation. _____ / _____
REGULAR MEETING
OF THE SAN MARINO PLANNING COMMISSION
MARCH 27, 2019 - 7:00 P.M.

CALL TO ORDER: Chair Cheng called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE:

ROLL CALL

PRESENT: Chair Raymond Cheng, Vice-Chair Jeri Wright, Commissioner Se-Yao Hsu, Commissioner Shelley Boyle, Commissioner John Dustin, Alternate Commissioner Monte Ross, and Alternate Commissioner James Okazaki.

ABSENT: None.

PUBLIC COMMENTS

There were no public comments at this time.

PUBLIC HEARINGS

I. CONDITIONAL USE PERMIT NO. CUP19-3
1885 VIRGINIA ROAD, (YOUNG)

Assistant Planner Song presented the staff report.

The following persons spoke:
Vincent Chiu, Project Designer
Marcol Young, Property Owner
Jenny Young, Property Owner
Helen Cheng, 1725 Westhaven Road
Babak Parwar, 1895 Virginia Road
Justin F., Resident (Address not provided)
Dale Pederson, 2140 Lorain Road

Hearing no further public comments, Chair Cheng closed the public hearing.

It was the consensus of the Commission that the project met all of the required findings and that there would be no detrimental impacts from maintaining the legal nonconforming side yard setbacks that have existed since the structure was originally built.

Commissioner Hsu moved to approve the project with conditions provided in the staff report and the draft resolution. Second by Vice-Chair Wright. AYES: Commissioner Hsu, Commissioner Dustin, Commissioner Boyle, Vice-Chair Wright, Chair Cheng. NOES: None.
2. **CONDITIONAL USE PERMIT NO. CUP19-4**
   2140 SHERWOOD ROAD, (ROSVALL)

   Assistant Planner Song presented the staff report.

   The following persons spoke:
   Wallace Rosvall, Applicant

   Hearing no further public comments, Chairman Cheng closed the public hearing.

   It was the consensus of the Commission that all the required findings can be made and that the location of the new air conditioning condenser unit is a better option than the previous location in terms of mitigating noise and visibility of the unit from adjacent properties.

   Vice-Chair Wright moved to approve the project as submitted. Second by Commissioner Dustin. AYES: Commissioner Hsu, Commissioner Boyle, Commissioner Dustin, Vice-Chair Wright, and Chair Cheng. NOES: None.

3. **DESIGN REVIEW CASE NO. DRC17-64HP**
   PROPERTY IDENTIFIED AS ASSESSOR PARCEL NUMBER 5323-016-030,
   VACANT LOT LOCATED BETWEEN 527 AND 585 WINTHROP ROAD,
   (YAN/LAI)

   The applicant submitted a request for withdrawal of this project. The Planning Commission received and filed the request.

4. **DESIGN REVIEW CASE NO. DRC18-86**
   1870 CARLISLE DRIVE, (CHANG/OVERHAUL ARCHITECTURE)

   Associate Planner Choi presented the staff report.

   The following persons spoke:
   Mary Chou, Project Architect
   Stephen Sweeney, 1865 Westhaven Road

   Hearing no further public comments, Chairman Cheng closed the public hearing.

   It was the consensus of the Commission that the project met all of the required findings and would be compatible with the neighborhood.

   Commissioner Dustin moved to approve the project subject to the conditions of approval noted in the staff report and the following additional conditions:
1. Shutters shall be in natural wood material.

2. Staff to work with the applicant to increase the level of architectural detailing, including, but not limited to, window surrounds, stucco detailing and lighting.

3. Front entry and landing area shall have matching brick material as the front walkway.

4. Prior to obtaining the building permit, the applicant shall appoint a certified arborist to determine the applicable Best Management Practices and mitigation measures to protect all established trees on any neighboring property where all construction impacts including demolition, excavation or construction activities may take place within the dripline of matured trees. The project arborist shall submit a Tree Protection Plan to the City Arborist outlining the mitigation measures and Best Management Practices to be implemented. The same report shall be provided to the adjacent property owner at 1865 Westhaven Road where an established tree may be impacted during the demolition, excavation and construction of the new garage. All work under the dripline or tree canopy of the oak tree abutting the rear property line of the project site must be overseen by the same project arborist and documented if deemed necessary, and available for City review if requested.

5. At the time the applicant submits the project for structural review, the applicant shall submit a report, prepared by a licensed engineer, evaluating the options to minimize excavation of the existing garage footing and foundation and maximize retention of the existing garage footing and foundation.

Second by Commissioner Boyle. AYES: Commissioner Boyle, Commissioner Hsu, Commissioner Dustin, Vice-Chair Wright, and Chair Cheng. NOES: None.

OTHER MATTERS

5. DISCUSSION REGARDING AN AMENDMENT TO CHAPTER 23 OF THE ZONING CODE RELATING TO LIVABLE AREA AND BALCONIES.

Associate Planner Choi opened the discussion of the proposed amendment and requested that the Commissioners provide comments to staff.

The Commission provided comments for staff to incorporate into a revised draft ordinance to be presented at the next Planning Commission meeting.

6. DISCUSSION REGARDING AN AMENDMENT TO CHAPTER 23 OF THE ZONING CODE RELATING TO FENCES, YARD WALLS AND RETAINING WALLS ABUTTING A PUBLIC ALLEY.

Chair Cheng opened up the discussion of the proposed amendment. The Commission asked questions of staff for clarification and provided comments.
Amy Morris, 2352 Cumberland Road, provided comment to the Commission and submitted photo material to staff for consideration.

7. **RESOLUTION OF FINDINGS MODIFICATION TO CONDITIONAL USE PERMIT NO. CUP05-20 AND DESIGN REVIEW NO. DRC18-95 1155 OAK GROVE AVE., (THORNTON)**

Vice-Chair Wright moved to approve the resolution as submitted. Second by Commissioner Boyle. **AYES:** Commissioner Hsu, Commissioner Boyle, Commissioner Dustin, Vice-Chair Wright, and Chair Cheng. **NOES:** None.

8. **RESOLUTION OF FINDINGS FOR CONDITIONAL USE PERMIT NOS. CUP18-14 AND CUP18-15 756 SIERRA MADRE BLVD., (CHWA)**

Commissioner Boyle moved to approve the resolution as submitted. Second by Commissioner Dustin. **AYES:** Commissioner Hsu, Commissioner Boyle, Commissioner Dustin, Vice-Chair Wright, and Chair Cheng. **NOES:** None.


Commissioner Boyle moved to approve the resolution as submitted. Second by Vice-Chair Wright. **AYES:** Commissioner Hsu, Commissioner Boyle, Commissioner Dustin, Vice-Chair Wright, and Chair Cheng. **NOES:** None.

10. **RESOLUTION OF FINDINGS FOR AN APPEAL FOR DESIGN REVIEW NO. DRC18-83 2895 CUMBERLAND RD., (FORTIER/LANSFORD)**

Vice-Chair Wright moved to approve the resolution as submitted. Second by Commissioner Boyle. **AYES:** Commissioner Hsu, Commissioner Boyle, Commissioner Dustin, Vice-Chair Wright, and Chair Cheng. **NOES:** None.

**ADJOURNMENT**

With no further items to consider, the Planning Commission adjourned to the next regular meeting on Wednesday, April 24, 2019, at 7:00 P.M. in the City Hall Council Chambers, 2200 Huntington Drive, San Marino, CA 91108.

[Signature]

ALDO CERVANTES,
SECRETARY
RESOLUTION NO. PCR19-6

A RESOLUTION OF THE CITY OF SAN MARINO PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT NO. CUP19-3, A REQUEST TO RECONSTRUCT WALLS ALONG LEGAL NONCONFORMING SIDE YARD SETBACKS FOR AN EXISTING TWO-STORY STRUCTURE ON A PARCEL LOCATED IN AREA DISTRICT V AT THE PROPERTY LOCATED AT 1885 VIRGINIA ROAD, AND LEGALLY DESCRIBED AS TRACT NO. 6300 LOT 175, CITY OF SAN MARINO, COUNTY OF LOS ANGELES.

THE SAN MARINO PLANNING COMMISSION DOES HEREBY FIND, ORDER, AND RESOLVE AS FOLLOWS:

SECTION 1. On February 25, 2019, an application for a Conditional Use Permit was submitted to the City of San Marino by property owner, Marcol Young. The applicant requests to reconstruct walls of a primary residential structure in the R-1 zone that are legal nonconforming due to side yard setbacks of 4'11" and 4'4", which is less than the minimum 8 feet required by the current Code and therefore requires a conditional use permit in accordance with City Code Section 23.06.04(E)(2). The subject parcel is located in Area District V at the property located at 1885 Virginia Road.

SECTION 2. The Planning Commission conducted a duly noticed public hearing on the application on March 27, 2019.

SECTION 3. The Planning Commission received and considered both oral and written testimony during the public hearing and considered all the evidence in the record of the City’s proceedings on the application as well as the evidence received and presented at the hearings. The following facts were presented to the Planning Commission:

A. The property is zoned R-1 Single-Family Residential, Area District V. The property is located on the west side of Virginia Road, north of Lorain Road and south of Roanoke Road. The site is bordered by residential properties in Area District V to the east, west, north and south.

B. The property contains 11,361 square feet of land and is improved with a two-story American Colonial style structure with an attached two-car garage.

C. The applicant submitted an application for Conditional Use Permit Case No. CUP19-3 on February 25, 2019. The application was deemed complete on March 11, 2019.

D. The applicant requests to reconstruct walls of the residence along existing legal nonconforming side yard setbacks for an existing two-story structure on a parcel located in Area District V. This requires a conditional use permit pursuant to City Code Section 23.06.04(E)(2).
SECTION 4. The Planning Commission hereby finds as follows with respect to the application for Conditional Use Permit Case No. CUP19-3:

A. Reconstructing the walls within the existing legal nonconforming side yard setback will not be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing in or working in the area nor be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the City because the previous walls existed in the same place without detriment to neighboring properties.

B. The site is adequate in size and shape to accommodate the reconstructed walls consistent with the development features prescribed in the Code because the walls the will replace previously existed in the same place without detriment to neighboring properties and the Code allows remodeling the side of a structure within a legal nonconforming side yard setback of less than five feet with approval of a conditional use permit.

C. The reconstructed walls will not have a detrimental effect upon the nature, condition and development of nearby uses and buildings because the they will replace walls that previously existed in the same place without detriment to neighboring properties.

D. The site of the reconstructed walls in the nonconforming setback will relate to streets and highways adequate in width and pavement to carry the kind and quantity of traffic such use would generate because they will replace walls that previously existed in the same place and will result in no increase traffic or change in traffic patterns.

SECTION 5. Based upon the foregoing findings in Section 4, the Planning Commission hereby approves Conditional Use Permit Case No. CUP19-3 subject to the conditions of approval in attached Exhibit A.

SECTION 6. Pursuant to the Code of Civil Procedure Section 1094.6, any legal challenge to the decision of the Planning Commission, after a formal appeal to the City Council, must be made within 90 days after the final decision by the City Council.

VOTE:  
AYES:  
NOES:  
ABSTAIN:  
ABSENT:  

CERTIFICATION

I hereby certify the foregoing Resolution No. PCR19-6 is a true and complete record of the action taken by the Planning Commission of the City of San Marino, California at its regular meeting of March 27, 2019.
PASSED, APPROVED, AND ADOPTED on this 27th day of March, 2019.

Chair Raymond Cheng, San Marino Planning Commission

ATTEST:

ALDO CERVANTES,
Secretary, San Marino Planning Commission
Pursuant to City Code, the City Council has the following options:

a. Affirm the action of the Planning Commission; or
b. Overturn the Planning Commission action; or
   c. Refer the matter back to the Planning Commission, with or without instructions for further proceedings; or
d. Set the matter as a de novo hearing.

TO THE CITY COUNCIL OF THE CITY OF SAN MARINO:

Date of Planning Commission Meeting: March 27th, 2019

Date of Appeal (within 15 days): April 10th, 2019

Resolution of Findings No.: All of them

Appeal by: Babak Parwar
   (Name)

Regarding: 19-3 at 1835 Virginia Ave
   (Case No.)
   (Address)

The undersigned herby appeals from the decision of the Planning Commission, referenced above, upon
The following grounds: (state reasons why you think the City Council should render a different
decision than that rendered by the Planning Commission. Attach additional pages if necessary.). The
narrative statement and nine (9) sets of drawings (if applicable) are due at the time the appeal is filed.

Please see attached

Dated:

Babak Parwar
   Appellant Name

1835 Virginia Ave
   Appellant Address
April 10, 2019

Dear San Marino City Council Members,

I am appealing the Planning Commission decision regarding CUP application 19-3 for 1885 Virginia Road, considered at the March 27th, 2019 Planning Commission meeting.

One commissioner, an alternate, stated at the beginning of commissioner comments "Isn't this about a fence? I thought it was about a fence." The commissioner was allowed to speak during deliberation and voiced an opinion supporting approval despite being unprepared as to even the general nature of the application, let alone familiarity with the nuance and critical details supplied in written form to the commission prior to the meeting. I am very grateful that we have residents who give of their own time and energy to serve in unpaid positions to consider issues related to our city. I am sure this commissioner has contributed thoughtful and insightful input in other hearings. But on March 27th, in regard to this issue, his comments without having reviewed prepared materials should not have been allowed to influence the commission.

The city attorney Mr. Flowers identified himself at the beginning of the meeting as sitting in for Aldo Cervantes, who was at a conference.

Mr. Cervantes does not speak during commission deliberation, does not weigh in on how commissioners should rule, and only answers factual questions that are directly asked.

During deliberations three commission members of the five voting members had voiced that they could not make the findings for approval on condition one of the required findings for approval.

At this point, Mr. Flowers interjected unsolicited opinion that if the commission voted to deny the CUP it would create "legal tension". Without further discussion, there was an immediate motion to approve by the chair and the three members who could not make the findings to approve, changed their position and voted to approve.

Aren't the commission members supposed to decide based only on the merits or lack thereof of the application? Exposure of the city to lawsuit is not supposed to affect their decision.

Did the city attorney overstep his role at the meeting, unduly influencing the commissioners to consider the factor of city liability that is not supposed to affect their deliberation?

I believe these points to be true and request a de novo hearing on this CUP in front of the City Council.

Sincerely,

Babak Parwar
1895 Virginia Road
4/10/19

Re: Appeal of Planning Commission decision regarding CUP 19-3 1885 Virginia Road

Narrative

Dear San Marino City Council Members,

This is the story of 1885 Virginia Road.

The main points of contention have to do with legal, nonconforming side yard setbacks and the failure to follow our design review process. It is the story of how a project proposed as a small addition on the back and remodel of an old house transformed into an attempt to construct a completely new, larger house on the site of what is now a complete teardown, and an attempt by the developer to retain the narrow, legal, nonconforming side yard setbacks to maximize square footage. It's the story of a project that has matriculated outside of our City's normal design review process.

A developer who is a licensed contractor purchased this home and submitted a design to the city for an addition and remodel of the old house. The developer's plans showed removal of a chimney on the south wall, which had a legal, nonconforming, narrow setback. The developer failed to provide the required 30 degree encroachment drawings for this wall as required for DRC review. The staff missed the chimney removal because the applicant failed to submit the required drawing and staff mistakenly allowed the project to be presented at DRC. Remodeled legal nonconforming sidewalks must be rebuilt at modern setbacks from the property line, according to code, and this design failed to do that.

It was a contentious design when presented at DRC which multiple neighbors came to oppose both in person and in writing. The primary concerns were massing and privacy issues and these concerns were echoed by the DRC. The DRC and residents were told by staff that the design met code, when in fact it did not. The DRC eventually approved it because they relied on the false information that the design met code. The DRC does not have authority to approve designs that require a CUP.

Had the developer supplied the required 30 degree encroachment drawings for the altered wall, the design would have been flagged as illegal, not been presented at DRC, and the applicant would have had to revise it or seek a CUP and planning commission approval prior to building. The obvious remedy for massing and privacy issues would have been to increase the side yard setbacks to the greater distance mandated by
modern code. But the DRC was constrained in its ability to require legal setbacks because of the reliance on information provided by staff that the design met code requirements.

Then the developer submitted demolition plans that showed removal of most of the walls of the house. These plans were not submitted to the DRC nor shown to neighbors. Ordinance 23.02.22 requires that nonconforming houses that are remodelled or reconstructed > 50% of their replacement value be updated to modern code requirements. The applicant did not follow the methodology in the ordinance to calculate whether his design would have to conform, but rather submitted his own stated building costs, which conveniently were below 50%. They were unrealistically low, e.g. $6500 for a new roof on a 3528 sq ft house and demolition of the existing house including chimney removal for $1000. The 50% calculation was on the same paper as the estimated costs so clearly this was done to avoid the requirement to have the design meet modern code. Staff approved this but subsequently has acknowledged that allowing him to use his own costs was in error.

When the project began neighbors and residents noted that far more of the house was torn down than described at DRC. Soon it was noted that the entire structure had been torn down in January 2019. Inquiries began to the city and neighbors were told that the builder had found termite-damaged wood that was not structurally sound, confirmed by his own structural engineer, and the entire structure had been ordered demolished.

This was obviously far greater than the scope of work in his building permit or DRC approval but the project was not referred back to DRC or Planning. No notice of the change in scope was given to the neighbors. Staff issued a cease and desist order for the project when it was pointed out that California Residential Building Code requires new construction permits for new construction, which was then lifted on the advice of the city attorney. Staff said that the city attorney advised them that this was not necessary since the final design had been approved by DRC, even though the project had an improper audience in front of DRC, DRC cannot approve a project that requires a CUP, and the approval was tainted by the reliance by the DRC on the project being considered within code. The period to appeal to DRC had long passed. The building permit based on the improper DRC approval was not voided by the city despite indicating it was for a remodel and addition onto an existing structure. There was no more existing structure to remodel or add onto.

At this point the neighbors found ordinance 23.06.4, requiring remodeled legal, nonconforming sidewalls be rebuilt at modern setbacks, which would be 8+ feet in this
case, and brought it to Aldo’s attention. He stopped construction on the sidewalls of the project and determined the builder would need an “after-the-fact” CUP, for which he has applied. The builder rushed to put up plywood over the framing to make the structure look more far-along than it is. A cease-and-desist demand was sent to the city with the concern that if more work was done it would be prejudicial for the planning committee in its ultimate disposition. This was ignored by staff and indeed the staff report for the CUP cited the “substantial work” the applicant had already done in its recommendation for approval. At this point, however, it is still just plywood over framing.

The applicant then resubmitted valuation data, again using his own costs rather than the required methodology specified in the ordinance 23.02.22 to determine if the additional work would require the design be brought to code. His building cost calculation of course avoided the cutoff for requiring the design to meet code and again was unbelievable. He stated the total building cost for demolishing the entire existing house and building a brand new, larger 3528 square foot house would be $165,600! That is about $45.00 per square foot for his new construction. Even though it is explicitly against city law for the builder to submit his own cost statement in this calculation, this was again accepted by the city.

I have since called the third-party plan checking company and a different plan checker than who reviewed the previous plans confirmed for me that these numbers are unrealistic for San Marino.

Every neighbor on the block signed a petition opposing the CUP on the basis that the building is not compatible with the neighborhood and the project has not followed our design review process. Everyone felt the design is too big and are dismayed at the lack of notice and opportunity to be heard regarding the change in scope of the project.

At the Planning Commission meeting multiple neighbors spoke against the CUP and very vocal complaints were made about how the applicant had deceived staff to get the project approved improperly by DRC, how his submitted building valuation was not done according to code, his stated costs were impossible (cost for building a larger house than existed for less than half of the cost of only rebuilding the original house), and was done to subvert the requirement to revise his design to meet code. In my initial appeal letter I related how one commissioner came unprepared and was still allowed to speak and how the city attorney unduly influenced the commissioners to approve the CUP after a majority had voiced that they could not, by interjecting unsolicited innuendo that their failure to approve would cause “legal tension.” The commission should decide based solely on the merits or lack thereof of the application.
This is clearly a complicated situation that has matriculated outside of the normal design review process. The big picture is that the initial fault is with the builder/applicant/developer, because he failed to provide the necessary drawings required for review at DRC, and his failure to do so concealed remodeling of the nonconforming walls that would have resulted in his design being revised to meet code or a CUP being sought prior to building. The faulty building valuation data submitted by the applicant later prevented the design from being required to meet code under the requirement for conformance ordinance.

The design to this date has still not received a proper design review. Now that the old, previously-existing house has been demolished, along with any historic significance it had, the project should be considered new construction and be required to enter the design review process properly. The design may have to be reduced somewhat but the resulting home will still be worth around 3 million dollars. With a purchase price of $2,320,000 and the builders own stated building cost of $165,600, he will not lose money. There is no reason that a tasteful, legal home cannot be built on this lot.

Our city laws are sufficient to prevent this type of project from progressing but they only work if they are enforced.

Given the complicated situation and multiple ordinances involved, please allow this CUP to be fully vetted. Allowing thorough scrutiny of the logic, law, and history of this project by setting a de novo hearing on this CUP in front of the city council will protect the interests of all involved.

Respectfully,

Babak Parwar

1895 Virginia Road
April 10, 2019
Re: CUP 19-3 1885 Virginia Road
Opposition arguments

Dear San Marino City Council Members,

I am in opposition to this CUP. Building this new house with old nonconforming side yard setbacks will damage the peace, privacy, and property value of the neighbors as well as increase fire risk. The design review process created to protect the neighbors, neighborhood, and city residents has not been followed.

This a unique situation where the applicant failed to submit required drawings in the DRC application, and both the DRC and Planning Commission evaluations have been compromised.

Here are important points to consider:

1. The staff report contains important factual inaccuracies that compromise their analysis:

   Under “PROPOSAL” the report states the request is for “after-the-fact approval because the previous walls were removed after they were found to be structurally deficient”

   On page 3 regarding the DRC approval of the project, “The applicant was not required at the time to correct the existing nonconforming setbacks because (1) the existing walls along the nonconforming setback side were not part of the remodeling project.”

Neither of these statements are true. Review of the initial plans submitted to DRC and final approved plans show removal of a chimney on the southern nonconforming wall. The chimney jutted out from the surrounding wall about 8-12 inches. This chimney provided visual variety to the south wall in color, contour, and texture. The submitted plans show replacement of the chimney with a flat wall with new siding. Furthermore, the demolition plan submitted prior to construction indicated demolition of the entire southern second floor sidewall and part of the first floor sidewall, indicating an intention to remodel the wall prior to construction. Removal of a protruding chimney from foundation to roof, rebuilding the resulting hole with a flat wall that has
different structure, material, contour, and appearance than existing construction, as well as demolition of adjacent segments of the wall certainly qualifies as remodeling the wall.

The remodeling of the northern and southern walls which are in violation of this ordinance were **NOT** due to discovery of structurally-deficient wood, but were in fact part of the design from the beginning.

This is **critical** since the design as proposed and approved by DRC was in violation of city code 23.06.4(E)(2). This project did not have standing to be heard by DRC as it would have required a CUP prior to construction. The design did not meet the requirements for review, so the resulting DRC approval should be void as well as the resulting building permit.

The failure here was on the part of the applicant in not supplying the drawings required for DRC review. The 30 degree encroachment rule drawing is a requirement for any wall to be altered in the design and it was not submitted. Failure to submit this drawing concealed that the south wall was being remodeled, which would have otherwise been picked up by staff and flagged as requiring modern setbacks. Remodeled legal nonconforming sidewalls must be rebuilt at modern setbacks from the property line, according to code, and this design failed to do that.

2. The design is also in violation of multiple other ordinances whose violation collectively causes aesthetic, privacy, and noise issues as well as increased fire risk. The design violates 23.06.04(E)(3) which cites 23.02.13, the code addressing the encroachment rule.

The design also violates 23.02.16 on side yard limitations “Notwithstanding the requirements of subsection 23.02.09A of this article, all parcels shall provide one unobstructed side yard clearance width of five feet (5’).” This ordinance requires a variance, for which the applicant has neither applied nor obtained and prohibits the conditional use in this application because in the proposed design both the north and south walls are in violation of 23.06.04. Under the Basis for Approval or Denial of a CUP (23.07.02C) it states no permit shall be issued if it is prohibited by other provisions of this code.

The multiple ordinances requiring at least a five foot side yard setback are indicative of the city’s desire to maximize availability of light, ventilation, peace, and privacy.

In addition, building to current side setback code will reduce fire risk. The southern property has a close side yard setback as well, so reconstruction of the nonconforming wall at the old setback will put the two walls about eight feet apart, which is not optimal for fire safety. Furthermore, the roof eaves overhang the vertical plane of the walls making the distance between roofs only about 6 feet. A fire or embers from a fire on either property could easily
jump this distance, igniting the adjacent property. This is of particular concern because the southern property has a wood shingle roof. In addition, the four foot setbacks on north and south side yards limit firefighter access with their firefighting equipment to the rear of the property to fight a fire there. I discussed these concerns with Captain Wilcox of the San Marino Fire Department who concurred and felt that building to current city building code regarding setbacks between buildings is optimal for fire safety. There is no reason to compromise safety.

3. The remodel building permit is void and the project should be appropriately classified as new construction and be built according to modern code. There are multiple arguments for this.

The building permit was issued as a result of invalid approval by DRC. The approval was based on erroneous information that the design met side yard setback code requirements. The applicant did not have standing to present the project to DRC and the deliberation by DRC was tainted by the staff incorrectly presenting the project as meeting city code. The DRC does not have authority to approve projects that require a CUP.

Indeed, multiple neighbors opposed the design in person and in writing. The main objections were privacy and massing issues. The DRC members independently voiced objections to the design size, footprint, massing issues, and privacy infringement. One obvious remedy would have been to increase the side yard setbacks to meet current code, but this was not considered since the staff presented the design as meeting code. Reliance on the design being code-compliant affected deliberations and how the competing concerns and objections were weighed.

Review of the recording of the 12/20/2017 DRC meeting reveals Committee member Judy Johnson-Brody articulating that despite flaws in the plan identified by her and other committee members, these had to be weighed against the builder's right to build. She stated "This is within code. They have followed the rules." at approximately 47 minutes and 30 seconds of the meeting. It wasn't within code. They did not follow the rules. The DRC approval and building permit should be void.

The discovery that the design was not compliant with multiple city codes should have triggered a re-review at DRC or planning. Upholding the DRC approval after the design was found to be noncompliant violates the public's right to object to the design at the DRC or planning approval level. Multiple neighbors objected to the design at the DRC both in person and in writing. At the final meeting when it was approved we did not object further because staff told
us the design was within code. Had we known it was not, and needed to have 8 foot setbacks and meet the encroachment ordinance, we certainly would have asked for adjustments of the setbacks to meet code as it would have addressed a large part of our concerns about the design.

The public were denied the right to be notified, to be heard, and to object to the design once the scope changed from remodel to complete teardown and new construction. Public comments in this situation may have affected the DRC or planning decision. In addition, other members of the community who have an interest in preservation of historic houses and avoiding teardown and mansionization may have come and contributed to the discussion and voiced objections affecting the DRC or planning decision. The public notice regarding the hearing would have been different, specifying new construction and attracting more attention. Indeed, the biggest complaint among the neighbors, besides the house being too big, is the lack of notice by the city as to how a remodel and addition on the back of a property changed into a complete teardown and construction of a new house. Other members of the community were denied their right to be notified, to be heard, and to object at the DRC or planning commission regarding the new construction.

The staff opinion that the DRC approval is still valid is not credibly supported.

**Faulty Building Valuation**  The applicant submitted valuation data in February 2019 after the teardown to assess whether the remodel would require modern code compliance. Code 23.02.22 indicates that a residential building cannot be “reconstructed or altered to the extent of more than 50% of its replacement value” without conforming to current code. The ordinance specifies the calculations be done using building valuation data from a nationally-recognized source such as the International Code Council. The applicant submitted valuation data using HIS OWN ESTIMATED BUILDING COSTS. This did not follow the methodology in the ordinance. Using his own stated costs is highly inappropriate since they are not from a nationally-recognized source and not verifiable. Indeed, the building costs submitted are unrealistically low, e.g. demolition of the entire house for $1000, place a completely new roof for $6500. The builder’s self-reported cost to completely demolish and haul away the existing home and construct an entirely new larger 3528 square foot home is $165,600.

On the same page as the unrealistic building costs is the applicant’s calculation indicating the project cost is less than 50% of the replacement cost of the previously-existing home. This indicates the intention to avoid the requirement for conformity required in 23.02.22.

Staff said the older version of the ordinance specified a different source for building valuation data that has been since incorporated into the ICC and thus not updated anymore. I called the ICC and verified that the methodology was still the same - building valuation data was reported
as a price per square foot. This being the case it does not matter what the per-square-foot cost is in applying this ordinance. You just divide the area of the addition or reconstructed portion of the house by the square footage of the existing house. The building cost multiplier cancels out.

Allowing the builder to use his own stated costs is a corruption of this methodology and against the letter, spirit, and intent of the code. The builder could claim he has twenty cousins who will do the labor for free and his materials have been donated by a friend. This obviously evades the intent of the ordinance to identify projects that are substantially changing older nonconforming homes and require these homes be updated to modern code requirements. When applied correctly the code requires an “unfudgeable” calculation. Applying the methodology of either the older ordinance or the current one shows that even if the design only reconstructed the house as it was, without the addition, the cost would be 100% of the replacement cost. This is far in excess of the 50% threshold to still consider this a remodel.

**After demolition a new construction permit is required.** The staff report indicates that the City Building Official ordered the demolition of the walls found to have structurally unsound wood under his authority for safety reasons. Code 23.02.29 Demolition of residential structures gives the city the right to **issue a permit** for demolition without approval of all necessary permits for the replacement if the structure constitutes an immediate threat to public safety, health, or welfare. If a permit was required for demolition, then whatever is built after that is new construction. California Residential Building code requires a new construction permit for new construction and for demolition.

**Since the original design was illegal the resulting permit is unlawful and void.** Since the design is in violation of multiple ordinances noted above including the one for which the applicant seeks a CUP, the building permit issued is void. According to code 25.01.01 and code 23.06.01 it shall be “unlawful” to **permit** to be erected, constructed altered, added to, or enlarged” any “building” “contrary to the provisions of this chapter”. According to code 25.13.03 the violator is guilty of a misdemeanor. Since the issuance of a permit that is illegal is a crime, the permit itself is void. Please note I do not wish any individual to be punished and I only raise this point because of its legal bearing on the status of the building permit.

4. An important consideration is **who bears the risk of a mistake in the process.** Certainly not the neighbors. Probably not the city, as long as all procedures and laws are followed. The risk should be borne by the developer/builder. The fruit of the construction, a brand new house, built in San Marino with larger square footage than would otherwise be possible under design review guidelines and city code, is enjoyed solely by the developer/builder. As a licensed contractor the builder’s primary duty and obligation is to build within all federal, state, and local ordinances. The design review guidelines passed by the city council recommend applicants familiarize themselves with all city codes applicable to their design. This applicant failed to follow the rules and legal requirements for a submission to DRC by omitting a key drawing that
would have highlighted the remodeled south wall and prevented an improper DRC audience. If a real estate speculator submits a noncompliant design or runs into problems that require adjustment of the design and perhaps reduction in square footage to code, that is a risk of doing business. It is unreasonable to expect the neighbors to bear the damage that may flow from the risks of the applicant's real estate speculation or building, especially if the applicant has not followed city law.

5. The staff report states the applicant has already performed "substantial work" on the project based on "valid city-issued permits". The work so far is limited to framing and covering the framing with plywood. If the builder were required to move the side walls, his expense should be small. Using his own submitted building costs the cost to do the framing is only $11,000. His self-reported cost to completely demolish and haul away the existing home and construct an entirely new larger 3528 square foot home is only $165,600! This is small compared to the multimillion dollar value of this brand new home once completed, even with a smaller footprint. It is a small price to pay to protect the peace, privacy, property value, safety, aesthetic limitation of mansionized houses in the city, and sense of equity of treatment for city residents.

Aldo reassured us in early January when we began inquiry into why the complete teardown was done that any construction that is in violation of code would need to be taken down and the extent of construction would not be prejudicial to his decision to remove it.

The building permit issued as discussed above is void, since the design was illegal when approved by DRC and approval was conditional on the design being within code.

6. Approval of the CUP would grant a special privilege inconsistent with the limitations on other properties in the vicinity and zone. If reconstruction of the old house with addition happens, it would unfairly affect my ability to sell my house. Why would anyone buy my house if both properties are on the market at the same time when they could have a brand new home with more square footage than otherwise would be allowed in a new house? With house prices at $1000 per square foot, allowing the builder to circumvent current code would allow him to build a larger house than otherwise allowed by current code. Other neighbors could not do the same. Building and selling a brand new massive house would affect competition for buyers of those residents selling houses throughout the city. This is an advantage that is tied to the house and would persist in perpetuity. It is not in the best interest of city welfare to allow this and there is no reason to do so.
7. The construction after demolition due to damaged wood is required to be built to modern code due to other provisions in city code which do not allow for a CUP.

Ordinance 23.06.11 on REPAIR, RELOCATION OR ALTERATION OF DAMAGED BUILDINGS: states "No building which has been damaged or partially destroyed to the extent of more than fifty percent (50%) of its replacement value shall be repaired, moved or altered except in conformity with the provisions of this chapter pertaining to buildings thereafter erected." The only exceptions are for fire and earthquake.

The applicant, staff, and the applicant's structural engineer have emphasized that the structure was torn down in its entirety due to the finding of damaged wood from termites and wood rot that made the walls structurally unsound. It is not in contention that the entire structure was torn down.

In applying 23.06.11 to this project, the updated valuation methodology in our code (ICC building valuation data as price per square foot) should be used. The demolition for damaged wood occurred after the valuation methodology was updated in the code and is not tied to any previous permit or valuation supplied by the applicant. 23.06.11 is a newly-relevant ordinance due to demolition for findings of damage and is unrelated to any previous approvals or permits. Staff doesn't need any additional information from the applicant to do the 23.06.11 calculation since the building valuation data is all available now online and the square footage of the old, now-demolished house and the proposed new house are known. In fact it is easy to do in your head - the new design increased liveable area by 18% over the old house, so constructing the new house would cost 118% of the cost to build the old house. This is far in excess of the 50% ratio requiring conformance. 23.06.11 was written to prevent just the situation that has happened here - an applicant getting approval for a smaller project on a legal, nonconforming house, then increasing the scope based on "unanticipated" findings of damage.

The old house was damaged to 100% of its replacement value. This is now a new construction project, which should require a new design, new design review, and new construction permit. Please note that due to the way this project has avoided the normal channels of our design review process it has never had a proper design review.
REQUIRED CONDITIONS FOR APPROVAL

Some of my comments apply to more than one of the conditions below. The standard of comparison should be whether the council or commission would approve this design if it was presented de novo as a new construction proposal.

Before any conditional use permit may be granted, it shall be demonstrated and the Planning Commission must find all of the following to be true:

1. That the establishment, maintenance or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing in or working in the area of such proposed use nor be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the City; and

The CUP if approved would interfere with our peaceful and comfortable enjoyment of our property. There is less than 9 feet between our home and the now-demolished structure. From the adjacent window one could view our bedroom and the entrance to our master bath. This is exacerbated by the downward slope of Virginia Road. The bottom of the now-demolished southern bedroom window was at the mid height of our bedroom window. Also, people in the now-demolished house would be able to look directly into our backyard and pool area, despite 12’ hedges. Furthermore, there are noise issues. You can hear everything anyone says in either house because they are so close together. The invasion of privacy and noise issues would be mitigated by increased side yard setbacks. These issues were raised by multiple neighbors and independently by DRC members at the review. It is true that these issues existed with the prior home, however that house has been completely demolished and removed along with any historical significance it had. There is no reason to allow the walls to be rebuilt at such a close distance that these problems are recreated, especially when it is not allowed by current code.

Regarding safety, the point was made earlier that the current setbacks limit firefighter access to the rear of the property. In addition the sidewalls and roofs are so close, especially with overhanging eaves, that embers or fire could easily jump between roofs. If this were to happen, with the limited access for firefighting personnel and equipment, the chance for damage to or loss of life and property is increased. The combination of close roof proximity and limited side yard access to the rear of the property amplifies the danger. There is no need to recreate this dangerous configuration.
A critical point in assessing fire risk is the **standard of comparison**. The question for the Council, Commission and Fire Marshall should not be whether the proposed design meets minimum fire safety code but rather whether it meets the same requirements for the CUP - would building at a closer-than-allowed-by-code sideyard setback **in any way** increase fire risk between the two structures. If firefighters are fighting a fire at 1885 Virginia Road and they want to prevent embers from igniting the wood roof of the adjacent property would they prefer a four foot setback, or a legally-required 8+ foot setback? Would they prefer a larger legally-required sideyard for better access to the back yard? Would they even be able to get a ladder up on the side of the property if the setback is only 4'4"? These are not theoretical considerations. Please remember that within the last two years a multihouse fire occurred only two streets over on Windsor Road and embers from one burning home ignited the roof of a nearby home.

Approval of this CUP would be detrimental to the safety of neighbors and increase risk to life and property, compared to building sidewalls at setbacks that are required by our city code.

Regarding the proposed use being detrimental or injurious to property in the neighborhood or general welfare of the city, reconstructing the walls at the close setback will interfere with the natural light and ventilation to the northern windows of the property to the south. It was always dark and dank in the area between the two houses and it was greatly improved when the old house was demolished. Current code favors increased spacing between homes to avoid dark, ventilation-limited areas. There is no need to recreate this limitation on light and ventilation that is in violation of current code.

Furthermore, as discussed previously approval of the CUP would **grant a special privilege** inconsistent with the limitations on other properties in the vicinity and zone regarding being able to build a larger-than-allowed square footage new property. This would create unfair competition when any other house in the neighborhood is on the market at the same time as this property. Granting unwarranted special privileges is not in the best interest of the welfare of the city or its residents.

The mansionized appearance of the property if the CUP is approved would reduce neighboring property values as it is not aesthetic and would not meet current design review guidelines.

As noted earlier, the builder's failure to follow the law and submit all documents required for DRC review is the cause of this project's progression outside of the normal, legal design review and building process. I will leave it to the Council members to decide for themselves whether this omission and the faulty building valuation to avoid design conformance with modern code was intentional. Intentional or not, it is certainly not in the best interest of city welfare to reward developers who fail to follow our city laws. The reward would be substantial - a brand new huge
house that is larger than otherwise allowable in the city. There is no reason a tasteful, legal, code-compliant home cannot be built on this lot.

2. That the site for the proposed conditional use is adequate in size and shape to accommodate the yards, walls and fences, parking and loading, landscaping and other development features prescribed in this Chapter or required by the Commission in order to integrate said conditional use with the land and uses in the neighborhood; and

The proposed conditional use does not accommodate the other ordinances requiring side yard setbacks greater than proposed by the applicant.

As described above, the design is also in violation of ordinance 23.06.04(E)(3) which cites 23.02.13, the code addressing the encroachment rule.

The design also violates 23.02.16 on side yard limitations "Notwithstanding the requirements of subsection 23.02.09A of this article, all parcels shall provide one unobstructed side yard clearance width of five feet (5')". This ordinance requires a variance to bypass, for which the applicant has neither applied nor obtained. This ordinance prohibits the conditional use in this application because in the proposed design both the north and south walls are in violation of 23.06.04. Under the Basis for Approval or Denial of a CUP (23.07.02C) it states no permit shall be issued if it is prohibited by other provisions of this code. Based on this, the CUP is unapprovable under our own city law regarding approval of CUPs.

Staff indicated the residential use is not changing and would be typical of the area, citing five nearby properties that supposedly have close side setbacks. NONE of the properties cited, however, are on the same block of Virginia Road or even on the same street. Far more relevant is comparison to EVERY OTHER HOUSE ON THE STREET between Roanoke and Lorain, each of which has a large setback and does not suffer from these privacy, noise, light-limitation and ventilation-limitation issues.

Rebuilding the house as it was is not aesthetic. Due to the tiny setback on both north and south borders, the house appeared massive, occupying almost the entire property line. One could not rebuild this according to current code or design review guidelines. It makes the street look crowded. Every other house on the street has a driveway separating the houses, giving them separation and aesthetic spacing. This property did not resulting in the close distance between our houses.
3. That proposed conditional use will not have a detrimental effect upon the nature, condition and development of nearby uses and buildings; and

Rebuilding the house at the old setbacks will have a detrimental effect on the nature and condition of my property, reducing light availability and ventilation to the north side of my home as described above. In addition, the nature of my property when the old home was demolished became such that we had privacy without a large home built nearly on the property line looming over our bedroom and living room windows, with direct views into our backyard and pool areas.

We bought our home on Virginia Road largely for the private back yard. It was not our first home in San Marino but it is meant to be our last. Recreating a house with the same noncompliant narrow setbacks will be detrimental to the private nature of our property.

4. That the site for the proposed conditional use will relate to streets and highways adequate in width and pavement to carry the kind and quantity of traffic such use would generate.

This is not an issue for this conditional use.

These views are not ours alone. A petition opposing the CUP was submitted to the Planning Commission stating the design is incompatible with the neighborhood, signed by every resident on Virginia Road between Roanoke and Lorain Road.

The way this project has matriculated through city permitting process has bypassed every check point in the process to protect the neighbors, neighborhood, and city residents. This design review process was put in place by honorable and intelligent people who had an interest in protecting the character of the city. It should be followed.

These are the issues. Clearly there is a lot to consider. The DRC hearing was improper as discussed, the Planning commission hearing was compromised by an unprepared commissioner and improper intervention by the city attorney. I request a de novo hearing in front of the City Council so the issues raised can be fully vetted.

Respectfully,
Babak Parwar
1895 Virginia Road
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Fee Total: $4745.99  
Paid to Date: $4745.99  
Balance Due: 0.00

Plans Reviewed by:  
Description of Work: DRC17-46, Addition to first and second floors of an existing two-story residence and extensive interior remodel

**NOTICE**

The applicant, his agents and employees of shall comply with all the rules, regulations and requirements of the City Zoning Regulations and Building Codes governing all aspects of the above proposed work for which the permit is granted. The City or its agents are authorized to order the immediate cessation of construction at anytime a violation of the codes or regulations appears to have occurred. Violation of any of the codes or regulations applicable may result in the revocation of this permit. Buildings MUST conform with the submitted and approved plans. Any changes of plans or layout must be approved prior to the changes being made. Any change in the use or occupancy must be approved prior to commencement of construction. Permits are not transferable and the City of San Marino is not liable for workmanship.
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**Notes:**
- Labor and Material costs are estimates based on current market rates.
- All work is subject to labor and material availability.
- Project completion dates may vary based on project complexity.
- Additional fees may apply for any changes or modifications.
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Approved: 8/21/2017
C. Russell
April 10, 2019
Re: CUP 19-3 1885 Virginia Road
Opposition arguments

Dear San Marino City Council Members,

I am in opposition to this CUP. Building this new house with old nonconforming side yard setbacks will damage the peace, privacy, and property value of the neighbors as well as increase fire risk. The design review process created to protect the neighbors, neighborhood, and city residents has not been followed.

This a unique situation where the applicant failed to submit required drawings in the DRC application, and both the DRC and Planning Commission evaluations have been compromised.

Here are important points to consider:

1. The staff report contains important factual inaccuracies that compromise their analysis:

   Under "PROPOSAL" the report states the request is for "after-the-fact approval because the previous walls were removed after they were found to be structurally deficient"

   On page 3 regarding the DRC approval of the project, "The applicant was not required at the time to correct the existing nonconforming setbacks because (1) the existing walls along the nonconforming setback side were not part of the remodeling project."

Neither of these statements are true. Review of the initial plans submitted to DRC and final approved plans show removal of a chimney on the southern nonconforming wall. The chimney jutted out from the surrounding wall about 8-12 inches. This chimney provided visual variety to the south wall in color, contour, and texture. The submitted plans show replacement of the chimney with a flat wall with new siding. Furthermore, the demolition plan submitted prior to construction indicated demolition of the entire southern second floor sidewall and part of the first floor sidewall, indicating an intention to remodel the wall prior to construction. Removal of a protruding chimney from foundation to roof, rebuilding the resulting hole with a flat wall that has different structure, material, contour, and appearance than existing construction, as well as demolition of adjacent segments of the wall certainly qualifies as remodeling the wall.
The remodeling of the northern and southern walls which are in violation of this ordinance were **NOT** due to discovery of structurally-deficient wood, but were in fact part of the design from the beginning.

This is **critical** since the design as proposed and approved by DRC was in violation of city code 23.06.4(E)(2). This project did not have standing to be heard by DRC as it would have required a CUP prior to construction. The design did not meet the requirements for review, so the resulting DRC approval should be void as well as the resulting building permit.

The **failure here was on the part of the applicant** in not supplying the drawings required for DRC review. The 30 degree encroachment rule drawing is a requirement for any wall to be altered in the design and it was not submitted. Failure to submit this drawing concealed that the south wall was being remodeled, which would have otherwise been picked up by staff and flagged as requiring modern setbacks. Remodeled legal nonconforming sidewalls must be rebuilt at modern setbacks from the property line, according to code, and this design failed to do that.

2. The design is also in violation of multiple other ordinances whose violation collectively causes aesthetic, privacy, and noise issues as well as increased fire risk. The design violates 23.06.04(E)(3) which cites 23.02.13, the code addressing the encroachment rule.

The design also violates 23.02.16 on side yard limitations “Notwithstanding the requirements of subsection 23.02.09A of this article, all parcels shall provide one unobstructed side yard clearance width of five feet (5’)”. This ordinance requires a variance, for which the applicant has neither applied nor obtained and prohibits the conditional use in this application because in the proposed design both the north and south walls are in violation of 23.06.04. Under the Basis for Approval or Denial of a CUP (23.07.02C) it states no permit shall be issued if it is prohibited by other provisions of this code.

The multiple ordinances requiring at least a five foot side yard setback are indicative of the city’s desire to maximize availability of light, ventilation, peace, and privacy.

In addition, building to current side setback code will **reduce fire risk**. The southern property has a close side yard setback as well, so reconstruction of the nonconforming wall at the old setback will put the two walls about eight feet apart, which is not optimal for fire safety. Furthermore, the roof eaves overhang the vertical plane of the walls making the distance between roofs only about 6 feet. A fire or embers from a fire on either property could easily jump this distance, igniting the adjacent property. This is of particular concern because the southern property has a wood shingle roof. In addition, the four foot setbacks on north and south side yards limit firefighter access with their firefighting equipment to the rear of the
property to fight a fire there. I discussed these concerns with Captain Wilcox of the San Marino Fire Department who concurred and felt that building to current city building code regarding setbacks between buildings is optimal for fire safety. There is no reason to compromise safety.

3. The remodel building permit is void and the project should be appropriately classified as new construction and be built according to modern code. There are multiple arguments for this.

The building permit was issued as a result of invalid approval by DRC. The approval was based on erroneous information that the design met side yard setback code requirements. The applicant did not have standing to present the project to DRC and the deliberation by DRC was tainted by the staff incorrectly presenting the project as meeting city code. The DRC does not have authority to approve projects that require a CUP.

Indeed, multiple neighbors opposed the design in person and in writing. The main objections were privacy and massing issues. The DRC members independently voiced objections to the design size, footprint, massing issues, and privacy infringement. One obvious remedy would have been to increase the side yard setbacks to meet current code, but this was not considered since the staff presented the design as meeting code. Reliance on the design being code-compliant affected deliberations and how the competing concerns and objections were weighed.

Review of the recording of the 12/20/2017 DRC meeting reveals Committee member Judy Johnson-Brody articulating that despite flaws in the plan identified by her and other committee members, these had to be weighed against the builder’s right to build. She stated “This is within code. They have followed the rules.” at approximately 47 minutes and 30 seconds of the meeting. It wasn’t within code. They did not follow the rules. The DRC approval and building permit should be void.

The discovery that the design was not compliant with multiple city codes should have triggered a re-review at DRC or planning. Upholding the DRC approval after the design was found to be noncompliant violates the public’s right to object to the design at the DRC or planning approval level. Multiple neighbors objected to the design at the DRC both in person and in writing. At the final meeting when it was approved we did not object further because staff told us the design was within code. Had we known it was not, and needed to have 8 foot setbacks and meet the encroachment ordinance, we certainly would have asked for adjustments of the setbacks to meet code as it would have addressed a large part of our concerns about the design.
The public were denied the right to be notified, to be heard, and to object to the design once the scope changed from remodel to complete teardown and new construction. Public comments in this situation may have affected the DRC or planning decision. In addition, other members of the community who have an interest in preservation of historic houses and avoiding teardown and mansionization may have come and contributed to the discussion and voiced objections affecting the DRC or planning decision. The public notice regarding the hearing would have been different, specifying new construction and attracting more attention. Indeed, the biggest complaint among the neighbors, besides the house being too big, is the lack of notice by the city as to how a remodel and addition on the back of a property changed into a complete teardown and construction of a new house. Other members of the community were denied their right to be notified, to be heard, and to object at the DRC or planning commission regarding the new construction.

The staff opinion that the DRC approval is still valid is not credibly supported.

Faulty Building Valuation The applicant submitted valuation data in February 2019 after the teardown to assess whether the remodel would require modern code compliance. Code 23.02.22 indicates that a residential building cannot be "reconstructed or altered to the extent of more than 50% of its replacement value" without conforming to current code. The ordinance specifies the calculations be done using building valuation data from a nationally recognized source such as the International Code Council. The applicant submitted valuation data using HIS OWN ESTIMATED BUILDING COSTS. This did not follow the methodology in the ordinance. Using his own stated costs is highly inappropriate since they are not from a nationally recognized source and not verifiable. Indeed, the building costs submitted are unrealistically low, e.g. demolition of the entire house for $1000, place a completely new roof for $6500. The builder's self-reported cost to completely demolish and haul away the existing home and construct an entirely new larger 3528 square foot home is $165,600.

On the same page as the unrealistic building costs is the applicant's calculation indicating the project cost is less than 50% of the replacement cost of the previously-existing home. This indicates the intention to avoid the requirement for conformity required in 23.02.22.

Staff said the older version of the ordinance specified a different source for building valuation data that has been since incorporated into the ICC and thus not updated anymore. I called the ICC and verified that the methodology was still the same - building valuation data was reported as a price per square foot. This being the case it does not matter what the per-square-foot cost is in applying this ordinance. You just divide the area of the addition or reconstructed portion of the house by the square footage of the existing house. The building cost multiplier cancels out.

Allowing the builder to use his own stated costs is a corruption of this methodology and against the letter, spirit, and intent of the code. The builder could claim he has twenty cousins who will do the labor for free and his materials have been donated by a friend. This obviously evades the intent of the ordinance to identify projects that are substantially changing older nonconforming homes and require these homes be updated to modern code requirements.
When applied correctly the code requires an "unfudgeable" calculation. Applying the methodology of either the older ordinance or the current one shows that even if the design only reconstructed the house as it was, without the addition, the cost would be 100% of the replacement cost. This is far in excess of the 50% threshold to still consider this a remodel.

After demolition a new construction permit is required. The staff report indicates that the City Building Official ordered the demolition of the walls found to have structurally unsound wood under his authority for safety reasons. Code 23.02.29 Demolition of residential structures gives the city the right to issue a permit for demolition without approval of all necessary permits for the replacement if the structure constitutes an immediate threat to public safety, health, or welfare. If a permit was required for demolition, then whatever is built after that is new construction. California Residential Building code requires a new construction permit for new construction and for demolition.

Since the original design was illegal the resulting permit is unlawful and void. Since the design is in violation of multiple ordinances noted above including the one for which the applicant seeks a CUP, the building permit issued is void. According to code 25.01.01 and code 23.06.01 it shall be "unlawful" to permit to be erected, constructed altered, added to, or enlarged any "building" "contrary to the provisions of this chapter". According to code 25.13.03 the violator is guilty of a misdemeanor. Since the issuance of a permit that is illegal is a crime, the permit itself is void. Please note that I do not wish any individual to be punished and I only raise this point because of its legal bearing on the status of the building permit.

4. An important consideration is who bears the risk of a mistake in the process. Certainly not the neighbors. Probably not the city, as long as all procedures and laws are followed. The risk should be borne by the developer/builder. The fruit of the construction, a brand new house, built in San Marino with larger square footage than would otherwise be possible under design review guidelines and city code, is enjoyed solely by the developer/builder. As a licensed contractor the builder's primary duty and obligation is to build within all federal, state, and local ordinances. The design review guidelines passed by the city council recommend applicants familiarize themselves with all city codes applicable to their design. This applicant failed to follow the rules and legal requirements for a submission to DRC by omitting a key drawing that would have highlighted the remodeled south wall and prevented an improper DRC audience. If a real estate speculator submits a noncompliant design or runs into problems that require adjustment of the design and perhaps reduction in square footage to code, that is a risk of doing business. It is unreasonable to expect the neighbors to bear the damage that may flow from the risks of the applicant's real estate speculation or building, especially if the applicant has not followed city law.

5. The staff report states the applicant has already performed "substantial work" on the project based on "valid city-issued permits". The work so far is limited to framing and covering the
framing with plywood. If the builder were required to move the side walls, his expense should be small. Using his own submitted building costs the cost to do the framing is only $11,000. His self-reported cost to completely demolish and haul away the existing home and construct an entirely new larger 3528 square foot home is only $165,600! This is small compared to the multimillion dollar value of this brand new home once completed, even with a smaller footprint. It is a small price to pay to protect the peace, privacy, property value, safety, aesthetic limitation of mansionized houses in the city, and sense of equity of treatment for city residents.

Aldo reassured us in early January when we began inquiry into why the complete teardown was done that any construction that is in violation of code would need to be taken down and the extent of construction would not be prejudicial to his decision to remove it.

The building permit issued as discussed above is void, since the design was illegal when approved by DRC and approval was conditional on the design being within code.

6. Approval of the CUP would grant a special privilege inconsistent with the limitations on other properties in the vicinity and zone. If reconstruction of the old house with addition happens, it would unfairly affect my ability to sell my house. Why would anyone buy my house if both properties are on the market at the same time when they could have a brand new home with more square footage than otherwise would be allowed in a new house? With house prices at $1000 per square foot, allowing the builder to circumvent current code would allow him to build a larger house than otherwise allowed by current code. Other neighbors could not do the same. Building and selling a brand new massive house would affect competition for buyers of those residents selling houses throughout the city. This is an advantage that is tied to the house and would persist in perpetuity. It is not in the best interest of city welfare to allow this and there is no reason to do so.

7. The construction after demolition due to damaged wood is required to be built to modern code due to other provisions in city code which do not allow for a CUP.

Ordinance 23.06.11 on REPAIR, RELOCATION OR ALTERATION OF DAMAGED BUILDINGS:

states "No building which has been damaged or partially destroyed to the extent of more than fifty percent (50%) of its replacement value shall be repaired, moved or altered except in conformity with the provisions of this chapter pertaining to buildings thereafter erected."

The only exceptions are for fire and earthquake.

The applicant, staff, and the applicant's structural engineer have emphasized that the structure was torn down in its entirety due to the finding of damaged wood from termites and wood rot that made the walls structurally unsound. It is not in contention that the entire structure was torn down.

In applying 23.06.11 to this project, the updated valuation methodology in our code (ICC building valuation data as price per square foot) should be used. The demolition for damaged wood occurred after the valuation methodology was updated in the code and is not tied to any
previous permit or valuation supplied by the applicant. 23.06.11 is a newly-relevant ordinance due to demolition for findings of damage and is unrelated to any previous approvals or permits. Staff doesn't need any additional information from the applicant to do the 23.06.11 calculation since the building valuation data is all available now online and the square footage of the old, now-demolished house and the proposed new house are known. In fact it is easy to do in your head - the new design increased liveable area by 18% over the old house, so constructing the new house would cost 118% of the cost to build the old house. This is far in excess of the 50% ratio requiring conformance. 23.06.11 was written to prevent just the situation that has happened here - an applicant getting approval for a smaller project on a legal, nonconforming house, then increasing the scope based on "unanticipated" findings of damage.

The old house was damaged to 100% of its replacement value. This is now a new construction project, which should require a new design, new design review, and new construction permit. Please note that due to the way this project has avoided the normal channels of our design review process it has never had a proper design review.
REQUIRED CONDITIONS FOR APPROVAL

Some of my comments apply to more than one of the conditions below. The standard of comparison should be whether the council or commission would approve this design if it was presented de novo as a new construction proposal.

Before any conditional use permit may be granted, it shall be demonstrated and the Planning Commission must find all of the following to be true:

1. That the establishment, maintenance or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing in or working in the area of such proposed use nor be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the City; and

The CUP if approved would interfere with our peaceful and comfortable enjoyment of our property. There is less than 9 feet between our home and the now-demolished structure. From the adjacent window one could view our bedroom and the entrance to our master bath. This is exacerbated by the downward slope of Virginia Road. The bottom of the now-demolished southern bedroom window was at the mid height of our bedroom window. Also, people in the now-demolished house would be able to look directly into our backyard and pool area, despite 12' hedges. Furthermore, there are noise issues. You can hear everything anyone says in either house because they are so close together. The invasion of privacy and noise issues would be mitigated by increased side yard setbacks. These issues were raised by multiple neighbors and independently by DRC members at the review. It is true that these issues existed with the prior home, however that house has been completely demolished and removed along with any historical significance it had. There is no reason to allow the walls to be rebuilt at such a close distance that these problems are recreated, especially when it is not allowed by current code.

Regarding safety, the point was made earlier that the current setbacks limit firefighter access to the rear of the property. In addition the sidewalls and roofs are so close, especially with overhanging eaves, that embers or fire could easily jump between roofs. If this were to happen, with the limited access for firefighting personnel and equipment, the chance for damage to or loss of life and property is increased. The combination of close roof proximity and limited side yard access to the rear of the property amplifies the danger. There is no need to recreate this dangerous configuration.

A critical point in assessing fire risk is the standard of comparison. The question for the Council, Commission and Fire Marshall should not be whether the proposed design meets minimum fire safety code but rather whether it meets the same requirements for the CUP -
would building at a closer-than-allowed-by-code sideyard setback in any way increase fire risk between the two structures. If firefighters are fighting a fire at 1885 Virginia Road and they want to prevent embers from igniting the wood roof of the adjacent property would they prefer a four foot setback, or a legally-required 8+ foot setback? Would they prefer a larger legally-required sideyard for better access to the back yard? Would they even be able to get a ladder up on the side of the property if the setback is only 4'4"? These are not theoretical considerations. Please remember that within the last two years a multihouse fire occurred only two streets over on Windsor Road and embers from one burning home ignited the roof of a nearby home.

Approval of this CUP would be detrimental to the safety of neighbors and increase risk to life and property, compared to building sidewalls at setbacks that are required by our city code.

Regarding the proposed use being detrimental or injurious to property in the neighborhood or general welfare of the city, reconstructing the walls at the close setback will interfere with the natural light and ventilation to the northern windows of the property to the south. It was always dark and dank in the area between the two houses and it was greatly improved when the old house was demolished. Current code favors increased spacing between homes to avoid dark, ventilation-limited areas. There is no need to recreate this limitation on light and ventilation that is in violation of current code.

Furthermore, as discussed previously approval of the CUP would grant a special privilege inconsistent with the limitations on other properties in the vicinity and zone regarding being able to build a larger-than-allowed square footage new property. This would create unfair competition when any other house in the neighborhood is on the market at the same time as this property. Granting unwarranted special privileges is not in the best interest of the welfare of the city or its residents.

The mansionized appearance of the property if the CUP is approved would reduce neighboring property values as it is not aesthetic and would not meet current design review guidelines.

As noted earlier, the builder’s failure to follow the law and submit all documents required for DRC review is the cause of this project’s progression outside of the normal, legal design review and building process. I will leave it to the Council members to decide for themselves whether this omission and the faulty building valuation to avoid design conformance with modern code was intentional. Intentional or not, it is certainly not in the best interest of city welfare to reward developers who fail to follow our city laws. The reward would be substantial - a brand new huge house that is larger than otherwise allowable in the city. There is no reason a tasteful, legal, code-compliant home cannot be built on this lot.
2. That the site for the proposed conditional use is adequate in size and shape to accommodate the yards, walls and fences, parking and loading, landscaping and other development features prescribed in this Chapter or required by the Commission in order to integrate said conditional use with the land and uses in the neighborhood; and

The proposed conditional use does not accommodate the other ordinances requiring side yard setbacks greater than proposed by the applicant.

As described above, the design is also in violation of ordinance 23.06.04(E)(3) which cites 23.02.13, the code addressing the encroachment rule.

The design also violates 23.02.16 on side yard limitations “Notwithstanding the requirements of subsection 23.02.09A of this article, all parcels shall provide one unobstructed side yard clearance width of five feet (5’).” This ordinance requires a variance to bypass, for which the applicant has neither applied nor obtained. This ordinance prohibits the conditional use in this application because in the proposed design both the north and south walls are in violation of 23.06.04. Under the Basis for Approval or Denial of a CUP (23.07.02C) it states no permit shall be issued if it is prohibited by other provisions of this code. Based on this, the CUP is unapprovable under our own city law regarding approval of CUPs.

Staff indicated the residential use is not changing and would be typical of the area, citing five nearby properties that supposedly have close side setbacks. NONE of the properties cited, however, are on the same block of Virginia Road or even on the same street. Far more relevant is comparison to EVERY OTHER HOUSE ON THE STREET between Roanoke and Lorain, each of which has a large setback and does not suffer from these privacy, noise, light-limitation and ventilation-limitation issues.

Rebuilding the house as it was is not aesthetic. Due to the tiny setback on both north and south borders, the house appeared massive, occupying almost the entire property line. One could not rebuild this according to current code or design review guidelines. It makes the street look crowded. Every other house on the street has a driveway separating the houses, giving them separation and aesthetic spacing. This property did not resulting in the close distance between our houses.
3. That proposed conditional use will not have a detrimental effect upon the nature, condition and development of nearby uses and buildings; and

Rebuilding the house at the old setbacks will have a detrimental effect on the nature and condition of my property, reducing light availability and ventilation to the north side of my home as described above. In addition, the nature of my property when the old home was demolished became such that we had privacy without a large home built nearly on the property line looming over our bedroom and living room windows, with direct views into our backyard and pool areas.

We bought our home on Virginia Road largely for the private back yard. It was not our first home in San Marino but it is meant to be our last. Recreating a house with the same noncompliant narrow setbacks will be detrimental to the private nature of our property.

4. That the site for the proposed conditional use will relate to streets and highways adequate in width and pavement to carry the kind and quantity of traffic such use would generate.

This is not an issue for this conditional use.

These views are not ours alone. A petition opposing the CUP was submitted to the Planning Commission stating the design is incompatible with the neighborhood, signed by every resident on Virginia Road between Roanoke and Lorain Road.

The way this project has matriculated through city permitting process has bypassed every check point in the process to protect the neighbors, neighborhood, and city residents. This design review process was put in place by honorable and intelligent people who had an interest in protecting the character of the city. It should be followed.

These are the issues. Clearly there is a lot to consider. The DRC hearing was improper as discussed, the Planning commission hearing was compromised by an unprepared commissioner and improper intervention by the city attorney. I request a de novo hearing in front of the City Council so the issues raised can be fully vetted.

Respectfully,

Babak Parwar
1895 Virginia Road
Subject: Building Valuation
1885 Virginia Road
San Martin, CA 95046

Dear Mr. Cervantes,

Formulas from International Code Council - Building Valuation Form (August 2018)
Locality: Area Group IV, B-3 Residential, one and two family - 139.04

Existing building valuation:
   Livable Area: 2,072 sq. ft. x (0.99) = $401,078.86
   Garage Area: 384 sq. ft. x 0.72 = $27,880.64
   Total: $428,959.50

New building valuation:
   Estimating & Bidding Worksheet = $75,309.00
   Additional work (garage & walls) = $45,300.00
   Total: $120,609.00

Existing building valuation $428,959.50 divide 50% = $214,479.76. The new building valuation $120,609.00, which is under the 50% existing building valuation.

Sincerely,

Marcia Young

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Correct. The applicant is required to use standardized building valuation data as he did for the existing building reconstruction cost.

Incorrect. The applicant is claiming that to build a new larger 3528 square foot house it would cost less than half of the cost to simply rebuild the smaller, original house. This is impossible!
To San Marino Planning Commission March 2019

We, the undersigned, oppose the conditional use application regarding side yard setbacks submitted for the construction at 1885 Virginia Road. Besides damaging the peace, privacy, and property value of the neighbors as well as being incompatible with the neighborhood, it is new construction. The structure was completely demolished so building at the site should adhere to all current city, state, and federal building codes and a new design should follow our city's established design review process.
April 29, 2019

The Honorable Council of the
City of San Marino
Dr. Steven Huang, Mayor
Gretchen Shepherd Romey, Vice Mayor
Susan Jakubowski, Council Member
Steve Talt, Council Member
Ken Ude, Council Member

City Hall Council Chamber
2200 Huntington Drive
San Marino, CA 91108

SUBJECT: REQUEST TO UPHOLD PLANNING COMMISSION DECISION FOR CONDITIONAL USE PERMIT NO. 19-3 (CUP19-3), 1885 VIRGINIA ROAD

Dear Mayor and City Council Members,

My name is Marcel Young and I am the owner of 1885 Virginia Road. I am requesting the City Council to uphold the Planning Commission’s approval of CUP19-3. The recent events leading up to this hearing have been a source of great personal and financial stress for my family and I. This house is going to be my permanent home, where my three-year-old son and two-year-old daughter will grow up. My wife and I have made plans to move our family to this great city and community, including enrolling our children at San Marino Community Church Nursery School for Fall 2019.

In July 2018, I obtained approval from the Design Review Committee (DRC) for a building permit after three (3) hearings. I was later requested by the planning staff on February 25, 2019 to submit an application for a conditional use permit regarding the existing legal non-conforming side yard setback with less than five (5) feet. My CUP hearing was on March 27, 2019 and I received five (5) out of five (5) approvals from the Planning Commission. I was happy and relieved to be granted a CUP and excited to continue building my permanent home. Shortly after, I was then notified on April 10, 2019 that my CUP approval had been appealed, halting construction until the next hearing date.

I feel that I am in a unique situation because I have pursued approval from the both the DRC and the Planning Commission; whereas most applicants only seek approval from one agency. It was not easy, but I obtained approval from both. I can only tell you from my own personal experience of what happened. I did not do anything without obtaining city approval first and I provided all necessary documents when requested by city staff. A licensed structural engineer verified that the existing framing was structurally unsafe and I only replaced the damaged wood after city-building officials gave me their approval. All damaged wood was replaced with like for like, exact same size and grade. The existing legal non-conforming side yard setbacks were not modified in any manner. The remodeled walls that replaced the previous walls are in the same place and same size without detriment to neighboring properties. The footprint was not expanded to be any closer
to the adjacent neighbor’s lots. I am building exactly what is on my DRC approved plans and nothing bigger.

Despite my efforts and continued compliance with the city, the appealing neighbor is requesting that I demolish my house and restart the entire design review process. If the appeal is granted, my family and I would be devastated. We carry the financial costs of both a mortgage and an apartment, not to mention the personal costs to our family. We would not know how to recover from this loss. I am requesting the City Council to uphold the Planning Commission’s approval of CUP19-3, as I have followed all procedures set forth by the city and obtained prior approval by the City Planning Department during all stages of this project. My hope is that you will uphold the Planning Commission’s approval of CUP19-3 and relieve my family and I of this uncertainty.

Sincerely,

Marcol Young
Homeowner
The Honorable San Marino City Council:
Steven Huang, DDS, Mayor
Gretchen Shepherd Romey, Vice Mayor
Susan Jakubowski, Council Member
Ken Ude, Council Member
Steve Talt, Council Member

Dear Council Members,

This developer is guilty of misconduct, pure and simple. There is ample evidence demonstrating the scheme to demolish an old house and build a new bigger house under the guise of a remodel to avoid laws on new construction that would limit square footage. Not following laws about how the construction plan was turned in to the city, not following the law about how a remodel versus new construction is determined, and claiming absurdly-low building costs that are not even relevant to the law is evidence of misconduct and deception.

Part of the problem seems to be that the developer only gave the minimum or less than the minimum detail about the project to different Planning and Building staff members throughout the process, and everyone assumed he was acting in good faith. When the entire house was demolished, he couldn't conceal the plan any longer. When it was challenged and all the steps were examined, the true extent of the deception and misconduct became clear.

At this point, the best thing to do is just follow the law. The building permit for a "remodel" should be revoked and any revised plan should go through our existing design review process for new construction. This is simply what was supposed to have happened from the beginning.

The city residents need to hear that our City Council and Planning Department will enforce the laws designed to protect us and our great community from unscrupulous developers and preserve the character of our city.

Sincerely,

Robert Karkafi
2295 Lorain Road
June 5, 2019

RE: CUP 19-3, 1885 Virginia Road

Dear City Council Members,

I am writing in opposition to this conditional use permit.

There is a concept in city planning called residential renewal by attrition. This is where old houses gradually get updated to meet current building codes as they are torn down or remodeled. In this process electrical wiring, plumbing, and old awkward and unfavorable configurations get corrected. It is in the best interest of the city that this happen over time.

It is not in the best interest of anyone except the developer to rebuild and enlarge a house that is too big, too tall, and too close to the property lines, and recreate all the problems that this causes. The fact that a developer has attempted to do so in a deceptive fashion is unforgivable.

Sincerely,

John Ramsay
1775 Chelsea Road
6/3/2019

San Marino City Council:
Steven Huang, Mayor
Gretchen Shepherd Romey, Vice Mayor
Susan Jakubowski, Council Member
Steve Talt, Council Member
Ken Ude, Council Member

Re: 1885 Virginia Road

Dear Honorable San Marino City Council Members,

We are writing to oppose the Conditional Use Permit applied for in regard to this property.

We have lived in San Marino for over 14 years and are proud of the beauty of our neighborhood and surrounding city. We know this could not happen without the existence of city ordinances and procedures that protect and preserve the look of our fair city. It has come to our attention that the construction on the property in question is not conforming to many of these city laws and that the owner/ builder may have misrepresented to the Design Review Committee his intention to actually tear down the original house and rebuild instead of the stated remodel.

We now ask the Council to rectify the matter and deny the Conditional Use Permit.

With Respect,

Paul and Susan Kim
1660 Rubio Dr.
To the Members of the San Marino City Council,

I wish I could attend the meeting on June 13th personally, but unfortunately I will be unable to make it. Therefore, I am writing to ask you to deny this application for a conditional use permit for 1885 Virginia Road.

To be fair, I have asked myself if there is any way what has happened with this project could be due to an innocent mistake or incidental findings that were out of the applicant's control. There are just too many violations here for that to be the case. The large number of code violations, the type of violations (commissions and omissions such as saying siding and windows were to be changed to the DRC, then later giving demolition plans for those walls), their sequence, and their timing strongly suggest that this could be nothing other than intentional.

The motive for the applicant would be to maximize the structure's square footage on the lot, which in San Marino, translates to a significant dollar amount. Since the applicant is a licensed general contractor and not a San Marino resident, I have asked myself whether he has used his considerable experience to be extra careful about following the design review process and building laws in the city where he claims he wants to live. I have also considered the alternative, that he has used that experience to circumvent our process for financial gain.

I myself have remodeled my residence and gone through the entire DRC process. I also know many San Marino residents who have done remodeling projects on their homes, and like myself were careful, honest, and thoughtful in following all our city rules and processes about construction. We have done this because it is respectful to the city and to our neighbors.

I have drawn my conclusion based on the evidence. I hope the Honorable City Council will do the same and deny this application for a conditional use permit.

Thank you,
Jason Fabbro
922 Sherwood Rd
San Marino, CA 91108
Mayor Steven Huang
and Members of the San Marino City Council
2200 Huntington Drive
San Marino, CA 91108

Re: 1885 Virginia Road

Dear Mayor Steven Huang and Members of the San Marino City Council,

My name is Charles Ginn and I live at 1625 Lorain Road, across the street from 1885 Virginia Road. I am writing this letter to oppose the ongoing construction for that property. Essentially, my opposition to the project is based on concerns that the applicant appears to have not followed City ordinances during the DRC or Planning Commissions processes.

When the applicants first came to our home with plans for their remodel, my wife, Stephanie, asked if we could see more detailed plans. These original plans were limited in scope; however, we never saw them again nor did they show us any additional drawings. Over the last several months, we have watched what began as a modest remodel to mostly the back of the house turn into a teardown of an existing home.

We understand and appreciate the City of San Marino’s design review process and zoning laws are meant to preserve the neighborhood’s character while maintaining safety standards. This allows for growth in our City to develop in a measured and safe manner. As a result, I oppose the proposed project at 1885 Virginia Road for the following reasons:

Scope of the project was misrepresented to San Marino staff, neighbors, and the DRC from the beginning.

It is our understanding, the applicant submitted his required demolition plans to the City only after the design was approved by the DRC. At that time, plans showed the demolition of 90%-95% of the walls of the house. Subsequently, the applicant claimed a teardown was necessary due to the discovery of rotten wood once construction had begun. This would suggest intent to tear down the property and erect a brand new building from the start of the project. It would seem that demolition of the north and south walls, and demolition of the rest of the house would now certainly constitute a new structure. This brings into question whether the applicant’s intent was to classify the project as a remodel instead of a new construction in order to evade code requirements for new constructions.

Building costs were grossly underestimated

New construction for the proposed 3,906 square foot house was estimated to be $165,600, or $41 per square foot. This does not appear realistic given today’s construction costs, even if the applicant is a contractor. Furthermore, the applicant stated the property demolition would cost $1,000. Once again, this calls into question the reliability of these numbers and information contained in the applicant’s submissions. Furthermore, building costs are irrelevant to the ordinance defining new construction.
In conclusion, I request the City Council revisit the permit application and construction process to ensure compliance with City rules and regulations. If we allow contractors to change their original agreed upon plans in the middle of a project, we are setting a dangerous precedent where city ordinances could be evaded to the detriment of us all.

Hopefully, a new set of plans, in consultation with neighbors, would conform to existing zoning laws as well as meet the standards of the City design review requirements.

Thank you for this opportunity to express my concerns.

Respectfully submitted,

[Signature]

Charles Ginn
1625 Lorain Road
**Code Sections Analysis**

23.02.22 – Requirement For Conformance

This Code section references the standards that require legal nonconforming structures to be brought up to current Code standards. During the initial review of the Design Review application, staff requested the applicant submit a valuation of the project to demonstrate whether the proposed project would or would not exceed the 50% threshold. The valuation was reviewed and approved by the City’s structural engineer/plan checker. Upon this approval, the Design Review application was deemed complete and was allowed to proceed as designed. The Design Review approval was not appealed, so the valuation data upon which it was based are final and are not the subject of this appeal.

23.06.04(E) – Yards Generally

This Code section references the need for a CUP to remodel a side yard that provides less than a five-foot setback. This is a matter subject to a CUP and is the topic of this appeal. Subsection 3 of this Section does not apply due to the fact that this Section only applies to single-story additions of a structure, and the walls that are the subject of this appeal were existing two stories in height which were legal nonconforming. Legal nonconformities were not required to be addressed since the project did not exceed the 50% threshold.

23.02.16 – Side Yard Limitations

This Code section states that every residential parcel must maintain an unobstructed five-foot side yard. Since the existing house does not provide this, this would only be applied when a project exceeds the 50% valuation threshold. However, if the CUP were denied, an eight-foot setback would be required, and the revised project would comply with this requirement.

23.07.02 – Basis for Approval or Denial of a Conditional Use Permit

This Code section references the CUP legal findings, which apply to the matter of this appeal and are discussed in the staff report.

23.06.11 – Repair, Relocation or Alteration of Damaged Buildings

This Code section references buildings that have been damaged or destroyed by more than 50% of the replacement value. In this case, the project did not exceed the 50% threshold that would have otherwise required full compliance.

23.02.13 – Encroachment Limitation

The project is not in violation of the 30 degree structural encroachment line, because this Section only applies to single-story additions of a structure, and the walls that are the subject of this appeal were two stories in height which were legal nonconforming. Legal nonconformities were not required to be addressed since the project did not exceed the 50% threshold.
23.06.01 – Uses Generally

This Code section references the general use rule where it states that no structure may be modified without first satisfying the Code. With respect to the Design Review of the new addition to the project, the project meets all current the development standards. The remaining item is the CUP to allow the applicant the ability to remodel the single-story sides of the structure that are less than five feet from the side property lines. If the CUP were denied, then the walls would have to comply with the current provisions of the Code.

23.02.09 – Lot Area, Building Height, Lot Width, Lot Frontage, and Yard Dimension Requirements

This Code section references development standards for new construction and additions. The new additions to the existing house satisfy the setback and height requirements. In addition, the overall size (square footage) of the house does not exceed the maximum allowance. In a situation where the existing house is legal nonconforming with respect to setbacks, only in a condition where the valuation of the project exceeds the 50% threshold as described in 23.02.22, does the legal non-conformity need correction. However, if the CUP were denied, then the walls that were removed would have to comply with the current provisions of the Code.
STRATEGIC PLAN CRITICAL SUCCESS FACTORS

- Engaged and Connected Residents
- Efficient, Responsive, and Effective City Services
- Beautiful, Preserved, Single-Family Neighborhoods

BACKGROUND

On June 29, 2017, a Design Review application was submitted by Mr. Marcol Young. Design Review Case No. DRC17-46 involved a request to construct a first and second story addition with interior remodeling and exterior modifications to an existing two-story structure located at 1885 Virginia Road (the “Property”) in the R-1 District V Residential Zoning District. Prior to being scheduled for a hearing, applicants are required to submit a complete application package which includes drawings, neighbor approval letters, and construction valuation data. The construction valuation data consists of two parts: (1) the replacement cost of the existing structure, and (2) the cost to construct the proposed project. As long as the project construction cost does not exceed 50% of the replacement cost of the existing structure, any legal nonconforming aspects of a structure are not required to be corrected (previous City Code Section 23.02.22). Staff identified legal nonconforming side yard setbacks along the south property line at 4 feet 4 inches and the north property line at 4 feet 1 inch, where the Code now requires eight feet for new structures and at least five feet for structures with legal nonconforming setbacks. (Section 23.06.04 E1).

The Property owner submitted construction valuation data to the City Plan Checker for review, and the data was approved to be under the 50% threshold. Former Section 23.02.22, which was in effect at that time, stated that the value of the construction was to be based on the calculations of the latest edition of the “Building Standards” as published by the International Conference of Planning and Building Directors. Because that standard was no
longer effective, the City’s practice was to accept an engineer’s estimate of the project improvements. (That Code Section subsequently was amended by Ordinance No. 18-1340, which was effective on October 10, 2018 and established a revised standard that was current and being updated.)

Upon the application being deemed complete, the project was scheduled for a public hearing before the DRC on November 1, 2017. After a total of three public hearings were held to address design issues and adjacent neighbor privacy impacts, the application was approved with conditions on February 21, 2018 (see attached DRC approval letter). No appeals were filed regarding the decision. After completing structural plan check, a building permit was issued on July 17, 2018.

During construction, the Property owner’s contractor discovered that the existing walls along the nonconforming setbacks had been severely impacted by dry rot and termite damage. In January 2019, the Property owner consulted with the City about the problem and submitted a structural engineer’s report, which the City confirmed. Revised construction valuation data was provided to staff to reflect the removal of the damaged walls. At this time, the updated City Code (Section 23.02.22) required the data to be based on calculations from the latest edition of the Building Valuation Data published by the International Code Council (ICC). Staff found the revised construction valuation data to be consistent with the calculations published by the ICC.

The damaged walls were then demolished pursuant to the City Building Official’s authority under the Building Code to approve modifications when structurally required for safety reasons. However, the City later determined that because the damaged walls were along nonconforming side yard setbacks of less than five feet, a Conditional Use Permit (“CUP”) was required, pursuant to City Code Section 23.06.04(E)(2). The Property owner applied for approval of such CUP on February 25, 2019. Staff issued a stop work order to the Property owner, so that work would not proceed, other than to allow the building to be “wrapped” to prevent damage from the winter rains.

On March 27, 2019, upon holding a public hearing on the Project, the Planning Commission approved CUP19-3 to maintain legal nonconforming side yard setbacks on the Property, which are less than the minimum five feet required by current City Code for legal nonconforming setbacks. The Commission determined that all the required findings, which are set forth in Municipal Code Section 23.07.02 A, could be made. Those findings are:

1. That the establishment, maintenance or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing in or working in the area of such proposed use nor be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the City; and

2. That the site for the proposed conditional use is adequate in size and shape to accommodate the yards, walls and fences, parking and loading, landscaping and other development features prescribed in this Chapter or required by the Commission in order to integrate said conditional use with the land and uses in the neighborhood; and
3. That proposed conditional use will not have a detrimental effect upon the nature, condition and development of nearby uses and buildings; and

4. That the site for the proposed conditional use will relate to streets and highways adequate in width and pavement to carry the kind and quantity of traffic such use would generate.

Paragraph C of Section 23.07.02 states that “the burden of proof shall be upon the applicant to show persuasive grounds for such permit.”

The Commission’s consideration of CUP19-3 was limited to deciding whether to allow the demolished walls to be reconstructed in the same legal nonconforming location of the previous walls. CUP19-3 was approved on the basis that maintaining the nonconforming side yard setbacks would not negatively impact the adjacent neighbors, because it is a condition that has always existed on the site since the house was originally built. Furthermore, the adjacent neighbor’s property (Dr. Parwar, 1895 Virginia Road) also appears to have a legal nonconforming side yard setback, which is a common development pattern found in this neighborhood.

To summarize, the Commission held that the finished construction of the house would match what was previously approved by the Design Review Committee and the use would not be changing. The house would still be typical of the Area District V neighborhood, where many of the houses appear to be constructed very close to the side property lines. The project would not intensify the structure’s impact on neighboring lots nor expand the footprint of the house to be any closer to the adjacent neighbors’ properties than what existed previously. The nonconforming side yard setbacks would remain the same as what was previously existing prior to the Project submittal and fire safety issues would be addressed by current Fire Code requirements during structural plan check.

On April 10, 2019, Dr. Babak Parwar, property owner of 1895 Virginia Road, filed this appeal of the Planning Commission’s approval of CUP19-3, requesting that the Council reconsider allowing the Project to provide a nonconforming side yard setback that is less than required by the City Code. Dr. Parwar stated concerns about massing of the structure, privacy impacts and fire safety. In addition, he also questioned the construction valuation data that was submitted by the applicant and noted that the applicant’s approved plans showed that the chimney was to be removed from the south wall, which encroaches into the side setbacks. According to Dr. Parwar, this means that the legal nonconforming walls were not to remain and were to be revised as part of the project. Dr. Parwar claims that these changes resulted in the total demolition of the structure, which should have required the entire structure to conform to the eight foot side yard setback requirement. For all of these reasons, Dr. Parwar contends that the Planning Commission’s decision approving the Conditional Use Permit should be overturned. Dr. Parwar’s appeal application also raised multiple points with respect to various City Code Sections. Staff has reviewed these Code Sections and confirmed that they are either inapplicable to the Project or have been addressed. This review can be found in the attachment - Code Sections Analysis.
On May 8, 2019, upon conducting a public hearing and receiving public comments on the appeal application, the City Council instructed the City Clerk to set the matter for a de novo hearing within 40 days. Upon holding the de novo public hearing, the City Council must decide whether to approve or deny the appeal, based on the facts and evidence provided. If the Council were to approve the appeal of CUP19-3, the Property owner would be required to redesign and rebuild the structure to provide the minimum 8 foot side yard setbacks required by current City Code for the pre-existing walls that were demolished and return to the Design Review Committee for a revision to DRC17-46.

**FISCAL IMPACT & PROCUREMENT REVIEW**

None.

**LEGAL REVIEW**

The City Attorney has reviewed and approved the staff report as to legal form. If the City Council determines to uphold the Planning Commission’s decision to approve the Conditional Use Permit, the City Attorney’s office recommends that the City Council revise Condition A.1 of the conditions of approval to include a revised indemnification as set forth in Exhibit A of the attached resolution. On the other hand, if the City Council determines that the appeal should be granted and the Planning Commission’s decision should be overturned, then Staff should be directed to prepare an alternate resolution for adoption at the next City Council meeting.

**RECOMMENDATION**

Staff recommends that the City Council conduct the duly noticed de novo public hearing and render a decision based on the facts and findings submitted for the appeal of Conditional Use Permit CUP19-3. If the City Council agrees with the Planning Commission’s decision, this would allow the applicant to proceed with the construction of the Project and the associated site improvements with conditions as set forth in Planning Commission Resolution PCR-19-06, as revised by the City Attorney. If the Council concurs, an appropriate motion would be:

“Motion to affirm the action of the Planning Commission and adopt Resolution R-19-14.”

On the other hand, if the City Council disagrees with the Planning Commission’s decision and the Staff recommendation, then an appropriate motion would be:

“Motion to reverse the action of the Planning Commission and direct Staff to prepare a resolution reflecting the City Council’s decision for adoption at the next City Council meeting.”
## ATTACHMENTS

1. Design Review Staff Report – November 1, 2017  
2. Design Review Staff Report – December 20, 2017  
3. Design Review Staff Report – February 21, 2018  
4. Design Review No. DRC17-46 Approval Letter  
5. Planning Commission Staff Report – March 27, 2019  
6. Planning Commission Meeting Minutes (March 27, 2019)  
7. Resolution No. PCR-19-06  
8. Planning Commission Appeal Application  
9. Property Owner Letters to City Council  
10. Code Sections Analysis  
11. Exhibit A - Resolution No. R-19-14
RESOLUTION NO. R-19-14

A RESOLUTION OF THE SAN MARINO CITY COUNCIL AFFIRMING THE ACTION OF THE PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT NO. CUP19-3, A REQUEST TO RECONSTRUCT WALLS ALONG LEGAL NONCONFORMING SIDE YARD SETBACKS FOR AN EXISTING TWO-STORY STRUCTURE ON A PARCEL LOCATED IN AREA DISTRICT V AT THE PROPERTY LOCATED AT 1885 VIRGINIA ROAD AND LEGALLY DESCRIBED AS TRACT NO. 6300 LOT 175, CITY OF SAN MARINO, COUNTY OF LOS ANGELES, WITH REVISED CONDITION REGARDING INDEMNIFICATION AND DEFENSE.

THE SAN MARINO CITY COUNCIL HEREBY FINDS, DETERMINES AND RESOLVES AS FOLLOWS:

SECTION 1. On March 27, 2019, the Planning Commission approved Conditional Use Permit No. CUP19-3 (CUP19-3) for Marcel Young’s (the “Property Owner”) property located at 1885 Virginia Road (the “Property”), permitting the Property Owner’s request to reconstruct walls of a primary residential structure in the R-1 Zone that are legal nonconforming due to side yard setbacks of 4’1” and 4’4”, which is less than the minimum 8 feet required by the current San Marino City Code (“SMCC”) and therefore requires a conditional use permit. The Property is located in Area District V.

SECTION 2. SMCC Section 23.06.04(E)(2) provides:

“For a primary structure in the R-1 zone with a legal nonconforming side yard setback, the existing side yard setback shall be considered the required side yard setback for any single-story addition to or remodeling of that side of the structure, subject to the following requirements: If the existing side yard setback is less than five feet (5’), a conditional use permit is first obtained.”

SECTION 3. Pursuant to SMCC Section 23.07.09A.1., any person who is dissatisfied with the action of the Commission on a conditional use permit may, within the fifteen (15) day period prior to the effective date of such permit, file an appeal with the City Clerk. On April 10, 2019, Babak Parwar (the “Appellant”) of 1895 Virginia Road submitted an appeal request of the March 27, 2019 Planning Commission decision. A duly noticed public hearing was held before the City Council on May 8, 2019 to consider the appeal. All evidence, both written and oral, presented at said hearing was considered by the City Council in making this determination. The Property Owner and Appellant presented oral evidence.

SECTION 4. The City Council received and considered both oral and written testimony during the public hearing. The following facts were presented to the City Council:
A. The Property is zoned R-1 Single-Family Residential, Area District V. The Property is located on the west side of Virginia Road, north of Lorain Road and south of Roanoke Road. The Property is bordered by residential properties in Area District V to the east, west, north and south.

B. The Property contains 11,361 square feet of land is improved with a two-story American Colonial style structure with an attached two-car garage.

C. The Property Owner’s application for CUP 19-3 was an after-the-fact approval, since the previously existing walls of the structure were removed after they were discovered to be structurally deficient during construction work on a remodel and addition project that was previously approved by the City’s Design Review Committee (“Design Review Case No. DRC17-46”). Design Review Case No. DRC17-46 was previously approved on February 21, 2018, and no appeals were filed on the decision.

D. Upon obtaining the approval of Design Review Case No. DRC17-46, the Property Owner’s contractor discovered that the existing walls along the nonconforming setbacks had been severely impacted by dry rot and termite damage. The Property Owner consulted with the City about the problem and submitted a structural engineer’s report, which the City confirmed. The damaged walls were then demolished pursuant to the City Building Official’s authority under the Building Code to approve modifications when structurally required for safety reasons. The City later determined that because the damaged walls were along nonconforming side yard setbacks of less than 5 feet, a Conditional Use Permit was required pursuant to SMCC Section 23.06.04(E)(2).

E. Given the above, the Property Owner submitted an application for Conditional Use Permit Case No. CUP 19-3 on February 25, 2019. The application was deemed complete on March 11, 2019.

F. The Property Owner requests to reconstruct walls of the Property along existing legal non-conforming side yard setbacks for an existing two-story structure on a parcel located in Area District V. This requires a conditional use permit pursuant to SMCC Section 23.06.04(E)(2).

G. The Planning Commission’s March 27, 2019 decision was limited to deciding whether to allow the demolished walls to be constructed in the same legal nonconforming location. The March 27, 2019 decision to approve the CUP19-3 was approved on the basis that maintaining the nonconforming side yard setbacks would not negatively impact the
adjacent neighbors since it is a condition that has always existed since the
house at the Property was originally built.

H. The Planning Commission held that the finished construction of the
Property's side walls would match what existed previously in terms of
location and the design would match what was previously approved by
the Design Review Committee. The Property would still be typical of the
Area District V neighborhood, where many of the houses appear to be
constructed within five feet of the side property lines, including the
Appellant's property. The Project would not intensify the Property's
impact on neighboring lots nor expand the footprint of the Property to
be any closer to the adjacent neighbors' properties than what existed
previously.

SECTION 5. Based upon the evidence presented in the record on this matter,
including the staff report and oral and written testimony, the City Council hereby makes
the following findings:

A. Reconstructing the walls within the existing legal nonconforming side
yard setback will not be detrimental to the health, safety, peace, morals,
comfort or general welfare of persons residing in or working in the area
nor be detrimental or injurious to property or improvements in the
neighborhood or to the general welfare of the City because the previous
walls existed in the same place without detriment to neighboring
properties.

B. The Property is adequate in size and shape to accommodate the
reconstructed walls consistent with the development features prescribed
in the SMCC because the new walls will replace the previously existing
walls in the same place without detriment to neighboring properties and
the SMCC allows remodeling the side of a structure with a legal
nonconforming side yard setback of less than five feet with approval of a
conditional use permit.

C. The reconstructed walls will not have a detrimental effect upon the
nature, condition and development of nearby uses and buildings because
they will replace walls that previously existed in the same place without
detriment to neighboring properties.

D. The site of the reconstructed walls in the nonconforming setback will
relate to streets and highways adequate in width and pavement to carry
the kind and quantity of traffic such use would generate because they will
replace walls that previously existed in the same place and will result in
no increase in traffic or change in traffic patterns.
SECTION 6. Based on the foregoing, the San Marino City Council hereby affirms the action of the Planning Commission approving Conditional Use Permit No. CUP19-3 with the revised condition regarding indemnification and defense subject to the conditions of approval in attached Exhibit A.

SECTION 7. The time within which judicial review, if available, of this decision must be sought is governed by Section 1094.6 of the California Code of Civil Procedure, unless a shorter time is provided by other applicable law.

SECTION 8. The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 8th day of May, 2019.

______________________________
STEVEN HUANG, D.D.S
MAYOR

ATTEST:

______________________________
AMANDA FOWLER
ACTING CITY CLERK

I HERBY CERTIFY that the foregoing Resolution R-19-14, was approved and adopted at a Regular Meeting of the City Council held on the 8th day of May, 2019, by the following vote:

AYES:  
NOES:  
ABSENT:

______________________________
AMANDA FOWLER
ACTING CITY CLERK
STANDARD CONDITIONS

PROJECT #: Conditional Use Permit No. CUP19-3
SUBJECT: Request to maintain an existing legal nonconforming side yard setback for an existing two-story structure.
APPLICANT: Marcel Young
LOCATION: 1885 Virginia Road

ALL OF THE FOLLOWING CONDITIONS APPLY TO YOUR PROJECT.

APPLICANT SHALL CONTACT THE PLANNING DEPARTMENT, (626) 300-0784, FOR COMPLIANCE WITH THE FOLLOWING CONDITIONS:

A. General Requirements

1. The applicant shall defend, indemnify, protect and hold harmless city, its elected and appointed council members, boards, commissions, officers, officials, agents, consultants, employees, and volunteers from and against any and all claims, actions, or proceeding against the city and its elected and appointed council members, boards, commissions, officers, officials, agents, consultants, employees and volunteers to attack, set aside, void or annul, an approval of the city, Planning Commission or City Council concerning this permit and the project. Such indemnification shall include damages, judgments, settlements, penalties, fines, defensive costs or expenses, including, but not limited to, interest, attorneys' fees and expert witness fees, or liability of any kind related to or arising from such claim, action, or proceeding. The city shall promptly notify the applicant of any claim, action, or proceeding. Nothing contained herein shall prohibit city from participating in a defense of any claim, action or proceeding. The city shall have the option of coordinating the defense, including, but not limited to, choosing counsel for the defense at applicant's expense.

2. Copies of the signed Planning Commission Resolution of Approval or Approval Letter, Standard Conditions, and all environmental mitigations shall be included on the plans (full size). The sheet(s) are for information only to all parties involved in the construction/grading activities and are not required to be wet sealed/stamped by a licensed Engineer/Architect.

B. Time Limits

1. Any approval shall expire if Building Permits are not issued or approved use has not commenced within 1 year from the date of approval or a time extension has been granted.
C. Site Development

1. The site shall be developed and maintained in accordance with the approved plans which include site plans, architectural elevations, exterior materials and colors, landscaping, sign program, and grading on file in the Planning and Building Department, the conditions contained herein, and the Zoning Code regulations.  

2. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the Planning and Building Director.  

3. Operation of the facilities shall not commence until such time as all California Building Code and Fire Marshal regulations have been complied with. Prior to commencement of operation, plans shall be submitted to the San Marino Fire Department and the Building Department to show compliance. The facility shall be inspected for compliance and final acceptance granted prior to start of operation.