



REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF WESTMORLAND

WEDNESDAY, SEPTEMBER 3, 2025

6:00 PM

City Council Chambers
355 South Center Street
Westmorland, CA 92281

Mayor's Message

This is a public meeting. You may be heard on an agenda item before the Council takes action on the item upon being recognized by the mayor. During the oral communications portion of the agenda, you may address the Council on items that do not appear on the agenda that are within the subject matter jurisdiction of the Council. Personal attacks on individuals, slanderous comments, or comments, which may invade an individual's privacy, are prohibited. The mayor reserves the right to limit the speaker's time. Individuals wishing accessibility accommodations at this meeting, under the Americans with Disabilities Act (ADA), may request such accommodations to aid hearing, visual, or mobility impairment by contacting City Hall at (760) 344-3411. Please note that 48 hours advance notice will be necessary to honor your request.

Brown Act AB 361:

Location: Westmorland City Hall Council Chambers 355 S Center Street

Judith Rivera- Mayor

Justina Cruz - Mayor Pro- Tem

Ana Beltran- Council Member

Xavier Mendez - Council Member

Ray Gutierrez- Council Member

Call to Order:

Pledge of Allegiance & Invocation:

Roll Call:

Oral Communication-Public Comment: Now is the time for any member of the public to speak to the Council. Please step to the podium and state your name and address for the record. Three (3) minute maximum time.

- Robert Amparano, Imperial Valley 9/11 Representative- Presentation on Imperial Valley 9/11 Stair Climb on September 6, 2025.

Public Hearing:

1. Open the Public Hearing: To consider Approval of the Zone Change Application to Change APN # 035-342-005 & # 035-342-006 from Industrial Zone to Residential Zone - Laura Fischer, Manager

Reports from Council Members Non-Action Items:

Staff Reports Non-Action Items:

Fire Department – Chief Sergio Cruz

Police Department – Chief Lynn Mara

City Manager- Laura Fischer

Public Works Director - Ramiro Barajas

Consent Agenda: Approve the Consent Agenda Items 1-2.

1. Approval of Meeting Minutes of July 16, 2025
2. Approval of City Warrant List.

Regular Business:

1. Discussion/Action to Hear First Reading of Ordinance 2025-02 to Change Zone for APN # 035-342-005 and # 035-342-006 from Industrial Zone to Residential Zone and Amend Official Zoning Map – Laura Fischer, Manager
2. Information Only: Status of Small Communities Drought Relief Grant Projects including the Filter Replacement and Underground Pipeline. – Joel Hamby, Interim Director of Development Services
3. Ratify Change Orders totaling \$96,376.24 to the Small Communities Drought Relief Grant Projects as follows:
 - a. Rove Engineering Change Order #1 in the amount of \$41,802.00
 - b. Rove Engineering Change Order #2 in the amount of \$22,012.10
 - c. Cora Change Order #2 in the amount of \$4,503.46
 - d. Cora Change Order #3 in the amount of \$8,243.40
 - e. Cora Change Order #4 in the amount of \$19,815.28
4. Authorize Submittal for Reimbursement and Payment of Invoices totaling \$154,538.76 for the Small Communities Drought Relief Grant Projects as follows:
 - a. Cora Payment Request #8 in the amount of \$34,512.25
 - b. Cora Payment Request #9 in the amount of \$93,272.76
 - c. Dudek May Invoice in the amount of \$1,343.75
 - d. Dedek June Invoice in the amount of \$25,410.00
5. Accept the Notice of Completion for the Underground Pipeline Project under the Small Communities Drought Relief Grant and Request Final Reimbursement and Retention Payment. Laura Fischer, Manager
6. Accept the Notice of Completion for the Filter Replacement Project under the Small Communities Drought Relief Grant and Request Final Reimbursement and Retention

Payment. The city will not release the retention for this project until the SCADA system is fully integrated and completed to City's satisfaction. Laura Fischer, Manager

7. Information Only: Annual Rate Increase for Waste Hauling Services according to Agreement with CR&R which amounts to 2.9% for all customers. Laura Fischer, Manager
8. Discussion/ Action to approve a budget modification to increase the Police Department Equipment Budget 110-21-6311 by \$8,000.00 to authorize the purchase and installation of five (5) new computers. - Lynn Mara, Police *Chief*

Closed Session:

- Personnel Matters, including the appointment, employment, performance evaluation, discipline, or dismissal of a public employee (Gov't. Code §54957(b)(1)).
 - Accounting Specialist

Adjournment: Next regular scheduled meeting September 17, 2025.

Council meetings are Open to the Public
If you need further assistance, please email the City Clerk
cityclerk@cityofwestmorland.net



Greetings,

Allow us to introduce ourselves, we are the Imperial Valley 9/11 Memorial & Stair Climb Committee. Our committee is formed of members that represent the Fire Fighter Community, Law Enforcement Community, and Public/Private organizations who are dedicated to ensuring that the Imperial Valley "Never Forgets" the tragic events that took place on September 11, 2001. We do this by hosting a memorial stair climb that honors, respects, and pays tribute to the 343 FDNY firefighters, the 60 law enforcement personnel and the 10 emergency medical personnel who made the ultimate sacrifice as a result of the terrorist attacks on that Tuesday morning in 2001.

This year marks the 24th Anniversary of September 11, and for the Imperial Valley we will host the 11th Annual 9/11 Memorial & Stair Climb event at the Grandstands of the Imperial Valley Fairgrounds on Saturday, September 6, 2025. The memorial ceremony will begin at 7:45 pm followed by our stair climb at 8:00 pm. Our Memorial Stair Climb is a way for the community to come together to remember the heroes who made the ultimate sacrifice on September 11, 2001. Each participant climbs or walks the equivalent of the 110 stories of the World Trade Center carrying the name and photo of a fallen hero to symbolically complete their climb. Attached is a video of our previous event for your viewing.

Early registration for participants is now open for \$25.00 through September 6th, and onsite registration will be \$35.00 on the day of the event at 6 p.m. Participants that register before August 22nd, will be able to receive their event T-Shirt on the day of the event. Registration can be completed on www.iv911.org.

In addition to stair climb participants, we are also seeking sponsors and vendors to join us in making our event as successful as possible. **Sponsorship opportunities come in four different levels ranging from \$343, \$413, \$911, and \$2001 with each level receiving different degrees of recognition, advertisement, event memorabilia and sponsorship dinner invitations.** Vendors can register for our event at no charge but will agree to donate 10% of their earnings during the event to the IV 9/11 Memorial & Stair Climb event.

Funds raised for this event will go to the Imperial Valley 9/11 Memorial Stair Climb 501(c)(3) that will provide charitable assistance to local firefighters and families, promote scholarship opportunities for members of the community, and will assist in the development of the Imperial Valley 9/11 Memorial. In closing, we want to thank you again for the opportunity to present this information, we invite everyone in the IV to come out, whether as a SPECTATOR, a PARTICIPANT, a SPONSOR, or VENDOR, we appreciate the assistance in having the Imperial Valley observe and remember this special day.

For questions or sponsorship/vendor opportunities, contact Tiffinie Macias at tiffinie@ivfairgrounds.com or call at [760-498-7153](tel:760-498-7153).

Attached is the 2025 flyer and link to our webpage. We ask for your support, either via sponsorship, or by advertising our event to your employees, encouraging mental and physical health for those who participate in this memorial event.

We look forward to seeing you.

Kind regards,

Robert Amparano

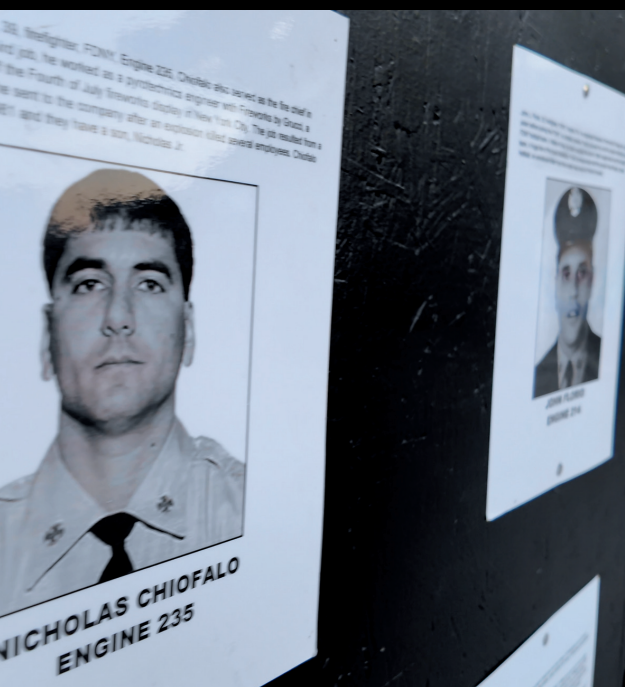
IV 9/11 Stairclimb Committee Board President



FILM NEGATIVE

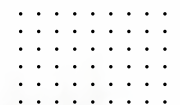


FILM NEGATIVE



FILM NEGATIVE

FILM NEGATIVE



IMPERIAL VALLEY, CA
9•11 MEMORIAS
Stair Climb
★ 2025 ★


Saturday, Sept. 6th, 2025
Doors open at 6:00 PM
IV Fairgrounds

Join us in remembering those who
made the ultimate sacrifice on
September 11, 2001.

Each participant climbs or walks the
equivalent of the 110 stories of the
World Trade Center carrying the name
and photo of a fallen hero to
symbolically complete their climb.

Early Registration: \$25 (through August 22)
On-site registration: \$35

Registration begins June 14th

 iv911.org

September 6th, 2025

2025 SPONSORSHIP opportunities



Presented by
IV 9/11 Stair Climb
Committee





IMPERIAL VALLEY, CA
9★11 MEMORIAS
Stair Climb
★ 2025 ★

Dear Sponsor,

Please allow this letter to introduce you to the Imperial Valley 9/11 Stair Climb Committee. The IV 9/11 Stair Climb Committee is a non-profit organization with members who represent the fire community, law enforcement community and the stakeholder communities within the Imperial Valley. Our priority is to ensure that the Imperial Valley remembers to honor and pay tribute to the heroes of 9/11.

The vision of the IV 9/11 Stair Climb Committee is to continue our partnership with the community in observance of an annual memorial event during the weekend of September 11. This memorial and stair climb event is a way for the Imperial Valley to come together and pay respect to the 343 firefighters, 60 law enforcement personnel and the 10 emergency medical personnel who selflessly gave their lives during the terrorist attacks in 2001.

In providing an event for observance each year for the entire Imperial Valley, the IV 9/11 Stair Climb Committee is seeking event sponsorships from your business/company for our memorial event on September 6, 2025. Your sponsorship will assist us in making our event as successful as possible. Sponsorship opportunities come in four different levels ranging from \$343, \$413, \$911, and \$2001 with each level receiving different degrees of recognition, advertisement, event memorabilia and sponsorship dinner invitations.

We are providing our Tax ID #88-1993562 for tax preparations if needed. Thank you in advance and we hope for your positive reply.

Sincerely,

Robert Amparano

President

IV 9/11 Stair Climb Committee



SPONSORSHIP

LEVELS



Level 1: \$343

**Public Recognition
Day of Event**

**Marquee Ad &
Sponsor Recognition**

**Website Sponsor
Recognition**

**Company Logo on
4x8 Banner**

**x2 Sponsor Dinner
Invites**



Level 2: \$413

Level 3: \$911

Level 4: \$2001+

**Public Recognition
Day of Event**

**Public Recognition
Day of Event**

**Public Recognition
Day of Event**

**Marquee Ad &
Sponsor Recognition**

**Marquee Ad &
Sponsor Recognition**

**Marquee Ad &
Sponsor Recognition**

**Website Sponsor
Recognition**

**Website Sponsor
Recognition**

**Website Sponsor
Recognition**

**Company Logo on
4x8 Banner**

**Company Logo on
4x8 Banner**

**Company Logo on
4x8 Banner**

**x2 Sponsor Dinner
Invites**

**x4 Sponsor Dinner
Invites**

**x8 Sponsor Dinner
Invites**

x2 Entries to Event

x4 Entries to Event

x8 Entries to Event

**Option to Display
Solo 4x8 Banner**

**Option to Display
Solo 4x8 Banner**

**x8 IV 9/11 Stair
Climb Hats**

CONTACT US



iv911stairclimbcommittee@gmail.com



iv911committee



iv911.org

SPONSORSHIP FORM

PLEASE TYPE OR PRINT CLEARLY

Company:

Contact Name:

Address:

E-mail:

Sponsorship Level/Amount:

Please return and mail checks payable to
IV 9/11 Stair Climb Committee
PO Box 31, Imperial, CA 92251



*Join Us For
The Inaugural*



DESERT KNIGHTS

A PUBLIC SAFETY GALA

OCT **3**RD 2025

— 6:00 PM —

CASA DE MANANA - IV FAIRGROUNDS

AWARDS CEREMONY
SILENT AUCTION
DINNER DANCE

Formal Attire

\$100 SINGLE • \$175 COUPLE
\$700 TABLE FOR 8



*Join Us For
The Inaugural*

DESERT KNIGHTS

A PUBLIC SAFETY GALA

OCT **3**RD 2025

— 6:00 PM —

CASA DE MANANA - IV FAIRGROUNDS

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Formal Attire

\$100 SINGLE • \$175 COUPLE
\$700 TABLE FOR 8



CITY OF WESTMORLAND

REPORT TO CITY COUNCIL

MEETING DATE: September 3, 2025

FROM: Laura Fischer, Manager

SUBJECT: Public Hearing – To consider approval of a Zone Change Application for APN# 035-342-005 and #035-342-006. This application will change the current zone from Industrial to Residential.

ISSUE: Shall the City Council Open a Public Hearing to consider approval of a Zone Change Application for APN# 035-342-005 and #035-342-006. This application will change the current zone from Industrial to Residential?

GENERAL MANAGER'S RECOMMENDATION:

- A) Open the Public Hearing to consider any comments Regarding the Zone Change Application for APN# 035-342-005 and #035-342-006. This application will change the current zone from Industrial to Residential
- B) After receiving comments, close the Public Hearing. Any and all comments from the public will be included in the project notes.
- C) Approve the zone change application as presented.

FISCAL IMPACT: There is no fiscal impact should the Council approve the zone change application. The applicant has paid the required fees for processing.

To Be Considered at Public Hearing.

Under consideration at the public hearing tonight is the request to change zone from Industrial to Residential for property located at 510 E. Main Street (Boarts Road).

The purpose of the hearing is to solicit comments from interested persons regarding the zone change application for APN # 035-342-005 and 035-342-006 located at 510 Main Street (Boarts Road). The request is to change the zone from industrial to residential.

Council should Open the Public Hearing and solicit input from interested parties. After hearing all parties, Council should Close the Public Hearing and consider approval of the application to change zone from Industrial to Residential for property located at 510 E. Main (Boarts Road).

DISCUSSION:

A change of zone in California is the process of requesting a local government to alter a property's zoning designation, which dictates permitted land uses and development standards. The process involves initial discussions with city staff, the submission of a detailed application with site plans and environmental documentation, and a public hearing before the planning commission and/or city council.

What is a Change of Zone?

Zoning divides land into areas with specific rules about what can be built and what uses are allowed, like residential, commercial, or industrial.

Zone Change or Rezoning.

A request to change a property's zoning designation from one type to another, such as changing a residential zone to allow for mixed-use development.

Key Steps in the Process

1. Pre-Application Meeting: Completed

Applicant meets with the city to discuss the project's feasibility, requirements, and compatibility with the city's General Plan and zoning policies.

2. Application Submission: Completed

Submit a complete application package, which includes site plans, supporting documents, a statement of justification for the change, and any required fees.

3. Environmental Review: Completed & Attached

The city will evaluate the project's potential environmental impact under the California Environmental Quality Act (CEQA), which may result in a Negative Declaration or an Environmental Impact Report (EIR).

4. Planning Commission and/or City Council Review: Council on 9/3/25

The commission makes a recommendation to the city council, who then hold a public hearing and vote to approve or deny the zone change.

Important Considerations

- **General Plan Consistency:** Completed – No GP Amendment Needed

A zone change must typically be consistent with the city's General Plan. If it is not, a General Plan Amendment may be needed concurrently.

- **Public Interest:** The current use as Residential is not allowed in the Industrial zone. This change will allow the property to be zoned according to the allowed use as Residential.

The application must demonstrate how the change will serve the public interest, necessity, convenience, or general welfare.

- **Other Approvals:** N/A

Related applications, such as a Conditional Use Permit (CUP), Tentative Map or Development approval, may be required and processed with the zone change request.

- **Impact on Neighbors:** Only one business within 300 feet, which is zoned Industrial. No change of use or negative impact.

It is advisable to consult with nearby residents and property owners about the proposed changes.

BACKGROUND:

The property under consideration was zoned industrial when the property was used as the County Public Works yard. When the county owned the property they had an industrial use, but as this was a county owned property they were able to build a home at the County Public Works yard for the staff assigned to the area to live.

Residential use is not an allowed use in Industrial zone, and there is no record of a Conditional Use Permit being recorded on this parcel or parcels.

When the County sold the property to the new owner, George Mallory, it was purchased with the zone as industrial. The property was sold to Vance and Anne Mallory in 1994 and was used as the family's home with a commercial agriculture operation. Allowed uses under Industrial zone have not been in operation since the County of Imperial closed the Public Works Yard.

The property's current use as residential home is not permitted under the Industrial Zone.

The new owners of the property (once sold by Ms. Mallory) will be required to install a separate water line for each individual residents on the property. Currently there is only one line (1.5") meter. Prior to providing water service, a new ¾" line must be run to the additional home.

The City of Westmorland will reevaluate any zoning concerns if or when a business license application is received for operating at this location.

These development issues do not affect the zone change application and do not require a conditional use permit or any other consideration until an application for services is received by city hall for services or a business license.

Industrial Zone Description from the City of Westmorland's Zoning Ordinance 04-02 adopted June 2, 2004

Section 3.5 INDUSTRIAL (I) ZONE.

3.5.1. Intent.

It is the intent of the Industrial (I) zone to provide for wholesale and warehousing uses as well as those industrial uses that include manufacturing, assembly or processing and which require large storage areas.

3.5.2. Permitted Uses.

The following uses shall be permitted in an I Zone:

(a) Any of the following uses provided that such operations, manufacturing, assembly or processing are not obnoxious or offensive by reason of emission of odor, dust, gas, fumes, smoke, glare, waste, noise, vibrations, disturbances or other similar causes which may impose hazard to life or property.

(b) Wholesale and warehouse uses, which include establishments or places of business primarily engaged in selling -merchandise to retailers; to industrial, commercial, institutional, or professional users or to other wholesalers. The function of bulk storage and related uses is also included in this classification.

(c) Manufacturing which includes establishments primarily engaged in assembly, processing, packaging or treatment of various food stuffs or natural or person-made materials.

(d) Storage of empty bee hives and equipment pertaining to bees.

(e) Tractor/Truck repairing, painting or washing related uses.

3.5.3. Conditional Uses. The following shall be permitted in an I zone subject to a Conditional Use Permit (see Section 5.1):

(a) Establishments or enterprises involving large assemblages of people or automobiles.

(b) Commercial storage of oil, gasoline or petroleum products.

Under the City's adopted Zoning Ordinance 04-02 the property can be zoned Residential R-1 as long as the accessory buildings and structures are not permitted as commercial use and do not receive a business license. Should the new owner request a business license, they would have to secure a Conditional Use Permit from the city.

CONCLUSION:

After opening a Public Hearing, gathering comments and information from the public, staff recommends closing the Public Hearing, and taking the appropriate action to approve the zone change request as presented.

Next Step to Proceed with Zone Change Request is to hear the first reading of Ordinance 2025-2 to change zone from Industrial to Residential APN 035-342-005 and 035-342-006.

ALTERNATIVE:

- 1) Approve the zone change application and direct staff to move forward with the approval process
- 2) Do not open the Public Hearing and direct staff to take alternate action.
- 3) Do not approve the zone change application, and direct staff to make edits to the request.

Respectfully Submitted,

Laura Fischer, Manager

Attachments:

Zone Change Application

CEQA Environmental Negative Declaration

Maps of Property

Zoning Ordinance 04-02

Processing Fee: \$ 175.00
plus consultant cost



Date Filled: _____

Received By: _____

**CITY OF WESTMORLAND
DEPARTMENT OF BUILDING & PLANNING
APPLICATION FOR CHANGE OF ZONE OR PREZONE**

Application is hereby made to the City of Westmorland, County of Imperial, State of California, for a **Change of Zone** as set forth under Section 5.05, et. Seq., of the Zoning Ordinance, of the City Zoning Code of the City of Westmorland, California, as amended.

APPLICANT:

Name Anne Mallory Telephone No. (760) 455-4791

Mailing Address 307 Sunny meadow Place - Brawley, CA 92227

Name of Property Owner's (if different from above) Anne J. Mallory

Mailing Address 307 Sunny meadow Place - Brawley, CA 92227

Telephone No. (760) 455-4791

Financial Institution/Bank, providing funding for the project (if known) N/A

Mailing Address _____ Telephone No. (____) _____

Applicant is the : (check one)

- ☒ Owner.
☐ Purchaser under contract.
☐ *Lessee, acting with written approval of the Owner (five (5) year minimum).
☐ *Agent, acting with written approval of the Owner of the property described hereinbelow.
☐ Other _____

*Submit written approval with application.

DESCRIPTION OF PROJECT SITE:

Legal:

Lot	Block	Subdivision
Assessor's Parcel No. (APN): <u>035 - 342 - 005 / 035 - 342 - 006</u>		
Street Address/Location <u>510 Boarts Road / 510 Main St.</u>		

ZONING REQUEST:

Current zoning Industrial
Proposed zoning Residential

JUSTIFICATION:

In the opinion of the petitioners, the public interest, health, safety, morals, peace, comfort, convenience and the general welfare and amenities would require such change for the following reasons:

Property ^{has} been used as residential since purchased in 1994

REQUIRED ATTACHMENTS:

1. Environmental Information Form.
2. Location Map.

SIGNATURE:

I certify that I am the signer of the within application and have read the foregoing and certify that the contents herein are true and correct to the best of my knowledge and belief.

8/27/25
Date

Anne J. Mallory
Applicant Signature

Anne J. Mallory
Print Name

NOTE:

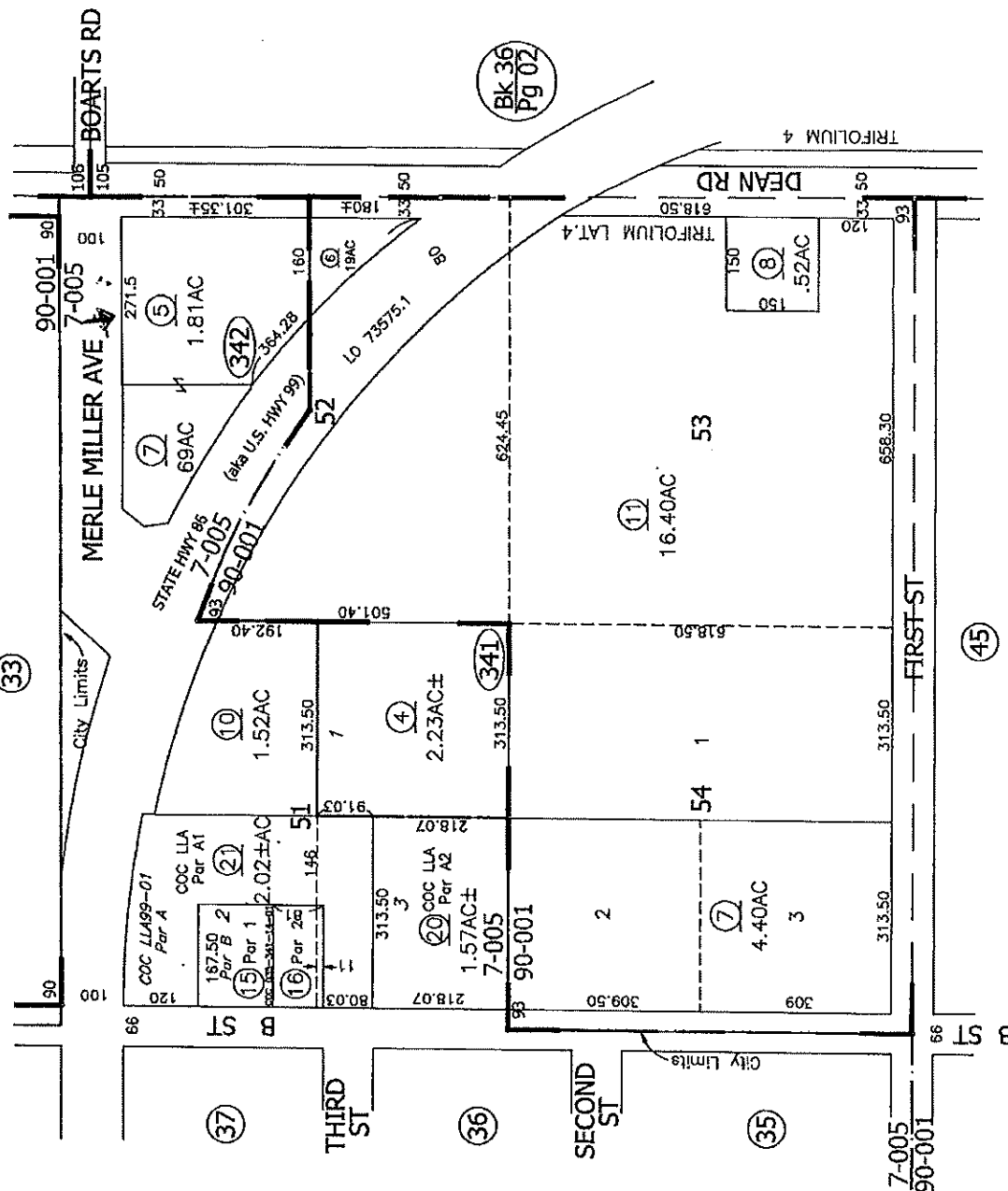
Please submit change of zone application with the required attachments and the appropriate filing fees to the Department of Building & Planning at City Hall, 355 South Center Street, Westmorland, California 92281.
Incomplete applications will not be accepted.

If you need assistance completing the applications, please contact the Department of Building & Planning on weekdays, from 8:00a.m. to 5:00p.m., at (760) 344-3411.

Tax Area Code
7-005
90-001

TRACT 93 & POR. OF RESUB. OF TOWNSITE

OM 6-14
OM 3-54
OM 3-54 1/2



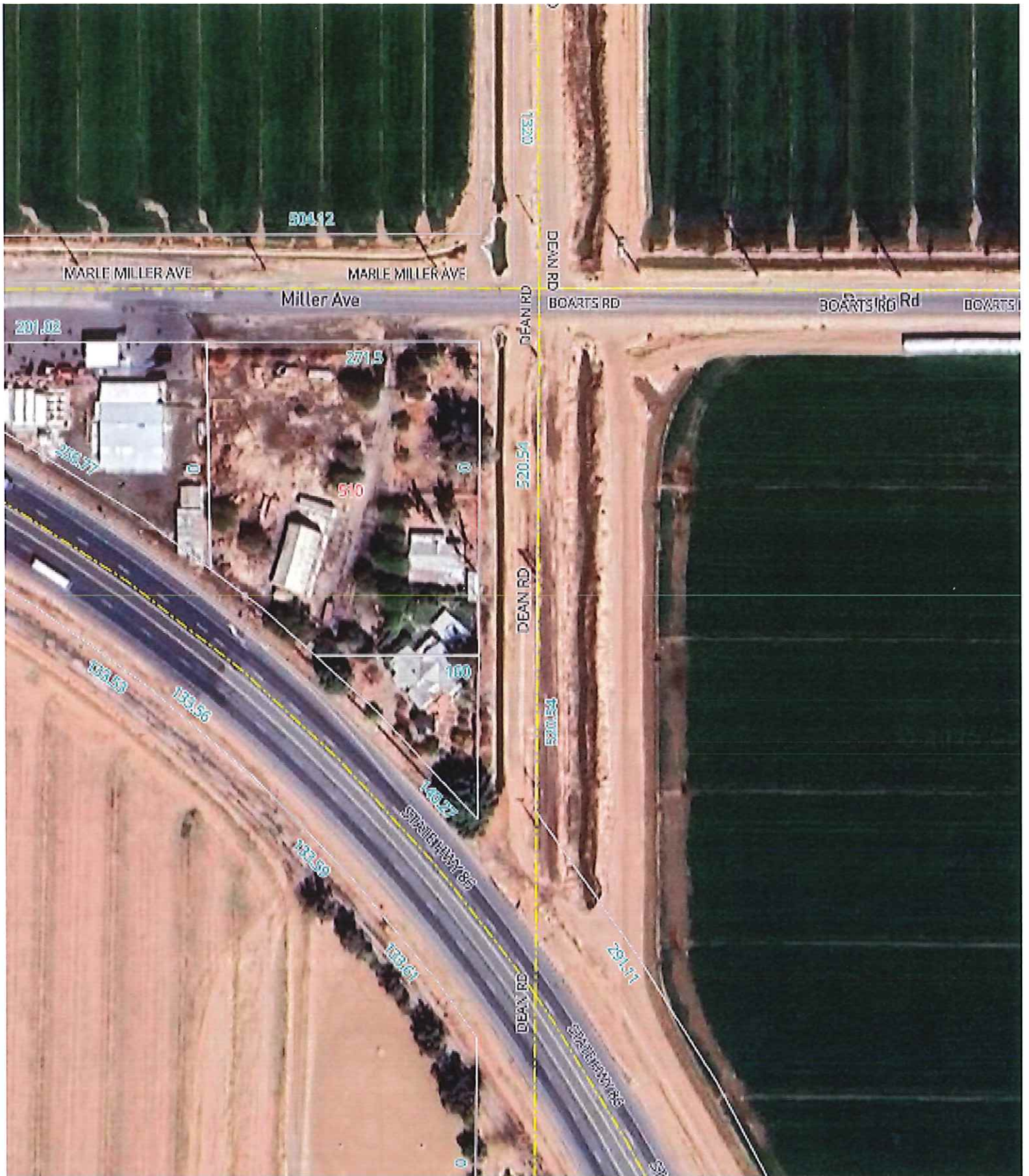
DISCLAIMER:
THIS IS NOT AN OFFICIAL MAP.
THIS MAP WAS CREATED FOR THE IMPERIAL COUNTY
ASSESSOR, FOR THE SOLE PURPOSE OF AIDING IN
THE PERFORMANCE OF THE DUTIES OF THE ASSESSOR.
ANY ERRORS OR OMISSIONS IN THIS MAP ARE NOT
THE RESPONSIBILITY OF THE COUNTY OF IMPERIAL
OR THE ASSESSOR. (REV. & TAX CODE SEC.327)

12-7-11 MF
6-28-10 MF
6-24-10 MF

CITY OF WESTMORLAND
Assessor's Map Bk.35-Pg.34
County of Imperial, Calif.

MF
AR
LS
RM
LS

5-15-74 ED
11-7-73 ED
9-18-68 R.M.
9-5-67 W.B.



1" = 134 ft

08/28/2025



This map may represent a visual display of related geographic information. Data provided here is not a guarantee of actual field conditions. To ensure complete accuracy, please contact the responsible staff for the most up-to-date information.

CITY OF WESTMORLAND
355 SOUTH CENTER STREET
WESTMORLAND, CA 92281

CEQA Compliance Certification

Grantee: City of Westmorland

Project Name: Zone Change Application APN# 035-342-005 and # 035-342-006

Project Address: 510 Main (Boarts) Street, Westmorland, CA 92281

Is the CEQA analysis complete? ☒ Yes ☐ No

What document was filed, or is expected to be filed for this project's CEQA analysis:

(check one)

Date complete/expected to be completed

☒ Notice of Exemption (**attach recorded copy if filed**) – Expected to be filed 10/2025

☐ Notice of Determination (**attach recorded copy if filed**) _____

If CEQA is complete, and a Notice of Exemption or Notice of Determination was not filed, attach a letter from the Lead Agency explaining why, certifying the project has complied with CEQA and noting the date that the project was approved by the Lead Agency.

LEAD AGENCY CONTACT

Agency Name: City of Westmorland

Contact Person: Laura Fischer

Mailing Address: 355 South Center Street, Westmorland, CA 92281

Phone: (760) 344-3411

Email: lfischer@cityofwestmorland.net

Certification

I hereby certify that the above referenced Lead Agency has complied or will comply with the California Environmental Quality Act (CEQA) and that the project is described in adequate and sufficient detail to allow the project's ZONE CHANGE.

I further certify that the GEQA analysis for this project encompasses all aspects of the impacts of the zone change.

 09/03/2025
Signature of Authorize Representative Date

Laura Fischer Manager
AUTHORIZED REPRESENTATIVE
(Printed Name and Title)

ORDINANCE NO 13-01**AN ORDINANCE OF THE CITY OF WESTMORLAND, CALIFORNIA, AMENDING
THE ZONING ORDINANCE TO INCLUDE UPDATES TO THE GENERAL PLAN****TABLE OF CONTENTS**

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It is declared that in the adoption of this Ordinance and of the respective zones set forth in this Ordinance, the City Council has given due and special consideration to the peculiar suitability of each and every such zone created for the particular uses enumerated therefore, the area requirements, density of land occupancy and the necessary, proper and comprehensive groupings and arrangements of the various industries, businesses and population of the city and in relation with established plans in the adjoining areas of the city in accordance with a well-considered plan of land use for the development of the entire city.

Article I. PURPOSE AND INTRODUCTORY PROVISIONS

SECTIONS 1.01 PURPOSE

The purpose of this Zoning Ordinance is to classify, designate, regulate and restrict the use of land, buildings and other structures so as to ensure that the goals and objectives of the Westmorland General Plan are realized, and to ensure the protection and enhancement of the public health, safety and general welfare. This Ordinance is further intended to provide economic and social advantages resulting from an orderly planned use of land resources, and to encourage, guide and provide a definite plan for the future growth and development of the City. It is also intended to establish minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, access to persons with disabilities, sanitation, adequate lighting and ventilation, and energy conservation, safety to life and property from fire and other hazards attributed to the built environment; and provide safety to firefighters and emergency responders during emergency operations. The provisions of this code shall apply to the construction, alteration, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every detached one and two single-family dwellings, buildings not more than three stories above grade plane in height with a separate means of egress and structures accessory thereto within the City of Westmorland. Therefore, the 2010 California Residential Code, Title 24, Part 2.5, published by the International Code Council (ICC), in the California Code of Regulations, except as specifically repealed or amended by ordinance of the City, is hereby adopted and made part of this chapter as though set forth in full herein. A true and correct copy of the 2010 California Residential Code as adopted by this section shall be on file in the office of the City Building Official for inspection by the public.

SECTION 1.02 GENERAL PROVISIONS

(a) Provisions to Be Construed As Minimal Requirements.

In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare. Anything not expressly incorporated by reference in this Ordinance is hereby prohibited.

(b) Effect on Other Ordinances.

The provisions of this Ordinance shall not be deemed or construed to repeal, amend, modify, alter or change any other ordinance or any part thereof not specifically repealed, amended, modified, altered or changed in the provision codified in this Ordinance, except in such particulars or matters as this Ordinance is more restrictive than such other ordinances or part thereof; and that in all particulars wherein this title is not more restrictive, each such other ordinance shall continue and shall be in full force and effect.

(c) Exercise of Powers Granted By Title.

Whenever a power is granted to, or a duty imposed upon, a public officer by this Ordinance, the power may be exercised or the duty may be performed by the Planning Commission, a deputy of the chairperson, or a person authorized pursuant to law or ordinance by the Planning Commission unless this title expressly provides otherwise.

SECTION 1.03 DEFINITIONS

For the purpose of carrying out the intent of this ordinance, words, phrases and terms used in this document and in the implementation of this ordinance are defined as follows:

Abut:

“Abut” means two adjoining parcels of property with a common property line except where such common property line is located in a public street right-of-way.

Access

“Access” means the way by which pedestrians and vehicles shall have safe, adequate and useable ingress and egress to a property or use.

Accessory building or structure

“Accessory building” or “accessory structure” means a detached subordinate building or structure, the use of which is incidental to that of the predominant use of the land, and which is located in the same or less restrictive zone on the same lot or parcel with the predominant building, structure or use.

Apartment

“Apartment” means any building, or portion thereof, which is designed, built, rented, leased, let or hired out to be occupied, or which is occupied as the home or residence of three or more families living independently of each other and doing their own cooking in the building

Alley

“Alley” means any dedicated way, intended for vehicular service to the rear or side of property served by a street.

Automobile storage space

“Automobile storage space,” when required by this code/ordinance, means any permanently maintained space of not less than one hundred forty-four square feet of useable area and not less than nine feet wide at any place, on the same lot or parcel of land as is located the structure it is designed to serve, so located and arranged as to permit the storage of, and be readily accessible under its own power, one (1) passenger automobile of average size.

Building

“Building” means any structure that is completely roofed and enclosed on all sides which is built for the support, shelter or enclosure of persons, animals, chattels or property of any kind and having a fixed base on or fixed connection to the ground and as defined by the Uniform Building Code.

City

“City” means the City of Westmorland

Commission

“Commission,” as used in this document, means the Planning Commission of the City of Westmorland

Council

“Council” means the City Council of the City of Westmorland

Density

The number of dwelling units allowed within a given square footage. Density shall be based upon lot size and shall be determined by dividing the net useable area of the parcel to be subdivided or parcelized by the required lot area. “Net useable area” is the area of a parcel exclusive of streets, alleys and similar public right-of-ways.

Density Bonus

Density Bonus means a density increase of at least twenty percent (20%) unless a lesser percentage is elected by the applicant, over the otherwise maximum allowable residential density, as required for some affordable housing, mixed-use, or other designated residential developments.

Detached living quarters

“Detached living quarters” means living quarters within a detached accessory building located on the same premises as the main building, for use by temporary guests of the occupants of the premises. Such accessory building shall have no plumbing or plumbing facilities of any kind except for space heating, air conditioning, toilet or bath.

Disability

Federal laws define a person with a disability as any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such an impairment. In general, a physical or mental impairment includes hearing, mobility and visual impairments, chronic alcoholism, chronic mental illness, AIDS, AIDS Related Complex, and mental retardation that substantially limit one or more major life activities. Major life activities include walking, talking, hearing, seeing, breathing, learning, performing manual tasks, and caring for oneself.

Dwelling unit

Dwelling Unit means a building or portion thereof either designed for or occupied for residential purposes by one person living alone or a group of two or more persons living together whether related to each other by birth or not, but not including hotels, boarding and lodging houses, and trailers (unless the trailer meets building code requirements for dwelling unit).

Dwelling, Single Family

A Single Family Dwelling unit is a detached building, or portion thereof designed for occupancy by one or more families.

Dwelling, Two or more units

A multi-family dwelling unit is a detached building, or portion thereof designed for occupancy by two or more families.

Dwelling, Second Unit

An attached or detached dwelling unit which provides complete independent living facilities for one (1) or more persons, with permanent provisions for living, sleeping, eating, cooking and sanitation sited on the same parcel as the primary dwelling unit. This definition includes granny flats.

Emergency Shelter

A facility whose primary purpose is to provide temporary or transitional shelter for the homeless in general or for specific populations of the homeless.

Employee Housing

Property used temporarily or seasonally for the residential use of unrelated persons/families employed to perform agricultural or industrial labor either on- or off-site of agricultural activities. The accommodations may consist of any living quarters, dwelling, boardinghouse, tent, bunkhouse, mobile home, manufactured home, recreational vehicle, travel trailer, or other housing accommodations maintained in one (1) or more buildings, or one (1) or more sites, and the premises upon which they are situated, including area set aside for parking of mobile homes or camping of employees by the employer. Employee housing may also involve permanent residency if the housing accommodation is a mobile home, manufactured home, travel trailer, or recreational vehicle. Specifically, there are two (2) types of employee housing as follows: Employee Housing, Large. Employee housing that serves more than six (6) employees and consists of no more than thirty-six (36) beds in group quarters or twelve (12) units or spaces designed for use by a single family or household; and Employee Housing, Small. Employee housing that serves six (6) or fewer employees.

Family

Family includes, but is not limited to, regardless of marital status, actual or perceived sexual orientation, or gender identity, the following: A group of persons residing together.

Flag lot

“Flag lot” means a lot which does not abut or have access to a public road, other than by a narrow right-of-way which is part of the otherwise wider lot and which constitutes a significant portion of all of the width of the lot where the right-of-way is located.

Floor area ratio

“Floor area ratio” means the numerical value obtained through dividing the gross floor area of the building or buildings located upon a lot or parcel of land by the total area of such lot or parcel of land.

General Plan

As used in this document, the General Plan means The General Plan of the City of Westmorland.

Grade (ground level)

“Grade” or “ground level” means the average grade of the finished ground level at the center of all walls of a building. In case walls are parallel to and within five feet of sidewalks, the aboveground level shall be measured at the sidewalks.

Habitable building

“Habitable building” means a building or a portion thereof designed, built, rented, leased, used or occupied as living quarters of one person living alone or a group of two or more persons living together, and includes detached living quarters, trailers, and mobile home units.

Height

“Height” means the vertical distance from the grade to the highest point of the coping of a flat roof or to the average height of the highest gable of a pitch or hip roof. In calculating the height, roof structures which comply with Chapter 36 of the building code shall not be considered.

Homeless person

"Homeless person" means an individual or family who lacks a fixed, regular, and adequate nighttime residence; or an individual or family who has a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, regular sleeping accommodations for human beings.

Home occupation

"Home occupation" means a lawful occupation carried on by residents of a dwelling as an accessory use within the same dwelling.

Incentives or concessions

"Incentives" or "concessions" mean regulatory concessions as specified in Subsection 65915(l) of the California Government Code to include, but not be limited to, the reduction of site development standards or Zoning Code requirements, direct financial assistance, approval of mixed-use zoning in conjunction with the housing development, or any other regulatory incentive which would result in identifiable, financially sufficient, and actual cost avoidance or reductions that are offered in addition to a density bonus

Incidental use

"Incidental use" means a minor use incidental in all respects to the primary use permitted on the premises. An incidental use shall not be the only use of a parcel or commercial space

Indoor recreation facility

"Indoor recreation facility" means a building or structure in which a sports or recreational use is conducted. Such uses include a bowling alley, skating rink, health club, racket club and theater but do not include arcades.

Lot

"Lot" means a parcel or tract of land duly recorded and having its frontage upon a publicly dedicated street or, publicly dedicated easement accepted by the city and as defined by the Subdivision Map Act.

Lot area

"Lot area" means the total horizontal area within the lot lines of a lot.

Lot coverage

"Lot coverage" means the percentage of total building site area covered by a roof structure, open or enclosed excluding uncovered steps, patio and terraces.

Lot line

"Lot line" means the property line bounding a lot.

Lot, nonconforming

"Nonconforming lot" means any lot having a minimum square footage of not less than six thousand square feet or the minimum required by the underlying zoning designation, and which was legally created prior to the effective date of the ordinance codified in this section, but which does not conform to the lot area and lot width standards for the zone within which the lot is located. Such lot may be developed for such uses and be subject to the same development standards as apply to the remainder of the properties in the zone.

Lot width

“Lot width” means the average horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line.

Lot, through

“Through lot” means a lot having frontage on two parallel or approximately parallel streets/ right-of-ways.

Manufactured housing

“Manufactured housing” means and includes “manufactured housing,” “mobile homes” and “factory-built housing” as such terms is defined in Division 13, Part 2.1, Chapter 1 and Division 13, Part 6, Chapter 2 of the Health and Safety Code. The term “manufactured housing” shall not include “commercial coaches,” “recreational vehicles,” or “travel trailers” as such are defined in Division 13, Part 2.1 Chapter 1 of the Health and Safety Code of the State.

“Maximum residential density” means the maximum number of residential units permitted by the City of Westmorland General Plan land use element and Zoning Code at the time of application.

Motel

“Motel” means a group of attached or detached buildings containing guest rooms or dwelling units, some or all of which have a separate entrance leading directly from the outside of the building with garage attached or automobile storage space conveniently located on the lot or parcel of land and which is designed, used or intended to be used wholly or in part for the accommodation of automobile transients. Motels include auto courts, motor lodges and tourist courts.

Natural catastrophe

For the purposes of this ordinance, “natural catastrophe” means damage or destruction to structural improvements and property occurring from fire, earthquake, flood or other act of God. A natural catastrophe shall not include destruction or damage incurred by demolition or other intentional act.

Nonconforming Use or Structure

A non-conforming use or structure is a lawful existing use or structure at the time this Ordinance or any amendment thereto becomes effective, which does not conform to the requirements of the zone in which it is located, except that this ordinance or amendment thereto may provide for the abatement and amortization of nonconforming structures.

Parcel of land

“Parcel of land” means a contiguous quantity of land, in the possession of, or owned by, or recorded as the property of, the same claimant or person.

Person

“Person” means any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, business trust, receiver, syndicate, this and any other county, city and municipality, district or other political subdivision, or any other group or combination acting as a unit, other than the city.

Residence

“Residence” means a building designed as living quarters for persons doing their own cooking in such building, which either complies with, or was erected before the effective date of the requirements for group 1 occupancies in the city building code.

“Residential care facility,” consistent with the definitions of State law, means a facility that provides twenty-four (24) hour nonmedical care for more than six (6) persons eighteen (18) years of age or older, or emancipated minors, with chronic, life-threatening illnesses in need of personal services, protection, supervision, assistance, guidance, or training essential for sustaining the activities of daily living, or for the protection of the individual. This classification includes group homes, residential care facilities for the elderly, adult residential facilities, wards of the juvenile court, and other facilities licensed by the State of California.

“Residential care home,” consistent with the definitions of State law, means a home that provides twenty-four (24) hour nonmedical care for six (6) or fewer persons eighteen (18) years of age or older, or emancipated minors, with chronic, life-threatening illnesses in need of personal services, protection, supervision, assistance, guidance, or training essential for sustaining the activities of daily living, or for the protection of the individual. This classification includes group homes, rest homes, residential care facilities for the elderly, adult residential facilities, wards of the juvenile court, and other facilities licensed by the State of California. Convalescent homes, nursing homes and similar facilities providing medical care are included under the definition of “medical services, extended care.”

Room

“Room” means an unsubdivided portion of the interior of a building excluding bathrooms, kitchens, closets, hallways and service porches.

“Second dwelling unit” means an attached or detached dwelling unit, sited on the same parcel as the primary dwelling unit, which provides complete independent living facilities for one (1) or more persons, with permanent provisions for living, sleeping, eating, sanitation, and includes a single kitchen as defined in this chapter. This definition shall also include: 1. An efficiency unit, as defined in Section 17958.1 of the California Health and Safety Code; and 2. A manufactured home, as defined in Section 18007 of the California Health and Safety Code

Setback

“Setback” shall mean the required yard. See “yard”

Stand

“Stand” means a structure for the display and sale of products with no space for customers within the structure itself.

Story

“Story” means that portion of a building included between the surface of any floor and the surface of the floor above it,

Street

“Street” means any public thoroughfare or right of way which affords the principle means of access to abutting property. The word “street” shall include all major and secondary highways, traffic collector streets and local roads on the street system.

Structure

“Structure” means anything constructed or built, any edifice or building of any kind, or any piece of work artificially built or composed of parts joined together in some definite manner, which is located on the ground or is attached to something located on the ground.

“Supportive housing” means housing that is linked with on- or off-site services that assist the resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, where possible, work in the community. In accordance with Section 50675.14 of the Health and Safety Code there is no limit on the length of stay and such facilities are occupied by a target population that includes, among other populations, adults, emancipated youth, families, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people who are: 1) Low income having one (1) or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions; or 2) Individuals eligible for services provided under the Lanterman Development Disabilities Services Act (Division 4.5 of the Welfare and Institutions Code).

“Use”

Use means the purpose for which land or a structure is designed, arranged or intended, or for which it is occupied or maintained. For the purposes of carrying out the intent of this Ordinance, the term “use” includes construction, establishment, maintenance, alteration, moving onto, enlargement and occupation. Wherever this chapter prohibits the “use” of any premises for any purpose, such premises and any building, structure or improvement on such premises shall not be used, occupied, altered or improved for such purpose and no building, structure or improvement on such premises shall be erected, constructed, established, maintained, allowed to remain, altered, moved onto, or enlarged which is designed, arranged or intended to be occupied or used for such prohibited use.

Yard

“Yard” means any open space on the same lot with a building or dwelling which open space is unoccupied and unobstructed from the ground upward except as otherwise permitted by this Ordinance.

Yard, Front

“Front yard” means a yard extending across the front of a lot between side lot lines and measured horizontally at right angles to the front lot line from the front lot line to the nearest point of a main building or other structure. On corner lots the commission shall determine which the front yard is. In the absence of such determination, the front yard shall be provided on the roadway upon which the front of the building faces.

Yard, Rear

“Rear yard” means a yard between side lot lines and measured horizontally at right angles to the rear lot line from the rear lot line to the nearest point of a main building or other primary structures.

Yard, Side

“Side yard” means a yard between the front and rear yards measured horizontally at right angles from the side lot line to the nearest point of a main building or other primary structures.

SECTION 1.04 - Compliance with the Ordinance. Land may be used and a structure or part of a structure may be constructed, reconstructed, altered, or occupied or used only as this Ordinance permits.

SECTION 1.05 - Severability. The provisions of this ordinance are severable. If a section, sentence, clause or phrase of this Ordinance is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the remaining portions of this Ordinance.

Article II. ESTABLISHMENT OF ZONES

SECTION 2.01 Classifications of Zones. For the purposes of this Ordinance, the following zones are hereby established:

- R-1 Single Family Zone
- R-2 Low/Medium Density Multi-Family Zone
- R-2-T Mobile Home Park Zone
- R-3 Medium/High
- R-4 High Density Multi Family Residential
- C Commercial Zone
- I Industrial Zone.
- OS Open Space Zone.

SECTION 2.02 Locations of Zones. The boundaries for the zones listed in this Ordinance are indicated on the Westmorland Zoning Map which is hereby adopted by reference and as amended. The boundaries shall be modified and amended in accordance provisions set forth by this Ordinance.

SECTION 2.03 Zoning Map. A zoning map or zoning map amendment adopted by Section 2.2 of this Ordinance shall be prepared by authority of Planning Commission or be a modification by the City Council or a map or a map amendment so prepared. The map or map amendment shall be dated with the effective date of the ordinance that adopts the map or map amendment. A certified print of the adopted map or map amendment shall be maintained in the Office of the City Clerk as long as this Ordinance remains in effect.

SECTION 2.04 Zone Boundaries. Where indicated zone boundaries are approximately street, ally or lot lines, said lines are determined to be the boundaries of the zone. In case any uncertainty exists, the City council shall determine the location of boundaries.

SECTION 2.05 Newly Annexed Territory. Territory annexed to the City of Westmorland shall be in the Single Family Zone (R-1). Such zoning may be temporary and the Planning Commission shall recommend to the City Council within a period not to exceed one (1) year a final zoning plan for the annexed territory. The City Council has the authority to pre-zone the annexed territory, and in which case, that pre-zoning designation shall apply.

Article III. ZONES**SECTION 3.01 SINGLE FAMILY (R-1) ZONE**

- (a) **Intent.** It is the intent of the R-1 residential zone to provide for the development of low density single family homes on lots, not less than six thousand (6,000) square feet in area, and the protection of these zones from incompatible uses.
- (b) **Permitted Uses.** The following uses shall be permitted in an R-1 zone.
 - (i) Single family dwellings
 - (ii) Detached second dwelling units on lots with land area exceeding 15,000 square feet, subject to the following provisions:
 - 1. The second residential dwelling unit shall be separated from the primary residential unit a minimum of twenty feet (20'); and
 - 2. All provisions outlined in Section 3.01 (c) (2) through Section 3.01(c) (6) of this Ordinance.

(iii) Accessory buildings and structures incidental to the above use.

(c) **Conditional Uses.** The following shall be permitted in an R-1 zone subject to a Conditional Use Permit:

i. Second dwelling units subject to the following provisions and in accordance with California Government Section 65852.1 et seq.

1. Second dwelling units shall be conditionally permitted on R-1 zoned parcels with an existing single-family residence, or if the lot is vacant and is to be developed in conjunction with the construction of the primary single family residence.
2. Attached and detached secondary dwelling units shall not exceed fifty percent of the floor area of the primary residence, or one-thousand square feet, whichever is less.
3. In addition to the required parking for the primary residence, a minimum of one (1) off-street parking space shall be provided. Direct access to the second unit shall be provided from a public right-of-way.
4. All development standards shall apply to both the primary residence and the second unit as a whole. This includes, but is not limited to, lot coverage maximum, setback requirements, and infrastructure requirements.
5. Second dwelling units shall not be separated sold or subdivided, and the owner of the subject property shall be occupant of either unit.
6. Second units may be rented subject to Council approval, provided that the second unit is rented to "low" and "very-low" income households as defined by the most currently published State Housing and Community Development (HCD) income limits for Imperial County. The Property owner shall enter into and record an affordable housing contract with City for as long as the second unit exists and shall run with the land.

ii. Churches

iii. Education institutions

iv. Public service buildings including libraries

v. Public parks and recreational facilities

vi. Public utility structures

vii. Home occupations

(d) **Property Development Standards.** The following property development standards shall apply to all land and buildings in an R-1 zone:

- i. Lot Area Minimum: six thousand (6,000) square feet
- ii. Lot width minimum: fifty (50) feet
- iii. Lot Width minimum one hundred twenty (120) feet
- iv. Front Yard Minimum: twenty (20) feet. A carport, subject to planning Commission review and approval, may encroach within the front yard setback, provided that it is an open-frame structure and does not obstruct visual lines of sight from the roadway(s).
- v. Side Yard Minimum: five (5) feet, except that on a corner lot the side yard on the street side shall be a minimum of eight (8) feet.
- vi. Rear Yard Minimum: twenty (20) feet.
- vii. Building Height Maximum: thirty-five (35) feet.
- viii. Lot Coverage Maximum: fifty percent (50%)
- ix. Off-Street Parking Requirements: see Section 4.5
- x. Fences, Walls and Hedges: see Section 4.7

- xi. Signs: see Section 4.8

SECTION 3.02 LOW/MEDIUM DENSITY MULTI-FAMILY (R-2) ZONE.

- (a) **Intent.** It is the intent of the R-2 residential zone to provide for multi-family residential development at low and medium densities on lots not less than six thousand (6,000) square feet in area, and the protection of these zones from incompatible uses.
- (b) **Permitted Uses.** The Following uses shall be permitted in an R-2 zone:
 - i. Any use permitted in the R-1 zone.
 - ii. Two and three family residential dwellings
 - iii. Accessory buildings and structures incidental to the above use.
- (c) **Conditional Uses.** The following shall be permitted in an R-2 zone subject to a Conditional Use Permit (see Section 5.02):
 - i. Four or more family residential dwellings, but less than fifteen.
 - ii. Church
 - iii. Educational institutions
 - iv. Public service building including libraries
 - v. Public parks and recreational facilities
 - vi. Public utility structures
 - vii. Home occupations
- (d) **Property Development Standards.** The following property development standards shall apply to all land and buildings in an R-2 zone:
 - i. **Density:** No lot shall contain less than two thousand (2,000) square feet per dwelling unit.
 - ii. **Lot Area Minimum:** seven thousand (7,000), square feet.
 - iii. **Lot width Minimum:** fifty (50) feet
 - iv. **Lot Depth Minimum:** one hundred forty (140) feet
 - v. **Front Yard Minimum:** twenty (20) feet
 - vi. **Side Yard Minimum:** five (5) feet, except that on a corner lot the side yard on the street side shall be a minimum of eight (8) feet.
 - vii. **Rear Yard Minimum:** twenty (20) feet
 - viii. **Building Height Maximum:** thirty-five (35) feet
 - ix. **Lot Coverage Maximum:** fifty percent (50%)
 - x. **Off-Street Parking Requirements:** see Section 4.5
 - xi. **Fences, Walls and Hedges:** see Section 4.7
 - xii. **Signs:** see Section 4.8

SECTION 3.03 HIGH DENSITY MULTI-FAMILIES RESIDENTIAL (R-4) ZONE

- (a) **Intent.** It is the intent of the R-4 residential zone to provide for the development of high density multi-family homes, and the protection of these zones from incompatible uses.
- (b) **Permitted Uses.** The following uses shall be permitted in an R-4 zone.
 - i. Single family dwellings
 - ii. Mobile home parks, subject to Section 4.10 (Mobile Home Park Development Standards) of this Zoning Ordinance
 - iii. Accessory buildings and structures incidental to the above use.
- (c) **Conditional Uses.** The following shall be permitted in an R-4 zone subject to a Conditional Use Permit:
 - i. Multi-family dwellings up to four units

- ii. Four or more family residential dwellings
- iii. Churches
- iv. Educational institutions
- v. Public service building including libraries.
- vi. Public parks and recreational facilities
- vii. Public utility structures
- viii. Home occupations

(d) Property Development Standards. The following property development standards shall apply to all land and buildings in an R-4 zone:

- i. **Density:** No lot shall contain less than fifteen hundred (1,500) square feet per dwelling unit
- ii. **Lot Area Minimum:** seven thousand five hundred (7,500), square feet.
- iii. **Lot width Minimum:** fifty (50) feet
- iv. **Lot Depth Minimum:** one hundred forty (140) feet
- v. **Front Yard Minimum:** fifteen (15) feet
- vi. **Side Yard Minimum:** five (5) feet, except that on a corner lot the side yard on the street side shall be a minimum of eight (8) feet
- vii. **Rear Yard Minimum:** twenty (20) feet
- viii. **Building Height Maximum:** thirty-five (35) feet
- ix. **Lot Coverage Maximum:** fifty percent (50%)
- x. **Off Street Parking Requirements:** see Section 4.5
- xi. **Fences, Walls and Hedges:** see Section 4.7
- xii. **Signs:** see Section 4.8

SECTION 3.04 RECREATIONAL VEHICLE PARK (-RV) OVERLAY ZONE

(a) Purpose and Intent. The Recreational Vehicle Park Overlay Zone is intended to allow recreational vehicle parks in areas suitable for such use subject to restrictions otherwise required by the provisions of this Ordinance. Whenever the Recreational Vehicle Park (-RV) Overlay Zone is placed on the official zoning map, the designation -RV shall be indicated after the zoning area over which it is placed (e.g., C-RV). The regulations of the -RV Overlay Zone shall apply in addition to the regulations of the principal zone of the area to which it is applied. Whenever a use is permitted in the -RV Zone, the use shall be permitted in addition to the uses otherwise allowed in the area over which it is placed. In the event that regulations of the underlying zone conflict with the provisions of the overlay zone, the more stringent regulation shall apply.

(b) Definitions.

- i. **Recreational vehicle.** Recreational vehicle is a motor home, travel trailer, truck camper, or camping trailer with or without motive power designed for human habitation for recreational or emergency occupancy.
- ii. **Recreational vehicle Park.** Recreational Vehicle Park is any property where one or more lots are rented to users of recreational vehicles and which are occupied for temporary purposes.
- iii. **Recreational vehicle site.** A plot of ground within a recreational vehicle park for one recreational vehicle, automobile and camping party.

(c) Permitted Uses. All uses permitted by this overlay zone are subject to a Conditional Use Permit in accordance with provisions set forth in Section 5.02 of this Ordinance.

- i. Recreational vehicle parks which includes any lot or parcel where two or more recreational vehicles are stored and/or occupied as temporary residences, regardless of whether or not a fee is charged for such accommodations.
- ii. Accessory uses limited to a permanent residence for the manager, vending machines and recreational facilities for the exclusive use of the park occupants.
- iii. Any commercial activity which is related to and necessary for the operation of the park. No signs advertising the presence of such commercial activity shall be visible from a public street.

(d) Property Development Standards. The following property development standards shall apply to all land and buildings in the –RV overlay zone:

- i. **Lot Area Minimum:** one and a half acres.
- ii. **Lot width minimum:** one-hundred fifty (150) feet
- iii. **Lot Depth Minimum:** none
- iv. **Site Size.** Each recreational vehicle site shall have a minimum site size of twelve-hundred square feet (1,200sf)
- v. **Front Yard Minimum:** fifteen feet (15')
- vi. **Side Yard:** No minimum except as provided in the Building Code for separation of structures, and a minimum of ten feet (10') on the street side of a corner lot, and a minimum of twenty feet (20') of landscaped area shall be provided on a side adjoining any "R" zone.
- vii. **Rear Yard:** No minimum except as provided in the Building Code for separation of structures and a minimum of twenty feet (20') of landscaped area shall be provided on a side adjoining any "R" zone.
- viii. **Separation.** Recreational vehicle parking pads shall be located to maintain a ten-foot separation between recreational vehicles.
- ix. **Building Height Maximum:** thirty-five (35) feet.
- x. **Lot Coverage Maximum:** eighty percent (80%)
- xi. **Landscaping.** All required yards shall be landscaped
- xii. **Required Facilities**
 - 1. A recreation area of at least five thousand (5,000) square feet shall be provided in addition to the required landscaping. Recreation equipment, such as a pool, playground, and picnic tables, and a service building, including toilets, showers, and laundry, can be located within the recreation area.
 - 2. **Sanitation Facilities**
 - a. A minimum of one toilet and one lavatory for each sex shall be provided for the exclusive use of the park occupants. An additional toilet and lavatory for each sex shall be provided for each fifteen (15) sites or fraction thereof which is not provided with a water connection and a three-inch drain inlet for connection to a vehicle equipped with a toilet.
 - b. A minimum of one shower for each sex and one washer and dryer is required.
 - c. Trailer sanitation stations designed to receive the discharge of sewage holding tanks for self-contained vehicles shall be installed in an accessible location in every recreational vehicle park in which there are sites not provided with drain inlets designed to receive the discharge of toilets. Trailer sanitation stations shall be provided on the basis of one station for each one hundred (100) such sites or fraction thereof.

- d. Trash containers shall be located within three hundred (300) feet of every recreational vehicle site and enclosed with a masonry fence six feet in height.
- xiii. **Off-street Parking Requirements:** One visitor parking space shall be provided for every fifteen (15) recreational vehicle sites or fraction thereof.
- xiv. **Fences, Walls, and Hedges:** see Section 4.7
- xv. **Signs:** see Section 4.8

SECTION 3.05 COMMERCIAL (C) ZONE.

- (a) **Intent.** It is the intent of the Commercial (C) zone to provide areas within the community which are primarily retail and service business in character, and to provide as a conditional use for more intense uses which are customarily accomplished at the commercial place of business. The Commercial (C) zone is intended to accommodate general commercial, office and other highway- oriented businesses and transportation-related service facilities which serve city-wide and transportation corridor-related needs. Primary uses in the Commercial (C) zone should be directed towards the provision of goods and services to the residents of Westmorland.
- (b) **Permitted Uses.** Buildings, structures and land shall be used and buildings and structures shall hereafter be erected, structurally altered or enlarged only for the following uses, plus such other uses as the Planning Commission determines to be similar or not more obnoxious or detrimental to the public health, safety and welfare. The following uses shall be permitted in a (C) zone.
 - i. Retail uses engaged in selling merchandise for personal and/or household consumption, and
 - ii. Financial and professional services and office uses which are conducted in office buildings or clinics.
 - iii. Commercial recreation uses whose primary function is to provide amusement or entertainment.
 - iv. Private non profit institutions and organizations
 - v. Hotels and Motels.
 - vi. Parking lots.
 - vii. Transportation terminals.
- (c) **Conditional Uses.** The following shall be permitted in a C zone subject to a Conditional Use Permit (see section 5.02):
 - i. Automobile repair, painting or washing related uses.
 - ii. Churches
 - iii. Educational institutions
 - iv. Heavy agricultural machinery and equipment sales and rentals.
 - v. Public service buildings including libraries
 - vi. Public parks and recreational facilities
 - vii. Public utility structures
 - viii. Wholesale distributors.
 - ix. Storage of empty bee hives and equipment pertaining to bees.
- (d) **Property Development Standards.** The following property development standards shall apply to all land and buildings in a C zone:

- i. **Lot Area Minimum:** seven thousand five hundred (7,500) square feet.
- ii. **Lot Width Minimum:** fifty (50) feet.
- iii. **Lot Depth Minimum:** one hundred fifty (150) feet.
- iv. **Front Yard Minimum:** Ten feet (10')
- v. **Side Yard:** No minimum except as provided in the Building Code for separation of structures, and a minimum of ten feet (10') on the street side of a corner lot, and a minimum of fifteen feet (15') shall be provided on a adjoining any "R" zone.
- vi. **Rear Yard:** No minimum except as provided in the Building Code for separation of structures and a minimum of ten feet (10') shall be provided upon that portion of a lot abutting or across a rear street from any "R" zone. Where there is an alley or other right-of-way separating the commercial use from the "R" zone, the minimum rear yard shall be ten feet (10') or as required by the Planning Commission.
- vii. **Building Height Maximum:** thirty-five (35) feet
- viii. **Lot Coverage Maximum:** eighty percent (80%)
- ix. **Off-Street Parking Requirements:** see Section 4.5
- x. **Off Street Loading Requirements:** see Section 4.6
- xi. **Fences, Walls, and Hedges:** see Section 4.7
- xii. **Signs:** see Section 4.8

SECTION 3.06 INDUSTRIAL (I) ZONE

- (a) **Intent.** It is the intent of the Industrial (I) zone to provide for wholesale uses as well as those industrial uses that include manufacturing, assembly or processing and which require large storage areas.
- (b) **Permitted Uses.** The following uses shall be permitted in an I zone:
 - i. Any of the following uses provided that such operations, manufacturing, assembly or processing are not obnoxious or offensive by reason of emission of odor, dust, gas, fumes, smoke, glare, wastes, noise, vibrations, disturbance, or other similar causes which may impose hazard to life or property.
 - ii. Wholesale and warehouse uses which include establishments or places of business primarily engaged in selling merchandise to retailers, to industrial, commercial, institutional, or professional users or to other wholesalers. The function of bulk storage and related uses is also included in this classification.
 - iii. Manufacturing which includes establishments primarily engaged in assembly, processing, packaging or treatment of various food stuffs or natural or person-made materials.
 - iv. Storage of empty bee hives and equipment pertaining to bees.
 - v. Tractor/Truck repairing, painting or washing and related uses.
- (c) **Conditional Uses.** The following shall be permitted in an I zone subject to a Conditional Use Permit (SECTION 5.02):
 - i. Establishments or enterprises involving large assemblages of people or automobiles.
 - ii. Commercial storage of oil, gasoline or petroleum products.
- (d) **Property Development Standards.** The following property development standards shall apply to all uses and buildings in an I zone.
 - i. **Lot Area Requirements:** none
 - ii. **Front Yard Minimum.** Fifteen feet (15')

- iii. **Side Yard:** A minimum of ten (10) feet on the street side of a corner lot. Also, a minimum of fifteen feet (15') shall be provided on a side adjoining any "R" Zone.
- iv. **Rear Yard:** A minimum of twenty-five (25) feet shall be provided upon that portion of a lot abutting or across a rear street from any "R" zone.
- v. **Building Height Maximum:** fifty (50) feet
- vi. **Off Street Parking Requirements:** see Section 4.5
- vii. **Off Street Loading Requirements:** see Section 4.6
- viii. **Fences, Walls, and Hedges:** See Section 4.8
- ix. **Signs:** see Section 4.7

SECTION 3.07 OPEN SPACE (OS) ZONE

- (a) **Intent.** It is the intent of the Open Space (OS) zone to provide open space for the preservation of natural resources, managed production of resources, open space for outdoor recreation, and for the protection of public health and safety.
- (b) **Permitted Uses.** The following uses shall be permitted in an OS Zone.
 - i. Agricultural land and areas of economic importance for the production of food or fiber
 - ii. Areas required for the preservation of plant and/or animal life
 - iii. Areas which require special management or regulation because of hazardous conditions
 - iv. Open space for outdoor recreation, including parks and utility easements.
- (c) **Conditional Uses:** The following shall be permitted in an OS zone subject to a Conditional Use Permit (see Section 5.02):
 - i. Commercial recreation facilities
 - ii. Residential uses on parcel with a minimum of ten (10) acres
 - iii. Public utility structures
 - iv. City Hall, Fire Station and/or Police Department.

Article IV. SUPPLEMENTARY PROVISIONS

SECTION 4.01 MAINTENANCE OF MINIMUM ORDINANCE REQUIREMENTS. No lot area, yard or other open space existing prior to the effective date of this ordinance shall be reduced below the minimum required for it by this ordinance.

SECTION 4.02 ACCESS. Every building hereafter erected shall be on a lot adjacent to a public street, and all structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection and required off street parking.

SECTION 4.03 EXCEPTIONS AND MODIFICATIONS. The following exceptions and modifications to yard and height requirements and reasonable accommodation are hereby authorized.

- (a) **Yard Requirements.** If there are buildings on both adjacent lots which are within one hundred (100) feet of the intervening lot, and the buildings have front yards of less than the required setback for the zone, the setback of the front yard for the intervening lot shall not exceed the average setbacks of the front yards of the adjacent lots. Where a building on an adjacent lot as above has a front yard setback of less than that required by the zone, the front yard shall not exceed a

setback distance of halfway between that on the adjacent front yard and that required by the zone.

- (b) Height Requirements. Vertical projections such as chimneys, spires, domes, towers, aerials, flagpoles and similar objects not used for human occupancy are not subject to the building height limitations of the Ordinance.
- (c) In order to comply with the provisions of SB 20 (Chapter 671 of the government code) regarding reasonable accommodation, an exception is provided for persons with disabilities to allow a ministerial process with no processing fee, subject to approval by the Building Official, as follows:
 - 1. The request for reasonable accommodation will be used by an individual with a disability protected under fair housing laws.
 - 2. The requested accommodation is necessary to make housing available to an individual with a disability protected under fair housing law.
 - 3. The requested accommodation would not impose an undue financial or administrative burden on the City.
 - 4. The requested accommodation would not require a fundamental alteration in the nature of the City's land use and zoning program.

SECTION 4.04 ACCESSORY USES. No attached accessory structure shall be erected in any required yard except for open sided canopy or roof structures, and no detached accessory structure shall be erected within five feet (5') of any other structure.

SECTION 4.05 OFF STREET PARKING REQUIREMENTS. For each main building, dwelling, commercial, industrial establishment or other structure hereafter erected, converted, reconstructed or enlarged there shall be provided and maintained off street parking facilities to accommodate the motor vehicles used by the occupants, customers, clientele, and employees of such building or structure. Each required parking space shall be not less than nine (9) feet wide and twenty (20) feet long. In addition, vehicular access to a public right of way shall be provided. The number of parking spaces for each type of use shall not be less than that stated as follows:

- (a) Residential Dwellings. For every dwelling, multiple dwelling or other structure erected or intended to be used as a dwelling, there shall be provided on the same lot or parcel of land at least one and a half (1 ½) parking spaces for each dwelling unit. A full parking space shall be provided in each instance where a fractional space would otherwise be required by the terms herein.
- b. Commercial and Industrial Buildings. For all office and commercial buildings at least one (1) parking space shall be provided for each two hundred and fifty (250) square feet of floor space or fraction thereof in said building. Each such parking space shall be on the same lot or within five hundred feet (500') of the building.
- c. Group Occupancies. For each guest room in rooming, lodging, clubs, and dormitories, there shall be provided one (1) parking space. Each such parking space shall be on the same lot or parcel of land or contiguous thereto.

- d. **Hotels, Motels and Tourist Courts.** For hotels, motels, and tourist courts at least one (1) parking space shall be provided for each living or sleeping unit on the same lot or parcel of land or contiguous thereto.
- e. **Public Assembly Uses.** For places of public assembly, including churches and theaters, at least one (1) parking space shall be provided for every three (3) seats provided in the assembly place. Each such parking space shall be on the same lot or within five hundred (500') feet of the building.
- f. **Mobile Home Parks.** For each mobile home space, there shall be provided at least two (2) parking spaces. In addition, guest parking space shall be provided at the ratio of one (1) space for each eight (8) home sites in the park.
- g. **Parking for All Other Uses.** Parking for all other uses permitted, but not enumerated in this section, shall be furnished as required by the Planning Commission.

SECTION 4.06 OFF-STREET LOADING. On the same premises with every building, structure or part thereof erected or occupied for manufacturing storage, warehouse, department store, wholesale or retail market, hotel, restaurant, hospital, laundry plant or other uses similarly involving the receipt or distribution of materials or merchandise carried by vehicle there shall be provided and maintained on the lot adequate space for standing loading and unloading service in order to avoid undue interference with the public uses of the streets or alleys. Such off-street loading facilities shall be located on the same site with the use for which it is required. The facilities shall not occupy required front yard space nor shall facilities be located closer than fifty (50) feet to any lot in any residential zone.

SECTION 4.07 FENCES, WALLS AND HEDGES. A fence, wall, or hedge within a front yard or a street side yard shall not exceed an elevation of four feet above a street elevation. A fence, wall, or hedge not more than six (6) feet tall as measured from the highest grade, may be maintained along the side or rear lot lines, provided that such fence, wall, or hedge does not extend into a required front yard. In the Industrial (I) Zone, all improved property shall be fenced as stated above; however, where such a use forms a common side or rear boundary with a residential zone, a solid masonry wall not less than six (6) feet in height shall be erected along the property line.

- (a) **Minor Deviation from standards.** A fence not more than six feet (6') in height may be constructed along the property line abutting a street upon request by the owner and approval by the Planning Commission based on the following findings:
 - i. The installation of such a fence or wall is necessary to protect the public health, safety and welfare from noise, vibration, odor, etc.
 - ii. The height and location of the fence does not create a traffic hazard by blocking lines-of-sight from public rights-of-ways and does is not otherwise detrimental to the public health, safety and general welfare.

SECTION 4.08 SIGNS. Signs shall be permitted as provided below:

- (a) **Sign in Residential Zones.**
 - i. Name plates on single family units shall be permitted provided that the area of the sign does not exceed two (2) square feet in area.
 - ii. The name of the development and related information shall be permitted provided that the area of the sign does not exceed one (1) square foot of area for each apartment unit.

- iii. Not more than two "For Rent" and "For Sale" signs shall be permitted provided that the areas of the signs(s) do not exceed six (6) square feet in area.

(b) Signs in Commercial Zones.

- i. Business signs indicating the name and the nature of the occupancy shall be permitted provided the total sign area shall not exceed two (2) square feet per foot of building frontage facing a street. Such signs shall be affixed to the building surface unless otherwise allowed by conditional use permit.
- ii. Illumination of signs shall not create a nuisance to adjoining residential zones.

(c) Signs in Industrial Zones.

- i. Sign indicating the name and the nature of the occupancy shall be permitted provided the total sign area shall not exceed three (3) square feet per foot of building frontage facing a street.
- ii. No sign shall be located within fifty (50) feet of a Residential Zone.
- iii. Illumination of sign shall not create a nuisance to adjoining zones.

SECTION 4.09 HOME OCCUPATION REGULATIONS. Home occupations shall be allowed in residential zones subject to the following regulations

- (a) No persons other than residents of the dwelling unit shall be employed in the conduct of a home occupation.
- (b) A home occupation shall be conducted in a dwelling and shall be clearly incidental and secondary to its use for dwelling purposes.
- (c) There shall be no external alteration of the dwelling in which a home occupation is conducted, and the existence of a home occupation shall not be apparent beyond the boundaries of the site, except for a name plate.
- (d) A home occupation shall not create any radio or television interference or create noise audible beyond the boundaries of the site. Also, no equipment shall be used that makes dust, odor, smoke, vibration or other adverse conditions which are detrimental to adjoining dwellings.
- (e) There shall be no outdoor storage of materials or supplies.

SECTION 4.10 MOBILE HOME PARK DEVELOPMENT STANDARDS

- (i) **Size of Mobile Home Park.** No parcel containing less than three and one half (3 ½) acres may be used for the purpose permitted in R-2-T Zone.
- (ii) **Density.** There shall be a minimum of five thousand (5,000) square feet of gross area for each mobile home space. The total area may include access roadways, accessory building space and recreational areas.
- (iii) **Building Height.** Building Height for any structure shall be limited to fifteen (15) feet. Structures not more than 35 feet in height may be permitted subjected to a Conditional Use Permit.
- (iv) **Mobile Home Park. Measurement of Yards.** Yards shall be measured perpendicular to the property line or from a future street or highway right of way line, as shown on the General Plan or Zoning Map.
- (v) **Mobile Home Park Space Requirements.** Mobile home spaces shall observe the following requirements:
 - 1 The minimum size of an individual mobile home space shall be twenty-seven hundred (2,700) square feet with a minimum width of forty-five (45) feet and a minimum depth of sixty (60) feet.

- 2 No mobile home space shall be located closer than twenty (20) feet from the exterior property line of the mobile park when said line abuts a public street.
- 3 No mobile home space shall be closer than five (5) feet from any other portion of the property line of said mobile home park.
- 4 There shall be a minimum front yard of three (3) feet extending for the full width of the mobile home space and measured from the edge of the pavement or back of the curb of an interior street. The trailer tongue may encroach into the required front yard set back.
- 5 There shall be a minimum side yard of three (3) feet and a minimum rear yard of three (3) feet. Where a side or rear yard abuts an access road, public parking area, or walk, said yards shall not be less than ten (10) feet in width.

(vi) Distance between Mobile homes.

- 1 There shall be not less than ten (10) feet between mobile homes.
- 2 Where residential mobile homes are located near any permitted building, other than another residential mobile home, Ramada or cabana, the minimum space between the mobile home and said building shall be fifteen (15) feet.

(vii) Patio and Skirting

- 1 A cement concrete patio or other metal or wood deck having a minimum area of three hundred (300) square feet shall be installed as part of each mobile home space.
- 2 The area between the ground level and the floor of a mobile home shall be screened from view by an opaque skirt entirely around the mobile home. The skirt shall be specifically designed for mobile home usage.

(viii) Tenant Storage. Tenant storage may be provided for in any manner consistent with the requirements of the California Department of Housing & Community Development, Division of Codes and Standards.

(ix) Access Roads.

- 1 Access roads within a mobile home park shall be paved to a width of not less than twenty-five (25) feet.
- 2 Portland cement concrete curbs and gutters shall be installed on both sides of all access roads.
- 3 Access roads, with paved width of less than thirty-two (32) feet shall not be used for automobile parking at any time.
- 4 Access roads, with paved width of less than forty (40) feet shall not be used for automobile parking on more than one side at any time.
- 5 Access roads around the recreational area shall be paved to a minimum width of thirty-six (36) feet with off-street parking provisions and no on-street parking shall be permitted around the recreational area.
- 6 All access roads shall be adequately lighted.
- 7 Each mobile home shall have frontage on an access road. A minimum fifteen (15) foot wide unobstructed access shall be provided to approved access road for the movement of mobile home service vehicles.

(x) Sanitary Sewer. Each mobile home space shall be provided with a connection to a sewer line. Mobile homes that cannot be connected to a sanitary sewer system shall not be permitted to be used for human habitation. The sewer system and connection plans shall be subject to the approval of the County Health Department and the City.

- (xi) **Electrical Service.**
 - 1 All electrical, telephone and television services within the mobile home park shall be underground.
 - 2 All services to the individual spaces shall be a minimum of 100-AMP service.
- (xii) **Management Office.** Each mobile home park shall have a management office with a gross floor area of not less than two hundred (200) square feet. The office may include space for usual office furniture and supplies and shall contain a lavatory and water closet. Suitable facilities shall be provided for mail distribution.
- (xiii) **Park Storage.** Storage space for supplies, maintenance materials, and equipment shall be provided in a separate building or in a building with other facilities.
- (xiv) **Laundry Facilities.**
 - 1 Laundry facilities equipped with washing machines and dryers shall be provided.
 - 2 Outside drying yards shall be enclosed with a six (6) foot high solid fence.
- (xv) **Accessory Structures.** No accessory building shall be constructed as a permanent part of the mobile home. Accessory structures such as cabana, Ramada, patio, carport, and/or storage cabinet are permitted.
- (xvi) **Trash Enclosures.** One (1) standard trash enclosure shall be provided for every fifteen (15) mobile homes units.
- (xvii) **Offsite Improvements.**
 - 1 All mobile home parks shall connect to City water and sewer facilities. Extension from existing facilities shall be borne by developer.
 - 2 All streets abutting park shall be improved to city standards.
 - 3 All plans shall be approved prior to issuance of a building permit.
- (xviii) **Recreational Vehicle Storage Yard.** Recreational vehicle storage yards may be provided and shall conform to the following standards. No recreational vehicle, travel trailers, boat and trailer or accessories shall be kept on the mobile home space, but shall be stored as provided herein, except that one recreational vehicle or travel which is the primary residence of the occupant of the space may be permitted.
 - 1 The area shall be graded and graveled or surfaced with asphalt concrete or Portland Cement Concrete.
 - 2 The storage yard shall be enclosed by a six (6) foot high fence and landscaped to shield the interior of the area from view on all sides. The wall or fence shall be broken only by a solid gate.
 - 3 No sewer connection other than standard trailer sanitation shall be permitted within the storage yard.
 - 4 The storage yard shall not be used for living purposes.
- (xix) **Submittal Requirements.**
 - 1 Six (6) copies of plot plan providing sufficient detail of proposed park shall be submitted to determine sufficiency of plans, along with a written statement of intent to comply with the standards of this ordinance.
 - 2 Upon approval the application shall be submitted to the planning commission for review and approval. The plans must delineate all property lines, right-of-ways, easements, setbacks, location of accessory structures, offsite improvements, other information that illustrate compliance with the provisions of this zoning ordinance and other information deemed necessary by Planning Staff. The Planning Commission may approve, approve with

conditions or disapprove the project. The Planning Commission shall recommend to the City Council that a conditional use permit be issued or that the application be denied.

- (xx) **Establishment and Enlargement.** No mobile home park, as defined herein, shall be established and maintained in the City of Westmorland, nor shall any mobile home park already existing in the City of Westmorland be enlarged unless such mobile park shall be established, maintained or enlarged in compliance with all provisions of this ordinance and shall further comply with the provisions of Chapter 5, Title 25 of the California Administrative Code.
- (xxi) **Off Street Parking Requirements:** see Section 4.5.6
- (xxii) **Fences, Walls, and Hedges:**
 - 1 Each mobile home park shall be entirely enclosed at its exterior boundaries by fence or wall six (6) feet in height, and by screen landscaping not less than six (6) feet in height. Said wall or fence shall run along and be contiguous to the boundary line or property line except where abutting a front street. The minimum height of fence along any public street shall be four (4) feet.
 - 2 The type of fence or wall shall be set forth by the Planning Commission at time of review of Plot Plan and issuance of Conditional Use Permit.
 - 3 Also see Section 4.7
- (xxiii) **Signs:** see Section 4.8

SECTION 4.11 APPLICATION OF ENVIRONMENTAL GUIDELINES. In accordance with the California Environmental Quality Act of 1970 (and as amended), an environmental review shall be initiated for any actions that are not categorically and/or Statutorily Exempt.

SECTION 4.12 ENVIRONMENTAL REVIEW PROCEDURES. Procedures as they may be established by the City Council shall govern the preparation and review of environmental assessments, and where such environmental reports are required, procedural timing for zoning actions may be adjusted accordingly.

Article V. PROCEDURES

SECTION 5.01 CLASSIFICATION OF USE

- (a) **Purpose.** The City of Westmorland recognizes that in the development of this document, not all land use types can be listed nor can all future uses be anticipated, or a use may have been omitted from the list of those specified as permissible in the various zoning designations, or ambiguity may arise concerning the appropriate classification of a particular use within the meaning and intent of this Ordinance.
- (b) **Procedure for Approval.** Any person seeking to establish a use that is not expressly contained in this Zoning Ordinance but is similar to any permitted use may submit a request for a "Classification of Use" by the Planning Commission. The applicant shall file an application with the City of Westmorland in a format prescribed by the City Council and pay the necessary fees. After receipt of the application, the Planning Commission shall review the request at its next regularly scheduled meeting. The Planning Commission action may be appealed to the City Council subject to the City's appeal procedure.
- (c) **Findings.** In approving an unclassified use, the Planning Commission must make the following findings and determine that the following conditions exist:

- i. That the subject use and its operation is consistent with the goals, objective and policies of the General Plan;
- ii. That the subject use and its operation is consistent with the purposes and intent of the zone in which the use is proposed to be located;
- iii. That the subject use and its operation is a compatible use in all areas of the city where the zoning is applied;
- iv. That the subject use is similar to one or more uses permitted in the zone within which it is proposed to be located. A use shall be deemed to be similar only where the size, scale, design and impact of the uses are comparable. A use shall not be deemed to be similar when the operation of the use involves greater impacts in terms of traffic, parking, noise, glare, odor, refuse, or other environmental considerations; generates greater demand for public services; does not have comparable hours of operation; is significantly more intensive in the number of employees, patrons and other users of the facility; and is not complementary to other uses in the zone;
- v. That the subject use will be so designed, located and operated that the public health, safety and general welfare will be protected; and
- vi. That the subject use and operation is not more obnoxious or detrimental to the public health, safety and general welfare than such other permitted uses.

SECTION 5.02 CONDITIONAL USE PERMITS

- (a) **Intent.** Uses permitted subject to conditional use permit are those uses necessary for the development of the community, having inherent qualities or characteristics which, unless provided for, would cause such uses to be incompatible or inharmonious with adjacent or nearby permitted uses. The procedures specified in this section are intended to provide a means whereby the Planning Commission may modify such uses to the extent that they can be made compatible and harmonious with the adjacent uses.
- (b) **Special Conditions.** In permitting a new conditional use or the alteration of an existing conditional use, the Planning Commission may by resolution impose, in addition to those standards and requirements expressly specified by this ordinance, additional conditions which the Planning Commission considers necessary to protect the public health, safety and general welfare. These conditions may include but are not limited to the following:
 - i. Regulations of use
 - ii. Special yards, spaces and buffers
 - iii. Special fences, solid fences and walls
 - iv. Surfacing of parking areas
 - v. Requiring street, service road or alley dedication and improvements or appropriate bonds
 - vi. Regulation of points of vehicular ingress and egress
 - vii. Regulation of signs
 - viii. Requiring maintenance of the grounds
 - ix. Time period within which the proposed use shall be developed
 - x. Regulation of hours for certain activities
 - xi. Duration of use
 - xii. And any other such condition as will make possible the development of the City in an orderly and efficient manner.

- (c) **General Conditions.** The Planning Commission shall, in addition to any special conditions, impose the following general conditions upon every Conditional Use Permit granted:
- i. The right to use and occupy the subject property shall be contingent upon the fulfillment of all general and special conditions imposed by the conditional use permit procedure.
 - ii. That all of the special conditions shall constitute restrictions running with the land and shall be binding upon the owner of the land, his successors or assigns.
 - iii. That in the case of a use existing prior to the effective date of this ordinance and classified in this ordinance as a conditional use, any change in the use or in lot area or any alteration of structure shall conform to the requirements for the conditional use.
- (d) **Administrative Provisions.** The following provisions shall apply in obtaining conditional use permits:
- i. **Application and Filing Fee:** Application for a conditional use permit giving such information as may be prescribed but the Planning Commission, shall be made upon forms provided by the City Clerk.
 - ii. **Planning Commission Hearing:**
 1. Upon receipt of the application in proper form and application fee, the City Clerk shall place the item on the Planning Commission Agenda for public hearing not more than thirty (30) days after the date of the filing of the application, or sixty (60) days if an Environmental Impact Report is required.
 2. Notice of such hearing for the time and in the manner as established by resolution of the City Council which shall be mailed at least ten (10) days prior to the public hearing to all property owners whose names and addresses appear on the latest adopted tax roll as owning property within a distance of three hundred (300) feet from the exterior boundaries of applicant's property, and by the posting of said notice in three conspicuous places on or close to the property at least ten (10) days prior to the hearing.
 - iii. **Action by the Planning Commission:** Within thirty (30) days after the conclusion of the public hearing, the Planning Commission shall approve, conditionally approve, or deny the conditional use permit application based upon its findings along with any general and special conditions in Section 5.02(b) above as they might apply. Notice of the action shall be mailed to the applicant. The findings of the Commission shall be that the establishment, maintenance or operation of the use or building applied for will or will not, under the circumstances of the particular case, be detrimental to the public health, safety and the general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to the property and improvements in the neighborhood.
 - iv. **Appeals to the City Council:** The decision of the Planning Commission is final unless an appeal is made in writing to the City Council within ten (10) days of such action. Following a public hearing, notice of which shall be given in the manner prescribed above, the Council may by resolution reverse or affirms wholly or in part, or may modify any decisions, determination or requirement of

the Planning Commission. The Council shall also make a written finding of fact setting forth where the Planning Commission findings were in error.

v. Revocation of Conditional Use Permits:

1. The Planning Commission may by resolution and after a public hearing with notice in accordance with provisions set forth above revoke any conditional use permit for non-compliance with any of the conditions set forth in the resolution granting the application. Written notice of intention to revoke shall be mailed to the applicant not less than thirty (30) days before the Planning Commission action.
2. If an established time limit for development expires or if the time limit for the duration of the carrying on the use has been established as one of the conditions then said permit shall be considered to be revoked upon such date of expiration without any notification to the owners.
3. The revocation of a conditional use permit shall have the effect of denying all rights granted by the conditional use permit.

SECTION 5.03 NONCONFORMING USES

- (a) **Intent.** Where building or lots legally existing on the effective date of the ordinance adopting these regulations are not in conformity with the provisions of these regulations, it is the intent of this section to declare such to be nonconforming and to encourage these nonconforming buildings and uses to be brought to or toward conformity as rapidly as possible; all for the purpose of protecting the public health, safety and general welfare.
- (b) **Nonconforming Uses**
 - i. Nonconforming uses shall be those in any zone which are not provided for in the permitted uses or conditional uses section of each zone. A nonconforming use may not be expanded or extended within an existing building and no structural alterations except those required by law shall be made therein. A nonconforming structure which conforms with respect to use may be altered or extended if the alteration or extension does not cause the structure to deviate further from the standards of this ordinance.
 - ii. If a nonconforming use of land is discontinued for a period of one hundred eighty (180) days, any further use of the property shall conform to this ordinance.
 - iii. If a nonconforming use is replaced by another use, the new use shall conform to this ordinance.
- (c) **Removal or Razing of Structures.** The right to operate and maintain a nonconforming use shall terminate when the structure or structures housing such uses are removed or razed to the extent of fifty percent (50%) of the structure's fair market value as determined by the last equalized assessment roll of the County of Imperial.
- (d) **Destruction, Damage or Obsolescence of Structure.** The right to operate and maintain a nonconforming use shall terminate when structure or structures housing such use is (are) damaged or destroyed from any cause whatsoever as to become obsolete or become(s) obsolete under any municipal ordinance.

SECTION 5.04 VARIANCES

- (a) **Intent.** When practical difficulties, unnecessary hardships or results inconsistent with the general intent and purpose of these regulations occur through the strict application of the provisions herein to a parcel or a group of parcels affected by a unique problem, the Planning Commission shall have the power to grant, upon such terms and conditions as it deems necessary and proper, variances from the strict provisions of these regulations. A variance shall not be granted to permit a use not permitted in the zone by this Ordinance.
- (b) **General Conditions.** The Planning Commission may impose the following general conditions upon a variance:
 - i. The Planning Commission, in approving a variance, may set force in its decision reasonable terms and conditions which it deems necessary to protect the health, safety, and general welfare of the community and to assure the intent and purposes of these regulations.
 - ii. Every variance from the provisions of these ordinance regulations shall become void one hundred and eighty (180) days after the effective date such variance is granted unless construction has commenced. The Planning Commission, however, may, by request, extend authorization for an additional period not to exceed one year.

- (c) **Administrative Provisions.** The following provisions shall apply in obtaining variances:
- i. **Application and Filing Fee:** Application for variance, giving such information as may be prescribed by the Planning Commission, shall be made upon forms provided by the City Clerk. The Clerk shall charge and collect the filing fee for each such application as determined by resolution of the City Council.
 - ii. **Planning Commission Hearing:**
 1. Upon receipt of the application in proper form, the City Clerk shall place the item on the Planning Commission Agenda for public hearing not more than thirty (30) days after the filing of the application, or sixty (60) days if an Environmental Impact Report is required.
 2. Notice of such hearing for the time and in the manner as established by resolution of the City Council which shall be mailed at least ten (10) days prior to the public hearing to all property owners whose names and addresses appear on the latest adopt tax roll as owning property within a distance of three hundred (300) feet from the exterior boundaries of applicants property, and by the posting of said notice in three conspicuous places on or close to the property at least ten (10) days prior to the hearing.
 - iii. **Action by the Planning Commission:** Within thirty (30) days after the conclusion of the public hearing, the Planning Commission may grant the requested variance in whole or in part, or deny the application for variance based upon its findings with or without conditions. The Commission, in granting a variance, shall make a finding that in the evidence presented, all four of the following conditions exist in reference to the property being considered:
 1. Because of unique circumstances applicable to subject property including size, shape, topography, location, or surroundings, the strict application of the zoning ordinance would deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.
 2. Any variance granted shall be subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is situated.
 3. The granting of the variance will not be materially detrimental to the public health, safety, convenience, or welfare or injurious to property and improvements in the same vicinity and zone in which subject property is situated.
 4. The granting of such variance will not adversely affect the General Plan for the City.
 - iv. **Appeals to the City Council:** Appeal from any action of the Planning Commission on an application for variance may be made in writing to the City Council within ten (10) days of such action following public hearing. The Council may by resolution reverse or affirm, wholly or in part, or may modify any decision, determination or requirement of the Planning Commission findings that were in error.
 - v. **Revocation of Variances:**
 1. The Planning Commission may by resolution and after a public hearing with notice revoke any variance for noncompliance with any of the conditions set forth in the resolution granting the variance. Written notice of intention to revoke shall be mailed to the applicant(s) not less than thirty (30) days before the Planning Commission action.

2. The revocation of a variance shall have the effect of denying all rights granted by the variance.

SECTION 5.05 ZONING MAP AND TEXT AMENDMENTS

- (a) **General Conditions.** The Planning Commission shall consider whether the following conditions exist:
 - i. That the proposed zoning amendment is in conformity with the General Plan of the City.
 - ii. That in the case of a zoning map amendment, the subject property is suitable for the uses permitted in the proposed zone, in terms of access, size of parcel, relationship to similar or related uses, and other considerations deemed relevant by the Planning Commission and the City Council.
- (b) **Administrative Provisions.** The following provisions shall apply in obtaining zoning map and text amendments:
 - i. **Initiation:**
 1. The Planning Commission may initiate proceedings by motion and then hold public hearings
 2. The City Council may initiate proceedings by submitting the matter to the Planning Commission for public hearings
 3. In the case of a zoning map amendment, the owner of a property or duly authorized agent may initiate proceedings by filling an application on a form provided by the City Clerk giving such information as may be prescribed by the Planning Commission. The City Clerk shall charge and collect the filing fee for each such application as determined by resolution of the City Council.
 - ii. **Staff Investigation:** A city official, as may be designated by the City Council, shall investigate the proposed ordinance amendment in order to provide information necessary to assure action consistent with the intent of this ordinance and the General Plan and report the findings to the Planning Commission.
 - iii. **Planning Commission Hearing:**
 1. The City Clerk shall place the matter on the Planning Commission Agenda for public hearing not more than thirty (30) days after the date of the initiating motion by the Planning Commission or City Council or upon receipt of an application in proper form. An additional thirty (30) days will be allowed if an Environmental Impact Report is required.
 2. Notice of such hearing shall be given both by mail or delivery at least ten (10) days prior to the public hearing to all property owners whose names and addresses appear on the latest adopted tax roll as owning property within a distance of three hundred (300) feet from the exterior boundaries of applicant's property and the posting of said public notice at three conspicuous places in the City.
 - iv. **Action by the Planning Commission:** Within thirty (30) days after the conclusion of the public hearing, the Planning Commission shall file its recommendation together with a report of findings, hearings and other supportive data. In the case of a zoning map amendment notice of the action shall be mailed to the applicant within ten (10) days. The Planning Commission may reduce but shall not enlarge the area of any proposed zone change in any way, unless proper notice and publication of the enlarged area is made.
 - v. **Action by the City Council:**

1. In the case of a zoning map amendment, if the Planning Commission recommends against such an amendment, the City Council shall not be required to take any further action unless an interested party requests such a hearing by filing a written request with the City Clerk within ten (10) days after the Planning Commission files its decisions and recommendations. In this event, a public hearing shall be held and notice given.
2. In all other cases where recommendations have been made on proposed zoning map and text amendments, the City Council shall, not more than thirty (30) days after publication of legal notice of a public hearing hold said public hearing. Such notice shall be given as provided above.
3. The City Council may adopt by ordinance or reject the amendment recommended by the Planning Commission after holding at least one public hearing. The Council may modify the amendment recommended by the commission, provided the proposed modification has been referred back to the Planning Commission for its further recommendations or in the case of a zoning map amendment where the area of the proposed zone change is reduced, proper notice and publication is made.

SECTION 5.06 ENFORCEMENT

- (a) **Enforcement.** The City Council, the City Attorney, the Police Chief, the Building Inspector, the City Clerk and all officials charged with the issuance of licenses or permits shall enforce the provisions of this ordinance.
- (b) **Actions Deemed a Nuisance.** Any building or structure hereafter erected or maintained for any use of property contrary to the provisions of this ordinance shall be declared to be unlawful and a public nuisance.
- (c) **Remedies.** All remedies concerning this ordinance shall be cumulative and not exclusive. Conviction and punishment of any person hereunder shall not relieve such persons from the responsibilities of correcting prohibited conditions or removing prohibited buildings, structures, or improvements, and shall not prevent the enforced correction or removal thereof.

SECTION 6.00-ADDITIONAL RESIDENTIAL PROVISIONS

6.01 SECOND DWELLING UNITS

(a) Purpose

The purpose of this section is to regulate second dwelling units in residential zoning districts and on residential property consistent with State law (Sections 65852.1 through 65852.2 of the California Government Code). Implementation of this section is intended to expand housing opportunities for low income and moderate income or elderly households by increasing the number of rental units available within existing neighborhoods while maintaining the primarily single-family residential character of the area.

(b) Definition

Second Dwelling Unit means an attached or detached dwelling unit, sited on the same parcel as the primary dwelling unit, which provides complete independent living facilities for one (1) or more persons, with permanent provisions for living, sleeping, eating, sanitation, and includes a single kitchen as defined in this chapter. This definition shall also include: (1) An efficiency unit, as defined in Section 17958.1 of the California Health and Safety Code; and (2) A manufactured home, as defined in Section 18007 of the California Health and Safety Code.

(c) Permitted use provisions

Pursuant to Section 65852.2 of the Government Code, second units shall be permitted in all residential, agricultural residential and agricultural zoning districts in compliance with the development standards as set forth on single-family residential parcels by the Planning Director when the following conditions are met

- Second units shall only be located on lots with an area of six thousand (6,000 ft²) square feet or larger.
- Second units shall be compatible with the architectural style, materials, and colors of the primary dwelling unit.
- No more than one (1) second unit shall be allowed per parcel.
- The property owner shall occupy either the primary unit or second unit. The property owner shall record a declaration acknowledging owner occupancy, recorded with the property as a condition of the administrative permit.
 - Prior to issuance of the administrative permit, the declaration shall be recorded with the Imperial County recorder's office.
 - The declaration shall be in a form as required by the Planning Director.
 - The declaration shall run with the land and be binding upon the applicant and successor property owners. Lack of compliance at any time after recording shall void the approval of the second unit permit and shall constitute a public nuisance which may result in legal or administrative action against the property owner.
- A second unit shall not exceed one thousand two hundred (1,200 ft²) square feet, excluding garage area. If a secondary dwelling unit includes an attached garage or other unfinished space, the characterization of the structure shall be based upon which use encompasses the greater square footage. If the square footage of the attached garage or other unfinished space exceeds the square footage of the habitable area, the structure shall be deemed to be an accessory structure and shall be denied.
- The maximum building coverage, including a second unit, is five (5%) percent above the maximum lot coverage as set forth in this code for the underlying zoning district.
- Building setbacks for attached second units shall comply with all required building setbacks for the primary unit. Within the agricultural and agricultural-residential zoning districts, the building setbacks for detached second units shall not be less than the height of the structure at the highest point, with a minimum distance of ten (10' 0") feet between structures. Building setbacks for detached second units within all other residential zones shall be the same as the underlying zoning district for front and street side yards, five feet from interior and rear yard property lines, with a minimum distance of ten (10' 0") feet between structures.

6.02 EMERGENCY SHELTERS AND TRANSITIONAL HOUSING FACILITIES**(a) Purpose and intent**

General Plan housing element Policies identify the City's need to provide equal access to housing for people with special needs, including encouraging the development of emergency and transitional housing. It is the intent of this chapter to provide for adequate development and operational standards to ensure appropriate housing and services for special needs populations are met.

(b) Definition

"Emergency shelter" means any facility, the primary purpose of which is to provide temporary or transitional shelter for the homeless in general or for specific populations of the homeless.

(c) Permit Requirements and exemptions

Emergency shelter and transitional housing facilities are permitted in I and OS zones and shall be subject to the following conditions:

(1) Permit Requirements

- (a) Emergency shelter and transitional housing facilities shall comply with all federal and California State licensing requirements.
- (b) Emergency shelter and transitional housing facilities shall comply with all applicable Uniform Building and Fire Codes, including maximum occupancy restrictions.
- (c) Maximum Number of Beds. No more than thirty (30) beds shall be provided in any single emergency shelter or transitional housing facility.

(2) Exemptions to Permit Requirements

- (a) Shelter facilities may exceed the maximum one hundred (310) bed limitation through a conditional use permit subject to approval by the designated approving authority.
- (b) An emergency shelter or transitional housing facility for ten (10) or fewer persons may be located in any portion of the City zoned for residential or commercial development.

(d) Development Standards**(1) Location and Separation**

- (a) Emergency shelters and transitional housing facilities of more than ten (10) persons shall be located in I and OS zones and situated within one-half (1/2) mile of a transit corridor or existing bus route.
- (b) All shelter programs must be situated more than one thousand (1,000) feet from any other similar program; a public park; a public or private K – 12 school; an indoor or outdoor recreational facility primarily designed to serve persons under eighteen (18) years old; a child care facility or single-family residential zone [one thousand (1,000) feet measured from property line to property line]. Programs may have multiple buildings.

(2) Physical Characteristics

- (a) The maximum number of beds (100) does not apply in situations of Citywide or statewide designated disasters or catastrophic conditions.
- (b) Smoke detectors, approved by the Fire Department, must be provided in all sleeping and food preparation areas.
- (c) The facility shall have adequate private living space, shower and toilet facilities and secure storage areas for its intended residents.
- (d) The size of an emergency facility shall be in character with the surrounding neighborhood.

(e) The facility shall have at least one room, which has one hundred twenty (120 ft²) square feet of floor area. Other habitable rooms shall have an area not less than seventy (70 ft²) square feet. When more than two (2) persons occupy a room used for sleeping purposes, the required floor area shall be increased at the rate of fifty (50 ft²) square feet for each occupant in excess of two (2).

(3) Operational Standards

(a) If the facility is proposed for location in an area either zoned or developed as a residential area, all intake and screening shall be conducted off-site.

(b) If a program includes a drug or alcohol abuse counseling component, appropriate State and/or Federal licensing shall be required.

(c) The program shall provide accommodations appropriate for a minimum stay of twenty-eight (28) days and a maximum stay of one hundred eighty (180) days per client/family.

(d) The program shall identify a transportation system that will provide its clients with a reasonable level of mobility including, but not limited to, access to social services, housing and employment opportunities.

(e) Transitional housing programs shall provide specific mechanisms for residents to contact social services.

(f) The program shall include clear and acceptable arrangements for facility residents, such as on-site meal preparation or food provision and disbursement.

(g) The program, where applicable, shall provide child care services and ensure that school-aged children are enrolled in school during their stay at the facility.

(h) The transitional housing provider shall have a written management plan including, as applicable, provisions for staff training, neighborhood outreach, security, screening of residents to ensure compatibility with services provided at the facility and for training, counseling, and treatment programs for residents.

(i) Shelters may establish written expectations of residents – behavioral, medical, and religious, etc. Expectations of residents will be available to each resident at entry to the shelter, and to the public (upon request).

(j) Shelters shall have infection control policies in accordance with guidelines of the Centers for Disease Control covering but not necessarily limited to HIV/AIDS, hepatitis, and tuberculosis.

(k) Emergency shelters and transitional housing facilities shall provide on-site management and support staff at all times during shelter use.

6.03-REASONABLE ACCOMMODATION FOR PERSONS WITH DISABILITIES

(a) Purpose and intent

The purpose of allowing reasonable accommodation(s) is to provide a process for individuals with *disabilities* to make requests for reasonable accommodation(s) for relief from the various land use, zoning, or rules, policies, practices, and/or procedures of the City. It is the policy of the City, pursuant to the Federal Fair Housing Act (as amended), to provide people with *disabilities* reasonable accommodation(s) in rules, policies, and procedures that may be necessary to ensure equal access to housing.

(b) Requesting Reasonable Accommodation(s)

(1) In order to make specific housing available to an individual with a *disability*, a disabled person or representative may request reasonable accommodation(s) relating to the various land use, zoning, or rules, policies, practices, and/or procedures of the City.

(2) If an individual needs assistance in making the request for reasonable accommodation(s) or appealing a determination regarding reasonable accommodation(s), the Planning Director will

endeavor to provide the assistance necessary to ensure that the process is accessible to the applicant.

(3) A request for reasonable accommodation(s) with regard to City regulations, rules, policies, practices, and/or procedures may be filed on an application form provided by the Planning Director at the time that the accommodation may be necessary to ensure equal access to housing.

(c) Required Information.

The applicant shall provide the following information when requesting reasonable accommodation(s). This information shall be made part of the public record for the project and subject to all applicable State and Federal laws for public access to records.

(1) A completed City application indicating, among other things, the applicant's name, address, and telephone;

(2) Address of the property for which the request is being made;

(3) The current actual use of the property;

(4) The Westmorland ordinance, provision, regulation, or policy from which reasonable accommodation(s) is being requested;

(5) The basis for the claim that the person(s) for whom the reasonable accommodation(s) is/are sought is/are considered disabled under the Fair Housing Act and why the accommodation is reasonably necessary to make specific housing available to the person(s);

(6) Such other relevant information as may be requested by the Planning Director as the Director reasonably concludes is necessary to determine whether the findings required by subsection (F) of this section (Required Findings for Reasonable Accommodation(s)) can be made, so long as any request for information regarding the *disability* of the individuals benefited complies with fair housing law protections and the privacy rights of the individual(s) affected.

(d) Approving Authority and Approval Process

(1) The Planning Director shall have the authority to consider and take action on requests for reasonable accommodation(s). When a request for reasonable accommodation(s) is filed with the Planning Department, it will be referred to the Planning Director for review and consideration as a ministerial action unless determined otherwise by the Planning Director. A request for reasonable accommodation(s) shall be considered ministerial in nature when it is related to a physical improvement that cannot be constructed to conform to the City's setbacks or design standards. Typical improvements considered to be "ministerial" in nature would include ramps, walls, handrails, or other physical improvements necessary to accommodate a person's *disability*. The Planning Director shall issue a written determination of his or her action within fifteen (15) days of the date of receipt of a completed application and may:

(a) Grant or deny the accommodation request; or

(b) Grant the accommodation request subject to specified nondiscriminatory condition(s); or

(c) Forward the request to the Planning Commission for consideration as a conditional use permit.

(2) In the event the Planning Director determines that the request for reasonable accommodation(s) is non-ministerial in nature, such request shall be forwarded to the Planning Commission in accordance with City of Westmorland Conditional Use Permit provisions, and shall be subject to the findings stated in subsection "F" of this section (Required Findings for Reasonable Accommodation(s))

(3) All written determinations of actions of the Planning Director shall give notice of the right to appeal and the right to request Reasonable Accommodation(s) on the appeals process (e.g., requesting that City staff attempt to schedule an appeal hearing as soon as legally and practically possible), if necessary. The notice of action shall be sent to the applicant by mail.

(4) If necessary to reach a determination or action on the request for reasonable accommodation(s), the Planning Director may request further information from the applicant specifying in detail what information is required. In the event a request for further information is made, the fifteen (15) day period to issue a written determination shall be stayed until the applicant fully and sufficiently provides such information

(e) Considerations

(1) The City may consider, but is not limited to, the following factors in determining whether the requested accommodation is necessary to provide one (1) or more individuals with a *disability* an equal opportunity to use and enjoy a dwelling:

- (a) Whether the requested accommodation will affirmatively enhance the quality of life of one (1) or more individuals with a *disability*;
- (b) Whether the individual or individuals with a *disability* will be denied an equal opportunity to enjoy the housing type of their choice absent the accommodation;
- (c) In the case of a residential care facility, whether the requested accommodation is necessary to make facilities of a similar nature or operation economically viable in light of the particularities of the relevant market and market participants;
- (d) In the case of a residential care facility, whether the existing supply of facilities of a similar nature and operation in the community is sufficient to provide individuals with a *disability* an equal opportunity to live in a residential setting.

2. The City may consider, but is not limited to, the following factors in determining whether the requested accommodation would require a fundamental alteration in the nature of this title:

- (a) Whether the requested accommodation would fundamentally alter the character of the neighborhood;
- (b) Whether the accommodation would result in a substantial increase in traffic or insufficient parking;
- (c) Whether granting the requested accommodation would substantially undermine any express purpose of either the City's General Plan or an applicable specific plan;
- (d) In the case of a residential care facility, whether the requested accommodation would create an institutionalized environment due to the number of and distance between facilities that are similar in nature or operation.

(f) Required Findings for Reasonable Accommodation(s).

(1) In making a determination regarding the reasonableness of a requested reasonable accommodation(s), the approving authority shall make the following findings:

- (a) The housing which is the subject of the request for reasonable accommodation(s) will be used for an individual protected under the Fair Housing Act.
- (b) The request for reasonable accommodation(s) is necessary to make specific housing available to an individual protected under the Fair Housing Act.
- (c) The requested reasonable accommodation(s) does not impose an undue financial or administrative burden on the City and does not fundamentally alter City zoning, development standards, policies, or procedures.
- (d) The requested accommodation will not result in a fundamental alteration in the nature of the City's zoning program, as "fundamental alteration" is defined in fair housing laws and interpretive case law.
- (e) The requested accommodation will not, under the specific facts of the case, result in a direct threat to the health or safety of other individuals or substantial physical damage to the property of others.

6.04 DENSITY BONUS AND OTHER DEVELOPER INCENTIVES**(a) Purpose and intent**

This density bonus chapter is intended to provide incentives for the production of housing for very low, lower income, or senior households and the development of child care facilities. In enacting this chapter, it is the intent of the City of Westmorland to facilitate the development of affordable housing and to implement the goals, objectives, and policies of the City's Housing Element.

(b) Definition

Density Bonus means a density increase of at least twenty percent (20%) unless a lesser percentage is elected by the applicant, over the otherwise maximum allowable residential density, as required for some affordable housing, mixed-use, other designated residential developments.

(c) Eligibility for density bonus and other incentives.

The City of Westmorland shall either grant a density bonus and concessions or incentives as set forth herein. Types of density bonus and other incentives allowed, or provide other incentives or concessions of equivalent financial value based upon the land cost per dwelling unit, when the applicant for the housing development seeks to construct at least any one (1) of the following

- (1) Ten (10%) percent of the total units of a housing development for low income households;
- (2) Five (5%) percent of the total units of a housing development for very low income households;
- (3) A senior citizen development;
- (4) Ten (10%) percent of the total dwelling units in a condominium project or in a planned development for persons and families of moderate income;

(d) Types of density bonus and other incentives

- (1) Project-Specific Density Bonus. A housing development that satisfies all applicable provisions of this chapter shall be entitled to the following density bonus:
 - (a) For developments providing lower income target units, a twenty (20%) percent base density bonus plus a one and one-half (1.5%) percent supplemental increase over that base for every one percent (1%) increase in low income units above ten (10%) percent. The maximum density bonus allowed including supplemental increases is thirty-five (35%) percent;
 - (b) For developments providing very low income target units, a twenty (20%) percent base density bonus plus a two and one-half (2.5%) percent supplemental increase over that base for every one (1%) percent increase in very low income units above five (5%) percent. The maximum density bonus allowed including supplemental increases is thirty-five (35%) percent;
 - (c) For senior developments, a twenty-five (25%) percent base density bonus plus a two and one-half (2.5%) percent supplemental increase over that base for every one (1%) percent increase in senior units. The maximum density bonus allowed including supplemental increases is thirty-five (35%) percent;
 - (d) For condominium/PUD developments providing moderate income target units a five (5%) percent base density bonus plus a one percent increase in moderate income units above ten (10%) percent. The maximum density bonus allowed including supplemental increases is thirty-five (35%) percent.
- (2) Number of Other Incentives or Concessions. In addition to the eligible density bonus percentage described above, an applicant may request incentives or concessions in connection with its application for a density bonus:

- (a) One incentive or concession for housing developments that include at least ten (10%) percent of the total units for lower income households, at least five (5%) percent for very low income households, or at least ten (10%) percent for persons or families of moderate income in a condominium or planned development.
 - (b) Two incentives or concessions for housing developments that include at least twenty (20%) percent of the total units for lower income households, at least ten (10%) percent for very low income households, or at least twenty (20%) percent for persons or families of moderate income in a condominium or planned development.
 - (c) Three incentives or concessions for projects that include at least thirty (30%) percent of the total units for lower income households, at least fifteen (15%) percent for very low income households, or at least thirty (30%) percent for persons or families of moderate income in a condominium or planned development.
- (3) Available Incentives and Concessions. The following incentives and concessions are available for compliance with this chapter:
 - (a) A reduction in the site development standards or a modification of Westmorland development standards, requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5, Section 18907 of Division 13 of the Health and Safety Code, including, but not limited to, a reduction in setback and square footage requirements and in ratio of vehicle parking spaces that would otherwise be required and that results in identifiable, financially sufficient, and actual cost reductions.
 - (b) Approval of mixed-use development in conjunction with the Housing Element. The City shall not be required to provide a density bonus or incentive or concession for a child care facility if it makes a written finding, based upon substantial evidence, that the community has adequate child care facilities in development if the nonresidential land uses will reduce the cost of the housing development, and the nonresidential land uses are compatible with the housing development and surrounding development.
 - (c) Other regulatory incentives or concessions proposed by the applicant or that the City determines will result in identifiable, financially sufficient, and actual cost reductions.
 - (d) Priority processing of a housing development that provides income-restricted units.
- (4) Denial of Request for Incentives or Concessions. The City shall grant incentive(s) or concession(s) requested by the applicant unless the City makes a written finding, based upon substantial evidence, of either of the following:
 - (a) The incentive or concession is not required in order to provide for affordable housing costs or affordable rents.
 - (b) The incentive or concession would have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5 of the California Government Code, upon public health and safety or physical environment or any real property that is listed in the California Register of Historical Resources and for which the City determines there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate income households.
- (5) Density Bonus for Donation of Land
 - (a) An applicant for a tentative subdivision map, parcel map, or other residential development approval who donates land to the City in accordance with Section 65915(h) of the California Government Code shall receive a fifteen (15%) percent base density bonus plus a one (1%) percent supplemental increase over that base for every one (1%) percent increase in land donated above the minimum ten (10%) percent. The maximum density bonus allowed including supplemental increases is thirty-five (35%) percent.

- (b) An applicant shall only be eligible to receive the density bonus described in this subsection if all the conditions listed in subsections (1) through (6) of Section 65915(h) are met.
 - (c) Nothing in this subsection shall be construed to enlarge or diminish the authority of the City to require a developer to donate land as a condition of development.
- (6) Additional Density Bonus and Incentives or Concessions for Development of Child Care Facility.
- (a) Housing developments meeting the requirements of the City of Westmorland Density Bonus Provisions and including a child care facility that will be located on the premises of, as part of, or adjacent to, the housing development shall receive either of the following:
 - (i) An additional density bonus that is an amount of square feet of residential space that is equal to or greater than the amount of square feet in the child care facility.
 - (ii) An additional incentive or concession that contributes significantly to the economic feasibility of the construction of the child care facility.
 - (b) The density bonus housing agreement for the housing development shall ensure that:
 - (i) The child care facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the target units are required to remain affordable; and
 - (ii) Of the children who attend the child care facility, the children of very low income households, lower income households, or persons or families of moderate income shall equal a percentage that is equal to or greater than the percentage of target units that are required pursuant to the City's Density Bonus provisions.
 - (e) The City shall not be required to provide a density bonus or incentive or concession for a child care facility if it makes a written finding, based upon substantial evidence, that the community has adequate child care facilities.
- (f) General Provisions Related to Density Bonuses and Incentives and Concessions**
- (1) All density calculations resulting in fractional units shall be rounded up to the next whole number.
 - (2) The granting of a density bonus shall not be interpreted, in and of itself, to require a General Plan amendment, zoning change, or other discretionary approval.
 - (3) The density bonus shall not be included when determining the number of housing units that is equal to five (5%) percent or ten (10%) percent of the total.
 - (4) Upon request by the applicant, the City shall not require that a housing development that meets the requirements of 601.4.C. provide a vehicular parking ratio, inclusive of handicapped and guest parking, that exceeds the following:
 - (a) Zero (0) to one (1) bedroom: one (1) on-site parking space;
 - (b) Two (2) to three (3) bedrooms: two (2) on-site parking spaces;
 - (c) Four (4) and more bedrooms: two and one-half (2.5) parking spaces.If the total number of parking spaces required for a housing development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this subsection, a development may provide on-site parking through tandem parking or uncovered parking, but not through on-street parking.
 - (5) The City shall not apply any development standard that would have the effect of precluding the construction of a housing development meeting the requirements of 6.04.C, eligibility, at the

densities or with the incentives permitted by this chapter. An applicant may submit to the City a proposal for the waiver or reduction of development standards. Nothing in this subsection, however, shall be interpreted to require the City to waive or reduce development standards if the waiver or reduction would have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5 of the California Government Code, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which the City determines there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. Furthermore, the applicant shall be required to prove that the waiver or modification is necessary to make the target units economically feasible.

(g) Location of bonus units

As required by State law (Section 65915(j) of the California Government Code), the location of density bonus units within the housing development may be at the discretion of the developer. However, the inclusionary units shall be reasonably dispersed throughout the development (where feasible), shall contain on average the same number of bedrooms as the non-inclusionary units in the development, and shall be compatible with the design or use of the remaining units in terms of appearance, materials and quality finish.

(h) Continued availability

- (1) If a housing development providing lower or very low income target units receives only a density bonus, the target units must remain restricted to lower or very low income households for a minimum of thirty (30) years from the date of issuance of the certificate of occupancy.
- (2) If a housing development providing lower or very low income target units receives both a density bonus and an additional incentive, the target units must remain restricted to lower or very low income households for a minimum of fifty (50) years from the date of issuance of the certificate of occupancy.
- (3) In the case of a housing development providing moderate income target units, the initial occupant of the target unit must be a person of family of moderate income. Upon resale, the seller of the target units shall retain the value of any improvements, the down payment, and the seller's proportionate share of appreciation, which shall be used within three (3) years for any of the purposes described in subdivision (e) of Section 33334.2 of the California Health and Safety Code that promote home ownership. The City's proportionate share shall be equal to the percentage by which the initial sale price of the moderate income household was less than the fair market value of the home at the time of the initial sale.

(i) Process and conditions of approval

The density bonus request shall be considered by the City Council along with the required density bonus agreement after the designated approving authority approves any necessary permits. The form and content of the density bonus agreement shall be determined by the City.



MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF WESTMORLAND

WEDNESDAY, JULY 16, 2025

6:00 PM

City Council Chambers
355 South Center Street
Westmorland, CA 92281

Mayor's Message

This is a public meeting. You may be heard on an agenda item before the Council takes action on the item upon being recognized by the mayor. During the oral communications portion of the agenda, you may address the Council on items that do not appear on the agenda that are within the subject matter jurisdiction of the Council. Personal attacks on individuals, slanderous comments, or comments, which may invade an individual's privacy, are prohibited. The mayor reserves the right to limit the speaker's time. Individuals wishing accessibility accommodations at this meeting, under the Americans with Disabilities Act (ADA), may request such accommodations to aid hearing, visual, or mobility impairment by contacting City Hall at (760) 344-3411. Please note that 48 hours advance notice will be necessary to honor your request.

Brown Act AB 361:

Location: Westmorland City Hall Council Chambers 355 S Center Street

Judith Rivera- Mayor

Justina Cruz - Mayor Pro- Tem

Ana Beltran- Council Member

Xavier Mendez - Council Member

Ray Gutierrez- Council Member

Call to Order:

The meeting was called to order at 6pm by Mayor Rivera.

Pledge of Allegiance & Invocation:

The Pledge of Allegiance was led by Mayor Rivera.

Roll Call:

Council Present

Judith Rivera, Mayor

Justina Cruz, Mayor Pro-Tem

Ray Gutierrez, Member

Xavier Mendez, Member

Anna Beltran, Member

Staff Present

Laura Fischer, Manager

Ramiro Barajas, PW Director

Sergio Cruz, Fire Chief

Anthony Lyn Mara, Police Chief

Christine Pisch- City Clerk

Mitchel Driskill- City Attorney

Public Hearing:

1. First Reading of Ordinance 25-01, Nuisance Abatement- Ramon Castro, Building Inspector. This item was tabled until the Ordinance has been reviewed by the city attorney.

Oral Communication-Public Comment: Now is the time for any member of the public to speak to the Council. Please step to the podium and state your name and address for the record. Three (3) minute maximum time.

Judith Rivera, City Mayor- Ms. Rivera, announced that the regularly scheduled Council meetings for the month of August will be cancelled.

Staff Reports Non-Action Items:

- Fire Department – Chief Sergio Cruz, nothing to report.
- Police Department – Chief Lynn Mara, nothing to report.
- City Manager- Laura Fischer, prepared a written report.
- Public Works Director - Ramiro Barajas, Mr. Barajas reported that the 7th street was completed, the filter project is still in progress.

Consent Agenda: Approve the Consent Agenda Items 1-2.

1. Approval of Meeting Minutes of July 2, 2025
2. Approval of City Warrant List.

Motion to approve the Consent Agenda Items 1 & 2

AYES: (1) Beltran, (2) Mendez, Cruz, Gutierrez and Rivera

NOES: 0

ABSENT: 0

Regular Business: 6:11pm

1. Discussion/Action to approve Rove Engineering payment request #2 and the Notice of Substantial Completion for the pipe replacement project in the amount of ~~\$277,775.30~~ \$215,652.94- Laura Fischer, Manager.

Motion to approve the Rove Engineering payment request #2 in the amount of \$215,652.94.

AYES: (1) Beltran, (2) Mendez, Cruz, Gutierrez and Rivera

NOES: 0

ABSENT: 0

2. Discussion/ Action to approve Cora Construction payment request #7 and the Notice of Substantial Completion for the pipe replacement project in the amount of ~~\$77,187.50~~ \$40,060.11- Laura Fischer, Manager.

Motion to approve the Cora Construction payment request #7 in the amount of \$40,060.11.

AYES: (1) Beltran, (2) Mendez, Cruz, Gutierrez and Rivera

NOES: 0

ABSENT: 0

3. Discussion/ Action to approve the Amendment to Ordinance 13-01, Enforcement and Penalties for Construction without a City Permit and Operating without a City License- Ramon Castro, Building Inspector. This item was tabled until the Ordinance has been reviewed by the city attorney.

Closed Session: 6:16pm – NO ITEMS FOR CLOSED SESSION WERE HEARD

- ~~Public Service Employees Job descriptions and salary scales, as well as Appointment, Employment, or evaluation (Gov't. Code §54957(b)(1).)~~
- ~~Conference with legal Counsel Pending Litigation (Gov't. Code §54956.9 (d) (1))~~
Two Matters: APN #035 393 010 / APN #035 260 016

Motion to Adjourn by Mrs. Cruz.

AYES: (1) Beltran, (2) Gutierrez, Mendez and Cruz

NOES: 0

ABSENT: Rivera

The council Adjourned at 7:05pm.

Adjournment: Next regular scheduled meeting September 3, 2025.

Council meetings are Open to the Public
If you need further assistance, please email the City Clerk
cityclerk@cityofwestmorland.net



CITY OF WESTMORLAND

Report to the City Council

MEETING DATE: September 3, 2025

FROM: Laura Fischer, City Manager

SUBJECT: FIRST READING OF ORDINANCE 2025-02

to Adopt the Zoning Ordinance Text Amendments via Resolution 2025-6.

ISSUE:

Shall the City of Westmorland Adopt Ordinance 2025-02 Amending the Official Zoning Map to Reclassify Property from Industrial to Residential via Resolution 2025-15.

RECOMMENDATION:

Adopt Ordinance 2025-01 to Adopt the Zoning Ordinance Text Amendments via Resolution 2025-15.

FISCAL IMPACT: None.

DISCUSSION:

On September 3, 2025, the City Council heard public comments during a Public Hearing to consider approval of Zone Change application to change the zone from Industrial to Residential for APN# 035-342-005 and APN# 035-342-006.

Required along with that approval is a modification to the zoning map.

CONCLUSION:

It is recommended that the City Council Adopt Ordinance 2025-02 Amending the Official Zoning Map to Reclassify Property from Industrial to Residential via Resolution 2025-15.

Respectfully Submitted,

Laura Fischer, Manager

ATTACHMENTS:

A. Ordinance 2025-02

ORDINANCE 25-2

**AN ORDINANCE OF THE CITY OF
WESTMORLAND AMENDING THE OFFICIAL
ZONING MAP TO RECLASSIFY PROPERTY
FROM INDUSTRIAL TO RESIDENTIAL**

APN# 035-342-005 AND APN# 035-342-006

WHEREAS, The City Council of the City of Westmorland is authorized by California Government Code section 65853 to amend the official zoning map, and;

WHEREAS, an application was filed by Anne J. Mallory requesting a zone change for the property described herein as: APN# 035-342-005 and APN# 035-342-006, and;

WHEREAS, the City Council conducted a duly noticed public hearing on September 3, 2025 to consider the application and all public testimony, and;

WHEREAS, the City Council has reviewed and considered the findings of the environmental review for this project, including the CEQA Notice of Exemption, and;

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF WESTMORLAND DOES ORDAIN AS FOLLOWS:

Section 1. Findings. The findings contained in the recitals are adopted as the findings of the City Council.

Section 2. Amendment. The official Zoning Map of the City of Westmorland is hereby amended to reclassify the real property, as legally described in Exhibit A attached hereto, from the original zone of Industrial Zone to Residential Zone.

Section 3. Property Description. The property affected by this ordinance is identified by Assessor's Parcel Numbers 035-342-005 and 035-342-006 and is located at 510 E. Main Street.

Section 4. Conflicts. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Westmorland hereby declares that it would have approved this ordinance and each section, subsection, clause, and phrase there, irrespective of the fact that any one or more sections, subsections, clauses, or phrases be declared invalid.

Section 6. Effective Date. This ordinance shall become effective immediately from the date of its adoption.

PASSED, APPROVED, AND ADOPTED This third day of September, 2025 by the City Council of the City of Westmorland by the following vote:

AYES:

NAYS:

ABSENT:

Judith Rivera, Mayor

**Christine Pisch, City Clerk
City of Westmorland
County of Imperial
State of California**

Introduction and 1st Readding

I, Christine Pisch, City Clerk of the City of Westmorland, California, DO HEREBY CERTIFY, that the foregoing Ordinance No. 25-02 was approved for 1st Reading by the City Council of the City of Westmorland at an adjourned meeting held on the 3rd day of September, 2025.

Adoption

I, Christine Pisch, City Clerk of the City of Westmorland, California, DO HEREBY CERTIFY, that the foregoing Ordinance No. 25-02 was approved for adoption by the City Council of the City of Westmorland at the regular meeting held on the 17th day of September, 2025, and that it was so adopted by the following vote:

Aye _____ **Nays:** _____ **Absent:** _____

Date Posted: September 18, 2025

Christine Pish, City Clerk

August 26, 2025

MEMO

TO: CITY COUNCIL -

LAURA FISCHER, CITY MANAGER; RAMIRO BARAJAS, DIRECTOR OF PUBLIC WORKS

FROM: JOEL HAMBY, INT. DIR. OF DEV. SERV.

RE: SMALL COMMUNITIES DROUGHT RELIEF GRANT COMPLETION

All of the construction work on both the filter replacement project and the piping replacement project has been completed. Certificates of Substantial Completion for both projects were approved by Council, and the record Notice of Completion for both projects has been filed at the County Recorder's Office (which starts the clock running for the 35-day notice period prior to release of retention funds).

The piping replacement project was fully completed on July 16, 2025, and the final invoices along with two change orders have been submitted by Rove Engineering. The total contract, with change orders, came to \$561,179.10 compared to the bid amount of \$497,365. The most significant change order increase was about \$35,000 for two new fire hydrants that were installed to replace two sub-standard wharfhead hydrants. The other costs were related to final quantities adjustments and some minor additional work.

The filter replacement project construction work has been fully completed; however, the computer systems programming and integration is currently at about 95% complete with an expected time of completion in about 2 weeks. When the computer/SCADA integration is done, an inspection has to be scheduled with the Division of Drinking Water. Assuming the inspection goes well, DDW has indicated that they will issue the new WTP permit for the City, at which time the new filter can be put online. The total construction cost for the filter, including four change orders, is \$1,865,455.22 plus about \$15,000 that was spent by the City for adjustment of the catwalks and purchase of a special valve for monitoring the level of turbidity in the filtered water.

Design cost for the filter and piping came to \$305,167.39.

Construction engineering and management costs at present for the two projects came to \$203,276.17.

Construction contracts came to a total of \$2,591,634.32 (includes ±\$15,000 of City expenditures).

Construction Management costs still to be invoiced amount to approximately \$50,000.

The total estimated project cost comes to \$3,150,077.88 which is about \$222,000 more than the grant amount. About \$70,000 of that amount could be drawn from HUTA (streets) to pay for the trench pavement work done in the piping project. The remaining \$152,000 should come from "restricted water".

A spreadsheet is attached showing more detail.

SCDR/DWR has reimbursed the City for 90% of the total grant amount of \$2,928,150. The 10% amount retained by DWR (\$292,815.02) will be released to the City upon submittal of the closeout report and all required documentation. Documentation needing to be submitted at present is "as-built" drawings which are being prepared by Dudek and BJ Engineering.

CITY OF WESTMORLAND

SCDR/DWR 4600014541 WATER FILTER REPLACEMENT AND PIPE REPLACEMENT PROJECT

BUDGET/EXPENDITURES EXHIBIT AUGUST 29, 2025

FILTER PROJECT

BUDGET ITEM	FILTER BUDGET	DUDEK/HOLT/ CITY/ COST	AWC To date	CORA 100%	TOTAL FILTER COST TO DATE	BALANCE
Project Administration	\$0	\$20,000 (match)			\$20,000	\$0
Design Engineering Services and Permitting	\$263,300	Dudek \$234,521.14 City \$15,160			\$249,681.14	\$13,618.86
Construction Engineering/ Management	\$167,000	Dudek \$71,631.17 Holt \$72,080 City \$22,725			\$166,463.17	\$563.83
Construction	\$1,889,700		\$150,000	\$1,865,455.22	\$2,015,455.22	-\$125,755.22
Totals	\$2,320,000	\$416,117.31	\$150,000	\$1,865,455.22	\$2,431,572.53	-\$111,572.53

Dudek remaining amount to bill: \$18,195.69; Holt remaining amount to bill: \$120 Total of approx. \$18,320.

PIPE PROJECT

BUDGET ITEM	PIPE BUDGET	BJ ENGR./CITY HOLT/ COST		ROVE 100%	TOTAL PIPE COST To date	BALANCE
Project Administration	\$0	\$0		\$0	\$0	\$0
Design Engineering Services and Permitting	\$50,000	BJ \$49,051.25 City \$6,435		\$0	\$55,486.25	-\$5,486.25
Construction Management	\$60,000	Holt \$45,980 City \$15,110 BJ \$420		0	\$61,510	-\$1,510
Construction	\$498,150	\$0		\$561,179.10	\$561,179.10	-\$63,029.10
Totals	\$608,150	\$116,996.25		\$561,179.10	\$678,175.35	-\$70,025.35

Holt remaining amount to bill: \$2,020; BJ remaining amount to bill: approx. \$5,000 Total of approx. \$7,000.

Estimated remaining costs: Engrs. \$25,000. Current Total \$3,109,747.88 which is \$181,597.88 more than the \$2,928,150 grant amount

SCDR Grant Budget totals Des. Engr.: \$320,000 Const. Engr./Mgmt.: \$290,000 Const.: \$2,318,150 Total: \$2,928,150

**Filter cost to date: \$2,431,572.53 + Pipe cost to date: \$678,175.35 = \$3,109,747.88 Approx. \$210,000 over grant amount to be paid:
approx. \$67,000 of the pipe project cost can be paid (for trench base material and AC paving) from HUTA and \$140,000 from water restricted.**

City of Westmorland

REPORT TO City Council

MEETING DATE: September 3, 2025

FROM: Laura Fischer, Manager

SUBJECT: Ratify Change Orders totaling \$96,375.24 for Filter Project

ISSUE:

Shall the City Council Ratify Change Orders totaling \$96,376.24 to the Small Communities Drought Relief Grant Projects as follows:

- a. Rove Engineering Change Order #1 in the amount of \$41,802.00
- b. Rove Engineering Change Order #2 in the amount of \$22,012.10
- c. Cora Change Order #2 in the amount of \$4,503.46
- d. Cora Change Order #3 in the amount of \$8,243.40
- e. Cora Change Order #4 in the amount of \$19,815.28

GENERAL MANAGER'S RECOMMENDATION:

It is recommended that the City Council Ratify the Change Orders as described above.

FISCAL IMPACT: \$96,375.24

These items were included in the prior information report.

DISCUSSION:

These change orders have been signed and executed, this request is to ratify the signatures and approve change orders as listed above.

CONCLUSION:

Staff recommend that the Council Ratify Change Orders totaling \$96,376.24 Signed by Mayor Rivera on 8/25/25 to the Small Communities Drought Relief Grant Projects as follows:

- f. Rove Engineering Change Order #1 in the amount of \$41,802.00
- g. Rove Engineering Change Order #2 in the amount of \$22,012.10
- h. Cora Change Order #2 in the amount of \$4,503.46
- i. Cora Change Order #3 in the amount of \$8,243.40
- j. Cora Change Order #4 in the amount of \$19,815.28

Respectfully Submitted,

Laura Fischer, Manager

CHANGE ORDER NO. 1:

Owner: **City of Westmorland** Owner's Project No.: **4600015451**
Engineer: **The Holt Group, Inc** Engineer's Project No.: **102.114**
Contractor: **Rove Engineering, Inc.** Contractor's Project No.:
Project: **City of Westmorland Water Distribution Pipeline Replacement Project**
Contract Name:
Date Issued: **August 11, 2025** Effective Date of Change Order: **August 11, 2025**

The Contract is modified as follows upon execution of this Change Order:

Description: Replace two (2) existing wharf fire hydrants with new commercial fire hydrants to provide adequate fire flow. Reinstall two (2) new water service extension connections due to the unknown location of the existing ACP water pipeline. Replacement of P.C.C. cross gutter due to damage of unknown ACP pipe.

Attachments:

- Review and Recommendation Letter by The Holt Group, dated 08-11-2025

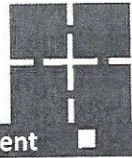
Change in Contract Price	Change in Contract Times
Original Contract Price: \$ <u>497,365.000</u>	Original Contract Times: Substantial Completion: <u>60 Calendar Days</u> Ready for final payment: _____
[Increase] [Decrease] from previously approved Change Orders No. 0 to No. 0: Not Applicable \$ <u>0.00 (Not Applicable)</u>	[Increase] [Decrease] from previously approved Change Orders No. 0 to No. 0: Substantial Completion: <u>Not Applicable</u> Ready for final payment: _____
Contract Price prior to this Change Order: \$ <u>497,365.00</u>	Contract Times prior to this Change Order: Substantial Completion: <u>60 Calendar Days</u> Ready for final payment: _____
Increase this Change Order: \$ <u>41,802.00</u>	[Increase] [Decrease] this Change Order: Substantial Completion: <u>60 Calendar Days</u> Ready for final payment: _____
Contract Price incorporating this Change Order: \$ <u>539,167.00</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>60 Calendar Days</u> Ready for final payment: _____

Recommended by Engineer (if required)
By: [Signature]
Title: Resident Engineer
Date: 8-14-2025

Authorized by Contractor
[Signature]
COO
8-14-25

Authorized by Owner
By: [Signature]
Title: Mayor
Date: 8/25/25

Approved by Funding Agency (if applicable)



July 11, 2025

Mr. Joel Hamby
Interim Director of Developmental Services
City of Westmorland
PO Box 699
Westmorland, CA 92281

RE: City of Westmorland – Water Distribution Piping Replacement Project
City No 4600015451
THG Project No. 102.114
Change Order No. 01 – Fire Hydrants, Water Service extensions and P.C.C. Cross Gutter repair.

Dear Mr. Hamby,

I am writing this letter regarding a change order for the City of Westmorland Water Distribution Piping Replacement Project.

There are three items that led to this change order:

1. Two (2) new Fire Hydrants
2. Water Service Extensions
3. P.C.C. Cross Gutter Repair

The first item is the two (2) existing wharf head fire hydrants are to be replaced due to their deteriorating condition and do not meet the current code necessitating their replacement. This replacement aims to enhance fire protection infrastructure in the designated areas by upgrading aging or non-compliant hydrants to meet current standards. The wharf hydrants are located along G. Street between 5th Street and 6th Street and along 7th Street between North H Street and I Street. This change order request is attached to this letter.

The cost associated with the contractor to furnish and install additional piping/fittings is to be added to the contract.

After Rove Engineering, Inc. (Contractor) received the fire hydrant relocations, they provided a Change Order Request of \$31,384.00

The second item is two (2) new water service connections that were installed for an existing meter located on G. Street. This was necessary because the existing service pipeline could not be located. The inability

to locate or verify the existing service pipeline made reuse of the existing service pipeline infeasible, requiring the installation of the two (2) new water service lines. This change order request is attached to this letter.

The total increase for this item is \$5,418.00. No additional days of work will be required for the Contract Time.

The third item, P.C.C. cross gutter repair, Rove performed subsurface utility exploration (potholing) to identify the alignment of the existing water pipeline and verify its connection to the hydrant located on either 7th Street or F. Street. During the potholing activities, the existing ACP water pipeline was uncovered and damaged due to its unknown location. This necessitated an immediate emergency repair which required Rove to expand the excavation and removed section of P.C.C. cross gutter, which was later replaced. This change order request is attached to this letter.

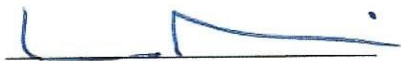
The total increase for this item is \$5,000.00 as discussed with Rove. No additional days of work will be required for the Contract Time.

The total increase for the three items is \$41,802.00. No additional days of work will be required for the Contract Time.

The Holt Group, as construction management, agrees with the proposed change order costs. It is recommended that the City consider the approval of the change order to the Project.

Please feel free to contact me with any questions or coordination on the subject matter.

Respectfully,



Juny Marmolejo, P.E.
Resident Engineer

Cc: Laura Fischer, City Manager, City of Westmorland
Ramiro Barajas, Public Works Director, City of Westmorland
James G. "Jack" Holt, P.E., Principal Engineer, The Holt Group, Inc.

CHANGE ORDER REQUEST NO.01:

Owner:	City of Westmorland	Owner's Project No.:	4600015451
Engineer:	The Holt Group, Inc.	Engineer's Project No.:	102.114
Contractor:	Rove Engineering, Inc.	Contractor's Project No.:	
Project:	City of Westmorland – Water Distribution Piping Replacement Project		
Contract Name:			
Date Issued:	June 18, 2025	Effective Date of Change Order Request:	June 18, 2025

It is requested for the Contractor to review the following change(s):

Rove Engineering, Inc. to install two (2) new fire hydrants to replace existing wharf head hydrants. The new hydrants will be located at the following sites:

- **G. Street between 5th Street and 6th Street.**
- **7th Street between North H Street and I Street.**

The pipeline, valve and fittings required for each fire hydrant will be paid per the bid line items. Each hydrant cost should be for the buryell, check valve, fire hydrant and hardware.

Purpose for the Change Order Request:

The two (2) existing wharf head fire hydrants are to be replaced due to their deteriorating condition and do not meet the current code necessitating their replacement. This replacement aims to enhance fire protection infrastructure in the designated areas by upgrading aging or non-compliant hydrants to meet current standards.

Directive to proceed with the Work described herein, after providing and agreeing to change in Contract Price and Contract Time, is issued due to:

There is an expected change in cost to the project. It is requested that Rove Engineering, Inc. provide a cost and time proposal for the change in scope of work.

Estimated Change in Contract Price and Contract Times (non-binding, preliminary):

Contract Price: \$0.00 [increase] [decrease] [not yet estimated].

Contract Time: 0 days [increase] [decrease] [not yet estimated].

Recommended by Engineer

By: 

Title: Juny Marmolejo, Resident Engineer

Date: 06/17/2025

CHANGE ORDER REQUEST NO.02:

Owner:	City of Westmorland	Owner's Project No.:	4600015451
Engineer:	The Holt Group, Inc.	Engineer's Project No.:	102.114
Contractor:	Rove Engineering, Inc.	Contractor's Project No.:	
Project:	City of Westmorland – Water Distribution Piping Replacement Project		
Contract Name:			
Date Issued:	June 18, 2025	Effective Date of Change Order Request:	June 18, 2025

It is requested for the Contractor to review the following change(s):

Rove Engineering, Inc., to install two (2) new water service lines along G. Street between 5th Street and 6th Street.

Purpose for the Change Order Request:

The two (2) new water service connections were installed for an existing meter located on G. Street. This was necessary because the existing service pipeline could not be located. The inability to locate or verify the existing service pipeline made reuse of the existing service pipeline infeasible, requiring the installation of the two (2) new water service lines.

Directive to proceed with the Work described herein, after providing and agreeing to change in Contract Price and Contract Time, is issued due to:

There is an expected change in cost to the project. It is requested that Rove Engineering, Inc. provide a cost and time proposal for the change in scope of work.

Estimated Change in Contract Price and Contract Times (non-binding, preliminary):

Contract Price: \$0.00 [increase] [decrease] [not yet estimated].

Contract Time: 0 days [increase] [decrease] [not yet estimated].

Recommended by Engineer

By:

Title: Juny Marmolejo, Resident Engineer

Date: 06/17/2025

CHANGE ORDER REQUEST NO.03:

Owner:	City of Westmorland	Owner's Project No.:	4600015451
Engineer:	The Holt Group, Inc.	Engineer's Project No.:	102.114
Contractor:	Rove Engineering, Inc.	Contractor's Project No.:	
Project:	City of Westmorland – Water Distribution Piping Replacement Project		
Contract Name:			
Date Issued:	July 7, 2025	Effective Date of Change Order Request:	July 7, 2025

It is requested for the Contractor to review the following change(s):

Rove Engineering, Inc., to restore P.C.C. cross gutter at the intersection of 7th Street and F. Street.

Purpose for the Change Order Request:

On Wednesday, May 14, 2025, Rove performed subsurface utility exploration (potholing) to identify the alignment of the existing waterline and verify its connection to the hydrant located on either 7th Street or F. Street. During the potholing activities, the existing waterline was disturbed, necessitating an immediate emergency repair which required Rove to expand the excavation.

Directive to proceed with the Work described herein, after providing and agreeing to change in Contract Price and Contract Time, is issued due to:

There is an expected change in cost to the project. It is requested that Rove Engineering, Inc. provide a cost and time proposal for the change in scope of work.

Estimated Change in Contract Price and Contract Times (non-binding, preliminary):

Contract Price: \$0.00 [increase] [decrease] [not yet estimated].



Contract Time: 0 days [increase] [decrease] [not yet estimated].

Recommended by Engineer

By: **h h**

Title: Juny Marmolejo, Resident Engineer

Date: 06/17/2025

	Rove Engineering	Date Prepared:	6/20/2025 0:00			
	P.O. Box 2108	Last Revision Date:				
	El Centro, CA 92021					
Project Name:	Water Distribution Piping Replacement	Developer:	City of Westmorland			
Municipality:	City Of Westmorland	Address:				
Project Type:		Date:	6/20/2025			
Soils		Prepared By	Frank Duffy			
Plans		Title	Project Manager / Estimator			
Author		E Mail	fduffy@roveengineering.com			
Description:						
Gentlemen, our firm proposes to complete the following items of work in connection with the project referenced above. All work will be performed as discussed on Progress meetings.						
COST PROPOSAL						
Item #	Description	Qty	Unit	Unit Price	Total Cost	Comments
1	Fire Hydrant	2	EA	\$ 15,692.00	\$ 31,384.00	
2	Water Service	2	EA	\$ 2,709.00	\$ 5,418.00	
	Total				\$ 36,802.00	
Inclusions:		Exclusions:				
		Staking, Permits, Engineering, Testing, Surveying, Traffic Control Plan				
		Demolition other than specify above				
		Fees of any kind (unless caused by contractor)				
		Meters of any kind				
		Removal of Shade Structures, AC units, or any other items not specified above				
		Dewatering or Processing of Saturated Soils				
		Over Excavation beyond the specified depth listed above				
		Removal of Material that cannot be productively ripped with a Caterpillar D6				
		Owner to provide nearby construction water for any and all purposes.				
		Excavation and Disposal of any Debris not specified above.				
Submitted This Date: 2/6/2025				Rove Engineering Inc		
PROPOSAL VALID FOR 30 DAYS				Frank Duffy		
		Estimator/Project Manager				
		760-604-4299				
		License # 1046101				
		Expiration-10/31/2026				
		P.O. Box 2108				
		El Centro, CA 92244				
		fduffy@roveengineering.com				

CHANGE ORDER NO. 2:

Owner: **City of Westmorland** Owner's Project No.: **4600015451**
Engineer: **The Holt Group, Inc** Engineer's Project No.: **102.114**
Contractor: **Rove Engineering, Inc.** Contractor's Project No.:
Project: **City of Westmorland Water Distribution Pipeline Replacement Project**
Contract Name:
Date Issued: **August 11, 2025** Effective Date of Change Order: **August 11, 2025**

The Contract is modified as follows upon execution of this Change Order:

Description: Balancing Change Order which tabulates the increase and decrease of bid items' quantities and costs. Balances the project to zero cost for the contract. The overall cost difference was an increased cost of \$22,012.10 from additional items.

Attachments:

- Attachment A – Balancing Change Order spreadsheet, dated 08-11-2025

Change in Contract Price	Change in Contract Times
Original Contract Price: \$ <u>497,365.000</u>	Original Contract Times: Substantial Completion: <u>60 Calendar Days</u> Ready for final payment: _____
[Increase] [Decrease] from previously approved Change Orders No. 0 to No. 1: Not Applicable \$ <u>41,802.00</u>	[Increase] [Decrease] from previously approved Change Orders No. 0 to No. 1: Substantial Completion: <u>Not Applicable</u> Ready for final payment: _____
Contract Price prior to this Change Order: \$ <u>539,167.00</u>	Contract Times prior to this Change Order: Substantial Completion: <u>60 Calendar Days</u> Ready for final payment: _____
Increase this Change Order: \$ <u>22,012.10</u>	[Increase] [Decrease] this Change Order: Substantial Completion: <u>60 Calendar Days</u> Ready for final payment: _____
Contract Price incorporating this Change Order: \$ <u>561,179.10</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>60 Calendar Days</u> Ready for final payment: _____

Recommended by Engineer (if required)	Authorized by Contractor
By: <u>[Signature]</u>	<u>[Signature]</u>
Title: <u>Resident Engineer</u>	<u>COO</u>
Date: <u>8-14-2025</u>	<u>8-14-25</u>
Authorized by Owner	Approved by Funding Agency (if applicable)
By: <u>[Signature]</u>	
Title: <u>Mayor</u>	
Date: <u>8/25/25</u>	

ATTACHMENT "A"
BALANCING CHANGE ORDER

PROJECT:
DATE: Monday, August 11, 2025
PROJECT NO: DWR/SCDR Grant No. 4600015451
The Holt Group Project No. 102.114

Item No	Description of Work	Unit	Bid Quantity	Unit Price	Total Bid Amount/ Approved CCO	Actual Quantity	New Total Cost	Cost Difference	Notes
1	Remove and Dispose/Recycle A.C. Pavement and P.C.C. Concrete	LS	1.00	\$ 10,370.00	\$10,370.00	1.00	\$10,370.00	\$0.00	
2	Remove/Dispose Existing Water Valves, Abandon and Cap Piping	LS	1.00	\$ 35,685.00	\$35,685.00	1.00	\$35,685.00	\$0.00	
3	Install 8-inch Resilient Wedge Gate Valve, including Fittings, Pipings and Thrust Blocks	EACH	7.00	\$ 6,150.00	\$43,050.00	9.00	\$55,350.00	\$12,300.00	
4	Install 6-inch Resilient Wedge Gate Valve, including Fittings, Pipings and Thrust Blocks	EACH	8.00	\$ 6,070.00	\$48,560.00	10.00	\$60,700.00	\$12,140.00	
5	Restore Service to Existing Fire Hydrants, including Fittings	EACH	3.00	\$ 7,440.00	\$22,320.00	2.00	\$14,880.00	-\$7,440.00	
6	Adjust Water Valve Covers to Grade	EACH	20.00	\$ 661.00	\$13,220.00	19.00	\$12,559.00	-\$661.00	
7	Install 8-inch C900 Water Pipe, including Fittings, Thrust Blocks, Trenching and Backfilling	L.F.	2,600.00	\$ 55.00	\$143,000.00	2,520.00	\$138,600.00	-\$4,400.00	
8	Install 6-inch C900 Water Pipe, including Fittings, Thrust Blocks, Trenching and Backfilling	L.F.	220.00	\$ 97.50	\$21,450.00	98.00	\$9,555.00	-\$11,895.00	
9	Restore Residential Service Laterals	EACH	22.00	\$ 2,540.00	\$55,880.00	25.00	\$63,500.00	\$7,620.00	
10	A.C. Paving/Trench Repair as shown in Trench Detail in Plans	S.F.	4,600.00	\$ 6.70	\$30,820.00	6,763.00	\$45,312.10	\$14,492.10	
11	Traffic Control, Sweeping/Cleaning and Notification of Water Outage	LS	1.00	\$ 5,363.00	\$5,363.00	1.00	\$5,363.00	\$0.00	
12	Mobilization, Demobilization, Replacement, Pavement Markings, Install Project Sign	LS	1.00	\$ 31,747.00	\$31,747.00	1.00	\$31,747.00	\$0.00	
13	Bonds and Insurance	LS	1.00	\$ 9,500.00	\$9,500.00	1.00	\$9,500.00	\$0.00	
A-1	Install 6-inch C900 Water Pipe, including Fittings, Thrust Blocks, Trenching and Backfilling	L.F.	550.00	\$ 48.00	\$26,400.00	547.00	\$26,256.00	-\$144.00	
CO #1	Fire Hydrants, Water Services and P.C.C. cross gutter repair work	LS	1.00	\$ 41,802.00	\$41,802.00	1.00	\$41,802.00	\$0.00	
TOTAL					\$539,167.00		\$561,179.10	\$22,012.10	-

CHANGE ORDER NO. 2:

Owner:	City of Westmorland	Owner's Project No.:	City/BOR: 4600015451
Engineer:	The Holt Group, Inc.	Engineer's Project No.:	THG: 102.114
Contractor:	Cora Constructors, Inc.	Contractor's Project No.:	J440
Project:	City of Westmorland WTP Water Filter Replacement Project		
Contract Name:			
Date Issued:	01-22-2025	Effective Date of Change Order:	05-21-2025

The Contract is modified as follows upon execution of this Change Order:

Description: The new filter unit was designed 6 inches taller than required for connection with the existing system. Therefore, the proposed 6-inch concrete slab was removed, and the existing concrete slab elevation was constructed with minor modifications to piping and catwalk. The changes in scope of are noted in the attached letter, which included RFI attachments.

Attachments:

- Review and Recommendation Letter by The Holt Group, dated 05-21-2025

Change in Contract Price	Change in Contract Times
Original Contract Price:	Original Contract Times:
\$ 1,916,900.00	Substantial Completion: 285 Calendar Days
	Ready for final payment:
Decrease from previously approved Change Orders No. 1:	[Increase] [Decrease] from previously approved Change Orders No.1:
\$ 75,000.00	Substantial Completion: Not Applicable
	Ready for final payment:
Contract Price prior to this Change Order:	Contract Times prior to this Change Order:
\$ 1,841,900.00	Substantial Completion: 285 Calendar Days
	Ready for final payment:
Decrease this Change Order:	[Increase] [Decrease] this Change Order:
\$ 4,503.46	Substantial Completion: 285 Calendar Days
	Ready for final payment:
Contract Price incorporating this Change Order:	Contract Times with all approved Change Orders:
\$ 1,837,396.54	Substantial Completion: 285 Calendar Days
	Ready for final payment:

Recommended by Engineer (if required)

By: Juny Marmolejo

Title: Resident Engineer

Date: 8-18-2025

Authorized by Owner

By: [Signature]

Title: Mayor

Date: 8/25/25

Authorized by Contractor

By: Emir Kocaballi

General Manager Cora Constructors Inc.

8/10/2025

Approved by Funding Agency (if applicable)

The Holt Group, Inc.
Engineering Department



■ Municipal Design ■ Infrastructure Engineering ■ Construction Management ■

May 21, 2025

Mr. Joel Hamby
Interim Director of Developmental Services
City of Westmorland
PO Box 699
Westmorland, CA 92281

RE: City of Westmorland – WTP Water Filter Replacement Project
City No 4600015451
THG Project No. 109.021
Change Order No. 02 – Removal of Concrete Slab

Dear Mr. Hamby,

I am writing this letter regarding a change order decrease for the City of Westmorland Water Treatment Plant Filter Replacement Project.

The concrete slab installation design was finalized by Dudek (Design Engineers) during the Design Phase of this project. However, the measurements taken during the design phase resulted in a difference of 6 inches in height between existing and new water filter units. The height difference caused the pipe connection alignments to require more work and material. In addition, this difference led to a catwalk slope of 2.5% along its horizontal axis, which the City of Westmorland's Water Treatment Plant Staff did not favor. Therefore, The Holt Group, Inc. (Resident Engineers) reached out with Dudek and Cora Constructors, Inc. (Cora) for an optimal solution. The selected solution included the removal of the 6-inch concrete pad, which required minor changes that are noted as follows.

It was agreed by City, Dudek and Cora to remove the 6-inch concrete pad. It was agreed that a resulted in a decrease of \$18,158.50 as noted in the Change Order Request No. 02 from Cora, as attached.

An additional scope of work was to create a level area beneath the new filter tank. In specific, the existing concrete slab had various uneven depressions which caused water to pool under Filter Unit No. 02 location and would also create an even area for the new filter to be placed. Thus, Dudek requested for Cora to level and apply a self-leveling epoxy. Their callouts and materials are all referenced under RFI No. 03

(Delete Concrete Pad and Self Level Concrete), as attached. This change in work resulted in an increase of \$13,655.04.

The new Filter Unit's pipe nozzles still require adjustment to connect to the existing pipelines. These modifications were deemed necessary and were conducted and no credit or additional cost by Cora.

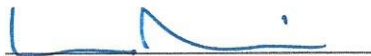
The catwalk required modifications, as prepared by Dudek, that were not in the construction scope of work. The modifications are noted in RFI No. 07 (Catwalk Elevation/Slope Discrepancy), as attached. It was agreed by City, Cora and The Holt Group to have a welding specialty contractor conduct the modifications. As such, there was no additional cost for the catwalk modifications for the project.

Overall, the total of this Change Order calculates to a decrease (credit) of \$4,503.46 to the City. No additional days of work will be required for the Contract Time.

The Holt Group, as construction management, agrees with the proposed change order terms. It is recommended that the City consider the approval of the change order to the Project.

Please feel free to contact me with any questions or coordination on the subject matter.

Respectfully,



Juny Marmolejo, P.E.
Resident Engineer

Cc: Laura Fischer, City Manager, City of Westmorland
Ramiro Barajas, Director of Public Works
Brandon Lacap, Dudek
James G. "Jack" Holt, P.E., Principal Engineer, The Holt Group, Inc.



Lic. # 766304- A & B

1/15/25

Serial 02

Juny Marmolejo
The Holt Group, Inc.
1601 N. Imperial Ave
El Centro, CA 92243
jmarmolejo@theholtgroup.net

Re: City of Westmorland – WTP Water Filter Replacement Project

Subject: Change Order Request for Deleting Concrete Pad and Installing Self Leveling Grout to the Existing Pad

Dear Mr. Marmolejo,

The lump sum change order amount to delete the new concrete pad under the new filter, grind high areas per RFI 03 response and emails, chip and roughen the surface and install Sika self leveling grout per RFI 03 response is Credit of (\$4,503.46). We attached our bid day breakdown for our concrete pad cost including mark up and overhead. Also we are including the detailed breakdown for the new work.

This change order does not affect the schedule as of right now so we do not need a time extension for this work.

If you have any questions, please contact me at (760) 399-6427.

Sincerely,

CORA CONSTRUCTORS INC.
Emir Kocaballi
General Manager

*75140 ST. CHARLES PLACE, STE. A
PALM DESERT, CA 92211
PH. (760) 674-3201 / FAX (760) 674-8648*

75140 Saint Charles Place, Suite A, Palm Desert, CA 92211
Ph. (760) 674-3201 Fax (760) 674-3202

Concrete Pad

LABOR	MH	UC	TOTAL
Op Foreman	24	\$124.40	\$2,985.60
Labor 4	48	\$92.79	\$4,453.92
TOTAL LABOR			\$7,439.52

TOTAL LABOR

Equipment	
Plus Markup at 15%	\$1,667.00
TOTAL Equipment	\$250.06
	\$1,917.10
Material	
Plus Markup at 15%	\$2,326.36
TOTAL Fees	\$348.95
	\$2,675.32
Subcontractors	
Plus Markup at 10%	\$0.00
TOTAL Subcontractors	\$0.00
	\$0.00

Labor

TOTAL Labor	\$8,927.42
Bond 1%	\$135.20
AMOUNT DUE THIS SHEET	\$13,655.04
Additional calendar days requested	
CREDIT FOR PAD W/ OVERHEAD AND MARK UP (See attached breakdown from our estimate)	-\$18,158.50

TOTAL CO AMOUNT:

By signing this form, owner's representative is verifying only that expenditures were made, not agreeing that this is extra work

Concrete Pad Forms	75	LF		22.4	\$	1,680.00
Roughen the surface & Dowels	282	SF		5.96	\$	2,880.00
Install Rebar	530	lbs		2.77	\$	1,470.00
Pour Concrete	6	CY		700	\$	4,200.00
Pump	1	DAY		1,500.00	\$	1,500.00
Buy Forms, Cure	1	LS		1,000.00	\$	1,000.00
Buy REbar	530	LBS		2	\$	1,060.00
Buy concrete	10	CY		200	\$	2,000.00

\$ 15,790.00

Total with Mark up and Overhead: \$ 18,158.50

Emir Kocaballi

From: Darren Kopack <Darren.Kopack@whitecap.com>
Sent: Thursday, January 9, 2025 2:19 PM
To: Emir Kocaballi
Cc: Yvonne Ferro; Larry
Subject: Re: City of Westmorland WTP Filter Replacement Project ESDC - RFI 003 Response

Yes here you go

I have this kit of SIKAFLOW 648 for \$ 565.00

KIT CONTAINS
4 BAGS GROUT
1 EA PART A
1 EA PART B
4 EA PART C
YIELDS 1.7 CUBIC FEET

Thank you and Make it a Great Day!

Follow this link to our amazing sales right now
[Contractor Trader – Southwest \(dcatalog.com\)](https://dcatalog.com)

and this to our catalog website
[White Cap | Home \(whitecap.com\)](https://whitecap.com)

Darren Kopack
White Cap Account Manager
C-714-231-7330
DARREN.KOPACK@WHITECAP.COM

From: Emir Kocaballi <emir@coraconstructors.com>
Sent: Thursday, January 9, 2025 1:52 PM
To: Darren Kopack <Darren.Kopack@whitecap.com>
Cc: Yvonne Ferro <yvonne@coraconstructors.com>; Larry <larry@atomengconst.com>
Subject: FW: City of Westmorland WTP Filter Replacement Project ESDC - RFI 003 Response

Darren,

Can you give me a price for this Sika selfleveling product (see attached RFI). Please let me know the coverage for each package and I will try to figure out the material quantity.

Thank you,

RFI RESPONSE

Owner Name: City of Westmorland
Project Title: WTF Water Filter Replacement Project
Dudek Job No.: 15667
Date: 1/8/2025
Response By: Ted Dhanens

RFI No.: 003
RFI Name: Existing Slab Depression

Question from (Contractor):

See attached RFI 003.

EOR Response to RFI:

Contractor shall address the depression in the existing concrete slab by using a high-flow epoxy/grout (self-leveling). Contractor shall use Sika Flow 648 epoxy grout or approved equal product as required to provide a level surface under the new AWC filter unit. Per the AWC installation requirements, the new filter unit shall be installed on a clean, level, and flat surface; Maximum gap under a 10ft straight edge shall be no greater than 1/8" (FL75/FF50 per ASTM E1155). The installation surface shall not slope by more than 1/4" over 25ft along the entire length or width of the filter unit.

CORA CONSTRUCTORS INC

75140 SAINT CHARLES PLACE STE A, PALM DESERT, CA 92211

REQUEST FOR INFORMATION (RFI)

OWNER: City of Westmorland DSA Appl. No. (if applicable): _____
Project Name: Water Filter Replacement RFI Number: 3
RFI Description: Existing Concrete Date: 12/17/2024
Issued To: Dudek / Holt Group Project No.: J440
(Architect) Contract No.: _____

Drawing Number Detail _____ Specification Section _____ Page _____

Request:

After we removed the existing tank, we found out that the middle section of the concrete has a depression of 3/8". There was some water puddling in that area once the tank was removed. If we keep the concrete as is the mid section of the tank will be up in the air until we put the media and with the weight of the media, the tank bottom will bow. We recommend to do a self-leveling epoxy grout or similar product to level out the concrete so tank sits on flat surface. Please let us know how to proceed.

Request Issued by: _____
Contractor's Signature _____ Emir Kocaballi _____
Name (Printed) _____ Date _____

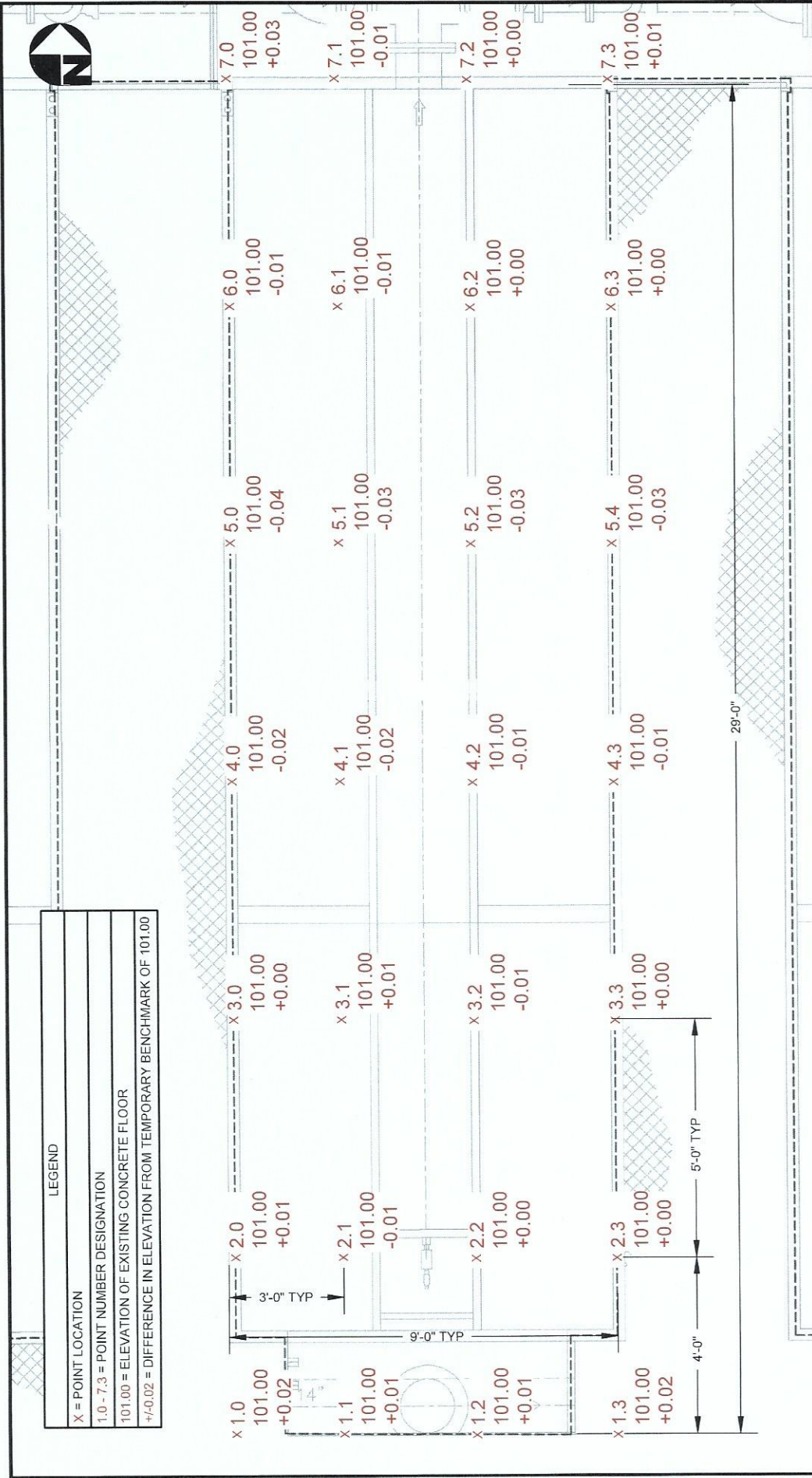
Response:

TBD

☐ No change in cost or time

Response Review by: _____
Architect's Signature _____ Name (Printed) _____ Date _____

This Form Cannot Modify Contract Amount or Milestones and/or Contract Time.



The Holt Group
ENGINEERING PLANNING SURVEYING

201 E. Hobsonway
1801 N. Imperial Ave.
Blythe, Ca 92225
760.922.4658
760.337.3863

EXHIBIT:

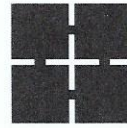
EXISTING CONCRETE SLAB ELEVATIONS - SKETCH

SHEET: 1
OF 1 SHEETS

DATE: 01/02/2025 DRAFTED BY: CC
PROJECT NUMBER: 102.114 CHECKED BY: JRM

The Holt Group, Inc.

Engineering Department



■ Municipal Design ■ Infrastructure Engineering ■ Construction Management ■

REQUEST FOR INFORMATION (RFI)

Project: City of Westmorland–
Water Treatment Plant Water Filter Replacement Project
City of Westmorland/BOR Project No. 4600015451
THG Project No. 109.021

Contractor: Cora Constructors, Inc. _____

RFI DATE: 02-05-2025 _____

RFI No: 007 _____

Subject: Catwalk Elevation/Slope Discrepancy _____

Sheet and Specification: Plan Sheet: 10 through 11
Specification: Not Applicable

QUESTION:

Upon installation of new filter unit, on February 5, 2025, Cora Constructors discovered a 2.5% slope on the North Section of the existing catwalk between the existing and new filter units. This slope was caused by the new AWC-provided filter unit being 1.25 to 1.5 inches taller than the existing filter units. Cora Constructors requests to leave slope as is or provide design modifications for catwalk.

RECOMMENDATION:

After discussion with City of Westmorland, the City preferred the catwalk slope to be level (at 0%).


ATTACHMENTS:

None.

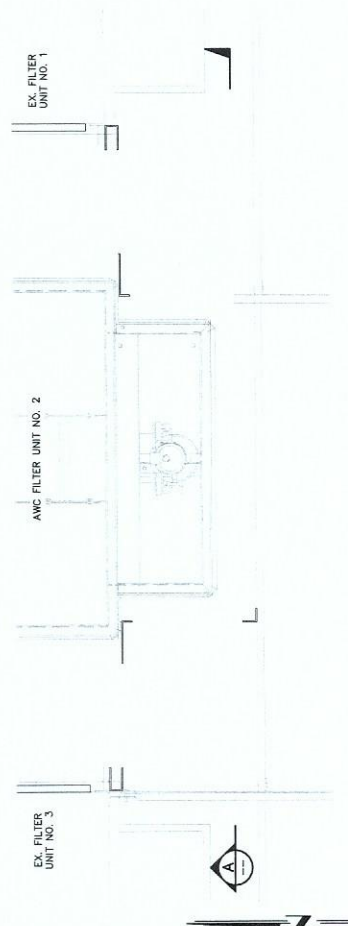
BY: Cora Constructors, Inc. **SIGNATURE:** _____ **DATE:** 03-24-2025

RESPONSE

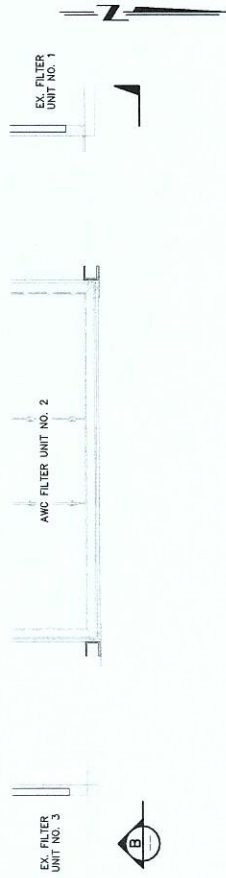
See attached design drawings provided by Dudek. Cora is to provide a cost proposal to conduct the changes in scope of work.

BY: Juny Marmolejo **SIGNATURE:**  **DATE:** 03/24/2025

1601 North Imperial Avenue ■ El Centro, CA 92243 ■ 760/337-3883 ■ Fax 760/337-5997



SOUTHERN CATWALK BRACKET MODIFICATION PLAN
SCALE: 3/4"=1'-0"



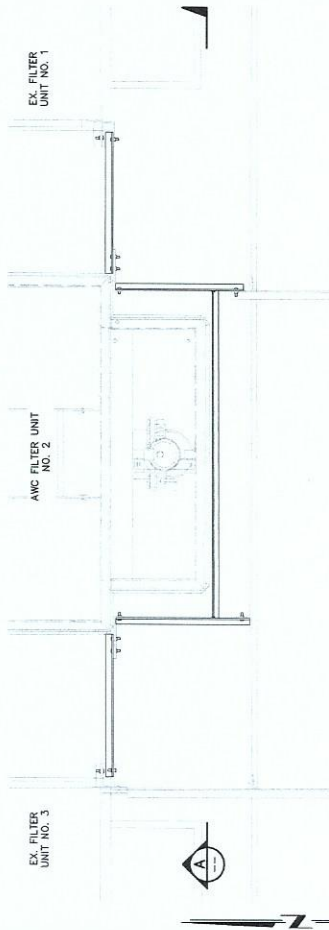
NORTHERN CATWALK BRACKET MODIFICATION PLAN
SCALE: 3/4"=1'-0"



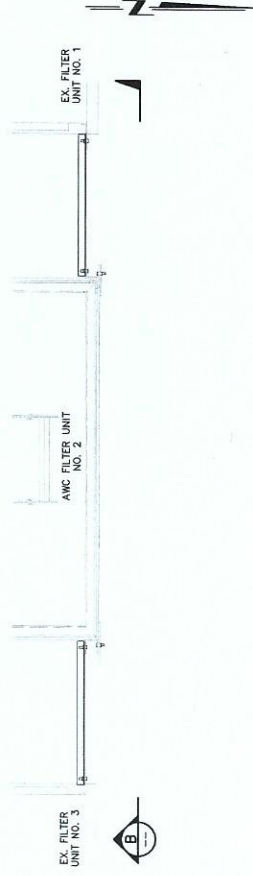
SOUTHERN CATWALK BRACKET MODIFICATION SECTION A
SCALE: 3/4"=1'-0"



NORTHERN CATWALK BRACKET MODIFICATION SECTION B
SCALE: 3/4"=1'-0"



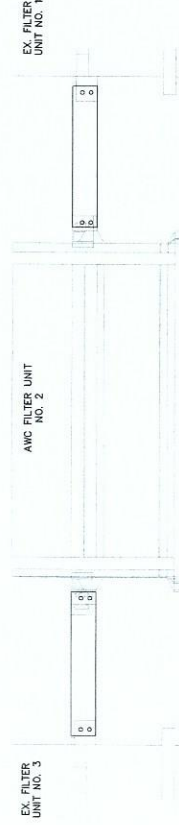
SOUTHERN CATWALK BEAM MODIFICATION PLAN
SCALE: 3/4"=1'-0"



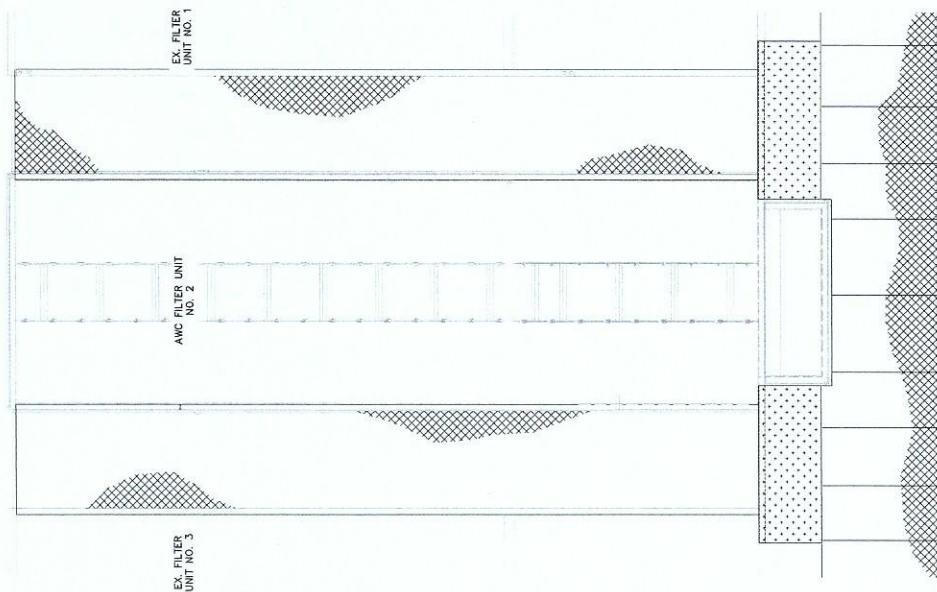
NORTHERN CATWALK BEAM MODIFICATION PLAN
SCALE: 3/4"=1'-0"



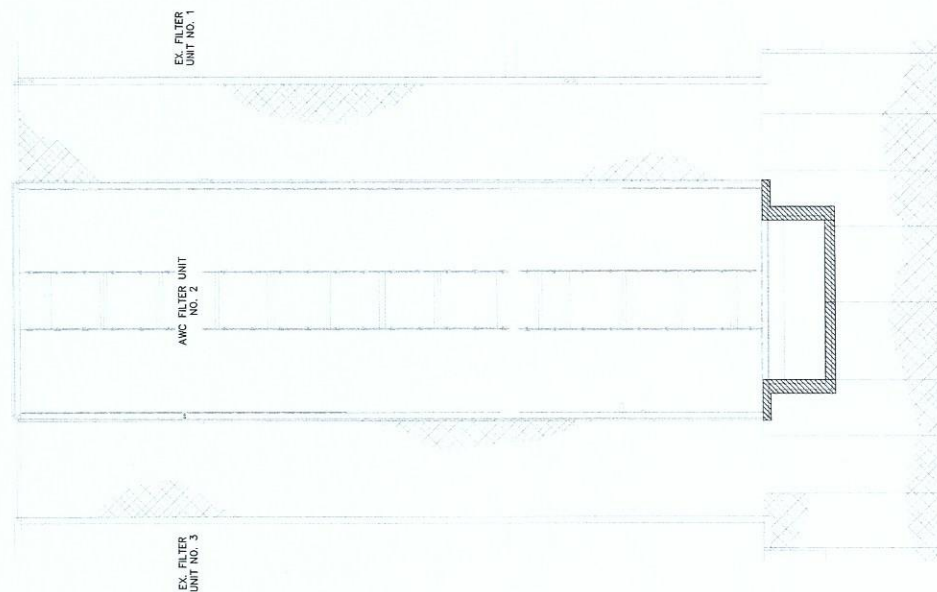
SOUTHERN CATWALK BEAM MODIFICATION SECTION A
SCALE: 3/4"=1'-0"



NORTHERN CATWALK BEAM MODIFICATION SECTION B
SCALE: 3/4"=1'-0"



CATWALK GRATING MODIFICATION PLAN
SCALE: 1/2"=1'-0"



CATWALK GRATING DEMOLITION PLAN
SCALE: 1/2"=1'-0"

CHANGE ORDER NO. 3

Owner: **City of Westmorland** Owner's Project No.: **4600015451**
 Engineer: **The Holt Group, Inc.** Engineer's Project No.: **THG: 102.114**
 Contractor: **Cora Constructors, Inc.** Contractor's Project No.: **J440**
 Project: **City of Westmorland WTP Water Filter Replacement Project**
 Contract Name:
 Date Issued: **03-17-2025** Effective Date of Change Order: **08-07-2025**

The Contract is modified as follows upon execution of this Change Order:

Description: The City requested one (1) laptop computer, and one (1) desktop/computer, both with SCADA programmed into their software. Cora provided a Change Order Fee Proposal, which both The Holt Group and City of Westmorland approved.

Attachments:

- Review and Recommendation Letter by The Holt Group, dated 08-07-2025
- Change Order Proposal by Cora Constructors, Inc., dated 03-17-2025

Change in Contract Price	Change in Contract Times
Original Contract Price: \$ <u>1,916,900.00</u>	Original Contract Times: Substantial Completion: <u>285 Calendar Days</u> Ready for final payment: _____
Decrease from previously approved Change Orders No. 1 to No. 2: \$ <u>79,503.46</u>	[Increase] [Decrease] from previously approved Change Orders No.1 to No. 2: Substantial Completion: <u>Not Applicable</u> Ready for final payment: _____
Contract Price prior to this Change Order: \$ <u>1,837,396.54</u>	Contract Times prior to this Change Order: Substantial Completion: <u>285 Calendar Days</u> Ready for final payment: _____
Increase this Change Order: \$ <u>8,243.40</u>	[Increase] [Decrease] this Change Order: Substantial Completion: <u>285 Calendar Days</u> Ready for final payment: _____
Contract Price incorporating this Change Order: \$ <u>1,845,639.94</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>285 Calendar Days</u> Ready for final payment: _____

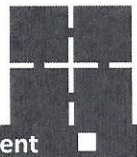
Recommended by Engineer (if required)
 By: L. M. Juny Marmolejo
 Title: Resident Engineer
 Date: 8-18-2025

Authorized by Contractor
Emir Kocaballi Emir Kocaballi
 General Manager Cora Constructors Inc.
 8/10/2025

Authorized by Owner
 By: [Signature]
 Title: Mayor
 Date: 8/25/25

Approved by Funding Agency (if applicable)

The Holt Group, Inc.
Engineering Department



■ Municipal Design ■ Infrastructure Engineering ■ Construction Management ■

August 7, 2025

Mr. Joel Hamby
Interim Director of Developmental Services
City of Westmorland
PO Box 699
Westmorland, CA 92281

RE: City of Westmorland – WTP Water Filter Replacement Project
City No 4600015451
THG Project No. 109.021
Change Order No. 03 – Addition of Computer Desktop & Monitor and SCADA Programming

Dear Mr. Hamby,

I am writing this letter regarding a change order increase for the City of Westmorland Water Treatment Plant Filter Replacement Project.

The City of Westmorland Water Treatment Plant staff reviewed the list of technology and equipment that will be provided by NCS. However, the WTP staff prefer one (1) laptop computer and one (1) computer desktop. Cora provided a cost estimate on March 31, 2025.

The total Change Order is an increase of \$8,243.40. No additional days of work will be required for the Contract Time.

The Holt Group, as construction management, agrees with the proposed change order terms. It is recommended that the City consider the approval of the change order to the Project.

Please feel free to contact me with any questions or coordination on the subject matter.

Respectfully,

Juny Marmolejo, P.E.
Resident Engineer

Cc: Laura Fischer, City Manager, City of Westmorland
Brandon Lacap, Dudek
James G. "Jack" Holt, P.E., Principal Engineer, The Holt Group, Inc.

The Holt Group, Inc.

Engineering Department



■ Municipal Design ■ Infrastructure Engineering ■ Construction Management ■

August 7, 2025

Mr. Joel Hamby
Interim Director of Developmental Services
City of Westmorland
PO Box 699
Westmorland, CA 92281

RE: City of Westmorland – WTP Water Filter Replacement Project
City No 4600015451
THG Project No. 109.021
Change Order No. 03 – Addition of Computer Desktop & Monitor and SCADA Programming

Dear Mr. Hamby,

I am writing this letter regarding a change order increase for the City of Westmorland Water Treatment Plant Filter Replacement Project.

The City of Westmorland Water Treatment Plant staff reviewed the list of technology and equipment that will be provided by NCS. However, the WTP staff prefer one (1) laptop computer and one (1) computer desktop. Cora provided a cost estimate on March 31, 2025.

The total Change Order is an increase of \$8,243.40. No additional days of work will be required for the Contract Time.

The Holt Group, as construction management, agrees with the proposed change order terms. It is recommended that the City consider the approval of the change order to the Project.

Please feel free to contact me with any questions or coordination on the subject matter.

Respectfully,

Juny Marmolejo, P.E.
Resident Engineer

Cc: Laura Fischer, City Manager, City of Westmorland
Brandon Lacap, Dudek
James G. "Jack" Holt, P.E., Principal Engineer, The Holt Group, Inc.



Lic. # 766304- A & B

3/17/25

Serial 03

Juny Marmolejo
The Holt Group, Inc.
1601 N. Imperial Ave
El Centro, CA 92243
jmarmolejo@theholtgroup.net

Re: City of Westmorland – WTP Water Filter Replacement Project

Subject: Change Order Request for Adding a Desktop Computer and Software Licensing (COR #03)

Dear Mr. Marmolejo,

The lump sum change order amount to add a desktop, software and licensing for the required programs per COR #03 is \$8,243.40. This change order does not include any Cora supervision while NCS Engineers' second trip and NCS will install the desktop and laptop and work with the City directly. As of right now current schedule is as follows:

If Desktop COR is approved by 3/21/25:

- On site April 30th-May2nd for PLC Programming
- On site between May 26th and June 5th to complete SCADA/HMI (Laptop and Desktop) installation and training. Any outstanding programming tasks following AWCs work will be handled during this visit if necessary.

If Desktop COR is declined:

- On Site April 30th-May2nd for PLC Programming and SCADA/HMI installation and training.
- Follow up visit as needed (week of May 19th) to address any outstanding programming or SCADA/HMI items following AWCs completion of work

Please see NCS's clarifications and exclusions attached. If you have any questions, please contact me at (760) 399-6427.

Sincerely,

CORA CONSTRUCTORS INC.
Emir Kocaballi
General Manager

75140 ST. CHARLES PLACE, STE. A
PALM DESERT, CA 92211
PH. (760) 674-3201 / FAX (760) 674-8648



202 East Earll Drive, Suite 110, Phoenix, Arizona 85012 • T: 602 266 4658 • F: 602 629 0223

Fee Proposal

Date: 3/12/25

Attn: Emir Kocaballi

Client: Cora Constructors, Inc.

Address: 75140 St. Charles Place Ste A
City, State, Zip: Palm Desert, CA 92211

Phone: 760-399-6427

Fax:

☐ Fax

☐ Mail

☒ Email

☐ Courier

☐ Hand Delivery

Email: emir@coraconstructors.com

The Client agrees that the technical methods, techniques and pricing information contained in any proposal submitted by NCS Engineers pertaining to this project or in this Agreement or any addendum thereto, are to be considered confidential and proprietary, and shall not be released or otherwise made available to any third party without the express written consent of NCS Engineers.

Project Description: Westmorland COR#3 SCADA Desktop Computer
NCS-Delta Reference #: 2025.03.2973

Programming Services (Task 300):

Programming Tasks \$4,251

Total Programming Services: \$4,251

Procurement (Task 400):

Total Hardware / Software Cost \$3,243

Total Estimated Procurement Service: \$3,243

A handwritten signature in black ink that reads 'Aaron Armenta'.

Grand Total: \$7,494

☒ Lump Sum Fee

☐ Hourly, Time and Material Fee

Aaron Armenta, PE
E&I Division Manager

Scope of Services

PROGRAMMING AND PROCUREMENT SERVICES

Project Description

1.0 Programming and installation services for this scope include the following:

- Setup of laptop (procured under different contract) for use as Remote SCADA viewer. Software installed on laptop will be a subscription based service used to remotely view the main SCADA desktop located in the plant control room.
- Setup of new desktop (procured under the scope of this proposal) for SCADA use. This desktop will be located within the Water Treatment Plant Control Room. This includes installation of desktop, uninterruptible power supply and peripheral devices.
- Training (up to 1 hour) for City personnel on use of SCADA remote viewer laptop software and Desktop operation.

2.0 Procurement services for this scope include the following:

- Procurement of Desktop Computer (Windows OS, Manufacturer: HP or Equal, CPU/RAM/Hard Drive Specs: As Required for Operation of VTScada [Min.]), Uninterruptible Power Supply (APC Back-UPS), Monitor (27"), Mouse and Keyboard.
- Procurement of one (1) year subscription to remote viewer laptop software (Team Viewer).

3.0 Unless stated otherwise in the bid documents, Delta will use its own programming standards for the PLC, OIT, and HMI programming requirements. In the event the CLIENT's standards are to be followed the CLIENT will provide Delta a copy of the most current PLC, OIT, and/or HMI application that contain the required standards.

4.0 NCS will coordinate with owner's staff to coordinate network security configuration as it pertains to the SCADA system.

Exclusions, Exceptions, Deliverables

1.0 CLIENT will provide copies of the most current apps for HMI programming to Delta.

2.0 Payment and account maintenance for laptop remote viewing software subscription following the initial one (1) year subscription described in the services section shall be by Others.

Billing Rates and Payment Terms

1.0 The scope of services as described in this Fee Proposal will be provided on a lump sum basis. Should CLIENT request and NCS-Delta agree to perform work outside the scope of work as described herein these services will be performed at additional cost to the lump sum amount. This proposal will be valid for the next ninety (90) days. We will bill you on a monthly basis for these services. Payment terms are Net 30 days.

2.0 The lump sum pricing quoted in this proposal will be valid for all work performed through March 31st, 2026. Work performed after this date will be subject to a 5% per year escalation rate.

3.0 The legal name of NCS-Delta's Contracting entity is Narasimhan Consulting Service, Inc. DBA NCS Engineers.

Accepted for Client:

Signature:

Print name:

Date:

NCS Engineers - Delta Division (NCS-Delta) shall perform the services outlined in this agreement for the stated fee arrangement. The Contracting entity's legal name is Narasimhan Consulting Service, Inc. DBA NCS Engineers.

Access To Site:

Unless otherwise stated, NCS-Delta will have access to the site for activities necessary for the performance of the services. NCS-Delta will take precautions to minimize damage due to these activities, but has not included in the fee the cost of restoration of any resulting damage.

Dispute Resolution:

Any claims or disputes made during design, construction or post-construction between the Client and NCS-Delta shall be submitted to non-binding mediation. Client and NCS-Delta agree to include a similar mediation agreement with all contractors, subcontractors, sub-consultants, suppliers and fabricators, thereby providing for mediation as the primary method for dispute resolution between all parties.

Billings/Payments:

Invoices for NCS-Delta services shall be submitted, at NCS-Delta option, either upon completion of such services or on a monthly basis. Invoices shall be payable within 30 days after the invoice date. If the invoice is not paid within 30 days, NCS-Delta may, without waiving any claim or right against the Client, and without liability whatsoever to the Client, terminate the performance of the service.

Late Payments:

Accounts unpaid 60 days after the invoice date will be subject to a monthly service charge of 1.5% (or the legal rate) on the then unpaid balance. In the event any portion, or all of an account remains unpaid 90 days after billing, the Client shall pay all costs of collection, including reasonable attorney's fees.

Indemnification:

The Client shall, to the fullest extent permitted by law, indemnify and hold harmless NCS-Delta its officers, directors, employees, agents and subconsultants from and against all damage, liability and cost, including reasonable attorney's fees and defense costs, arising out of, or in any way connected with the performance by any of the parties above named of the services under this agreement, excepting only those damages, liabilities or cost attributable to the sole negligence or willful misconduct of NCS-Delta.

Certifications:

Guarantees and Warranties: NCS-Delta shall not be required to execute any document that would result in its certifying, guaranteeing or warranting the existence of conditions whose existence NCS-Delta cannot ascertain.

Limitation of Liability:

In recognition of the relative risks and benefits of the Project to both the Client and Delta, the risks have been allocated such that the Client agrees, to the fullest extent permitted by law, to limit the liability of Delta and Delta's officers, directors, partners, employees, shareholders, owners and subconsultants for any and all claims, losses, costs, damages of any nature whatsoever or claims expenses from any cause or causes, including attorneys' fees and costs and expertwitness fees and costs, so that the total aggregate liability of the Delta and Delta's officers, directors, partners, employees, shareholders, owner and subconsultants shall not exceed the Delta's total fee for services rendered on this Project. It is intended that this limitation apply to any and all liability or cause of action however alleged or arising, unless otherwise prohibited by law.

Termination of Services:

This agreement may be terminated by the Client or NCS-Delta should the other fail to perform its obligations hereunder. In the event of termination, the Client shall pay NCS-Delta for all services rendered to the date of termination, all reimbursable expenses, and reimbursable termination expenses.

Ownership of Instruments of Service:

All reports, plans, specifications, computer files, field data, notes and other documents and instruments prepared by NCS-Delta as instruments of service shall remain the property of NCS-Delta. NCS-Delta shall retain all common law, statutory and other reserved rights, including intellectual property and copyright thereto.

Software Development:

In no event will NCS-Delta be responsible or liable for indirect or consequential damages resulting from the use or misuse of the programs written, debugged, or serviced by NCS-Delta for programmable logic controllers, operator interface terminals, human-machine interface application software, or other programmable devices. The Client or End User agrees that NCS-Delta shall be held harmless from any claims, obligations, or liabilities including but not limited to special, indirect or consequential damages arising out of or in connection with the use or performance of the software.

Record Documents:

Upon the Client's request and upon completion of the Work, the NCS-Delta shall compile for and deliver to the Client a reproducible set of Record Documents based upon the marked-up record drawings, addenda, change orders and other data furnished by the Contractor. These Record Documents will show significant changes made during construction. Because these Record Documents are based on unverified information provided by other parties, which NCS-Delta shall assume will be reliable, NCS-Delta cannot and does not warrant their accuracy.



CHANGE ORDER REQUEST (COR)

Project: City of Westmorland—
Water Treatment Plant Water Filter Replacement Project
City of Westmorland/BOR Project No. 4600015451
THG Project No. 102.114

Contractor: Cora Constructors, Inc.

COR DATE: 03-07-2025

COR No: 003

Subject: Request for Additional Computer

Sheet and Specification: Plan Sheet: Not Applicable
Specification: Additive Bid Item

QUESTION:

The City of Westmorland reviewed the list of technology and equipment that is to be provided by NCS. It lists that they will only receive a laptop for the SCADA system. However, after discussion with the City's Water Treatment Plant staff, it is preferable to have both a laptop and computer desktop/tower. This will allow for accessibility of plant operation from onsite and offsite locations. Therefore, it is requested a cost be provided for an additional computer desktop/tower for the SCADA system.

RECOMMENDATION:

Not applicable.

ATTACHMENTS:

Not applicable.

BY: The Holt Group, Inc.

SIGNATURE: Juny Marmolejo, P.E.

DATE: 03-07-2025

City of Westmorland WTP Water Filter Replacement Project

CHANGE ORDER NO. 4

Owner:	City of Westmorland	Owner's Project No.:	4600015451
Engineer:	The Holt Group, Inc.	Engineer's Project No.:	THG: 102.114
Contractor:	Cora Constructors, Inc.	Contractor's Project No.:	J440
Project:	City of Westmorland WTP Water Filter Replacement Project		
Contract Name:			
Date Issued:	03-31-2025	Effective Date of Change Order:	08-07-2025

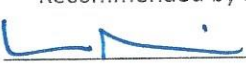
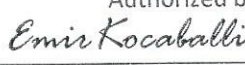
The Contract is modified as follows upon execution of this Change Order:

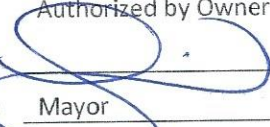
Description: PSV Filter drain line modifications to accommodate an air gap. Cora was directed to conduct the modification work. During the filter startup and testing, there was additional work by Five Star Electric (Electric Subcontractor). This included additional wire installation and termination for four (4) City installed valves.

Attachments:

- PSV Drainline Modifications Design by Dudek, dated 03-14-2025
- Review and Recommendation Letter by The Holt Group, dated 08-04-2025
- Change Order Request by Cora Constructors (Serial # 05), Inc, dated 06-30-2025
- Change Order Request by Cora Constructors (Serial # 07), Inc, dated 07-17-2025

Change in Contract Price	Change in Contract Times
Original Contract Price: \$ 1,916,900.00	Original Contract Times: Substantial Completion: 285 Calendar Days Ready for final payment:
Decrease from previously approved Change Orders No. 1 to No. 3: \$ 71,260.06	[Increase] [Decrease] from previously approved Change Orders No.1 to No. 3: Substantial Completion: Not Applicable Ready for final payment:
Contract Price prior to this Change Order: \$ 1,845,639.94	Contract Times prior to this Change Order: Substantial Completion: 285 Calendar Days Ready for final payment:
Increase this Change Order: \$ 19,815.28	[Increase] [Decrease] this Change Order: Substantial Completion: 285 Calendar Days Ready for final payment:
Contract Price incorporating this Change Order: \$ 1,865,455.22	Contract Times with all approved Change Orders: Substantial Completion: 285 Calendar Days Ready for final payment:

Recommended by Engineer (if required)	Authorized by Contractor
By: <u> Juny Marmolejo</u>	By: <u> Emir Kocaballi</u>
Title: <u>Resident Engineer</u>	Title: <u>General Manager</u>
Date: <u>8-18-2025</u>	Date: <u>8/10/2025</u>
	Cora Constructors Inc.

Authorized by Owner	Approved by Funding Agency (if applicable)
By: <u></u>	
Title: <u>Mayor</u>	
Date: <u>8/25/25</u>	

The Holt Group, Inc.

Engineering Department



■ Municipal Design

■ Infrastructure Engineering

■ Construction Management

■

August 7, 2025

Mr. Joel Hamby
Interim Director of Developmental Services
City of Westmorland
PO Box 699
Westmorland, CA 92281

RE: City of Westmorland – WTP Water Filter Replacement Project
City No 4600015451
THG Project No. 109.021
Change Order No. 04 – PSV Drain Line Modifications and Additional Electrical Wiring

Dear Mr. Hamby,

I am writing this letter regarding a change order for the City of Westmorland Water Treatment Plant Filter Replacement Project.

There are two line items that led to this change order:

1. Modifications for Pressure Safety Valve Drainlines to have an air gap
2. Electrical Modifications to Motor-Operated Valves

The drain line design for the pressure safety valves (PSV) were finalized by Dudek (Design Engineers) during the Design Phase of this project. However, the backwash water elevation within the catch basin and drain pipelines were observed to be higher in elevation than previously observed during the design phase. To avoid cross-contamination with the operational potable water, Dudek finalized PSV drain line modifications with the approval of the Division of Drinking Water and City of Westmorland. The cost associated for the contractor to furnish and install additional piping/fittings is to be added to the contract.

After Cora Constructors, Inc. (Contractor) received the PSV drainline modifications, including the City's request for copper piping, they provided a Change Order Request of \$12,460.10.

After the drainline modifications were completed by Cora, the City and THG discovered that the 4-inch drainline did not properly drain into the existing overflow catch basin. Therefore, THG requested Cora to return onsite to adjust the outlet pipe. Cora priced this correction of work at \$2,495.77.

The total increase for this line item is \$14,955.87. No additional days of work will be required for the Contract Time.

The second line item, Electrical Modifications to Motor-Operated Valves, had its additional work required during the start-up and testing of the new filter unit by AWC Water Solutions, Inc. (Filter Manufacturer). The filter required all motor-operated valves to be properly functioning and modulating. This additional work required Five Star Electric (Electrical Subcontractor) to return onsite to pull and terminate additional wiring for four (4) Motor-Operated Valves that were replaced by the City. The total increase for this line item is \$4,859.41. No additional days of work will be required for the Contract Time.

The total increase for both line items is \$19,815.28. No additional days of work will be required for the Contract Time.

The Holt Group, as construction management, agrees with the proposed change order terms. It is recommended that the City consider the approval of the change order to the Project.

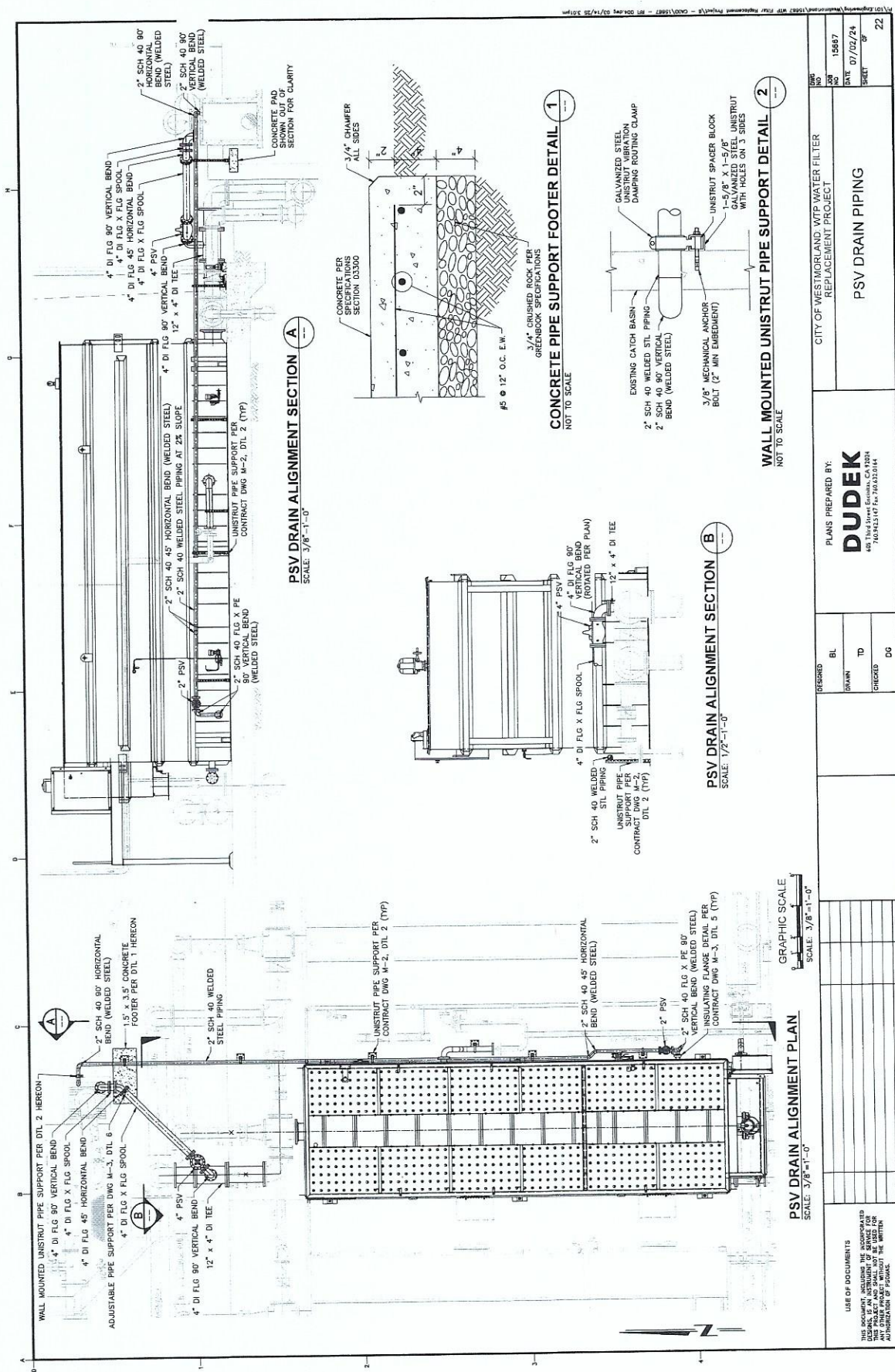
Please feel free to contact me with any questions or coordination on the subject matter.

Respectfully,



Juny Marmolejo, P.E.
Resident Engineer

Cc: Laura Fischer, City Manager, City of Westmorland
Brandon Lacap, Dudek
James G. "Jack" Holt, P.E., Principal Engineer, The Holt Group, Inc.





Lic. # 766304-A & B

4/28/25

Serial 04.2

Juny Marmolejo
The Holt Group, Inc.
1601 N. Imperial Ave
El Centro, CA 92243
jmarmolejo@theholtgroup.net

Re: City of Westmorland – WTP Water Filter Replacement Project

Subject: Change Order Request for Drainline Modifications (COR #01)

Dear Mr. Marmolejo,

The lump sum change order amount to do the drain modifications per COR #01 is \$12,460.10. Please see attached back up documentation and breakdown sheet. Please let us know if this CO is acceptable as soon as possible. This CO does not include painting the copper pipe. Currently this CO should not delay the project if it is approved in a timely manner.

If you have any questions, please contact me at (760) 399-6427.

Sincerely,

CORA CONSTRUCTORS INC.
Emir Kocaballi
General Manager

75140 ST. CHARLES PLACE, STE. A
PALM DESERT, CA 92211
PH. (760) 674-3201 / FAX (760) 674-8648

75140 Saint Charles Place, Suite A, Palm Desert, CA 92211
Ph. (760) 674-3201 Fax (760) 674-3202

LABOR	MH	UC	TOTAL
Additional Pipe Supports (4 ea) 1.5 hr each with crew			
Op Foreman	6	\$124.40	\$746.40
Labor 4	12	\$92.79	\$1,113.48
Concrete Block (1 ea)			
Op Foreman	1	\$124.40	\$124.40
Labor 4	2	\$92.79	\$185.58
Additional 4" Flange Connections bolt up (5 ea)			
Op Foreman	5	\$124.40	\$622.00
Labor 4	10	\$92.79	\$927.90
2" Copper Pipe Run			
Op Foreman	8	\$124.40	\$995.20
Labor 4	16	\$92.79	\$1,484.64

TOTAL LABOR

TOTAL LABOR	\$6,199.60
Equipment	\$962.40
Plus Markup at 15%	\$144.36
TOTAL Equipment	\$1,106.76
Material	\$2,703.00
Plus Markup at 15%	\$405.45
TOTAL Fees	\$3,108.45
Subcontractors	\$620.00
Plus Markup at 10%	\$62.00
TOTAL Subcontractors	\$682.00

TOTAL SUBCUTANEOUS

TOTAL Subcontractors	
Labor	\$6,199.60
Plus 20% Markup	\$1,239.92
TOTAL Labor	\$7,439.52
Bond 1%	\$123.37
AMOUNT DUE THIS SHEET	\$12,460.10

FEEDBACK ACCOUNT:

PROJECT OWNER REPRESENTATIVE is verifying only that expenditures were made, not agreeing that this is extra work



WTP Water Filter Replacement

1	EA	14 X 2 Flanged Stainless Steel Tapping Sleeve 15.30	\$1,443.75	\$1,443.75
20	FT	2 X 20 Schedule 40 Carbon Steel Pipe FBE L&C need only 10ft	\$40.00	\$400
2	EA	2 Carbon Steel Weld SR 90 BEND FBE L&C	\$200.00	\$400.00
1	EA	2 Carbon Steel Weld 45 BEND FBE L&C	\$200.00	\$200.00
2	EA	2 150# Carbon Steel Slip-On Flange	\$26.67	\$53.34
		"BARE STEEL, EPOXY WILL BURN OFF DURING WELDING"		
2	EA	2"-3" 150LB INSUL BOX SET DBL FWT316 B8M	\$59.57	\$119.14
2	EA	2" 150LB EIGG10 DW G10 SLEEVES NSF-61 INSULATING KIT E5	\$86.75	\$173.50
1	EA	2-3 Stainless Steel 316 N&B Washer Set B8M	\$20.32	\$20.32
1	EA	2 NA 1/8 Flat Face 150# Gasket	\$1.97	\$1.97
1	EA	Unistrut Pipe Support with U-Bolt, 2 375 OD, HDG, 12" C/L (1/M-2)	\$77.33	\$77.33
2-inch PSV Drain Line:				<u>\$3,289.35</u>

We will still need the bolt sets. Credit for this one will be:

\$ 2,574.42

Effluent PSV Drain Line

Qty	UM	Description / Comments	Bid Price	Ext Price
1	EA	4 Flange Prime Epoxy 90 BEND	\$221.65	\$221.65
1	EA	4X1'0 FLGXPE Prime Epoxy Ductile Iron SPL	\$534.15	\$534.15
2	EA	4 Mechanical Joint 90 C153 Less Accessories	\$120.90	\$241.80
20	C	4 X 20 FT PVC Schedule 40 BE Pipe	\$382.61	\$765.2
3	EA	4 Mechanical Joint Wedge Restraint Gland Accessory PKG for PVC 316 T BLT	\$157.69	\$473.07
1	EA	4 Mechanical Joint Wedge Restraint Gland Accessory PKG for DIP 316 T BLT	\$141.39	\$141.39
3	EA	4 Stainless Steel 316 N&B Washer Set B8M	\$40.33	\$120.99
3	EA	4 NA 1/8 Flat Face 150# Gasket	\$4.63	\$13.89
22	EA	# 30 Stainless Steel Pipe LINK	\$12.80	\$281.60
Effluent PSV Drain Line:				<u>\$2,105.06</u>



FERGUSON WATERWORKS #1088
1502 COLUMBIA AVE
RIVERSIDE, CA 92507-2014

Phone: 951-674-1323
Fax: 951-674-1084

Deliver To: .
From: John Jacoste
john.jacoste@ferguson.com
Comments:

Page 1 of 2

13:56:31 APR 09 2025

FERGUSON WATERWORKS #1083

Price Quotation
Phone: 951-674-1323
Fax: 951-674-1084

Bid No: B494616
Bid Date: 04/09/25
Quoted By: XJJ

Cust Phone: 760-674-3201
Terms: NET 10TH PROX

Customer: CORA CONSTRUCTORS INC
75140 ST CHARLES PLACE STE A
440-WATER FILTER REPLACEME
PALM DESERT, CA 92211

Ship To: CORA CONSTRUCTORS INC
355 S CENTER ST
440 ? WATER FILTER REPLACEM
WESTMORLAND, CA 92281

Cust PO#:

Job Name: 440-WATER FILTER REPLAC

Item	Description	Quantity	Net Price	UM	Total
SP-FPPPC12K	12X2'0" FLGXPE PC-CL DI	1	893.330	EA	893.33
SZF2C12	12 DI STD DUTY REST ZIP FLG	1	247.740	EA	247.74
FELT12P	12X4 FLG EPOX TEE	1	1626.550	EA	1626.55
T1LBOX6M12	12 SS 316 N&B WSHR SET B8M	3	141.930	EA	425.79
N150FFG1812	12 NA 1/8 FF 150# GSKT	3	19.400	EA	58.20
FEL9P	4 FLG EPOX LINED 90 BEND	2	221.650	EA	443.30
FPPPCP10	4X10'0 FLGXPE PC DI SPL	1	963.330	EA	963.33
SZF2C4	4 DI STD DUTY REST ZIP FLG	2	79.580	EA	159.16
FEL4P	4 FLG EPOX LINED 45 BEND	1	296.180	EA	296.18
SP-FPPPCPG	4X1'0" FLGXPE PC-CL DI	1	223.330	EA	223.33
T1LBOX6M04	4 SS 316 N&B WSHR SET B8M	6	40.330	EA	241.98
N150FFG18P	4 NA 1/8 FF 150# GSKT	6	4.630	EA	27.78
SP-T1LBX16M/23	2-3 150# INSUL SET DBL FW 316 B8M	2	59.570	EA	119.14
SP-T1LIEIGG10NSF02	2 150# EIGG10 DW G10 SLV INSUL KIT	2	86.750	EA	173.50
SP-T1LBXW6M/23W275	2-3 150# BX SET FW T316 B8M	1	20.320	EA	20.32
N150FFG18K	2 NA 1/8 FF 150# GSKT	1	1.970	EA	1.97

Net Total: \$5921.60
Tax: \$458.91
Freight: \$0.00
Total: \$6380.51



HOW ARE WE DOING? WE WANT YOUR FEEDBACK!

Scan the QR code or use the link below to
complete a survey about your bids:

<https://survey.medallia.com/?bidsorder&fc=1083&on=33925>



FERGUSON WATERWORKS #1088
1502 COLUMBIA AVE
RIVERSIDE, CA 92507-2014

Phone: 951-674-1323
Fax: 951-674-1084

Deliver To: .
From: John Jacoste
john.jacoste@ferguson.com
Comments:

14:28:04 APR 25 2025

Page 1 of 2

FERGUSON WATERWORKS #1083
Order Confirmation
Phone: 951-674-1323
Fax: 951-674-1084

Order No: 0880163
Order Date: 04/23/25
Writer: XJJ

Req Date: 04/28/25

Ship Via: OUR TRUCK
Terms: NET 10TH PROX

Sold To: CORA CONSTRUCTORS INC
75140 ST CHARLES PLACE STE A
440-WATER FILTER REPLACEME
PALM DESERT, CA 92211

Ship To: CORA CONSTRUCTORS INC
355 S CENTER ST
440 ? WATER FILTER REPLACEM
WESTMORLAND, CA 92281

Cust PO#: 440

Job Name: 440-WATER FILTER REPLAC

Item	Description	Quantity	Net Price	UM	Total
CCCCF150LFK	LF 2 CAST 150# COP COMP FLG	1	581.880	EA	581.88
CEPDWK	2 150# E FF PHENOLIC INSUL KIT	3	40.600	EA	121.80
SP-T1LBX16/23	2"-3"150# INSUL.BOX SET DBL FWT316	3	19.150	EA	57.45
C9K	2 WROT CXC 90 ELL 2-1/8 OD	3	66.680	EA	200.04
C4K	2 WROT CXC 45 ELL 2-1/8 OD	2	61.850	EA	123.70
KHARDK20	2 X 20 K HARD COP TUBE	60	3082.700	C	1849.62

Net Total: \$2934.49
Tax: \$227.43
Freight: \$0.00
Total: \$3161.92

Item Code	Description	Notice
CCCCF150LFK	LF 2 CAST 150# COP COMP FLG	⚠ WARNING: Cancer and Reproductive Harm - www.P65warnings.ca.gov
C9K	2 WROT CXC 90 ELL 2-1/8 OD	⚠ WARNING: Cancer and Reproductive Harm - www.P65warnings.ca.gov
C4K	2 WROT CXC 45 ELL 2-1/8 OD	⚠ WARNING: Cancer and Reproductive Harm - www.P65warnings.ca.gov

WARRANTY PROVISIONS

The purchaser's sole and exclusive warranty is that provided by the manufacturer, if any. Seller makes no express or implied warranties. SELLER DISCLAIMS ALL EXPRESS OR IMPLIED WARRANTIES INCLUDING ALL IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS OR FITNESS FOR A PARTICULAR PURPOSE. IN NO EVENT WILL SELLER BE LIABLE FOR ANY INCIDENTAL, PUNITIVE, SPECIAL OR CONSEQUENTIAL DAMAGES ARISING DIRECTLY OR INDIRECTLY FROM THE OPERATION OR USE OF THE PRODUCT. SELLER'S LIABILITY, IF ANY, SHALL BE LIMITED TO THE NET SALES PRICE RECEIVED BY SELLER. Complete Terms and Conditions are available upon request or can be viewed on the web at <https://www.ferguson.com/content/website-info/terms-of-sale>

LEAD LAW WARNING: It is illegal to install products that are not "lead free" in accordance with US Federal or other applicable law in potable water systems anticipated for human consumption. Products with "NP" in the description are NOT lead free and can only be installed in non-potable applications. Buyer is solely responsible for product selection.
WATER FLOW RATE NOTICE: Lavatory Faucets with flow rates over 0.5 GPM are not allowed for 'public use' in California.



HOW ARE WE DOING? WE WANT YOUR FEEDBACK!

Scan the QR code or use the link below to
complete a survey about your orders:

<https://survey.medallia.com/?bidsorder&fc=1083&on=33925>



Delivers Monday

1	Aluminum Unthreaded Slip-on Weld Flange	2	\$59.16	\$118.32
	2 Pipe Size	Each	Each	
	44705K364			

WARNING: This product can expose you to chemicals including nickel (metallic), which is known to the State of California to cause cancer. For more information go to www.P65Warnings.ca.gov.

Delivers Monday

2	Standard-Wall Butt-Weld Aluminum Unthreaded Pipe Fitting	3	\$110.53	\$331.59
	90 Degree Elbow Connector, 2 Pipe Size	Each	Each	
	43485K125			

WARNING: This product can expose you to chemicals including a chemical, which is known to the State of California to cause cancer and birth defects or other reproductive harm. For more information go to www.P65Warnings.ca.gov.

Delivers Monday

3	Standard-Wall Aluminum Pipe	1	\$158.14	\$158.14
	Unthreaded, 2 Pipe Size, 3 Feet Long	Each	Each	
	5038K59			

WARNING: This product can expose you to chemicals including a chemical, which is known to the State of California to cause cancer and birth defects or other reproductive harm. For more information go to www.P65Warnings.ca.gov.

Delivers Wednesday

4	Aluminum Unthreaded Butt-Weld Flange	2	\$118.44	\$236.88
	2 Pipe Size	Each	Each	
	44705K548			

WARNING: This product can expose you to chemicals including nickel (metallic), which is known to the State of California to cause cancer. For more information go to www.P65Warnings.ca.gov.

Merchandise	844.93
Shipping	45.09
Tax	65.48
Total	\$955.50

Your order is subject only to our terms and conditions, available at www.mcmaster.com or from our Sales Department.

Yvonne Ferro

From: Chris Flores <chris@apiwelds.com>
Sent: Friday, April 25, 2025 1:13 PM
To: Yvonne Ferro
Subject: Re: FW: Estimate 1351 from Arc Performance Welding & Fabrication

Yvonne
It being aluminum and if he gives me the take off center to center or if I have to do could be 8hrs or so

Chris Flores

Arc Performance Inc.

Welding contractor.

Mobile: 760-550-1283

Email: chris@apiwelds.com

On Fri, Apr 25, 2025, 12:44 PM Yvonne Ferro <yvonne@coraconstructors.com> wrote:

Got it, thank you

For estimating, how many hrs. will this be?

Regards,

Yvonne Ferro



WTP Water Filter Replacement

1	EA	14 X 2 Flanged Stainless Steel Tapping Sleeve 15.30		\$1,443.75	\$1,443.75
20	FT	2 X 20 Schedule 40 Carbon Steel Pipe FBE L&C	need only 10ft	\$40.00	\$400
2	EA	2 Carbon Steel Weld SR 90 BEND FBE L&C		\$200.00	\$400.00
1	EA	2 Carbon Steel Weld 45 BEND FBE L&C		\$200.00	\$200.00
2	EA	2 150# Carbon Steel Slip-On Flange		\$26.67	\$53.34
		BARE STEEL, EPOXY WILL BURN OFF DURING WELDING			
2	EA	2"-3" 150LB INSUL BOX SET DBL FWT316 B8M		\$59.57	\$119.14
2	EA	2" 150LB EIGG10 DW G10 SLEEVES NSF-61 INSULATING KIT E5		\$86.75	\$173.50
1	EA	2-3 Stainless Steel 316 N&B Washer Set B8M		\$20.32	\$20.32
1	EA	2 NA 1/8 Flat Face 150# Gasket		\$1.97	\$1.97
1	EA	Unistrut Pipe Support with U-Bolt, 2.375 OD, HDG, 12" C/L (1/M-2)		\$77.33	\$77.33
				2-inch PSV Drain Line: \$3,289.35	

We will still need the bolt sets. Credit for this one will be:

\$ 2,574.42

Effluent PSV Drain Line

Qty	UM	Description / Comments	Bid Price	Ext Price
1	EA	4 Flange Prime Epoxy 90 BEND	\$221.65	\$221.65
1	EA	4X10 FLGXPE Prime Epoxy Ductile Iron SPL	\$534.15	\$534.15
2	EA	4 Mechanical Joint 90 C153 Less Accessories	\$120.90	\$241.80
20	C	4 X 20 FT PVC Schedule 40 BE Pipe	\$382.61	\$76.52
3	EA	4 Mechanical Joint Wedge Restraint Gland Accessory PKG for PVC 316 T BLT	\$157.69	\$473.07
1	EA	4 Mechanical Joint Wedge Restraint Gland Accessory PKG for DIP 316 T BLT	\$141.39	\$141.39
3	EA	4 Stainless Steel 316 N&B Washer Set B8M	\$40.33	\$120.99
3	EA	4 NA 1/8 Flat Face 150# Gasket	\$4.63	\$13.89
22	EA	# 30 Stainless Steel Pipe LINK	\$12.80	\$281.60
				Effluent PSV Drain Line: \$2,105.06

RFI RESPONSE

Owner Name: City of Westmorland
Project Title: WTF Water Filter Replacement Project
Dudek Job No.: 15667
Date: 4/21/2025
Response By: Ted Dhanens

RFI No.: 007
RFI Name: 2-inch Drain Line

Question from (Contractor):

See attached RFI.

EOR Response to RFI:

Dudek recommends using 2" schedule 40 aluminum pipe for the piping between the new aluminum filter unit's flanged connection and the 2" PSV. This aluminum pipe acts as an extension of the new aluminum filter unit and will be continuously submerged, so aluminum is recommended if there is no 2" lined pipe available. An insulating flange kit will be required to be installed between this new aluminum pipe and the PSV.

Downstream of the 2" PSV, it is recommended to use 2" hot dipped galvanized pipe. This piping will act as a traditional drain line and will have limited contact with the discharged water.

See markups added to the attached RFI.

RFI RESPONSE

Owner Name: City of Westmorland
Project Title: WTF Water Filter Replacement Project
Dudek Job No.: 15667
Date: 4/21/2025
Response By: Ted Dhanens

RFI No.: 007
RFI Name: 2-inch Drain Line

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See attached RFI.

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Dudek recommends using 2" schedule 40 aluminum pipe for the piping between the new aluminum filter unit's flanged connection and the 2" PSV. This aluminum pipe acts as an extension of the new aluminum filter unit and will be continuously submerged, so aluminum is recommended if there is no 2" lined pipe available. An insulating flange kit will be required to be installed between this new aluminum pipe and the PSV.

Downstream of the 2" PSV, it is recommended to use 2" hot dipped galvanized pipe. This piping will act as a traditional drain line and will have limited contact with the discharged water.

See markups added to the attached RFI.

CORA CONSTRUCTORS INC

75140 SAINT CHARLES PLACE STE A, PALM DESERT, CA 92211

REQUEST FOR INFORMATION (RFI)

DSA Appl. No. (if applicable): _____

OWNER: City of Westmorland RFI Number: 7
Project Name: Water Filter Repalcement Date: 4/17/2025
RFI Description: 2" Drain Line Coatings Project No.: J440
Issued To: Dudek / Holt Group Contract No.: _____
(Architect)

Drawing Number Detail 15053 & RFI 04 Response Page _____
Specification Section

Request:

2" Drain line (welded steel pipe) is not available with any lining. We checked with Ferguson, Chris/Welder, Southland Pipe and confirmed this.

Specs are asking for cement lined for welded steel which it is impossible for 2" pipe. We asked even if any of these suppliers can do epoxy or something else and they stated not feasible. I am attaching the conversation from Bob/Southland Pipe below. Is it ok to use this 2" welded steel pipe with no lining for this drain line since there is no continuous water sitting inside or do you want to use some other material? Please let us know how to proceed.

Request Issued by: _____ Emir Kocaballi April 17, 2025
Contractor's Signature Name (Printed) Date

Response:

TBD

☐ No change in cost or time

Response Review by: _____ Architect's Signature Name (Printed) Date

This Form Cannot Modify Contract Amount or Milestones and/or Contract Time.

cc:



Lic. # 766304- A & B

6/30/25

Serial 05

Juny Marmolejo
The Holt Group, Inc.
1601 N. Imperial Ave
El Centro, CA 92243
jmarmolejo@theholtgroup.net

Re: City of Westmorland – WTP Water Filter Replacement Project

Subject: Change Order Request for Additional Circuitry for EIM valves

Dear Mr. Marmolejo,

The lump sum change order amount to provide and install additional circuitry for EIM valves is \$4,859.41. Please see attached back up documentation from Fivestar electric and breakdown sheet. Please let us know if this CO is acceptable.

If you have any questions, please contact me at (760) 399-6427.

Sincerely,

CORA CONSTRUCTORS INC.
Emir Kocaballi
General Manager

*75140 ST. CHARLES PLACE, STE. A
PALM DESERT, CA 92211
PH. (760) 674-3201 / FAX (760) 674-8648*

**CORA CONSTRUCTORS
EXTRA WORK SHEET**

75140 Saint Charles Place, Suite A, Palm Desert, CA 92211
Ph. (760) 674-3201 Fax (760) 674-3202

JOB NO. J440 Westmorland Filter Replacement - Fivestar - Additional Circuitry for EIM valves

[illegible][illegible]

SUBCONTRACTORS		QTY	UNITS	UC	TOTAL
5Star		1	LS	\$4,373.91	\$ 4,373.91
				\$	-
				\$	-
				\$	-
				\$	-
				\$	-
TOTAL SUBCONTRACTORS					\$4,373.91

[illegible]

Equipment	\$0.00
Plus Markup at 15%	\$0.00
TOTAL Equipment	\$0.00
Material	\$0.00
Plus Markup at 15%	\$0.00
TOTAL Fees	\$0.00
Subcontractors	\$4,373.91
Plus Markup at 10%	\$437.39
TOTAL Subcontractors	\$4,811.30
Labor	\$0.00
Plus 20% Markup	\$0.00
TOTAL Labor	\$0.00
Bond 1%	\$48.11
AMOUNT DUE THIS SHEET	\$4,859.41

PROJECT OWNER REPRESENTATIVE

By signing this form, owner's representative is verifying only that expenditures were made, not agreeing that this is extra work



903 Industry Way, Suite A

El Centro, CA 92243

Email: office@fivestar-electric.net

Phone: (760)-370-5556 | Fax: (760)-370-5510

Contractor Lic. # 826011 | DIR # 1000012457

CO#: 001

Date: 06/30/25

Project Name: Westmorland WTP Filter Replacement

Project Number:

Reference:

Client Address:

Cora Constructors Inc.

75-140 St. Charles Place, Ste. A
Palm Desert, CA 92211

Project Quote: \$4,373.91

Scope of Work:

Asked to provide additional circuitry for the EIM valves for position indication and modulation.

Labor:	\$3,480.00
Materials:	\$298.75
8.25% Material Tax:	\$24.65
Sub Total:	\$3803.40
15% O&P:	\$570.51

Total: 4,373.91

Exclusions:

- Any labor, equipment, or materials unless specifically described in scope of work above
- Any engineering, BIM modeling, or drawings
- Any locating of reinforcement in concrete including but not limited to x-ray or radar locating

NOTES

- * Material prices quoted include sales tax and standard freight
- * We reserve the right to correct this quote for errors and omissions
- * This quote covers the direct cost only and we reserve the right to claim for impact and consequential costs
- * This price is good for acceptance within 30 days from the date of receipt.
- * We request a time extension of 3 days.

STATUS: Work is on hold pending approval of this CO ☐ Work has been completed ☒ Work is in progress as directed ☐



Lic. # 766304- A & B

7/17/25

Serial 07

Juny Marmolejo
The Holt Group, Inc.
1601 N. Imperial Ave
El Centro, CA 92243
jmarmolejo@theholtgroup.net

Re: City of Westmorland – WTP Water Filter Replacement Project

Subject: Change Order Request for Installing a Curb at the Storm Drain Catch Basin

Dear Mr. Marmolejo,

The change order amount to provide and install curb to the storm drain to prevent water to spill is \$2,495.77. Initially we installed the drainline per the engineer's direction which there was no other way to install this. We attached the picture of the current installation which shows no space between the existing line and the new drainline. Cora installed fiberglass curb to prevent water to fill to the ground. Please see attached breakdown sheet. Please let us know if this CO is acceptable.

If you have any questions, please contact me at (760) 399-6427.

Sincerely,

CORA CONSTRUCTORS INC.
Emir Kocaballi
General Manager

*75140 ST. CHARLES PLACE, STE. A
PALM DESERT, CA 92211
PH. (760) 674-3201 / FAX (760) 674-8648*



75140 ST. CHARLES PLACE, STE. A
PALM DESERT, CA 92211
PH. (760) 674-3201 / FAX (760) 674-8648

75140 Saint Charles Place, Suite A, Palm Desert, CA 92211
Ph. (760) 674-3201 Fax (760) 674-3202

[illegible]

TOTAL LABOR

TOTAL LABOR	\$1,737.52
Equipment	\$335.68
Plus Markup at 15%	\$50.35
TOTAL Equipment	\$386.03
Material	\$0.00
Plus Markup at 15%	\$0.00
TOTAL Fees	\$0.00
Subcontractors	\$0.00
Plus Markup at 10%	\$0.00
TOTAL Subcontractors	\$0.00

Labor	\$1,737.52
Plus 20% Markup	\$347.50
TOTAL Labor	\$2,085.02
Bond 1%	\$24.71
AMOUNT DUE THIS SHEET	\$2,495.77

Additional calendar days requested

TOTAL CO AMOUNT:

By signing this form, owner's representative is verifying only that expenditures were made, not agreeing that this is extra work

City of Westmorland

REPORT TO City Council

MEETING DATE: September 3, 2025

FROM: Laura Fischer, Manager

SUBJECT: Authorize Submittal for Reimbursement and Payment of Invoices totaling \$154,538.76 for the Small Communities Drought Relief Grant Projects.

ISSUE:

Authorize Submittal for Reimbursement and Payment of Invoices totaling \$154,538.76 for the Small Communities Drought Relief Grant Projects as follows:

- a. Cora Payment Request #8 in the amount of \$34,512.25
- b. Cora Payment Request #9 in the amount of \$93,272.76
- c. Dudek May Invoice in the amount of \$1,343.75
- d. Dedek June Invoice in the amount of \$25,410.00

GENERAL MANAGER'S RECOMMENDATION:

It is recommended that the City Council Ratify the Authorize Submittal for Reimbursement and Payment of Invoices totaling \$154,538.76 for the Small Communities Drought Relief Grant Projects.

FISCAL IMPACT: \$154,538.76 – This project is expected to be over budget by approximately \$182,000. About 70,000 can be paid from HUTA funds. For a total impact to the Water Fund Reserves of \$84,538.76.

CONCLUSION:

These expenditures must be paid and the report submitted to the State Water Board, thus it is recommended that Council approve the Submittal for Reimbursement and Payment of Invoices totaling \$154,538.76 for the Small Communities Drought Relief Grant Projects.

- e. Cora Payment Request #8 in the amount of \$34,512.25
- f. Cora Payment Request #9 in the amount of \$93,272.76
- g. Dudek May Invoice in the amount of \$1,343.75
- h. Dedek June Invoice in the amount of \$25,410.00

Respectfully Submitted,

Laura Fischer, Manager

Contractor's Application for Payment

Owner:	<u>City of Westmorland</u>	Owner's Project No.:	<u>4600015451</u>
Engineer:	<u>The Holt Group, Inc.</u>	Engineer's Project No.:	<u>102.114</u>
Contractor:	<u>Cora Constructors, Inc.</u>	Contractor's Project No.:	<u>J440</u>
Project:	<u>WTP Water Filter Replacement Project</u>		
Contract:	<u></u>		
Application No.:	<u>8</u>	Application Date:	<u>8/14/2025</u>
Application Period:	<u>From</u> <u>7/1/2025</u>	<u>to</u> <u>7/31/2025</u>	

1. Original Contract Price	\$	1,916,900.00
2. Net change by Change Orders	\$	(51,444.78)
3. Current Contract Price (Line 1 + Line 2)	\$	1,865,455.22
4. Total Work completed and materials stored to date (Sum of Column G Lump Sum Total and Column J Unit Price Total)	\$	1,865,455.22
5. Retainage		
a. <u>5%</u> X <u>\$ 1,865,455.22</u> Work Completed =	\$	93,272.76
b. <u>5%</u> X <u>\$ -</u> Stored Materials =	\$	-
c. Total Retainage (Line 5.a + Line 5.b)	\$	93,272.76
6. Amount eligible to date (Line 4 - Line 5.c)	\$	1,772,182.46
7. Less previous payments (Line 6 from prior application)	\$	1,737,670.21
8. Amount due this application	\$	34,512.25
9. Balance to finish, including retainage (Line 3 - Line 4 + Line 5.c)	\$	93,272.76

Contractor's Certification

The undersigned Contractor certifies, to the best of its knowledge, the following:

- (1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;
- (2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such liens, security interest, or encumbrances); and
- (3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor:	<u>Cora Constructors Inc.</u>		<u>Emir Kocaballi</u>
Signature:	<u>Emir Kocaballi</u>	Date:	<u>8/14/25</u>
Recommended by Engineer	Approved by Owner		
By:	<u>[Signature]</u>	By:	<u>[Signature]</u>
Title:	<u>Resident Engineer</u>	Title:	<u>INT. D.R. OF DEV. SERV.</u>
Date:	<u>8-18-25</u>	Date:	<u>8/22/25</u>
Approved by Funding Agency			
By:	<u></u>	By:	<u></u>
Title:	<u></u>	Title:	<u></u>
Date:	<u></u>	Date:	<u></u>

OK to pay 8/25/25
DWR/SCDR Filter Replacement
511-00-6001

[Signature]

Progress Estimate - Unit Price Work

Owner: City of Westminster
 Engineer: The Holt Group, Inc.
 Contractor: Cora Constructors, Inc.
 Project: WTP Water Filter Replacement Project
 Contract:

Contractor's Application for Payment

Owner's Project No.: 4600015451
 Engineer's Project No.: 102.114
 Contractor's Project No.: 1440

Application No.: 8 Application Period: From 07/01/25 to 07/31/25 Application Date: 08/14/25																
A	B	C	D	Contract Information		F	G	H	I		J	K	L	M	N	O
				Item	Quantity				Unit Price (\$)	Units						
Bid Item No.	Description															
Original Contract																
1	Mobilization.	1.00	Lump Sum	45,000.00		45,000.00	1.00	45,000.00	-	-	-		45,000.00	100%	-	2,250.00
2	Demobilization	1.00	Lump Sum	15,000.00		15,000.00	1.00	15,000.00	-	-	-		15,000.00	100%	-	750.00
3	Water Pollution Control	1.00	Lump Sum	1,000.00		1,000.00	1.00	1,000.00	-	-	-		1,000.00	100%	-	50.00
4	Verification of Utility Locations, Field Dimensions	1.00	Lump Sum	10,000.00		10,000.00	1.00	10,000.00	-	-	-		10,000.00	100%	-	500.00
5	Insurance and Bonds	1.00	Lump Sum	38,338.00		38,338.00	1.00	38,338.00	-	-	-		38,338.00	100%	-	1,916.90
6	Demo Existing Filter	1.00	Lump Sum	105,360.00		105,360.00	1.00	105,360.00	-	-	-		105,360.00	100%	-	5,268.00
7	Concrete Pad	1.00	Lump Sum	35,800.00		35,800.00	0.874	31,296.54	0.126	4,503.46	-		35,800.00	100%	-	1,790.00
8	Remove Roof and Reinstall Roof (Filter Lift)	1.00	Lump Sum	25,000.00		25,000.00	1.00	25,000.00	-	-	-		25,000.00	100%	-	1,250.00
9	Purchase Filter, Media, Msc Materials, and Misc Steel Parts (\$1,132,764.00)	1.00	Lump Sum	-		-	-	-	-	-	-		-	-	-	-
9.1	Deposit Filter Receipt of Purchase Order (Supplier) + 15% OH (Cora)	1.00	Lump Sum	84,870.00		84,870.00	1.00	84,870.00	-	-	-		84,870.00	100%	-	4,243.50
9.2	Deposit Purchase of Major Equip and/or Material	1.00	Lump Sum	466,785.00		466,785.00	1.00	466,785.00	-	-	-		466,785.00	100%	-	23,339.25
9.3	Deposit Completion of FAT (Supplier) + 15% OH (Cora)	1.00	Lump Sum	169,740.00		169,740.00	1.00	169,740.00	-	-	-		169,740.00	100%	-	8,487.00
9.4	Filter Delivery to Site (Supplier) + 15% OH (Cora)	1.00	Lump Sum	390,448.00		390,448.00	1.00	390,448.00	-	-	-		390,448.00	100%	-	19,522.40
9.5	Unload of Filter (Cora)	1.00	Lump Sum	20,921.00		20,921.00	1.00	20,921.00	-	-	-		20,921.00	100%	-	1,046.05
10	Install Filter	1.00	Lump Sum	123,600.00		123,600.00	1.00	123,600.00	-	-	-		123,600.00	100%	-	6,180.00
11	Install Piping and Supports	1.00	Lump Sum	135,000.00		135,000.00	1.00	135,000.00	-	-	-		135,000.00	100%	-	6,750.00
12	Electrical	1.00	Lump Sum	77,500.00		77,500.00	1.00	77,500.00	-	-	-		77,500.00	100%	-	3,875.00
13	Instrumentation	1.00	Lump Sum	110,000.00		110,000.00	0.95	104,500.00	0.05	5,500.00	-		110,000.00	100%	-	5,500.00
14	Painting	1.00	Lump Sum	11,638.00		11,638.00	1.00	11,638.00	-	-	-		11,638.00	100%	-	581.90
15	O&M Manuals	1.00	Lump Sum	1,500.00		1,500.00	0.80	1,200.00	0.20	300.00	-		1,500.00	100%	-	75.00
16	Start Up	1.00	Lump Sum	49,400.00		49,400.00	0.95	46,930.00	0.05	2,470.00	-		49,400.00	100%	-	2,470.00
Original Contract						\$ 1,916,900.00		\$ 1,904,126.54		\$ 12,773.46	\$ -	\$ 1,916,900.00		\$ -	\$ 95,845.00	
Change Orders																
17	CO No. 01 (Submittal Credit)	1.00	Lump Sum	(75,000.00)		(75,000.00)	1.00	(75,000.00)	-	-	-		(75,000.00)	100%	-	(3,750.00)
18	CO No. 02 (Concrete Pad Changes)	1.00	Lump Sum	(4,503.46)		(4,503.46)	-	-	1.00	(4,503.46)	-		(4,503.46)	100%	-	(225.17)
19	CO No. 03 (Additional Computer)	1.00	Lump Sum	8,243.40		8,243.40	-	-	1.00	8,243.40	-		8,243.40	100%	-	412.17
20	CO No. 04 (Additional Drain and Electrical)	1.00	Lump Sum	19,815.28		19,815.28	-	-	1.00	19,815.28	-		19,815.28	100%	-	990.76
Change Orders						\$ (51,444.78)		\$ (75,000.00)		\$ 23,555.22	\$ -	\$ (51,444.78)		\$ -	\$ (2,572.24)	
Original Contract and Change Orders																
Project Totals						\$ 1,865,455.22		\$ 1,829,126.54		\$ 36,328.68	\$ -	\$ 1,865,455.22	100%	\$ -	\$ 93,272.76	



Cora Constructors Inc
75140 St. Charles Place, Ste A
Palm Desert CA 92211
760-674-3201

License: 766304

Owner: Westmorland, City of
355 South Center Street
Westmorland CA 92281

440

Job Location: Water Filter Replacement and Pipe Replacement
355 South Center Street
Westmorland CA 92281

Progress Billing

Application: 8

Period: 07/30/2025

Application For Payment On Contract

Original Contract.....	1,916,900.00
Net Change by Change Orders.....	-51,444.80
Contract Sum to Date.....	1,865,455.20
Total Complete to Date.....	1,865,455.20
Total Retained.....	93,272.77
Total Earned Less Retained.....	1,772,182.43
Less Previous Billings.....	1,737,670.21
Current Payment Due.....	34,512.22
Balance on Contract.....	93,272.77

Contractor's Certification of Work

The undersigned contractor certifies that, to the best of the contractor's knowledge, the work on the above named job has been completed in accordance with the plans and specifications to the level of completion indicated on the attached schedule of completion.

Contractor:

Date: 8/14/2025

Terms: Invoices are due and payable 30DY from the date of invoice. All overdue amounts will be charged a service charge of 18.0000% per annum. Please make checks payable to: Cora Constructors Inc

Thank you for your prompt payment.

Cora Constructors Inc

Water Filter Replacement and Pipe Replacement
355 South Center Street
Westmorland CA 92281

Application: 8

Period: 07/30/2025

PROGRESS BILLING

Schedule of Work Completed

Description of Work	Scheduled	Changes	Contract	Previous	Current Comp.	Stored Mat.	Total Comp.	%	Balance	Retained
Mobilization	45,000.00		45,000.00	45,000.00			45,000.00	100.00		2,250.00
Demobilization	15,000.00		15,000.00	15,000.00			15,000.00	100.00		750.00
Water Pollution Conytr	1,000.00		1,000.00	1,000.00			1,000.00	100.00		50.00
Verification of Utilit	10,000.00		10,000.00	10,000.00			10,000.00	100.00		500.00
Insurance and Bonds	38,338.00		38,338.00	38,338.00			38,338.00	100.00		1,916.90
Demo Existing Filter	105,360.00		105,360.00	105,360.00			105,360.00	100.00		5,268.00
Concrete Pad	35,800.00		35,800.00	31,296.54	4,503.46		35,800.00	100.00		1,790.00
Remove Roof and Reinst	25,000.00		25,000.00	25,000.00			25,000.00	100.00		1,250.00
Purchase Filter and Me										
Deposit Filter Reciept	84,870.00		84,870.00	84,870.00			84,870.00	100.00		4,243.50
Deposit Purchase of Ma	466,785.00		466,785.00	466,785.00			466,785.00	100.00		23,339.25
Deposit Completion of	169,740.00		169,740.00	169,740.00			169,740.00	100.00		8,487.00
Remaining Cost at De;j	390,448.00		390,448.00	390,448.00			390,448.00	100.00		19,522.40
Commission, Start-Up a										
Unload of filter(Cora)	20,921.00		20,921.00	20,921.00			20,921.00	100.00		1,046.05
Install Filter	123,600.00		123,600.00	123,600.00			123,600.00	100.00		6,180.00
Install Piping and Sup	135,000.00		135,000.00	135,000.00			135,000.00	100.00		6,750.00
Electrical	77,500.00		77,500.00	77,500.00			77,500.00	100.00		3,875.00
Instrumentation	110,000.00		110,000.00	104,500.00	5,500.00		110,000.00	100.00		5,500.00
Painting	11,638.00		11,638.00	11,638.00			11,638.00	100.00		581.90
O&M Manuals	1,500.00		1,500.00	1,200.00	300.00		1,500.00	100.00		75.00
Start-Up - includes st	49,400.00		49,400.00	46,930.00	2,470.00		49,400.00	100.00		2,470.00
Change Order# J440-1		-75,000.00	-75,000.00	-75,000.00			-75,000.00	100.00		-3,750.00
Change Order# J440-2		-4,503.47	-4,503.47		-4,503.47		-4,503.47	100.00		-225.17
Change Order# J440-3		8,243.40	8,243.40		8,243.40		8,243.40	100.00		412.17
Change Order# J440-4		12,460.10	12,460.10		12,460.10		12,460.10	100.00		623.01
Change Order# J440-5		4,859.41	4,859.41		4,859.41		4,859.41	100.00		242.97
Change Order# J440-6		2,495.76	2,495.76		2,495.76		2,495.76	100.00		124.79
Totals:	1,916,900.00	-51,444.80	1,865,455.20	1,829,126.54	36,328.66	1,865,455.20	1,865,455.20	100.00	93,272.77	

CORA CONSTRUCTORS, Inc., 1440 Westmorland Water Filter Replacement - July 2025 Billing # 08

BID ITEM	DESCRIPTION	QTY	UNIT PRICE	SUBTOTAL	CURRENT PERCENTAGE %	CURRENT \$ AMOUNT	PREVIOUS PERCENTAGE %	PREVIOUS \$ AMOUNT	PREVIOUS & CURRENT \$ TOTAL	PREVIOUS & CURRENT PERCENTAGE %	REMAINING \$ TOTAL	REMAINING PERCENTAGE %	RETENTION \$ TOTAL
1	Mobilization	1	\$ 45,000.00	\$ 45,000.00	0.00%	\$ -	100.00%	\$ 45,000.00	\$ 45,000.00	100.00%	\$ -	0.00%	\$2,250.00
2	Demobilization	1	\$ 15,000.00	\$ 15,000.00	0.00%	\$ -	100.00%	\$ 15,000.00	\$ 15,000.00	100.00%	\$ -	0.00%	\$750.00
3	Water Pollution Control	1	\$ 1,000.00	\$ 1,000.00	0.00%	\$ -	100.00%	\$ 1,000.00	\$ 1,000.00	100.00%	\$ -	0.00%	\$50.00
4	Verification of Utility Locations, Field Dimensions,	1	\$ 10,000.00	\$ 10,000.00	0.00%	\$ -	100.00%	\$ 10,000.00	\$ 10,000.00	100.00%	\$ -	0.00%	\$500.00
5	Insurance and Bonds	1	\$ 38,338.00	\$ 38,338.00	0.00%	\$ -	100.00%	\$ 38,338.00	\$ 38,338.00	100.00%	\$ -	0.00%	\$1,916.90
6	Demo Existing Filter	1	\$ 105,360.00	\$ 105,360.00	0.00%	\$ -	100.00%	\$ 105,360.00	\$ 105,360.00	100.00%	\$ -	0.00%	\$5,268.00
7	Concrete Pad	1	\$ 35,800.00	\$ 35,800.00	12.58%	\$ 4,503.46	87.42%	\$ 31,296.54	\$ 35,800.00	100.00%	\$ -	0.00%	\$1,790.00
8	Remove Roof and Reinstall Roof	1	\$ 25,000.00	\$ 25,000.00	0.00%	\$ -	100.00%	\$ 25,000.00	\$ 25,000.00	100.00%	\$ -	0.00%	\$1,250.00
9	Purchase Filter, Media, Msc Materials and Msc Steel Parts	1	\$ 1,132,764.00	\$ 1,132,764.00	0.00%	\$ -	100.00%	\$ 1,132,764.00	\$ 1,132,764.00	100.00%	\$ -	0.00%	\$56,638.20
10	Install Filter	1	\$ 123,600.00	\$ 123,600.00	0.00%	\$ -	100.00%	\$ 123,600.00	\$ 123,600.00	100.00%	\$ -	0.00%	\$6,180.00
11	Install Piping & Supports	1	\$ 135,000.00	\$ 135,000.00	0.00%	\$ -	100.00%	\$ 135,000.00	\$ 135,000.00	100.00%	\$ -	0.00%	\$6,750.00
12	Electrical	1	\$ 77,500.00	\$ 77,500.00	0.00%	\$ -	100.00%	\$ 77,500.00	\$ 77,500.00	100.00%	\$ -	0.00%	\$3,875.00
13	Instrumentation	1	\$ 110,000.00	\$ 110,000.00	5.00%	\$ 5,500.00	95.00%	\$ 104,500.00	\$ 110,000.00	100.00%	\$ -	0.00%	\$5,500.00
14	Painting	1	\$ 11,638.00	\$ 11,638.00	0.00%	\$ -	100.00%	\$ 11,638.00	\$ 11,638.00	100.00%	\$ -	0.00%	\$581.90
15	O&M Manuals	1	\$ 1,500.00	\$ 1,500.00	20.00%	\$ 300.00	80.00%	\$ 1,200.00	\$ 1,500.00	100.00%	\$ -	0.00%	\$75.00
16	Start Up	1	\$ 49,400.00	\$ 49,400.00	5.00%	\$ 2,470.00	95.00%	\$ 46,930.00	\$ 49,400.00	100.00%	\$ -	0.00%	\$2,470.00
17	CO #1	1	\$ (75,000.00)	\$ (75,000.00)	0.00%	\$ -	100.00%	\$ (75,000.00)	\$ (75,000.00)	100.00%	\$ -	0.00%	-\$3,750.00
18	CO#2 (Serial 02, Serial 03, Serial 04 2, Serial 05, Serial 07)	1	\$ 23,555.22	\$ 23,555.22	100.00%	\$ 23,555.22	0.00%	\$ -	\$ 23,555.22	100.00%	\$ -	0.00%	\$1,177.76
GRAND TOTAL				\$ 1,865,455.22	0.00%	\$ 36,328.68	0.00%	\$ 1,829,126.54	\$ 1,841,900.00	0.00%	\$ -	98.74%	\$93,272.76

CURRENT BILLING GRAND TOTAL LESS RETENTION \$ 34,512.25

Notes:
Please note that SOV is only for payment purposes.

CONDITIONAL WAIVER AND RELEASE ON PROGRESS PAYMENT

NOTICE: THIS DOCUMENT WAIVES THE CLAIMANT'S LIEN, STOP PAYMENT NOTICE, AND PAYMENT BOND RIGHTS EFFECTIVE ON RECEIPT OF PAYMENT. A PERSON SHOULD NOT RELY ON THIS DOCUMENT UNLESS SATISFIED THAT THE CLAIMANT HAS RECEIVED PAYMENT.

Identifying Information

Name of Claimant: Cora Constructors Inc.

Name of Customer: City of Westmorland

Job Location: WTP Westmorland

Owner: City of Westmorland

Through Date: 07/30/2025

Conditional Waiver and Release

This document waives and releases lien, stop payment notice, and payment bond rights the claimant has for labor and service provided, and equipment and material delivered, to the customer on this job through the Through Date of this document. Rights based upon labor or service provided, or equipment or material delivered, pursuant to a written change order that has been fully executed by the parties prior to the date that this document is signed by the claimant, are waived and released by this document, unless listed as an Exception below. This document is effective only on the claimant's receipt of payment from the financial institution on which the following check is drawn:

Maker of Check: City of Westmorland

Amount of Check: \$ 34,512.22

Check Payable to: Cora Constructors Inc.

Exceptions

This document does not affect any of the following:

- (1) Retentions.
 - (2) Extras for which the claimant has not received payment.
 - (3) The following progress payments for which the claimant has previously given a conditional waiver and release but has not received payment:
Date(s) of waiver and release: _____
Amount(s) of unpaid progress payment(s): \$ _____
 - (4) Contract rights, including (A) a right based on rescission, abandonment, or breach of contract, and (B) the right to recover compensation for work not compensated by the payment.
-

Signature

Claimant's Signature:

Claimant's Title: Office Manager

Date of Signature: 08/14/2025

Contractor's Application for Payment

Owner:	City of Westmorland	Owner's Project No.:	4600015451
Engineer:	The Holt Group, Inc.	Engineer's Project No.:	102.114
Contractor:	Cora Constructors, Inc.	Contractor's Project No.:	J440
Project:	WTP Water Filter Replacement Project		
Contract:			
Application No.:	9 - Ret	Application Date:	8/14/2025
Application Period:	From 8/1/2025	to 8/1/2025	

1. Original Contract Price	\$	1,916,900.00
2. Net change by Change Orders	\$	(51,444.78)
3. Current Contract Price (Line 1 + Line 2)	\$	1,865,455.22
4. Total Work completed and materials stored to date (Sum of Column G Lump Sum Total and Column J Unit Price Total)	\$	1,865,455.22
5. Retainage		
a. 0% X \$ 1,865,455.22 Work Completed =	\$	-
b. 0% X \$ - Stored Materials =	\$	-
c. Total Retainage (Line 5.a + Line 5.b)	\$	-
6. Amount eligible to date (Line 4 - Line 5.c)	\$	1,865,455.22
7. Less previous payments (Line 6 from prior application)	\$	1,772,182.46
8. Amount due this application	\$	93,272.76
9. Balance to finish, including retainage (Line 3 - Line 4 + Line 5.c)	\$	-

Contractor's Certification

The undersigned Contractor certifies, to the best of its knowledge, the following:

- (1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;
- (2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such liens, security interest, or encumbrances); and
- (3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor: Cora Constructors Inc. - Emir Kocaballi
Signature: Emir Kocaballi Emir Kocaballi **Date:** 8/18/25

Recommended by Engineer	Approved by Owner
By: <u>L. M. Junc Marmolejo</u>	By: <u>[Signature]</u>
Title: <u>Resident Engineer</u>	Title: <u>INT. DIR. OF DEV. SERV.</u>
Date: <u>8-21-2025</u>	Date: <u>8/22/2025</u>
Approved by Funding Agency	
By: _____	By: _____
Title: _____	Title: _____
Date: _____	Date: _____

OK to pay 8/25/25
DWR/SCDR Filter Replacement
511-00-6001

JH



Cora Constructors Inc
75140 St. Charles Place, Ste A
Palm Desert CA 92211
760-674-3201

License: 766304

Progress Billing

Application: 9

Period: 08/29/2025

440

Owner: Westmorland, City of
355 South Center Street
Westmorland CA 92281

Job Location: Water Filter Replacement and Pipe Replacement
355 South Center Street
Westmorland CA 92281

Application For Payment On Contract

Original Contract.....	1,916,900.00
Net Change by Change Orders.....	-51,444.80
Contract Sum to Date.....	1,865,455.20
Total Complete to Date.....	1,865,455.20
Total Retained.....	0.00
Total Earned Less Retained.....	1,865,455.20
Less Previous Billings.....	1,772,182.43
Current Payment Due.....	93,272.77
Balance on Contract.....	0.00

Contractor's Certification of Work

The undersigned contractor certifies that, to the best of the contractor's knowledge, the work on the above named job has been completed in accordance with the plans and specifications to the level of completion indicated on the attached schedule of completion.

Contractor: _____

Date: _____

8/18/25

Terms: Invoices are due and payable 30DY from the date of invoice. All overdue amounts will be charged a service charge of 18.0000% per annum. Please make checks payable to: Cora Constructors Inc

Thank you for your prompt payment.

Cora Constructors Inc

Water Filter Replacement and Pipe Replacement
355 South Center Street
Westmorland CA 92281

Application: 9

Period: 08/29/2025

PROGRESS BILLING

Schedule of Work Completed

Description of Work	Scheduled	Changes	Contract	Previous	Current Comp.	Stored Mat.	Total Comp.	%	Balance	Retained
Mobilization	45,000.00		45,000.00	45,000.00			45,000.00	100.00		
Demobilization	15,000.00		15,000.00	15,000.00			15,000.00	100.00		
Water Pollution Conytr	1,000.00		1,000.00	1,000.00			1,000.00	100.00		
Verification of Utilit	10,000.00		10,000.00	10,000.00			10,000.00	100.00		
Insurance and Bonds	38,338.00		38,338.00	38,338.00			38,338.00	100.00		
Demo Existing Filter	105,360.00		105,360.00	105,360.00			105,360.00	100.00		
Concrete Pad	35,800.00		35,800.00	35,800.00			35,800.00	100.00		
Remove Roof and Reinst	25,000.00		25,000.00	25,000.00			25,000.00	100.00		
Purchase Filter and Me										
Deposit Filter Reciept	84,870.00		84,870.00	84,870.00			84,870.00	100.00		
Deposit Purchase of Ma	466,785.00		466,785.00	466,785.00			466,785.00	100.00		
Deposit Completion of	169,740.00		169,740.00	169,740.00			169,740.00	100.00		
Remaining Cost at De;i	390,448.00		390,448.00	390,448.00			390,448.00	100.00		
Commission, Start-Up a										
Unload of filter(Cora)	20,921.00		20,921.00	20,921.00			20,921.00	100.00		
Install Filter	123,600.00		123,600.00	123,600.00			123,600.00	100.00		
Install Piping and Sup	135,000.00		135,000.00	135,000.00			135,000.00	100.00		
Electrical	77,500.00		77,500.00	77,500.00			77,500.00	100.00		
Instrumentation	110,000.00		110,000.00	110,000.00			110,000.00	100.00		
Painting	11,638.00		11,638.00	11,638.00			11,638.00	100.00		
O&M Manuals	1,500.00		1,500.00	1,500.00			1,500.00	100.00		
Start-Up - includes st	49,400.00		49,400.00	49,400.00			49,400.00	100.00		
Change Order# J440-1		-75,000.00	-75,000.00	-75,000.00			-75,000.00	100.00		
Change Order# J440-2		-4,503.47	-4,503.47	-4,503.47			-4,503.47	100.00		
Change Order# J440-3		8,243.40	8,243.40	8,243.40			8,243.40	100.00		
Change Order# J440-4		12,460.10	12,460.10	12,460.10			12,460.10	100.00		
Change Order# J440-5		4,859.41	4,859.41	4,859.41			4,859.41	100.00		
Change Order# J440-6		2,495.76	2,495.76	2,495.76			2,495.76	100.00		
Totals:	1,916,900.00	-51,444.80	1,865,455.20	1,865,455.20			1,865,455.20	100.00		

CONDITIONAL WAIVER AND RELEASE ON PROGRESS PAYMENT

NOTICE: THIS DOCUMENT WAIVES THE CLAIMANT'S LIEN, STOP PAYMENT NOTICE, AND PAYMENT BOND RIGHTS EFFECTIVE ON RECEIPT OF PAYMENT. A PERSON SHOULD NOT RELY ON THIS DOCUMENT UNLESS SATISFIED THAT THE CLAIMANT HAS RECEIVED PAYMENT.

Identifying Information

Name of Claimant: Cora Constructors Inc.

Name of Customer: City of Westmorland

Job Location: WTP Westmorland

Owner: City of Westmorland

Through Date: 08/30/2025

Conditional Waiver and Release

This document waives and releases lien, stop payment notice, and payment bond rights the claimant has for labor and service provided, and equipment and material delivered, to the customer on this job through the Through Date of this document. Rights based upon labor or service provided, or equipment or material delivered, pursuant to a written change order that has been fully executed by the parties prior to the date that this document is signed by the claimant, are waived and released by this document, unless listed as an Exception below. This document is effective only on the claimant's receipt of payment from the financial institution on which the following check is drawn:

Maker of Check: City of Westmorland

Amount of Check: \$ 93,272.77

Check Payable to: Cora Constructors Inc.

Exceptions

This document does not affect any of the following:

- (1) Retentions.
 - (2) Extras for which the claimant has not received payment.
 - (3) The following progress payments for which the claimant has previously given a conditional waiver and release but has not received payment:
 - Date(s) of waiver and release: 08/14/2025
 - Amount(s) of unpaid progress payment(s): \$ 34,512.22
 - (4) Contract rights, including (A) a right based on rescission, abandonment, or breach of contract, and (B) the right to recover compensation for work not compensated by the payment.
-

Signature

Claimant's Signature:

Claimant's Title: Office Manager

Date of Signature: 08/18/2025

Progress Estimate - Unit Price Work

Contractor's Application for Payment

Owner:	City of Westminster	Owner's Project No.:	4600015451
Engineer:	The Holt Group, Inc.	Engineer's Project No.:	102.114
Contractor:	Cora Constructors, Inc.	Contractor's Project No.:	1440
Project:	WTP Water Filter Replacement Project		
Contract:			

Application No.: 9 - Retention Application Period: From 08/01/25 to 08/01/25 Application Date: 08/14/25																	
Bid Item No.	Description	C	D	Contract Information		E	F	G	H	I		J	K	L	M	N	O
				Item Quantity	Units					Unit Price (\$)	Value of Bid Item (C X E) (\$)						
Original Contract																	
1	Mobilization.	1.00	Lump Sum			45,000.00	45,000.00	1.00	45,000.00	-	-	-	-	45,000.00	100%	-	2,250.00
2	Demobilization	1.00	Lump Sum			15,000.00	15,000.00	1.00	15,000.00	-	-	-	-	15,000.00	100%	-	750.00
3	Water Pollution Control	1.00	Lump Sum			1,000.00	1,000.00	1.00	1,000.00	-	-	-	-	1,000.00	100%	-	50.00
4	Verification of Utility Locations, Field Dimensions	1.00	Lump Sum			10,000.00	10,000.00	1.00	10,000.00	-	-	-	-	10,000.00	100%	-	500.00
5	Insurance and Bonds	1.00	Lump Sum			38,338.00	38,338.00	1.00	38,338.00	-	-	-	-	38,338.00	100%	-	1,916.90
6	Demo Existing Filter	1.00	Lump Sum			105,350.00	105,350.00	1.00	105,350.00	-	-	-	-	105,350.00	100%	-	5,268.00
7	Concrete Pad	1.00	Lump Sum			35,800.00	35,800.00	1.00	35,800.00	-	-	-	-	35,800.00	100%	-	1,790.00
8	Remove Roof and Reinstall Roof (Filter Lift)	1.00	Lump Sum			25,000.00	25,000.00	1.00	25,000.00	-	-	-	-	25,000.00	100%	-	1,250.00
9	Purchase Filter, Media, Msc Materials, and Msc Steel Parts (\$1,132,764.00)	1.00	Lump Sum			-	-	-	-	-	-	-	-	-	-	-	-
9.1	Deposit Filter Receipt of Purchase Order (Supplier) + 15% OH (Cora)	1.00	Lump Sum			84,870.00	84,870.00	1.00	84,870.00	-	-	-	-	84,870.00	100%	-	4,243.50
9.2	Deposit Purchase of Major Equip and/or Material (Supplier) + 15% OH (Cora)	1.00	Lump Sum			466,785.00	466,785.00	1.00	466,785.00	-	-	-	-	466,785.00	100%	-	23,339.25
9.3	Deposit Completion of FAT (Supplier) + 15% OH (Cora)	1.00	Lump Sum			169,740.00	169,740.00	1.00	169,740.00	-	-	-	-	169,740.00	100%	-	8,487.00
9.4	Filter Delivery to Site (Supplier) + 15% OH (Cora)	1.00	Lump Sum			390,448.00	390,448.00	1.00	390,448.00	-	-	-	-	390,448.00	100%	-	19,522.40
9.5	Unload of Filter (Cura)	1.00	Lump Sum			20,921.00	20,921.00	1.00	20,921.00	-	-	-	-	20,921.00	100%	-	1,046.05
10	Install Filter	1.00	Lump Sum			123,600.00	123,600.00	1.00	123,600.00	-	-	-	-	123,600.00	100%	-	6,180.00
11	Install Piping and Supports	1.00	Lump Sum			135,000.00	135,000.00	1.00	135,000.00	-	-	-	-	135,000.00	100%	-	6,750.00
12	Electrical	1.00	Lump Sum			77,500.00	77,500.00	1.00	77,500.00	-	-	-	-	77,500.00	100%	-	3,875.00
13	Instrumentation	1.00	Lump Sum			110,000.00	110,000.00	1.00	110,000.00	-	-	-	-	110,000.00	100%	-	5,500.00
14	Painting	1.00	Lump Sum			11,638.00	11,638.00	1.00	11,638.00	-	-	-	-	11,638.00	100%	-	581.90
15	O&M Manuals	1.00	Lump Sum			1,500.00	1,500.00	1.00	1,500.00	-	-	-	-	1,500.00	100%	-	75.00
16	Start Up	1.00	Lump Sum			49,400.00	49,400.00	1.00	49,400.00	-	-	-	-	49,400.00	100%	-	2,470.00
Original Contract							\$ 1,916,900.00		\$ 1,916,900.00		\$	-	\$	\$ 1,916,900.00		\$	\$ 95,845.00
Change Orders																	
17	CO No. 01 (Submittal Credit)	1.00	Lump Sum			(75,000.00)	(75,000.00)	1.00	(75,000.00)	-	-	-	-	(75,000.00)	100%	-	(3,750.00)
18	CO No. 02 (Concrete Pad Changes)	1.00	Lump Sum			(4,503.46)	(4,503.46)	1.00	(4,503.46)	-	-	-	-	(4,503.46)	100%	-	(225.17)
19	CO No. 03 (Additional Computer)	1.00	Lump Sum			8,243.40	8,243.40	1.00	8,243.40	-	-	-	-	8,243.40	100%	-	412.17
20	CO No. 04 (Additional Drain and Electrical)	1.00	Lump Sum			19,815.28	19,815.28	1.00	19,815.28	-	-	-	-	19,815.28	100%	-	990.76
Change Orders							\$ (51,444.78)		\$ (51,444.78)		\$	-	\$	\$ (51,444.78)		\$	(2,572.24)
Original Contract and Change Orders																	
Project Totals							\$ 1,865,455.22		\$ 1,865,455.22		\$	-	\$	\$ 1,865,455.22	100%	\$	\$ 93,272.76

DUDEK

605 3rd Street
Encinitas, CA 92024
T (760) 942-5147
F (760) 632-0164

August 21, 2025
Project No: 15667
Invoice No: 202506922
Due Date: October 5, 2025

Christine Pisch
City of Westmorland
355 S Center St
Westmorland, CA 92281

Project Manager Brandon Lacap
Project 15667 Engineering Design of the Westmorland Water Filter Replacement Project

Agreement No. 4600015451

Professional Services for the Period: May 24, 2025 to June 27, 2025

Phase 02 Construction Support Services

Professional Personnel

	Hours	Rate	Amount	
Senior Project Manager/Engineering	1.00	260.00	260.00	
Totals	1.00		260.00	
Total Labor				260.00
Phase Total				\$260.00

Phase 20 Sub_Delta Systems

Consultants

Narasimhan Consulting Services, Inc dba				
6/27/2025	Narasimhan Consulting Services, Inc dba NCS Engineers	Invoice#	25,410.00	
	Total Consultants	1.0 times	25,410.00	25,410.00
Phase Total				\$25,410.00
Total Project Invoice Amount				\$25,670.00

Outstanding Invoices

Number	Date	Balance
202504691	6/20/2025	1,343.75
Total		1,343.75

Billing Summary

	Current	Prior	Total
Labor	260.00	212,147.50	212,407.50

Please remit checks to the following lockbox account including Dudek project number and invoice number:

DUDEK
P.O. Box 515569
Los Angeles, CA 90051-4581

If you would like to remit payment via ACH, please contact Accounting@dudek.com.

Consultant	25,410.00	217,486.00	242,896.00
Expense	0.00	714.19	714.19
Unit	0.00	794.62	794.62
Totals	25,670.00	431,142.31	456,812.31

Contract Maximum:	475,008.00
Previous Billings Against Maximum:	431,142.31
Current Billings Against Maximum:	25,670.00
Balance After This Invoice:	18,195.69

OK to pay 8/25/25
DWR/SCDR Filter Replacement
511-00-6001



Please remit checks to the following lockbox account including Dudek project number and invoice number:

Page 2

DUDEK
P.O. Box 515569
Los Angeles, CA 90051-4581

If you would like to remit payment via ACH, please contact Accounting@dudek.com.

INVOICE



202 E. Earll Drive, Suite 110, Phoenix, AZ 85012
602-629-0206

Dale Gruel, PE
Dudek
111 Pacifica
Irvine, CA 92618

July 17, 2025
Invoice No: 2384-04

Invoice Total \$25,410.00

NCS Project N2384.23.000 Dudek - City of Westmorland WTP Filter Replacement
Dudek Job #15667
Project Manager - Brandon Lacap

Professional Services from October 01, 2024 to June 27, 2025

Task 00100 Design Services

Fee

Total Fee 32,710.00

Percent Complete

100.00

Total Earned

32,710.00

Previous Fee Billing

32,710.00

Current Fee Billing

0.00

Total Fee

0.00

Total this Task

0.00

Task 00200 Construction Services

Fee

Total Fee 28,410.00

Percent Complete

89.4403

Total Earned

25,410.00

Previous Fee Billing

0.00

Current Fee Billing

25,410.00

Total Fee

25,410.00

Total this Task

\$25,410.00

Total this Invoice

\$25,410.00

Billings to Date

	Current	Prior	Total
Fee	25,410.00	32,710.00	58,120.00
Totals	25,410.00	32,710.00	58,120.00

NOTE: Due to an increase in wire fraud we DO NOT accept payments via ACH or Wire Transfers. If you are requested to pay us electronically, please contact our corporate accounting department at 602-629-0206

Invoices are due Net 30 days unless otherwise stated in contract or purchase order

**Monthly Invoice Summary**

Invoice No. 202504691

Project Name: WTP Water Filter Replacement Project

Consultant Name: Dudek

DWR/SCDR Agreement No. 4600015451

Period:	4/26/2025	to	5/23/2025	Date:	6/20/2025
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Contract Summary:

Original Contract Amount:	\$289,439.00	NTP Date	9/12/2023	
		Original Contract End Date	11/1/2025	

Contract Amendments:

Additive Bid Items:	\$20,569.00				
Amendment No. 1 (SCDR Fund Shift for AWC Design Services):	\$165,000.00				
Subtotal Amendments	\$185,569.00				

Total Contract \$475,008.00



Previous Amount Billed:	\$430,209.27
Current Invoice Amount:	\$1,343.75
Total Billed to Date:	\$431,553.02
Total Remaining:	\$43,454.98

Billing Code (if applicable)

Task No.	Task Name	Hours	Rate	Amount	Totals
5	Engineering Services During Construction Phase				
	Engineer IV (T. Dhanens)	6.25	\$ 215.00	\$ 1,343.75	\$ 1,343.75

Travel Summary					
Date	Description	Miles	Rate	Amount	
				\$	-
					\$ -

TOTAL OF INVOICE AMOUNT \$ 1,343.75

Certification by Owner's Representatives			Certification of Consultant	
Joel Hamby		8/25/25		6/20/2025
Project Manager		Date		
Department Manager		Date	Consultant	Date

OK to pay 8/25/25
SCDR/DWR Filter Project
511-00-6001

DUDEK

605 3rd Street
Encinitas, CA 92024
T (760) 942-5147
F (760) 632-0164

June 20, 2025
Project No: 15667
Invoice No: 202504691
Due Date: August 4, 2025

Christine Pisch
City of Westmorland
355 S Center St
Westmorland, CA 92281

Project Manager Brandon Lacap
Project 15667 Engineering Design of the Westmorland Water Filter Replacement Project

Agreement No. 4600015451

Professional Services for the Period: April 26, 2025 to May 23, 2025

Phase 02 Construction Support Services

Professional Personnel

	Hours	Rate	Amount
Project Engineer IV/Technician IV	6.25	215.00	1,343.75
Totals	6.25		1,343.75
Total Labor			1,343.75
		Phase Total	\$1,343.75
		Total Project Invoice Amount	\$1,343.75

Outstanding Invoices

Number	Date	Balance
202500646	2/19/2025	7,299.00
Total		7,299.00

Billing Summary

	Current	Prior	Total
Labor	1,343.75	210,803.75	212,147.50
Consultant	0.00	217,486.00	217,486.00
Expense	0.00	714.19	714.19

Please remit checks to the following lockbox account including Dudek project number and invoice number:

DUDEK
P.O. Box 515569
Los Angeles, CA 90051-4581

If you would like to remit payment via ACH, please contact Accounting@dudek.com.

Project	15667	Engineering Design of the Westmorland Wa			Invoice	202504691
Unit		0.00	794.62	794.62		
Totals		1,343.75	429,798.56	431,142.31		
Contract Maximum:			475,008.00			
Previous Billings Against Maximum:			429,798.56			
Current Billings Against Maximum:			1,343.75			
Balance After This Invoice:			43,865.69			

City of Westmorland
REPORT TO City Council

MEETING DATE: September 3, 2025

FROM: Laura Fischer, Manager

SUBJECT: Accept the Notice of Completion for the Underground Pipeline Project under the Small Communities Drought Relief Grant and Request Final Reimbursement and Retention Payment..

ISSUE:

Accept the Notice of Completion for the Underground Pipeline Project under the Small Communities Drought Relief Grant and Request Final Reimbursement and Retention Payment.

GENERAL MANAGER'S RECOMMENDATION:

It is recommended that the City Council Accept the Notice of Completion for the Underground Pipeline Project under the Small Communities Drought Relief Grant and Request Final Reimbursement and Retention Payment.

FISCAL IMPACT: NONE.

CONCLUSION:

Accept the Notice of Completion for the Underground Pipeline Project under the Small Communities Drought Relief Grant and Request Final Reimbursement and Retention Payment.

Respectfully Submitted,

Laura Fischer, Manager

City of Westmorland
REPORT TO City Council

MEETING DATE: September 3, 2025

FROM: Laura Fischer, Manager

SUBJECT: Accept the Notice of Completion for the Filter Replacement Project under the Small Communities Drought Relief Grant and Request Final Reimbursement and Retention Payment..

ISSUE:

Accept the Notice of Completion for the Filter Replacement Project under the Small Communities Drought Relief Grant and Request Final Reimbursement and Retention Payment.

GENERAL MANAGER'S RECOMMENDATION:

It is recommended that the City Council Accept the Notice of Completion for the Filter Replacement Project under the Small Communities Drought Relief Grant and Request Final Reimbursement and Retention Payment.

FISCAL IMPACT: NONE.

CONCLUSION:

Accept the Notice of Completion for the Filter Replacement Project under the Small Communities Drought Relief Grant and Request Final Reimbursement and Retention Payment.

Respectfully Submitted,

Laura Fischer, Manager

City of Westmorland

REPORT TO THE CITY COUNCIL

MEETING DATE: September 3, 2025

FROM: Laura Fischer, City Manager

SUBJECT: Approve a 2.9% Rate Increase Adjustment for Waste Hauling Services According to Franchise Agreement with CR&R.

ISSUE:

Shall the City of Westmorland City Council approve a 2.9% Rate Increase Adjustment for Waste Hauling Services According to Franchise Agreement with CR&R?

GENERAL MANAGER RECOMMENDATION:

Approve rate modifications as presented.

FISCAL IMPACT:

Customers will see a 2.9% rate increase on their bill for trash services starting in October 2025 and reflected in their bill in October 2025. For Standard Residential Services that rate increase will be .69 cents per month. Current rate is \$23.96 (without the JPA Fee of \$1.50) and will increase to \$24.65 per month for residential services.

DISCUSSION:

The City of Westmorland received the attached letter from CR&R, and according to the Terms of the Franchise Agreement they have calculated the rate increase for FY 2025-26.

The current Franchise Agreement with CR&R allows for an annual rate increase based on an "Adjustment Formula" which is based on the Consumer Price Index (CPI). The Agreement also allows CR&R to request a rate increase based on increased operating costs due to changes in Federal and State laws, rising cost of fuel, insurance, and other market driven expenses. Based on the approved annual rate increase formula based on CPI, the rate increase should be at 2.9%.

Most importantly, the current Franchise Agreement caps the rate increase at 4% per year starting October.

CONCLUSION:

A rate adjustment of 2.9% was determined to be appropriated and capped at 4% according to the Terms and Conditions of the existing Franchise Agreement with CR&R.

Staff recommends approval.

Respectfully Submitted,
Laura Fischer, Manager

Attachments: Letter from CR&R & Annual Price Adjustment Schedule