

CITY OF ORLAND

CITY COUNCIL AGENDA ITEM #: 9.A.2.

MEETING DATE: September 21, 2015

TO: Honorable Mayor and Council

FROM: Forrest Marston, Public Works Director
Pete Carr, City Manager

SUBJECT: Proposed Draft Agreement with OUWUA (Discussion/Direction)

City Manager and City Engineer will discuss with City Council proposed changes to the working agreement with Orland Unit Water Users Association for undergrounding of canals.

BACKGROUND

The City and OUWUA have a longstanding understanding that development over or alongside Water Users irrigation canals requires undergrounding of the canals. The Association also began planning for possible conversion to a pressurized system, or at least certain pressurized lines, some years ago.

Experience has shown that the combination of undergrounding and pressurized pipe presents a cost-prohibitive scenario for most development, stranding private property owners and partially built subdivisions. Undergrounding has also presented new challenges due to transition structures and maintenance access.

DISCUSSION

City staff recently approached OUWUA staff to discuss the situation and seek alternatives to undergrounding, especially with pressurized pipe. The Association's board of directors agreed to consider suggestions from Orland relative to canals. Staff met with the OUWUA Board on September 17th, to discuss ideas and concepts.

City manager will discuss with Council feedback from the recent OWUA Board meeting.

Attachment: Draft City of Orland-OUWUA Canal Facility Plan 2015

RECOMMENDATION: Direct staff.

Fiscal Impact of Recommendation: N/A.

DRAFT City of Orland-OUWUA Canal Facility Plan 2015

Objective: Provide appropriate protection to OUWUA assets while enabling orderly community development and balancing the interests of safety, cost and aesthetics.

This agreement follows the 2005 "Feasibility Study for Undergrounding OUWUA Canals in the City of Orland," and the 2007 "Application Procedures & Construction Guidelines," aided by a decade of experience with the realities of construction costs and practical impacts of undergrounding. These documents remain reference for maps and basic engineering specifications.

Proposed standards for canals:

- A. Development directly adjacent to or over a canal irrigation ditch requires some form of public safety protection if the canal is located on or adjacent to the development project site and if the proposed development would result in persons potentially gaining easy access to the facility. Improvements would be as follows:

1. Major canals (South Canal and Lat 40):

- a) Residential uses directly adjacent to an irrigation canal shall either:
- i) place the facility underground if developing both sides of the canal;
 - ii) if developing only one side of the canal, install a 6' cyclone fence adjacent to each residential property as well as a property line wood-fence and record a non-access easement across each residential property line;
 - iii) install a masonry wall on one or both sides and record a non-access easement across each residential property line; or,
 - iv) install some equally suitable form of physical access barrier to be approved by both the City and the OUWUA limiting direct access to the facility.
- b) Commercial or industrial uses directly adjacent to a major irrigation canals shall either:
- i) place the facility underground;
 - ii) install a 6' masonry wall adjacent to the irrigation lateral; or,
 - iii) install some form of similarly suitable physical access barrier to be approved by both the City and the OUWUA limiting direct access to the facility.

c) Recreation trails on or directly adjacent to a major irrigation ditch shall either:

- i) install pole-and-cable barrier fencing;
- ii) install 4' cyclone or other wire fencing; or,
- iii) install some form of similarly suitable physical access barrier to be approved by both the City and the OUWUA limiting direct access to the facility.

d) Street frontages directly adjacent to a major irrigation ditch shall:

- i) install post-and-cable barrier fencing;
- ii) install some form of similarly suitable physical access barrier to be approved by both the City and the OUWUA limiting direct access to the facility.

2. Minor canals and sublaterals (i.e., Lat 50, 51, 12, 37, 43):

- a) Resi developments will underground with PVC, HDPE or RCP.
- b) Comm and industrial will underground with PVC, HDPE, RCP or provide chainlink fencing or masonry wall.
- c) Rec trails require pole-and-cable barriers unless there is substantial grade separation (i.e., canal bank >1' higher than pathway, then no additional barrier is needed).

- B. Crossings: bridges and box culverts will be constructed of size and height to allow free flow of water with no hindrance of of debris.
- C. In all cases – cable barriers, walls or fences -- facilities will be built and maintained at City expense. City may obtain funds from developers and/or property owners tax assessments for construction and for ongoing maintenance. Cable barriers will be provided with "No Trespassing" signs in English and Spanish.
- D. Facilities will be constructed prior to or during development construction, prior to issuance of occupancy permits.
- E. Undergrounded canals may be overlaid with low landscaping (not trees), rec trails and park benches, all maintained by city.
- F. All undergrounding will be RCP, PVC, or HDPE welded. Pressure-rated HDPE pipe will not be required. Pipe size will be 27" to 66" as specified by UOWUA in existing undergrounding study.
- G. Where options are shown with "or," City can allow developer option or can state the requirement as a condition, either being pre-approved by OUWUA. Where most of the canal reach is already underground and a small section is exposed, developer will underground before any further development.

- H. If walling or fencing both sides, the distance between structures must be at least 30' and there must be an access road or adequate space provided for an access road on at least one side.

Applying these standards to specific canals:

1. South Canal along CR 12: underground.
2. South Canal along Hamilton property: underground
3. South Canal near City Pool: underground, cable barrier or 4' fence
4. Lateral 40 along Bryant: 6' fence, wall or underground
5. Lateral 43 along the south side of SR32/Walker: underground
6. Lateral 50 Bryant south to Lely path: underground or 6' fence against resi; cable barrier if use is adjacent to rec trails and not development.
7. Lateral 51: abandon with alternate route provided via Lat 43 and Road N, or underground; in any case, add rec trail over covered canal.
8. Lateral 12 South St from Pine St to CR M: complete the undergrounding.
9. Lateral 4 across Hamilton property: complete the undergrounding.
10. Lateral 8 thru Benson Estates: 6' cyclone fence, wall or underground.
11. Lateral along CR 13: abandon if possible, otherwise underground

Action: Councilmember Gee moved, seconded by Vice Mayor Edwards to award bid to T & S Construction Co., Inc. (pending the approval of this bidder by the Drinking Water State Revolving Fund) and authorize the City Manager to sign the contract for this project. The motion carried by the following voice vote:

AYES: Mayor Paschall, Vice Mayor Edwards and Councilmembers Gee, Hoffman and Roundy.
NOES: None
ABSENT: None
ABSTAIN: None

City Manager Carr presented Council with a draft agreement to consider alternatives to undergrounding of canals with the Orland Unit Water Users Association. Mr. Carr stated the board is open to discussing and seeking alternatives to undergrounding, including the requirement for pressurized pipe. This would allow opportunities for development in areas where it was cost-prohibitive. The City Engineer, along with three board members from the OUWUA board will meet to discuss the agreement. Council discussed their concerns of a cable not acting as a sufficient barrier to protect the public and that fencing should be considered in residential and other areas. It was noted a four foot fence would have less negative impact aesthetically, than a six-foot fence. Councilmember Gee asked if a cable would be acceptable in the right-of-way between the street and canal. Council stated flexible options should be offered for individual cases with fencing as the preferred option.

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Gee reported on the following:

- Attend GSRMA conference in Lake Tahoe; good information regarding marijuana issue; ensure good police training to help prevent lawsuits; technology & public facility liability issues.

Vice Mayor Edwards had no reports at this time.

Councilmember Hoffman reported on the following:

- Apologized for absence at last Planning Commission meeting due to family emergency;
- Chamber Christmas Parade & Tree Lighting to be held Nov. 28th; Pete updated Chamber on Starbucks, Pilot, and Lollipop Land upgrade.

Councilmember Roundy reported on the following:

- Will be attending Recreation Commission meeting Sept. 23rd;
- Will be attending League of California Cities meeting next week;
- Art Gallery doing very well in selling artwork;
- LAFCo approved Pilot Flying J annexation today;
- Water Advisory Committee will be meeting Sept. 24th.

Chief of Police Tolle advised there still is an ongoing problem with illegal marijuana use. There have been issues with the District Attorney's office on how much someone can possess at any given time.