



CITY of CALABASAS

CITY COUNCIL AGENDA REPORT

DATE: SEPTEMBER 1, 2020

TO: HONORABLE MAYOR AND COUNCILMEMBERS

**FROM: ROBERT YALDA, P.E., T.E., PUBLIC WORKS DIRECTOR/CITY ENGINEER
MATTHEW T. SUMMERS, ASSISTANT CITY ATTORNEY**

SUBJECT: VALMAR MEDIAN LANDSCAPING UPDATE

MEETING DATE: SEPTEMBER 9, 2020

SUMMARY RECOMMENDATION:

This is an informational item as City staff is looking for comments and guidance from the Council.

BACKGROUND:

By way of background, the Old Topanga Canyon Gateway project was presented to the Traffic and Transportation Commission on June 18, 2018. The project included the construction of two center medians with drought tolerant plants for the landscaping and a gateway monument sign. The two medians were constructed in the summer of 2018 as part of the City's annual street resurfacing project. The landscaping and one monument were installed in December 2018. The trees were hand-watered until establishment was achieved. On June 4, 2019, City staff had three boulders installed in front of the monument and planted drought tolerant plants to improve the aesthetics of the medians. In addition, City staff returned and planted additional drought tolerant plants on April 14, 2020.

Staff was limited in the design of the medians due to water availability and lack of funding for the project. There currently is no reclaimed or potable water service available within the immediate proximity of the location. The closest available

potable water service is from the Las Virgenes Water District. However, per State regulations potable water cannot be utilized for median landscaping. The only option would be to bring in a reclaimed water line to the medians. City staff found that there are two points of connections available for use. One would require a County of Los Angeles permit, County of Los Angeles Health Department approval and a permit, and an onsite biologist from the Department of Fish and Wildlife because the connection would cross a fresh water source (Arroyo Creek). The second option would necessitate trenching over 1,200 yards and require several of the same permits stated above.

DISCUSSION:

As requested by the City Council at its August 26, 2020 meeting, staff has performed interim weed abatement activities at the Valmar Road medians, and continues to evaluate long-term solutions to the median landscape problem.

Staff has initiated discussions with the Las Virgenes Municipal Water District regarding possible funding for a new recycled water line to the Valmar Road medians. Staff is also pursuing permission from the Water District and other applicable regulators as to the possible use of potable water for the median landscaping. Staff is also pursuing a revised cost estimate for the project, including identifying value engineering options to reduce the cost, both up front and for annual maintenance.

As an additional possible financing measure, staff and the City Attorney have evaluated the requirements governing the use of funding from Landscape Maintenance District #22 under the Landscape and Lighting District Act of 1972 ("Act"). The Act defines an improvement as (a) "the installation of planting or landscaping" and (b) "the installation or construction of statuary, fountains, and other ornamental structures and facilities." (Sts. & Hys. Code, sec. 22525.) However, the Act states that only those improvements approved by the City Council can be undertaken. (Sts. & Hys. Code, sec. 22655 ["Upon receipt of moneys representing assessments collected by the county, the treasurer shall deposit the moneys in the treasury of the local agency to the credit of an improvement fund for the assessment district from which they were collected, and the moneys shall be expended only for the improvements authorized for such district"]; Sts. & Hy. Code, sec. 22622 ["The legislative body shall adopt a resolution which shall generally describe any proposed new improvements or any substantial changes in existing improvements and order the engineer to prepare and to file a report in accordance with Article 4 (commencing with Section 22565) of Chapter 1 of this part'.])

City Council Resolution No. 2020-1667 approved the Final Engineer's Report of Willdan Financial Services for LLAD 22 ("Report"). The Report includes the proposed types of improvements within its scope. However, for LLAD 22, the approved improvements for this fiscal year only contemplate maintenance of existing improvements, including "entry monuments, various types of fencing; retaining walls, ornamental lighting or other ornamental fixtures; signage; and irrigation, drainage, and electrical equipment." (Report, p. 6.) Elsewhere in the Report it is stated that the purpose of LLAD 22 is the "maintenance of landscape of the common areas and open space areas" (Report, p. 6.) The approved improvements for this fiscal year do not include the installation of a new entry monument and related recycled water line. Further, only improvements within the boundaries of LLAD 22 are contemplated. (Report, p. 6 ["The purpose of the District is to fund the maintenance and servicing of parkway landscape improvements installed in connection with development of properties within the District"].)

To expand beyond these limits, the City Council would need to review and approve a revised Engineer's Report at a noticed public hearing, which could conclude that the proposed Valmar Road median improvements provide a special benefit to the properties assessed within LMD #22. If that were to occur, then LMD #22 could fund the Valmar Road median improvements, as the Act allows improvements that benefit assessed parcels to be located outside the district's boundaries. Staff recommends, if the City Council is amenable to exploring this option, that Council direct to Staff continue to evaluate this option, including securing an Engineer's initial assessment of the special benefit provided to the LMD #22 assessed parcels by the proposed improvements and any consequent budgetary impact on the other improvements provided by LMD #22.

FISCAL IMPACT/SOURCE OF FUNDING:

As noted above, City staff has estimated the one-time construction cost to install a reclaimed water line is approximately \$140,000-190,000. With enhanced landscaping, it is projected that annual maintenance costs would run between \$14,000 to \$16,000. Staff recommends Council direct Staff to evaluate possible LMD #22 funding for a portion of these improvements, together with possible Las Virgenes Water District and other potential funding sources. Whether to provide General Fund support for this project is a further Council policy choice.

REQUESTED ACTION:

That the City Council consider the information presented in this report and provide direction as deemed appropriate.