

CITY MANAGER – Marlene D. Best
CITY ATTORNEY – Shawn D. Hagerty
CITY CLERK – Annette Fagan Ortiz



CITY COUNCIL

Mayor John W. Minto
Vice Mayor Stephen Houlahan
Council Member Ronn Hall
Council Member Laura Koval
Council Member Rob McNelis

STAFF:
ASSISTANT TO THE CITY MANAGER
Kathy Valverde
COMMUNITY SERVICES DIRECTOR
Bill Maertz
DEVELOPMENT SERVICES DIRECTOR
Melanie Kush
FINANCE DIRECTOR/TREASURER
Tim McDermott
FIRE & LIFE SAFETY DIRECTOR/FIRE CHIEF
John Garlow
HUMAN RESOURCES DIRECTOR
Jessie Bishop
LAW ENFORCEMENT
Captain Daniel Brislin

**City of Santee
Regular Meeting Agenda
Santee City Council**

**Wednesday, June 26, 2019
7:00 PM**

**Council Chambers – Building 2
10601 Magnolia Avenue, Santee, CA 92071**

Regular City Council Meeting – 7:00 p.m.

ROLL CALL: Mayor John W. Minto
Vice Mayor Stephen Houlahan
Council Members Ronn Hall, Laura Koval and Rob McNelis

LEGISLATIVE INVOCATION: Pastor Bob Aarii, New Heights Community Church

PLEDGE OF ALLEGIANCE

PROCLAMATION: Proclaiming July as Parks Make Life Better Month and July 10, 2019 as “Go Play! Get Fit! Day,” presentation of fundraising proceeds to the City Council by the Santee Park and Recreation Committee

PRESENTATION: SANDAG Presentation: San Diego Forward: 2021 Regional Plan

CONSENT CALENDAR:

Consent Calendar items are considered routine and will be approved by one motion, with no separate discussion prior to voting. Council Members, staff or public may request specific items be removed from the Consent Calendar for separate discussion or action. Speaker slips for this category must be presented to the City Clerk at the start of the meeting. Speakers are limited to 3 minutes.

- (1) Approval of reading by title only and waiver of reading in full of Ordinances and Resolutions on the agenda.**
- (2) Approval of Meeting Minutes of the Santee City Council for the June 12, 2019 Regular Meeting. (City Clerk – Ortiz)**
- (3) Approval of Payment of Demands as presented. (Finance – McDermott)**

The City Council also sits as the Community Development Commission Successor Agency and the Santee Public Financing Authority. Any actions taken by these agencies are separate from the actions taken by City Council.

For questions regarding this agenda, please contact the City Clerk’s Office at (619) 258-4100 x114

- (4) Approval of the expenditure of \$81,247.10 for May 2019 Legal Services and Related Costs. (Finance – McDermott)
- (5) Adoption of a Resolution establishing the appropriations limit for Fiscal Year 2019-20. (Finance – McDermott)
- (6) Adoption of a Resolution authorizing the City Manager to execute an Agreement with A.M. Ortega, Inc., in the amount of \$23,642.00 for the installation of an electric vehicle charging station at Mast Park, authorizing the City Manager to execute an Operations and Maintenance Agreement with ChargePoint and determining a categorical exemption pursuant to Section 15301(a) of the California Environmental Quality Act. (Development Services – Kush)
- (7) Adoption of a Resolution awarding the construction contract for the City Hall Accessibility Upgrades Project (CIP 2018-39) to Tri-Group Construction and Development Inc., for a total amount of \$398,150.00 and determining a categorical exemption pursuant to Section 15301(d) and 15304(a) of the California Environmental Quality Act. (Development Services – Kush)
- (8) Adoption of a Resolution awarding the construction contract for the Citywide Pavement Repair and Rehabilitation Program 2019 Project (CIP 2019-01) to SRM Construction and Paving for a total amount of \$337,860.00 and determining a categorical exemption to Section 15301(c) of the California Environmental Quality Act. (Development Services – Kush)
- (9) Adoption of a Resolution awarding the construction contract for the Citywide Slurry Seal and Roadway Maintenance Program 2019 Project (CIP 2019-02) to SRM Contracting and Paving for a total of \$1,096,317.40 and determining a categorical exemption pursuant to Section 15301(c) of the California Environmental Quality Act. (Development Services – Kush)
- (10) Rejection of all Bids for electrical repairs and related repair services per Bid#19/20-20039. (Community Services – Maertz)
- (11) Rejection of low Bid and award of contract for Integrated Pest Management Services (RFB #19/20-20040) to Agricultural Pest Control Services Incorporated for an amount not to exceed \$21,330.00. (Community Services – Maertz)

PUBLIC HEARING:

- (12) Public Hearing on a Resolution approving the staff report and authorizing a special assessment on certain parcels of land that received Administrative Citations for Municipal Code violations and/or Administrative Fees for which costs have not been paid by the owners(s) of record of said parcels. (Development Services – Kush)**

Recommendation:

1. Conduct and close the Public Hearing; and
2. Adopt Resolution authorizing special assessments.

- (13) Public Hearing on a Resolution establishing a Special Assessment on certain parcels of land that were subject to involuntary weed abatement and/or administrative fees by the City and for which costs have not been paid by the owner(s) of record of said parcels. (Development Services – Kush)**

Recommendation:

1. Conduct and close Public Hearing; and
2. Approve the cost report and account of unpaid weed abatement invoices (Exhibit A); and
3. Adopt Resolution confirming report, and ordering abatement costs to be a special assessment on the properties reference din the report and as shown on the attached itemized list of properties.

CONTINUED BUSINESS:

- (14) Resolution approving the Five-Year Capital Improvement Program and adopting the Capital Improvement Program Budget for Fiscal Years 2019-20 and 2020-21. (Finance – McDermott)**

Recommendation:

Adopt the attached Resolution approving the Five-Year Capital Improvement Program and adopting the Capital Improvement Program Budget for Fiscal Years 2019-20 and 2020-21.

- (15) Resolutions approving and adopting the Operating Budget for Fiscal Year 2019-20, approving the Santee Firefighters’ Association Memorandum of Understanding, establishing cost-sharing pursuant to Government Code Section 20516(f) for unrepresented employees, and for employer pick-up of employee contributions towards employer pension costs. (Finance – McDermott)**

Recommendation:

Adopt the resolutions (4).

- (16) **Adopt 13 Ordinances restating, amending and recodifying all Titles of the Santee Municipal Code; Adopt Resolution establishing City of Santee Municipal Code editorial Guidelines; Adopt Resolution setting parking violation penalties. (City Attorney – Hagerty)**

Recommendation:

1. Adopt Ordinances 554 through 566; and
2. Adopt Resolution establishing City of Santee Municipal Code Editorial Guidelines; and
3. Adopt Resolution establishing parking violation penalties

- (17) **Adopt Ordinance adding Section 7.30.030 to the Santee Municipal Code relating to smoking in public parks. (City Attorney – Hagerty)**

Recommendation:

Adopt Ordinance No. 567

NEW BUSINESS:

- (18) **Recommendation from the Salary Setting Advisory Committee regarding compensation for the Mayor and City Council. (City Manager – Best)**

Recommendation:

Receive recommendation and provide direction to staff.

NON-AGENDA PUBLIC COMMENT:

Each person wishing to address the City Council regarding items not on the posted agenda may do so at this time. In accordance with State law, Council may not take action on an item not scheduled on the Agenda. If appropriate, the item will be referred to the City Manager or placed on a future agenda.

CITY COUNCIL REPORTS:

- (19) **Selection of voting representative and alternate for the League of California Cities' Annual Conference. (City Clerk – Ortiz)**

Recommendation:

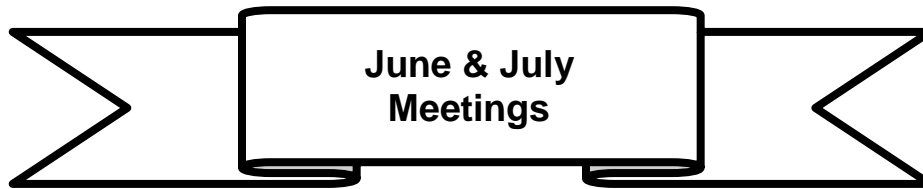
Select a voting representative and alternate to attend the Annual Business Meeting and direct the City Clerk to complete and forward the Voting Delegate/Alternate form to the League of California Cities.

CITY MANAGER REPORTS:

CITY ATTORNEY REPORTS:

CLOSED SESSION:

ADJOURNMENT:



Jun	06	SPARC	Civic Center Building 8A
Jun	10	Community Oriented Policing Committee	Council Chamber
Jun	12	Council Meeting	Council Chamber
Jun	26	Council Meeting	Council Chamber
Jul	04	SPARC Meeting Cancelled	Civic Center Building 8A
Jul	08	Community Oriented Policing Committee	Council Chamber
Jul	10	Council Meeting Cancelled	Council Chamber
Jul	24	Council Meeting	Council Chamber

The Santee City Council welcomes you and encourages your continued interest and involvement in the City’s decision-making process.


For your convenience, a complete Agenda Packet is available for public review at City Hall and on the City’s website at www.CityofSanteeCA.gov.

The City of Santee complies with the Americans with Disabilities Act. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 12132 of the American with Disabilities Act of 1990 (42 USC § 12132). Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk’s Office at (619) 258-4100, ext. 112 at least 48 hours before the meeting, if possible.

AFFIDAVIT OF POSTING AGENDA

State of California } County of San Diego } ss. City of Santee }	
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I, Annette Ortiz, City Clerk of the City of Santee, hereby declare, under penalty of perjury, that a copy of this Agenda was posted in accordance with the Brown Act and Santee Resolution 61-2003 on June 21, 2019, at 4:00 p.m.



 Signature

06/21/19

 Date

City of Santee
COUNCIL AGENDA STATEMENT

Proc

MEETING DATE June 26, 2019

AGENDA ITEM NO.

ITEM TITLE **PROCLAIMING JULY AS PARKS MAKE LIFE BETTER MONTH AND JULY 10, 2019 AS GO PLAY! GET FIT! DAY, PRESENTATION OF FUNDRAISING PROCEEDS TO THE CITY COUNCIL BY THE SANTEE PARK AND RECREATION COMMITTEE**

DIRECTOR/DEPARTMENT John W. Minto, Mayor

SUMMARY

July is nationally recognized as Parks Make Life Better Month and is the time to celebrate the variety of opportunities offered by the Community Services Department that can be enjoyed by youth, adults, seniors, and families.

On July 10, 2019, the Santee Recreation Division summer day camp program will participate in a county-wide "Go Play! Get Fit! Day" which emphasizes the importance of healthy eating, physical activity and fun.

As we celebrate July as Parks Make Life Better Month and "Go Play! Get Fit! Day" citizens of Santee are reminded that Parks and Recreation enriches the lives of residents and visitors, as well as adding value to the community's homes and neighborhoods.

Ken Fox, Chair of the Santee Park and Recreation Committee (SPARC), will accept the proclamation and present a check to the City Council in the amount of \$45,901 which reflects the Committee's fundraising activities from July 2018 through June 2019, including proceeds from the annual Santee Bluegrass Festival held each year in September.

In FY 2018/19, SPARC's fundraising proceeds helped provide:

- \$10,000 in continued financial support for the Santee Teen Center operations
- \$1,000 towards the Santee Teen Center AED
- \$4,450 towards Senior Recreation Programs, trips, luncheon and activities
- \$5,500 Youth and Senior Recreation financial assistance program
- \$4,200 Special Events and Park improvements

SPARC has been fundraising on behalf of the City's recreation programs since FY 1995/96. The Committee's total contribution is now **\$449,452**.

FINANCIAL STATEMENT *fm*

Fund raising proceeds are deposited into the Recreation Revolving Fund.

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MDSB*
Present the proclamation.

ATTACHMENTS (Listed Below)

Proclamation.

City of Santee, California Proclamation

WHEREAS, Parks and Recreation makes lives and communities better by offering places, spaces and programs that foster human development, the arts, and lifelong learning for toddlers to seniors and provides positive alternatives for youth during non-school hours that reduce crime; and

WHEREAS, Parks and Recreation strengthens community image and sense of place, increases cultural unity, facilitates social connections and community problem solving, strengthens safety and security, adds value to homes and neighborhoods and contributes to the economic prosperity of our city; and

WHEREAS, Parks and Recreation preserves and protects our natural resources, provides low cost, close-to-home access to outdoor spaces and programs to play and exercise, and makes it easy to stay active - reducing health care costs; and

WHEREAS, the Santee Recreation Division summer day camp program will participate in the county-wide "Go Play! Get Fit!" day on July 10, 2019 to educate children on the importance of living a healthful lifestyle that includes physical activity.

NOW, THEREFORE, I, John W. Minto, Mayor of the City of Santee on behalf of the City Council, do hereby set aside July 2019 as

PARKS MAKE LIFE BETTER MONTH

and hereby proclaim July 10, 2019 as

GO PLAY! GET FIT! DAY

in the City of Santee and urge residents to enjoy and recognize the many community benefits derived from the services, facilities, and programs provided by the Community Services Department that offers something of value to everyone.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-seventh day of June, two thousand eighteen, and have caused the Official Seal of the City of Santee to be affixed.



Mayor John W. Minto

City of Santee
COUNCIL AGENDA STATEMENT

Pres

MEETING DATE June 26, 2019

AGENDA ITEM NO.

ITEM TITLE SANDAG PRESENTATION: SAN DIEGO FORWARD: 2021 REGIONAL PLAN

DIRECTOR/DEPARTMENT John W. Minto, Mayor

SUMMARY

A Bold New Vision in 5 Big Moves. SANDAG Executive Director Hasan Ikhata will discuss the bold new vision being developed for San Diego Forward: The 2021 Regional Plan. This vision for the future of our region's transportation system will be delivered through 5 Big Moves - key strategies that will enhance connectivity, increase safety and sustainability, and improve quality of life. The 5 Big Moves outline a path forward that builds upon existing infrastructure, with Complete Corridors, Flexible Fleets, Transit Leap, Mobility Hubs, the Next Operating System (Next OS) aiming to provide travelers with transportation choices that are competitive with the car for every trip in the region.

ENVIROMENTAL REVIEW N/A

FINANCIAL STATEMENT N/A

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MOB* Hear presentation.

ATTACHMENTS

None.

City of Santee
COUNCIL AGENDA STATEMENT

Item 1

MEETING DATE June 26, 2019

AGENDA ITEM NO.

ITEM TITLE **APPROVAL OF READING BY TITLE ONLY AND WAIVER OF READING
IN FULL OF ORDINANCES AND RESOLUTIONS ON THE AGENDA.**

DIRECTOR/DEPARTMENT Annette Ortiz, MBA, CMC, City Clerk 

SUMMARY

This item allows the City Council to approve Ordinances and Resolutions on the Consent Calendar without reading the item in full. Upon approval of this item, all Resolutions included in the motion shall be approved. Resolutions removed from the Consent Calendar and considered under separate action may also be approved without reading of the full text.

FINANCIAL STATEMENT

N/A

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION

It is recommended that the Council waive the reading of all Ordinances and Resolutions in their entirety and read by title only.

ATTACHMENTS

None

**City of Santee
COUNCIL AGENDA STATEMENT**

Item 2

MEETING DATE June 26, 2019

AGENDA ITEM NO.

ITEM TITLE **APPROVAL OF MEETING MINUTES OF THE SANTEE CITY COUNCIL
FOR THE JUNE 12, 2019 REGULAR MEETING.**

DIRECTOR/DEPARTMENT Annette Ortiz, MBA, CMC, City Clerk 

SUMMARY

Submitted for your consideration and approval are the minutes of the above meeting.

FINANCIAL STATEMENT N/A

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION

Approve Minutes as presented.

ATTACHMENT

June 12, 2019 Regular Meeting Minutes

**Minutes
Santee City Council
Council Chamber – Building 2
10601 Magnolia Avenue
Santee, California
June 12, 2019**

DRAFT

This Regular Meeting of the Santee City Council was called to order by Mayor John W. Minto at 7:02 p.m.

ROLL CALL: Present: Mayor John W. Minto, Vice Mayor Stephen Houlahan and Council Members Ronn Hall, Laura Koval and Rob McNelis – 5.

Officers present: City Manager Marlene Best, City Attorney Shawn Hagerty and City Clerk Annette Ortiz.

The **INVOCATION** was given by Pastor Phil Herrington of Pathways Community Church and the **PLEDGE OF ALLEGIANCE** was led by Jack Blackwell of Boy Scout Troop 11.

PROCLAMATION: 75th Anniversary San Diego County Water Authority

Council Member Hall presented the Proclamation.

ADJOURNMENT IN MEMORY: Shari Murao

Council Member Hall presented the Adjournment in Memory to Shari's husband Sam Murao who made brief comments about his wife.

CONSENT CALENDAR:

- (1) **Approval of reading by title only and waiver of reading in full of Ordinances and Resolutions on the agenda.**
- (2) **Approval of Meeting Minutes of the Santee City Council for the May 22, 2019 Regular Meeting. (City Clerk – Ortiz)**
- (3) **Approval of Payment of Demands as presented. (Finance – McDermott)**
- (4) **Authorization for the City Manager to execute a Professional Services Agreement in an amount not to exceed \$17,000.00 with Quality Code Publishing to research, edit, codify and publish the City of Santee Municipal Code. (City Clerk – Ortiz)**
- (5) **Adoption of a Resolution restricting parking of vehicles over seven feet in height between the hours of 12:00 a.m. and 6:00 a.m. on Prospect Avenue and Argent Street/Pathway Street between Cuyamaca Street and Magnolia Avenue. (Development Services – Kush) (Reso 047-2019)**
- (6) **Adoption of a Resolution accepting the Public Improvements for the**

Pryor Glen Subdivision (TM 2006-01) as complete and directing the City Clerk to release 90 percent of the Faithful Performance bond and retain 10 percent for 12 months as a warranty bond, and retain the labor and material bond for six months – location: 9437 Pryor Drive. (Development Services – Kush) (Reso 048-2019)

- (7) Adoption of a Resolution authorizing the submittal of a Grant Application to the Federal BUILD (Better Utilizing Investments to Leverage Development) Grant Program for State Route 52 (SR 52) Improvements. (Development Services – Kush) (Reso 049-2019)**
- (8) Adoption of a Resolution authorizing the City Manager to enter into a purchase and sale agreement with the County of San Diego for acquisition of a 0.55-acre undeveloped property located on Riverview Parkway in Town Center identified as Parcel A of Parcel Map 20177, and appropriating Park in Lieu fees in an amount not to exceed \$10,000.00 (APN 381-050-71-00). (Development Services – Kush) (Reso 050-2019)**
- (9) Approval of a 90-Day Extension of the contract with Benchmark Landscape Services Incorporated for landscape maintenance services for Area 2 (medians and rights-of-way) in an amount not to exceed \$47,519.28. (Community Services – Maertz)**
- (10) Approval of a 90-Day Extension of the contract with Benchmark Landscape Services Incorporated for landscape maintenance services for Area 3 (landscape maintenance districts) in an amount not to exceed \$38,865.77. (Community Services – Maertz)**
- (11) Approval of a Transportation Services Agreement between the Santee School District and the City of Santee for Fiscal Year 2019-20, authorization for the City Manager to execute said agreement and approve three (3) additional 12-month options to renew. (Community Services – Maertz)**

ACTION: Vice Mayor Houlahan moved approval of the Consent Calendar.

Council Member Hall seconded the motion, which carried by the following vote: Ayes: Mayor Minto, Vice Mayor Houlahan and Council Members Hall, Koval and McNelis – 5.

PUBLIC HEARING:

- (12) Public Hearings on Ordinance Numbers 564 and 566 amending, restating, and recodifying portions of Title 15 – Buildings and Construction and Title 17 – Zoning of the Santee Municipal Code. (City Attorney – Hagerty) (Ord 564 and 566)**

The Public Hearing opened at 7:13 p.m. The City Attorney provided the staff report.

ACTION: Council Member McNelis moved approval of staff's recommendation.

Vice Mayor Houlahan seconded the motion, which carried by the following vote: Ayes: Mayor Minto, Vice Mayor Houlahan and Council Members Hall, Koval and McNelis – 5.

The Public Hearing was closed at 7:15 p.m.

CONTINUED BUSINESS:

(13) Continued review and discussion of the Proposed Five-Year Capital Improvement Program for Fiscal Years 2020-2024. (City Manager/Finance – Best/McDermott)

The Finance Manager provided the staff report and individual Department Heads discussed specific projects for their departments. Staff members responded to Council questions.

Council Member Koval stated that she would like to see the Library connected to the future community center; she also liked seeing that a permitting and land management system is a priority; she also requested making underground powerlines a priority.

Vice Mayor Houlahan thanked staff for moving the trail system behind Wal-Mart a priority; he requested that road repair and maintenance remain a high priority; he requested that the SDG&E poles on Mast be removed. Other priorities he mentioned were: West Hill/Mast intersection improvements, smart signals, Woodside roundabout improvements, Council Chamber upgrades and a new library.

Council Member Hall stated that the Council Chamber upgrades and battery and EV Charging stations for vehicles should remain a high priority.

Council Member McNelis stated that the Library should remain a priority but there is no funding for it at this time; he also requested that smart signals be a priority and staff stay on top of the research.

NEW BUSINESS:

(14) Presentation of the Proposed Operating Budget for Fiscal Year 2019-20. (Finance – McDermott)

The City Manager introduced the item and each Department Head presented a portion of the staff report. Staff responded to Council questions.

Council Member Koval provided comments on the following topics: Agenda and document management software, library, building permit software, potential park revenue sources, auxiliary emergency operations center and fleet operations; she also requested that staff provide comments on what areas of the budget they are having frustrations in; she complimented staff for utilizing partnerships with other agencies; she also requested

seeing the results from surveys conducted by Community Services and how the results affect operations.

Vice Mayor Houlahan thanked staff for their continued hard work and for taking cuts in retirement benefits; he also commented on the future deficit projections.

Council Member McNelis commented on the potential for future deficit spending; he focused on how sales tax is distributed and stated the City needs to continue to grow; he also inquired about the cause of the decrease in building permit submittals.

NON-AGENDA PUBLIC COMMENT:

- (A) Theresa Carpenter, provided hand out to Council, urged the Council to consider an Ordinance prohibiting the sale of animals from puppy mills.
- (B) Dee Swanson urged Council to make Santee parks 100% smoking free.

CITY COUNCIL REPORTS:

Vice Mayor Houlahan spoke about the Goodan Ranch Advisory Committee meeting he attended and the work the committee is focused on; he also commented on presenting a proclamation at the Santee School District meeting for the academic achievement award winner; he attended the Cuyamaca College Commencement Ceremony and Fido Fest.

Council Member McNelis welcomed back Pam White, Economic Development Manager.

Council Member Koval stated she attended the Chamber's Morning Buzz mixer; she worked on the Santee School District's graduate profile for the elementary schools; she attended the Kiwanis Jr. Olympics, the Santee Street fair and an event at MCAS Miramar with Council Member Hall and other community members.

Mayor Minto reported that he would be attending the League of California Cities Executive Forum in Newport Beach; he also commented on current events at SANDAG.

Council Member Hall encouraged citizens to attend the Elevate San Diego MTS Bond Issue meeting at El Cajon Library and to participate in the discussion.

CITY MANAGER REPORTS:

The City Manager welcomed back the Economic Development Manager; thanked staff for their work at Fido Fest; reminded everyone of the Santee Summer Concerts starting June 13th; she also noted that a Highway 52 Coalition meeting would be coming in the near future.

CITY ATTORNEY REPORTS:

The City Attorney reported about the meeting for the Regional Water Quality Control Board that was attended by staff.

CLOSED SESSION:

Council Members recessed at 9:42 p.m. and convened in Closed Session at 9:51 p.m.

(15) CONFERENCE WITH LABOR NEGOTIATORS

(Government Code Section 54957.6)

City Designated Representative: City Manager

Employee Organization: Santee Firefighters Association

(16) CONFERENCE WITH LABOR NEGOTIATORS

(Government Code Section 54957.6)

City Designated Representative: City Manager

Unrepresented employees: All unrepresented employees other than the City Manager

Council Members reconvened in Open Session at 10:28 p.m. with all members present. Mayor Minto reported that for Item 15 direction was given to staff and for Item 16, direction was given to staff.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 10:29 p.m. in memory of Shari Murao.

Date Approved:

Annette Ortiz, MBA, CMC, City Clerk

City of Santee
COUNCIL AGENDA STATEMENT

Item 3

MEETING DATE June 26, 2019

AGENDA ITEM NO.

ITEM TITLE PAYMENT OF DEMANDS

DIRECTOR/DEPARTMENT Tim K. McDermott, Finance *tm*

SUMMARY

A listing of checks that have been disbursed since the last Council meeting is submitted herewith for approval by the City Council.

FINANCIAL STATEMENT *tm*

Adequate budgeted funds are available for the payment of demands per the attached listing.

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MSB*

Approval of the payment of demands as presented.

ATTACHMENTS (Listed Below)

- 1) Summary of Payments Issued
- 2) Voucher Lists

Payment of Demands
Summary of Payments Issued

<u>Date</u>	<u>Description</u>	<u>Amount</u>
06/05/2019	Accounts Payable	\$ 472,941.28
06/06/2019	Payroll	350,611.10
06/06/2019	Accounts Payable	222,772.47
06/10/2019	Accounts Payable	98,822.12
06/11/2019	Accounts Payable	98,939.37
06/12/2019	Accounts Payable	<u>110,098.17</u>
	TOTAL	<u>\$1,354,184.51</u>

I hereby certify to the best of my knowledge and belief that the foregoing demands listing is correct, just, conforms to the approved budget, and funds are available to pay said demands.



Tim K. McDermott, Director of Finance

Voucher List
CITY OF SANTEE

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
121538	6/5/2019	12150 ACCURATE AIR ENGINEERING	05/23/2019		ALARM PERMIT DUPLICATE PMT	13.00
					Total :	13.00
121539	6/5/2019	13357 AIRMAXX INC	05212019		OVERPAYMENT - PERMIT FEES	20.00
					Total :	20.00
121540	6/5/2019	13348 ANDRADE-HEYMSFIELD, EVLYN	05302019B		CANDIDATE STATMENT REFUND	214.00
					Total :	214.00
121541	6/5/2019	10021 BOUND TREE MEDICAL LLC	83208226	52163	EMS SUPPLIES	625.74
			83208228	52163	EMS SUPPLIES	405.26
			83209664	52163	EMS SUPPLIES	21.01
			83209665	52163	EMS SUPPLIES	166.47
					Total :	1,218.48
121542	6/5/2019	13341 CALIBER SOURCE LLC	Ref000056671		CORRECTED LICENSE TYPE REFU	39.00
					Total :	39.00
121543	6/5/2019	10032 CINTAS CORPORATION #694	4021892127	52207	UNIFORM/PARTS CLEANER RNTL	79.65
					Total :	79.65
121544	6/5/2019	12789 COUNTY OF SAN DIEGO	381-051-17		GENERAL SPECIAL EVENTS	500.00
					Total :	500.00
121545	6/5/2019	10333 COX COMMUNICATIONS	112256001		9130 CARLTON OAKS DR	87.68
					Total :	87.68
121546	6/5/2019	10608 CRISIS HOUSE	388	52368	CDBG SUBRECIPIENT	457.41
					Total :	457.41
121547	6/5/2019	10142 CSA SAN DIEGO COUNTY	554	52369	CDBG SUBRECIPIENT	919.58
					Total :	919.58
121548	6/5/2019	10595 CUTTER'S EDGE INDUSTRIES INC	050919-9	52217	EQUIPMENT MAINTENANCE	121.57
					Total :	121.57
121549	6/5/2019	10368 FIREWORKS & STAGE FX AMERICA	19277	52531	2019 FIREWORKS	11,750.00

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
121549	6/5/2019	10368 10368 FIREWORKS & STAGE FX AMERICA (Continued)				Total : 11,750.00
121550	6/5/2019	11822 FORMS AND SURFACES INC	D138492-00	52525 52525	LITTER RECEPTACLES	9,561.20
						Total : 9,561.20
121551	6/5/2019	13355 FRALEY, LINDA	23550		PARKING CITATION REFUND	10.00
						Total : 10.00
121552	6/5/2019	13349 GIANINO, ZACK	05302019E		CANDIDATE STATEMENT REFUND	189.00
						Total : 189.00
121553	6/5/2019	11875 HALL, RONN	05302019C		CANDIDATE STATEMENT REFUND	93.00
						Total : 93.00
121554	6/5/2019	10490 HARRIS & ASSOCIATES INC	41237	51326	FANITA RANCH EIR	29,846.47
						Total : 29,846.47
121555	6/5/2019	11102 INSIDE PROSPECTS INC	SD19-4515		SUBSCRIPTION	1,550.00
						Total : 1,550.00
121556	6/5/2019	13356 J&S ASPHALT PAVING SEALING & S	Ref000056764		APPLICATION REFUND	85.00
						Total : 85.00
121557	6/5/2019	13342 JEFFREY GRAY	Ref000056672		CORRECT LICENSE TYPE REFUND	39.00
						Total : 39.00
121558	6/5/2019	13258 K.C. EQUIPMENT, INC	CIP 2018-12		RETENTION RELEASE	1,677.20
						Total : 1,677.20
121559	6/5/2019	11009 KNN PUBLIC FINANCE	1916		CDCSA CONT DISCLOSURE FILING	500.00
						Total : 500.00
121560	6/5/2019	13223 KOVAL, LAURA	05302019D		CANDIDATE STATEMENT REFUND	189.00
						Total : 189.00
121561	6/5/2019	11034 KRUK, JAMES M	697-1		SANTEE SUMMER CONCERTS	1,000.00
						Total : 1,000.00

Bank code : ubgen

<u>Voucher</u>	<u>Date</u>	<u>Vendor</u>	<u>Invoice</u>	<u>PO #</u>	<u>Description/Account</u>	<u>Amount</u>
121562	6/5/2019	12948 KTU&A	31046	52070	SITE & ECONOMIC ANAYLSIS	1,600.00
					Total :	1,600.00
121563	6/5/2019	12718 LSA ASSOCIATES INC	165661	51879	SUSTAINABILITY PROJECT	805.00
					Total :	805.00
121564	6/5/2019	13350 MARROKAL, LYNDA	05302019F		CANDIDATE STATEMENT REFUND	189.00
					Total :	189.00
121565	6/5/2019	11839 MCNELIS, ROBERT	05302019A		CANDIDATE STATEMENT REFUND	214.00
					Total :	214.00
121566	6/5/2019	10079 MEDICO PROFESSIONAL	20025023 20025024	52188 52188	MEDICAL LINEN SERVICE MEDICAL LINEN SERVICE	20.02 8.16
					Total :	28.18
121567	6/5/2019	12451 MOBILE GRAPHICS & DESIGN	2019501	52234	BANNERS	855.00
					Total :	855.00
121568	6/5/2019	13330 THE BURDETTE AGENCY INC	INV-4708	52528	BRANDING SERVICES	13,300.00
					Total :	13,300.00
121569	6/5/2019	10308 O'REILLY AUTO PARTS	2968-276498	52148	VEHICLE SUPPLIES	6.45
					Total :	6.45
121570	6/5/2019	12904 PAT DAVIS DESIGN GROUP, INC	5953	52236	GRAPHIC DESIGN WORK	3,600.00
					Total :	3,600.00
121571	6/5/2019	12062 PURETEC INDUSTRIAL WATER	1718112	52270	DEIONIZED WATER SERVICE	94.50
					Total :	94.50
121572	6/5/2019	13171 SC COMMERCIAL, LLC	CL16962	52412	FLEET CARD FUELING	1,886.91
					Total :	1,886.91
121573	6/5/2019	13206 SHARP BUSINESS SYSTEMS	9001931205	52429	COPIER RENTAL	309.21
					Total :	309.21
121574	6/5/2019	11122 SOUTHWEST PIPELINE AND	927-5	52225	CITYWIDE CMP LINING/REHAB	398,386.50

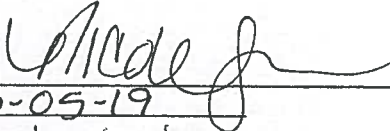
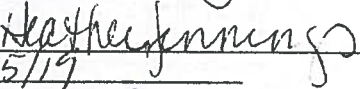
Voucher List
CITY OF SANTEE

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
121574	6/5/2019	11122 SOUTHWEST PIPELINE AND	(Continued) 927-5R		RETENTION	-19,919.33
					Total :	378,467.17
121575	6/5/2019	10217 STAPLES ADVANTAGE	3413447202 3413447203 3413527764	52238 52238 52238	OFFICE SUPPLIES OFFICE SUPPLIES OFFICE SUPPLIES	945.70 17.11 215.48
					Total :	1,178.29
121576	6/5/2019	10119 STEVEN SMITH LANDSCAPE INC	41257 41291 41295	52198 52198 52198	A1 LANDSCAPE SERVICES A 1 LANDSCAPE SERVICES A1 LANDSCAPE SERVICES	1,356.05 2,080.00 225.00
					Total :	3,661.05
121577	6/5/2019	10250 THE EAST COUNTY	00080825 00081544 00081631	52252	PUBLIC NOTICE NOTICE OF HEARING RFB ADVERTISING	98.00 161.00 199.50
					Total :	458.50
121578	6/5/2019	13332 THE HAY GUY	SANTEE		FIDO FEST	237.05
					Total :	237.05
121579	6/5/2019	10692 UNITED PARCEL SERVICE	000006150X199		SHIPPING CHARGES	11.55
					Total :	11.55
121580	6/5/2019	12480 UNITED SITE SERVICES	114-8236029 114-8366333 114-8368492	52199 52199 52199	PORTABLE TOILETS PORTABLE TOILETS PORTABLE TOILETS	211.72 1,133.74 211.72
					Total :	1,557.18
121581	6/5/2019	13304 VM3 ENVIRONMENTAL, INC	10835	52514	ASBESTOS SURVEY/ANALYSIS-FS/	4,322.00
					Total :	4,322.00
44 Vouchers for bank code : ubgen						Bank total : 472,941.28
44 Vouchers in this report						Total vouchers : 472,941.28


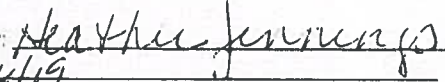
Bank code : ubgen

<u>Voucher</u>	<u>Date</u>	<u>Vendor</u>	<u>Invoice</u>	<u>PO #</u>	<u>Description/Account</u>	<u>Amount</u>
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Prepared by: 
Date: 06-05-19
Approved by: 
Date: 6/5/19


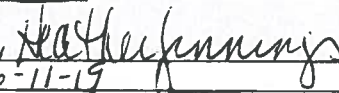
Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
121582	6/6/2019	10334 CHLIC	2480344		HEALTH/DENTAL INSURANCE	185,338.54
					Total :	185,338.54
121583	6/6/2019	10844 FRANCHISE TAX BOARD	PPE 05/29/19		WITHHOLDING ORDER	25.00
					Total :	25.00
121584	6/6/2019	10785 RELIANCE STANDARD LIFE	June 2019		VOLUNTARY LIFE INSURANCE	645.98
					Total :	645.98
121585	6/6/2019	10424 SANTEE FIREFIGHTERS	PPE 05/29/19		DUES/PEC/BENEVOLENT/BC EXP	2,452.77
					Total :	2,452.77
121586	6/6/2019	10776 STATE OF CALIFORNIA	PPE 05/29/19		WITHHOLDING ORDER	308.30
					Total :	308.30
121587	6/6/2019	10001 US BANK	PPE 05/29/19		PARS RETIREMENT	891.78
					Total :	891.78
121588	6/6/2019	10959 VANTAGE TRANSFER AGENT/457	PPE 05/29/19		ICMA - 457	29,477.18
					Total :	29,477.18
121589	6/6/2019	10782 VANTAGEPOINT TRNSFR AGT/801801	PPE 05/29/19		RETIREMENT HSA	3,632.92
					Total :	3,632.92
8 Vouchers for bank code : ubgen						Bank total : 222,772.47
8 Vouchers in this report						Total vouchers : 222,772.47

Prepared by: 
Date: 6-6-19
Approved by: 
Date: 6/6/19

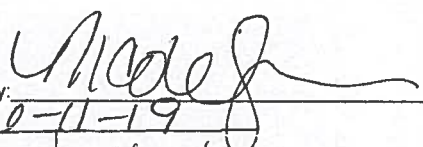
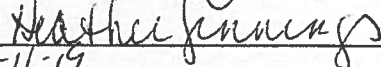
Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
53726	6/10/2019	10955 DEPARTMENT OF THE TREASURY	June Retirees PPE 05/29/19		FEDERAL WITHHOLDING TAX FED WITHHOLD & MEDICARE	75.00 73,585.00
					Total :	73,660.00
53793	6/10/2019	10956 FRANCHISE TAX BOARD	PPE 05/29/19		CA STATE TAX WITHHELD	25,162.12
					Total :	25,162.12
2 Vouchers for bank code : ubgen					Bank total :	98,822.12
2 Vouchers in this report					Total vouchers :	98,822.12

Prepared by: 
Date: 6-11-19
Approved by: 
Date: 6-11-19

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount	
5195	6/11/2019	10353 PERS	05 19 5		RETIREMENT PAYMENT	98,939.37	
						Total :	98,939.37
1 Vouchers for bank code : ubgen						Bank total :	98,939.37
1 Vouchers in this report						Total vouchers :	98,939.37

Prepared by: 
Date: 6-11-19
Approved by: 
Date: 6-11-19

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
121590	6/12/2019	11028 ADAME, EDDIE	05182019		PARAMEDIC LICENSE RENEWAL	200.00
					Total :	200.00
121591	6/12/2019	10633 ALL STAR GLASS INC	WEC005269	52155	VEHICLE REPAIR	99.00
					Total :	99.00
121592	6/12/2019	10010 ALLIANT INSURANCE SERVICES INC	1093303		FIDO FEST	1,761.00
					Total :	1,761.00
121593	6/12/2019	10208 ANTHEM BLUE CROSS	77478		EMPLOYEE ASSISTANCE PROGRAM	268.62
					Total :	268.62
121594	6/12/2019	10412 AT&T	000004807075		TELEPHONE	792.64
					Total :	792.64
121595	6/12/2019	13168 AV POLES AND LIGHTING	4606	52451	WALKWAY LIGHT POLES	2,423.15
					Total :	2,423.15
121596	6/12/2019	10021 BOUND TREE MEDICAL LLC	70276391	52163	CR- EMS SUPPLIES RETURNED	-1,280.07
			83200654	52163	EMS SUPPLIES	335.90
			83206676	52163	EMS SUPPLIES	125.26
			83208225	52163	EMS SUPPLIES	597.03
			83208227	52163	EMS SUPPLIES	109.26
			83215373	52163	EMS SUPPLIES	75.34
			83215374	52163	EMS SUPPLIES	37.38
			83216971	52163	EMS SUPPLIES	672.66
			83216972	52163	EMS SUPPLIES	70.58
			83218363	52163	EMS SUPPLIES	69.69
					Total :	813.03
121597	6/12/2019	10031 CDW GOVERNMENT LLC	SGN6061	52405	COMPUTER ROOM MAINTENANCE	390.90
			SGX3911	52405	COMPUTER ROOM MAINTENANCE	43.84
			SHH8019	52405	COMPUTER ROOM MAINTENANCE	49.04
			SHP1394	52522	SOFTWARE UPGRADE	11,190.38
			SHR3371	52405	EQUIPMENT MAINTENANCE	47.35
			SJB7472	52405	EQUIPMENT MAINTENANCE	9.01

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
121597	6/12/2019	10031 10031 CDW GOVERNMENT LLC	(Continued)			Total : 11,730.52
121598	6/12/2019	10223 CHRISTIAN WHEELER ENGINEERING	47778	52515	GEOTECHNICAL REVIEW	840.00
						Total : 840.00
121599	6/12/2019	10032 CINTAS CORPORATION #694	4022342188 4022437662	52207 52207	UNIFORM/PARTS CLEANER RNTL STATION SUPPLIES	58.98 50.95
						Total : 109.93
121600	6/12/2019	10037 COPY CORRAL INC	48992		MARKETING MATERIALS	118.53
						Total : 118.53
121601	6/12/2019	10039 COUNTY MOTOR PARTS COMPANY INC	440114 440275 442290	52133 52133 52133	VEHICLE SUPPLIES VEHICLE REPAIR PARTS VEHICLE REPAIR PARTS	227.33 243.53 51.07
						Total : 521.93
121602	6/12/2019	10171 COUNTY OF SAN DIEGO AUDITOR &	03/2019 AGENCY REV 03/2019 DMV REVENUE 03/2019 PHOENIX REV		03/19 AGENCY PARK CITE REPT 03/19 DMV PARK CITE REPT 03/19 PHOENIX CITE REV REPT	548.50 525.00 1,927.00
						Total : 3,000.50
121603	6/12/2019	12049 COUNTY OF SAN DIEGO	37-0432		CONTINUING ED PROVIDER FEE	1,135.00
						Total : 1,135.00
121604	6/12/2019	10333 COX COMMUNICATIONS	038997401 094486701		10601 N MAGNOLIA AVE CITY HALL GROUP BILL	103.85 2,846.95
						Total : 2,950.80
121605	6/12/2019	13129 DAVID TURCH AND ASSOCIATES	1-30 1-31	52341 52341	HIGHWAY 52 COALITION HIGHWAY 52 COALITION	5,000.00 5,000.00
						Total : 10,000.00
121606	6/12/2019	12356 DAVIS FARR LLP	5701	52536	FY 2018-19 AUDIT SERVICES	6,000.00
						Total : 6,000.00
121607	6/12/2019	12438 DIESEL PRINT CO, LLC	1960 1961	52208 52208	FIDO FEST SANTEE SUMMER CONCERTS	480.55 238.12

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
121607	6/12/2019	12438 DIESEL PRINT CO, LLC	(Continued) 1962	52208	SANTEE SALUTES	480.83
					Total :	1,199.50
121608	6/12/2019	11295 DOKKEN ENGINEERING	34895	52440	WOODSIDE ROUNDABOUT	29,360.92
					Total :	29,360.92
121609	6/12/2019	10703 EAST COUNTY FAMILY YMCA	06302019 YMCA	52370	CDBG SUBRECIPIENT	2,190.00
					Total :	2,190.00
121610	6/12/2019	13252 GEI WORKS	518822	52486	CONTAINMENT BOOM	3,611.63
					Total :	3,611.63
121611	6/12/2019	10066 GLOBALSTAR USA LLC	1000000010303589		SATELLITE PHONE SERVICE	89.62
					Total :	89.62
121612	6/12/2019	11881 GOODEN, CHRIS	1070798		STEEL TOE WORK BOOTS	200.00
					Total :	200.00
121613	6/12/2019	10256 HOME DEPOT CREDIT SERVICES	3152505 3163315	52180 52180	STATION SUPPLIES TRAINING MATERIALS	43.07 196.04
					Total :	239.11
121614	6/12/2019	10759 INDUSTRIAL RUBBER SUPPLY INC	77295	52182	VEHICLE REPAIR PART	134.12
					Total :	134.12
121615	6/12/2019	13231 JENNINGS, HEATHER	91280111		CPA LICENSE RENEWAL	120.00
					Total :	120.00
121616	6/12/2019	12047 JOHNSON, SCOTT	38245D		LICENSE RENEWAL - JOHNSON	115.00
					Total :	115.00
121617	6/12/2019	10558 MAERTZ, BILL	02/25/19 03/25/19 04/25/19 05/25/19		CSD PHONE REIMBURSEMENT CSD PHONE REIMBURSEMENT CSD PHONE REIMBURSEMENT CSD PHONE REIMBURSEMENT	72.24 72.24 72.18 72.18
					Total :	288.84

Bank code : ubgen

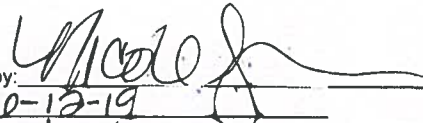
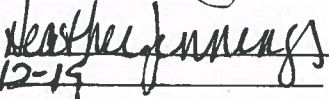
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
121618	6/12/2019	10079 MEDICO PROFESSIONAL	20029180	52188	MEDICAL LINEN SERVICE	20.02
			20029181	52188	MEDICAL LINEN SERVICE	8.16
			Total :		28.18	
121619	6/12/2019	13022 MERITAGE SYSTEMS, LLC	0000393-IN	52122	MERITAGE SOFTWARE	5,000.00
Total :						5,000.00
121620	6/12/2019	10507 MITEL LEASING	901947837		MONTHLY RENTAL 122670	1,878.80
			901947891		MONTHLY RENTAL 124690	312.66
			901947992		MONTHLY RENTAL 130737	276.33
			901948009		MONTHLY RENTAL 131413	266.16
Total :						2,733.95
121621	6/12/2019	10308 O'REILLY AUTO PARTS	2968-278750	52148	VEHICLE REPAIR PARTS	15.95
Total :						15.95
121622	6/12/2019	11901 PECK'S HEAVY FRICTION INC	282239	52471	VEHICLE REPAIR PART	85.23
			282358	52471	VEHICLE REPAIR PART	14.68
Total :						99.91
121623	6/12/2019	11888 PENSKE FORD	10244794	52149	VEHICLE REPAIR PARTS	1,065.20
			10247414	52149	VEHICLE REPAIR PART	23.97
			103526	52149	VEHICLE REPAIR	457.14
			CM10244794	52149	CR- REPAIR PARTS RETURNED	-289.80
Total :						1,256.51
121624	6/12/2019	10241 CASEY PRICE	052819		PETTY CASH REIMB - CLERK	128.04
			06-06-19		PETTY CASH REIMB - DDS	265.53
			06102019		PETTY CASH REIMB - CITY MGR	193.02
Total :						586.59
121625	6/12/2019	10092 PHOENIX GROUP INFO SYSTEMS	082018031	52322	PARKING CITE PROCESS SVCS	517.95
			102018031	52322	PARKING CITE PROCESS SVCS	379.85
Total :						897.80
121626	6/12/2019	13288 PHT ENTERTAINMENT	103		SANTEE SUMMER CONCERTS	1,000.00
Total :						1,000.00

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
121627	6/12/2019	13266 PITCHINGMACHINESNOW	7318	52487	PITCHING MOUND	3,349.00
Total :						3,349.00
121628	6/12/2019	10903 PRESSUREWASHER.NET	19-0528	52506	REPLACEMENT PRESSURE WASHI	2,358.11
Total :						2,358.11
121629	6/12/2019	10821 RIVERA, FELIX	1058997		SAFETY GLASSES	228.00
Total :						228.00
121630	6/12/2019	10097 ROMAINE ELECTRIC CORPORATION	12-046035 12-046035-1 12-046206	52139 52139 52139	VEHICLE SUPPLIES VEHICLE SUPPLIES VEHICLE REPAIR PART	437.48 80.02 41.66
Total :						559.16
121631	6/12/2019	13366 SALLIS, GARY R.	EN19032S		REFUNDABLE DEPOSIT	1,500.00
Total :						1,500.00
121632	6/12/2019	13171 SC COMMERCIAL, LLC	0666673-IN 0667925-IN 0669239-IN 0670343-IN 0672154-IN CL18093	52538 52538 52538 52538 52538 52412	DELIVERED FUEL DELIVERED FUEL DELIVERED FUEL DELIVERED FUEL DELIVERED FUEL FLEET CARD FUELING	516.70 599.61 617.43 469.72 513.60 1,693.11
Total :						4,410.17
121633	6/12/2019	10217 STAPLES ADVANTAGE	3413527765 3413713282 3414088121 3414441483	52251 52251 52251 52251	OFFICE SUPPLIES OFFICE SUPPLIES OFFICE SUPPLIES OFFICE SUPPLIES - CREDIT	608.53 224.27 186.06 -116.31
Total :						902.55
121634	6/12/2019	10624 STATE OF CALIFORNIA	59103		LICENSE RENEWAL - MEI	115.00
Total :						115.00
121635	6/12/2019	10802 SULLIVAN & MANN LUMBER CO	40	52526	LODGEPOLE FENCING	1,304.63
Total :						1,304.63
121636	6/12/2019	10250 THE EAST COUNTY	00081356		INVITATION TO BID	882.00

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
121636	6/12/2019	10250 THE EAST COUNTY	(Continued)			Total : 882.00
121637	6/12/2019	10165 TRAD AM ENTERPRISES INC	0519SRP		INSTRUCTOR PAYMENT	1,032.90
						Total : 1,032.90
121638	6/12/2019	10475 VERIZON WIRELESS	9829895190		WIFI SERVICE	646.17
						Total : 646.17
121639	6/12/2019	12736 WANDER WAGEN	1131		SANTEE SUMMER CONCERTS	780.00
						Total : 780.00
121640	6/12/2019	10331 WHITE CAP CONSTRUCTION SUPPLY	10010574860 10010574860A	52228	SAFETY APPAREL SAFETY MATERIALS	40.13 58.07
						Total : 98.20
51 Vouchers for bank code : ubgen						Bank total : 110,098.17
51 Vouchers in this report						Total vouchers : 110,098.17

Prepared by: 
Date: 6-12-19
Approved by: 
Date: 6-12-19

City of Santee
COUNCIL AGENDA STATEMENT

Item 4

MEETING DATE June 26, 2019

AGENDA ITEM NO.

ITEM TITLE APPROVAL OF THE EXPENDITURE OF \$81,247.10 FOR MAY 2019
LEGAL SERVICES AND RELATED COSTS

DIRECTOR/DEPARTMENT Tim K. McDermott, Finance *TKM*

SUMMARY

Legal services invoices proposed for payment for the month of May 2019 total \$81,247.10 as follows:

1) General Retainer Services	\$ 15,967.55
2) Labor & Employment	10,763.95
3) Litigation & Claims	4,188.97
4) Special Projects - General Fund	26,455.55
5) Special Projects – Other Funds	3,060.00
6) Third-Party Reimbursable Projects	<u>20,811.08</u>
Total	<u>\$ 81,247.10</u>

FINANCIAL STATEMENT *TKM*

	<u>AMOUNT</u>	<u>BALANCE</u>
General Fund:		
Adopted Budget	\$ 492,000.00	
Revised Budget	\$ 612,000.00	
Prior Expenditures	(526,569.77)	
Current Request	(57,376.02)	\$ 28,054.21
Other Funds (excluding applicant initiated items):		
Adopted Budget	\$ 10,000.00	
Revised Budget	\$ 31,494.92	
Prior Expenditures	(9,994.92)	
Current Request	(3,060.00)	\$ 18,440.00

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MSB*

Approve the expenditure of \$81,247.10 for May 2019 legal services and related costs.

ATTACHMENT (Listed Below)

Legal Services Billing Summary

LEGAL SERVICES BILLING SUMMARY
FY 2018-19

<u>Category</u>	<u>Adopted Budget</u>	<u>Revised Budget</u>	<u>Spent Year to Date</u>	<u>Available Balance</u>	<u>Current Request Mo/Yr</u>	<u>Amount</u>
General Fund:						
General / Retainer	\$ 186,000.00	\$ 186,000.00	\$ 154,399.49	\$ 31,600.51	May-19	\$ 15,967.55
Labor & Employment	50,000.00	59,000.00	47,054.63	11,945.37	May-19	10,763.95
Litigation & Claims	60,000.00	50,000.00	48,775.67	1,224.33	May-19	4,188.97
Special Projects	196,000.00	317,000.00	276,339.98	40,660.02	May-19	26,455.55
Total	\$ 492,000.00	\$ 612,000.00	\$ 526,569.77	\$ 85,430.23		\$ 57,376.02
Other City Funds:						
Special Projects	\$ -	\$ 21,494.92	\$ 9,972.42	\$ 11,522.50	May-19	\$ 3,060.00
MHFP Commission	10,000.00	10,000.00	22.50	9,977.50		-
Total	\$ 10,000.00	\$ 31,494.92	\$ 9,994.92	\$ 21,500.00		\$ 3,060.00
Third-Party Reimbursable:						
Sky Ranch	n/a	n/a	\$ 3,463.86	n/a	May-19	\$ 531.00
Weston	n/a	n/a	9,437.41	n/a	May-19	4,196.69
Weston CFDs	n/a	n/a	5,586.34	n/a	May-19	2,415.00
Home Fed Project	n/a	n/a	93,688.21	n/a	May-19	11,330.39
MSCP - Subarea Plan	n/a	n/a	19,923.01	n/a		-
Karl Strauss	n/a	n/a	2,298.54	n/a	May-19	350.00
Walker Trails	n/a	n/a	4,374.82	n/a		-
Davisson Multi-Family	n/a	n/a	350.00	n/a		-
Prospect Estates II	n/a	n/a	8,109.63	n/a	May-19	1,330.00
Graves Verizon Wireless Fac.	n/a	n/a	4,572.00	n/a		-
Costco Fuel Facility Relocation	n/a	n/a	7,022.74	n/a	May-19	203.00
Carribean Way TM/DR Permit	n/a	n/a	957.85	n/a		-
Service Station on Cuyamaca	n/a	n/a	1,780.74	n/a		-
Garmo Gas Station Project	n/a	n/a	1,747.00	n/a		-
Cornerstone Communities	n/a	n/a	8,953.57	n/a		-
Gondola Skate Warehouse	n/a	n/a	285.00	n/a		-
8711 Atlas View	n/a	n/a	560.00	n/a		-
Parkside	n/a	n/a	3,851.46	n/a	May-19	455.00
Woodsprings Suites	n/a	n/a	1,190.00	n/a		-
Total			\$ 178,152.18			\$ 20,811.08

LEGAL SERVICES BILLING SUMMARY
FY 2018-19

Total Previously Spent to Date
FY 2018-19

General Fund	\$ 526,569.77
Other City Funds	9,994.92
Applicant Deposits	<u>178,152.18</u>
Total	<u><u>\$ 714,716.87</u></u>

Total Proposed for Payment

General Fund	\$ 57,376.02
Other City Funds	3,060.00
Applicant Deposits	<u>20,811.08</u>
Total	<u><u>\$ 81,247.10</u></u>

City of Santee
COUNCIL AGENDA STATEMENT

Item 5

MEETING DATE June 26, 2019

AGENDA ITEM NO.

ITEM TITLE RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE
ESTABLISHING THE APPROPRIATIONS LIMIT FOR FY 2019-20

DIRECTOR/DEPARTMENT Tim K. McDermott, Finance *tm*

SUMMARY

In accordance with Article XIII-B of the California Constitution, as amended, the City Council is required to adopt by resolution an appropriations limit prior to the beginning of each fiscal year. The appropriations limit creates a restriction on the amount of revenue that may be appropriated in any fiscal year. Not all revenues are restricted by the limit, only those which are considered proceeds of taxes.

The appropriations limit is adjusted each year based on a combination of population and inflation or assessed valuation factors. Population and inflation data is provided by the State Department of Finance, and the change in assessed valuation due to non-residential new construction data is provided by the City's property tax consultant HDL Coren & Cone. The appropriations limit for FY 2019-20 is calculated to be \$344,469,994 which is an increase of \$18,443,298 from the FY 2018-19 calculation based on the growth of the City of Santee population and the change in California per capita income. Appropriations of tax revenues subject to the limit total \$33,189,635 which is \$311,280,359 less than the calculated limit. Additional appropriations in FY 2019-20 funded by non-tax sources such as service charges, restricted revenues from other agencies, or grants would be unaffected by the appropriations limit. However, any supplemental appropriations funded through increased tax sources could not exceed the \$311,280,359 variance. Based on the amount of the variance, the City's appropriation limit will not be exceeded in the foreseeable future.

FINANCIAL STATEMENT *tm*

The appropriations limit for FY 2019-20 is \$344,469,994.

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MOB*

Adopt the attached resolution establishing the appropriations limit for FY 2019-20.

ATTACHMENTS (Listed Below)

Resolution
Appropriation Limit Calculation, Exhibit A

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA
ESTABLISHING THE APPROPRIATIONS LIMIT FOR FY 2019-20**

WHEREAS, Article XIII-B of the California State Constitution, as amended, requires local jurisdictions to annually adjust their appropriations limit for inflation and population changes; and

WHEREAS, the City has received population and per capita personal income data from the State Department of Finance, used to calculate the FY 2019-20 appropriations limit; and

WHEREAS, the required calculations to determine the appropriations limit for FY 2019-20 have been performed by the Finance Department and are on file with the office of the City Clerk and are available for public review; and

WHEREAS, these calculations are provided on Exhibit "A", which is herein incorporated by reference and attached hereto.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Santee, California that the appropriations limit for FY 2019-20 shall be \$344,469,994 based upon the calculations provided on Exhibit "A".

ADOPTED by the City Council of the City of Santee, California, at a regular meeting thereof held this 26th day of June, 2019, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, MBA, CMC, CITY CLERK

Attachment: Exhibit A

Exhibit "A"

Appropriations Limit Calculation
FY 2019-20

FY 2018-19 Limit (per Resolution No. 059-2018))		\$ 326,026,696
Inflation Index Options:		
California per capita personal income (CCPI) change	3.85 %	
Change in assessed valuation due to non-residential new construction	0.48 %	
Inflation Factor to Use		1.0385
Population Index Options:		
City Population Growth	1.74 %	
County Population Growth	0.52 %	
Population Factor to Use		1.0174
Cumulative Factor (Inflation Factor x Population Factor)		<u>1.056570</u>
FY 2019-20 Limit		<u><u>\$ 344,469,994</u></u>

City of Santee
COUNCIL AGENDA STATEMENT

Item 6

MEETING DATE

June 26, 2019

AGENDA ITEM NO.

ITEM TITLE RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH A.M. ORTEGA, INC. FOR THE INSTALLATION OF AN ELECTRIC VEHICLE CHARGING STATION AT MAST PARK, AUTHORIZING THE CITY MANAGER TO EXECUTE AN OPERATIONS AND MAINTENANCE AGREEMENT WITH CHARGEPOINT AND DETERMINING A CATEGORICAL EXEMPTION PURSUANT TO SECTION 15301(a) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

DIRECTOR/DEPARTMENT

For
Melanie Kush, Director of Development Services

SUMMARY This item requests City Council authorize the City Manager to execute an agreement with A.M. Ortega, Inc. for the installation of a ChargePoint CT4000 Series dual station electric vehicle charging station at Mast Park. Staff recommends the installation of electric vehicle charging stations at City facilities which have the highest potential for electric vehicle usage in order to help reduce greenhouse gas emissions and be consistent with the draft Sustainable Santee Plan. At this time, staff has identified Mast Park which is currently being renovated as the first location to install a charging station. Other City facilities will be identified in the future by staff and brought forth to the City Council for approval as funding is identified.

Staff issued a Request for Proposals from authorized installers and/or vehicle charging station manufacturers in early May 2019. One proposal was provided by A.M. Ortega Inc. for the installation of ChargePoint CT4000 Series electric vehicle charging station. Upon review by staff, the proposed station and network of ChargePoint, as recommended by A.M. Ortega, Inc., meets the requirements of the Request for Proposal and is a high quality, highly used provider in San Diego County.

The proposed type of charging station would be purchased by the City, and users would pay for all associated electrical, maintenance and networks cost via the ChargePoint network service. The user fee rate would be established by the City and would be set to an amount to reimburse all incurred electrical costs including the initial installation cost over a 5-year period. ChargePoint currently has the largest vehicle charging network and number of users in California. The total cost to install the station is \$23,642.00 and includes 8 years of maintenance and network service costs.

ENVIRONMENTAL REVIEW The proposed charging stations are a minor alteration of existing facilities. Pursuant to the California Environmental Quality Act (CEQA) guidelines, a Categorical Exemption is provided pursuant to Class 1, Section 15301(a) Existing Facilities.

FINANCIAL STATEMENT Funding for the electric vehicle charging station at Mast Park is included in the Mast Park Improvements project budget. Funding for additional charging stations will be provided by future action by the City Council. Grants will be sought for additional installations.

CITY ATTORNEY REVIEW

N/A

Completed

RECOMMENDATION *MSB*

Adopt the Resolution authorizing;

- 1) The City Manager to execute an agreement with A.M. Ortega, Inc. in the amount of \$23,642.00 for the installation of an electric vehicle charging station at Mast Park; and
- 2) The City Manager to execute an operation and maintenance agreement with ChargePoint for the operation, maintenance and network fees required for the charging stations; and
- 3) The Director of Development Services to approve change orders in an amount not to exceed \$2,500.00 for unforeseen items and additional work.

ATTACHMENTS

Resolution

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH A.M. ORTEGA, INC. FOR THE INSTALLATION OF AN ELECTRIC VEHICLE CHARGING STATION AT MAST PARK, AUTHORIZING THE CITY MANAGER TO EXECUTE AN OPERATIONS AND MAINTENANCE AGREEMENT WITH CHARGEPOINT AND DETERMINING A CATEGORICAL EXEMPTION PURSUANT TO SECTION 15301(a) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the installation of vehicle charging stations is consistent with the draft Sustainable Santee Plan in order to reduce greenhouse gas emission; and

WHEREAS, staff issued a Request for Proposals for the installation of vehicle charging stations; and

WHEREAS, staff received one proposal in response by A.M. Ortega, Inc.; and

WHEREAS, staff reviewed the proposal by A.M. Ortega and the proposed ChargePoint charge station for use on City facilities; and

WHEREAS, staff recommends City Council authorize the City Manager to execute a professional services agreement with A.M. Ortega for the installation of a vehicle charging station at Mast Park in the amount of \$23,642.00; and

WHEREAS, staff requests authorization to expend a total amount not to exceed \$2,500.00 for unforeseen change orders and additional qualifying work; and

WHEREAS, staff recommends City Council authorize the City Manager to sign all necessary operation and maintenance agreements with ChargePoint for the operation of the charging station; and

WHEREAS, funding for the installation of the vehicle charging station at Mast Park will be provided by the Mast Park Improvements project budget; and

WHEREAS, funding for future charging stations will be provided by the applicable Capital Improvement Program project budgets, grants or as approved by the City Council.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Santee, California, as follows:

SECTION 1: The City Manager is authorized to execute an agreement with A.M. Ortega Inc. in the amount of \$23,642.00 for the installation of a vehicle charging station at Mast Park.

SECTION 2: The City Manager is authorized to execute an operation and maintenance agreement with ChargePoint for the operation of the charging station.

RESOLUTION NO. _____

SECTION 3: The Director of Development Services is authorized to approve change orders in a total amount not to exceed \$2,500.00 for unforeseen items and additional work.

SECTION 4: The City Clerk is directed to certify to the adoption of this Resolution.

ADOPTED by the City Council of the City of Santee, California, at a Regular meeting thereof held this 26th day of June 2019, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, MBA, CMC, CITY CLERK

City of Santee
COUNCIL AGENDA STATEMENT

Item 7

MEETING DATE June 26, 2019

AGENDA ITEM NO.

ITEM TITLE **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA AWARDING THE CONSTRUCTION CONTRACT FOR THE CITY HALL ACCESSIBILITY UPGRADES PROJECT (CIP 2018-39) TO TRI-GROUP CONSTRUCTION AND DEVELOPMENT INC. AND DETERMINING A CATEGORICAL EXEMPTION PURSUANT TO SECTION 15301(d) AND 15304(a) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

DIRECTOR/DEPARTMENT Melanie Kush, Development Services 

SUMMARY This item requests City Council to award the construction contract for the City Hall Accessibility Upgrades Project (CIP 2018-39) to Tri-Group Construction and Development Inc. in the amount of \$398,150.00. This project will provide accessible parking and accessibility upgrades to the City Hall parking lot.

On June 12, 2019, three bids were received and opened, with a low bid of \$398,150.00 submitted by Tri-Group Construction and Development Inc. Upon review by staff, the bid submitted by Tri-Group Construction and Development Inc. in the amount of \$398,150.00 has been deemed a responsive and responsible bid and is 15.3% lower than the Engineer's Estimate of \$470,000.00. Staff also requests authorization for the Director of Development Services to approve change orders in a total amount not to exceed \$39,815.00 (10%) for unforeseen items and additional work.

ENVIRONMENTAL REVIEW The proposed improvements and removal/replacements result in no expansion of use. Pursuant to the California Environmental Quality Act (CEQA) guidelines, a Categorical Exemption is provided in Section 15301(d) and 15304(a), minor alterations to an existing facility and minor alterations to land.


FINANCIAL STATEMENT This project is included in the proposed Capital Improvement Program FY 2019-20 budget as part of the City Hall Improvements projects. Funding for this project is provided by the General Fund.

Construction Contract	\$ 398,150.00
Construction Change Orders	39,815.00
Total Project Budget	<u>\$ 437,965.00</u>

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION 

Adopt the Resolution:

1. Awarding the construction contract for the City Hall Accessibility Upgrades Project (CIP 2018-39) to Tri-Group Construction and Development Inc. for a total amount of \$398,150.00; and
2. Authorizing the Director of Development Services to approve change orders in a total amount not to exceed \$39,815.00; and
3. Approving a Categorical Exemption pursuant to Section 15301(d) and 15304(a) of the California Quality Environmental Quality Act.

ATTACHMENTS

Resolution Bid Summary Chart

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA
AWARDING THE CONSTRUCTION CONTRACT FOR THE CITY HALL
ACCESSIBILITY UPGRADES PROJECT (CIP 2018-39) TO TRI-GROUP
CONSTRUCTION AND DEVELOPMENT INC. AND DETERMINING A
CATEGORICAL EXEMPTION PURSUANT TO SECTION 15301(d) AND 15304(a) OF
THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

WHEREAS, the City Clerk, on June 11, 2019 publicly opened and examined sealed bids for the City Hall Accessibility Upgrades Project (CIP 2018-39) ("Project"); and

WHEREAS, the lowest received bid was submitted by Tri-Group Construction and Development Inc. in the amount of \$398,150.00; and

WHEREAS, in accordance with Santee Municipal Code section 3.24.110 (E), staff has determined that the bid submitted by Tri-Group Construction conforms in all material respects to the requirements set forth in the invitation for bids; and

WHEREAS, Tri-Group Construction and Development Inc. was found to be the lowest responsive and responsible bidder with their total bid amount of \$398,150.00; and

WHEREAS, staff recommends awarding the construction contract to Tri-Group Construction and Development Inc. in the amount of \$398,150.00; and

WHEREAS, the project is categorically exempt from environmental review by section 15301(d) and 15304(a) of the Guidelines to the California Environmental Quality Act; and

WHEREAS, staff requests authorization for the Director of Development Services to approve change orders in a total amount not to exceed \$39,815.00 for unforeseen change orders and additional work.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Santee, California, as follows:

SECTION 1: The Recitals provided above are true and correct and are hereby incorporated into this Resolution.

SECTION 2: The project is categorically exempt from environmental review by section 15301(d) and 15304 (a) of the Guidelines to the California Environmental Quality Act as minor alterations to an existing facility and minor alterations to land because the project will provide accessible parking and upgrades to the existing City Hall parking lot.

SECTION 3: The construction contract for the City Hall Accessibility Upgrades Project (CIP 2018-39) is awarded to Tri-Group Construction and Development Inc. as the lowest

RESOLUTION NO. _____

responsive and responsible bidder in the amount of \$398,150.00, and the City Manager is authorized to execute the contract on behalf of the City.

SECTION 4: The Director of Development Services is authorized to approve change orders in a total amount not to exceed \$39,815.00 for unforeseen items and additional work.

SECTION 5: The documents and materials associated with this Resolution that constitute the record of proceedings on which these are based are located at Santee City Hall, 10601 Magnolia Ave., Santee CA 92071. The City Clerk is the custodian of the record of proceedings.

SECTION 6: The Resolution shall take effect immediately upon its passage.

ADOPTED by the City Council of the City of Santee, California, at a Regular meeting thereof held this 26th day of June, 2019 by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

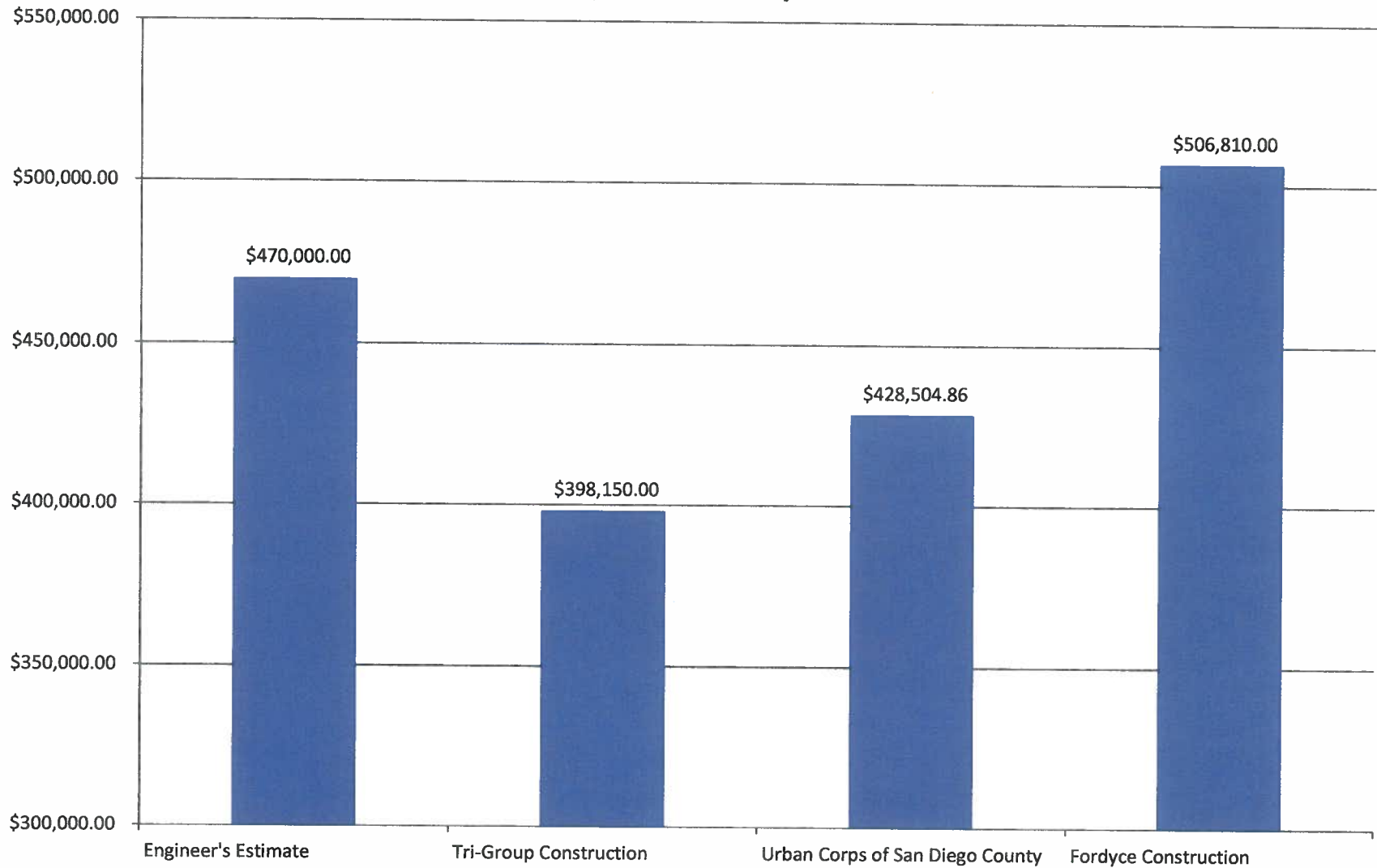
APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, MBA, CMC, CITY CLERK

City Hall Accessibility Upgrades (CIP 2018-39)





Santee City Hall Accessibility Upgrades

CIP 2018-39

April 2019

City of Santee
COUNCIL AGENDA STATEMENT

Item 8

MEETING DATE June 26, 2019

AGENDA ITEM NO.

ITEM TITLE **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA AWARDING THE CONSTRUCTION CONTRACT FOR THE CITYWIDE PAVEMENT REPAIR AND REHABILITATION PROGRAM 2019 PROJECT (CIP 2019-01) TO SRM CONSTRUCTION AND PAVING AND DETERMINING A CATEGORICAL EXEMPTION PURSUANT TO SECTION 15301(c) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

DIRECTOR/DEPARTMENT Melanie Kush, Development Services 

SUMMARY This item requests City Council to award the construction contract for the Citywide Pavement Repair and Rehabilitation Program 2019 Project (CIP 2019-01) to SRM Construction and Paving in the amount of \$337,860.00. This project will resurface a total of 4 streets as identified in the Pavement Management Report.

On June 12, 2019, nine bids were received and opened, with a low bid of \$337,860.00 submitted by SRM Construction and Paving. Upon review by staff, the bid submitted by SRM Construction and Paving in the amount of \$337,860.00 has been deemed a responsive and responsible bid and 8.2% lower than the Engineer's Estimate of \$368,000.00. Staff also requests authorization for the Director of Development Services to approve change orders in a total amount not to exceed \$33,786.00 (10%) for unforeseen items and additional work.

ENVIRONMENTAL REVIEW The proposed improvements and removal/replacements result in no expansion of use. Pursuant to the California Environmental Quality Act (CEQA) guidelines, a Categorical Exemption is provided in Section 15301(c) for maintenance to existing streets.

FINANCIAL STATEMENT  This project is included in the proposed Capital Improvement Program FY 2019-20 budget as part of the Pavement Repair and Rehabilitation Citywide projects. Funding for this project is provided by TransNet Local Street Improvements and SB1 funds.

Design and Bidding	\$ 7,805.40
Construction Contract	337,860.00
Construction Change Orders	33,786.00
Construction Engineering/Management	25,000.00
Project Closeout	3,000.00
Total Project Budget	<u>\$ 407,451.40</u>

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION 
Adopt the Resolution:

1. Awarding the construction contract for the Citywide Pavement Repair and Rehabilitation Program 2019 Project (CIP 2019-01) to SRM Construction and Paving for a total amount of \$337,860.00; and
2. Authorizing the Director of Development Services to approve change orders in a total amount not to exceed \$33,786.00; and
3. Approving a Categorical Exemption pursuant to Section 15301(c) of the California Quality Environmental Quality Act.

ATTACHMENTS

Resolution Bid Summary Chart Street List Project Map

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA
AWARDING THE CONSTRUCTION CONTRACT FOR THE CITYWIDE PAVEMENT
REPAIR AND REHABILITATION PROGRAM 2019 PROJECT (CIP 2019-01) TO SRM
CONSTRUCTION AND PAVING AND DETERMINING A CATEGORICAL EXEMPTION
PURSUANT TO SECTION 15301(c) OF THE CALIFORNIA ENVIRONMENTAL
QUALITY ACT**

WHEREAS, the City Clerk, on June 12, 2019, publicly opened and examined sealed bids for the Citywide Pavement Repair and Rehabilitation Program 2019 (CIP 2019-01) ("Project"); and

WHEREAS, the lowest received bid was submitted by SRM Construction and Paving in the amount of \$337,860.00; and

WHEREAS, in accordance with Santee Municipal Code section 3.24.110(E), staff has determined that the bid submitted by SRM Construction and Paving conforms in all material respects to the requirements set forth in the invitation for bids; and

WHEREAS, SRM Construction and Paving was found to be the lowest responsive and responsible bidder with their total bid amount of \$337,860.00; and

WHEREAS, staff recommends awarding the construction contract to SRM Construction and Paving in the amount of \$337,860.00; and

WHEREAS, the project is categorically exempt from environmental review by section 15301(c) of the Guidelines to the California Environmental Quality Act; and

WHEREAS, staff requests authorization for the Director of Development Services to approve change orders in a total amount not to exceed \$33,786.00 for unforeseen change orders and additional work.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Santee, California, as follows:

SECTION 1: The Recitals provided above are true and correct and are hereby incorporated into this Resolution.

SECTION 2: The project is categorically exempt from environmental review by section 15301(c) of the Guidelines to the California Environmental Quality Act as repair of existing roadway facilities.

SECTION 3: The construction contract for the Citywide Pavement Repair and Rehabilitation Program 2019 (CIP 2019-01) is awarded to SRM Construction and Paving as the lowest responsive and responsible bidder in the amount of \$337,860.00, and the City Manager is authorized to execute the contract on behalf of the City.

RESOLUTION NO. _____

SECTION 4: The Director of Development Services is authorized to approve change orders in a total amount not to exceed \$33,786.00 for unforeseen items and additional work.

SECTION 5: The documents and materials associated with this Resolution that constitute the record of proceedings on which these findings are based are located at Santee City Hall, 10601 Magnolia Ave, Santee, CA 92071. The City Clerk is the custodian of the record of proceedings.

SECTION 6: This Resolution shall take effect immediately upon its passage.

ADOPTED by the City Council of the City of Santee, California, at a Regular meeting thereof held this 26th day of June, 2019 by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

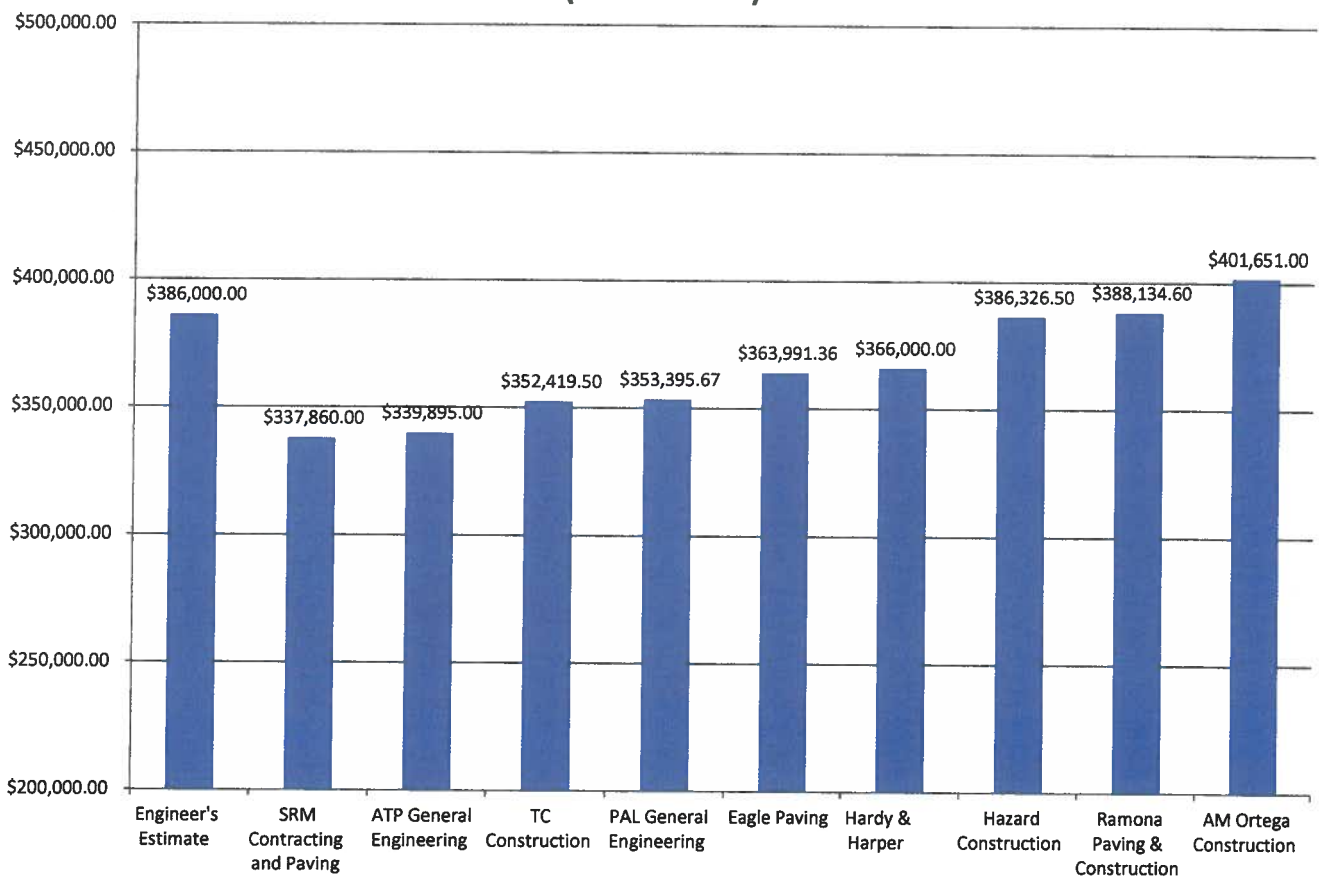
APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, MBA, CMC, CITY CLERK

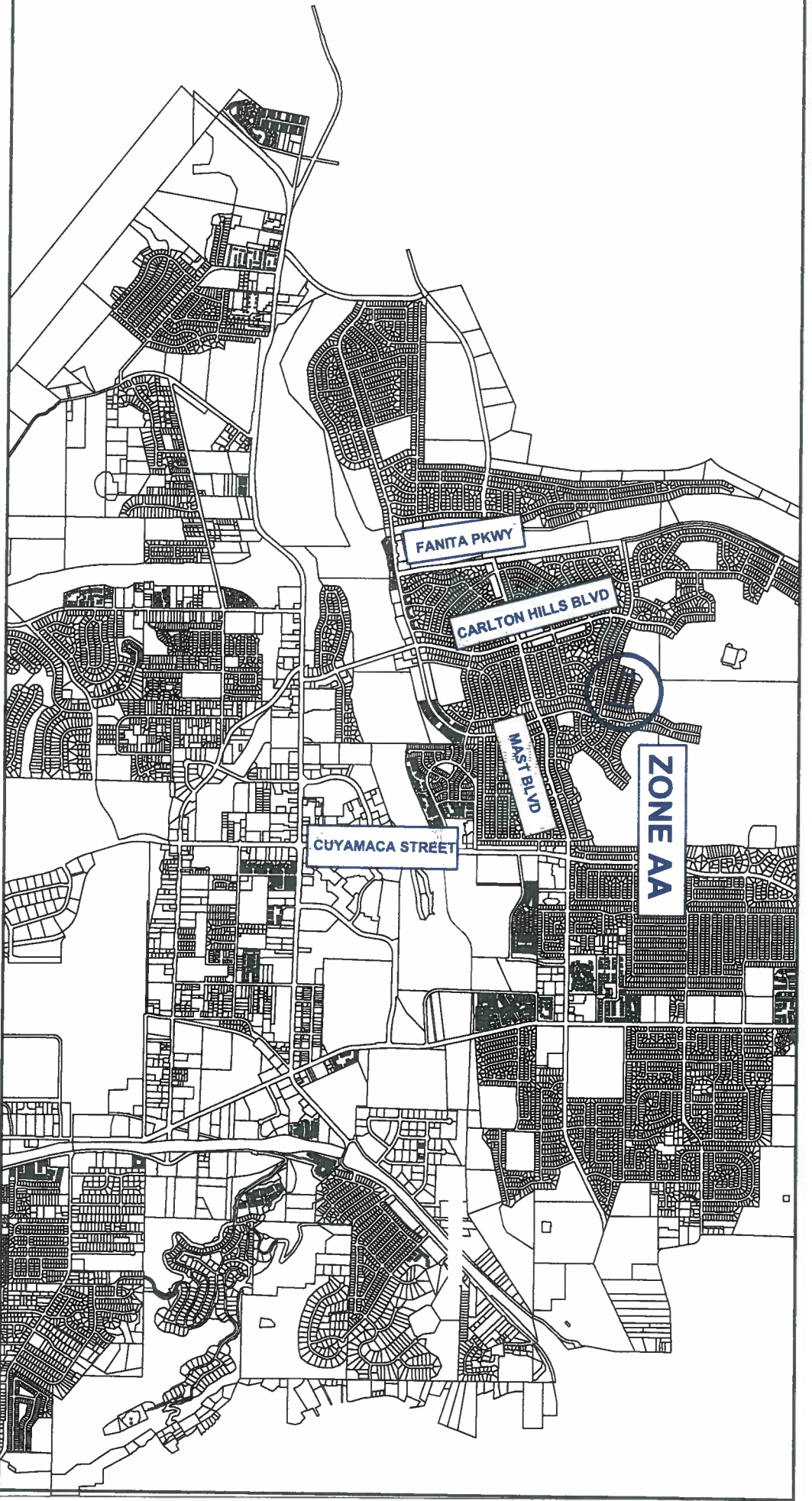
Citywide Pavement Repair and Rehabilitation Program 2019 (CIP 2019-01)



Citywide Pavement Repair and Rehabilitation Program 2019, CIP 2019-01

Zone AA

Cathywood Dr
Fowler Wy
Gandy Ave
Hornbuckle Dr



**Citywide Pavement Repair and Rehabilitation Program 2019
(CIP 2019-01)**



City of Santee
COUNCIL AGENDA STATEMENT

Item 9

MEETING DATE June 26, 2019

AGENDA ITEM NO.

ITEM TITLE **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA AWARDED THE CONSTRUCTION CONTRACT FOR THE CITYWIDE SLURRY SEAL AND ROADWAY MAINTENANCE PROGRAM 2019 PROJECT (CIP 2019-02) TO SRM CONTRACTING AND PAVING AND DETERMINING A CATEGORICAL EXEMPTION PURSUANT TO SECTION 15301(c) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

DIRECTOR/DEPARTMENT *Say For*
Melanie ~~Kush~~, Development Services

SUMMARY This item requests City Council to award the construction contract for the Citywide Slurry Seal and Roadway Maintenance Program 2019 Project (CIP 2019-02) to SRM Contracting and Paving in the amount of \$1,096,317.40. This project will resurface a total of 24 streets as identified in the Pavement Management Report, along with Mast Boulevard from Cuyamaca Street to Carlton Hills Boulevard. The project will also resurface the Woodglen Vista Park and Big Rock Park parking lots, which are included in the Parking Lot Resurfacing Project, as identified in the proposed Capital Improvement Program FY 2019-20 budget.

On June 17, 2019, four bids were received and opened, with a low bid of \$1,096,317.40 submitted by SRM Contracting and Paving. Upon review by staff, the bid submitted by SRM Contracting and Paving in the amount of \$1,096,317.40 has been deemed a responsive and responsible bid and is 2.0% lower than the Engineer's Estimate of \$1,119,000.00. Staff also requests authorization for the Director of Development Services to approve change orders in a total amount not to exceed \$109,631.00 (10%) for unforeseen items and additional work.

ENVIRONMENTAL REVIEW The proposed improvements and removal/replacements result in no expansion of use. Pursuant to the California Environmental Quality Act (CEQA) guidelines, a Categorical Exemption is provided in Section 15301(c) for maintenance to existing facilities to include streets and similar facilities such as parking lots.

FINANCIAL STATEMENT This project is included in the proposed Capital Improvement Program FY 2019-20 budget as part of the Pavement Roadway Maintenance Citywide and Parking Lot Resurfacing projects. Funding for this project is provided by TransNet Local Street Improvements, SB1 funds and the General Fund (Mast Blvd., Woodglen Vista Park and Big Rock Park parking lots).

Design and Bidding	\$ 10,388.19
Construction Contract	1,096,317.40
Construction Change Orders	109,631.00
Construction Engineering/Management	25,000.00
Project Closeout	3,000.00
Total Project Budget	<u>\$ 1,244,336.59</u>

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MSB*

Adopt the Resolution:

1. Awarding the construction contract for the Citywide Slurry Seal and Roadway Maintenance Program 2019 Project (CIP 2019-02) to SRM Contracting and Paving for a total amount of \$1,096,317.40; and
2. Authorizing the Director of Development Services to approve change orders in a total amount not to exceed \$109,631.00; and
3. Approving a Categorical Exemption pursuant to Section 15301(c) of the California Quality Environmental Quality Act.

ATTACHMENTS

Resolution Bid Summary Chart Street List Project Map

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA
AWARDING THE CONSTRUCTION CONTRACT FOR THE CITYWIDE SLURRY
SEAL AND ROADWAY MAINTENANCE PROGRAM 2019 PROJECT (CIP 2019-02)
TO SRM CONTRACTING AND PAVING AND DETERMINING A CATEGORICAL
EXEMPTION PURSUANT TO SECTION 15301(c) OF THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT**

WHEREAS, the City Clerk, on June 17, 2019 publicly opened and examined sealed bids for the Citywide Slurry Seal and Roadway Maintenance Program 2019 (CIP 2019-02) ("Project"); and

WHEREAS, the lowest received bid was submitted by SRM Contracting and Paving in the amount of \$1,096,317.40; and

WHEREAS, in accordance with Santee Municipal Code section 3.24.110 (E), staff has determined that the bid submitted by SRM Contracting and Paving conforms in all material respects to the requirements set forth in the invitation for bids; and

WHEREAS, SRM Contracting and Paving was found to be the lowest responsive and responsible bidder with their total bid amount of \$1,096,317.40; and

WHEREAS, staff recommends awarding the construction contract to SRM Contracting and Paving in the amount of \$1,096,317.40; and

WHEREAS, the project is categorically exempt from environmental review by section 15301(c) of the Guidelines to the California Environmental Quality Act; and

WHEREAS, staff requests authorization for the Director of Development Services to expend a total amount not to exceed \$109,631.00 for unforeseen change orders and additional work.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Santee, California, as follows:

SECTION 1: The Recitals provided above are true and correct and are hereby incorporated into this Resolution.

SECTION 2: The project is categorically exempt from environmental review by section 15301(c) of the Guidelines to the California Environmental Quality Act as repair of existing facilities, to include streets and parking lots.

SECTION 3: The construction contract for the Citywide Slurry Seal and Roadway Maintenance Program 2019 (CIP 2019-02) is awarded to SRM Contracting and Paving as the lowest responsive and responsible bidder in the amount of \$1,096,317.40, and the City Manager is authorized to execute the contract on behalf of the City.

SECTION 4: The Director of Development Services is authorized to approve change orders in a total amount not to exceed \$109,631.00 for unforeseen items and additional work.

RESOLUTION NO. _____

SECTION 5: The documents and materials associated with this Resolution that constitute the record of proceedings on which these findings are based are located at Santee City Hall, 10601 Magnolia Avenue, Santee, CA 92071. The City Clerk is the custodian of the record of proceedings.

SECTION 6: This Resolution shall take effect immediately upon its passage.

ADOPTED by the City Council of the City of Santee, California, at a Regular meeting thereof held this 26th day of June, 2019 by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

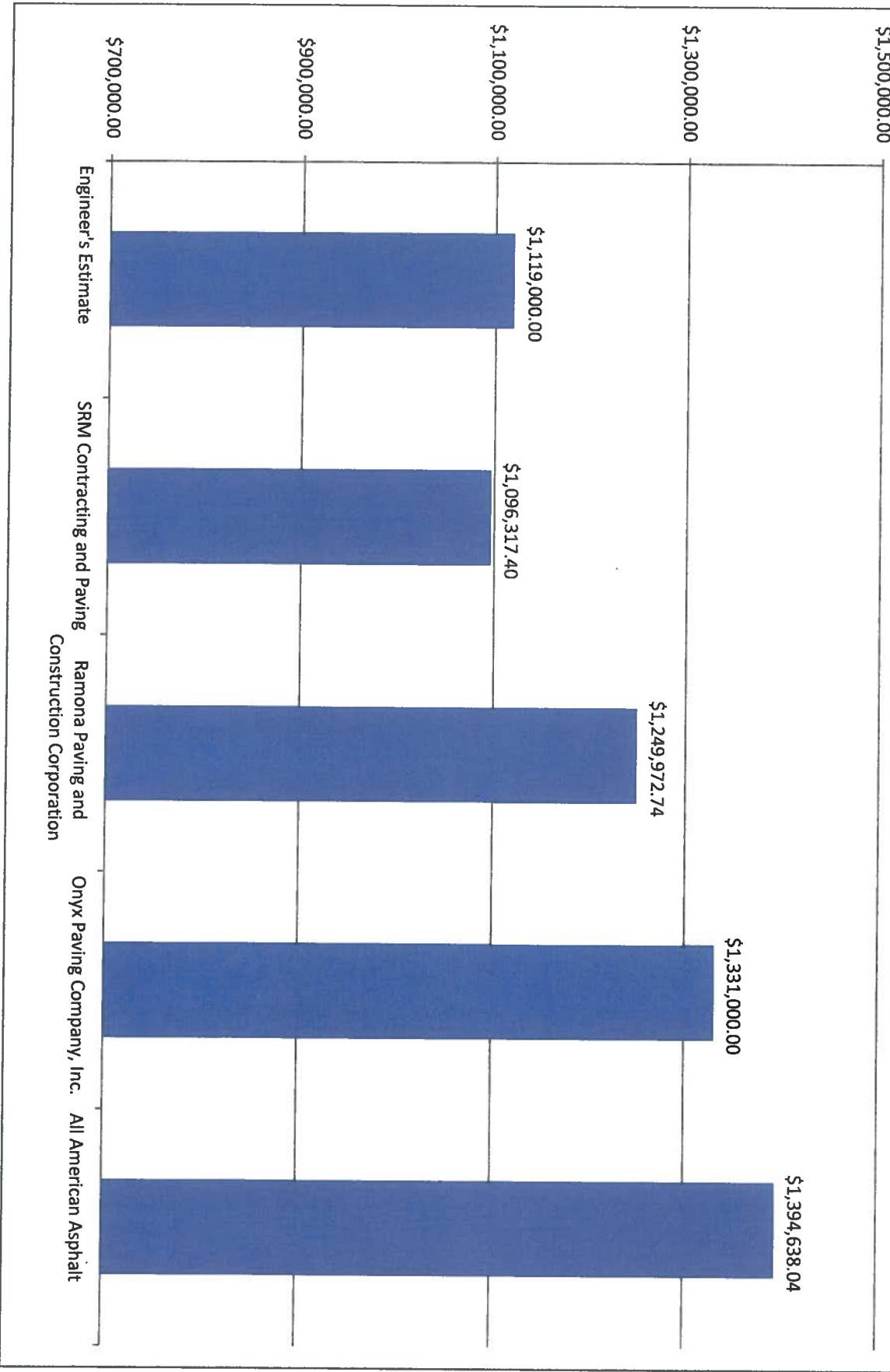
APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, MBA, CMC, CITY CLERK

Citywide Slurry Seal and Roadway Maintenance Program 2019 (CIP 2019-02)



Citywide Slurry Seal and Roadway Maintenance Program 2019, CIP 2019-02

Street List

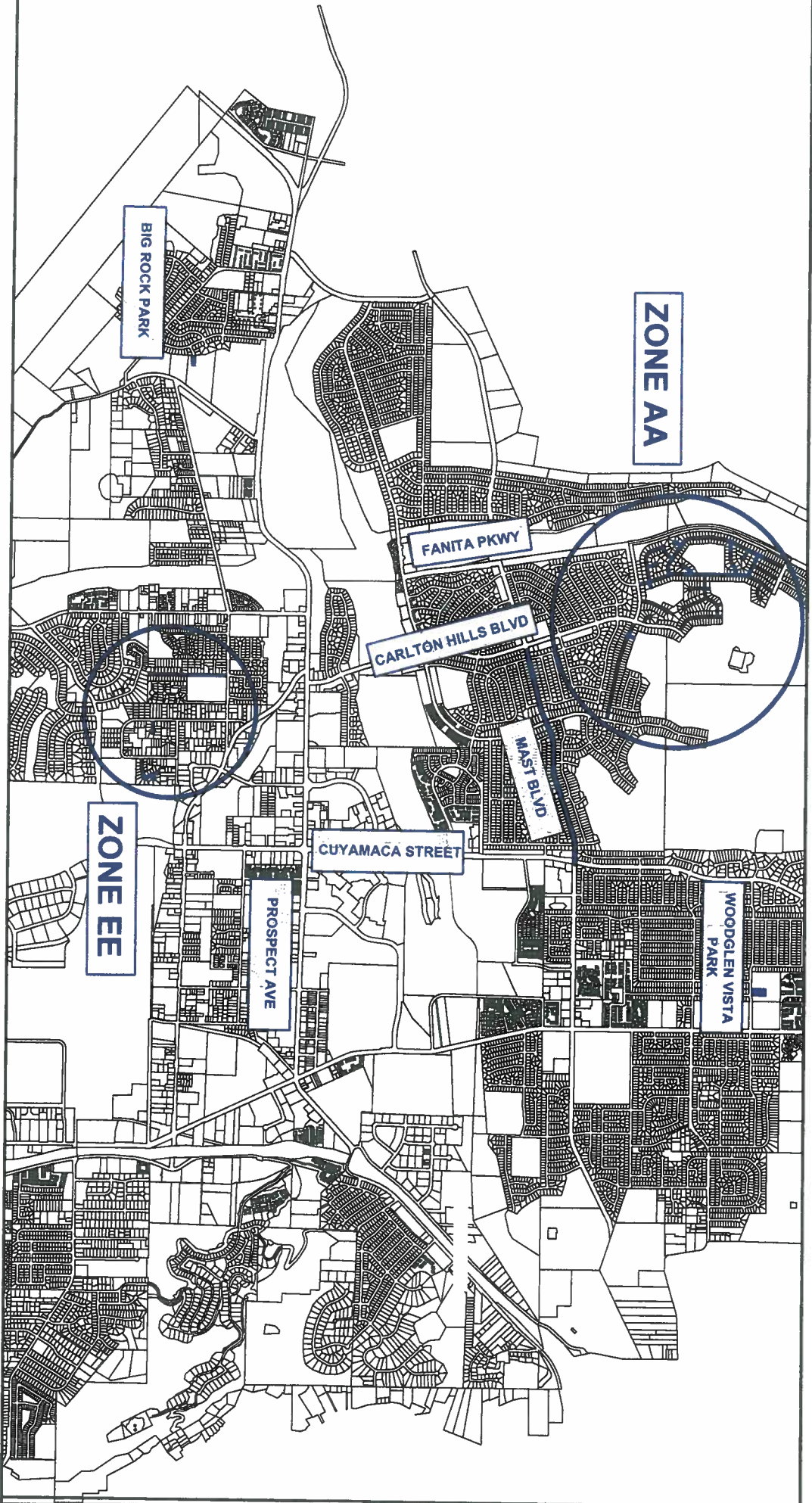
Zone AA

Cadwell Rd
Carlton Pl
Carrie Ellen Ct
Crossland Ct
Dalehurst Rd (East)
Fenway Rd
Knabe Ln
Lake Canyon Pl
Lake Canyon Rd
Lakeland Dr
Lapeer Ct
Las Lomas Dr
Marcella Ct
Mendeck Ave
Penmar Rd
Remuda Ct
Selby Ct
Settle Rd
Strathmore Dr
Walden Ct

Zone EE

Atlas View Ct
Corte de la Donna
Ellsworth Ln
Paseo de los Castillos

Mast Blvd



Citywide Slurry Seal and Roadway Maintenance Program 2019
(CIP 2019-02)



City of Santee
COUNCIL AGENDA STATEMENT

Item 10

MEETING DATE June 26, 2019

AGENDA ITEM NO.

ITEM TITLE REJECTION OF ALL BIDS FOR ELECTRICAL REPAIRS AND RELATED REPAIR SERVICES PER BID #19/20-20039

DIRECTOR/DEPARTMENT Bill Maertz, Community Services *WMM*

SUMMARY

The current contract for Electrical Repairs and Related Maintenance Services will expire on June 30, 2019. In compliance with the City's purchasing ordinance, Santee Municipal Code 3.24.110, the Finance Department issued a request for bids (RFB) for Fiscal Year 2019-20 Electrical Repairs and Related Maintenance Services on May 2, 2019 (RFB #19/20-20039). Bids were due on May 30, 2019 and four (4) bids were received.

Per RFB 19/20-20039 Section 9 Information for Bidders, the City reserves the right to reject all bids for any or no reason or not to contract for the work.

Staff recommends that the City Council reject all bids. The lowest bid received was non-responsive in meeting the required emergency response time per the bid. The second lowest bid received is 112% above the current contract price. The current contract allows for a 90-day extension from July 1, 2019 through September 30, 2019 to provide as-needed electrical repairs and related maintenance during which time City staff will evaluate the option to rebid this contract.

ENVIRONMENTAL REVIEW

This item is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to section 15301 (maintenance of existing structures, facilities or mechanical equipment).

FINANCIAL STATEMENT *m* None with this action.

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MAB*

1. Reject all bids received for RFB #19/20-20039 for Electrical Repairs and Related Maintenance Services; and
2. Authorize staff to re-bid for FY #19/20 Electrical Repairs and Related Maintenance Services

ATTACHMENTS (Listed Below)

None

City of Santee
COUNCIL AGENDA STATEMENT

Item 11

MEETING DATE June 26, 2019

AGENDA ITEM NO.

ITEM TITLE REJECTION OF LOW BID AND AWARD OF CONTRACT FOR INTEGRATED PEST MANAGEMENT SERVICES (RFB #19/20-20040) TO AGRICULTURAL PEST CONTROL SERVICES INCORPORATED

DIRECTOR/DEPARTMENT Bill Maertz, Community Services *WM*

SUMMARY The City's contract for Pest Management Services will expire on June 30, 2019 with a 30- day extension being executed through July 31, 2019. In compliance with the City's purchasing ordinance, Santee Municipal Code 3.24.110, the Finance Department administered a formal bid process for a new Integrated Pest Management Services contract. On May 31, 2019, three bids were received and opened for RFB #19/20-20040. The term of the initial contract will be August 1, 2019 through June 30, 2020.

The request for bids included a requirement that bidders hold a certificate in Integrated Pest Management at the time of bid submission. The bid submitted by the low bidder, Animal Pest Management Services, Incorporated (APM), did not indicate that APM possessed an Integrated Pest Management certificate at the time of the bid. Based on this determination, staff recommends that the City Council reject as unresponsive the bid submitted by APM.

Based on the requirements for lowest responsive responsible bid, staff recommends that the City Council award the contract for Integrated Pest Management Services pursuant to RFB #19/20-20040 to Agricultural Pest Control Services, Incorporated for an amount not to exceed \$21,330.00 for the term of August 1, 2019 through June 30, 2020 with three 12-month options to renew. Annual increases for this contract, if any, shall be at the sole discretion of the City and shall not exceed the change in the San Diego All-Urban Consumers Price Index for the preceding calendar year.

ENVIRONMENTAL REVIEW This item is categorically exempt from the California Environmental Quality Act ("CEQA") Pursuant to (CEQA) Guidelines, section 15301(a) Existing Facilities, because Agricultural Pest Control Services would provide pest control services to the City at existing City facilities.

FINANCIAL STATEMENT *TM* Funding for this contract is included in the proposed Fiscal Year 2019-20 Community Services Department operating budget.

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MSB*

1. Reject the bid submitted by Animal Pest Management Services, Inc. as unresponsive; and
2. Award the contract for Integrated Pest Management Services to Agricultural Pest Control Services, Incorporated for an amount not to exceed \$21,330.00 for the remainder of Fiscal Year 2019-20 (August 1, 2019 through June 30, 2020); and
3. Authorize the City Manager to approve three (3) 12-month options to renew and one (1) 90-day extension along with the corresponding purchase orders; and
4. Authorize the City Manager to approve annual change orders up to ten percent (10%) of the then-current contract amount; and
5. Authorize the Director of Community Services to execute a Notice of Completion and the City Clerk to file said upon satisfactory completion of work for each contract term.

ATTACHMENTS (Listed Below)

Bid Summary

MAYOR
John W. Minto



CITY COUNCIL
Ron Hall
Stephen Houlahan
Laura Koval
Rob McNelis

CITY OF SANTEE

June 18, 2019
RFB #19/20-20040

Bid Results

For

INTEGRATED PEST MANAGEMENT SERVICES

Bids received and Verified:

Bidder	
Animal Pest Management	\$ 19,444.98 (non-responsive)
Agricultural Pest Control	\$ 21,330.00 (corrected)
Cartwright Termite & Pest Control	\$ 27,363.92 (corrected)

City of Santee
COUNCIL AGENDA STATEMENT

Item 12

MEETING DATE June 26, 2019

AGENDA ITEM NO.

ITEM TITLE **PUBLIC HEARING ON A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, APPROVING THE STAFF REPORT AND AUTHORIZING A SPECIAL ASSESSMENT ON CERTAIN PARCELS OF LAND THAT RECEIVED ADMINISTRATIVE CITATIONS FOR MUNICIPAL CODE VIOLATIONS AND/OR ADMINISTRATIVE FEES FOR WHICH COSTS HAVE NOT BEEN PAID BY THE OWNER(S) OF RECORD OF SAID PARCELS**

DIRECTOR/DEPARTMENT *Say For*
Melanie Kush, Development Services

BACKGROUND

The City of Santee adopted Municipal Code Section 1.14 in 2007, to authorize the issuance of administrative citations and the collection of administrative fines for Municipal Code violations. Fiscal year to date, approximately 400 investigations have been conducted by staff in the Storm Water and Code Enforcement Divisions. This item addresses eight past-due administrative citations that remain unpaid which are associated with eight Assessor's Parcel Numbers and subject to the special assessment process.

This is an annual process to collect past due fines that were imposed when property owner(s) willingly allowed code violations to exist at their properties. For each citation that is issued, multiple Courtesy Notices and Notices of Violation are issued, guidance is provided, and ample opportunity is provided to correct the violation and bring the property into compliance with the Municipal Code. When corrective actions are not implemented within the timeline provided, an Administrative Citation (monetary penalty) is issued. A cited party has the right to appeal and request an administrative hearing within thirty (30) days from the date of the citation. No appeals were filed.

In accordance with the Municipal Code, staff recommends that City Council approve all past due fines, late fees, and interest be added to the tax roll as identified in Exhibit "A." With Council approval past due balances will be added to the tax roll as a special assessment/lien for each respective parcel and will be paid at the same time and manner as property taxes.

ENVIRONMENTAL REVIEW N/A

FINANCIAL STATEMENT *m*

Collection of these past-due citations will total \$7,060.00

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MSB*

1. Conduct and close public hearing; and
2. Adopt Resolution authorizing special assessments.

ATTACHMENTS

Staff Report
Resolution
Exhibit "A"
Site Location Map

STAFF REPORT

PUBLIC HEARING ON A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, APPROVING THE STAFF REPORT AND AUTHORIZING A SPECIAL ASSESSMENT ON CERTAIN PARCELS OF LAND THAT RECEIVED ADMINISTRATIVE CITATIONS FOR MUNICIPAL CODE VIOLATIONS AND/OR ADMINISTRATIVE FEES FOR WHICH COSTS HAVE NOT BEEN PAID BY THE OWNER(S) OF RECORD OF SAID PARCELS

**CITY COUNCIL MEETING
June 26, 2019**

ADMINISTRATIVE CITATION REGULATIONS AND PROGRAM STATUS

In accordance with Chapter 1.14 of the Santee Municipal Code entitled "Administrative Citations and Fines," Code Enforcement Staff responds to complaints and inspects and identifies properties that have Municipal Code Violations. As a part of this process, property owners are given specific timelines to take corrective actions, pay the citation, and/or appeal the Administrative Citations(s). The majority of property owners responded promptly to notices alerting them to comply with Municipal Codes. Of over 400 investigations/inspections conducted, 27 citations were issued (17 specific to storm water and 9 for all other code violations). Of the 27 citations issued, eight remain unpaid which are associated with eight (8) Assessor's Parcel Numbers and are subject to the special assessment process.

Both commercial and residential properties comprise this list and include the following:

- Seven (7) storm water specific code violations
- One (1) code violation case

SPECIAL ASSESSMENT

Exhibit "A" provides an itemized report showing the past due Administrative Citation plus late fees and interest for all eight (8) properties. None of the parties listed have paid the Citation or responded to multiple reminder notices which were sent by City Staff. Copies of each Administrative Citation are available for public review.

If approved, the amounts due become special assessments upon respective parcels of land and are required to be paid at the same time and same manner as regular property taxes. The funds collected through the tax roll will be reimbursed to the City.

Notice of Public Hearing was published in the East County Californian on June 13, 2019 and the owners subject to assessment were notified individually by U.S. mail on June 5, 2019.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE,
CALIFORNIA, APPROVING THE STAFF REPORT AND AUTHORIZING A SPECIAL
ASSESSMENT ON CERTAIN PARCELS OF LAND THAT RECEIVED
ADMINISTRATIVE CITATIONS FOR MUNICIPAL CODE VIOLATIONS AND/OR
ADMINISTRATIVE FEES FOR WHICH COSTS HAVE NOT BEEN PAID BY THE
OWNER(S) OF RECORD OF SAID PARCELS**

WHEREAS, the Santee Municipal Code Chapter 1.14 provides for the issuance of Administrative Citations for Municipal Code Violations; and

WHEREAS, any person who violates the Municipal Code, any condition of approval of a Permit or Entitlement, any condition or provision of an Environmental Review, or any term or condition of any City Agreement may be issued an Administrative Citation (Chapter 1.14, SMC); and

WHEREAS, each and every day that a violation of any provision of the Municipal Code, any condition of approval of a Permit or Entitlement, any condition or provision of an Environmental Review, or any term or condition of any City Agreement continues to exist constitutes a separate and distinct offense. A separate citation may be issued for each day such violation continues to exist (Chapter 1.14, SMC); and

WHEREAS, the owner of record of each parcel was notified in writing on multiple occasions to correct the on-site violation(s) from their respective parcel(s) of land; and

WHEREAS, a civil fine was assessed by means of an Administrative Citation issued by the Enforcement Officer to each property owner of each parcel payable directly to the City of Santee (Chapter 1.14, SMC); and

WHEREAS, courtesy reminders were mailed indicating that if the Administrative Citation(s) was not paid, then late fees and interest would be incurred and an invoice was mailed to the owner of record and payment has not been made; and

WHEREAS, notices of pending tax lien were mailed to the owners of record.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Santee, California the eight (8) properties as shown below, failed to comply with the mandatory requirements of the ordinances of the City of Santee and were subsequently issued an Administrative Citation and/or fine(s) in accordance with Chapter 1.14 of the Municipal Code.

BE IT FURTHER RESOLVED that the fines listed in the following table have not been paid are hereby approved to be added as a special tax assessment/lien upon the respective parcels of land, as shown upon the last available assessment roll until paid in full.

Parcel Number	Assessed Amount
384-020-07-00	\$2,585.00
760-239-38-00	\$2,450.00
381-682-24-00	\$135.00
381-050-67-12	\$195.00
384-400-62-00	\$700.00
380-430-09-00	\$350.00
383-395-05-00	\$450.00
760-239-73-00	\$195.00
TOTAL PARCELS	8
TOTAL ASSESSMENT	\$7,060.00

BE IT FURTHER RESOLVED, the assessments may be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary municipal taxes. All laws applicable to the levy, collection and enforcement of municipal taxes shall be applicable to the special assessment.

BE IT FURTHER RESOLVED, if the identity of the owner of the real property can be determined, the City shall make its best effort to provide notice of the special assessment to the owner by certified mail at the time of imposing the assessment. Such notice will specify that the property may be sold after three years by the tax collector for unpaid delinquent assessments. The tax collector's power of sale shall not be affected by the failure of the property owner to receive notice.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized to take all steps necessary to certify and record this resolution with the appropriate agency.

ADOPTED by the City Council of the City of Santee, California, at a Regular meeting thereof held this 26th day of June 2019, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, MBA, CMC, CITY CLERK

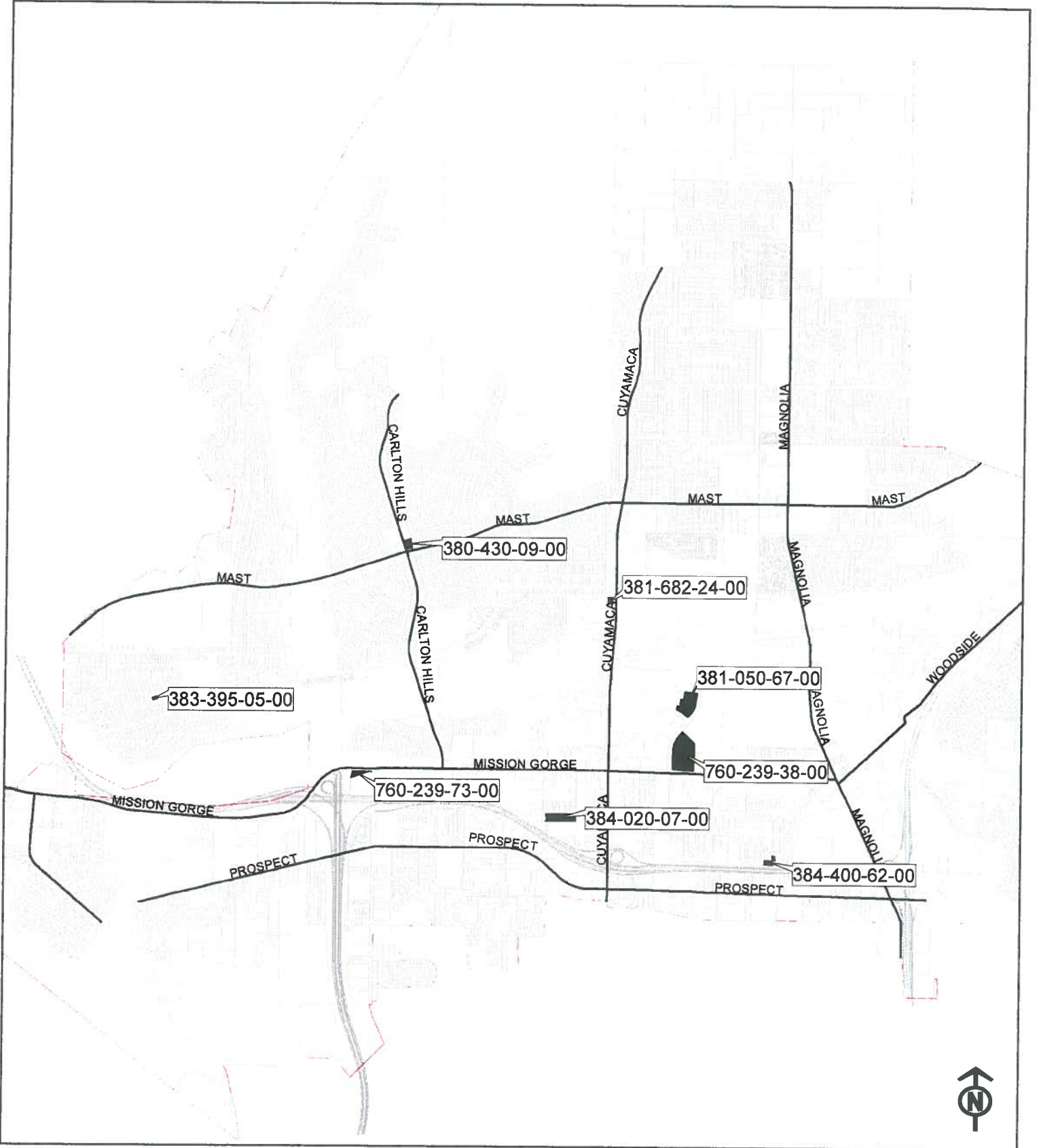
EXHIBIT "A"
Santee Administrative Citation Program
Account of Unpaid Administrative Citations

Parcel	Site Address	Assessed Amount	Storm Water or Code Compliance	Violation
384-020-07-00	8801 Olive Lane	\$2,585.00	Storm Water	Non-Storm Water discharge
760-239-38-00	101 Riverview Pkwy.	\$2,450.00	Storm Water	Annual BMP certification not submitted
381-682-24-00	9480 Cuyamaca St.	\$135.00	Storm Water	Annual BMP certification not submitted
381-050-67-12	200 Riverview Parkway	\$195.00	Storm Water	Annual BMP certification not submitted
384-400-62-00	8710 Railroad Ave.	\$700.00	Storm Water	Non-Storm Water discharge
380-430-09-00	9605 Carlton Hills Blvd.	\$350.00	Storm Water	Non-Storm Water discharge
760-239-73-00	9015 Mission Gorge Rd.	\$195.00	Storm Water	Annual BMP certification not submitted
383-395-05-00	9319 Goyette Pl.	\$450.00	Code Violation	Violation of Home Occupation regulations
TOTAL	8 Properties	\$7,060.00		

Fiscal Year 2018-2019



Santee Administrative Citation Program Site Locations Map



City of Santee
COUNCIL AGENDA STATEMENT

Item 13

MEETING DATE June 26, 2019

AGENDA ITEM NO.

ITEM TITLE **PUBLIC HEARING ON A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, ESTABLISHING A SPECIAL ASSESSMENT ON CERTAIN PARCELS OF LAND THAT WERE SUBJECT TO INVOLUNTARY WEED ABATEMENT AND/OR ADMINISTRATIVE FEES BY THE CITY AND FOR WHICH COSTS HAVE NOT BEEN PAID BY THE OWNER(S) OF RECORD OF SAID PARCELS**

DIRECTOR/DEPARTMENT *Saj For*
Melanie Kush, Development Services

BACKGROUND

The City of Santee conducts a Citywide fire prevention program to identify properties that are overgrown with dead weeds and dry grasses. These activities are conducted by Fire Prevention Services, Inc. (FPS), a City-hired private contractor. The Santee Weed Abatement Report for Fiscal Year 2018-19 indicated that 413 properties were brought into compliance. Of these, 407 were owner-abated and six (6) were abated by the City's contractor. Two (2) properties (of the 413 above) were eventually brought into compliance by the owners, but subject to an administrative fee.

A public hearing becomes necessary when costs are incurred in the implementation of the fire prevention program and remain unpaid by the property owner. As such, the purpose of this public hearing is for the City Council to hear and consider any objections to the cost accounting report for the City of Santee, to declare that the abatement costs are a special assessment, and to authorize the recording of a lien on the properties with unpaid administrative and abatement costs. Costs remain unpaid for abatement of six (6) residential properties. These properties include four (4) forced abatements and two (2) properties subject to the administrative fee only. Refer to the Staff Report for more information.

FINANCIAL STATEMENT

There is no direct fiscal impact of this action to the City. The assessments identified in the Resolution would be imposed as liens on the listed properties. Santee Municipal Code chapter 8.48 and the Government Code (sections 38773 and 39580 through 39585) provide that the abatement costs, including administrative costs for enforcement, are recoverable and constitute a special assessment against the parcels that are abated. After the assessments are finalized, the assessments will be submitted to the County Assessor for entry on the 2019-20 tax roll upon which general City taxes are to be collected. The assessments total \$30,909.20. Payments are only issued to FPS after funds are collected through the tax roll from the affected property owners. A full accounting of the charges on each property is on file with the Department of Development Services.

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MSB*

1. Conduct and close public hearing; and
2. Approve the cost report and account of unpaid weed abatement invoices (Exhibit A); and
3. Adopt Resolution confirming report, and ordering abatement costs to be a special assessment on the properties referenced in the report and as shown on the attached itemized list of properties.

ATTACHMENTS

Staff Report Resolution Exhibit "A" Site Location Map Cost Reports

STAFF REPORT

PUBLIC HEARING ON A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, ESTABLISHING A SPECIAL ASSESSMENT ON CERTAIN PARCELS OF LAND THAT WERE SUBJECT TO INVOLUNTARY WEED ABATEMENT AND/OR ADMINISTRATIVE FEES BY THE CITY AND FOR WHICH COSTS HAVE NOT BEEN PAID BY THE OWNER(S) OF RECORD OF SAID PARCELS

**CITY COUNCIL MEETING
JUNE 26, 2019**

WEED AND RUBBISH ABATEMENT PROGRAM

In accordance with Chapter 8.48 of the Santee Municipal Code entitled "Weed and Rubbish Abatement," Fire Prevention Services, Inc. (FPS) inspects and identifies properties that contain vegetation hazards, responds to citizen complaints, and notifies property owner(s) to abate hazards. As part of the process, property owners are given specific deadlines to appeal the declared fire hazard, as well as a date by which the hazard is to be abated to avoid administrative charges.

With heightened awareness of the importance of adequately maintained properties to minimize the threat of fire, many property owners respond promptly to notices alerting them to the need to clear debris, remove overgrowth, and cut back weeds. As such, of the 413 notices that were issued, 407 were owner-abated. Six (6) properties were subject to assessments and remain unpaid.

PROGRAM STATUS

The six (6) properties subject to assessments are all residential properties:

- Four did not abate in accordance with the Santee Municipal Code, thereby causing abatement by the City through FPS.
- Two property owners cleared the property after the final notice deadline, thereby only incurring administrative costs.

SPECIAL ASSESSMENT

The attached Resolution and Exhibit "A" include an itemized report showing the cost of weed abatement on a per lot basis for six (6) properties. None of the affected property owners requested an appeal hearing or paid the invoice which was sent to them by FPS in Fiscal Year 2018-2019, and the cost of removing the weeds have been documented on these properties. Detailed records of the weed abatement performed for each parcel are available for public review.

The amounts so approved become special assessments upon the respective parcels of land and are required to be paid at the same time and in the same manner as regular municipal taxes.

Notice of Public Hearing was published in East County Californian on June 13, 2019 and the owners subject to assessment were notified individually by U.S. mail on June 4, 2019.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE,
CALIFORNIA, ESTABLISHING A SPECIAL ASSESSMENT ON CERTAIN PARCELS
OF LAND THAT WERE SUBJECT TO INVOLUNTARY WEED ABATEMENT AND/OR
ADMINISTRATIVE FEES BY THE CITY AND FOR WHICH COSTS HAVE NOT BEEN
PAID BY THE OWNER(S) OF RECORD OF SAID PARCELS**

WHEREAS, the City of Santee ("City") has taken a very aggressive stance on the abatement of dry grasses, dead shrubs, rubbish and other dry growing material and have enforced this by inclusion of Chapter 8.48 of the Santee Municipal Code, which declares such materials to be a nuisance; and

WHEREAS, the City sent a notice to abate to the owners of record of 413 properties during Fiscal Year 2018-2019; and

WHEREAS, the City did not receive an appeal from the notice to abate from any owners of record of the 413 properties; and

WHEREAS, owners of 407 properties with nuisances voluntarily abated weeds; and

WHEREAS, owners of record of two of these properties voluntarily abated weeds after the final notice deadline, thereby incurring only administrative costs; and

WHEREAS, the City abated nuisances on the remaining four properties; and

WHEREAS, the owners of record of properties who were subject to the City's abatement process failed to complete abatement of nuisances within the prescribed deadlines and regulations, and failed to remit the fees and/or costs incurred with the abatement process; and

WHEREAS, the City Council of the City of Santee, California, has received the cost report and account of unpaid weed abatement invoices for Fiscal Year 2019-2020 and considered all testimony and objections offered on the matter; and

WHEREAS, Santee Municipal Code Section 8.48.140 provides for a special assessment on the property to be collected with other municipal taxes which includes an administrative charge; and

WHEREAS, abatement and/or administrative fees incurred and an invoice was mailed to the owners of record for payment of abatement services and payment has not been made.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Santee, California, does hereby determine that weeds, grasses, dead trees, dead shrubs, and waste matter constitute a public nuisance.

BE IT FURTHER RESOLVED that the City Council of the City of Santee, California, does hereby determine that the costs of abatement and administrative costs of abatement for certain parcels of land, being six parcels as shown below, have not been paid and that same shall become a special assessment upon the respective parcels of land as they are shown upon the last available assessment roll until paid in full.

Parcel Number	Assessed Amount
378-210-16-00	\$23,664.60
378-295-09-00	\$1,218.26
378-391-41-00	\$814.10
380-371-01-00	\$819.24
381-482-01-00	\$1,748.88
386-360-53-00	\$2,644.12
TOTAL PARCELS	6
TOTAL ASSESSMENT	\$30,909.20

BE IT FURTHER RESOLVED that the amount of the assessment shall be collected at the time and in the manner of ordinary municipal taxes. If delinquent, the amount is subject to the same penalties and procedure of foreclosure and sale as is provided for ordinary municipal taxes.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to take all steps necessary to certify and record this Resolution with the appropriate agency.

ADOPTED by the City Council of the City of Santee, California, at a Regular meeting thereof held this 26th day of June, 2019, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, MBA, CMC, CITY CLERK

EXHIBIT "A"

Santee Weed Abatement Program

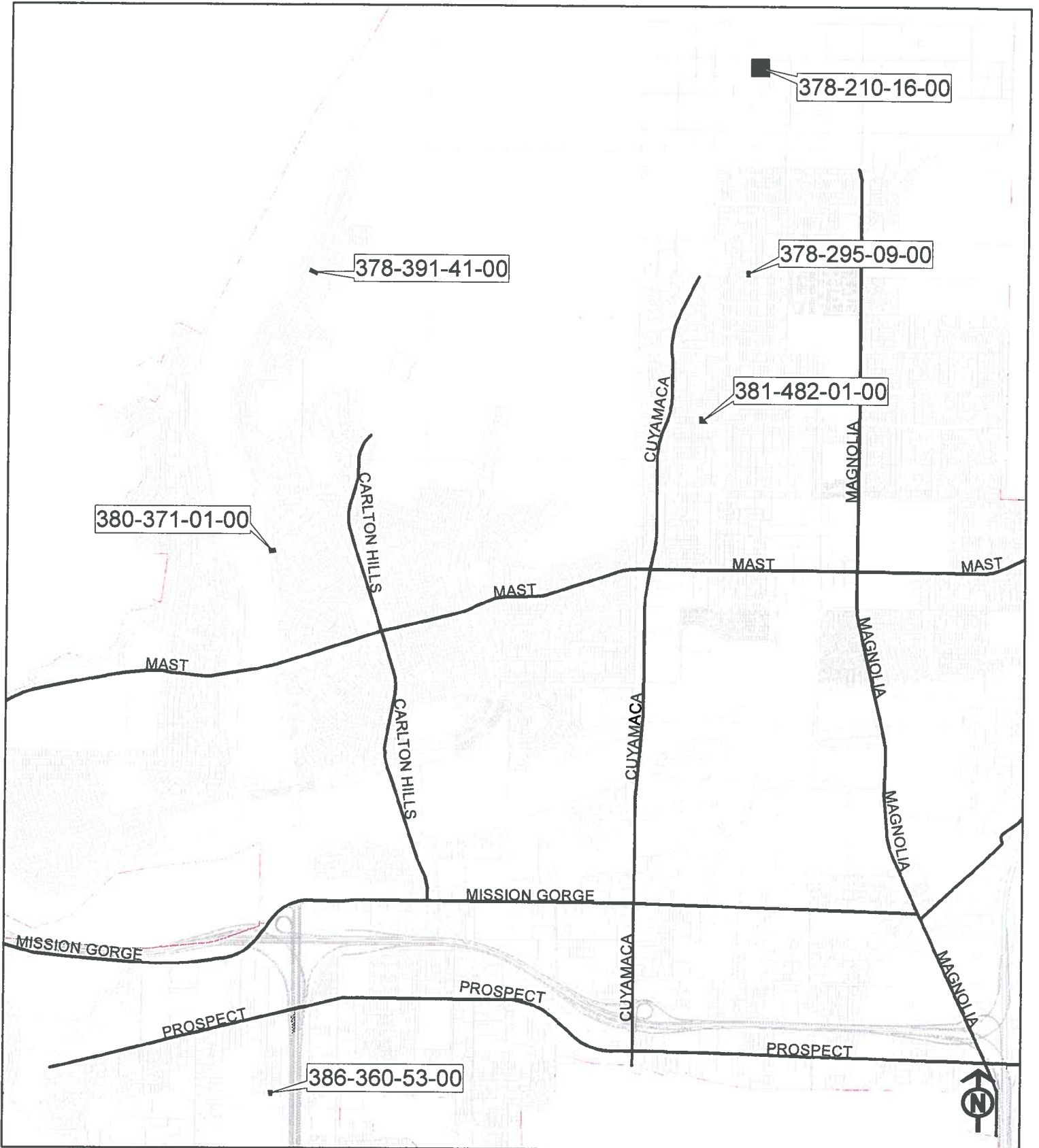
Cost Report and Account of Unpaid Weed Abatement Invoices

Fiscal Year 2018-2019

Parcel	Site Address	Assessed Amount	Owner	Area Cleared Prior Offender?
378-210-16-00	11132 Summit Ave.	\$23,664.60	Bank Of America Funding Corp	32,550 sq. ft. No
378-295-09-00	1059 Lafe Dr.	\$1,218.26	Holly Vanbenschoten	3382 sq. ft. Yes 2017 & 2018
378-391-41-00	10475 Strathmore Dr.	\$814.10	Terrence and Sawn Blick	Admin Fee Only No
380-371-01-00	9758 Settle Rd.	\$819.24	Diana Johnston Estate	Admin Fee Only No
381-482-01-00	9959 Shoredale Dr.	\$1,748.88	Willard Grayson	20.74 cu. yds. No
386-360-53-00	8845 Carmir Drive	\$2,644.12	Richard Brooks	37.03 cu. yds. Yes, 2016, 2017 & 2018
Total Parcels	6			
TOTAL	\$30,909.20			



Santee Weed Abatement Program Site Locations Map



Cost Reports

11132 Summit Avenue

378-210-16-00

Fire Prevention Services, Inc.

P.O. Box 1720 : El Cajon, CA 92022-1720

(866) 779-3774 : fax (619) 445-6336

<http://fireprevention.net>

Final Bill

9/5/2018

Banc Of America Funding Corp 2006-H
1800 Tapo Canyon Rd
Simi Valley, CA 93063

Ref: Parcel # 378 210 16 00
11132 Summit Ave

Dear Banc Of America Funding Corp 2006-H.

You have failed to pay the bill dated 8/20/2018, to date we have not received payment.

If we do not receive payment within 10 days in the amount of \$20381.79 we will be forced to bring appropriate action to collect these monies.

The further action will include the filing of an abatement lien on the property in question, as well as the forwarding to our collection agency. Under state and local law the costs of these actions will be added to the amount referenced above.

To avoid this action please pay now.

Make check payable to F.P.S.I., and please include the File # 378 210 16 00 on the check.

City Hall is also able to receive checks on behalf of Fire Prevention Services. Please still make checks payable to F.P.S.I. and include the file number. You can drop the check off at 10601 Magnolia Avenue, Building 4, to the attention of the Code Enforcement Officer. City Hall is open Monday through Thursday, 8 a.m. to 5 p.m. and Friday 8 a.m. to 1 p.m.

If you have any questions please call us direct at (866) 779-3774, or call the City of Santee Code Enforcement Officer at (619) 258-4100 ext. 167.

Sincerely,

Fire Prevention Services, Inc.

<http://fireprevention.net>

rev.05/19/06

CITY OF SANTEE FIRE DEPARTMENT CONTRACTED ABATEMENT FEES

<u>Tractor Mowing</u>		quantity	sub total
A. per parcel, sized 1 to 7,500 square feet	\$250.00	_____	_____
B. per parcel, sized 7,501 to 15,000 square feet	\$325.00	_____	_____
C. per parcel, sized 15,001 square feet to 30,000 square feet	\$400.00	_____	_____
D. per parcel, sized 30,001 square feet to one acre	\$450.00	_____	_____
E. per square foot over one acre	\$00.02	_____sq. ft.	_____
 <u>Hand Labor</u>			
A. per square foot of area abated	\$0.10	<u>32,550</u> sq. ft.	<u>3,255.00</u>
 <u>Dozer Operation</u>			
A. hourly rate	\$150.00	_____	_____
B. move-on fee	\$150.00	_____	_____
 <u>Debris Remediation</u> (includes chipping, grinding, and/or shredding)			
A. per cubic yard of material prior to chipping, and or compacting	\$38.00	X 436.65 cu.yds	= <u>16,592.70</u>
B. dump fees	(reimbursement of cost)	4 x \$46	<u>184.00</u>
 <u>Administrative Fee</u> (failure to comply by deadline of notice)			
A. per parcel	\$350.00	<u>1</u>	<u>350.00</u>
 <u>Attorney Services</u>			
A. per parcel, per hour	\$200.00	_____	_____
 <u>Assessment Fees</u> (includes preparing reports, attending hearings, etc.)			
A. cost confirmation fee, per parcel	\$275.00	_____	_____
 <u>Miscellaneous Fees Per Parcel</u>			
A. special inspection fee	\$50.00	_____	_____
B. abatement lien	\$50.00	_____	_____
C. Interest on lien (apr)	10%	_____	_____
D. release of abatement lien	\$50.00	_____	_____
E. public notary	\$20.00	_____	_____
F. file duplication fee	\$50.00	_____	_____
G. unscheduled Labor per man hour	\$50.00	_____	_____
H. unscheduled fees	(reimbursement of cost)	_____	_____
 FILE # <u>4451</u> APN # <u>378-210-16-00</u> TOTAL \$ <u>20,381.70</u>			

SUMMARY REPORT FOR APN 378-210-16-00

- 04/24/18 Initial inspection was made, property was found to be in violation.
- 04/25/18 Mailed 30 day courtesy notice to the owner.
- 05/10/18 Received email from property owner.
- 05/15/18 Verified ownership information with the County of San Diego.
- 05/22/18 Received 2 voicemails.
- 05/29/18 Spoke to a representative of property.
- 05/29/18 Re-inspection was made, property was found to be in violation.
- 05/31/18 Spoke to a representative of property.
- 05/31/18 Mailed 10 day final notice to the owner, certified mail.
- 06/11/18 Received signed certified return receipt.
- 06/12/18 Final inspection was made, property was found to be in violation.
- 06/14/18 Verified ownership information with the County of San Diego.
- 07/24/18 Work order authorization signed by City Official.
- 08/06/18 Notified City of scope of abatement.
- 08/08/18 Notified City again of scope and was given ok to proceed.
- 08/07/18 to 08/15/18 F.P.S.I. crews abated the property.
- 08/20/18 The owner was mailed a bill at our contracted rates.
- 09/05/18 The owner was mailed a final bill.
- 08/20/18 A Notice of Abatement was filed on the property.

Cost Reports

1059 Lafe Drive

378-295-09-00

Fire Prevention Services, Inc.

P.O. Box 1720 : El Cajon, CA 92022-1720
(866) 779-3774 : fax (619) 445-6336
<http://fireprevention.net>

Final Bill

8/21/2018

Vanbenschoten Holly R
10059 Lafe Dr
Santee, CA 92071

Ref: Parcel # 378 295 09 00
10059 Lafe Dr

-

Dear Vanbenschoten Holly R,

You have failed to pay the bill dated 7/30/2018, to date we have not received payment.

If we do not receive payment within 10 days in the amount of \$688.2 we will be forced to bring appropriate action to collect these monies.

The further action will include the filing of an abatement lien on the property in question, as well as the forwarding to our collection agency. Under state and local law the costs of these actions will be added to the amount referenced above.

To avoid this action please pay now.

Make check payable to F.P.S.I., and please include the File # 378 295 09 00 on the check.

City Hall is also able to receive checks on behalf of Fire Prevention Services. Please still make checks payable to F.P.S.I. and include the file number. You can drop the check off at 10601 Magnolia Avenue, Building 4, to the attention of the Code Enforcement Officer. City Hall is open Monday through Thursday, 8 a.m. to 5 p.m. and Friday 8 a.m. to 1 p.m.

If you have any questions please call us direct at (866) 779-3774, or call the City of Santee Code Enforcement Officer at (619) 258-4100 ext. 167.

Sincerely,

Fire Prevention Services, Inc.
<http://fireprevention.net>
rev.05/19/06

CITY OF SANTEE FIRE DEPARTMENT CONTRACTED ABATEMENT FEES

<u>Tractor Mowing</u>		quantity	sub total
A. per parcel, sized 1 to 7,500 square feet	\$250.00	_____	_____
B. per parcel, sized 7,501 to 15,000 square feet	\$325.00	_____	_____
C. per parcel, sized 15,001 square feet to 30,000 square feet	\$400.00	_____	_____
D. per parcel, sized 30,001 square feet to one acre	\$450.00	_____	_____
E. per square foot over one acre	\$00.02	_____ sq. ft.	_____
 <u>Hand Labor</u>			
A. per square foot of area abated	\$0.10	3382 sq. ft.	<u>\$338.20</u>
 <u>Dozer Operation</u>			
A. hourly rate	\$150.00	_____	_____
B. move-on fee	\$150.00	_____	_____
 <u>Debris Remediation</u> (includes chipping, grinding, and/or shredding)			
A. per cubic yard of material prior to chipping, and or compacting	\$38.00	X _____ cu. yds =	_____
B. dump fees	(reimbursement of cost)	_____	_____
 <u>Administrative Fee</u> (failure to comply by deadline of notice)			
A. per parcel	\$350.00	1	<u>350.00</u>
 <u>Attorney Services</u>			
A. per parcel, per hour	\$200.00	_____	_____
 <u>Assessment Fees</u> (includes preparing reports, attending hearings, etc.)			
A. cost confirmation fee, per parcel	\$275.00	_____	_____
 <u>Miscellaneous Fees Per Parcel</u>			
A. special inspection fee	\$50.00	_____	_____
B. abatement lien	\$50.00	_____	_____
C. Interest on lien (apr)	10%	_____	_____
D. release of abatement lien	\$50.00	_____	_____
E. public notary	\$20.00	_____	_____
F. file duplication fee	\$50.00	_____	_____
G. unscheduled Labor per man hour	\$50.00	_____	_____
H. unscheduled fees	(reimbursement of cost)	_____	_____
 FILE # <u>4457</u>		APN # <u>378-295-09-00</u>	
		TOTAL	<u>\$688.20</u>

SUMMARY REPORT FOR APN 378-295-09-00

- 04/24/18 Initial inspection was made, property was found to be in violation.
- 04/25/18 Mailed 30 day courtesy notice to the owner.
- 05/29/18 Re-inspection was made, property was found to be in violation.
- 05/31/18 Mailed 10 day final notice to the owner, certified mail.
- 06/12/18 Final inspection was made, property was found to be in violation.
- 06/14/18 Verified ownership information with the County of San Diego.
- 07/24/18 Work order authorization signed by City Official.
- 07/27/18 F.P.S.I. crews abated the property.
- 07/30/18 The owner was mailed a bill at our contracted rates.
- 08/21/18 The owner was mailed a final bill.
- 09/05/18 A Notice of Abatement was filed on the property.

Cost Reports

10475 Strathmore Drive

378-391-41-00

Administrative Fee Only

Fire Prevention Services, Inc.

P.O. Box 1720 : El Cajon, CA 92022-1720

(866) 779-3774 : fax (619) 445-6336

<http://fireprevention.net>

Final Bill

1/29/2019

Blick Terrence A & Dawn M
10475 Strathmore Dr
Santee, CA 92071

Ref: Parcel # 378 391 41 00
10475 Strathmore Dr

Dear Blick Terrence A & Dawn M.

You have failed to pay the bill dated 1/8/2019, to date we have not received payment.

If we do not receive payment within 10 days in the amount of \$350 we will be forced to bring appropriate action to collect these monies.

The further action will include the filing of an abatement lien on the property in question, as well as the forwarding to our collection agency. Under state and local law the costs of these actions will be added to the amount referenced above.

To avoid this action please pay now.

Make check payable to F.P.S.I., and please include the File # 378 391 41 00 on the check.

City Hall is also able to receive checks on behalf of Fire Prevention Services. Please still make checks payable to F.P.S.I. and include the file number. You can drop the check off at 10601 Magnolia Avenue, Building 4, to the attention of the Code Enforcement Officer. City Hall is open Monday through Thursday, 8 a.m. to 5 p.m. and Friday 8 a.m. to 1 p.m.

If you have any questions please call us direct at (866) 779-3774, or call the City of Santee Code Enforcement Officer at (619) 258-4100 ext. 167.

Sincerely,

Fire Prevention Services, Inc.

<http://fireprevention.net>

rev.05/19/06

CITY OF SANTEE FIRE DEPARTMENT CONTRACTED ABATEMENT FEES

<u>Tractor Mowing</u>		quantity	sub total
A. per parcel, sized 1 to 7,500 square feet	\$250.00	_____	_____
B. per parcel, sized 7,501 to 15,000 square feet	\$325.00	_____	_____
C. per parcel, sized 15,001 square feet to 30,000 square feet	\$400.00	_____	_____
D. per parcel, sized 30,001 square feet to one acre	\$450.00	_____	_____
E. per square foot over one acre	\$00.02	_____ sq. ft.	_____
<u>Hand Labor</u>			
A. per square foot of area abated	\$0.10	_____ sq. Ft.	_____
<u>Dozer Operation</u>			
A. hourly rate	\$150.00	_____	_____
B. move-on fee	\$150.00	_____	_____
<u>Debris Remediation</u> (includes chipping, grinding, and/or shredding)			
A. per cubic yard of material prior to chipping, and or compacting	\$38.00	x _____ cu.yds =	_____
B. dump fees	(reimbursement of cost)	_____	_____
<u>Administrative Fee</u> (failure to comply by deadline of notice)			
A. per parcel	\$350.00	1 _____	350.00
<u>Attorney Services</u>			
A. per parcel, per hour	\$200.00	_____	_____
<u>Assessment Fees</u> (includes preparing reports, attending hearings, etc.)			
A. cost confirmation fee, per parcel	\$275.00	_____	_____
<u>Miscellaneous Fees Per Parcel</u>			
A. special inspection fee	\$50.00	_____	_____
B. abatement lien	\$50.00	_____	_____
C. Interest on lien (apr)	10%	_____	_____
D. release of abatement lien	\$50.00	_____	_____
E. public notary	\$20.00	_____	_____
F. file duplication fee	\$50.00	_____	_____
G. unscheduled Labor per man hour	\$50.00	_____	_____
H. unscheduled fees	(reimbursement of cost)	_____	_____
FILE # 4577 _____	APN # 378-391-41-00 _____	TOTAL	\$350.00 _____

SUMMARY REPORT FOR APN 378-391-41-00

07/24/18 Initial inspection was made, property was found to be in violation.

07/30/18 Mailed 30 day courtesy notice to the owner.

08/30/18 Re-inspection was made, property was found to be in violation.

08/31/18 Mailed 10 day final notice to the owner, certified mail.

09/11/18 Final inspection was made, property was found to be in violation.

09/14/18 Verified ownership information with the County of San Diego.

10/24/18 Work order authorization signed by City Official.

12/11/18 F.P.S.I crews arrived to do abatement, met with property owner and granted two weeks to accomplish.

01/04/19 F.P.S.I. crews arrive to find the property in compliance.

01/08/19 The owner was mailed an Administrative bill at the contracted rates.

01/29/19 The owner was mailed a final bill.

02/12/19 A Notice of Abatement was filed on the property.

Cost Reports

9758 Settle Road

380-371-01-00

Administrative Fee Only

Fire Prevention Services, Inc.

P.O. Box 1720 : El Cajon, CA 92022-1720

(866) 779-3774 : fax (619) 445-6336

<http://fireprevention.net>

Final Bill

12/14/2018

Johnston Diana J C Est Of
9758 Settle Rd
Santee, CA 92071

Ref: Parcel # 380 371 01 00
9758 Settle Rd

Dear Johnston Diana J C Est Of,

You have failed to pay the bill dated 11/27/2018, to date we have not received payment.

If we do not receive payment within 10 days in the amount of \$350 we will be forced to bring appropriate action to collect these monies.

The further action will include the filing of an abatement lien on the property in question, as well as the forwarding to our collection agency. Under state and local law the costs of these actions will be added to the amount referenced above.

To avoid this action please pay now.

Make check payable to F.P.S.I., and please include the File # 380 371 01 00 on the check.

City Hall is also able to receive checks on behalf of Fire Prevention Services. Please still make checks payable to F.P.S.I. and include the file number. You can drop the check off at 10601 Magnolia Avenue, Building 4, to the attention of the Code Enforcement Officer. City Hall is open Monday through Thursday, 8 a.m. to 5 p.m. and Friday 8 a.m. to 1 p.m.

If you have any questions please call us direct at (866) 779-3774, or call the City of Santee Code Enforcement Officer at (619) 258-4100 ext. 167.

Sincerely,

Fire Prevention Services, Inc.

<http://fireprevention.net>

rev.05/19/06

CITY OF SANTEE FIRE DEPARTMENT CONTRACTED ABATEMENT FEES

Tractor Mowing

		quantity	sub total
A. per parcel, sized 1 to 7,500 square feet	\$250.00	_____	_____
B. per parcel, sized 7,501 to 15,000 square feet	\$325.00	_____	_____
C. per parcel, sized 15,001 square feet to 30,000 square feet	\$400.00	_____	_____
D. per parcel, sized 30,001 square feet to one acre	\$450.00	_____	_____
E. per square foot over one acre	\$00.02	_____ sq. ft.	_____

Hand Labor

A. per square foot of area abated	\$0.10	_____ sq. ft.	_____
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Dozer Operation

A. hourly rate	\$150.00	_____	_____
B. move-on fee	\$150.00	_____	_____



Debris Remediation (includes chipping, grinding, and/or shredding)

A. per cubic yard of material prior to chipping, and or compacting	\$38.00	X _____ cu. yds =	_____
B. dump fees (reimbursement of cost)		_____	_____

Administrative Fee (failure to comply by deadline of notice)

A. per parcel	\$350.00	1 _____	350.00
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Attorney Services

A. per parcel, per hour	\$200.00	_____	_____
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Assessment Fees (includes preparing reports, attending hearings, etc.)

A. cost confirmation fee, per parcel	\$275.00	_____	_____
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Miscellaneous Fees Per Parcel

A. special inspection fee	\$50.00	_____	_____
B. abatement lien	\$50.00	_____	_____
C. Interest on lien (apr)	10%	_____	_____
D. release of abatement lien	\$50.00	_____	_____
E. public notary	\$20.00	_____	_____
F. file duplication fee	\$50.00	_____	_____
G. unscheduled Labor per man hour	\$50.00	_____	_____
H. unscheduled fees (reimbursement of cost)		_____	_____

FILE # 4581

APN # 380-371-01-00

TOTAL \$ 350.00

SUMMARY REPORT FOR APN 380-371-01-00

07/24/18 Initial inspection was made, property was found to be in violation.

07/30/18 Mailed 30 day courtesy notice to the owner.

08/30/18 Re-inspection was made, property was found to be in violation.

08/31/18 Mailed 10 day final notice to the owner, certified mail.

09/11/18 Final inspection was made, property was found to be in violation.

09/14/18 Verified ownership information with the County of San Diego.

09/24/18 Received signed certified return receipt.

10/24/18 Work order authorization signed by City Official.

11/20/18 F.P.S.I. crews arrived to find the property in compliance.

11/27/18 The owner was mailed an Administrative bill at the contracted rates.

12/14/18 The owner was mailed a final bill.

01/02/19 A Notice of Abatement was filed on the property.

Cost Reports

9959 Shoredale Drive

381-482-01-00

Fire Prevention Services, Inc.

P.O. Box 1720 : El Cajon, CA 92022-1720

(866) 779-3774 : fax (619) 445-6336

<http://fireprevention.net>

Final Bill

1/15/2019

Grayson Willard III
9959 Shoredale Dr
Santee, CA 92071

Ref: Parcel # 381 482 01 00
9959 Shoredale Dr

Dear Grayson Willard III,

You have failed to pay the bill dated 12/21/2018. to date we have not received payment.

If we do not receive payment within 10 days in the amount of \$1205.91 we will be forced to bring appropriate action to collect these monies.

The further action will include the filing of an abatement lien on the property in question, as well as the forwarding to our collection agency. Under state and local law the costs of these actions will be added to the amount referenced above.

To avoid this action please pay now.

Make check payable to F.P.S.I., and please include the File # 381 482 01 00 on the check.

City Hall is also able to receive checks on behalf of Fire Prevention Services. Please still make checks payable to F.P.S.I. and include the file number. You can drop the check off at 10601 Magnolia Avenue, Building 4, to the attention of the Code Enforcement Officer. City Hall is open Monday through Thursday, 8 a.m. to 5 p.m. and Friday 8 a.m. to 1 p.m.

If you have any questions please call us direct at (866) 779-3774, or call the City of Santee Code Enforcement Officer at (619) 258-4100 ext. 167.

Sincerely,

Fire Prevention Services, Inc.

<http://fireprevention.net>

rev.05.19.06

CITY OF SANTEE FIRE DEPARTMENT CONTRACTED ABATEMENT FEES

<u>Tractor Mowing</u>		quantity	sub total
A.	per parcel, sized 1 to 7,500 square feet	\$250.00	_____
B.	per parcel, sized 7,501 to 15,000 square feet	\$325.00	_____
C.	per parcel, sized 15,001 square feet to 30,000 square feet	\$400.00	_____
D.	per parcel, sized 30,001 square feet to one acre	\$450.00	_____
E.	per square foot over one acre	\$00.02	_____sq. ft. _____
<u>Hand Labor</u>			
A.	per square foot of area abated	\$0.10	_____sq. Ft. _____
<u>Dozer Operation</u>			
A.	hourly rate	\$150.00	_____
B.	move-on fee	\$150.00	_____
<u>Debris Remediation</u> (includes chipping, grinding, and/or shredding)			
A.	per cubic yard of material prior to chipping, and or compacting	\$38.00	X <u>20.74</u> cu.yds = <u>\$788.12</u>
B.	dump fees (reimbursement of cost)	1	<u>\$67.79</u>
<u>Administrative Fee</u> (failure to comply by deadline of notice)			
A.	per parcel	\$350.00	1 <u>350.00</u>
<u>Attorney Services</u>			
A.	per parcel, per hour	\$200.00	_____
<u>Assessment Fees</u> (includes preparing reports, attending hearings, etc.)			
A.	cost confirmation fee, per parcel	\$275.00	_____
<u>Miscellaneous Fees Per Parcel</u>			
A.	special inspection fee	\$50.00	_____
B.	abatement lien	\$50.00	_____
C.	Interest on lien (apr)	10%	_____
D.	release of abatement lien	\$50.00	_____
E.	public notary	\$20.00	_____
F.	file duplication fee	\$50.00	_____
G.	unscheduled Labor per man hour	\$50.00	_____
H.	unscheduled fees (reimbursement of cost)		_____
FILE #	<u>4631</u>	APN #	<u>381-482-01-00</u>
		TOTAL	<u>\$1,205.91</u>

SUMMARY REPORT FOR APN 381-482-01-00

08/30/18 Initial inspection was made, property was found to be in violation.

08/31/18 Mailed 30 day courtesy notice to the owner.

10/02/18 Re-inspection was made, property was found to be in violation.

10/04/18 Mailed 10 day final notice to the owner, certified mail.

10/16/18 Final inspection was made, property was found to be in violation.

10/19/18 Verified ownership information with the County of San Diego.

10/24/18 Work order authorization signed by City Official.

12/19/18 F.P.S.I. crews abated the property.

12/21/18 The owner was mailed a bill at our contracted rates.

01/15/19 The owner was mailed a final bill.

01/29/19 A Notice of Abatement was filed on the property.

Cost Reports

8845 Carmir Drive

386-360-53-00

Fire Prevention Services, Inc.

P.O. Box 1720 : El Cajon, CA 92022-1720

(866) 779-3774 : fax (619) 445-6336

<http://fireprevention.net>

Final Bill

12/6/2018

Brooks Richard
8845 Carmir Dr
Santee, CA 92071

Ref: Parcel # 386 360 53 00
8845 Carmir Dr
-

Dear Brooks Richard,

You have failed to pay the bill dated 11/13/2018, to date we have not received payment.

If we do not receive payment within 10 days in the amount of \$2003.14 we will be forced to bring appropriate action to collect these monies.

The further action will include the filing of an abatement lien on the property in question, as well as the forwarding to our collection agency. Under state and local law the costs of these actions will be added to the amount referenced above.

To avoid this action please pay now.

Make check payable to F.P.S.I., and please include the File # 386 360 53 00 on the check.

City Hall is also able to receive checks on behalf of Fire Prevention Services. Please still make checks payable to F.P.S.I. and include the file number. You can drop the check off at 10601 Magnolia Avenue, Building 4, to the attention of the Code Enforcement Officer. City Hall is open Monday through Thursday, 8 a.m. to 5 p.m. and Friday 8 a.m. to 1 p.m.

If you have any questions please call us direct at (866) 779-3774, or call the City of Santee Code Enforcement Officer at (619) 258-4100 ext. 167.

Sincerely,

Fire Prevention Services, Inc.

<http://fireprevention.net>

rev.05/19/06

CITY OF SANTEE FIRE DEPARTMENT CONTRACTED ABATEMENT FEES

Tractor Mowing

		quantity	sub total
A. per parcel, sized 1 to 7,500 square feet	\$250.00	_____	_____
B. per parcel, sized 7,501 to 15,000 square feet	\$325.00	_____	_____
C. per parcel, sized 15,001 square feet to 30,000 square feet	\$400.00	_____	_____
D. per parcel, sized 30,001 square feet to one acre	\$450.00	_____	_____
E. per square foot over one acre	\$00.02	_____ sq. ft.	_____

Hand Labor

A. per square foot of area abated	\$0.10	2,000 sq. ft.	\$200.00
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Dozer Operation

A. hourly rate	\$150.00	_____	_____
B. move-on fee	\$150.00	_____	_____

Debris Remediation (includes chipping, grinding, and/or shredding)

A. per cubic yard of material prior to chipping, and or compacting	\$38.00	X	37.03 cu.yds =	\$1,407.14
B. dump fees (reimbursement of cost)			1	\$46.00

Administrative Fee (failure to comply by deadline of notice)

A. per parcel	\$350.00	1	\$350.00
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Attorney Services

A. per parcel, per hour	\$200.00	_____	_____
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Assessment Fees (includes preparing reports, attending hearings, etc.)

A. cost confirmation fee, per parcel	\$275.00	_____	_____
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Miscellaneous Fees Per Parcel

A. special inspection fee	\$50.00	_____	_____
B. abatement lien	\$50.00	_____	_____
C. Interest on lien (apr)	10%	_____	_____
D. release of abatement lien	\$50.00	_____	_____
E. public notary	\$20.00	_____	_____
F. file duplication fee	\$50.00	_____	_____
G. unscheduled Labor per man hour	\$50.00	_____	_____
H. unscheduled fees (reimbursement of cost)		_____	_____

FILE # 4644

APN # 386-360-53-00

TOTAL \$ 2,003.14

SUMMARY REPORT FOR APN 386-360-53-00

- 08/30/18 Initial inspection was made, property was found to be in violation.
- 08/31/18 Mailed 30 day courtesy notice to the owner.
- 10/02/18 Re-inspection was made, property was found to be in violation.
- 10/04/18 Mailed 10 day final notice to the owner, certified mail.
- 10/16/18 Final inspection was made, property was found to be in violation.
- 10/19/18 Verified ownership information with the County of San Diego.
- 10/24/18 Work order authorization signed by City Official.
- 11/06/18 F.P.S.I. crews abated the property.
- 11/13/18 The owner was mailed a bill at our contracted rates.
- 12/06/18 The owner was mailed a final bill.
- 12/18/18 A Notice of Abatement was filed on the property.

City of Santee
COUNCIL AGENDA STATEMENT

MEETING DATE

June 26, 2019

AGENDA ITEM NO.**ITEM TITLE**

RESOLUTION APPROVING THE FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM AND ADOPTING THE CAPITAL IMPROVEMENT PROGRAM BUDGET FOR FISCAL YEARS 2019-20 AND 2020-21

DIRECTOR/DEPARTMENT

Marlene Best, City Manager *MSB*
 Tim K. McDermott, Finance *TKM*

SUMMARY

The Proposed Five-Year Capital Improvement Program (CIP) for Fiscal Years 2020 through 2024 was presented to the City Council for review and discussion on May 22 and June 12, 2019. The proposed CIP budget is now presented to City Council for adoption.

The purpose of the CIP is to provide a multi-year planning tool for the infrastructure and other capital needs of the community, and to coordinate the scheduling and financing of projects. Emphasis has been placed on the first two years, which upon City Council action will become the adopted capital project budget. Once adopted, the CIP is continually monitored to ensure funding sources are available as projected and is revised bi-annually in response to continually evolving priorities and economic conditions.

The proposed Five-Year Capital Improvement Program is on file with the City Clerk's Office for public review.

FINANCIAL STATEMENT *TKM*

The Proposed Five-Year Capital Improvement Program reflects funded projects totaling \$23,192,690 in Fiscal Year 2019-20 and \$21,178,950 in Fiscal Year 2020-21

CITY ATTORNEY REVIEW

N/A

Completed

RECOMMENDATION *MSB*

Adopt the attached resolution approving the Five-Year Capital Improvement Program and adopting the Capital Improvement Program Budget for Fiscal Years 2019-20 and 2020-21.

ATTACHMENTS

1. Resolution
2. Financial Summaries – CIP by Project Type and CIP by Revenue Source

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA
APPROVING THE FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM AND
ADOPTING THE CAPITAL IMPROVEMENT PROGRAM BUDGET
FOR FISCAL YEARS 2019-20 AND 2020-21**

WHEREAS, the City of Santee, California requires public infrastructure improvements in areas such as circulation, drainage, parks and public facilities; and

WHEREAS, the prioritization and scheduling of these improvements is necessary to best serve the public's health, safety and welfare; and

WHEREAS, in order to prioritize these public infrastructure improvements, a Capital Improvement Program is necessary; and

WHEREAS, on May 22, 2019 and June 12, 2019 public meetings were held by the City Council to discuss the proposed Five-Year Capital Improvement Program for Fiscal Years 2020 through 2024; and

WHEREAS, the City Council considered all recommendations by staff and public testimony.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Santee, California as follows:

SECTION 1.

The Five-Year Capital Improvement Program for Fiscal Years 2020 through 2024 as submitted by the City Manager, including all changes directed by the City Council, is hereby approved.

SECTION 2.

The Capital Improvement Program Budget for Fiscal Years 2019-20 and 2020-21 is hereby adopted and appropriated pursuant to Section 1. Upon adoption, any projects identified or remaining as unfunded in Fiscal Years 2019-20 or 2020-21 will be scheduled out to future years, as no funding is available for appropriation.

SECTION 3.

The City Manager may authorize transfers of up to \$25,000 between approved Capital Improvement Program projects.

SECTION 4.

Unencumbered balances remaining at June 30, 2020 and June 30, 2021 for Capital Improvement Program projects may be carried forward to the succeeding fiscal year without further City Council action.

RESOLUTION NO. _____

ADOPTED by the City Council of the City of Santee, California, at a regular meeting thereof held this 26th day of June 2019 by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, MBA, CMC, CITY CLERK

Capital Improvement Program - Summary of Projects by Project Type

June 18, 2019

FY 2019-20 through FY 2023-24

Pg. No.	Lead Dept	Project	Prior Expenditures	Proposed FY 2019-20	Proposed FY 2020-21	Projected FY 2021-22	Projected FY 2022-23	Projected FY 2023-24	Total Project Cost
CIRCULATION PROJECTS									
1	DDS	Active Transportation Master Plan	\$ 72,500	\$ 195,000	\$ 4,500	\$ -	\$ -	\$ -	\$ 272,000
2	DDS	Bridge Restorations Citywide ⁽²⁾	-	911,240	711,240	711,240	711,240	711,240	3,756,200
3	DDS	Cottonwood Ave River Crossing ⁽²⁾	-	-	-	-	-	24,183,500	24,183,500
4	DDS	Cottonwood Ave Widening & Sidewalks ⁽²⁾	-	-	-	452,000	4,585,553	2,899,248	7,936,801
5	DDS	Cuyamaca Right Turn Lanes at Mission Gorge	-	210,000	226,950	756,450	-	-	1,193,400
6	DDS	Graves Avenue Street Improvements	-	-	200,000	1,378,200	1,912,700	2,000,000	5,490,900
7	DDS	Highway 52 Improvements ⁽²⁾	600,000	1,000,000	3,400,000	38,400,000	-	-	43,400,000
8	DSD	Highway 52 Intersection Improvements	-	-	1,725,000	-	-	-	1,725,000
9	DDS	Magnolia Avenue Widening ⁽²⁾	-	-	-	-	-	3,894,000	3,894,000
10	CSD	Median/Streetscape Improve Citywide ⁽¹⁾	-	-	-	-	100,000	1,000,000	1,100,000
11	CSD	Median Upgrade at Mission Gorge Rd West ⁽¹⁾	-	-	-	-	51,000	460,000	511,000
12	DDS	Olive Lane Improvements ⁽¹⁾	-	-	-	-	717,200	2,457,600	3,174,800
13	DDS	Pavement Condition Report	-	-	-	70,000	-	-	70,000
14	DDS	Pavement Repair & Rehabilitation Citywide ⁽²⁾	-	3,325,000	3,325,000	3,325,000	3,325,000	3,325,000	16,625,000
15	DDS	Pavement Roadway Maintenance Citywide ⁽²⁾	-	1,425,000	1,425,000	1,425,000	1,425,000	1,425,000	7,125,000
16	DDS	Prospect Avenue Improvements - West ⁽¹⁾	-	-	-	1,000,000	4,020,720	10,089,920	15,110,640
17	DDS	Prospect Ave/Mesa Rd Improvements	-	230,000	441,200	-	-	-	671,200
18	DDS	Regional Arterial Management System	-	7,400	7,400	7,400	7,400	7,400	37,000
19	DDS	Safe Routes to School Improvements ⁽¹⁾	-	-	180,000	240,000	-	-	420,000
20	DDS	Sidewalk Installation on Mission Gorge Rd ⁽¹⁾	-	-	-	-	100,000	565,000	665,000
21	DDS	Sidewalk Program Citywide ⁽¹⁾	-	-	-	-	-	40,732,000	40,732,000
22	DDS	Smart Traffic Signals ⁽¹⁾	-	-	-	50,000	430,000	-	480,000
23	DDS	SR-67/Woodside Ave Interchange Imp	715,000	3,350,000	-	-	-	-	4,065,000
24	DDS	Street Light Installation ⁽²⁾	50,000	733,700	100,000	-	350,000	-	1,233,700
25	DDS	Traffic Sign Upgrades Citywide	249,500	5,000	-	-	-	-	254,500
26	DDS	Traffic Signal Visibility Enhancements	-	23,500	196,100	-	-	-	219,600
28	DDS	Transportation Impr Master Plan Implementation ⁽²⁾	1,569,750	566,400	376,800	912,000	481,400	2,133,100	6,039,450
30	DDS	Utility Undergrounding	-	-	-	40,000	701,134	-	741,134
Subtotal Circulation Projects			\$ 3,256,750	\$ 11,982,240	\$ 12,319,190	\$ 48,767,290	\$ 18,918,347	\$ 95,883,008	\$ 191,126,825

(1) This project is unfunded at this time. See specific project page for more detail.

(2) This project is partially unfunded at this time. See specific project page for more detail.

Capital Improvement Program - Summary of Projects by Project Type

June 18, 2019

FY 2019-20 through FY 2023-24

Pg. No.	Lead Dept	Project	Prior Expenditures	Proposed FY 2019-20	Proposed FY 2020-21	Projected FY 2021-22	Projected FY 2022-23	Projected FY 2023-24	Total Project Cost
DRAINAGE PROJECTS									
31	DDS	CMP Storm Drain Replacement Program ⁽²⁾	\$ -	\$ 2,473,900	\$ 2,473,900	\$ 2,473,900	\$ 2,473,900	\$ 2,473,900	\$ 12,369,500
32	DDS	Master Drainage Study Update ⁽¹⁾	-	-	-	-	250,000	250,000	500,000
33	DDS	Mission Gorge Rd Drainage Improve East ⁽¹⁾	-	-	-	1,586,000	2,000,000	2,423,100	6,009,100
34	DDS	Mission Gorge Rd Drainage Improve West ⁽¹⁾	-	-	-	689,500	1,000,000	1,000,000	2,689,500
35	DDS	SD River Bacteria Reduction - Invest Order ⁽²⁾	-	40,000	40,000	60,000	60,000	60,000	260,000
36	DDS	SD River Bacteria Reduction - TMDL	-	40,000	20,000	20,000	20,000	20,000	120,000
37	DDS	Shadow Hill/Woodside Drainage Improvement ⁽¹⁾	-	-	-	10,000	619,000	1,000,000	1,629,000
38	DDS	Storm Drain Trash Diversion	-	169,000	169,000	169,000	169,000	169,000	845,000
		Subtotal Drainage Projects	\$ -	\$ 2,722,900	\$ 2,702,900	\$ 5,008,400	\$ 6,591,900	\$ 7,396,000	\$ 24,422,100
FACILITY PROJECTS									
39	CSD	Backflow Preventers at City Hall	\$ -	\$ 75,000	\$ -	\$ -	\$ -	\$ -	\$ 75,000
40	DDS	City Hall Improvements ⁽²⁾	71,928	650,000	-	99,500	126,500	-	947,928
41	CSD	Community Center - Phase 1	60,000	-	1,200,000	11,600,000	-	-	12,860,000
42	CSD	Community Center - Phase 2	-	-	-	-	-	1,350,000	1,350,000
43	DDS	Electric Vehicle Charging Stations ⁽¹⁾	-	-	51,000	52,000	53,000	54,000	210,000
44	FIRE	Fleet Maintenance Facility ⁽¹⁾	-	-	-	-	2,200,000	-	2,200,000
45	CSD	Light Standards Replacement	-	25,000	25,000	25,000	25,000	25,000	125,000
46	CSD	Lighting Upgrades Citywide	-	-	250,000	-	-	-	250,000
47	CSD	Parking Lot Resurfacing	-	35,000	35,000	35,000	35,000	35,000	175,000
48	FIRE	Public Safety Center ⁽²⁾	-	50,000	25,000	-	1,400,000	16,000,000	17,475,000
49	DDS	Santee Library ⁽¹⁾	-	-	-	-	-	20,000,000	20,000,000
50	CSD	Vactor De-Watering Station ⁽¹⁾	-	-	-	500,000	-	-	500,000
		Subtotal Facility Projects	\$ 131,928	\$ 835,000	\$ 1,586,000	\$ 12,311,500	\$ 3,839,500	\$ 37,464,000	\$ 56,167,928

(1) This project is unfunded at this time. See specific project page for more detail.

(2) This project is partially unfunded at this time. See specific project page for more detail.

Capital Improvement Program - Summary of Projects by Project Type

June 18, 2019

FY 2019-20 through FY 2023-24

Pg. No.	Lead Dept	Project	Prior Expenditures	Proposed FY 2019-20	Proposed FY 2020-21	Projected FY 2021-22	Projected FY 2022-23	Projected FY 2023-24	Total Project Cost
PARK PROJECTS									
51	CSD	Ball Field Improvements	\$ -	\$ 40,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 120,000
52	CSD	Big Rock Park Restroom Improvements	-	-	-	-	-	400,000	400,000
53	CSD	General Park Improvements	-	20,000	20,000	20,000	20,000	20,000	100,000
54	CSD	Mast Park Improvements	7,301,892	5,098,940	-	-	-	-	12,400,832
56	CSD	Santee Aquatics Center/YMCA Locker Rooms ⁽²⁾	-	-	-	-	840,000	-	840,000
57	CSD	Skate Park ⁽¹⁾	-	-	-	-	-	1,000,000	1,000,000
58	CSD	SportsPlex Playground Improvements ⁽¹⁾	-	120,000	-	-	-	-	120,000
59	CSD	Trail Improvements SD River Walmart to Cuyamaca	-	79,000	-	-	-	-	79,000
60	CSD	Trails Master Plan Update ⁽¹⁾	-	-	-	50,000	-	-	50,000
61	CSD	Trails - Mast Blvd to Walker Preserve	-	-	-	2,500,000	-	-	2,500,000
62	CSD	Trails - SD River at Carlton Oaks	-	2,500,000	8,000,000	-	-	-	10,500,000
63	CSD	Trails - SD River Interpretive Center	-	-	500,000	-	-	-	500,000
64	CSD	Trails - SD River North Side Cuyamaca to Magnolia ⁽¹⁾	-	-	400,000	3,625,000	275,000	2,500,000	6,800,000
65	DDS	Trails - SD River South Side Cuyamaca to Magnolia	-	300,000	300,000	3,000,000	7,000,000	6,200,000	16,800,000
66	CSD	Trails - Walker Preserve to Tank Hill ⁽¹⁾	-	-	-	-	-	650,000	650,000
67	CSD	TCCP - Artificial Turf Replacement	-	-	-	-	1,100,000	-	1,100,000
68	CSD	Weston Park	-	2,820,000	-	-	-	-	2,820,000
Subtotal Park Projects			\$ 7,301,892	\$ 10,977,940	\$ 9,240,000	\$ 9,215,000	\$ 9,255,000	\$ 10,790,000	\$ 56,779,832

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Capital Improvement Program - Summary of Projects by Project Type

June 18, 2019

FY 2019-20 through FY 2023-24

Pg. No.	Lead Dept	Project	Prior Expenditures	Proposed FY 2019-20	Proposed FY 2020-21	Projected FY 2021-22	Projected FY 2022-23	Projected FY 2023-24	Total Project Cost
OTHER PROJECTS									
69	IT	Computer Workstation Replacement	\$ -	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	\$ 150,000
70	CLERK	Council Chamber AV Upgrade	-	100,000	15,000	15,000	15,000	15,000	160,000
71	IT	IT Disaster Recovery Implementation ⁽²⁾	22,830	-	-	250,000	-	-	272,830
72	IT	Network Hardware/Software Replacement	-	30,000	30,000	30,000	30,000	30,000	150,000
73	IT	Network Wiring Upgrade ⁽¹⁾	-	-	-	80,000	-	-	80,000
74	DDS	Permitting and Land Management System	-	300,000	-	-	-	-	300,000
75	CSD	Website Update	-	50,000	-	-	47,000	-	97,000
76	CSD	Work Order and Asset Management System ⁽¹⁾	-	-	-	100,000	-	-	100,000
Subtotal Other Projects			\$ 22,830	\$ 510,000	\$ 75,000	\$ 505,000	\$ 122,000	\$ 75,000	\$ 1,309,830
TOTAL PROJECT SUMMARY			\$ 10,713,400	\$ 27,028,080	\$ 25,923,090	\$ 75,807,190	\$ 38,726,747	\$ 151,608,008	\$ 329,806,515
Less Prior Year Expenditures									\$ (10,713,400)
CAPITAL IMPROVEMENT PROGRAM				\$ 27,028,080	\$ 25,923,090	\$ 75,807,190	\$ 38,726,747	\$ 151,608,008	\$ 319,093,115

(1) This project is unfunded at this time. See specific project page for more detail.

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Capital Improvement Program - Summary of Projects by Revenue Source

6/18/2019

FY 2019-20 through FY 2023-24

REVENUE SOURCE & Project Expenditures	Prior Expenditures	Available Balance	Proposed FY 2019-20	Proposed FY 2020-21	Projected FY 2021-22	Projected FY 2022-23	Projected FY 2023-24	Total 5-Year Revenue & Expenditures
CDBG LOAN								
Prior Year Balance		-	-	-	-	-	-	-
Revenues			-	-	-	1,500,000	-	1,500,000
Cottonwood Ave Widening & Sidewalk Improve	-	-	-	-	-	1,500,000	-	1,500,000
Total Expenditures			-	-	-	1,500,000	-	1,500,000
Balance			-	-	-	-	-	-
CFD 2017-1								
Prior Year Balance		-	-	-	-	-	-	-
Revenues			2,820,000	-	-	-	-	2,820,000
Weston Park	-	-	2,820,000	-	-	-	-	2,820,000
Total Expenditures			2,820,000	-	-	-	-	2,820,000
Balance			-	-	-	-	-	-
DEVELOPER CONTRIBUTIONS								
Prior Year Balance		916,386	916,386	747,437	747,437	747,437	747,437	
Revenues			1,300,000	6,325,000	9,125,000	8,806,517	22,430,117	48,903,020
DDS Cottonwood Ave Widening & Sidewalk Imp	-	-	-	-	-	906,517	906,517	1,813,034
DDS Cottonwood Avenue River Crossing	-	-	-	-	-	-	15,323,600	15,323,600
DDS Cuyamaca Right Turn Lanes at Mission Gorge	-	-	137,421	-	-	-	-	137,421
DDS Graves Avenue Street Improvements	-	-	-	-	-	900,000	-	900,000
DDS HW 52 Imp at Mast Blvd and West Hills Pkwy	-	-	-	1,725,000	-	-	-	1,725,000
DDS HW 52 Imp b/t SR-125 and I-15	600,000	-	1,000,000	3,400,000	-	-	-	4,400,000
DDS Magnolia Ave Widening	-	-	-	-	-	-	71,300	71,300
CSD Mast Park Improvements	931,898	-	-	-	-	-	-	-
CSD Trail Improvements SD River Walmart to Cuyamaca	-	-	31,528	-	-	-	-	31,528
CSD Trails--Mast Blvd to Walker Preserve	-	-	-	-	2,500,000	-	-	2,500,000
CSD Trails-San Diego River Interpretive Center	-	-	-	500,000	-	-	-	500,000
CSD Trails-SD River N Side Cuyamaca to Magnolia	-	-	-	400,000	3,625,000	-	-	4,025,000
CSD Trails-SD River S Side Cuyamaca to Magnolia	-	-	300,000	300,000	3,000,000	7,000,000	6,200,000	16,800,000
Total Expenditures			1,468,949	6,325,000	9,125,000	8,806,517	22,501,417	48,226,883
Balance			747,437	747,437	747,437	747,437	676,137	676,137

Capital Improvement Program - Summary of Projects by Revenue Source

6/18/2019

FY 2019-20 through FY 2023-24

REVENUE SOURCE & Project Expenditures		Prior Expenditures	Available Balance	Proposed FY 2019-20	Proposed FY 2020-21	Projected FY 2021-22	Projected FY 2022-23	Projected FY 2023-24	Total 5-Year Revenue & Expenditures
DRAINAGE FEES									
<i>Prior Year Balance</i>			2,038,390	2,038,390	1,045,950	353,900	-	-	
<i>Revenues</i>				561,720	862,110	1,018,210	518,930	559,720	5,559,080
DDS	CMP Storm Drain Replacement Program	-		1,554,160	1,554,160	1,372,110	518,930	559,720	5,559,080
<i>Total Expenditures</i>				1,554,160	1,554,160	1,372,110	518,930	559,720	5,559,080
<i>Balance</i>				1,045,950	353,900	-	-	-	-
FEDERAL HSIP GRANT (Highway Safety Improvement Program)									
<i>Prior Year Balance</i>			-	-	-	-	-	-	
<i>Revenues</i>				761,700	296,100	-	-	-	1,057,800
DDS	Street Light Installation	50,000		733,700	100,000	-	-	-	833,700
DDS	Traffic Sign Upgrades Citywide	224,500		4,500	-	-	-	-	4,500
DDS	Traffic Signal Visibility Enhancements	-		23,500	196,100	-	-	-	219,600
<i>Total Expenditures</i>				761,700	296,100	-	-	-	1,057,800
<i>Balance</i>				-	-	-	-	-	-
GAS TAX									
<i>Prior Year Balance</i>			500	500	-	-	-	-	
<i>Revenues</i>				-	-	-	-	-	500
DDS	Traffic Sign Upgrades Citywide	25,000		500	-	-	-	-	500
<i>Total Expenditures</i>				500	-	-	-	-	500
<i>Balance</i>				-	-	-	-	-	-

Capital Improvement Program - Summary of Projects by Revenue Source

6/18/2019

FY 2019-20 through FY 2023-24

REVENUE SOURCE & Project Expenditures		Prior Expenditures	Available Balance	Proposed FY 2019-20	Proposed FY 2020-21	Projected FY 2021-22	Projected FY 2022-23	Projected FY 2023-24	Total 5-Year Revenue & Expenditures
GAS TAX-RMRA									
Prior Year Balance			800,080	800,080	330,170	65,140	103,250	160,990	
Revenues				949,300	962,210	981,450	1,001,080	1,021,100	5,715,220
DDS	Bridge Restoration Citywide	-		383,900	50,000	50,000	50,000	50,000	583,900
DDS	CMP Storm Drain Replacement Program	-		-	333,900	50,000	50,000	50,000	483,900
DDS	Pavement Repair and Rehabilitation Citywide	-		613,640	421,670	421,670	421,670	421,670	2,300,320
DDS	Pavement Roadway Maintenance Citywide	-		421,670	421,670	421,670	421,670	421,670	2,108,350
Total Expenditures				1,419,210	1,227,240	943,340	943,340	943,340	5,476,470
Balance				330,170	65,140	103,250	160,990	238,750	238,750
GENERAL FUND									
Prior Year Balance			1,851,385	1,851,385	319,380	-	(776,500)	(1,550,000)	
Revenues				760,000	157,120	-	-	-	2,768,505
CSD	Backflow Preventers at City Hall	-		75,000	-	-	-	-	75,000
CLRK	City Council Chamber A/V Upgrade	-		100,000	15,000	15,000	15,000	15,000	160,000
DDS	City Hall Improvements	71,928		650,000	-	-	-	-	650,000
DDS	CMP Storm Drain Replacement Program	-		100,000	100,000	100,000	100,000	100,000	500,000
IT	Computer Workstation Replacement	-		30,000	30,000	30,000	30,000	30,000	150,000
IT	IT Disaster Recovery Implementation	22,830		-	-	50,000	-	-	50,000
CSD	Light Standards Replacements	-		12,500	12,500	12,500	12,500	12,500	62,500
CSD	Mast Park Improvements	278,380		54,655	-	-	-	-	54,655
IT	Network Hardware/Software Replacement	-		30,000	30,000	30,000	30,000	30,000	150,000
CSD	Parking Lot Resurfacing	-		35,000	35,000	35,000	35,000	35,000	175,000
DDS	Pavement Roadway Maintenance Citywide	-		608,610	-	-	-	-	608,610
DDS	Permitting and Land Management System	-		300,000	-	-	-	-	300,000
DDS	Public Safety Center	-		50,000	25,000	-	-	-	75,000
DDS	SD River Bacteria Reduction-Invest Order	-		40,000	40,000	40,000	40,000	40,000	200,000
DDS	SD River Bacteria Reduction-TMDL	-		40,000	20,000	20,000	20,000	20,000	120,000
DDS	Storm Drain Trash Diversion	-		116,240	169,000	169,000	169,000	169,000	792,240
CSD	TCCP-Artificial Turf Replacement	-		-	-	275,000	275,000	-	550,000
CSD	Website Update	-		50,000	-	-	47,000	-	97,000
Total Expenditures				2,292,005	476,500	776,500	773,500	451,500	4,770,005
Balance				319,380	-	(776,500)	(1,550,000)	(2,001,500)	(2,001,500)

Capital Improvement Program - Summary of Projects by Revenue Source

6/18/2019

FY 2019-20 through FY 2023-24

REVENUE SOURCE & Project Expenditures		Prior Expenditures	Available Balance	Proposed FY 2019-20	Proposed FY 2020-21	Projected FY 2021-22	Projected FY 2022-23	Projected FY 2023-24	Total 5-Year Revenue & Expenditures
HOUSING RELATED PARKS PROGRAM GRANT									
<i>Prior Year Balance</i>			-	-	-	-	-	-	-
<i>Revenues</i>				-	-	-	-	-	-
CSD	Mast Park Improvements	321,431	-	-	-	-	-	-	-
<i>Total Expenditures</i>			-	-	-	-	-	-	-
<i>Balance</i>			-	-	-	-	-	-	-
PARK-IN-LIEU FEES									
<i>Prior Year Balance</i>			2,342,020	2,342,020	1,321,958	2,674,128	225,598	1,396,868	
<i>Revenues</i>				1,151,900	1,904,670	1,703,970	1,773,770	1,283,820	10,160,150
CSD	Ball Field Improvements	-		40,000	20,000	20,000	20,000	20,000	120,000
CSD	Big Rock Park Restroom Improv	-		-	-	-	-	200,000	200,000
CSD	Community Center Phase 1-Teen/Senior Center	-		-	500,000	4,100,000	-	-	4,600,000
CSD	General Park Improvements	-		20,000	20,000	20,000	20,000	20,000	100,000
CSD	Light Standard Replacement	-		12,500	12,500	12,500	12,500	12,500	62,500
CSD	Mast Park Improvements	1,647,393		2,036,990	-	-	-	-	2,036,990
CSD	SportPlex Playground Improv	-		15,000	-	-	-	-	15,000
CSD	TCCP-Artificial Turf Replacement	-		-	-	-	550,000	-	550,000
CSD	Trail Improvements SD River Walmart to Cuyamaca	-		47,472	-	-	-	-	47,472
<i>Total Expenditures</i>				2,171,962	552,500	4,152,500	602,500	252,500	7,731,962
<i>Balance</i>				1,321,958	2,674,128	225,598	1,396,868	2,428,188	2,428,188
PROPOSITION 68 FUNDS									
<i>Prior Year Balance</i>			-	-	-	-	-	-	-
<i>Revenues</i>				-	250,000	-	-	-	250,000
CSD	Community Center Phase 1-Teen/Senior Center	-		-	250,000	-	-	-	250,000
<i>Total Expenditures</i>				-	250,000	-	-	-	250,000
<i>Balance</i>				-	-	-	-	-	-

Capital Improvement Program - Summary of Projects by Revenue Source

6/18/2019

FY 2019-20 through FY 2023-24

REVENUE SOURCE & Project Expenditures		Prior Expenditures	Available Balance	Proposed FY 2019-20	Proposed FY 2020-21	Projected FY 2021-22	Projected FY 2022-23	Projected FY 2023-24	Total 5-Year Revenue & Expenditures
PUBLIC FACILITIES FEES									
Prior Year Balance			5,461,500	5,461,500	4,415,497	5,766,677	43,647	1,292,457	
Revenues				1,448,680	1,801,180	1,401,970	1,458,810	1,062,730	12,634,870
CSD	Big Rock Park Restroom Improv	-		-	-	-	-	200,000	200,000
CSD	Community Center - Phase 1	60,000			450,000	7,125,000	-	-	7,575,000
CSD	Community Center - Phase 2	-		-	-	-	-	1,350,000	1,350,000
CSD	Mast Park Improvements	2,529,231		2,494,683	-	-	-	-	2,494,683
CSD	Santee Aquatic Center/YMCA Locker Rooms	-		-	-	-	210,000	-	210,000
Total Expenditures				2,494,683	450,000	7,125,000	210,000	1,550,000	11,829,683
Balance				4,415,497	5,766,677	43,647	1,292,457	805,187	805,187
RTCIP FEE									
(Regional Transportation Congestion Improvement Program)									
Prior Year Balance			1,349,510	1,349,510	-	838,020	1,054,660	1,508,530	
Revenues				637,510	838,020	574,540	602,070	411,290	4,412,940
DDS	SR-67/Woodside Ave Interchange Improvement	715,000		1,987,020	-	-	-	-	1,987,020
DDS	Transportation Improve Master Plan Implement	1,272,139		-	-	357,900	148,200	1,081,700	1,587,800
Total Expenditures				1,987,020	-	357,900	148,200	1,081,700	3,574,820
Balance				-	838,020	1,054,660	1,508,530	838,120	838,120
SAN DIEGO COUNTY									
Prior Year Balance			-	-	-	-	-	-	
Revenues				-	-	375,000	-	-	375,000
CSD	Community Center Phase 1			-	-	375,000	-	-	375,000
Total Expenditures				-	-	375,000	-	-	375,000
Balance				-	-	-	-	-	-

Capital Improvement Program - Summary of Projects by Revenue Source

6/18/2019

FY 2019-20 through FY 2023-24

REVENUE SOURCE & Project Expenditures		Prior Expenditures	Available Balance	Proposed FY 2019-20	Proposed FY 2020-21	Projected FY 2021-22	Projected FY 2022-23	Projected FY 2023-24	Total 5-Year Revenue & Expenditures
SAN DIEGO COUNTY REINVESTMENT GRANT									
<i>Prior Year Balance</i>			-	-	-	-	-	-	-
<i>Revenues</i>									
CSD	Mast Park Improvements	186,271							
<i>Total Expenditures</i>									
<i>Balance</i>				-	-	-	-	-	-
SANDAG									
<i>Prior Year Balance</i>			-	-	-	-	-	-	-
<i>Revenues</i>				2,500,000	8,000,000	-	-	-	10,500,000
CSD	San Diego River Trail at Carlton Oaks	-		2,500,000	8,000,000	-	-	-	10,500,000
<i>Total Expenditures</i>				2,500,000	8,000,000	-	-	-	10,500,000
<i>Balance</i>			-	-	-	-	-	-	-
SANDAG Active Transportation Grant									
<i>Prior Year Balance</i>			-	-	-	-	-	-	-
<i>Revenues</i>				-	306,999	-	-	-	306,999
DDS	Prospect Ave and Mesa Rd Intersection Imp	-		-	306,999	-	-	-	306,999
<i>Total Expenditures</i>				-	306,999	-	-	-	306,999
<i>Balance</i>			-	-	-	-	-	-	-
SDG&E Rule 20A									
<i>Prior Year Balance</i>			-	-	-	-	-	-	-
<i>Revenues</i>							701,134	-	701,134
DDS	Utility Undergrounding (MG at Carlton Hills)	-		-	-	-	701,134	-	701,134
<i>Total Expenditures</i>				-	-	-	701,134	-	701,134
<i>Balance</i>			-	-	-	-	-	-	-

Capital Improvement Program - Summary of Projects by Revenue Source

6/18/2019

FY 2019-20 through FY 2023-24

REVENUE SOURCE & Project Expenditures		Prior Expenditures	Available Balance	Proposed FY 2019-20	Proposed FY 2020-21	Projected FY 2021-22	Projected FY 2022-23	Projected FY 2023-24	Total 5-Year Revenue & Expenditures
STATE OF CALIFORNIA - CALTRANS GRANT									
<i>Prior Year Balance</i>			-	-	-	-	-	-	
<i>Revenues</i>				172,634	3,984	-	-	-	176,618
DDS	Active Transportation Master Plan	64,184		172,634	3,984	-	-	-	176,618
<i>Total Expenditures</i>				172,634	3,984	-	-	-	176,618
<i>Balance</i>				-	-	-	-	-	-
STATE WATER BOND PROP 1 GRANTS									
<i>Prior Year Balance</i>			-	-	-	-	-	-	
<i>Revenues</i>				512,612	-	-	-	-	512,612
CSD	Mast Park Improvements	1,407,288		512,612	-	-	-	-	512,612
<i>Total Expenditures</i>				512,612	-	-	-	-	512,612
<i>Balance</i>				-	-	-	-	-	-
TRAFFIC MITIGATION FEES									
<i>Prior Year Balance</i>			1,868,760	1,868,760	964,225	2,530,248	2,513,318	2,094,408	
<i>Revenues</i>				783,390	2,127,690	2,157,720	593,790	787,230	8,318,580
DDS	Active Transportation Master Plan	8,316		22,366	516	-	-	-	22,882
DDS	Cuyamaca Right Turn Lanes at Mission Gorge	-		72,579	226,950	756,450	-	-	1,055,979
DDS	Graves Avenue Street Improvements	-		-	200,000	1,378,200	1,012,700	2,000,000	4,590,900
DDS	Prospect Ave/Mesa Rd Intersection Improve	-		230,000	134,201	-	-	-	364,201
DDS	SR-67/Woodside Ave Interchange Improvement	-		1,362,980	-	-	-	-	1,362,980
DDS	Utility Undergrounding at Mission Gorge and Ca	-		-	-	40,000	-	-	40,000
<i>Total Expenditures</i>				1,687,925	561,667	2,174,650	1,012,700	2,000,000	7,436,942
<i>Balance</i>				964,225	2,530,248	2,513,318	2,094,408	881,638	881,638

Capital Improvement Program - Summary of Projects by Revenue Source

6/18/2019

FY 2019-20 through FY 2023-24

REVENUE SOURCE & Project Expenditures		Prior Expenditures	Available Balance	Proposed FY 2019-20	Proposed FY 2020-21	Projected FY 2021-22	Projected FY 2022-23	Projected FY 2023-24	Total 5-Year Revenue & Expenditures
YMCA									
<i>Prior Year Balance</i>			-	-	-	-	-	-	
<i>Revenues</i>							210,000	-	210,000
CSD	Santee Aquatic Center/YMCA Locker Rooms	-					210,000	-	210,000
<i>Total Expenditures</i>							210,000	-	210,000
<i>Balance</i>									
VENDOR FINANCING									
<i>Prior Year Balance</i>			-	-	-	-	-	-	
<i>Revenues</i>					250,000				250,000
DDS	Lighting Upgrades Citywide (Financing)	-			250,000				250,000
<i>Total Expenditures</i>					250,000				250,000
<i>Balance</i>									
<u>UNFUNDED</u>									
UNFUNDED - HIGH PRIORITY									
DDS	CMP Storm Drain Replacement Program	-		819,740	485,840	951,790	1,804,970	1,764,180	5,826,520
FIRE	Fleet Maintenance Facility	-		-	-	-	2,200,000	-	2,200,000
DDS	Master Drainage Study	-		-	-	-	250,000	250,000	500,000
DDS	Pavement Repair and Rehab-Citywide	-		2,207,660	2,527,130	2,556,530	2,450,830	2,427,430	12,169,580
DDS	Pavement Roadway Maintenance Citywide	-		175,650	838,930	821,530	806,230	799,430	3,441,770
FIRE	Public Safety Center	-		-	-	-	1,400,000	16,000,000	17,400,000
Sub-Total Unfunded High Priority				3,203,050	3,851,900	4,329,850	8,912,030	21,241,040	41,537,870

Capital Improvement Program - Summary of Projects by Revenue Source

6/18/2019

FY 2019-20 through FY 2023-24

REVENUE SOURCE & Project Expenditures		Prior Expenditures	Available Balance	Proposed FY 2019-20	Proposed FY 2020-21	Projected FY 2021-22	Projected FY 2022-23	Projected FY 2023-24	Total 5-Year Revenue & Expenditures
UNFUNDED - INTERMEDIATE PRIORITY									
DDS	Mission Gorge Rd Drainage Imp-East	-		-	-	1,586,000	2,000,000	2,423,100	6,009,100
DDS	Mission Gorge Rd Drainage Imp-West	-		-	-	689,500	1,000,000	1,000,000	2,689,500
IT	Network Wiring Upgrade	-		-	-	80,000	-	-	80,000
DDS	Prospect Ave Imp-West	-		-	-	1,000,000	4,020,720	10,089,920	15,110,640
DDS	Santee Library	-		-	-	-	-	20,000,000	20,000,000
DDS	SD River Bacteria Reduction-Invest Order	-		-	-	20,000	20,000	20,000	60,000
DDS	Shadow Hill Rd/Woodside Drainage Imp	-		-	-	10,000	619,000	1,000,000	1,629,000
CSD	Work Order Management System	-		-	-	100,000	-	-	100,000
	Sub-Total Unfunded High Priority			-	-	3,485,500	7,659,720	34,533,020	45,678,240
UNFUNDED - LONGER TERM PRIORITY									
DDS	City Hall Improvements	-		-	-	99,500	126,500	-	226,000
DDS	Cottonwood Ave Widening & Sidewalk Improve	-		-	-	452,000	2,179,036	1,992,731	4,623,767
DDS	Cottonwood Avenue River Crossing	-		-	-	-	-	8,859,900	8,859,900
DDS	Magnolia Ave Widening	-		-	-	-	-	3,822,700	3,822,700
DDS	Median/Streetscape Improvements	-		-	-	-	100,000	1,000,000	1,100,000
DDS	Olive Lane Improvements	-		-	-	-	717,200	2,457,600	3,174,800
DDS	Sidewalk Program Citywide	-		-	-	-	-	40,732,000	40,732,000
DDS	Transportation Improve Master Plan Implement	-		-	-	-	-	982,100	982,100
	Sub-Total Unfunded Longer-Term Priority			-	-	551,500	3,122,736	59,847,031	63,521,267

Capital Improvement Program - Summary of Projects by Revenue Source

6/18/2019

FY 2019-20 through FY 2023-24

REVENUE SOURCE & Project Expenditures		Prior Expenditures	Available Balance	Proposed FY 2019-20	Proposed FY 2020-21	Projected FY 2021-22	Projected FY 2022-23	Projected FY 2023-24	Total 5-Year Revenue & Expenditures
UNFUNDED - SEEKING GRANT FUNDS									
DDS	Bridge Restorations Citywide	-		527,340	661,240	661,240	661,240	661,240	3,172,300
DDS	Electric Vehicle Charging Stations	-		-	51,000	52,000	53,000	54,000	210,000
DDS	HW 52 Improvements b/t SR-125 and I-15	-		-	-	38,400,000	-	-	38,400,000
IT	I.T. Disaster Recovery Implementation	-		-	-	200,000	-	-	200,000
DDS	Median Upgrade at Mission Gorge Rd	-		-	-	-	51,000	460,000	511,000
DDS	Safe Routes to School Improvements	-		-	180,000	240,000	-	-	420,000
CSD	Santee Aquatics Center/YMCA Locker Room Up	-		-	-	-	420,000	-	420,000
CSD	SD River Trail-North Side from Cuyamaca to Ma	-		-	-	-	275,000	2,500,000	2,775,000
DDS	Sidewalk Installation at Mission Gorge Rd	-		-	-	-	100,000	565,000	665,000
CSD	Skate Park at Public Safety Center	-		-	-	-	-	1,000,000	1,000,000
DDS	Smart Traffic Signals	-		-	-	50,000	430,000	-	480,000
CSD	SportPlex Playground Improvements	-		105,000	-	-	-	-	105,000
DDS	Street Light Installation	-		-	-	-	350,000	-	350,000
CSD	Trail Master Plan Update	-		-	-	50,000	-	-	50,000
CSD	Trails-Walker Preserve to Tank Hill	-		-	-	-	-	650,000	650,000
DDS	Transportation Improv Master Plan	-		-	-	554,100	-	-	554,100
CSD	Vactor De-Watering Station	-		-	-	500,000	-	-	500,000
Sub-Total Unfunded-Seeking Grant Funds				632,340	892,240	40,707,340	2,340,240	5,890,240	50,462,400
Total Unfunded Projects				3,835,390	4,744,140	49,074,190	22,034,726	121,511,331	201,199,777
TOTAL 5-YEAR CAPITAL IMPROVEMENT PROGRAM		\$ 10,713,400	\$ -	\$ 27,028,080	\$ 25,923,090	\$ 76,082,190	\$ 38,451,747	\$ 151,608,008	\$ 319,045,643
Total CIP Funded Projects (excludes unfunded projects)				\$ 23,192,690	\$ 21,178,950	\$ 27,008,000	\$ 16,417,021	\$ 30,096,677	\$ 117,845,866

City of Santee
COUNCIL AGENDA STATEMENT

Item 15

MEETING DATE

June 26, 2019

AGENDA ITEM NO.

ITEM TITLE **RESOLUTIONS OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA APPROVING AND ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2019-20, APPROVING THE SANTEE FIREFIGHTERS' ASSOCIATION MEMORANDUM OF UNDERSTANDING, ESTABLISHING COST-SHARING PURSUANT TO GOVERNMENT CODE SECTION 20516(f) FOR UNREPRESENTED EMPLOYEES, AND FOR EMPLOYER PICK-UP OF EMPLOYEE CONTRIBUTIONS TOWARDS EMPLOYER PENSION COSTS**

DIRECTOR/DEPARTMENT

Marlene D. Best, City Manager *MAB*
Tim K. McDermott, Finance *tm*

SUMMARY

On June 12, 2019 the Proposed Operating Budget for Fiscal Year 2019-20 was presented to the City Council for review and discussion. The proposed budget is now being presented to the City Council for additional discussion, public comment and adoption.

The Proposed Operating Budget for Fiscal Year 2019-20 is on file with the City Clerk's Office and posted on the City's web site for public review. The attached Staff Report provides an overview of the requested actions to be taken in conjunction with the adoption of the proposed operating budget.

FINANCIAL STATEMENT *tm*

The Proposed Operating Budget for Fiscal Year 2019-20 reflects a General Fund budget of \$44.8 million and a total operating budget of \$49.5 million for the upcoming year. The proposed General Fund budget is a balanced budget that meets the City's General Fund Reserve Policy. However, future year challenges exist, largely driven by contract law enforcement services costs and CalPERS retirement cost increases.

CITY ATTORNEY REVIEW

N/A

Completed

RECOMMENDATION *MAB*

Adopt the attached resolutions (4).

ATTACHMENTS (Listed Below)

1. Staff Report
2. Budget Summaries
3. June 12, 2019 Agenda Statement and Staff Report
4. Resolution Approving and Adopting the Operating Budget for Fiscal Year 2019-20
5. Resolution Approving the Santee Firefighters' Association Memorandum of Understanding
6. Resolution Establishing Cost-Sharing for Unrepresented Employees (of Pension Costs)
7. Resolution for Employer Pick-up of Employee Contributions Towards Employer Pension Costs

STAFF REPORT

RESOLUTIONS APPROVING AND ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2019-20, APPROVING THE SANTEE FIREFIGHTERS' ASSOCIATION MEMORANDUM OF UNDERSTANDING, ESTABLISHING COST-SHARING PURSUANT TO GOVERNMENT CODE SECTION 20516(f) FOR UNREPRESENTED EMPLOYEES, AND FOR EMPLOYER PICK-UP OF EMPLOYEE CONTRIBUTIONS TOWARDS EMPLOYER PENSION COSTS

CITY COUNCIL MEETING
JUNE 26, 2019

Overview

The Proposed Operating Budget for Fiscal Year 2019-20 is a balanced budget which provides for a reserve balance of \$9.0 million or 20% of annual General Fund operating expenditures in accordance with the City's reserve policy. Supplemental reserves in excess of the City's minimum policy level are available in FY 2019-20 which will provide resources for capital expenditures and to continue the City's efforts in reducing unfunded liabilities.

A detailed discussion of the Proposed Operating Budget for Fiscal Year 2019-20 is included in the June 12, 2019 Agenda Statement and Staff Report which are included as Attachment 3.

Requested Actions

The requested actions include the adoption of four Resolutions as follows.

1. Resolution Approving and Adopting the Operating Budget for Fiscal Year 2019-20: This Resolution will adopt the operating budget, including all changes directed by the City Council.

Section 3 of this Resolution addresses salary and benefit adjustments and personnel changes to be implemented in FY 2019-20 in accordance with prior City Council direction or as otherwise provided in the proposed budget and provides for the adoption of the revised salary schedules (Exhibit A to the Resolution). The proposed budget reflects a 2.5% salary increase for all permanent, benefitted employee groups (including Executive Management). The proposed budget also reflects that all Classic CalPERS members will be paying more towards their CalPERS retirement costs, picking up either an additional 1.0% of PERSable compensation (Miscellaneous Tiers 1 and 2, Safety Chiefs Tier 1) or an additional 3.0% of PERSable compensation (Safety Tiers 1 and 2 – Santee Firefighters Association members)

Section 4 of this Resolution addresses various budget administration and contract authorization matters, including the renewal of certain contracts and the consumer price index rate adjustment to the Agreement for City Attorney Legal Services with Best Best & Krieger.

Sections 5 and 6 of this Resolution continue the General Fund Reserve Policy and the Balanced General Fund Budget Policy.

2. Resolution Approving the Santee Firefighters' Association (SFFA) Memorandum of Understanding (MOU): This Resolution approves the four-year agreement reached with the Santee Firefighters' Association (Exhibit A to the Resolution). Key terms included in the MOU are as follows.

Term of agreement:	July 1, 2019 – June 30, 2023
Salary increases:	2.5% effective June 27, 2019 2.5% effective June 25, 2020 1.5% effective June 24, 2021 1.5% effective July 7, 2022
Stipends:	1.0% to 1.5% of base pay in FY 2021-22 (based on CPI) 1.0% to 1.5% of base pay in FY 2022-23 (based on CPI)
Retirement cost sharing:	Classic CalPERS members to pay additional 3.0% of PERSable compensation towards retirement
Longevity certification pay:	Stipend to be paid to eligible employees in a maximum amount of 2.0% of base pay
Preceptor/mentor pay:	Provided to eligible employees in the amount of \$1,000
Staffing:	Three additional Firefighter Paramedic positions to be hired, but with no change in the daily minimum staffing level, resulting in a net cost savings to the City from reduced overtime costs.

3. Resolution Establishing Cost-Sharing Pursuant to California Government Code Section 20516(f) for Unrepresented Employees: This Resolution implements the increased CalPERS contributions to be made by unrepresented (non-SFFA) employees in the amount of 1.0% of PERSable compensation as previously discussed.

4. Resolution for Employer Pick-Up of Employee Contributions Towards Employer Pension Costs: This Resolution is required in accordance with Internal Revenue Code section 414(h)(2) and Internal Revenue Service Revenue Ruling 2006-43 in order for the proposed increased employee CalPERS contributions to be “picked up” by the employer (City) on a pre-tax basis and treated as employer contributions, and thus excluded from employees' gross income at the time of contribution.

**CITY OF SANTEE
GENERAL FUND SUMMARY
FY 2019-20 PROPOSED BUDGET**

	FY 2018-19 Amended Budget	FY 2019-20 Proposed Budget	Increase (Decrease)
Revenues	\$ 44,207,198	\$ 45,465,000	\$ 1,257,802
Expenditures by Dept:			
City Council	426,580	451,200	24,620
City Attorney	614,000	574,120	(39,880)
City Manager (total):	963,969	907,150	(56,819)
City Manager	714,599	687,930	(26,669)
Economic Development	249,370	219,220	(30,150)
Information Technology	402,670	451,330	48,660
Animal Control	434,800	424,810	(9,990)
City Clerk	451,820	422,230	(29,590)
Human Resources & Risk Mgmt (total):	1,027,380	1,144,270	116,890
Human Resources	518,010	539,720	21,710
Risk Management	509,370	604,550	95,180
Finance	1,185,280	1,309,630	124,350
Development Services (total):	4,565,330	4,832,580	267,250
Engineering	2,184,780	2,318,930	134,150
Stormwater	194,680	197,740	3,060
Planning	891,750	1,099,470	207,720
Building	1,171,470	1,063,180	(108,290)
Code Compliance	122,650	153,260	30,610
Community Services (total):	4,611,930	4,998,270	386,340
Administration	470,060	473,080	3,020
Public Svcs - Maintenance	3,007,090	3,338,680	331,590
Stormwater	97,370	103,220	5,850
Solid Waste	43,690	44,990	1,300
Facility Operations	83,980	91,940	7,960
Recreation	631,760	653,190	21,430
Special Events	277,980	293,170	15,190
Law Enforcement	14,570,400	15,398,450	828,050
Fire and Life Safety (total):	13,836,518	13,932,330	95,812
Administration	935,280	883,430	(51,850)
Emergency Operations	9,104,328	9,285,330	181,002
Emergency Medical	3,372,650	3,338,120	(34,530)
Emergency Preparedness	26,950	26,330	(620)
Fleet Operations and Maintenance	397,310	399,120	1,810
Debt Service	203,770	-	(203,770)
Total Operating Expenditures	43,294,447	44,846,370	1,551,923
Revenues Over (Under) Expenditures	912,751	618,630	(294,121)
Transfers to Other Funds	1,000,000	464,000	(536,000)
Transfers to Capital Improvement Program	608,610	760,000	151,390
Unfunded Liabilities (OPEB/retiree health)	500,000	250,000	(250,000)
Change in Fund Balance	(1,195,859)	(855,370)	340,489
Fund Balance, Beg. of Year	10,467,415	9,887,910	(579,505)
Fund Balance, End of Year	\$ 9,271,556	\$ 9,032,540	\$ (239,016)

**CITY OF SANTEE
SUMMARY OF OTHER FUNDS
FY 2019-20 PROPOSED BUDGET**

Fund	Estimated Balances 07/01/19	Estimated Revenues	Operating Budget	Operating Transfers In (Out)	Capital Improvement Program	Estimated Balances 06/30/20
OTHER FUNDS						
Risk Management Reserve	\$ 256,480	\$ 5,000	\$ -	\$ -	\$ -	\$ 261,480
Workers' Comp. Reserve	790,120	15,000	-	-	-	805,120
Vehicle Acq. & Replacement	806,490	256,970	(698,430)	444,000	-	809,030
Recreation Revolving	129,600	243,250	(230,820)	(10,000)	-	132,030
Supplemental Law Enforcement	49,150	100,500	(149,100)	-	-	550
Highway 52 Coalition	-	69,850	(89,850)	20,000	-	-
CASp Certification and Training	16,590	10,500	(13,300)	-	-	13,790
Gas Tax	28,310	1,509,200	(1,507,970)	(28,200)	(500)	840
SAFE Program	59,200	1,000	(10,000)	-	-	50,200
Gas Tax-RMRA (SB1)	800,080	942,700	-	-	(1,419,210)	323,570
Zone 2 Flood Control District	91,530	402,800	(494,330)	-	-	-
Community Dev. Block Grant	40	323,980	(323,980)	-	-	40
Community Facilities Districts:						
CFD No. 2015-1	3,810	1,680	(2,360)	-	-	3,130
CFD No. 2017-2	4,210	93,040	(79,290)	-	-	17,960
Town Center Landscape Maint. Dist:						
Zone A - Town Center	167,790	144,320	(187,380)	28,200	-	152,930
Zone B - The Lakes	27,380	7,920	(6,610)	-	-	28,690
Zone C - San Remo	28,100	8,260	(8,140)	-	-	28,220
Zone D - Mission Creek	90,680	165,580	(189,210)	-	-	67,050
Santee Landscape Maint. Dist:						
Zones 1&2 - El Nopal	1,790	2,290	(2,300)	-	-	1,780
Zone 3 - Country Scenes	3,730	2,130	(1,800)	-	-	4,060
Zone 4 - Camelot Heights	1,790	1,420	(1,770)	-	-	1,440
Zone 8 - Silver Country	84,000	76,940	(62,300)	-	-	98,640
Zone 9 - Mattazaro/Timberlane	1,690	1,560	(1,410)	-	-	1,840
Zone 12 - The Heights	26,850	9,160	(8,930)	-	-	27,080
Zone 13 - Prospect Hills	7,480	3,330	(3,300)	-	-	7,510
Zone 14 - Mitchell Ranch	9,150	2,840	(2,520)	-	-	9,470
Zone 17 - Dakota Ranch	25,820	5,180	(5,940)	-	-	25,060
Zone 18 - Allos	8,040	4,020	(4,320)	-	-	7,740
Roadway Lighting District (Zone A)	1,172,350	350,300	(164,000)	-	-	1,358,650
Roadway Lighting District (Zone B)	582,970	352,110	(344,590)	-	-	590,490
Mobile Home Park Admin.	102,510	44,000	(39,230)	-	-	107,280
TOTAL OTHER FUNDS	\$ 5,377,730	\$ 5,156,830	\$ (4,633,180)	\$ 454,000	\$ (1,419,710)	\$ 4,935,670

City of Santee
COUNCIL AGENDA STATEMENT

ITEM 14

MEETING DATE

June 12, 2019

AGENDA ITEM NO.**ITEM TITLE**

PRESENTATION OF THE PROPOSED OPERATING BUDGET FOR FISCAL YEAR 2019-20

DIRECTOR/DEPARTMENT

Marlene D. Best, City Manager

Tim K. McDermott, Finance *TKM***SUMMARY**

The Proposed Operating Budget for Fiscal Year 2019-20 will be presented to the City Council and public for initial review and discussion. It will be brought back to the City Council on June 26, 2019 for additional discussion, public comment and adoption.

The Proposed Operating Budget for Fiscal Year 2019-20 is on file with the City Clerk's Office and posted on the City's web site for public review. The attached Staff Report provides an overview of the proposed operating budget.

FINANCIAL STATEMENT *TKM*

The Proposed Operating Budget for Fiscal Year 2019-20 reflects a General Fund budget of \$44.8 million and a total operating budget of \$49.5 million for the upcoming year. The proposed General Fund budget is a balanced budget that meets the City's General Fund Reserve Policy. However, future year challenges remain, largely driven by contract law enforcement services costs and CalPERS retirement cost increases.

CITY ATTORNEY REVIEW N/A Completed**RECOMMENDATION** *M&O*

Review and discuss the Proposed Operating Budget for Fiscal Year 2019-20 and provide direction to staff as necessary.

ATTACHMENTS (Listed Below)

1. Staff Report
2. Proposed Operating Budget for Fiscal Year 2019-20

STAFF REPORT

**PROPOSED OPERATING BUDGET
FOR FISCAL YEAR 2019-20**

**CITY COUNCIL MEETING
JUNE 12, 2019**

Overview

Over the past several years Santee has realized steady growth in the local economy. Real estate values have continued to increase and combined with new construction activity has translated into strong growth in property tax revenues. Retail sales activity has also continued to experience growth, though at a moderate pace. Growth in the City's key property tax and sales tax revenues, coupled with prior actions that have increased employee cost sharing of retirement and health insurance costs and adjusted staffing levels in the law enforcement services contract, have positioned Santee to maintain current service levels while meeting sharp annual cost increases in CalPERS retirement costs and contract law enforcement services costs.

The Proposed Operating Budget for Fiscal Year 2019-20 is a balanced budget which provides for a reserve balance of \$9.0 million or 20% of annual General Fund operating expenditures in accordance with the City's reserve policy. Supplemental reserves in excess of the City's minimum policy level are available in FY 2019-20 which will provide resources for capital expenditures and to continue the City's efforts in reducing unfunded liabilities.

**General Fund
Proposed Budget Summary**

	<u>FY 2019-20</u>
Revenues	\$ 45,465,000
Expenditures	<u>(44,846,370)</u>
Revenues Over (Under) Expenditures	618,630
Transfers to Other Funds	(464,000)
Transfers to Capital Improvement Program	(760,000)
Unfunded Liabilities Payment	<u>(250,000)</u>
Change in Fund Balance	(855,370)
Fund Balance, Beg of Year	<u>9,887,910</u>
Fund Balance, End of Year	<u><u>\$ 9,032,540</u></u>

General Fund Revenues

General Fund revenues for FY 2019-20 are projected to total \$45.5 million, a \$1.3 million or 2.8% increase from the current fiscal year. Following is a discussion of key revenues.

Property Taxes: Property Taxes represent 43% of General Fund revenues and are received based on property assessed valuation. Citywide assessed valuation is projected to increase by 6.7% in FY 2019-20. Property tax revenues are projected to total \$19.5 million in FY 2019-20, an increase of \$1.2 million from the current fiscal year.

Sales Tax: Sales Tax represents 30% of General Fund revenues and is projected to total \$13.5 million in FY 2019-20, an increase of \$104,900 or 0.8% from the current fiscal year. The current fiscal year revenue includes approximately \$303,000 in sales tax revenue that should have been received in the prior year as a result of statewide sales tax revenue allocation issues, thereby distorting the year to year comparison. Solid growth is expected to continue in County Pool allocations (online sales) and from Building & Construction, with growth in General Consumer Goods projected to remain flat. This is a reflection of the ongoing transition of a portion of “brick and mortar” retail activity to online sales.

Franchise Fees: Franchise Fees represent the third largest discretionary source of revenue, and are received from Waste Management, San Diego Gas & Electric (SDG&E), Cox Communications and AT&T. Franchise Fees are projected to total \$3.0 million in FY 2019-20, an increase of \$83,900 from the current fiscal year. Increases in revenues from SDG&E and Waste Management continue to be offset by reductions in revenues from Cox Communications and AT&T.

County Service Area 69 (CSA 69): Emergency medical service program reimbursements to be received in FY 2019-20 will total \$3.4 million for the General Fund with an additional \$229,330 received in the Vehicle Replacement Fund. This represents a \$400,100 decrease from the current fiscal year General Fund amount, as the final two monthly payments for the prior fiscal year were not received until September 2018, resulting in 14 months of revenue being recognized in the current fiscal year.

Building Fees: The FY 2019-20 proposed budget reflects a slight decrease in building permit and plan check revenue which is projected to total \$1.4 million, a \$138,100 decrease from the current fiscal year. While this revenue projection reflects a decrease from the current fiscal year it still represents strong revenues when compared to historical amounts.

General Fund Expenditures

The proposed budget reflects General Fund operating expenditures totaling \$44.8 million in FY 2019-20, a \$1.6 million or 3.6% increase from the current fiscal year.

Public safety continues to represent the largest portion of the General Fund operating budget, totaling \$29.3 million or 65% of the total General Fund expenditures. Community Services Department expenditures total \$5.0 million or 11% of the total General Fund expenditures, while Development Services Department expenditures total \$4.8 million or 11% of the total General Fund expenditures.

Following is a discussion of some of the key impacts on the proposed budget.

Law Enforcement Services Contract: The law enforcement services contract with the San Diego County Sheriff Department will total \$15.2 million in FY 2019-20, a \$794,454 or 5.5% increase from the current fiscal year. Subsequent scheduled annual contract cost increases for the remaining years of the current five-year contract will be 5.0% or \$761,953 in FY 2020-21 and 4.5% or \$720,046 in FY 2021-22.

Personnel Costs: The proposed budget includes no additional full-time or benefitted positions. The proposed budget includes a placeholder for across the board salary increases for all employee groups, pending the conclusion of labor discussions. Funding is included for several additional part-time, non-benefitted positions to address identified City needs as follows.

- Fire Inspector (Fire Department)
- Office Assistant (Fire Department)
- Engineering Inspector (Development Services Department)
- Code Compliance Assistant (Development Services Department)

Position Reclassifications/Salary Band Adjustments: The proposed budget includes one position reclassification of a Management Assistant to a Management Analyst (Fire Department). Also included are two salary band adjustments (Director of Human Resources and Special Events Supervisor).

CalPERS Retirement Costs: Over the past several years CalPERS has enacted various changes in actuarial methods and demographic assumptions in an effort to strengthen the funding status of the retirement program. More recently the CalPERS board approved a reduction in the discount rate (the assumed rate of return on retirement plan assets) from 7.5% to 7.0%. The impact of this change is being phased-in over a seven year period starting in FY 2018-19, and will have a dramatic effect on future CalPERS retirement costs. In FY 2019-20, even with employees continuing to pay more towards their retirement, CalPERS retirement costs are projected to total \$4.4 million, a \$490,000 increase from the current fiscal year.

Other Expenditures: Other expenditures of note included in the proposed budget are as follows.

City Council: \$25,000 for activities in support of the City's 40th anniversary of incorporation.

City Manager: \$50,000 for implementation of the City's new brand that is currently being developed.

Information Technology: Increased funding for software licensing costs for the City's GIS server/software and new network risk assessment software to help identify, assess and eliminate data security risks.

Human Resources & Risk Management: Reflects anticipated increases in liability and property insurance costs.

Finance: \$35,000 for the cost of a development impact fee study and \$20,000 for consultant support in preparing a fiscal analysis and report on revenue options for the City (a Tier 1 City Council priority).

Community Services: Increased park operations and maintenance costs for the renovated Mast Park and the new 4.5-acre public park to be constructed in the Weston development.

Law Enforcement: An increase from \$150,000 to \$190,000 for the City's share of the cost for a School Resource Officer at both West Hills and Santana High Schools.

Transfers and Other Uses: The proposed budget reflects the following transfers and other uses from the General Fund, to be funded with a combination of current revenues and supplemental reserve balance as follows.

- Vehicle Replacement Fund: \$444,000
- Highway 52 Coalition Fund: \$20,000
- Capital Improvement Program: \$760,000
- Unfunded Liabilities (retiree health) \$250,000 (a Tier 1 Council priority)

Reserve Policy

Section 5 of City Council Resolution No. 073-2018 affirmed the City Council reserve policy that a minimum reserve of 20% of annual General Fund operating expenditures be maintained. The reserve policy contributes to the fiscal security of the City by providing resources that could be used to mitigate future risks such as revenue shortfalls, economic downturns, natural disasters and other catastrophic events. The reserve policy increases the credit worthiness of the City to credit rating agencies, resulting in cost savings when the City issues debt. The reserve policy also provides a benchmark to assist in short-term and long-term financial planning. The proposed budget conforms to the reserve policy.

OTHER FUNDS

The Other Funds are used to account for the proceeds of specific revenue sources that are legally restricted to expenditure for specified purposes or have been designated for a specified purpose. Following is an overview of the proposed operating budgets for the Other Funds.

Risk Management and Workers' Compensation Reserve Funds

The Risk Management and Workers' Compensation Reserve Funds are used to account for funds held in reserve for general liability and workers' compensation claims for which the City is self-insured up to the applicable self-insured retention amounts (\$150,000 and \$350,000 per claim respectively). The reserve fund balances, when combined with claims-related expenditures budgeted in the General Fund are targeted to meet the "expected" funding level based on an actuarial analysis of the estimated outstanding liability. An actuarial analysis of the City's liability and workers' compensation claims experience is performed every two years.

Vehicle Acquisition & Replacement Fund

The Vehicle Acquisition & Replacement Fund is used to account for funds that are accumulated for the replacement of City vehicles. Following are the vehicles proposed for purchase in FY 2019-20.

- Paramedic ambulance box remount onto an F-450 chassis with an estimated cost of \$189,300 to replace a 2009 chassis with 215,000 miles on it
- Ford Explorer for use by the Deputy Fire Chief with an estimated cost of \$40,310, with the vehicle currently used by the Deputy Fire Chief to be reassigned for use within the existing City fleet, ultimately resulting in the retirement of a 1999 Ford Taurus
- 2-Yard Dump Truck with an estimated cost of \$94,450 to replace a 2000 Ford F450 2-Yard Dump Truck with 82,000 miles on it
- Kubota Tractor with an estimated cost of \$17,380 to replace a 1998 Kubota Tractor

Recreation Revolving Fund

The Recreation Revolving Fund is used to account for revenues received from recreation program participants and the direct costs of these programs. Included are instructional classes for all ages, sports leagues, youth camps, senior trips, teen activities and Santee Parks and Recreation Committee (SPARC) special fund raising events. Revenues are estimated to be \$243,250 in FY 2019-20 with proposed expenditures and transfers out of \$240,820.

Supplemental Law Enforcement Fund

The Supplemental Law Enforcement Fund is used to account for revenues received annually under the State's Citizens' Option for Public Safety program in the estimated amount of \$100,000. These revenues are used to partially offset the cost of one Special Purpose Officer in the Community Oriented Policing Unit.

Highway 52 Coalition Fund

The Highway 52 Coalition Fund is used to account for donations received in support of the Coalition's efforts to secure funding to improve Highway 52. These revenues are used primarily for the cost of a lobbyist assisting in efforts to obtain federal funding, for support costs incurred by the City Attorney's Office and for meetings and outreach efforts with regional, state and federal representatives.

Gas Tax Fund

The Gas Tax Fund is used to account for revenues received from the State of California that are restricted for street and road purposes (including the public right-of-way). Gas Tax Fund revenues are projected to total \$1,509,200 in FY 2019-20, exclusive of the Gas Tax revenues received in accordance with State Senate Bill 1 (SB 1) which are separately budgeted and discussed below. Gas Tax revenues are utilized for the following purposes: traffic signal maintenance, street sweeping, street striping, minor street repairs, right-of-way and median landscape maintenance and curb/gutter/sidewalk maintenance. The proposed budget reflects \$1,536,170 in operating expenditures and transfers.

SAFE Program Fund

The SAFE (Service Authority for Freeway Emergencies) Program Fund provides for the expenditure of Santee's share of excess program reserve funds that were distributed to all cities and the county in accordance with Assembly Bill 1572. This funding is used to offset the cost of traffic management and traffic operations center activities.

Gas Tax-RMRA (SB 1) Fund

The Gas Tax-RMRA (SB 1) Fund is used to account for revenues received from the State of California as a result of the Road Repair and Accountability Act of 2017. The allowable use of Gas Tax-RMRA funds is similar, but not identical to, that of existing Gas Tax funds. Gas Tax-RMRA Fund revenues are projected to total \$942,700 in FY 2019-20 and will be used exclusively for certain street and road projects as identified in the proposed Capital Improvement Program for FY 2020 through FY 2024.

Zone 2 Flood Control District Fund

The Zone 2 Flood Control District Fund is used to account for property tax allocations used primarily for activities required by the Municipal Storm Water Permit issued by the San Diego Regional Water Quality Control Board. Revenues are projected to total \$402,800 in FY 2019-20, covering a portion but not all of the storm water permit and storm drain/channel maintenance activities, the balance of which are paid from the General Fund.

Community Development Block Grant (“CDBG”) Fund

The CDBG Fund is used to account for federal CDBG revenues received annually for public service, public facility and program administrative activities that benefit low and moderate income families, aid in the prevention or elimination of blight or address an urgent community need. CDBG revenues are estimated to be \$323,980 in FY 2019-20 which will be expended on program activities in accordance with prior City Council action.

Community Facilities Districts (“CFDs”) Funds:

Community Facilities Districts Funds are used to account for the proceeds of property owner special tax assessments received to pay for the cost of municipal services in the following CFDs:

- CFD No. 2015-1 (Municipal Maintenance Services) – provides for storm water facility maintenance for the 10-residential unit El Nopal Estates II subdivision.
- CFD No. 2017-2 (Weston Municipal Services) – provides a funding mechanism to offset the cost impact of providing various public services as a result of the 415-residential unit Weston development.

Town Center Landscape Maintenance District (“TCLMD”) Funds

The TCLMD Funds are used to account for property owner assessments received to pay for landscape maintenance and related costs within the following four zones: Town Center, The Lakes, San Remo and Mission Creek. Assessment revenues have reached the maximum allowed in each of the four zones. Staff continues to evaluate alternatives for converting landscape materials to more drought-tolerant/low water use materials where feasible. Revenues and operating transfers in from the Gas Tax Fund are estimated to total \$354,280 in FY 2019-20 with proposed expenditures of \$391,340.

Santee Landscape Maintenance District (“SLMD”) Funds

The SLMD Funds are used to account for property owner assessments received to pay for landscape maintenance and related costs within the following ten zones: El Nopal, Country Scenes, Camelot Heights, Silver Country Estates, Mattazaro/Timberlane, The Heights, Prospect Hills, Mitchell Ranch, Dakota Ranch and Allos. Assessment revenues have reached the maximum allowed in seven of the ten zones and no assessment increases are proposed in the other three zones for FY 2019-20. A property owner ballot process is currently underway for El Nopal with ballots to be counted on July 24, 2019. Staff continues to evaluate alternatives for converting landscape materials to more drought-tolerant/low water use materials where feasible. Revenues are estimated to total \$108,870 in FY 2019-20 with proposed expenditures of \$94,590.

Special Street Light Tax (Zone A) Fund

The Special Street Light Tax Fund is used to account for property tax allocations required to be utilized to operate, maintain and replace street lights of general benefit located throughout the City, primarily arterial streets (also referred to as “Zone A” of the Santee Roadway Lighting District). Revenues are estimated to be \$350,300 in FY 2019-20 with proposed expenditures of \$164,000. Reserves are being accumulated for the future replacement of street lights.

Roadway Lighting District (Zone B) Fund

The Roadway Lighting District Fund is used to account for assessments received from benefiting property owners (currently \$14.06 per year for a single family residence) in order to operate, maintain and replace street lights of special benefit throughout the City (also referred to as “Zone B” of the Santee Roadway Lighting District). Revenues are estimated to be \$352,110 in FY 2019-20 with proposed expenditures of \$344,590.

Mobile Home Park Ordinance Administration Fund

The Mobile Home Park Ordinance Administration Fund is used to account for assessment revenues collected from mobile park owners to help defray the reasonable and necessary costs incurred in the administration of the City’s mobile home rent control ordinance. Park owners are assessed \$3 per month for each space subject to the City’s rent control ordinance. Revenues are estimated to be \$44,000 in FY 2019-20 with proposed expenditures of \$39,230.

Next Steps

The Proposed Operating Budget for Fiscal Year 2019-20 will be brought back to the City Council on June 26, 2019 for additional discussion, public comment and adoption.

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE,
CALIFORNIA, APPROVING AND ADOPTING THE
OPERATING BUDGET FOR FISCAL YEAR 2019-20**

WHEREAS, on June 12, 2019 and June 26, 2019 public meetings were held by the City Council to review the Proposed Operating Budget for Fiscal Year 2019-20; and

WHEREAS, the City Council considered all recommendations by staff and public testimony; and

WHEREAS, the City Council desires to adopt the Operating Budget for Fiscal Year 2019-20 incorporating any and all changes made by the City Council during the public meeting held on June 26, 2019.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Santee, California does hereby find, determine and declare as follows:

Section 1

The Operating Budget for Fiscal Year 2019-20, including all changes directed by the City Council, is approved and adopted.

Section 2

The monies **necessary** to offset the expenditures in the Operating Budget for Fiscal Year 2019-20 as adopted by the City Council pursuant to Section 1 hereof are authorized by this section to be appropriated out of the funds available to the City during said fiscal year.

Section 3

- A. The City Manager is authorized to implement salary and benefits adjustments for General, Management and Santee Firefighters' Association (SFFA) employee groups as approved and directed by the City Council.
- B. In accordance with the terms of the Memorandum of Understanding with the SFFA approved by the City Council via separate Resolution on June 26, 2019, the following adjustments are made to the salary and benefit plan for SFFA employees for fiscal year 2019-20.
 - 1) 2.5% salary increase effective June 27, 2019
 - 2) Classic CalPERS members (Tiers 1 and 2) will contribute an additional 3.0% of PERSable compensation for a total of 12.0% towards CalPERS retirement effective June 27, 2019
 - 3) A Longevity Certification Stipend shall be paid to eligible employees in a maximum amount of 2.0% of base pay
 - 4) Preceptor/Mentor Incentive Pay shall be provided to eligible employees in the amount of \$1,000
 - 5) A combined maximum of 24 hours total per fiscal year for paid leave time to participate in Honor Guard/Emerald Society events

RESOLUTION NO. _____

- C. The following adjustments are made to the salary and benefit plan for General and Management employees including Executive Management for fiscal year 2019-20.
- 1) 2.5% salary increase effective June 27, 2019
 - 2) Classic CalPERS members (Tiers 1 and 2) will contribute an additional 1.0% of PERSable compensation, for a total of 10.0% (Safety Tier 1), 9.0% (Miscellaneous Tier 1) or 8.0% (Miscellaneous Tier 2) towards CalPERS retirement effective June 27, 2019
- D. The following personnel changes are hereby approved:
- 1) Add three Firefighter Paramedic positions with an annual salary range of \$68,294.25 to \$97,447.21
 - 2) Reclassify one Management Assistant position with an annual salary range of \$64,209.93 to \$78,047.32 to a Management Analyst position with an annual salary range of \$69,147.17 to \$84,048.82
 - 3) Adjust the salary band for the Special Events Supervisor position from an annual salary range of \$72,647.67 to \$88,303.69 to an annual salary band of \$63,358.04 to \$90,511.49 (mid-management, at-will)
 - 4) Adjust the salary band for the Director of Human Resources from an annual salary band of \$118,158.01 to \$159,513.50 to an annual salary band of \$129,737.50 to \$175,145.83
- E. The Salary Schedules effective June 27, 2019 as presented as Exhibit A are approved and adopted.

Section 4

- A. The City Manager is authorized to adjust operating budget line items during fiscal year 2019-20 as may from time to time be deemed desirable, not to exceed the authorized departmental totals.
- B. Unencumbered balances remaining at June 30, 2019 for operating accounts, excluding salaries/benefits, may be carried forward at the discretion of the City Manager to the subsequent fiscal year.
- C. For contract building inspection services which are funded by permit fees collected, the City Manager is hereby authorized to increase the expenditure appropriation proportionately as increased revenues are received.
- D. For Recreation Revolving program expenditures that are funded from program revenues, the City Manager is hereby authorized to increase the expenditure appropriation as additional revenues are realized or if funds are available in the unappropriated balance of the Recreation Revolving Fund.

RESOLUTION NO. _____

- E. In accordance with the terms of the Agreement for City Attorney Legal Services with Best Best & Krieger, the consumer price index adjusted rates effective July 1, 2019 will be as follows:
- | | |
|--------------------------------------|----------------|
| 1) Monthly Retainer | \$15,510 |
| 2) Special Services | |
| i. Attorney | \$233 per hour |
| ii. Non-Attorney | \$191 per hour |
| 3) Third Party Reimbursable Services | |
| i. Partner/Of Counsel | \$362 per hour |
| ii. Associate | \$300 per hour |
| iii. Non-Attorney | \$191 per hour |
- F. The City Manager is authorized to execute the following professional service contract renewals provided for in the Operating Budget for Fiscal Year 2019-20 without further Council action:
- 1) Ellison Wilson Advocacy, LLC (legislative advocacy-state) \$18,000
 - 2) David Turch and Associates (legislative advocacy-federal) \$55,000 for August 2019 through June 2020
 - 3) Ronald Burner (athletic field coordination) \$25,000
 - 4) HdL Coren & Cone (property tax audit and reporting) \$19,000
- G. The City Manager is authorized to execute agreements between the City of Santee and appropriate insurance companies for the purpose of providing health, life, long-term disability insurance and dental coverage for the eligible officers, active, retired and terminated employees of the City of Santee and their eligible dependents.
- H. Grant funds awarded to the City of Santee, based on an application of these funds approved by the City Council, shall be appropriated as required.
- I. All fire benefit fee receipts shall be used exclusively to provide fire suppression with any funding shortfall made up from other General Fund sources.
- J. The City Manager is authorized to execute an amendment to the Agreement Between the City of Santee and Grossmont Union High School District for School Resource Officer Cost Sharing at Santana and West Hills High Schools in an amount for FY 2019-20 consistent with the City Council adopted budget.

Section 5

The General Fund Reserve Policy is hereby continued by this resolution that a minimum reserve of 20% of annual General Fund operating expenditures be maintained.

RESOLUTION NO. _____

Section 6

The Balanced General Fund Budget Policy is hereby continued by this resolution that, generally, ongoing revenues shall cover ongoing operating expenditures, allowing for use of General Fund reserves if the General Fund Reserve Policy is met.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Santee, California, at a regular meeting thereof held this 26th day of June, 2019, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, CMC, MBA, CITY CLERK

EXHIBIT A: Salary Schedules Effective June 27, 2019

CITY OF SANTEE
 SANTEE FIREFIGHTERS' ASSOCIATION SALARY SCHEDULE
 EFFECTIVE JUNE 27, 2019

Classification	A	B	C	D	E
Fire Captain / PM					
Base salary	31.90	33.50	35.17	36.93	38.78
Hourly	92,894.43	97,540.19	102,416.90	107,536.99	112,914.47
Annual					
Educational Incentive					
Fire Captain / PM	32.38	34.00	35.70	37.48	39.36
31-45 units = 1.5% over base	94,287.65	99,003.31	103,953.25	109,150.20	114,608.22
Annual					
Fire Captain / PM	32.86	34.50	36.23	38.04	39.94
46 units and over = 3.0% over base	95,681.16	100,466.40	105,489.58	110,762.82	116,301.65
Annual					
Fire Captain / PM	33.34	35.00	36.75	38.59	40.52
A.A. Degree = 4.5% over base	97,074.68	101,929.22	107,025.59	112,376.03	117,995.37
Annual					
Fire Captain / PM	33.81	35.51	37.28	39.14	41.10
Bachelor Degree = 6% over base	98,467.89	103,392.30	108,561.94	113,989.25	119,689.42
Annual					

CITY OF SANTEE
 SANTEE FIREFIGHTERS' ASSOCIATION SALARY SCHEDULE
 EFFECTIVE JUNE 27, 2019

Classification	A	B	C	D	E
Fire Captain	30.53	32.05	33.66	35.34	37.11
Base salary	88,894.06	93,339.59	98,006.32	102,906.13	108,051.44
Educational Incentive					
Fire Captain	30.98	32.53	34.16	35.87	37.66
31-45 units = 1.5% over base	90,227.42	94,739.49	99,476.72	104,449.75	109,672.25
Fire Captain	31.44	33.02	34.67	36.40	38.22
46 units and over = 3.0% over base	91,561.08	96,139.68	100,946.52	105,993.08	111,293.06
Fire Captain	31.90	33.50	35.17	36.93	38.78
A.A. Degree = 4.5% over base	92,894.43	97,539.89	102,416.60	107,536.99	112,913.87
Fire Captain	32.36	33.98	35.68	37.46	39.33
Bachelor Degree = 6% over base	94,227.79	98,939.80	103,886.99	109,080.34	114,534.66

CITY OF SANTEE
 SANTEE FIREFIGHTERS' ASSOCIATION SALARY SCHEDULE
 EFFECTIVE JUNE 27, 2019

Classification	A	B	C	D	E
Fire Engineer/PM					
Base salary					
Hourly	27.37	28.71	30.12	31.66	33.16
Annual	79,690.57	83,601.62	87,707.48	92,181.95	96,548.02
Educational Incentive					
Fire Engineer / PM					
31-45 units = 1.5% over base					
Hourly	27.78	29.14	30.57	32.13	33.65
Annual	80,886.14	84,855.51	89,022.78	93,564.74	97,996.12
Fire Engineer / PM					
46 units and over = 3.0% over base					
Hourly	28.19	29.57	31.02	32.61	34.15
Annual	82,081.42	86,109.73	90,338.67	94,947.19	99,444.27
Fire Engineer / PM					
A.A. Degree = 4.5% over base					
Hourly	28.60	30.00	31.47	33.08	34.65
Annual	83,276.68	87,363.62	91,654.25	96,329.96	100,892.69
Fire Engineer / PM					
Bachelor Degree = 6% over base					
Hourly	29.01	30.43	31.93	33.56	35.14
Annual	84,472.25	88,617.83	92,969.83	97,712.75	102,340.84

CITY OF SANTEE
 SANTEE FIREFIGHTERS' ASSOCIATION SALARY SCHEDULE
 EFFECTIVE JUNE 27, 2019

Classification	A	B	C	D	E
Fire Engineer					
Base salary	Hourly 26.06	27.34	28.68	30.14	31.57
	Annual 75,879.58	79,602.83	83,512.93	87,773.43	91,931.18
Educational Incentive					
Fire Engineer	Hourly 26.45	27.75	29.11	30.59	32.04
31-45 units = 1.5% over base	Annual 77,017.87	80,797.00	84,765.77	89,090.06	93,310.10
Fire Engineer	Hourly 26.84	28.16	29.54	31.05	32.52
46 units and over = 3.0% over base	Annual 78,156.14	81,990.90	86,018.30	90,406.70	94,689.36
Fire Engineer	Hourly 27.23	28.57	29.97	31.50	32.99
A.A. Degree = 4.5% over base	Annual 79,294.11	83,185.07	87,271.12	91,723.34	96,068.28
Fire Engineer	Hourly 27.62	28.98	30.40	31.95	33.46
Bachelor Degree = 6% over base	Annual 80,432.67	84,378.95	88,523.65	93,039.98	97,447.21

CITY OF SANTEE
 SANTEE FIREFIGHTERS' ASSOCIATION SALARY SCHEDULE
 EFFECTIVE JUNE 27, 2019

Classification	Salary Schedule							
	A	B	C	D	E	F	G	H
Firefighter Paramedic	23.45	24.42	25.42	26.46	28.03	29.16	30.34	31.57
Hourly								
Annual	68,294.25	71,099.81	74,022.07	77,064.05	81,625.06	84,922.56	88,353.49	91,931.18
Base salary								
Educational Incentive (after completing 3 1/2 years of employment)								
Firefighter Paramedic							30.80	32.04
31-45 units = 1.5% over base							89,678.63	93,310.10
Firefighter Paramedic							31.25	32.52
46 units and over = 3.0% over base							91,003.80	94,689.36
Firefighter Paramedic							31.71	32.99
A.A. Degree = 4.5% over base							92,329.55	96,068.28
Firefighter Paramedic							32.16	33.46
Bachelor Degree = 6% over base							93,654.70	97,447.21

CITY OF SANTEE
 SANTEE FIREFIGHTERS' ASSOCIATION SALARY SCHEDULE
 EFFECTIVE JUNE 27, 2019

Classification	A	B	C	D	E	F	G	H
Firefighter	19.90	20.89	21.85	23.04	24.19	25.40	26.67	28.00
Hourly								
Annual	57,948.29	60,844.41	63,616.87	67,081.82	70,436.17	73,958.28	77,655.37	81,539.05
Base salary								
Educational Incentive (after completing 3 1/2 years of employment)								
Firefighter								
31-45 units = 1.5% over base								
Firefighter								
46 units and over = 3.0% over base								
Firefighter								
A.A. Degree = 4.5% over base								
Firefighter								
Bachelor Degree = 6% over base								

CITY OF SANTEE
 HOURLY, GENERAL AND MANAGEMENT SALARY SCHEDULE
 EFFECTIVE JUNE 27, 2019

Range	Classification	A	B	C	D	E	
29	Account Clerk	Hourly Annual	21.85 45,442.89	22.94 47,715.09	24.09 50,100.91	25.29 52,606.16	26.56 55,236.26
35	Administrative Secretary	Hourly Annual	25.34 52,700.04	26.60 55,334.98	27.93 58,101.78	29.33 61,007.15	30.80 64,057.41
	Assistant to the City Manager	Hourly Annual	58.30 121,262.50	to to	to to	78.70 163,704.55	
50	Assistant Engineer	Hourly Annual	36.69 76,325.30	38.53 80,141.79	40.46 84,149.08	42.48 88,356.25	44.60 92,774.27
58	Associate Civil Engineer / Associate Traffic Engineer	Hourly Annual	44.71 92,994.84	46.94 97,644.99	49.29 102,527.52	51.76 107,653.74	54.34 113,036.66
49	Associate Planner	Hourly Annual	35.80 74,463.85	37.59 78,187.07	39.47 82,096.51	41.44 86,201.61	43.52 90,511.49
	City Clerk	Hourly Annual	44.61 92,783.04	to to	to to	62.46 129,919.13	
	City Manager (Single Rate)	Hourly Annual	108.30 225,265.12	to to	to to	108.30 225,265.12	
26	Code Compliance Assistant	Hourly Annual	20.29 42,198.18	21.30 44,308.17	22.37 46,523.55	23.49 48,849.83	24.66 51,292.17
44	Code Compliance Officer	Hourly Annual	31.64 65,815.27	33.22 69,105.84	34.89 72,561.40	36.63 76,189.21	38.46 79,998.70

CITY OF SANTEE
 HOURLY, GENERAL AND MANAGEMENT SALARY SCHEDULE
 EFFECTIVE JUNE 27, 2019

Range	Classification	A	B	C	D	E	
46	Confidential Accountant	Hourly	33.24	34.91	36.65	38.48	40.41
		Annual	69,147.17	72,604.53	76,234.78	80,046.39	84,048.82
46	Confidential Payroll Specialist	Hourly	33.24	34.91	36.65	38.48	40.41
		Annual	69,147.17	72,604.53	76,234.78	80,046.39	84,048.82
46	Confidential Secretary to City Manager/Council	Hourly	33.24	34.91	36.65	38.48	40.41
		Annual	69,147.17	72,604.53	76,234.78	80,046.39	84,048.82
	Crossing Guards ^ (Single Rate)	Hourly		13.50			
43	Deputy City Clerk	Hourly	30.87	32.41	34.03	35.74	37.52
		Annual	64,209.93	67,420.31	70,791.40	74,331.10	78,047.32
35	Deputy Fire Chief	Hourly		58.69	to	79.11	
		Annual		122,071.67	to	164,555.25	
35	Development Services Technician	Hourly	25.34	26.60	27.93	29.33	30.80
		Annual	52,700.04	55,334.98	58,101.78	61,007.15	64,057.41
	Director of Community Services	Hourly		63.89	to	85.18	
	Director of Development Services	Hourly		132,881.30	to	177,182.14	
	Director of Development Services	Hourly		63.21	to	85.22	
	Director of Development Services	Annual		131,482.50	to	177,256.00	

CITY OF SANTEE
 HOURLY, GENERAL AND MANAGEMENT SALARY SCHEDULE
 EFFECTIVE JUNE 27, 2019

Range	Classification	A	B	C	D	E
	Director of Finance / City Treasurer	Hourly	66.79	to	89.86	
		Annual	138,917.78	to	186,915.89	
	Director of Fire & Life Safety (Fire Chief)	Hourly	70.20	to	91.63	
		Annual	146,011.77	to	190,587.80	
	Director of Human Resources	Hourly	62.37	to	84.20	
		Annual	129,737.50	to	175,145.83	
	Economic Development Manager	Hourly	39.28	to	53.03	
		Annual	81,699.13	to	110,294.55	
44	Engineering Inspector	Hourly	31.64	to	34.89	38.46
		Annual	65,815.27	72,561.40	76,189.21	79,998.70
39	Equipment Mechanic	Hourly	27.97	to	30.83	33.99
		Annual	58,171.07	64,133.67	67,340.41	70,707.24
35	Equipment Operator	Hourly	25.34	to	27.93	30.80
		Annual	52,700.04	58,101.78	61,007.15	64,057.41
25	Facilities Maintenance Technician	Hourly	19.79	to	21.82	24.06
		Annual	41,168.87	45,388.81	47,657.99	50,040.77
	Finance Manager	Hourly	49.31	to	66.57	
		Annual	102,573.44	to	138,474.22	
	Fire Battalion Chief (2920 hours)	Hourly	37.40	to	50.70	
		Annual	109,205.00	to	148,043.07	

CITY OF SANTEE
 HOURLY, GENERAL AND MANAGEMENT SALARY SCHEDULE
 EFFECTIVE JUNE 27, 2019

Range	Classification	A	B	C	D	E
	Fire Division Chief	Hourly	55.12	to	74.40	
	Annual	114,642.19	to	154,746.23		
	Fire Marshal	Hourly	49.31	to	66.57	
	Annual	102,573.44	to	138,474.22		
	Graduate Intern ^	Hourly	12.00	to	17.60	
38	Human Resources Technician	Hourly	27.28	to	31.59	33.16
	Annual	56,752.27	62,569.33	65,698.00		68,982.81
53	Information Technology Analyst	Hourly	39.52	to	45.75	48.03
	Annual	82,194.04	90,619.34	95,150.08		99,907.76
	Information Technology Manager	Hourly	44.83	to	60.52	
	Annual	93,248.58	to	125,885.73		
	IT Systems Technician^	Hourly	27.76	to	33.74	
29	Landscape and Irrigation Maintenance Worker	Hourly	21.85	to	25.29	26.56
	Annual	45,442.89	50,100.91	52,606.16		55,236.26
48	Lead Equipment Mechanic	Hourly	34.93	to	40.43	42.45
	Annual	72,647.68	80,093.80	84,098.63		88,303.69
38	Lead Maintenance Worker	Hourly	27.28	to	31.59	33.16
	Annual	56,752.27	62,569.33	65,698.00		68,982.81

CITY OF SANTEE
 HOURLY, GENERAL AND MANAGEMENT SALARY SCHEDULE
 EFFECTIVE JUNE 27, 2019

Range	Classification	A	B	C	D	E	
29	Maintenance Worker	Hourly	21.85	22.94	24.09	25.29	26.56
		Annual	45,442.89	47,715.09	50,100.91	52,606.16	55,236.26
43	Management Assistant	Hourly	30.87	32.41	34.03	35.74	37.52
		Annual	64,209.93	67,420.31	70,791.40	74,331.10	78,047.32
	Office Assistant ^	Hourly	12.00	to	to	16.76	
48	Parks & Landscape Supervisor	Hourly	34.93	36.67	38.51	40.43	42.45
		Annual	72,647.68	76,280.05	80,093.80	84,098.63	88,303.69
	Principal Civil Engineer	Hourly	55.41	to	to	75.05	
	Principal Planner	Annual	115,249.59	to	to	156,097.53	
	Principal Traffic Engineer	Hourly	43.91	to	to	59.28	
		Annual	91,332.29	to	to	123,300.53	
38	Procurement Specialist	Hourly	55.41	to	to	75.05	
		Annual	115,249.59	to	to	156,097.53	
43	Public Services Manager	Hourly	27.28	28.65	30.08	31.59	33.16
		Annual	56,752.27	59,589.87	62,569.33	65,698.00	68,982.81
	Public Works Supervisor	Hourly	42.64	to	to	57.57	
		Annual	88,686.98	to	to	119,755.47	
43	Public Works Supervisor	Hourly	30.87	32.41	34.03	35.74	37.52
		Annual	64,209.93	67,420.31	70,791.40	74,331.10	78,047.32

CITY OF SANTEE
HOURLY, GENERAL AND MANAGEMENT SALARY SCHEDULE
EFFECTIVE JUNE 27, 2019

<u>Range</u>	<u>Classification</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
	Recreation Aide ^		12.00	to	14.59	
28	Recreation Coordinator	Hourly	21.31	23.50	24.67	25.91
		Annual	44,334.58	48,878.99	51,322.87	53,889.15
	Recreation Leader ^		13.00	to	16.00	
	Recreation Services Manager	Hourly	42.64	to	57.57	
		Annual	88,686.98	to	119,755.47	
	Recreation Supervisor	Hourly	30.46	to	43.52	
		Annual	63,358.04	to	90,511.49	
23	Secretary	Hourly	18.84	20.77	21.81	22.90
		Annual	39,184.99	43,201.37	45,361.48	47,629.73
36	Senior Account Clerk	Hourly	25.97	28.63	30.06	31.57
		Annual	54,017.65	59,554.62	62,532.29	65,659.12
	Senior Civil Engineer / Senior Traffic Engineer	Hourly	48.57	to	66.05	
		Annual	101,025.73	to	137,375.55	
	Senior Human Resources Analyst	Hourly	40.24	to	54.32	
		Annual	83,691.79	to	112,984.66	
	Senior Management Analyst	Hourly	38.32	to	51.73	
		Annual	79,706.48	to	107,604.43	
	Senior Planner	Hourly	38.18	to	51.55	
		Annual	79,418.79	to	107,217.99	

CITY OF SANTEE
 HOURLY, GENERAL AND MANAGEMENT SALARY SCHEDULE
 EFFECTIVE JUNE 27, 2019

<u>Range</u>	<u>Classification</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
	Special Events Supervisor		30.46	to	43.52	
	Annual		63,358.04	to	90,511.49	
	Storm Water Program Assistant [^]		27.76	to	33.74	
50	Storm Water Program Manager	36.69	38.53	40.46	42.48	44.60
	Annual	76,325.30	80,141.79	84,149.08	88,356.25	92,774.27
	Student Intern [^]		12.00	to	16.00	
	Technical Professional Expert [^]		50.00	to	160.00	

[^]Part-time, temporary status

CITY OF SANTEE
MAYOR AND CITY COUNCIL MEMBERS SALARY SCHEDULE
EFFECTIVE JANUARY 1, 2017

<u>Range</u>	<u>Classification</u>		
	City Council Member	Monthly	1,686.24
		Annual	20,234.88
	Mayor	Monthly	2,841.84
		Annual	34,102.08

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE,
CALIFORNIA, APPROVING THE SANTEE FIREFIGHTERS' ASSOCIATION
MEMORANDUM OF UNDERSTANDING**

WHEREAS, pursuant to the provisions of the Meyers Milias Brown Act, the City of Santee and the Santee Firefighters' Association (SFFA) met and conferred on issues involving wages, hours, and working conditions and reached a four-year agreement which is effective on July 1, 2019, and ends June 30, 2023; and

WHEREAS, on May 22, 2019 and June 12, 2019 in closed session, the City Council approved the terms of an agreement between the City of Santee and SFFA, the terms of which are set forth in a Memorandum of Understanding (SFFA MOU); and

WHEREAS, the City Council now desires to approve the SFFA MOU as presented in Exhibit "A" to reflect the approved terms of the MOU with the SFFA.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Santee, California, does hereby find, determine and declare that the terms of the SFFA MOU as presented in Exhibit "A" are approved and adopted.

ADOPTED by the City Council of the City of Santee, California, at a Regular meeting thereof held this 26th day of June, 2019, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, MBA, CMC, CITY CLERK

Attachment: Exhibit "A" SFFA MOU

Exhibit "A"

Santee Firefighters' Association

International Association of Fire Fighters Local 4373



Memorandum of Understanding

**Between the City of Santee and
The Santee Firefighters' Association**

July 1, 2019 through June 30, 2023

**Santee Firefighters' Association
8950 Cottonwood Avenue
Santee, CA 92071**

**City of Santee
10601 Magnolia Avenue
Santee, CA 92071**

PREAMBLE

WHEREAS, the City of Santee, formed and operated under the authority of a Charter City and is a City rendering protection from fire and other perils of life and property within said City; and

WHEREAS, the Santee Firefighters' Association, Inc., an incorporated mutual benefit association, represents substantially all of the safety employees of said City of Santee Fire Department; and

WHEREAS, the City of Santee and the Santee Firefighters Association, Inc., find it mutually beneficial to meet and confer and negotiate in good faith according to the provisions of California Government Code Sections 3500-3511;

THEREFORE, this Memorandum of Understanding is entered into as of July 1, 2019 between the City of Santee, hereinafter referred to as "City", and the Santee Firefighters Association, Inc., hereinafter referred to as "Association." It is the intent and purpose of this Memorandum to assure sound and mutually beneficial working and economic relations between the parties hereto, to provide an orderly and peaceful means of resolving any misunderstanding or differences which may arise, and set forth the basic and full agreement between the parties concerning wages, hours and other terms and conditions of employment.

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ATTACHMENT "A"

Salary Schedule

June 27, 2019 through June 24, 2020

ATTACHMENT "B" Side Letter Dated 5/21/96 (Medical Insurance for Retirees)

CHAPTER 1.0 ADMINISTRATION

1.1 Recognition

The City recognizes the Association as the exclusive bargaining agent for the purposes of establishing salaries, wages, hours and other terms and conditions of employment for uniformed safety employees in the following positions:

Firefighter
Firefighter Paramedic
Fire Engineer
Fire Engineer/Paramedic
Fire Captain
Fire Captain/Paramedic

1.2 Association Rights

1.2.1 Payroll Deductions

Employees of the City may authorize payroll deductions for the purpose of paying Association dues including voluntary contribution to the Association's Political Education Committee (PEC) and the Association's Benevolent Fund. The procedure which shall be followed by employees in authorizing deductions for Association dues shall be for each employee to execute a written assignment on the form designated by the City. The same form shall be used to authorize deductions for the Association's PEC and for the Benevolent Fund.

Changes, additions and/or deletions of payroll deductions for Association dues and/or contributions towards the PEC for Association members shall be made with thirty (30) days written notice by the employee to the City and the Association on the form designated by the City.

Dues shall be deducted bi-weekly in the amount certified to the City by the Association Treasurer and the aggregate deductions of all employees shall be transmitted to the designated account specified by the Association. The City will automatically change the dues deductions when salaries change per the MOU, but the Association shall notify the City of changes in the formula or percentage of dues approved by its members no later than thirty (30) days prior to effective date of such change.

The employees' earnings must be regularly sufficient after other legal and required deductions are made to cover the amount of appropriate Association dues. When a member in good standing of the Association is in a non-pay status for an entire pay period, no withholding will be made from future earnings to cover that pay period. In the case of an employee who is in a non-pay status during only part of the pay period, and salary is not sufficient to cover the full withholding

amount for dues, no deduction shall be made. In this situation, all other legal and required deductions have priority over Association dues.

1.2.2 Access to Work Station

It is agreed that the Association shall have access to City facilities for the conducting of general membership, board, and committee meetings. Association agrees that meetings shall not cause undue disruption of City business either by frequency or duration. Association shall obtain the approval of the Fire Chief or his designated representative by writing or e-mail prior to Association meetings utilizing City facilities.

1.2.3 Association Release (AR) Time

The City agrees to release designated Association representatives from his or her regular duties without loss of compensation to a combined maximum of ninety-six (96) hours per fiscal year, of which 50% will be reserved for community events that directly benefit the Santee community. Remaining AR hours may be used for the exclusive purpose of conducting Association business. The Association will provide a report to the Fire Chief at the end of each fiscal year, approved and signed by the Association President, accounting for every hour, the purpose of/reason for each hour, and the date each hour of AR leave was used in the fiscal year. This release time shall not include time spent in the meet and confer process with the City, which shall be allowed in addition to the above.

1.2.4 Honor Guard (HG) Bank

The City agrees to release designated Association representatives from his or her regular duties without loss of compensation to a combined maximum of twenty-four (24) hours per fiscal year, to participate in Honor Guard/Emerald Society events. The Association will provide a report to the Fire Chief at the end of each fiscal year, approved and signed by the Association President, accounting for every hour, the purpose of/reason for each hour, and the date each hour of HG leave was used in the fiscal year.

1.3 Management Rights

It is understood and agreed that the City retains all of its powers and authority to direct, manage, and control to the full extent of the law. Included in, but not limited to, those duties and powers are the rights to: Determine its organization; direct the work of its employees; determine the times and hours of operation; determine the level, means, and kinds of services to be provided; establish its policies, goals, and objectives; determine staffing patterns; determine the number and kinds of personnel required; contract out work, transfer work out of the unit; maintain the efficiency of City operations; build, move, or modify facilities; establish budget procedures and determine budgetary allocation; determine the methods of raising revenue; and take action on any matter in the event of an emergency. Emergency is a sudden, generally unexpected, occurrence or occasion requiring immediate action which affects City facilities or equipment or otherwise involves an act of God or specific governmental order requiring the City to take certain action or refrain from taking certain action. In addition, the City retains the right to hire, classify, assign, evaluate, promote, terminate and discipline employees.

1.4 Term

This Memorandum of Understanding shall commence July 1, 2019 and shall remain in full force and effect through June 30, 2023. All provisions shall be in effect for the full term unless specifically dated.

1.5 Non-Discrimination

The City will not interfere with or discriminate against any employee covered by this Memorandum because of membership in or legitimate activity on behalf of the Association or any of its members. The Association recognizes its responsibility as exclusive bargaining agent and agrees to represent all employees in the bargaining unit without discrimination, interference, restraint, or coercion. The provisions of this agreement shall be applied equally to all employees of the bargaining unit without regard to race, color, religion (including religious dress and grooming practices), sex (including pregnancy status and breastfeeding), gender, gender identity and/or expression, sexual orientation, marital status, age, genetic information, mental or physical disability (whether perceived or actual), ancestry, citizenship status, uniformed service member status, medical condition (including genetic characteristics), national origin, or any other class protected under federal, state, or local law. The Association will share equally with the City in responsibility for applying this provision.

1.6 Americans with Disabilities Act (ADA)

The City and Association agree to comply with all provisions of the ADA in accordance with State and Federal law. In addition, the Association will be notified of proposed accommodations prior to implementation by the City. Any accommodation provided to an individual protected by the ADA shall not establish a past practice, nor shall it be cited or used as evidence of a past practice in the grievance process.

1.7 Savings Provision

If any provision of this Agreement, or any application thereof to any unit member is held by a court of competent jurisdiction to be contrary to law, then such provision or application will be deemed invalid to the extent required by such decision, but all other provisions or applications shall continue in full force and effect.

CHAPTER 2.0 COMPENSATION

2.1 Salaries

2.1.1 Salary Schedules

See Attachment "A" for 2019-2020 salary schedule

2.1.2 Salaries

Year 1: 2.5% salary increase effective June 27, 2019

or the first day of the pay period immediately following the date on which both the Santee City Council and SFFA have ratified the MOU.

Year 2: 2.5% salary increase effective June 25, 2020.

Year 3: 1.5% salary increase effective June 24, 2021; and

- A stipend in a total amount of 1% of base pay to be paid in two (2) equal payments to all SFFA members employed on the last day of the preceding pay period on:
 - July 15, 2021
 - January 13, 2022
- Based on Consumer Price Index for All Urban Consumers, San Diego Area (CPI-U) from January 2020 to January 2021
- Should CPI-U be greater than 2.5%, SFFA members shall receive an increase to the stipend equivalent to the additional amount of CPI-U over 2.5% up to 3.0%.
- This additional amount will be added to the 1% stipend and will be paid in the same format as the 1% stipend. This stipend shall not exceed 1.5%.
- The stipend will not be reported to CalPERS as “compensation earnable” or “pensionable compensation”
- The stipend will be included in calculating the employee’s hourly regular rate of pay pursuant to the Fair Labor Standards Act (FLSA)

Year 4: 1.5% salary increase effective July 7, 2022; and

- A stipend in a total amount of 1% of base pay to be paid in two (2) equal payments to all SFFA members employed on the last day of the preceding pay period on:
 - July 14, 2022
 - January 12, 2023
- Based on Consumer Price Index for All Urban Consumers, San Diego Area (CPI-U) from January 2021 to January 2022
- Should CPI-U be greater than 2.5%, SFFA members shall receive an increase to the stipend equivalent to the additional amount of CPI-U over 2.5% up to 3.0%
- This additional amount will be added to the 1% stipend and will be paid in the same format as the 1% stipend. This stipend shall not exceed 1.5%.
- The stipend will not be reported to CalPERS as “compensation earnable” or “pensionable compensation”
- The stipend will be included in calculating the employee’s hourly regular rate of pay pursuant to the Fair Labor Standards Act (FLSA)

2.1.3 Paramedic Pay

Fire Engineers and Fire Captains with (1) a current, valid California state paramedic license with San Diego County accreditation and (2) no outstanding or documented discipline issues related to performance as a paramedic with the Santee Fire Department receive an additional 4.5% in base salary (in exchange for eliminating paramedic bonus and paramedic differential pay effective July 1, 2005). Effective June 30, 2016 the Fire Engineer/Paramedic salary was increased by .5% and became recognized as a promotion.

2.1.4 Direct Deposit

The City agrees to offer direct deposit to any three financial institutions able to accept Automated Clearing House (ACH).

2.2 Time in Grade

Each employee who is appointed to Firefighter or Firefighter Paramedic at Step A will be eligible to advance to Step B upon completion of six (6) months of actual service, a satisfactory performance evaluation, and a score of 80% or higher on the 6 month exam. Eligibility for step increases within a range thereafter will occur at intervals of six (6) months effective on the salary anniversary date of the last increase, with the exception of Step G. An employee who reaches Step G will be eligible for an increase to Step H after one (1) year and a satisfactory performance evaluation. For details on eligibility to advance to each step within the Firefighter Paramedic Development Program, refer to Article 4.0 of this MOU and the Santee Fire Department Standard Operating Procedures (SOPs).

2.3 Overtime

2.3.1 Paid Leave Time

Paid leave time (with the exception of sick leave effective September 22, 2016) shall be counted as hours worked for purposes of determining eligibility for overtime. Overtime will be paid at a rate equal to time and one-half.

2.3.2 Minimum Compensation

Pre-approved overtime worked that is not an extension of a regular work shift shall be compensated at a minimum of two (2) hours.

2.3.3 Overtime at the End of Shift

Overtime at the end of a shift will commence after seven (7) minutes and shall be paid thereafter for each quarter hour (or major fraction thereof) worked.

2.3.4 Pay or Compensatory Time Off (CTO)

- A. Employees covered under this agreement shall have the option of choosing pay or compensatory time off (CTO) when working overtime hours not generated by another employee utilizing CTO. The choice must be made at the time the overtime is worked.
- B. Employees working overtime as a result of another employee taking compensatory time off (CTO) are not allowed to elect compensatory time off, and must receive pay for the overtime worked.

2.3.5 Compensatory Time Off (CTO)

- A. All compensatory time off (CTO) will be computed and accrued at one and one-half (1 ½) times straight time.
- B. Employees may not use more than 240 hours of compensatory time off in a fiscal year, regardless of the fiscal year in which the CTO was accrued.
- C. Employees' CTO accrual balance may not exceed 108 hours, regardless of the fiscal year in which the CTO was accrued.
- D. The use of CTO will be at the request of the employee and at the discretion and approval of the appropriate Santee Chief Officer, using the same guidelines as provided for annual leave requests.

- E. Employees covered by this Memorandum of Understanding and assigned to a 40-hour week may accrue CTO to a maximum of 36 hours. All other provisions of accrual and use shall apply.

2.3.6 Emergency Overtime – Travel Time

Employees called to work emergency overtime will be paid travel time to work at a rate of one-half hour, no matter where the employee resides. Emergency overtime includes any unscheduled event where an employee is immediately needed and contacted after the start of the current shift and asked to report to work, regardless of the circumstances. (Examples include family illness, injury, strike team deployment, etc.) This provision will not apply to overtime requests that are made prior to the 0800 shift change (i.e. morning sick leave calls), or to circumstances where an employee is responsible for finding their own coverage to facilitate leave.

2.3.7 Application of Overtime

Effective September 22, 2016, for 24-hour shift personnel, overtime pay will apply to all time worked in excess of an employee's regularly scheduled shifts each pay period, less any sick leave taken during the pay period. Therefore, the number of hours of overtime pay earned during a pay period will be reduced by the number of hours of sick leave taken during that same pay period. Any such hours reported as sick leave that are used to offset overtime pay earned will be paid at straight time and will be deducted from the employee's accrued sick leave account. For applying this provision the pay period is deemed to begin at 8:00 am on alternating Thursday mornings in accordance with the City's payroll calendar. For employees on a 40 hour per week assignment overtime will apply to all time worked in excess of 40 hours per week, less any sick leave taken during the work week. Overtime pay applies to approved continuing education required for maintaining a California state paramedic license with San Diego County accreditation or EMT recertification tests, and required manipulative examinations. Overtime pay is not applicable to attendance at fire technology courses required for promotion, either mandatory or competitive. The City of Santee shall comply with the Fair Labor Standards Act as amended and as it applies to the fire service.

2.3.8 Court Appearances

Any employee who is required to appear in court in connection with his/her employment shall be appropriately compensated.

2.4 Acting Out-of-Rate Pay

2.4.1 Acting Battalion Chief

To be eligible to act as a Fire Battalion Chief, an employee must meet the following:

1. Fire Captains on the current Battalion Chief list, who have completed the BC Task Book and meet the educational requirements outlined in the most current version of the BC Task Book.
2. Fire Captains not on the current Battalion Chief list, but who have completed their BC Task Book and meet the educational requirements outlined in the most current version

of the BC Task Book, can be approved to act as a Battalion Chief at the discretion and approval of the Fire Chief.

3. Assuming the minimum requirements are met, appointment to the acting position, and duration, is completely at the discretion of the Fire Chief.
4. The acting Fire Battalion Chief will be paid a base hourly rate that is equivalent to a base salary within the Fire Battalion Chief band that is equal to 16% more than their base salary as Fire Captain.

The Acting Fire Battalion Chief position is a temporary appointment by the Fire Chief and can range from part of a shift to an indefinite period of time.

2.4.2 Acting Fire Captain

Any employee on the current or most recent Captain's promotional list who is assigned to work as Acting Fire Captain for a minimum of two (2) hours or more will be paid a differential for the full duration of hours so assigned. The amount of the differential is the difference between the hourly rates of top step (Step E) of Fire Captain and top step (Step E) of Fire Engineer, including any educational incentive.

2.4.3 Acting Fire Engineer

Any Firefighter or Firefighter Paramedic who fulfills the necessary requirements per the Santee Fire Department SOPs and is assigned to work as Acting Fire Engineer for a minimum of two (2) hours or more will be paid a differential for the full duration of hours so assigned. The amount of the differential will be the difference between the hourly rate of top step (Step H) of Firefighter/Firefighter Paramedic and top step (Step E) of Fire Engineer, including any educational incentive.

2.4.4 Paramedic Differential

Effective July 1, 2005, Paramedic Differential was eliminated in exchange for the increase in base salaries as stated under Article 2.1.3 for Fire Engineers and Fire Captains who retain a current, valid California state paramedic license with San Diego County accreditation.

2.4.5 Tiller Operator

Each Firefighter or Firefighter Paramedic who completes all required training, obtains tiller certification, and is assigned to drive the tiller shall be paid 25% of the difference between top step (Step H) Firefighter/Firefighter Paramedic and top step (Step E) Fire Engineer pay, including educational incentive, per hour per shift. One eligible employee per duty shift will be compensated for Tiller operation. The employee assigned the most hours to drive the tiller, over the course of the duty shift, will be compensated.

2.5 Educational Incentive

An educational incentive allowance shall be granted for the successful attainment as outlined in the table below:

# of Units / Type of Degree	Subject Area Eligible for Educational Incentive	Percent of Base Pay
31-45 units	Fire Science	1.5%
46 units and over	Fire Science	3.0%
Associate's Degree	Any Associate's Degree from an accredited college	4.5%
Bachelor's Degree	Any Bachelor's Degree from an accredited college	6.0%

Educational incentive shall be paid upon attainment of Step G and completion of three and one-half years of employment with the City of Santee Fire Department.

An official transcript from the college/university attended by the employee is required as proof of education. The official transcript should be sent directly to the Fire Operations Chief. The employee will be responsible for bearing the cost of ordering the transcript. After Fire Administration receives the official transcript, the proper paperwork will be prepared, the Fire Chief's approval will be obtained and the request will be forwarded to Human Resources. The educational incentive will be effective on the day the official transcripts showing proof of eligibility are received in Fire Administration.

2.6 Paramedic Bonus

Effective July 1, 2005, the paramedic bonus was eliminated for all employees covered by this MOU. For Firefighter Paramedics the equivalent amount of \$1,000 is included in the base salary after successful completion of the first two years as a California state licensed paramedic with San Diego County accreditation working for the City of Santee, and successful advancement to Step E in the City of Santee salary schedules (Attachments A, B, C or D). For Fire Engineers and Fire Captains, the base salary increased as noted in Article 2.1.3 in exchange for the elimination of the paramedic bonus.

2.7 Preceptor/Mentor Incentive

Mentors and Preceptors in the paramedic program shall be paid Preceptor or Mentor Incentive pay in the amount of \$1,000 for each series of training completed for each Firefighter/Paramedic or Non-Safety Paramedic trainee assigned to the Preceptor/Mentor, as approved and required by the Fire Chief. Preceptor/Mentor assignments will be designated by the Fire Chief for the purpose of routinely and consistently training and mentoring new Firefighter/Paramedic employees or Non-Safety Paramedic trainees. Employees must achieve and maintain a satisfactory performance evaluation to be eligible for the stipend.

Stipends will be pro-rated as earned per shift as follows:

- Preceptor Pay: \$1,000 for 22 shifts of training, paid at the rate of \$45.46 per completed shift of training.

- **Mentor Pay:** \$1,000 for 12 shifts of training, paid at the rate of \$83.34 per completed shift of training.

The stipend shall be paid on a bi-weekly basis. Preceptor or Mentor Incentive pay is not reported to CalPERS as “compensation earnable” or “pensionable compensation”. The stipend will be included in calculating the employee’s hourly regular rate of pay pursuant to the Fair Labor Standards Act (FLSA).

2.8 Longevity Certification Stipend

The Longevity Certification Stipend shall be paid upon completion of ten (10) years of employment with the City of Santee Fire Department* and successful attainment of California State Fire Marshal (CSFM) or other accepted accredited certification(s) as outlined below:

Certification	Eligible Classifications	Percent of Base Pay
Chief Officer	Fire Captain	1.0 %
Fire/Company Officer	All classifications except Fire Captain	1.0 %
CSFM Rescue & Technical - 5 Courses	All classifications	1.0 %
Wildland – 5 Courses	All classifications	1.0 %

Refer to the Longevity Certification SOP for approved courses

Employees must achieve and maintain a satisfactory performance evaluation to be eligible for the stipend. The maximum percent payable is capped at 2.0% of base pay per member. An employee that meets the criteria for compensation under more than one level above, shall receive compensation for only the highest such level for which he or she qualifies.

Official certificates from accepted accredited agencies (approved by the Fire Chief) will be required to receive stipend pay. The employee will be responsible for obtaining certifications and bearing any applicable costs. Certificates should be sent directly to Fire Administration when an employee becomes eligible for the Longevity Certification Stipend. After Fire Administration receives the qualifying certification(s), the Fire Chief’s approval will be obtained, the proper paperwork will be prepared and the request will be forwarded to Human Resources. The Longevity Certification stipend will become effective upon the pay period following approval by the Fire Chief.

The stipend shall be paid on a bi-weekly basis. Longevity Certification pay is not reported to CalPERS as “compensation earnable” or “pensionable compensation”. The stipend will be included in calculating the employee’s hourly regular rate of pay pursuant to the Fair Labor Standards Act (FLSA).

*Effective 11/12/19, members who will complete ten (10) years of employment with the City of Santee Fire Department by 3/1/2022 will be considered to have met the longevity requirement for eligibility for the stipend.

2.9 Uniform Allowance

2.9.1 Allowance

The City agrees to pay six hundred fifty (\$650) per fiscal year in uniform allowance to each employee for the maintenance and purchase of Class A and B uniforms and other related uniform attire.

2.9.2 Payment

The reimbursement shall be paid to each employee after the completion of initial probation (12 months) and will not require receipts. Effective with the first pay period ending on or after July 1, 2017, the annual uniform allowance shall be paid on a bi-weekly basis, approximately \$25.00 per pay period. The benefit will commence similarly every July 1st of subsequent years. The City will report to CalPERS the actual monetary value of the uniform allowance for SFFA covered CalPERS Classic Members. This excludes items that are solely for personal health and safety such as protective vests, pistols, guns, bullets, and safety shoes. The reported value shall not exceed \$650 per fiscal year. Under PEPR, a uniform allowance or the value of uniforms is not considered pensionable compensation for “new members” of CalPERS.

2.10 Promotions

When promoting, the salary increase is to be at least 5% over the current regular salary. If the salary, upon promotion, is Step B or higher, the next raise will occur one (1) year from the anniversary date of the promotion and satisfactory performance evaluation.

CHAPTER 3.0 CONSTANT STAFFING

3.1 Constant Staffing Model

The City of Santee and the Santee Firefighters’ Association have adopted a staffing model of sixteen plus one per shift for staffing the Santee Fire Department. Under this staffing model the minimum daily staffing is sixteen. This model allows for over-staffing by one additional Firefighter Paramedic (seventeen) per shift for coverage of temporary vacancies for a total of seventeen full-time employees per shift. Temporary vacancies within the firefighter paramedic rank will first be filled utilizing the additional firefighter paramedic. Examples of temporary vacancies include, but are not limited to, vacancies created by sick leave, vacation, workers’ compensation and leave of absence. The seventeenth position shall not be used to fill reimbursable overtime.

3.2 Normal Staffing Level

The City and Association agree that the normal staffing level of permanent full-time staff will be equal to the minimum number of positions the City budgets as on duty (currently 48) plus one firefighter paramedic per shift. (Example: If the City budgets to have 48 suppression staff on

duty, there will be no more than 51 full time positions; 51 full time positions equates to 16 minimum plus one for a total of 17 uniformed suppression staff on-duty per shift unless a temporary vacancy exists in the firefighter paramedic rank which will decrease the staffing to sixteen. The City will only hire a full-time position beyond the normal staffing level when the Fire Chief has a reasonable expectation that a position will become vacant within the next four months due to a planned retirement.

Absent "catastrophic circumstances", the City will fill all 16 minimum staffing positions daily. The parties agree that staffing levels not otherwise agreed upon in this MOU are a management right. This right includes determining the number of budgeted positions.

CHAPTER 4.0 PROBATIONARY PERIOD, TIME IN GRADE & CERTIFICATION PROCEDURES

4.1 Purpose and Duration of Probation

The purpose of probation is to give the City an opportunity to evaluate an employee's performance prior to the employee entering regular status. After accepting an original or promotional appointment with the City of Santee Fire Department, each employee shall serve a probationary period of twelve (12) months of service. Regular status shall commence on the day following the expiration of a probationary period. During this probationary period, the employee's performance shall be evaluated at least twice at or just before six and twelve months.

4.2 Original Probationary Appointments

4.2.1 Zero to Six Months

After appointment to probationary Firefighter Paramedic, Step A, the Probationary Firefighter/Paramedic must complete the following requirements during the first six (6) month period:

1. Successfully complete a paramedic evaluation on an ambulance, if assigned.
2. Successfully complete a recruit academy, if assigned.
3. Complete the ambulance driver training process and become certified by the end of this six (6) month period.
4. Successfully pass a 6-month written and manipulative examination, attaining a minimum score of 80% on each portion on the first attempt.
Note: The candidate must pass the written portion of the test prior to taking the manipulative portion.
5. Receive a "Competent" or better Employee Performance Evaluation.

After successfully completing the above requirements, the Probationary Firefighter Paramedic will be advanced to Step B. Failure to complete the above requirements will result in a failure of probation.

4.2.2 Six to Twelve Months

After successful advancement to Step B, the Probationary Firefighter Paramedic must complete the following requirements during the second six (6) month period:

1. Successfully pass a 12-month written examination, attaining a minimum score of 80% or better on the first attempt.*
2. Successfully pass a 12-month manipulative examination, attaining a minimum score of 80% or better on the first attempt.
3. Receive a "Competent" or better Employee Performance Evaluation.

**The 12-month written and manipulative exams shall be administered no sooner than forty-five (45) calendar days prior to the end of probation and no later than 15 calendar days prior to the end of probation. If these tests are not completed prior to the end of probation, the City reserves the right to extend probation pursuant to Section 4.5 of this MOU.*

After successfully completing the above requirements, the Probationary Firefighter Paramedic is eligible to advance to Step C and the probationary period is complete. Failure to complete the above requirements will result in failure of probation.

4.3 Promotional Probationary Appointments

For promotional appointments to all other positions covered by this MOU, promotional probationary employees will be evaluated at least twice at or just before six and twelve months. The results of these evaluations shall be discussed with the employee.

4.4 Extension of Probationary Period

The probationary period may be extended by the Fire Chief and the Human Resources Director. The employee will be notified in writing of the extension of his/her probationary period prior to the end of the original probationary appointment.

- A. *Original Probationary Employees – Extension of Probationary Period:*
Original Probationary Employees absent for eight (8) regular duty shifts or more may have their probationary period extended for the same duration as their absence.
- B. *Promotional Probationary Employees – Extension of Probationary Period*
Promotional Probationary employees absent for twenty (20) regular duty shifts or more may have their probationary period extended for same duration as their absence.

4.5 Notification of Extension

If a probationary employee's work merits an extension, the employee has been absent longer than the time specified in Article 4.4, or the requirements in section 4.2.2 have not been satisfied, the Fire Chief shall notify the Director of Human Resources of his or her intention to extend the employee's probationary period. After discussion with the Director of Human Resources, the Fire Chief shall notify the employee in writing of the extension of the original probationary period prior to the end of the original probationary period.

4.6 Rejection During Probation

An employee who does not successfully pass his/her original probationary appointment may be rejected at any time by the Fire Chief without the right of appeal, except as provided by law. An employee who does not successfully pass his or her promotional probationary appointment shall be reinstated to the position in which the employee held regular status prior to his or her promotion. If the employee was serving a probationary period at the time of promotion, the employee shall be reinstated to probationary status in the prior classification, and the remainder of that period shall be served. However, if the cause for not passing the promotional probationary period is sufficient grounds for further discipline and/or dismissal, the employee shall be subject to the discipline and/or dismissal process without being reinstated to the original lower position.

4.7 Notification of Rejection

If a probationary employee's work is not satisfactory, the Fire Chief shall notify the Director of Human Resources. After discussion with the Director of Human Resources, the Fire Chief shall notify the employee of his or her rejection prior to the end of the original probationary period.

4.8 Time in Grade – Additional Step Increases

Firefighter Paramedics will be eligible to advance from Steps C through H at a minimum of six month intervals, with the exception of Step G which is a one year interval, through completing the step process outlined in the Fire Department SOPs. Each step increase requires passing both a written and manipulative examination with a minimum 80% score and receiving an overall Competent or better performance evaluation.

The written portion of the test must be successfully passed first to be allowed to take the manipulative portion. In the event that a score of less than 80% is attained on the written portion of the examination, the Firefighter Paramedic will be given one (1) additional try with an alternate examination no sooner than 15 calendar days but no later than 60 calendar days from the date of the failed exam, which must also be passed with a minimum score of 80%.

In the event that a score of less than 80% is attained on the manipulative portion of the examination, the Firefighter/Paramedic will be given one (1) additional try with an alternate examination no sooner than 15 calendar days but no later than 60 calendar days from the date of the failed exam, which must also be passed with a minimum score of 80%.

In addition, the employee must receive a Competent or better performance evaluation to advance to the next step. Employees receiving an PN performance evaluation shall be given a performance plan re-evaluated on an interim basis at a minimum of every two months from receipt of the PN evaluation but no longer than 90 days. If the employee does not show improvement based on the performance plan after 90 days, the progressive discipline process will begin.

The effective date of advancement to the next step will occur after completing and successfully passing both exams and receiving a competent or better performance evaluation.

4.9 Certification Procedures

4.9.1 City of Santee Personnel Rules - Certification Procedures

The City of Santee Personnel Rules shall apply to the recruitment and selection process of all positions covered by this MOU, with the exception of how names are certified from open-competitive and closed-promotional eligibility lists and re-employment lists for Fire Engineers and Fire Captains.

4.9.2 Certification Lists – The Rule of Three Defined

The top three (3) names, plus additional names if tie scores necessitate such action, may be certified from either an open-competitive or closed-promotional eligibility list. In addition, names on the valid re-employment list for the vacant classification may be added to the certification list.

4.9.3 Application of the Rule of Three

The “Rule of Three” shall be used exclusively and only apply when certifying lists for the positions of Fire Engineer and Fire Captain. Certification procedures for the position of Firefighter Paramedic shall follow City of Santee Personnel Rules.

CHAPTER 5.0 LEAVE

5.1 Annual Leave

5.1.1 Accrual

All uniformed shift personnel shall be entitled to annual leave accrued on a bi-weekly basis or per pay period beginning with hire date. Total hours to be accrued are displayed in the following table:

Years of Service	Bi-weekly Accrual	Total Annual Hours	Maximum Accrual
0 to 5 years	11.54 hours	300 hours	600 hours
6 to 9 years	12.00 hours	312 hours	624 hours
10 to 14 years	12.92 hours	336 hours	672 hours
15 to 19 years	13.84 hours	360 hours	720 hours
20 or more years	14.76 hours	384 hours	768 hours

5.1.2 Maximum Accrual

Employees will be allowed to accumulate a maximum of two-times annual accrual. When employees reach the maximum accrual, they will not accrue additional leave until they use some leave and the balance falls below the maximum.

5.1.3 Annual Leave Increments

For uniformed shift personnel, annual leave will be deducted for time off that the employee would have been on duty according to the regular schedule. Annual leave may be used in increments down to one-quarter (1/4) hour.

5.1.4 “40 Hour” Personnel – Total Annual Hours

“40 hour” personnel shall be entitled to annual vacation as follows:

Years of Service	Total Annual Hours
0 to 5 years	136 hours
6 to 9 years	141 hours
10 to 14 years	152 hours
15 to 19 years	168 hours
20 or more years	184 hours

5.1.5 “40 Hour” Personnel – Holidays

All “40” hour personnel shall be entitled to these eleven (11) holidays: New Year’s Day, Martin Luther King Jr. Day, President’s Day, Memorial Day, Independence Day, Labor Day, Veteran’s Day, Thanksgiving Day, Day after Thanksgiving, Day before Christmas, and Christmas Day. If any of these fall on a weekend, the same day shall be taken off as the general City employees take.

5.1.6 Seniority in Scheduling Vacation Months

Vacation months are to be scheduled on the basis of seniority of length of service with the Department.

5.1.7 Scheduling Annual Leave

Scheduling of annual leave shall be regulated by the administration through the SOPs, so as not to impair the efficiency of the Department.

5.1.8 Days in Lieu of Holidays

Article 5.1.1 above includes vacation and holiday hours.

5.1.9 Annual Leave Adjustments

- A. All personnel reassigned from shifts to days shall have their annual leave adjusted as follows:

Years of Service	Multiply By:
0 to 5 years	.4532
6 to 9 years	.4520
10 to 14 years	.4524
15 to 19 years	.4666
20 or more years	.4792

- B. All personnel reassigned from days to shifts shall have their annual leave adjusted as follows:

Years of Service	Multiply By:
0 to 5 years	2.2065
6 to 9 years	2.2127
10 to 14 years	2.2105
15 to 19 years	2.1429
20 or more years	2.0869

5.1.10 Annual Leave Conversion to RHSA

An employee, upon retirement or any type of separation, will convert 100% of their remaining annual leave balance to the Retirement Health Savings Account. No cash will be given in lieu of converting eligible annual leave hours to the employee’s RHSA.

5.2 Sick Leave

5.2.1 Accrual

All uniformed shift personnel shall be entitled to twelve (12) hours per calendar month of sick leave accrued at a rate of 5.54 hours per bi-weekly pay period from date-of-hire. Effective September 22, 2016 all uniformed shift personnel shall be entitled to sixteen (16) hours per calendar month of sick leave accrued at a rate of 7.38 hours per bi-weekly pay period from date-of-hire. Sick leave will accumulate if not taken. There is no limit to sick leave accumulation.

5.2.2 “40 Hour” Personnel

“40” hour personnel will be entitled to eight (8) hours of sick leave per calendar month accrued at a rate of 3.69 hours per bi-weekly pay period. Sick leave will accumulate if not taken. There is no limit to sick leave accumulation.

5.2.3 Sick Leave Adjustments

All personnel reassigned from shifts to days shall have their sick leave total adjusted by multiplying by .6661 All personnel reassigned from days to shifts shall have their sick leave total adjusted by multiplying by 1.5013.

5.2.4 Parental Leave

Personnel shall be allowed parental leave related to the birth or adoption of a child of up to seventy-two (72) hours to be deducted from accumulated sick leave.

5.2.5 Family and Medical Leave Act

Family leave shall be provided in accordance with the requirements of the federal Family and Medical Leave Act (FMLA), and the City of Santee’s most recent policy on FMLA.

5.2.6 Labor Code §4850

Sick leave may not be used in conjunction with, to augment or as a replacement for Industrial Injury Leave as provided for by Labor Code §4850.

5.2.7 Annual Sick Leave Conversion to Retirement Health Savings Account (RHSA) Contribution

An employee using 48 hours or less of sick leave in a fiscal year may convert up to 24 hours annually. An employee who uses between 49 and 71 hours of sick leave may convert the difference between 72 hours and the amount of sick leave taken up to a maximum of 24 hours. For example, if an employee uses 48 hours or less of sick leave, he or she is eligible to convert 24 hours (72 minus 48). If 49 hours of sick leave are used, he or she is eligible to convert 23 hours of sick leave (72 minus 49). If 71 hours of sick leave are used, he or she is eligible to convert 1 hour of sick leave (72 minus 71). The employee must maintain a minimum balance of 504 hours of sick leave. Parental leave and/or leave protected under the FMLA will not count toward hours of sick leave used when determining the number of hours of sick leave taken in a year and eligibility for this benefit. No cash will be given in lieu of converting eligible sick leave hours to contribute to the RHSA.

5.2.8 Sick Leave Conversion to RHSA

An employee, upon service retirement only, may convert to cash, 50% of their remaining sick leave balance up to \$6,000, of which 100% of the conversion to cash must be placed into the employees Retirement Health Savings Account. No cash will be given in lieu of converting eligible sick leave hours to the employee's RHSA.

5.3 Other Leave

5.3.1 Trading of Shifts

Shifts may be traded by means of personal time trade. All out of rate shift trades must be approved by a Santee Chief Officer, who shall review the schedule to ensure it will not cause known additional overtime. Personal time trades must be paid back within one (1) year of the date of the first trade. The City and Association agree to follow the guidelines on personal time trades as delineated in the Santee Fire Department SOPs.

5.3.2 Leave without Pay

Personnel may request time off without pay, at the discretion of the City, pursuant to the City of Santee Personnel Rules.

5.3.3 Detached Duty

Upon approval of the Fire Chief, personnel may be allowed detached duty for Department business or activities the Fire Chief feels would directly benefit the Department.

5.3.4 Forwarded Leave

Effective July 1, 2015, the Fire Chief can no longer forward time off to an employee. Example: Sick leave.

5.3.5 Bereavement Leave

Personnel having a death in the immediate family (this means wife, husband, children, father, mother, brother, sister, mother or father-in-law, grandparents, grandparents-in-law, stepparents, or stepbrothers and stepsisters) (this means wife, husband, domestic partner, children, stepchild, grandchild, brother, stepbrother, sister, stepsister, parent, guardian, stepparent, foster parent or grandparent, grandparents-in-law or any person serving as a parent living in the same household) shall have a bereavement leave up to three (3) shifts, which will not be deducted from an employee's sick leave balance.

5.3.6 Military Leave

Personnel are allowed up to 30 calendar days of orders each fiscal year as required by law. The number of paid leave days may vary depending on the dates of military orders and the employee's shift schedule, but pay is not to exceed 30 days in any one fiscal year, pursuant to the Military & Veteran's Code § 395.01. (For example, if an employee is called to active duty for 90 days, he or she will receive one month's salary or the equivalent to 10 shifts).

5.3.7 Jury Duty

Every regular and probationary employee of the City who is required to report for jury duty shall be entitled to be absent from duties with the City during the period of such service. No deduction shall be made from the salary of an employee while on jury duty if he/she remits to the City all pay received for jury duty (except mileage), the original summons for service, and the official court jury duty timecard. If the employee does not remit to the City all required items, he/she shall be paid only for the actual hours worked in his/her regular position on the day(s) of jury service, if any.

The City will compensate employees for travel time to and from jury service, not to exceed a total of one (1) hour per day of jury service regardless of where the employee lives and regardless of the location of jury service. If the employee's jury service is less than a full workday, the employee is expected to return to work or use accrued leave with pre-approval from his or her supervisor for the remainder of the regularly scheduled shift. Employees will not be compensated for jury duty on a day off or compensated for travel to and from jury duty on days off. If time spent at jury service or the related travel time results in overtime, the City will not compensate the employee for such hours.

5.3.8 Catastrophic Leave

Pursuant to the City of Santee Human Resources & Risk Management Policy Catastrophic Leave Bank, regular employees in a permanent position eligible for benefits and have exhausted all accrued paid leave time, may be eligible for catastrophic leave due to a life-threatening illness or severely incapacitating injury that is expected to incapacitate an employee or eligible member of his or her family. See the Human Resources & Risk Management Policy for more guidelines on donating to the Catastrophic Leave bank or for qualifications of eligibility.

CHAPTER 6.0 RETIREMENT BENEFITS

6.1 California Public Employment Retirement System (CalPERS) Program

The City of Santee has contracted with CalPERS for the retirement benefits listed below.

6.1.1 Classic Tier 1 and 2- Formula & Benefits:

1. Retirement Formula; Employee Contribution: Fire safety employees hired prior to January 19, 2012 are considered "Classic Tier 1" members of CalPERS. By contract, the City and Classic Tier 1 employees participate in the "3% at age 50" retirement formula. The applicable employee contribution, paid in full by Classic Tier 1 employees pursuant to pre-tax payroll deduction, is nine percent (9%).
Fire safety employees hired on or after January 19, 2012 but prior to January 1, 2013, and fire safety employees hired on or after January 1, 2013 that are designated as classic members by CalPERS, are considered "Classic Tier 2" members of CalPERS. By contract, the City and Classic Tier 2 employees participate in the "3% at age 55" retirement formula. The applicable employee contribution, paid in full by Classic Tier 2 employees pursuant to pre-tax payroll deduction, is nine percent (9%).
2. Cost-Sharing of City CalPERS Contribution: Upon ratification of this Agreement, the City shall implement cost-sharing pursuant to the terms set forth below to offset a portion of the City's employer contribution to CalPERS for retirement benefits as authorized under Section 20516(f) of the Government Code.

The employee cost-sharing contribution will be accomplished pursuant to Section 20516(f) of the Government Code. Cost-sharing contributions made pursuant to Section 20516(f) remain characterized as employer contributions by CalPERS and, therefore, will not be allocated to the employee's retirement account. Cost-sharing contributions will be deducted from wages on a pre-tax basis during the term of this Agreement.

Effective June 27, 2019, Classic Tier 1 and Classic Tier 2 employees shall contribute, through payroll deduction, an additional three percent (3%) of "compensation earnable", for a total contribution of 12%, towards CalPERS retirement.

3. Post Retirement Survivors Allowance (PRSA) 50%, Sections 21624 and 21626 and PRSA Continuance, Section 21635 – Upon the death of a retiree, 50% of the unmodified allowance, will continue to an eligible survivor. The PRSA payable to surviving spouses upon the death of a retiree will not cease upon remarriage of the surviving spouse.
4. 1959 Survivor Benefit (Pre-Retirement), including Indexed Level, Section 21574.5 – This provision provides 1959 Survivor Benefits to survivors of a member who dies prior to retirement and is not covered by Social Security. The Indexed level includes an automatic cost-of-living feature to avoid erosion due to inflation.

5. Retired Death Benefit (DB) \$500, Section 21620 and DB Continues, Section 21551 - Section 21620 provides that upon the death of a retiree, a one-time lump sum payment of \$500 will be made to the retiree's designated survivor(s), or to the retiree's estate. Section 21551 provides the death benefits being paid to a spouse of a member who died prior to retirement will continue in full should the spouse remarry.
6. Credit for unused sick leave, Section 20965 – Any unused sick leave days will be converted to service credit at the rate of .004 years of service for each day of sick leave provided there is less than 120 days between the member's separation date and retirement date.
7. For Classic Tier 1 employees, final compensation is the average full-time monthly pay rate for the highest 12 consecutive months, Section 20042. For Classic Tier 2 employees, the final salary will be calculated using thirty-six (36) highest paid consecutive months.
8. Military Service Credit as Public Service, Section 21024 – a member may elect to purchase up to 4 years of service credit for any continuous active military or merchant marine service prior to employment.
9. All CalPERS retirement benefits for employees hired on or after January 1, 2013, who are considered "new members" under PEPR are subject to the mandatory provisions outlined in PEPR, including the mandatory retirement formula and mandatory employee contributions for new members.

6.2 Advanced Disability Pension Payments

City agrees to implement California Labor Code Section 4850.3 with reference to Industrial Disability Retirements. This section provides a mechanism whereby the City can make advanced disability pension payments to any Association member who has qualified for benefits under Section 4850 and is approved for a disability allowance.

6.3 Deferred Compensation

City agrees to offer a voluntary deferred compensation plan to Association members. City agrees to consider and discuss options with the Association as long as the Association contacts the City at least ninety (90) days prior to the renewal of the current exclusive provider agreement.

6.4 Retirement Health Savings Account (RHSA)

City agrees to implement and administer a retirement health savings account program. Participation is mandatory for all members of the Santee Firefighters' Association. Effective July 1, 2013, the City will contribute 2% of base salary, on a bi-weekly ongoing basis, for all members covered by this MOU. Additional contribution amounts by unit members will be determined by the Santee Firefighters' Association. The contribution amounts by unit members shall not be changed more than once per fiscal year.

CHAPTER 7.0 INSURANCES

7.1 Life Insurance & Accidental Death and Dismemberment Insurance

The life insurance paid for by the City and the Accidental Death & Dismemberment (AD&D) insurance paid for by the City on uniformed members shall be the plan adopted for other City employees. The basic benefit level of each of these plans approximates one times annual salary up to a maximum of \$50,000, or the same as the City's plan for its miscellaneous employees.

7.2 Medical and Dental Insurance

Effective January 1, 2018, medical insurance costs became shared between the City and employee as follows:

	<u>City contribution</u>	<u>Employee contribution</u>
Employee Only	100% of premium	0% of premium
Employee + Spouse	85 % of premium	15 % of premium
Employee + Children	85 % of premium	15 % of premium
Employee + Spouse & Children	75 % of premium	25 % of premium

Employees will be allowed to opt out of the group medical plan with proof of other coverage. The members covered by this MOU are covered by the City's Dental Plan at the same cost sharing as other employees (effective July 1, 2017).

7.3 Retiree Medical Insurance

7.3.1 General Statement

All retirees have the right to remain on the City's medical insurance plan as provided to employees and at the same rates as active employees. Medical Insurance options available to retirees upon reaching age 65 are delineated in the Side Letter dated May 21, 1996 to the Memorandum of Understanding (Attachment B).

7.3.2 Hired Before 6/30/85 & Retired before 8/1/86

Retirees from the City or Fire District on or before June 30, 1985, and unit employees who retire before 8/1/86 – the City shall pay the full premium towards a medical plan providing comparable coverage to that contained in the plans in existence June 30, 1985.

7.3.3 Hired by 6/30/85 & Retired On or After 8/1/86

Unit members employed as of June 30, 1985, who retire on or after 8/1/86 – The City shall contribute a maximum of \$182 per month towards a City medical plan providing benefits comparable to those found in the plans existing on June 30, 1985. Any premium in excess of \$182 shall be borne by the retiree. Payments made by the City are subject to IRS reporting requirements.

7.3.4 Initial Hire On or After 7/1/85

Unit members whose initial employment begins on or after July 1, 1985 – upon retirement shall be entitled to participate in the City’s medical insurance program at their own expense.

7.3.5 Retirees Residing Outside the Service Area

The City will make reasonable attempts to secure insurance options with the current insurance carrier for Retirees residing outside the San Diego or Riverside County service areas which are comparable to the medical insurance options available to Retirees residing within the service areas. In the event the rates for Retirees residing outside the service area are higher than those for Retirees within the service area, the Retiree shall be responsible for paying the difference, in addition to what they are required to pay as stated above. In the event the City is unable to secure comparable medical insurance options for Retirees residing outside the service areas, the Retirees will be terminated from the City’s medical insurance coverage and may not re-enroll. The City will provide the cash value of the benefit, per Articles 7.3.2 and 7.3.3, to the Retiree no longer on the City’s medical insurance plan. The cash value will be paid to the Retiree quarterly.

7.3.6 Retirees - Option to Terminate Insurance

Any Retiree who qualifies for insurance assistance per Articles 7.3.2 and 7.3.3 regardless of residency may opt to terminate participation in the City’s medical insurance and will continue to receive the cash value of the benefit. Once a Retiree withdraws from the City’s medical insurance plan, the Retiree may not re-enroll.

7.3.7 Definition of Survivor Relationship

If an active employee, who was employed prior to 6/30/85, dies and the death is determined to be work related, the City will continue to contribute towards medical insurance, at the maximum rate of \$91, for one dependent as long as the dependent meets the definition of dependent, which is a spouse that has not remarried or a child until the age of 26.

When a retired employee dies, the City will continue the medical insurance for one dependent. The maximum rate the City will pay is as follows:

1. Retired prior to August 1, 1986 – full premium for one dependent (see statement above).
2. Employed prior to June 30, 1985, and retired after August 1, 1986 - \$91.

If the dependent is a spouse, the coverage will continue until the spouse remarries or dies. If the dependent is a child, the child will be eligible until age 26. Retirees whose initial hire date is on or after June 30, 1985 shall not be eligible for this benefit.

7.4 Long Term Disability (LTD)

7.4.1 LTD Plan

Association is responsible for contracting, buying, enrolling new employees in, and the administration of the LTD plan. The employee may utilize sick leave to make up for any difference in salary. An employee may charge up to a maximum of ninety (90) calendar days of sick leave

for any one incident of a non-industrial injury or illness. When the 91st day of the sick leave occurs, an eligible employee must transfer, if approved, to the Association's Long Term Disability (LTD) Program. The employee shall remain on LTD until such time as the employee is released to full duty. If the employee is precluded from performing the substantial range of job duties, the employee may remain on LTD in conformance with the benefits provided by the plan and he/she may be retired or terminated at that time. Employee shall accrue medical, dental and life benefits, while on LTD.

Within two weeks of an LTD claim being filed, the employee is responsible for providing Human Resources with the information necessary to coordinate employment and payroll matters potentially impacted by the claim. Such information includes, but is not limited to, dates of leave, LTD eligibility date, specific plan benefit (i.e. 50/50 integration) and monetary amounts received from the Plan Administrator. Providing this information to Human Resources will streamline approval from the LTD Plan Administrator as well as enable efficient City payroll processing.

7.4.2 City Monthly Contribution to LTD Plan

For each employee, the City will contribute a monthly amount to the employee's taxable income equal to the current LTD monthly premium, not to exceed \$30 per employee per month. City will make a taxable deduction of the monthly amount of the premium for each employee and include in the monthly Association dues payment.

7.4.3 CalPERS Retirement Service Credit & City of Santee Contributions

Pursuant to and in compliance with the California Public Employees' Retirement Law, employees on the LTD Plan using sick leave to make up the 50% difference in base pay will continue to accrue service credit towards his or her CalPERS retirement. In addition, the City will continue to make contributions to CalPERS based on the 50% of sick leave used by the employee while he or she is on the LTD Plan.

7.4.4 Deferred Compensation

When an employee, on LTD ceases to accrue PERS service credit, City will contribute to the employee's City sponsored deferred compensation plan an amount equivalent to total PERS contribution not to exceed the IRS retirement plan contribution limits annually, on a calendar year basis. City payment will be made once each calendar year by 12/31. This payment will be calculated at end of the LTD term, or annually, as appropriate.

7.5 Optional Insurance Programs

Optional insurance programs may be offered by the City. Voluntary benefits will be made available to all members covered by this MOU at the same terms as other City employees. As the voluntary benefits and providers evolve over time, members may contact Human Resources for specific plan information.

7.5.1 Employee Assistance Program (EAP)

This program provides a free, confidential assessment and referral service to employees and their families for a wide range of personal and professional issues, including divorce, eating disorders, legal problems, grief and loss, debt counseling, drug and alcohol abuse, family conflict, domestic violence, etc.

7.5.2 Flexible Spending Accounts – Section 125

This benefit allows employees to set aside pre-tax dollars for a variety of services including child/dependent care, medical reimbursement, and individual insurance premiums.

CHAPTER 8.0 HOURS & SCHEDULES

8.1 Hours of Work and Basic Work Week

Employees covered by this Agreement will work one of two schedules depending on assignment:

1. **40-Hour Personnel:** The standard work week is five (5) eight (8) hour days, Monday through Friday, for which the starting time is 0800; ending is 1700. At the discretion of and with approval from the Fire Chief, 40-hour personnel may also have the option to work an alternative work schedule such as the “9/80” schedule with every other Friday off, or a “4/10” schedule with every Friday off. Refer to City APM 01-1 or the most recent APM on “9/80 Work Schedule” for guidelines and more information on this schedule.
2. **24-Hour Shift Personnel:** The work week is 56 hours per week averaged on a calendar year basis. The basic schedule shall be a three (3) platoon fifty-six (56) hour schedule consisting of four (4) twenty-four (24) hour shifts each separated by twenty-four (24) hours off duty followed by four (4) consecutive days off, followed by four (4) twenty-four (24) hours shifts each separated by twenty-four (24) hours off duty, followed by six (6) consecutive days off. This schedule recurs on a regular twenty-four (24) day cycle.

8.2 Early Reliefs and Personal Time Trades

Early reliefs and personal time trades will be allowed by Company Captains as governed by the Department SOPs. Early reliefs and personal time trades for Captains and Acting Captains must be approved by the appropriate Santee Chief Officer.

CHAPTER 9.0 EMPLOYEE PERFORMANCE EVALUATIONS

9.1 Purpose

The purpose of employee performance evaluations is threefold. First, it aids supervisors and/or Company Officers, Division Chiefs, the Fire Chief and the City Manager in reviewing an employee’s productivity, the quality and quantity of his/her output, attitude, working relationships and growth on the job. Second, it assists individual employees in achieving maximum work output by establishing work standards and objectives, reviewing progress toward

goals and planning the employee's future development. Third, performance evaluations identify those whose performance needs improvement and those who exceed standards.

9.2 Schedule

Performance evaluations for Firefighter Paramedics in the Firefighter Paramedic Development Program shall be prepared and completed in accordance with the schedule outlined in Chapter III (Hiring, Development, Promotion) of the Santee Fire Department SOPs.

Performance evaluations for all other fire personnel shall be prepared within fifteen (15) working days of the employee's salary anniversary date each year.

Supervisors are authorized to evaluate a subordinate's performance as often as the supervisor deems appropriate or at the request of an employee.

9.3 Authority to Complete Performance Evaluations

The Fire Chief shall have the authority to complete evaluations of performance. However, he or she may delegate such authority to subordinate supervisors who are most familiar with the work of the employees to be evaluated. The Fire Chief shall review and approve all performance evaluations of personnel under his or her authority.

9.4 Routing and Approval Process for Performance Evaluations

Performance evaluations shall be prepared by the assigned Fire Captain. The Fire Captain shall route the performance evaluation to his or her assigned Battalion Chief for review and approval. The Fire Chief shall then review and approve the performance evaluation and send to the Human Resources Department for review and approval. Human Resources may forward the performance evaluation to the City Manager for review. The performance evaluation will be sent back to the Fire Captain who will review the evaluation in a private meeting with the employee.

The employee shall sign the performance evaluation to acknowledge that the employee is aware of its contents and has discussed the evaluation with his or her supervisor. The employee's signature on the evaluation does not necessarily indicate agreement with its contents. The employee will receive a copy of the evaluation after the meeting with the supervisor and a copy of the evaluation will be placed in the employee's personnel file.

9.5 Appeal

9.5.1 Appeal Process

An employee may appeal an overall rating of Progress Needed for a performance evaluation by submitting a written request of appeal to the Fire Captain who prepared the performance evaluation and to the employee's Battalion Chief within seven (7) calendar days after receipt of the final performance evaluation routed under Section 9.4 of this MOU. The Battalion Chief will arrange a meeting with the employee and the Fire Captain who prepared the performance evaluation to discuss the employee's request of appeal. The meeting shall take place within fourteen (14) calendar days of receipt of the employee's written request. If the employee is not

satisfied with the result of the meeting with the Fire Captain and Battalion Chief, he or she may request to meet with the Fire Chief. The Fire Chief may investigate further the facts presented by the employee on the performance evaluation and render a decision on the ratings.

If the employee is still not satisfied with the decision of the Fire Chief, he or she may request in writing a meeting with the City Manager within fourteen (14) calendar days of receipt of the Fire Chief's decision to discuss and review the employee's performance evaluation and overall rating. The City Manager will hear the appeal and then reaffirm, modify or revoke the performance evaluation issued by the Fire Chief based on his or her findings. The decision of the City Manager is final. The final performance evaluation will be placed in the employee's personnel file.

9.5.2 Written Comment

Pursuant to the Firefighter Procedural Bill of Rights Act, the employee shall have 30 days within which to file a written response to any adverse comments in the performance evaluation which will be placed in his or her personnel file. The written response shall be attached to and accompany the performance evaluation (GC 3256.).

CHAPTER 10.0 DISCIPLINE

10.1 Purpose

It is expected that all City employees shall render the best possible service and reflect a positive image on the City. Therefore, high standards of professional and personal conduct are essential. When an employee's performance or conduct is deemed improper, disciplinary action is necessary to correct deficiencies, to assure improvement to meet appropriate standards and/or to correct for violations against City or Fire Department Rules. Grounds for discipline include failing to meet any of the stated employee conduct rules found in City of Santee Personnel Rule 11.0.

10.2 Disciplinary Action

When disciplinary action occurs, the affected employee shall be informed in writing of all reports, memorandums and/or records placed in his/her personnel file. Listed below are the disciplinary actions which may be utilized by a supervisor or Fire Chief. Failure to correct deficiencies and/or improve to meet standards may result in further discipline. All provisions of this section comply with the Firefighters Procedural Bill of Rights Act (Government Code, Section 3250-3262).

10.2.1 Oral Reprimand

A supervisor may orally communicate to the employee the deficiency or problem observed. The facts of the oral reprimand shall be put in writing, but noted as an oral warning, and placed in the employee's personnel file.

10.2.2 Written Reprimand

A written reprimand may be prepared by a supervisor and a copy shall be placed in the employee's personnel file after it has been discussed with the employee and after the employee has an opportunity to sign the written reprimand. A copy shall also be given to the employee.

10.2.3 Suspension

The Fire Chief may suspend an employee without pay for up to thirty (30) calendar days for disciplinary purposes. An employee suspended without pay shall not accrue sick leave, vacation or any other benefit which normally accrues based on time worked.

10.2.4 Reduction in Pay

The Fire Chief may reduce an employee's pay to a lower step within a range or lower part of band as a disciplinary action.

10.2.5 Demotion

An employee may be disciplined through demotion by the Fire Chief. No employee shall be demoted to a position which is not available and for which he/she does not possess the minimum qualifications.

10.2.6 Dismissal

A regular employee may be dismissed for disciplinary purposes by the Fire Chief. A probationary employee may be dismissed at any time during the probationary period without cause or the right to appeal.

10.3 Notification of Proposed Disciplinary Action

When the disciplinary action to be taken includes reduction in pay, suspension, demotion, or termination, the affected employee shall be given written preliminary notice of the intention to impose the disciplinary action. If the good of the service demands immediate action, written notice shall be given as soon as possible under the circumstances. Notification shall include:

- a. Written notice of the proposed action stating the date it is intended to become effective and the specific grounds and particular facts upon which the action will be taken.
- b. Any known written materials, reports, or documents upon which the action is based.
- c. The employee will also be provided with his or her rights to respond to the proposed charges, and given a time and date to respond orally or in writing (at least 7 calendar days after the employee receives the notice).
- d. All disciplinary actions against probationary and non-permanent employees do not call for notification, review, or appeal.
- e. The employee's rights of appeal to the City Manager.

10.4 Pre-Disciplinary Conference or Written Response

10.4.1 Employee Response

After receiving the Notice of Intent to Discipline, the employee has 7 calendar days to respond either orally or in writing to the charges. This is the employee's opportunity to provide information in response to the proposed action taken by the Fire Chief. An employee may submit a written response to the Notice of Intent to Discipline in addition or in lieu of the oral response.

10.4.2 Final Decision

The Fire Chief shall notify the employee in writing of his or her decision within 30 days of the decision, but not less than 48 hours prior to imposing the discipline in accordance with the Firefighters Procedural Bill of Rights Act, Government Code Section 3254 (f).

10.5 Appeal of Decision

10.5.1 Appeal of Written Reprimand

An employee may appeal a written reprimand issued by the Fire Chief to the City Manager by submitting a written notice of appeal within seven (7) calendar days after receipt of the written reprimand by the Fire Chief. The City Manager may designate a Department Director or Assistant to the City Manager to hear the appeal and make a written report and recommendation to the City Manager, or the City Manager may hear the appeal of the employee. The City Manager may then reaffirm, modify, or revoke the written reprimand issued by the Fire Chief based on his/her findings or those of the designee. The decision of the City Manager is final and the written reprimand shall be placed in the employee's personnel file.

10.5.2 Appeal of Discipline under MOU Sections 10.2.3 through 10.2.6

An employee may appeal a decision of the Fire Chief to implement discipline under Sections 10.2.3 through 10.2.6 by submitting a written notice of appeal to the Human Resources Director within seven (7) calendar days after receipt of the final notice of discipline by the Fire Chief.

The Human Resources Director will immediately notify the City Manager and Fire Chief of the employee's request for appeal and, in accordance with Government Code Section 3254.5 of the Firefighter Procedural Bill of Rights Act and Section 11517 (c) of the Administrative Procedures Act, arrange for a hearing before an administrative law judge.

Pursuant to Government Code 11517 (c), 2, the City Manager will review the proposed decision of the administrative law judge and may take one of the following actions:

- i. Adopt the proposed decision in its entirety.
- ii. Reduce or otherwise mitigate the proposed penalty and adopt the balance of the proposed decision.
- iii. Make technical or other minor changes in the proposed decision and adopt it as the decision. Action by the agency under this paragraph is limited to a clarifying change or a change of a similar nature that does not affect the factual or legal basis of the proposed decision.
- iv. Reject the proposed decision and refer the case to the same administrative law judge if reasonably available, otherwise to another administrative law judge, to take additional evidence. If the case is referred to an administrative law judge or she shall prepare a revised proposed decision, based upon the additional evidence and the transcript and other papers that are part of the record of the prior hearing.
- v. Reject the proposed decision, and decide the case upon the record, including the transcript, or upon an agreed statement of the parties, with or without taking additional evidence. By stipulation of the parties, the City Manager may decide the case upon the

record without including the transcript. If the City Manager acts pursuant to this subparagraph, all of the following provisions apply:

- (i) A copy of the record shall be made available to the parties. The City of Santee may require payment of fees covering direct costs of making the copy.
- (ii) The City Manager shall not decide any case provided for in this subdivision without affording the parties the opportunity to present either oral or written argument before the City Manager.
- (iii) The authority of the City Manager to decide the case includes authority to decide some but not all issues in the case.
- (iv) If the City Manager elects to reject the proposed decision and decide the case, the City Manager shall issue a decision not later than 100 days after rejection of the proposed decision. If the City Manager elects to a transcript of the proceedings before the administrative law judge, the City Manager shall issue his or her final decision not later than 100 days after receipt of the transcript. If the City Manager finds that a further delay is required by special circumstance, the City Manager shall issue an order delaying the decision for no more than 30 days and specifying the reasons therefore. The order shall be subject to judicial review pursuant to Section 11523.

CHAPTER 11.0 GRIEVANCE PROCEDURE

11.1 Purpose

There are hereby established procedures which are intended to provide opportunities for employees of the Santee City Fire Department to bring forth their views in relation to any unfair or improper aspect of their employment situation and to seek correction thereof.

The purpose of this procedure is:

- A. To promote improved employer-employee relations by establishing procedures on matters for which there is not another appeals procedure or hearing provided by other regulations.
- B. To assure fair and equitable treatment of all employees and promote harmonious relations among employees, supervisors and management.
- C. To encourage settlement of disagreements informally at the employee-supervisor level and provide an orderly procedure to handle grievances throughout the supervisor levels when necessary.
- D. To provide a just and equitable method for the resolution of grievances without prejudice, coercion or reprisal.

11.2 Definition

For the purpose of this Grievance Procedure, a grievance is defined as follows:

A complaint by an employee or the Association of an alleged violation, misinterpretation or misapplication of the provisions of this Memorandum of Understanding or Rules and Regulations.

11.3 Scope and Limitations

A grievance does not include:

- A. Matters reviewable under some other City administrative procedure;
- B. Requests or complaints the solutions of which would require modification of a policy established by the City Council or law in the form of a resolution or ordinance;
- C. Any matter involving the initiation or renewal of memorandum of understanding, the resolution of impasses, or any other matter which is beyond the scope of representation;
- D. Requests or complaints involving the discipline of a probationary or temporary employee.

11.4 Procedures

11.4.1 Informal Grievance Procedure

- A. Employees shall have fifteen (15) calendar days after the alleged grievable incident or condition in which to initiate these procedures.
- B. An attempt shall be made to adjust all grievances on an informal basis between the employee and/or his/her designated representative and a supervisor in the employee's chain of command, up to and including the Fire Chief.
- C. The Fire Chief will deliver his or her determination on the informal grievance in writing to the employee within 21 calendar days of receiving notice of the employee initiating the informal grievance procedure. The Fire Chief may request one extension within 48 hours prior to the 21st day. The extension will be contingent upon approval of the Association, to make and deliver his or her determination on the informal grievance, so long as the total time taken to make and deliver a determination in writing is no longer than 30 calendar days from the date the Fire Chief received notice of the employee initiating the informal grievance procedure. The Association will respond to the Fire Chief's request for an extension within 48 hours of the request being made. If no response is received, the extension will automatically be granted within the time frames outlined in this provision.

11.4.2 Formal Grievance Procedure

- A. If the above informal grievance procedure does not result in resolution of the grievance, the complaint shall then be reduced to writing on Grievance Form 2009-1 within seven (7) calendar days upon receipt of the Fire Chief's determination. Said complaint shall set forth the facts necessary to the understanding of the issues involved, the inequity or damage suffered by the employee and the relief sought as outlined in Grievance Form 2009-1. The complaint shall be signed by the employee and the employee's Association representative, and shall be submitted in three (3) copies to the employee's

immediate supervisor. The supervisor shall submit all three (3) copies to the Fire Chief.

- B. After receipt of said written complaint, a fact-finding committee shall be formed. The fact-finding committee will consist of one member appointed by the Fire Chief and one member appointed by the Association. The fact-finding committee will investigate the circumstances surrounding the grievance. They shall have the power to interview principals and witnesses as deemed necessary to ascertain the facts of the case. They shall each reduce the facts into a written report within fifteen (15) calendar days after committee formation. Three (3) copies of the written report shall be made, one copy of which shall be transmitted to the employee, one copy to the employee's representative and one copy to the Fire Chief. The employee shall receive only the final report.
- C. After review of the written grievance submitted by the employee and after consideration of the written reports from the fact-finding committee, the Fire Chief may further investigate the facts and issues surrounding the grievance. Within fifteen (15) calendar days of the receipt of fact-finding committee reports, the Fire Chief shall reply to the employee in writing stating his/her determination. Three (3) copies of such determination shall be made, one (1) copy of which shall be transmitted to the employee, one to the Association, and one (1) shall be retained by the Fire Chief.
- D. If the employee wishes to process the grievance further, he/she shall, within seven (7) calendar days of the receipt of the Fire Chief's determination, notify the Human Resources Director in writing, who will immediately notify the City Manager of such request. After investigation and discussion with the employee, but not later than twenty-one (21) calendar days after the request was submitted by the employee to the Human Resources Director, the City Manager will submit his or her written determination to the employee.

11.4.3 Arbitration Process

- A. If the grievance is not satisfactorily resolved by use of 11.4.1 or 11.4.2 above, the employee must appeal in writing to the City Manager within seven (7) calendar days of receiving the City Manager's written determination. Three copies of the appeal by the employee at this step must be submitted: one copy to the City Manager, one copy to the Human Resources Director and one copy to the Association President.
- B. Steps for choosing an arbitrator are as follows:
 - 1. The City and Association agree to use the State Mediation and Conciliation Service.
 - 2. A list of 7 arbitrators shall be requested from the SMCS.
 - 3. The City shall strike one name first and alternate until there is one name left on the list.
 - 4. The last name will be chosen as the Arbitrator.
- C. The arbitration costs shall be divided evenly between the City and the Association. Arbitration costs include the cost of the arbitrator and court reporter. If the

Arbitrator orders a transcription, the cost of the transcription shall be divided evenly between the City and the Association. If either the City or the Association orders a transcription, the party responsible for ordering the transcription will be responsible for the entire cost of the transcription. In the case that the Santee Firefighters Association does not support the grievance continuing to arbitration, all arbitration costs as defined in this section will be shared equally between the City and the employee. The employee or Association will be responsible for the cost of his or her own representation or attorney fees and preparation of documents.

- D. The arbitrator's advisory decision shall be submitted to the City Manager who shall immediately notify the Mayor of receipt of the arbitrator's advisory decision. The City Manager shall submit to the Mayor two (2) copies of the original grievance complaint along with copies of the reports of the fact-finding committee, the Fire Chief's conclusions, the City Manager's determination, the employee's request for appeal, and the arbitrator's advisory decision.

11.4.4 City Council Review

The Mayor shall, without delay, arrange a review of the arbitrator's advisory decision along with the additional supporting documentation in 11.4.3 (D) at one of the two regularly scheduled subsequent City Council meetings with the City Council. In accordance with the requirements of the Brown Act, as interpreted by the City, the City Council will, unless otherwise required, consider the grievance in a properly noticed and agendaized closed session. As provided in and required by the Brown Act, the City Council may, but is not required to, invite into the closed session any person who may possess information that the City Council, in its discretion, deems necessary to its determination of the issues, unless the Brown Act precludes the attendance of the person in closed session. The City and the Association acknowledge and agree that a grievance considered under this provision of the MOU is not subject to the advance notice and public employee open session election procedures found in the Brown Act, specifically, Government Code section 54957(b)(2).

- A. At such meeting, all supporting documentation and the materials provided by the advisory arbitrator shall be reviewed, discussed and an effort shall be made to arrive at a satisfactory resolution of the issue.
- B. Within fourteen (14) calendar days after the City Council meeting, the Council shall affirm, modify, or reject the advisory decision, and shall forthwith make its decision in writing to all concerned parties.

11.5 General Provisions

- A. No part of the grievance procedure shall be placed in the employee's record.
- B. Employees shall be assured freedom from reprisal for using the grievance procedure.
- C. The employee and his/her representative may use a reasonable amount of work time in preparing and presenting the grievance.

- D. The time limits described in the procedures laid down in Article 10.4 may be extended to a definite date by mutual consent.

CHAPTER 12.0 SENIORITY

12.1 Definition

12.1.1 Department Seniority

An employee's most recent period of unbroken, continuous service with the City. Employees shall not attain department seniority until the completion of the required probationary period, at which time department seniority shall relate back to the commencement of the most recent date of appointment.

12.1.2 Classification Seniority

The period of most recent continuous service in the employee's classification. Employees shall not attain classification seniority until completion of the probationary period in that classification, at which time seniority classification shall relate back to the most recent date of appointment to such classification.

12.2 Seniority Credit

12.2.1 Computing Seniority

In computing seniority, credit shall be given for all classified service in the City except that a resignation or discharge shall be considered a break in service and seniority credit shall be given for any service rendered prior to that break, as provided below.

12.2.2 Absences

Seniority credit shall be allowed only for the following types of absence from a position in the classified service:

- A. Absence without pay not exceeding four (4) working shifts or seven (7) calendar days.
- B. Absence during authorized vacation or annual leave.
- C. Absence on leave for active service in the Armed Forces of the State of California or the United States of America.
- D. In the event that an employee does not complete the probationary period in his/her classification due to layoff, seniority shall be allowed for the new service classification upon completion of that probationary period.
- E. Absence on leave made necessary by injuries sustained in the line of duty.
- F. Absence on leave without pay made necessary by injuries not sustained in the course of employment by the City.
- G. Absence on leave while on loan to another agency if, in the opinion of the Fire Chief, the City stands to benefit from the specific experience obtained from such other employment or activity.

- H. Transfer to LTD shall be treated as continuous service for the purpose of racking seniority with the City and Department.

12.3 Other Seniority Credit Provisions

12.3.1 Computing Length of Service

In computing length of service, all periods of absence without pay in excess of four (4) shifts or seven (7) calendar days, notwithstanding the reason or necessity therefore, shall be deducted and no seniority credit granted.

12.3.2 Temporary Fill in another Position

Seniority credits for periods of absence from one class in order to temporarily fill in another position shall be granted in the former position

12.3.3 Suspension or Separation

If an employee is suspended / separated through no fault of his/her own and is later reinstated, he/she shall not lose any seniority credit for any period of actual service; if, however, he/she has been separated from service by resignation or discharge for cause and is again employed, he/she shall not receive any seniority credit for service rendered prior to his/her separation from service.

12.3.4 Two or More Employees Appointed on the Same Date to the Same Classification

When two or more Firefighter Paramedics are appointed on the same date, the order of precedence shall be determined by the order of the relative position of such employees on the eligibility list, using scores to the hundredth decimal in case of ties, from which said employees were appointed.

For Fire Engineers and Fire Captains, the Fire Chief may appoint two or more Fire Engineers or promote two or more Fire Captains by separating the appointment dates or promotional dates by at least one day.

12.3.5 Seniority Credit after Three Years of Continuous Service

Seniority credit shall be awarded for service rendered prior to resignation or discharge after the completion of three (3) years continuous service.

CHAPTER 13.0 REDUCTION IN FORCE

13.1 Guidelines

Reduction in force shall be based on Seniority, least senior first. Should a reduction in force be necessary, the following will apply:

- A. When a position is to be eliminated, Classification Seniority will be used as the criteria. For more than one employee with the same Class Seniority, the next criteria will be Department Seniority.

- B. An affected employee shall be given the choice of either being laid off or being reduced to the previous rank (pay grade) held.
- C. An employee being reduced may not replace an employee who has more Department Seniority, but instead must move to the next lower rank.
- D. All employees at or below Firefighter/Firefighter Paramedic shall be considered one rank for reduction in force purposes.
- E. When re-strengthening the Department, all those affected by the reduction in force shall be given the opportunity to move back into their former positions before any new personnel are hired or promoted.
- F. The time limit for rehire shall be twenty-four (24) months from date of layoff for employees who have completed initial probation. Time limit for rehire shall be twelve (12) months for employees who have not completed initial probation.

CHAPTER 14.0 MISCELLANEOUS

14.1 Medical Testing

Annual physicals have been eliminated. Effective October 1, 2009, all required medical testing for all positions covered by this MOU will be conducted on site at the Fire Stations as determined by Fire Administration and the City.

14.1.1 Firefighter Wellness

The City shall provide \$30,000 annually during the term of this MOU to be utilized for Firefighter Wellness (equipment, training, instructional aids, fitness education, advance medical screening including body scans, blood tests, etc.) administered through the Fitness Committee and subject to approval by the Fire Chief or his designee. Firefighter Wellness funds should be expended within the fiscal year in which the funds have been budgeted and in accordance with City purchasing policies and procedures. Approved uses of these funds will either be paid directly by the City or reimbursed to the Association if paid by the Association. Up to \$5,000 in Firefighter Wellness funds, if unexpended at the end of a fiscal year, may be carried forward to the subsequent fiscal year.

14.2 Uniforms Issued

14.2.1 Class B Uniforms – New Employees

City shall purchase and provide for new employees, and all employees shall maintain at a minimum the following Class B uniform items:

1. 4 pairs trousers
2. 4 shirts with patch
3. 1 belt
4. 1 hat
5. 4 t-shirts

6. 1 set of workout gear to include 1 work out shirt and 1 pair of shorts
7. 1 pair wild land boots*
8. 1 badge
9. 2 name tags
10. Inclement Weather Jacket

Thereafter, employees will be responsible for the purchase and maintenance of their own Class B work uniforms from the uniform reimbursement amount designated in section 2.7.1. However, the City agrees that it will replace, at no cost to the fire employee, any of the items listed above if damaged beyond normal wear and tear in the performance of duties under emergency circumstances without any negligence by the employee, as determined by the Fire Chief or Fire Chief's designee.

*Note: Wildland boots are provided by the City for all new employees and will be replaced at the City's cost as needed with approval of appropriate Chief.

14.2.2 Class A Uniforms

City shall furnish upon completion of the one year probationary period a class "A" uniform to consist of:

1. 1 tunic (jacket)
2. 1 pair trousers
3. 1 white shirt
4. 1 black tie
5. 1 dress belt
6. 1 pair black socks
7. Garrison cap
8. Shoes

Thereafter, employees will be responsible for the purchase and maintenance of their own Class A uniforms from the uniform reimbursement amount designated in section 2.7.1. However, the City agrees that it will replace, at no cost to the fire employee, any of the items listed above if damaged beyond normal wear and tear in the performance of duties under emergency circumstances without any negligence by the employee, as determined by the Fire Chief or Fire Chief's designee.

14.3 DMV License Reimbursement

The City will provide the state mandated training for employees to obtain the Firefighter endorsement on their Class C driver's license, including tuition and detached duty and/or overtime to attend Driver Operator 1A. This training will typically occur between the 12 and 24 month exams: however the timeline may be modified due to the availability of CSFM Driver Operator 1A class offerings. For those employees required to obtain / maintain a Firefighter Endorsement, the City will reimburse the amount attributable to the Firefighter Endorsement of their DMV renewal costs. The reimbursement will be the difference between the cost of a Class C license and the required endorsement to operate firefighting apparatus.

14.4 Tobacco and Smoking Prohibition

Employees hired after 10/28/92 shall be non-smokers and are required to remain non-smokers throughout their employment. Additionally, employees hired after 7/1/09 shall not smoke or use any tobacco product either on or off-duty while employed by the City of Santee.

14.5 Secondary Employment

Employees shall not engage in any employment, activity, or enterprise for compensation which is inconsistent, incompatible, in conflict with or inimical to their duties with the City, as more fully set forth in Government Code Section 1126.

14.6 Impasse: Declaration and Resolution

An impasse shall be declared only after the last best offer of each party has been rejected by the other by vote of the City Council in the case of the City and the general membership in the case of the Association. Every reasonable effort shall be made on the part of both parties to avoid impasse. If an impasse has been reached (as defined in this Article of the parties' Agreement), the parties may agree to submit the dispute to mediation, and agree on the selection of the mediator. The mediation proceedings shall be private. The mediator shall make no public recommendation, nor take any public position at any time concerning the issues. If the parties do not agree on mediation or the selection of a mediator, or having so agreed, the impasse has not been resolved, all issues shall be submitted to the City Council for its determination and such action as it in its discretion deems appropriate as in the public interest. Any action taken by the Council on the impasse shall be final and binding.

14.7 Reopener

The parties agree to meet and discuss provisions specific to:

- Potential changes to salary adjustments for MOU Year 3 (2021/2022) if warranted by material changes to the City's available revenues.
- Daily Schedule as it pertains to medic unit personnel.
 - If requested by either party on or after January 2021, the parties will begin to meet and discuss the above item(s) as soon as practicable after the request with the intent to implement any agreed upon changes by June 30, 2021.
- Potential changes to salary adjustments for MOU Year 4 (2022/2023) if warranted by material changes to the City's available revenues.
 - If requested by either party on or after January 2022, the parties will begin to meet and discuss as soon as practicable after the request with the intent to implement any agreed upon changes by June 30, 2023.
- For the duration of this MOU, if the Internal Revenue Service issues any notices, rulings or final regulations regarding the Patient Protection and Affordable Care Act (ACA), or any related federal or California legislation is enacted, that applies to the health insurance benefits covered by this MOU, the parties agree to reopen negotiations to meet and confer over any related mandatory subjects of bargaining. No other benefit or other previously established provisions will be re-negotiated.

The parties agree to meet and discuss the four items above, but neither party is agreeing to open the Memorandum of Understanding, and neither party shall be required to meet and confer over

the items raised for discussion during the term of the Memorandum of Understanding, unless otherwise required by applicable law or another provision of the MOU.

CHAPTER 15.0 EFFECT OF AGREEMENT

It is agreed that the specific provisions contained in this Agreement shall prevail over City practices and procedures and over state laws to the extent permitted by state law. Signed and witnessed the _____ day of _____, 2019 at Santee, San Diego County, California.

CITY OF SANTEE

SANTEE FIREFIGHTERS'
ASSOCIATION, INC.

Marlene Best
City Manager

Chris Balch,
Employer-Employee Relations Committee

Christopher Thompson, President
Santee Firefighters' Association

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE,
CALIFORNIA, ESTABLISHING COST-SHARING PURSUANT TO CALIFORNIA
GOVERNMENT CODE SECTION 20516(f) FOR UNREPRESENTED EMPLOYEES**

WHEREAS, the City of Santee has the authority to implement paragraph (f) of Section 20516 of the California Government Code, which authorizes, under certain specified conditions, the City and its employees to share the costs of the employer contribution towards retirement benefits under the CalPERS retirement benefit plan ("CalPERS Plan"); and

WHEREAS, the City Council now desires to set the terms of such cost-sharing for unrepresented employees on the basis of membership classification and retirement plan participation.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Santee, California, does hereby find and determine that effective June 27, 2019, the cost-sharing percentages for unrepresented employees shall be as follows:

1. Miscellaneous Classic Tier 1 employees shall contribute, through payroll deduction, an additional one percent (1.0%) of PERSable compensation, for a total employee contribution of nine percent (9.0%), towards CalPERS retirement.
2. Miscellaneous Classic Tier 2 employees shall contribute, through payroll deduction, an additional one percent (1.0%) of PERSable compensation, for a total employee contribution of eight percent (8.0%), towards CalPERS retirement.
3. Safety Classic Tier 1 employees shall contribute, through payroll deduction, an additional one percent (1.0%) of PERSable compensation, for a total employee contribution of ten percent (10.0%), towards CalPERS retirement.

ADOPTED by the City Council of the City of Santee, California, at a Regular meeting thereof held this 26th day of June, 2019, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, MBA, CMC, CITY CLERK

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SANTEE, CALIFORNIA FOR EMPLOYER PICK-UP OF
EMPLOYEE CONTRIBUTIONS TOWARDS EMPLOYER
PENSION COSTS**

WHEREAS, the City of Santee has the authority to implement Government Code section 20516(f), which authorizes, under certain specified conditions, the City and its employees to share the costs of the employer contribution towards retirement benefits under the CalPERS retirement benefit plan ("CalPERS Plan"); and

WHEREAS, pursuant to section 20516(f), certain City employees, as specified in applicable memoranda of understanding or other City resolutions, policies or agreements, contribute an agreed percentage of their base salary ("Contributions") towards the City's cost of the CalPERS retirement benefits provided for such employees; and

WHEREAS, section 20516(f) authorizes the City to implement cost-sharing arrangements without amending its existing pension contract with CalPERS; and

WHEREAS, pursuant to the terms of the CalPERS Plan, the Contributions shall continue to be designated as employer contributions; and

WHEREAS, section 3401(a)(12)(A) of the Internal Revenue Code ("Code") excludes employer contributions from an employee's wages until such time as such contributions are distributed to the employee; and

WHEREAS, as a result of the preceding, the Contributions will be taken on a pre-tax basis since the Contributions are considered by the CalPERS Plan to be employer contributions; and

WHEREAS, in the event the IRS takes a contrary position, concluding that the Contributions should be characterized as employee contributions rather than employer contributions, the City wishes to ensure that the Contributions are not treated as currently taxable to employees; and

WHEREAS, notwithstanding its position that the Contributions are deemed to be employer contributions by the CalPERS Plan and, therefore, excludable from an employee's income until distributed, the City wishes to implement the provisions of section 414(h)(2) of the Code; and

WHEREAS, pursuant to section 414(h)(2), employee contributions to a public employer pension plan may be picked up on a pre-tax basis by the public employer and excluded from an employee's gross income if the employer specifies that the contributions, although designated as employee contributions to the plan, are being paid by the employer in lieu of contributions by the employee, and the employee cannot choose to receive the amounts directly instead of having them paid by the employer; and

WHEREAS, the City has determined that, even though the implementation of the provisions of section 414(h)(2) is not required by law, the tax benefits of section 414(h)(2) in

reducing taxable employee gross income should be provided to its employees who are members of CalPERS; and

WHEREAS, Internal Revenue Service Revenue Ruling 2006-43 requires that the City take contemporaneous action evidencing an intent to establish a proper pick-up under section 414(h)(2).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santee:

SECTION 1. That certain employees of the City ("Employees") will contribute a certain percentage of their PERSable compensation as specified in applicable memoranda of understanding or other City resolutions, policies or agreements. These Contributions shall be allocated toward the City's cost of the CalPERS retirement benefits provided to Employees under the CalPERS Plan. "Contributions" shall mean those contributions to CalPERS which are deducted from the salary of employees and are credited to the employer account pursuant to California Government Code section 20516(f).

SECTION 2. That the City will implement the provisions of Code section 414(h)(2) with respect to the Contributions.

SECTION 3. The Contributions, which may be designated as employee contributions by the Internal Revenue Service, will be picked up on a pre-tax basis by the City in lieu of employee contributions so that such Contributions are treated as employer contributions.

SECTION 4. An Employee may not elect to receive Contributions directly instead of having them paid by the City to the CalPERS Plan.

SECTION 5. Amounts picked up by the City shall be paid from the same sources of funds as used in paying salary.

SECTION 6. The effective date of the pick up by the City shall be no earlier than the effective date of this Resolution.

ADOPTED by the City Council of the City of Santee, California, at a Regular meeting thereof held this 26th day of June, 2019, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, MBA, CMC, CITY CLERK

City of Santee
COUNCIL AGENDA STATEMENT

Item 16

MEETING DATE June 26, 2019

AGENDA ITEM NO.

ITEM TITLE **ADOPTION OF 13 ORDINANCES RESTATING, AMENDING AND RECODIFYING ALL TITLES OF THE SANTEE MUNICIPAL CODE; ADOPTION OF RESOLUTION ESTABLISHING CITY OF SANTEE MUNICIPAL CODE EDITORIAL GUIDELINES; ADOPTION OF RESOLUTION SETTING PARKING VIOLATION PENALTIES**

DIRECTOR/DEPARTMENT Shawn Hagerty, City Attorney

SUMMARY

As part of a comprehensive update to the City's municipal code, the City Council held a series of public meetings between March 2017 and April 2019 to consider proposed revisions to the Code, discuss policy issues, and provide direction on certain topics. The proposed revisions to the code are the result of collaborate efforts among the City's various departments, with input from the City Attorney. The purposes of the proposed revisions are to: (1) conform to current City practices and procedures; (2) make the City's regulatory approach consistent with evolving state and federal law; (3) correct internal duplicative or contradictory provisions; and (4) make non-substantive revisions to formatting, grammar, and writing conventions that are no longer favored.

This item presents all thirteen titles of the code for your consideration. The attached staff report provides a comprehensive description of the revisions made to each Title. Regular updates to the Municipal Code will be presented to keep the code up to date with changing laws. This item also presents editorial guidelines that will provide a guide for consistency in drafting future ordinances. Finally, this item presents a resolution adopting a schedule of penalties for violations of parking provisions.

FINANCIAL STATEMENT *mr*

The amended FY 2018-19 City Attorney operating budget includes \$46,800 for the comprehensive update to the Municipal Code. The City Clerk's operating budget includes \$20,000 for public noticing, codification, and publishing.

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MAB*

(1) Adopt Ordinances 554 through 566. (2) Adopt resolution establishing City of Santee Municipal Code Editorial Guidelines. (3) Adopt resolution establishing parking violation penalties.

ATTACHMENTS

Staff Report; Ordinance 554 -Title 1 Ordinance 555 – Title 2, Ordinance 556 – Title 3; Ordinance 557 - Title 4; Ordinance 558 - Title 5; Ordinance 559 - Title 6; Ordinance 560 - Title 7; Ordinance 561 - Title 8; Ordinance 562 -Title 9; Ordinance 563 - Title 10; Ordinance 564 - Title 11; Ordinance 565 - Title 12; Ordinance 566 - Title 13; Editorial Guidelines Resolution; Parking Penalties Resolution

Staff Report on Restated, Amended and Recodified Municipal Code, Santee Municipal Code Editorial Guidelines, and Parking Violation Penalties

Overview of Municipal Code Update

On December 2, 1980, the City of Santee adopted the ordinances of the County of San Diego as its municipal code, which is common practice for newly incorporated cities. The municipal code contains the ordinances of the City that carry the force of law. Since 1980, the City has amended the county ordinances more than 300 times in a piecemeal fashion. While major portions of the Code have been revised and updated over time, the City has not performed a comprehensive update of the entire code to keep pace with changes in technology, law, and business practices.

The City Attorney reviewed each Title of the Municipal Code with the City departments that rely on those Titles. With input from staff, the City Attorney recommended revisions intended to: (1) conform with current City practices and procedures; (2) make the City's regulatory approach consistent with evolving state and federal law; (3) identify and correct internal duplicative or contradictory provisions; and (4) make non-substantive revisions to formatting, grammar, and writing conventions that are no longer favored.

Between March 2017 and November 2018, the City Council held a series of public meetings to consider proposed revisions to the Code, to discuss policy issues, and to provide direction on certain topics. The City Attorney incorporated revisions requested during the public meetings, met with representatives from each City department to review revised regulations applicable to that department, and incorporated additional revisions to each Title.

On April 24, 2019, the City Council held a workshop to consider all thirteen revised titles together, including additional revisions to the titles made after the initial workshops, and to provide additional policy direction. On May 22, 2019, the City Council introduced and conducted the first reading of proposed revisions to Titles 1 through 12. On June 12, 2019, the City Council held public hearings on Ordinances 564 and 566, containing the proposed revisions to Titles 11 and 13.

This staff report describes the substantive changes will be made to each Title by the adoption of the Ordinances. It also describes the editorial guidelines and parking penalty schedule that are authorized by the Ordinances.

Overview of Editorial Guidelines

The City Clerk's office is responsible for maintaining and updating the Santee Municipal Code. Quality Code Publishing ("QCP") publishes paper and electronic versions of the Code, provides for search capabilities, provides links to cross references, and provides notifications when particular portions of the Code have been amended, added, or repealed with an "alert" at the beginning of the relevant title and chapter.

As part of the comprehensive update to the Municipal Code, QCP will provide services relating to the recodification and republishing. Ordinances 554 through 566 authorize QCP to make technical, non-substantive changes to conform the codified Ordinances to City of Santee Municipal Code Editorial Guidelines.

This item establishes the City of Santee Municipal Code Editorial Guidelines. The Guidelines provide consistency in formatting throughout the Code, including standardizing the use of capitalization, use of numerals, outlining, section history notes, and gender neutral language. Ordinances 564 through 566 also provide that, in the event a substantive conflict arises on the basis of the changes authorized to conform the republished Code to the Editorial Guidelines, the language in the Ordinances prevails.

All future codified ordinances will follow the editorial guidelines to maintain consistency.

Overview of Parking Violation Penalties

Section 10.10.360, "Citation penalty" in the proposed revisions to Title 10 – Traffic Code, authorizes the City to issue a citation for any violation of Chapter 10.10 or any violation of the California Vehicle Code. The owner of the vehicle cited must pay a citation penalty for the violation in the amount established by resolution of the City Council. Vehicle Code section 40203.5 requires agencies that issue parking penalties to standardize penalties within a county to the extent possible.

Currently, Section 10.20.220 of the City's Municipal Code, includes a fee schedule for violations of various Vehicle Code sections and City Ordinances. These fees have not remained consistent with the fees within San Diego County.

This item presents a resolution to establish fees consistent with the fee amounts for similar violations within San Diego County. As these fee amounts change within the County, the City will revise its parking penalty schedule by resolution.

TITLE 1 GENERAL PROVISIONS

Formerly Title 1 General Provisions

Title 1 contains general provisions relating to the adoption and enforcement of the Code. To accomplish the general goals described above, the major proposed changes include consolidating the enforcement provisions scattered throughout the municipal code, into a single location. The proposed substantive revisions to Title 1 are generally as follows (section references are to revised section numbers):

Chapter 1.01 General Provisions

- Section 1.01.010 Removed reference to adoption of the 1987 uniform codes.
- Section 1.01.020 No Mandatory Duty—Civil Liability. Added a provision clarifying that anywhere the municipal code sets out a requirement for the city to undertake, that requirement does not create a mandatory duty for purposes of tort liability.
- Section 1.01.030 Delegation of authority Added a general provision that authorizes a person who is given a duty under the code to delegate that duty to a deputy or designee. This provision is scattered throughout the code now. Placing it in Title 1 makes it applicable in every instance.
- Section 1.01.040 Severability. Included a severability clause applicable to the entire code so that each chapter does not need to include a separate severability provision.
- Section 1.01.050 Removed reference to an exhibit depicting the seal and reference to two-toned representations as the official city seal. Revised to provide that use of a reproduction of the City seal for purposes other than official business requires prior authorization from the Mayor, rather than the City Council.
- Deleted sections Deleted unnecessary reference to the effective date of the municipal code, adoption of 1987 uniform codes, and continuation of existing laws.
- Relocated sections Relocated general provisions relating to violations of the code.

Chapter 1.02 Definitions and Rules of Construction

- Section 1.02.010 Definitions. Deleted unused words and added definitions for words used throughout the code. Added a clarification that existing law requires a hearing officer to be neutral.

Section 1.02.020 Title of office. Added a provision clarifying that whenever the municipal code references an employee by title, the reference also includes anyone designated to act on that person's behalf.

Chapter 1.04 General Penalties

Section 1.04.010 Purpose. Added findings relating to the importance of code enforcement to the protection of public health, safety and quality of life. Currently, the general penalty provision addresses criminal prosecutions and does not address administrative and civil enforcement and penalties. New sections in the general provisions chapter express the city's intent to use a range of enforcement options.

Section 1.04.020 General enforcement authority. Added a new section authorizing the city manager to enforce the code; moved authorization to arrest without a warrant to the general enforcement authority in new Section 1.04.020 from old section 9.60.080.

Section 1.04.030 Continuing violation. Added "order, permit, entitlement, condition or provision of approval, or term or condition of approval" to the type of violation that constitutes an on-going violation to remain consistent with general enforcement approach in Title 1.

Section 1.04.040 Authority to enter and inspect. Consolidated various sections authorizing entry and inspection into a general entry and inspection provision.

Section 1.04.050 Violations – Criminal penalty. Added "to the fullest extent allowed by law" as a qualifier of the City's designation of violations of the Municipal Code as a misdemeanor in recognition that state law prohibits the prosecution of some violations as misdemeanors.

Sections 1.04.060 and 1.04.070 Fine and punishment—Misdemeanor. Removed reference to specific dollar amounts for fines and replaced it by reference to the Penal Code provision that establishes the fine amounts.

Section 1.04.080 Violations – Civil and administrative penalties. Added a provision noting the City's authority to undertake administrative and civil enforcement of the municipal code. The administrative penalties will be imposed pursuant to criteria listed later in the chapter. The penalty amounts

established for administrative actions are amounts provided in state law. (Gov. Code 36901, 53069.4.)

Chapter 1.08 Administrative Citations and Fines - Procedures

Section 1.08.010 Definitions. Updated the definition of administrative citation to include examples of types of administrative enforcement options that are available to the City. Added definition of “enforcement officer” as used in the code.

Section 1.08.020 Issuance of administrative citations. Added subdivisions and specificity to the existing section regarding issuance of citations. Changes include:

A. Added clarification that failure to comply with an existing administrative citation is a type of “violation” that justifies further or escalated enforcement.

B. Relocated existing language regarding continuing violations to subdivision B.

C. Added subdivision C to provide guidance on the determination of a fine or penalty for violations. Additional language specifies that fines may be imposed through an administrative citation and that the amount of any fine must comply with law, statute, order, resolution or ordinance, or where no amount is specified, in amounts of \$100, \$250, \$500, \$750, or \$1,000 per violation. When imposing the fine amount, the enforcement officer is required to apply the criteria set forth in subdivision F. Authorized recovery of the cost to compile an invoice.

D. Included general cost recovery authority with a reference to the procedures for recovering costs at Chapter 1.12.

F. Added a section setting out the criteria an enforcement officer considers when determining the type of citation to issue, the amount of any penalty to assess and any other actions that are part of an enforcement action. Criteria include the following: (1) the nature of the violation; (2) the level of seriousness of the violation; (3) the duration of the violation; (4) efforts by the responsible person to correct the violation; (5) the impact of the violation on the community; (6) any instances in which the responsible person has been in violation of same or similar laws at the same or other locations in the City; (7) the good faith effort by the responsible person to comply; (8) the economic

impact of the penalty on the responsible person; (9) the economic benefit of the violation to the responsible person; (10) whether the violation is easy to correct; and (11) any other factors that justice may require.

Section 1.08.030 Service procedures. Added a general procedure for service of any notice required to be given under the municipal code, unless specific service procedures are required elsewhere. Added a provision authorizing service of certain administrative citations by electronic means in accordance with court rules regarding electronic service. Added a requirement to attempt service by mail or posting if personal service is unsuccessful.

Section 1.08.040.A.7 revised the amount of interest charged against unpaid fines from a mandatory to an optional provision.

Section 1.08.050 Satisfaction of administrative citation. Added a procedure for issuing a notice of compliance to close out an administrative enforcement action at the request of a violator.

Section 1.08.060 Administrative citation – Types, policies and procedures. Compiled different types of enforcement options scattered through the Code in a single location, and described the types of compliance actions associated with each. Added Subsection I.1 to include permit suspension as an administrative remedy.

Chapter 1.10 Nuisance Abatement

General comment. Relocated abatement provisions in chapters 8.48, 8.60, and 9.56 to a single place in Chapter 1.10 and consolidated specific procedures for graffiti and weed abatement into this chapter. Where procedures specific to graffiti or weed abatement differ from the general abatement procedures, the difference is articulated.

Section 1.10.030 Added a definition of nuisance, which includes feeding pigeons that are not maintained within a primary enclosure. Added conditions to subdivision A from previous section 8.60.030; added subdivisions N and O to incorporate other declared nuisances from various provisions of the Code.

Section 1.10.070.F Added to incorporate language included in old section 9.56.110

Section 1.10.100.A Modified appeal period to create a uniform 10-day appeal period after a notice of intent to abate.

Section 1.10.110.B Incorporated a definition of “sufficient cause” from old section 9.56.130.B.

Sections 1.10.150 through 1.10.190 revised the procedures for submitting records of costs and invoices for costs incurred in abating nuisances to reflect current practice.

Section 1.10.200 Added a provision specifying summary (emergency) abatement procedures pursuant to Government Code section 38773.

Chapter 1.12 Monetary Penalties and Cost Recovery

General comment. Consolidated various provisions relating to cost recovery, imposition of liens and assessments into a single chapter. Chapter 1.12 builds on Chapter 1.10 because it serves as the means for collecting costs and penalties as part of nuisance abatement proceedings, but also establishes general cost and penalty recovery mechanisms applicable to all enforcement actions, by authorizing, for example, submission of an invoice to a violator for payment of outstanding fines and referral of unpaid fines to a collection agency.

Section 1.12.030 through 1.12.050 removed “fines” and “penalties” from the types of costs that may be collected through a lien or special assessment; updated noticing procedures to reflect requirements of state law.

Section 1.12.100 Revised late payment charge to provide the penalty on delinquent fines is permissible rather than mandatory and when imposed is at 5% per year, accruing monthly.

Chapter 1.14 Administrative Hearing and Judicial Review

General comment Chapter 1.14 provides the general procedures for appealing an administrative citation, but also provides a general appeal procedure that can be applicable to other actions of city officials by reference. Modifications to hearing procedures are intended to clarify distinct requirements for hearings required or authorized by the code or other law without an appeal and hearings held only on appeal.

Section 1.14.005 Added provision to clarify the types of hearings authorized by Chapter 1.14.

- Section 1.14.010 Appeal of citation.
- A. This subdivision maintains the current general appeal time of 30 days after service of a citation, but adds a provision allowing the citation to specify a different time to appeal.
 - B. This subdivision updates the procedures for filing a request for hearing to conform with current city practice.
- Section 1.14.030 Added subsection A to clarify that appeal procedures in this section apply to two types of appeals: appeal on request and appeals by right. The remaining modifications distinguish requirements applicable to the two types of appeal to reflect current practice, except that after adoption, the hearing officer on an appeal will no longer make a recommendation to the issuing officer, but will act as a neutral, appellate body and issue a decision.

Chapter 1.16 Claims Against The City

- General comment Chapter 1.16 has been relocated from Title 3 to Title 1. Clarification has been added that the city manager and risk manager may compromise and settle claims against the city in amounts corresponding to their contracting authority.

TITLE 2 ADMINISTRATION AND PERSONNEL

Formerly Title 2 Administration and Personnel

Title 2 contains provisions relating to city administration and personnel. The proposed substantive revisions to Title 2 are generally as follows (section references are to revised section numbers):

Chapter 2.01 Form of Government

General comment Added a provision noting the council-manager form of government as established by the charter.

Chapter 2.02 City Council.

General comment Relocated chapter on city council to front of title. Added sections setting out the council's authority to establish regular meetings and appoint the city manager, city attorney and city clerk.

Section 2.02.010 Amended to reflect changes incorporated in ordinance adopted by council after workshop.

Section 2.02.020 Meetings. Added a provision noting the city council's authority to set and cancel regular meetings.

Section 2.02.030 Added section describing the mayor's role.

Section 2.02.040 Appointment. Added a provision clarifying that the city council appoints the city manager, city attorney and city clerk.

Section 2.02.050 Salaries and reimbursement. Removed reference to the specific salary of each council member and mayor and replaced it with a provision that allows the city council to set salaries by resolution.

Chapter 2.04 City manager

Section 2.04.040 Designation of acting city manager. Added provision authorizing the city council to designate an acting city manager if the city manager is absent and has not appointed an acting city manager.

Section 2.04.060 Added subsection L to provide the City Manager with authority to reject, settle or compromise claims against the City consistent with City Manager's contract authority. Deleted the requirement to pay a cash severance to the city

manager on termination of employment by reason of involuntary removal other than for willful misconduct.

Chapter 2.06 City attorney

General comment. Added provisions specifying the city attorney's statutory duties and compensation and noting that the council may assign additional duties.

Chapter 2.08 City clerk

General comment Added provisions specifying the city clerk's statutory duties and compensation and noting that the council may assign additional duties.

Chapter 2.16 City departments

Section 2.16.010 Generally. Updated the list of departments whose directors are appointed by the city manager and those appointed by the city council. Modified the listing of departments supervised by the city manager and city council to reflect current naming conventions and to clarify the city clerk is supervised by the city council.

Section 2.16.020 Duties. Added a provision that the duties of the city departments are assigned and reassigned by the city manager, subject to budgetary approval.

Chapter 2.18 Internal Relations.

General comment Relocated provisions on internal relations to a separate chapter.

Chapter 2.20 Redevelopment Agency.

General comment Deleted the chapter due to dissolution of redevelopment agencies.

Chapter 2.22 Community Development Commission.

General comment Deleted the chapter due to dissolution of redevelopment agencies.

Chapter 2.24 Personnel

Sections 2.24.020 and 2.24.050 Updated the duties of the personnel officer. Clarified that the city manager is the personnel officer; added reference to memorandum of understanding that

- sets forth employee discipline procedures and to reflect current practice
- Section 2.24.030 clarified who the competitive services provision applies to
- Section 2.24.040 Revised to authorize the city manager to prepare and amend personnel policies, which may be reviewed by the city council. Only policies involving financial resources must be approved by city council prior to implementation.
- Sections 2.24.050 and 2.24.060 Revised sections on appointments and probationary rules to place the details in the personnel manual.
- Sections 2.24.120, 2.24.160 Deleted sections regarding appeal rights and nondiscrimination, because these will be included in the personnel manual.
- Section 2.24.150 Relocated provision regarding contracts for special services to the general powers and duties of the city manager.

Chapter 2.38 City Council Elections

General comment incorporated ordinance adopted by council after workshop.

Chapter 2.40 Election Campaign Finance and Control

Section 2.40.120 added a requirement that an independent special counsel will be appointed by the City Manager in consultation with the City Attorney no later than 120 days before a City election to act as the enforcement authority for the City's Election Campaign Finance and Control Ordinance

General: No substantive revisions to the following chapters:

- Chapter 2.03 Planning commission.
- Chapter 2.32 Emergency Services
- Chapter 2.36 General Elections
- Chapter 2.44 Manufactured Home Fair Practices Commission

TITLE 3 REVENUE, FINANCE AND PROCUREMENT

Formerly Title 3 Revenue and Finance

Title 3 contains general provisions relating to city revenue and finance. The proposed substantive revisions to Title 3 are generally as follows (section references are to revised section numbers):

Chapter 3.01 Definitions

General comment Added this chapter to change the outdated name, “State Board of Equalization” to the current name, “California Department of Tax and Fee Administration” and to clarify references to “city treasurer” refer to the person designated to administer taxes for the City. These changes have been made by the addition of Chapter 3.01 instead of through direct changes to the relevant sections to avoid making any changes to provisions that addresses tax imposition and collection.

Chapter 3.02 Fee Schedule

General comment Sections 3.02.020 through 3.02.040 have been relocated from later sections.

Chapter 3.04 Tax Assessment and Collection

Section 3.04.010 This section transferred assessment and tax collection duties to the County of San Diego. It has been removed from the municipal code. Government Code section 51501 prohibits the establishment of the office of assessor and tax collector by the city. Removal of this provision from the municipal code will not reestablish these offices.

Chapter 3.08 Sales and Use Tax

General comment No substantive revisions, except deletion of Section 3.08.040, which addressed events occurring prior to January 1, 1981, and updating reference to the “California Department of Tax and Fee Administration”

Chapter 3.12 Uniform Real Property Transfer Tax

General comment Deleted former sections 3.12.040 through 3.12.090 and replaced them with a reference to the statutory provisions establishing the exemptions from the Uniform Real Property Transfer Tax.

Chapter 3.22 Design-Build Contracts

Section 3.22.030 Added a provision that performance specifications in a design build contract must be prepared by a properly licensed professional. Added subdivision B noting that the City can still award a contract for emergency repairs without competition and can award multiple contracts under a single procurement.

Chapter 3.24 Purchasing

Section 3.24.010 Adoption. No substantive changes

Section 3.24.020 Definitions. Added definitions for terms used in the chapter. Deleted “urban forestry” from definition of “professional services” consistent with existing law.

Section 3.24.090 Selection of procurement method. Added a section specifying the procedure that must be used for purchases of supplies, equipment, materials and nonprofessional services based on the dollar value of the contract or type of purchase. Maintain the city’s ability to authorize other procurement methods.

Section 3.24.100 Formal bidding procedures. Formal bidding procedures are required for purchases estimated to exceed \$25,000 (currently \$20,000). Modifications added a provision clarifying how to issue an addendum after a notice inviting bids has been released.

Section 3.24.110 Informal bidding procedures. Informal bidding procedures are required for purchases estimated to exceed \$2,500 but not to exceed \$25,000 (currently \$20,000). Modifications removed reference to open market purchasing procedures that were included in the informal bidding section.

Section 3.24.120 Open market purchases. Open market purchases are authorized for contract amounts that do not exceed \$2,500 and for sole source purchases that do not exceed \$25,000 (currently \$10,000) unless approved by city council.

Section 3.24.140 Emergency purchases by purchasing agent. The department head can make emergency purchases for the department, not to exceed \$10,000. The city manager can make emergency purchases for multiple departments, not to exceed \$50,000 (currently \$20,000), subject to subsequent ratification by the City Council. City council approval is

needed for emergency purchases exceeding \$25,000 (currently \$20,000).

Procurement Method	Dollar Amount
Formal bidding	> \$25,000
Informal bidding	> \$2,500 to \$25,000
Open market	\$2,500 or less \$25,000 or less if sole source
Emergency purchasing	City Manager authority to \$50,000 with subsequent City Council ratification if >\$25,000

Section 3.24.160 Professional services. Revised the section regarding professional services to clarify that professional services contracts are not required to be awarded to the lowest bidder, but are to be awarded on the basis of demonstrated competence. Increases the City Manager’s awarding authority from \$10,000 to \$25,000.

Section 3.24.180 Awarding authority – contracts and amendments. The awarding authority for contracts and amendments is based on the cumulative value of the contract and amendments in a fiscal year. A department director is authorized to sign contacts and amendments that do not exceed \$10,000 (currently \$5,000). The purchasing agent is authorized to sign contracts and amendments that do not exceed \$10,000. The city manager is authorized to sign contracts and amendments that do not exceed \$25,000 (currently \$20,000 or \$10,000 for professional services). City council approval is required for any contract and amendment that exceeds \$25,000 (currently \$20,000).

Awarding Authority	Dollar Amount (per fiscal year)
Department director	\$10,000 and for own department Emergency purchases up to \$10,000
Purchasing agent	\$10,000 and for multiple departments Emergency purchases up to \$10,000
City manager	\$25,000 Emergency purchases up to \$50,000 (with subsequent City Council ratification of over \$25,000)
City council	More than \$25,000

	Emergency purchases \$25,000 or more
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Chapter 3.28 Claims Against the City (former)

General comments There are three substantive changes prompted by revisions to Chapter 3.28. First, Chapter 3.28 will be moved to Title 1, as Chapter 1.16. Title 1 contains general provisions relating to enforcement of the code, liability for violations, appeals to the city council and similar items. The claims process fits with these processes and will be relocated to Title 1. The text of Chapter 1.16 is included under the heading for Chapter 3.28 for reference and discussion.

Second, within the proposed Chapter 1.16 clarification has been added that the city manager and risk manager may compromise and settle claims against the city in amounts corresponding to their contracting authority.

Third, the city manager’s settlement authority has been added to the list of the city manager’s powers and duties in Section 2.04.060. The text of Section 2.04.060.L is included under the heading for Chapter 3.28 for reference and discussion.

Chapter 3.32 Disposal of Surplus Property

Section 3.32.010 Definitions. Revised the definition of “charitable organization” to be consistent with California Constitution article XVI, § 5, which prohibits a city from granting or donating personal or real property for any religious creed, church, or sectarian purpose.

Section 3.32.040 B. Added a provision authorizing notice of surplus sales to be made on the city’s website.

Chapter 3.34 Other Fees and Revenues

Consolidated chapter with chapter 3.02.

Chapter 3.36 Dedications of Land and Fees for School Districts

General comment This chapter has been moved to Title 16, Subdivisions.

General: No substantive revisions to the following chapters:

Chapter 3.16 Transient Occupancy Tax

Chapter 3.20 Special Gas Tax Street Improvement Fund

Chapter 3.30 Forfeited Property and Asset Seizure Program

TITLE 4 BUSINESS LICENSES, FEES AND REGULATIONS

Formerly Title 5 Business Licenses, Taxes and Regulations

Title 4 contains general provisions relating to business licensing, taxes, and regulations. Pursuant to State constitutional and statutory law, the City is authorized to license businesses in the City for regulatory and revenue generation purposes. To date, the City has established its business licensing and regulatory permitting fees to offset the City's costs to process, track, and in some cases, inspect a business under its licensing and regulatory programs.

Among other changes, the proposed substantive revisions to Title 4 clarify the City's two-tiered process. First, all businesses located in or conducting business in the City are required to obtain a business license. Second, certain businesses that present special regulatory challenges for health and/or safety reasons, require a regulatory permit. The regulations included in Title 4 are primarily related to the second step: regulatory requirements for specific types of businesses. The fees for business licenses and regulatory permits have been removed from the Municipal Code, as they are adopted by resolution of the city council. The proposed substantive revisions are generally as follows (section references are to revised section numbers):

Chapter 4.01 General Provisions

- Section 4.01.020 Definitions. Definitions located throughout Title 4 have been collected into a single location. Definition of term "health officer" has been added.
- Section 4.01.030 Business license and regulatory permits – Required. This section describes the city's two-tiered licensing structure. For revenue generating purposes, the section requires a business license for all businesses located or conducting in the city. For regulatory purposes, the section requires certain businesses that pose health or safety risks to obtain a regulatory permit and comply with additional requirements.
- Section 4.01.040 Business License – General administration. Relocated the general administrative provisions into a single section. This section authorizes the issuing officer to administer and enforce the Title.
- Section 4.01.050 Business license – Entry and inspection. This section authorizes the issuing officer to enter and inspect premises

Chapter 4.02 Business Licenses Generally

- Section 4.02.010 Business license required. This section requires a business license for every business.

- Section 4.02.020 Business license – Application – Denial. This section sets out the grounds for denying a business license and relocates reasons from later chapters into a single location.
- Section 4.02.030 Business License – Application – Issuance. This section establishes the basic business license application procedure and specifies that the issuing officer reviews applications to determine whether a regulatory permit is required. Subdivision F provides the issuing officer with authority to include conditions in a regulatory permit to protect public health, safety and welfare. Subdivision I includes a provision that home occupations may provide a P. O. Box for purposes of public disclosure of business addresses. Subdivision H has been revised to conform to case law regarding revocation of permits issued in error based on misrepresentations in an application. (*Stokes v. Board of Permit Appeals* (1997) 52 Cal.App.4th 1348.)
- Added subsection F to authorize the issuing officer to include conditions in a regulatory permit that are necessary to protect public health, safety, and welfare.
- Section 4.02.040 Updated process for renewing business licenses to reflect current practice.
- Section 4.02.080 Business License fees – Amount. Removed references to specific fees and created a single fee provision. The business license fee will be established in the city’s fee schedule.
- Section 4.02.090 Business License fees – Payment and delinquency. Revised the section to reflect current city practices of collecting business licenses prior to issuance or reissuance and of not prorating fees.
- Section 4.02.100 Business License fee – Delinquency – Penalty. Revised the provision regarding payment of a penalty to reflect the city’s current practice.
- Section 4.02.110 Business License fee – Exceptions. This section incorporates exceptions provided by state law and expands the exemptions available active and retired members of the military and charitable organizations. Broadened the exemption in A.4 for veterans and in A.5 for nonprofits.
- Section 4.02.120 Added a provision authorizing appeal of a denied permit or license. This section creates the process to appeal the issuance or denial of a license or permit. The first appeal is

to the city manager. The city manager's decision may be appealed to the city council following the general procedures established in Title 1.

Section 4.02.360 (former) Relocated provision regarding waiver of fees to Section 4.02.110 regarding businesses exempt from paying the license fee.

Deleted sections (former) Sections 4.02.190 through 4.02.350 Deleted sections relating to business fees for specific businesses because fees are consolidated into the fee schedule.

Chapter 4.03 Regulatory Permits Generally

General comment Chapter 4.03 establishes the procedures for regulatory permits.

Section 4.03.010 Permit required. This new section establishes the requirement for police and health regulated businesses to obtain regulatory permit

Section 4.03.030 Application and investigation. This section sets out the city's authority to require information from applicants for regulatory permits.

Section 4.03.040 Application issuance. This section specifies that a regulatory permit is an element of a business license that establishes regulations intended to address public health, safety, and welfare concerns presented by particular activities.

Section 4.03.050 Permit revocation, condition, denial. This section includes the general revocation, condition and denial provisions applicable to all regulatory permits. It clarifies that the regulatory permit may be revoked, conditioned or denied independently from a business license.

Chapter 4.04 Amusement Devices and Establishments, Music Machines and Vending Machines

General comment. Streamlined the requirements without substantive changes except to add definitions of terms used in this chapter: music machine and vending machine.

Chapter 4.05 Auctions and Auctioneers

Section 4.05.030 Bonding requirement established by state law after this section was adopted. Proposed modification replaces independent bonding requirement with a requirement to

provide the City with evidence of the bond submitted to the Secretary of State. To aid in enforcement, clarified that a regulatory permit is an element of a business license, but may be revoked, conditioned or denied independently of the business license.

Section 4.05.040 Revised business license classification to reflect current practice.

Chapter 4.06 Bingo and Similar Games

General comment Modifications are intended to comply with 2008 revisions to Penal Code section 326.5. Deleted provisions will be relocated to the chapter regarding gambling prohibitions.

Section 4.12.080 through 4.12.060 (former) Deleted provision will be relocated to current Section 9.16 regarding gambling.

Chapter 4.07 Telecommunications

General comment Deleted references to cable television franchise in Sections 4.07.010.B, 4.07.040.B., 4.07.060, because the chapter on cable television franchises is being deleted. See next section.

Chapter 4.08 Regulation of State Video Franchise Holders

General comment In 2007, the City adopted Chapter 5.15 to implement its more limited authority over state video franchise holders. Amendments to this chapter (now chapter 4.08) are intended to more fully reflect the City's authority and other requirements of DIVCA. Highlighted references to other departments and titles may be updated when those titles are updated in the future.

Section 4.08.020 State video franchise and PEG fees. Under DIVCA, a locality can establish a PEG fee between 1% and 3%, but a fee greater than 1% is only allowed based on what the City was collecting under local franchises prior to the enactment of DIVCA. As currently written, this section establishes a PEG fee in the amount of 1% of gross revenues. This amount has not been changed as it is governed by DIVCA. Additional provisions specify how state video franchise holders will pay the PEG fee to the City, including any late charges for missed payments in the event the City begins collecting this fee. We have also proposed an amendment to address reauthorization of the PEG fee upon renewal of state video franchises. DIVCA franchises are for a term of ten years.

AT&T's state video franchise expired on March 30, 2017, and Cox's on April 27, 2017. These state video franchises have already been renewed under a highly streamlined procedure adopted by the CPUC. Collection of franchise fees is not affected by franchise expiration and renewal. However, there is language in DIVCA that suggests certain PEG fee ordinances may expire and must be reauthorized as state video franchises expire. This section is intended to preserve the City's existing authority without modification.

Section 4.08.060 Construction in the public rights of way. This new section applies the requirements of Title 12, such as encroachment requirements, to all work performed by or on behalf of state video franchise holders in any public right-of-way.

Chapter 4.09 Billboards

General comment Moved former section 5.02.210 relating to billboards into its own chapter.

Chapter 4.11 Circuses and Carnivals

General comment Streamlined applicable regulations without substantive revisions, except to require approval of development services of the location and type of equipment proposed for operation on private property. This is also required for operation on public property.

Chapter 4.12 Dances and Dancehalls

General comments The current structure of regulating teen dances treats minors (under 21) and teenagers (14-19) in a manner that is inconsistent with state law. The revised structure is intended to regulate dances that permit minors (under 21, called "all ages dances") differently from dances that exclude minors and to conform the regulations with state law.

Section 4.12.030 Deleted "class C" licenses for a single night or day. City's practice is to use Class B licenses, which is for an event not to exceed 3 days or nights, including a single day or night.

Section 4.12.070 Minors. Business & Professions Code 25665 contains no exemption for parents or spouses.

Section 4.12.210 Definitions. Added definitions relevant to the new structure regulation all-ages dances.

- Section 4.12.240 License-Denial of application. Deleted reference to vague standard of morals and replaced with reference to specific violations of the law that constitute grounds for denial of an application for a business license.
- Section 4.12.260 Supervision and lighting of hall. Added requirement that every all ages dance provide a supervisor and relocated the requirement of one police officer for every 100 participants with a minimum of one officer for every exit and entrance.
- Section 5.22.110 and Section 5.22.330 (former) Deleted section on obscenity. This is already prohibited by state law, Pen. C 311-312.7 and, as written, was likely too broad to be enforceable. (See *Burton v. Mun. Ct. of Los Angeles* 68 Cal.2d 684, 692-693 (1983).)
- Section 5.22.320 (former) To the extent permitted by law, this section intends to prohibit loitering around all-ages dances. Inclusion here does nothing more than restate loitering law.
- Section 5.22.330 (former) Deleted section on obscenity. This is already prohibited by state law, Pen. C 311-312.7 and, as written, was likely too broad to be enforceable. See *Burton v. Mun. Ct. of Los Angeles* 68 Cal.2d 684, 692-693 (1983).
- Section 5.22.340 (former) All ages dances permit all ages. Outdated provision relating to the exclusion of adults, and especially excluding adult women but allowing 19-year-old males to attend, have been deleted.
- Section 5.22.370 (former) Inspection. Included in general inspection provision.

Chapter 4.14 Farmers' Markets

- General comment Added a chapter regulating farmers' markets
- Section 4.14.010 Farmers' markets are defined as an outdoor establishment where farms and other vendors sell directly to consumers and vendors selling farm produce comprise at least 50% of the vend.
- Section 4.14.020 A business license and regulatory permit are required for farmers' markets but not for individual vendors at farmers' markets.
- Section 4.14.030 The regulatory requirements of state law and San Diego County apply to the markets. In addition, the City can

require permission of the land owner, impose parking, time, sanitary, trash control, and insurance requirements.

Chapter 4.17 Massage

- General comment Amendments to the Massage Therapy Act (Bus. and Prof. Code, § 4600 et seq.) authorizes the city to adopt or enforce local ordinances that govern zoning, business licensing, and reasonable health and safety requirements for massage establishments. The amendments also prohibit the city from regulating the licensing requirements for massage providers and from regulating massage establishments as adult oriented businesses.
- Section 4.17.005 Articulate the purpose and intent of massage regulations is to recognize legal forms of massage therapy, to prevent harms from illegal activities sometimes associated with massage activities, and to establish regulations in compliance with existing law.
- Section 4.17.010 Added definitions for terms used in the chapter.
- Section 4.17.020 Preemption. Added clarification that this chapter is intended to supplement and not conflict with state law.
- Section 4.17.030 Business license and massage registration permit. Subdivision A requires any individual providing massage for compensation to be a certified massage practitioner with the State. Subdivision B requires massage establishments all individuals employed to provide massage to be certified by the state, the establishment must have a business license, and a City registration permit, which is a regulatory permit. Subdivision C permits massage to be conducted off-site in 3 circumstances: (1) the business license specifically authorizes off-premises massage pursuant to Subdivision D; (2) person is authorized to provide off-premises massage pursuant to Section 4.17.160; or the person receiving the massage has a written prescription from a physician, surgeon, chiropractor, or osteopath licensed in California.
- Section 4.17.040 Off Premises massage. Added a section clarifying that massage activities must occur between the hours of 7am and 12 midnight and be provided only by a person listed on the business license.
- Section 4.17.050 Application contents. Updated the information required relating to criminal convictions, employees of the massage

establishment, consent of the property owner, and consent to an investigation.

- Section 4.17.060 Minimum requirements. Added a section specifying certain requirements applicable to the massage establishment, such as lighting, privacy, plumbing, ventilation, and sanitary requirements.
- Section 4.17.070 Massage establishment facilities and operations requirements. Added a section specifying certain operational requirements, including prohibited attire, requirements related to draping and exposure of the body, hours of operation, sale of alcoholic beverages, presence of a manager, and location within residential structures.
- Section 4.17.080 Massage registration permit– Denial. Added provision requiring denial of a business license if the applicant engaged in disqualifying conduct during the previous 10 years. Added a prohibition against denying a license based on information required to be kept confidential under Welfare and Institutions Code section 600-900 for actions by minors. Updated the manner in which the city will treat an application by a person with pending criminal charges.
- Section 4.17.090 License suspension or revocation. Added section specifying grounds for revocation or suspension of a business license, including that the licensee engaged in disqualifying conduct after issuance of the license, the licensee made a material misstatement on the license application, the licensee failed to comply with requirements of the Municipal Code, and the licensee permitted unlicensed persons to work at the establishment.
- Section 4.17.100 Management of massage establishments. Added a section clarifying that the operator (who is the applicant) and designated manager are responsible for the conduct of all employees.
- Section 4.17.110 Change of location or transfer of interest in massage establishment. Added a provision requiring a new permit anytime an interest in a massage establishment is sold or transferred.
- Section 4.17.130 Record of treatments. Deleted the provision making disclosure of certain information by city employees a misdemeanor. Such disclosures, to the extent they are unlawful, are governed by state law.

- Section 4.17.160 Exemptions. Updated the list of exemptions to contemplate the provision of massage at road races and similar events if such services are disclosed to the event sponsor, provided before, during or immediately after the event, made equally available to participants, the event is open to everyone, and the massage establishment is not the primary sponsor of the event. Added authorization for the finance director to grant an exemption for sole proprietorships that are home occupations as long as the home occupation satisfies the requirements imposed by Title 13 (zoning).
- Section 4.17.170 Violations. Streamlined the language without substantive modification.

Chapter 4.18 Public Entertainment

- Section 4.18.010 Definitions. Updated the definition of Class II entertainment to apply to all entertainers and not just female entertainers.
- Section 4.18.020 Regulatory permit – Required. Simplified the requirement to obtain a license and regulatory permit.
- Section 4.18.170 Deleted section relating to private clubs as outdated.
- Section 4.18.250 Registration. Imposed registration requirements on male and female entertainers.
- Section 5.36.100 (former) Existing businesses. Deleted section as obsolete
- Section 5.36.150 (former) Indecent performance. Deleted as vague.
- Section 5.36.170 (former) Minors. Deleted because topless entertainment is not permitted in the city.
- Section 5.36.240 (former) Deleted reference to private clubs. This was an unclear and unused term.
- Section 5.36.320 (former) Registration of female entertainers. Deleted as outdated.
- Section 5.36.330 (former) Signs. Deleted because topless entertainment is not permitted in the city.

Chapter 4.20 Sale of Firearms

- General comment Penal Code 29800 et seq. regulates firearms and authorizes limited local control.

- Section 4.20.010 Definitions. Added definition of firearm and firearm dealer to reflect the definitions in the Penal Code.
- Section 4.20.030 Issuance or denial permit. Local control over issuance or denial of a permit incorporates state law based regulations that otherwise prohibit the sale or possession of firearms.
- Section 4.20.040 Permit not transferrable. This section incorporates the limitations on permit transfers in the penal Code.
- Section 4.20.050 Revocation of permit. Specified additional grounds for revocation as grounds for initial denial of a license or violation of permit conditions.
- Section 4.20.070 Business and security regulations. This section requires compliance with state and federal regulations regarding protection of firearms.
- General comment Deleted local requirements related to delivery of firearms and included reference to state law requirements.

Chapter 4.21 Secondhand Dealers

- General comment Chapter revised to comply with laws regulating secondhand dealers in Division 8, Chapter 9, Article 4 of the Business and Professions Code.
- Section 4.21.020 Definitions. Revised definitions to reflect terms used in the chapter and in state law.
- Section 4.21.030 License required. This section requires a secondhand dealer to obtain a dealer's license as required by the Business and Professions Code prior to obtaining a business license.
- Section 4.21.040 Records of dealer. Replaced previous regulations regarding information reported to the sheriff with state-required information.
- Section 4.21.060 Deleted requirement that a secondhand dealer must display property during any holding period as not required by law.
- Section 5.46.030 (former) deleted as redundant.
- Sections 5.46.100 and 5.46.120 (former) These sections have been incorporated into Section 4.21.050.

Chapter 4.23 Solicitors

- General comment This chapter has been consolidated with the content from Charitable Solicitations.
- Section 4.23.020 Definitions. Definitions for “roaming sidewalk vendor” and “sidewalk vendor” have been added, consistent with SB 946.
- Section 4.23.040 Exemption from fees. Incorporated a requirement that a charitable organization provide proof of registration on the Attorney General’s Registry of Charitable Trusts in order to qualify for an exemption from fees. Deleted general exemption for participation in interstate commerce as redundant to Section 4.01.040.
- Section 4.23.050 Subdivision C incorporates limitations on the City’s ability to request a social security number as a condition for a sidewalk vendor permit or license, consistent with SB 946.
- Section 4.23.060 Denial, suspension or revocation of license. Deleted vague grounds of “unfitness to act as a solicitor” as a reason to revoke, deny or suspend a license. Also authorized City to disapprove of certain individuals proposed under a license rather than denying an entire license altogether.
- Section 4.23.130 Permission to solicit for another person. Deleted this section. Solicitors are already required to list individuals soliciting under a license under Section 4.23.050.B.
- Section 4.23.170 Subdivision A incorporates prohibitions authorized by SB 946, including a prohibition on sidewalk vendors from obstructing traffic and from operating in city parks with exclusive concessions agreements, residential areas (except for roaming vendors), within the vicinity of farmers’ markets, swap meets, and areas where others are operating (such as within encroachment permitted areas and temporary use areas).
- Subdivision B authorizes the Director to impose conditions on a regulatory permit which are designed to ensure compliance with applicable provisions of the Code or other applicable law.
- Subdivision C directs enforcement of violations of the section in accordance with the administrative procedures required by SB 946.

Chapter 4.24 Swap Meets and Swap Lots

- General comment This chapter has been revised to comply with Division 8, Chapter 9, Article 6 of the Business and Professions Code.
- Section 4.24.100 Trading area. Added requirement to implement best management practices to prevent trash and other pollutants from entering storm water.
- Section 4.24.120 Exemptions. Incorporated provisions of Section 21662(a) into the applicable exemptions.

Chapter 4.26 Special Event Show

No substantive revisions.

Comments on Deleted Chapters from Former Title 5

Chapter 5.04 Aircraft Ticket Brokers

Deleted.

Chapter 5.08 Apartments and Hotels

General comment This chapter deleted because this use is regulated only under the business license provisions with no separate regulatory requirements imposed by the City.

Chapter 5.14 Cable Television Systems

General comment Deleted. Chapter 5.14 addresses local cable franchising and was last updated in 2001. In 2006, the state enacted the *Digital Infrastructure and Video Competition Act* (Pub. Util. Code, § 5800 et seq.) which preempted most local authority over cable franchising and replaced it with a state video franchising regime in which the California Public Utilities Commission (“CPUC”) is the sole franchising authority and issues state video franchises. Incumbent cable operators operating under local franchises had to continue until expiration unless a competitive entrant started serving the same territory in which case they could switch to a state video franchise early. In Santee, AT&T obtained a state video franchise which included Santee on March 30, 2007. Cox (the incumbent) has been operating under a state video franchise since April 11, 2007, and added Santee on October 11, 2010, presumably when its local franchise expired. That means Chapter 5.14 is no longer relevant and can be repealed.

Chapter 5.16 Camps and Picnic Grounds

General comment Deleted Chapter because there are no private campgrounds in the City now and the code does not provide for future private campgrounds.

Chapter 5.18 Charitable Solicitations

Consolidated with Chapter 4.23 on solicitors.

Chapter 5.24 Distribution of Coupon Books

General comments Deleted chapter. Coupon book distributors are considered “solicitors” and are regulated as such.

Chapter 5.25 Gasoline Sales During Emergency Shortages

General comment Chapter moved to title on Health & Safety and will reflect provisions of Government Code section 8588 and Penal Code section 396.

Chapter 5.26 Health Regulated Businesses and Activities

General comment Relocated regulations relating to health regulated businesses to chapter 4.03

Chapter 5.28 Junkyards, Automobile Wrecking Yards and Nonoperating Vehicle Storage Yards

General comments Deleted because not a permissible use.

Chapter 5.32 Outdoor Assemblages

General comment Chapter deleted. Outdoor assemblies are regulated by special use permits.

Chapter 5.34 Parades

General comment Chapter deleted. Parades are regulated by special use permits

Chapter 5.38 Reduction Plants

General comments Deleted because reduction plants are not permissible in the city.

Chapter 5.40 Refrigeration Plants

General comments Deleted because refrigeration plants are not permissible in the city.

Chapter 5.42 Refuse Containers on Public Property

General comment Deleted. This activity is regulated through a temporary use permit.

Chapter 5.48 Security Alarm Systems

General comment Moved to Title 7

Chapter 5.50 Slaughterhouses

General comment Deleted. Slaughterhouses are not permitted in the city.

TITLE 5 HEALTH AND SANITATION

Formerly Title 8 Health and Safety

Many of the regulations contained in current title 8 have been preempted by statewide regulatory schemes administered through the County. The proposed substantive revisions to Title 5 (formerly Title 8) are generally as follows (section references are to revised section numbers, unless noted as “former”):

Chapter 5.02 Fireworks and Pyrotechnic Displays

General Comment The requirements of current chapter 8.04 are already present in the International Fire Code. The proposed revisions specify obligations specific to the City.

Section 5.02.020 Permit requirements. The revised language adds a requirement that an applicant for a permit to display fireworks must carry insurance. These requirements are a revision to current Section 8.04.010.

Chapter 5.04 Noise Abatement and Control

General comment The proposed revisions to this chapter are primarily intended to conform the code to current City practice. As currently written, the primary means for determining when a noise is impermissibly loud is by a meter. The City does not generally take noise level readings. Instead, the City tends to enforce time- and location- based restrictions on noise-making activities, such as construction sites and loading activities on commercial properties, and respond to complaints of loud or disrupting noises from neighboring properties. The revisions are intended to allow the City to respond to noise complaints without the need to take noise measurements.

Section 5.04.010 Purpose and intent. Modernized and updated findings without substantial modification.

Section 5.04.020 Definitions. Deleted definitions of “aircraft,” “commercial purpose,” “decibel,” “fixed source,” “noncommercial purpose,” “nonstationary source,” “sound level,” “sound level meter,” “sound truck,” and “watercraft” because these terms are not used in chapter 5.10. Deleted definition of “person” because it is defined in Title 1 for purposes of the entire code. Added definitions for “ambient noise,” “average conversational level,” “impulsive sound,” “noise level”

Section 5.04.030 Most restrictive limits apply. For some activities or noises, there are general regulations regarding non-disturbance of

neighbors and specific regulations regarding time and location of activities. This section provides that the most restrictive of the provisions applies.

Section 5.04.040 General noise regulations.

Combined subdivisions B.2 and B.3 into a single subdivision B.2.

Combined subdivisions B.4 and B.5 (former) into a single new subdivision B.3 relating to loud yelling – without regard to the purpose for such yelling. Similarly, deleted subdivision B.6, which prohibited the use of drums or musical instruments or other devices for the purpose of attracting attention. This type of noise making activity may be considered free speech and, when read in combination with the requirement that such activity is prohibited when its purpose is to attract attention, may constitute a content-based regulation of free speech. *City of Cincinnati v. Discovery Network, Inc.*, 507 U.S. 410, 429, (1993). To the extent such activities violate the noise limits set out in section 5.10.040, such noises can still be regulated. *Reed v. Town of Gilbert*, 135 S.Ct. 2218 (2015).

Added regulation of heating and air conditioning equipment and pool heaters, pumps, and filtering equipment and prohibited their operation in a manner that creates a noise disturbance in any adjoining property or unit.

Deleted subdivision 9 as an outdated reference to steam whistles.

Section 5.04.050 through 5.04.070, 5.04.110 through 5.04.150 Added time- and location- based restrictions for specific noise generating activities.

Section 5.04.090 Construction equipment. Modified the days on which construction equipment may be operated. Modifications provide that construction equipment may only be operated between the hours of 7am and 7pm, Monday through Saturday unless otherwise approved by the City.

Section 5.04.100 Emergency signal devices. Added a prohibition against sounding any fire alarms, siren or other emergency signaling device, except in an emergency, and for testing purposes.

- Section 5.04.160 This new section addresses noise-making activities not otherwise specifically addressed in the chapter and limits the noise between the house of 10pm and 7am.
- Section 5.04.170 Exceptions. Deleted the exception for minor maintenance to residential property, because the parameters of the exception are addressed in new Section 5.04.160.
- Section 5.04.180 Enforcement. Simplified this section and removed reference to the sheriff's authority which already exists under state law.
- Section 5.04.370 Enforcement. Deleted sentences duplicate existing state law regarding the sheriff's scope of authority to arrest and person for violations of this chapter or state laws.
- Sections 8.12.060 through 8.12.240. (former) Deleted sections related to a permitting process that the City does not use.
- Sections 8.12.250 and 8.12.260 (former). Deleted provisions regulating noise at airports as preempted. Burbank-Glendale-Pasadena Airport Auth. v. City of Los Angeles, 979 F.2d 1338, 1340 (9th Cir. 1992).
- Sections 8.12.270 and 8.12.280 (former) Deleted as duplicative of the general prohibition.
- Section 8.12.300 (former) Motor vehicles. This section was deleted. It referenced a Vehicle Code sections that were repealed in 2002 and otherwise duplicates existing state and federal law. Noises from vehicles are regulated by section 5.10.320.
- Section 8.12.350 (former) Watercraft. This section was deleted as duplicative of state law.
- Section 8.12.380 and 8.12.390. (former) Deleted as duplicative of title 1.
- Sections 8.12.380 through 8.12.400. (former) Deleted as duplicative or unused.

Chapter 5.08 Disposal of Dead Animals

Sections 8.28.080 through 8.28.090 (former). These sections have been consolidated with section 5.08.070 and deleted because transportation of dead animals is regulated by the county and there are no reduction plants in the City.

Chapter 5.10 Disease Control

Section 5.10.010 Nuisance Abatement. The proposed revisions simplify but do not substantively change the health officer's authorization to inspect and refer violations to the city attorney for abatement. Revisions include a cross reference to the nuisance abatement procedures in title 1, therefore the remaining provisions regarding nuisance abatement have been removed.

Section 8.32.010 and 8.32.020 (former). These sections have been deleted because they imposed obligations on and subjected the County's health officer to the direction of the city council. This arrangement appears to be inconsistent with the relationship of the County health officer to the city council.

Chapter 5.12 Sanitation Regulations

Section 5.12.010 The Health and Safety Code provisions regulating restaurants have been revised since this chapter was adopted. State laws preempt local regulation, except for a few areas, including establishment of a grading system and regulations of mobile vending vehicles.

Section 5.12.020 The County has established a restaurant health grading system and regulations for mobile vending vehicle health. These regulations are incorporated into the City's code in Section 5.20.020.

Sections 8.36.010 through 8.36.200, 8.36.230 through 8.36.750 (former). These regulations have been deleted as either preempted by the current Health & Safety Code provisions or regulated by the County and incorporated into the City's code by reference.

Chapter 5.16 Hazardous Material Cleanup

General comment No substantive revisions.

Comments on provisions deleted from Title 8 (former).

Chapter 8.16 Condemnation of Buildings (Former)

General comment This chapter was deleted. The City follows the Uniform Code for Abatement of Dangerous Buildings in current Title 15.

Chapter 8.20 Wells

General comment This chapter was deleted. Wells are regulated by San Diego County under state law.

Chapter 8.24 Control of Mosquitos

General comment Deleted sections duplicate abatement nuisance and violation provisions in title 1, which are already applicable to the whole code.

Chapter 8.38 Medical Wastes

General comment The Medical Waste Management Act, Health & Safety Code 117600 et seq., establishes statewide standards for medical waste management. The County of San Diego administers the medical waste management program countywide, issues permits and inspects facilities that handle or store hazardous materials or generate medical waste as part of its role as a Certified Unified Program Agency.

Chapter 8.40 Disclosure of Hazardous Materials

General comment This chapter has been deleted. State law establishes a statewide system of disclosure that is managed by the San Diego County Department of Environmental Health as the Certified Unified Program Agency. Health & Safety Code, div. 20, ch. 6.95.

Chapter 8.44 Hazardous Waste Establishments

General comment This chapter has been deleted. State law establishes a statewide system of hazardous waste management that is managed by the San Diego County Department of Environmental Health as the Certified Unified Program Agency. Health & Safety Code, Div. 20, Ch. 6.95.

Chapter 8.48 Weed and Rubbish Abatement

General comment This chapter has been moved to title 1.

Chapter 8.50 Travel Trailers and Recreational Vehicles

General comment This chapter has been moved to the traffic code.

Chapter 8.52 Ambulance Service (former)

Deleted

Chapter 8.60 Administrative Abatement of Nuisances

General comment This chapter has been moved to title 1.

TITLE 6 ANIMAL CONTROL

Formerly Title 6 Animal Control

Title 6 contains the City's regulations of animals. It is currently administered by the Humane Society. The proposed substantive revisions to Title 6 are as follows:

Chapter 6.02 General Provisions

- Section 6.02.020 The new term, "authorized agency," refers to any party authorized by contract to perform animal control services and administer and enforce the animal control chapter. Since San Diego County no longer provides animal control services in the City, the authorized agency is the Humane Society.
- General Comment Terms currently defined to reference the county of San Diego specifically have been deleted and remaining terms of "city veterinarian, department, director, health officer, and kennel license" have been revised to reference the city and, where appropriate, the authorized agency.
- Section 6.02.030 Revisions change reference from county-established fees to city-established fees and authorize the authorized agency to established fees in accordance with procedures approved by the city.
- Section 6.02.040 Enforcement. Revisions specify that the city enforces this chapter either directly or through a contract with a third party.

Chapter 6.08 Shelters and Kennels

- Section 6.08.010 No substantive changes.
- Section 6.08.020 The revisions to the kennel licensing requirements intended to comply with the business licensing provisions in revised title 4 and to reflect a transition of licensing from the county to the city.
- Section 6.08.030 through 6.10.180 No substantive changes.

Chapter 6.10 Control Provisions

- Sections 6.10.010 through 6.10.180 No substantive changes.
- Section 6.10.190 The requirement to spay or neuter an impounded animal has been deleted as contrary to current practice of the Humane Society, which offers education and low or no cost options

for altering. Mandatory spay/neuter requirements can be a barrier to reunion. The revisions, however, incorporate the mandatory penalty set forth in the Food and Agricultural Code for unaltered animals that are impounded.

Kennel license requirements have been revised to require a business license and regulatory permit, called a kennel license, from the city rather than a kennel license from the county.

Section 6.10.200 through 6.10.260 No substantive changes.

Section 6.10.270 This new section specifies that the owner or custodian of a dog is prohibited from allowing the dog to bark in violation of the City's noise ordinance.

Section 6.10.280 This new section is intended to clarify exceptions from the leashing requirement as set out in other sections in the municipal code.

General: No substantive revisions to the following chapters:

Chapter 6.04 Rabies Provisions

Chapter 6.06 Dog Licenses

TITLE 7 PUBLIC PEACE AND WELFARE

Formerly Title 9 Public Peace, Morals and Welfare

Title 7 contains regulations relating to activities that affect quality of life, health, and safety in the City. The proposed substantive revisions to Title 7 (currently Title 9) are generally as follows (section references are to revised section numbers, unless noted as “former”):

Generally As in other titles, duplicative references to penalty provisions are eliminated, grammar is revised without substantive changes, and specific fee and fine amounts are removed.

Chapter 7.02 Booking Fee Costs

General comment State law authorizes the county to pass through certain costs of booking individuals arrested in the City into a county detention facility; however, during years when at least \$35,000,000 is appropriated by the state annually, the county is not permitted to collect these costs from the City. State law also authorizes the City to collect those costs from the individual arrested. The county has not collected booking fees from the City recently, but it is still authorized to do so. The City’s current code authorizes collection of these pass-through fees, in the event the county resumes imposing them on the City. The revisions do not make substantive changes.

Chapter 7.04 Cannabis

General comment This chapter (current Chapter 9.74) was updated in 2016 to address laws that became effective on January 1, 2018. No substantive revisions are proposed, except to remove terms defined in title 1 and to remove the generic penalty provisions in favor of a single penalty provision in Title 1, as described above.

Chapter 7.08 Curfew

General comment The revisions propose to consolidate two separate chapters addressing curfew into a single chapter. Article 1 of the new chapter addresses curfews during emergencies and article 2 addresses curfews and truancy. Definitions have been consolidated into a single section.

Chapter 7.12 Firearms

- General comment Deleted regulation of imitation firearms as these are regulated by Part 6, Title 3, Division 4 of the Penal Code.
- Section 7.12.010 Definitions. This new section defines key terms used in the chapter. Terms are defined by reference to state law, which establishes the primary regulatory structure for firearms in the state.
- Section 7.12.040 Exceptions. This section combines exceptions to the firearms prohibitions contained in various sections without substantive change.
- Section 9.48.020 (former) This section conflicted with the basic prohibition in the preceding section (former 9.48.010). For this reason, it has been deleted.

Chapter 7.14 Gambling

Section 7.14.010 Gambling prohibited. The regulations in this section are proposed to be removed from current title 12, regarding streets, sidewalks, and public property, and placed under this chapter relating to gambling activities. As noted in the following comments, state law prohibits games of chance. Subdivision A repeats that prohibition.

Sections 9.16.010 through 9.16.040 (former). The California Gambling Control Act permits local authorities to prohibit or regulate gambling activities that are not expressly prohibited or regulated by state law. (Bus. & Prof. Code 19801(e).) The Act also prohibits new gambling establishments in the City except on the affirmative vote of the electors of the City. The Act's regulations are made by reference to "controlled games" in Penal Code section 337j. A controlled game is any game played with cards or tiles or both and controlled by the Department of Justice and any game of chance played for anything of value. (Pen. C. 337j(e)(1).) Penal Code section 337a prohibits betting.

Penal Code section 337j prohibits any person from dealing, operating, carrying on, conducting, maintaining, or exposing for play any "controlled game." (Pen. C. 337j(a)(1).) This Penal Code section also prohibits any person from knowingly permitting any controlled game to be conducted, operated, dealt, or carried on in any house or building or other premises that person owns or leases. (Pen. C. 337j(b).)

Sections 9.16.010, 9.16.020, and 9.16.030 (former) address topics already regulated by the state laws described above. Because gambling may not be established in the City absent an election, and because the current City ordinances do not regulate or prohibit any activity not already regulated or prohibited by state law, we recommend deleting the remainder of this chapter. We also recommend deleting sections 5.12.080 and 5.12.090, which contained business regulations relating to lotteries and other games of chance.

Chapter 7.15 Abandoned Shopping Carts

General comment This chapter has been added to require all shopping cart owners to implement a shopping cart management plan that prevents to off-site accumulation of carts. The plan must be submitted on request and modified if it is ineffective. This chapter also provides

Chapter 7.16 Graffiti

General comment Deleted requirement to post signs regarding implements of graffiti, as state law regulates such signs.

Section 7.16.010 Purpose and intent. Deleted duplicative and unnecessary provisions.

Section 7.16.020 Definitions. Removed terms already defined in Title 1. Revised “felt tip marker” to be consistent with state law. Revised “paint stick” to eliminate the requirement that a paint stick be capable of making a certain sized-mark.

Section 7.16.090 Treble damages. This section has been revised to reference the state law authorizing treble damages.

Section 7.16.100 Lien. This section has been revised to incorporate the procedures and authority for imposing a graffiti abatement lien, which are set forth in title 1.

Section 7.16.110 Ease of removal provisions. Subsection B has been added to provide that, in abating graffiti from private property, the City does not guarantee to color match existing property but will use paint provided by a property owner.

Section 7.16.120 Graffiti prevention provisions. Former section 9.46.180 has become subsection B of section 7.16.130 without substantive change.

Section 9.56.080 (former) This section has been moved to the general nuisance provisions in Title 1. A cross-reference to the new location will be included in the definitions section of this chapter.

Section 9.56.080 (former) Declared nuisance. This section has been deleted. Graffiti is declared a public nuisance in Title 1.

Section 9.56.110 through 9.56.130 (former) The provisions of these sections are proposed to be incorporated into the nuisance abatement provisions in title 1. The appeal provision in title 1 has been incorporated into Section 7.16.080 with a modification that the appeal needs to be submitted to the director of community services.

Chapter 7.20 Loitering and Camping

General comment Provisions regarding soliciting have been removed from this chapter and have been consolidated with the chapter that specifically addresses soliciting.

Section 7.20.020 Definitions. Unused terms and terms defined in title 1 have been deleted. Revised definition of “loitering” to be consistent with *City of Chicago v. Morales* (1999) 527 U.S. 41 and the Penal Code.

Section 7.20.050 Loitering in and around transportation facilities prohibited. Deleted provisions that offenses are punishable as misdemeanors.

Section 7.20.060 Unlawful camping. Specified four locations and times when camping is prohibited in order to protect public health, safety, welfare, and the environment: within 1,000 feet of a waterbody, in a closed public park, on a sidewalk in a manner that results in a violation of the ADA or forces traffic to veer from its ordinary course of travel, and on any public place between 7am and 11pm.

Section 7.20.070 Prohibits certain activities when they occur on any public property unless otherwise authorized: storing camp facilities and camp paraphernalia, cooking, using open flames, laundering clothing and bedding, bathing, urinating, defecating, and disposing of trash.

Section 7.20.080 Prohibits urination and defecation on any public space. The separate section eases citations and enforcement.

- Section 7.20.090 Relocated prohibitions relating to private property from Section 10.20.140.
- Section 9.60.050 (former) presence or parking on public property. This section addresses parking on public property. This section has been moved to the title on parking.
- Section 9.60.080 (former) Authority to issue citations. This authority is already provided in title 1 and by state law. Section duplicative and deleted.

Chapter 7.22 Possession and Consumption of Alcoholic Beverages

- General Comment Combined former chapters 9.68 and 9.72, which both regulated alcoholic beverages. Article 1 of this chapter provides general regulations. Article 2 provides regulations related to minors.
- Section 7.22.110 Definitions. Consolidated all definitions. Deleted unused terms.
- Section 7.22.120 through 7.22.160 Clarified that possession of an opened container of alcohol on public property is an infraction and consumption of alcohol is a misdemeanor, consistent with Business and Professions Code section 25620, which allows cities to regulate possession of alcohol as an infraction.
- Section 7.22.150 Prohibition of possession of opened container, posted private property. Deleted provisions specifying violations are misdemeanors because this is already provided in title 1.
- Section 7.22.210 Subsection A(3) This deleted section duplicates subsection A(1).

Chapter 7.24 Public Assembly

- Section 7.24.020 Revised to authorize actual cost recovery for special security assignments.

Chapter 7.28 Security and Fire Alarm Systems

- General comment This chapter has been relocated from the title on business regulations (chapter 5.48)
- Section 7.28.020 Purpose and intent. Revised the purpose and intent section to clarify that the purpose is to protect the City's limited emergency response resources.

- Section 7.28.030 Definitions. Revised definitions to clarify difference between security alarm systems and fire alarm systems. Revised term “nuisance alarm” to refer to “false alarm.” Permitting requirements apply to security alarm systems. False alarm is defined in terms of alarms from security alarm systems and from fire alarm systems.
- Section 7.28.040 Prohibitions. No substantive revisions to (former) section 5.48.030.
- Section 7.28.050 Alarm permit and registration-required. Revisions are intended to clarify current practice. Alarm businesses are required to have a business license. Alarm users are required to have an alarm permit.
- Section 7.28.060 Alarm permit requirements. Subsection E has been added to clarify that alarm permits are not transferrable. Subsection F has been added to clarify that the owner or manager of a multi-unit complex with alarms for each unit must ensure that each alarm user obtains an alarm permit.
- Section 7.28.070 False alarm – limitations. Revisions clarify discrepancies in the way nuisance alarms are currently treated under the code and fee schedule and authorize the city council to set fines for false alarms, and if no fee is set, adopt the fees set forth in title 1 for general enforcement actions.
- Section 7.28.080 False alarm – determination. No substantive revisions from section 5.48.120.
- Section 7.28.160 Exceptions. Subsection A.3 has been added to exempt personal medical alarm systems from the requirements of this chapter.

Chapter 7.30 Smoking prohibitions

- General comment The California Indoor Clean Air Act, Labor Code section 6404.5, and Section 5148 of Title 8 of the Code of Regulations effectively ban smoking in indoor public spaces. These state laws and regulations, however, do not preempt local authority to completely ban smoking of tobacco or regulate tobacco smoking in a manner that is consistent with state law. Revisions also deleted provisions regulating advertising of tobacco. Since the sections were adopted, various state and federal regulations have preempted local regulation of tobacco advertising. In addition, the City modified its sign code to regulate signs in general, without reference to content.

- Section 7.30.020 Definitions. Senate Bill 7 (2nd Ex. Sess., 2015-2016) changed the age of majority for purposes of selling tobacco and tobacco products from 18 to 21. The definition has been revised to reflect state law. Definition for “public trail” has been added.
- Section 7.30.040 Tobacco vending machines. Business and Professions Code section 22960 bans the sale of cigarette and tobacco products from vending machines except where the vending machine is located at least 15’ away from the entrance of a premise issued an on-sale public premises license by the Department of Alcoholic Beverage Control. This section of the Business and Professions Code does not preempt local regulations that are stricter or completely ban the sale of cigarette and tobacco products from vending machines. The proposed regulations do not substantively alter the current City requirements but make clear that the requirements to prohibit minors and to place the vending machine in a location that is observable by employees are requirements in addition to the state requirements.
- Section 9.14.140 (former) Enforcement. Deleted requirement that a first offense must be prosecuted as an infraction. Under Title 1, the city attorney has discretion to treat offenses as infractions or misdemeanors. Further, the City also has administrative enforcement authority.

Chapter 7.32 Solicitation

- General comment Proposed revisions incorporate provisions specific to solicitation that are in (former) chapter 9.60.
- Section 7.32.010 Soliciting prohibitions. This section contains general prohibitions against soliciting, which are content neutral. The proposed revisions do not make substantive changes.
- Section 7.32.020 Aggressive solicitation. This section contains prohibitions against aggressive solicitation. No substantive revisions are proposed.
- Section 9.40.010 (former) Soliciting patronage on railroad trains. This section has been deleted as outdated. Further, section 7.32.010 prohibits solicitation on public transportation.

Chapter 7.34 Unauthorized Attack Warning

- General comment This chapter has been relocated and renamed. It was formerly called “Attack Warning Precautions.”

- Section 7.34.010 Added “other communication methods” to the definition of “attack warning signal.
- Section 7.34.020 No substantive changes
- Section 7.34.030 Added a prohibition against simulating any type of attack warning signal.

Chapter 7.36 Unlawful Pricing Practices

General comment Chapter 5.25, Gasoline Sales During Emergency Shortages is proposed to be moved from title 5 and rewritten to address all unlawful pricing practices during emergencies.

Section 7.36.010 Authority. This section has been added to note that Penal Code section 396(i) authorizes the City to enact local legislation prohibiting excessive and unjustified increases in the prices of essential consumer goods and services during and after a declared state of emergency.

Section 7.36.020 Purpose. This section has been added to note that the City intends to implement the authority established in Penal Code section 396(i).

Section 7.36.030 Definitions. This section defines terms consistent with state law or terms that will be subject to the pricing restrictions during an emergency. Those items include “consumer food items,” repair or reconstruction services,” “emergency supplies,” “medical supplies,” “building materials,” “gasoline,” “transportation, freight, and storage services,” “housing,” and “goods.”

Section 7.36.040 Unlawful pricing practices. This section has been added to provide as follows:

Subdivision A tracks Penal Code section 396, and prohibits persons, for 30 days, from marking up items needed during and immediately after an emergency from marking up those items more than 10 percent above the price charged immediately prior to an emergency proclamation.

Subdivision B provides for exceptions to the prohibition in cases where a seller incurs costs imposed by a supplier or by a laborer providing services. It also provides for an exception for items that were sold at a reduced rate prior to the proclamation.

Subdivision C authorizes the city council to extend the period during which the prohibition is effective for an additional 30 day-period.

Subdivision D sets out cumulative remedies available to the City for enforcement of this chapter.

Chapter 7.38 Deemed Approved Alcohol Sales

General comment Added Chapter 7.38 to impose new “deemed approved” performance standards on all lawfully operating alcoholic beverage sales establishments, whether existing or approved in the future. The standards address problems often associated with the public consumption of alcoholic beverages such as litter, loitering, graffiti, unruly behavior and escalated noise levels. Establishments that violate the deemed approved performance standards may have their approval to operate revoked. The standards include a requirement that mini bottles of liquor (also known as “airplane bottles”) be kept behind a counter only accessible to staff, or a minimum of 20 feet away from any entrance to the premises.

General: No substantive changes to the following chapters:

Chapter 7.06 City Badges

Chapter 7.18 Hotel, Motel and Lodging House Registration Regulations

Chapter 7.26 Public Nudity

Comments on provisions deleted from Title 9 (former).

Chapter 9.08 Discrimination

General comment Deleted this chapter because the state constitution provides broad protections and enforcement provisions related to discrimination and the City has not directly enforced these regulations in the past.

Chapter 9.28 Consumer Commodities Price Marking

General comment Deleted this chapter because the San Diego County Department of Agriculture, Weights, and Measures regulates consumer commodities price marking.

Chapter 9.32 Selling of Racing Forms

General comment This chapter has been deleted as outdated. Further, the activities regulated under this chapter (selling and giving out materials in the right of way) are regulated through the City’s permitting requirements.

Chapter 9.36 Fortune Telling

General comment. The California Supreme Court determined that ordinances prohibiting fortune telling unduly burdened free speech rights guaranteed by Cal. Const., art. I, § 2. *Spiritual Psychic Sci. Church v. City of Azusa* 39 Cal. 3d 501 (1985). The state may protect its citizens from fraud. *Cantwell v. Conn.* (1940) 310 US 296, 306. State law, however, already prohibits fraud in fortunetelling. Penal Code 332.

Chapter 9.52 Controlled Substances

General comment. This chapter became inoperative on its own terms on October 1, 1987. Section 9.52.010.F. The Legislature also preempted all local ordinances governing the sale by a retail distributor of over-the-counter products containing ephedrine, pseudoephedrine, norpseudoephedrine, or phenylpropanolamine. Health & Safety § 11100(i).

Chapter 9.54 Possession of Clonazepam

General comment. This chapter is proposed to be deleted as outdated. This chapter was adopted when there was no state law prohibiting mere possession of clonazepam without a valid prescription. After the City adopted this chapter, California prohibited the possession of clonazepam without a valid prescription. Health & Safety § 11375.

Chapter 9.60 Certain Acts Prohibited

Section 9.60.050 This section regulated parking on public property. It will be moved to the title regulating vehicles and parking, which is currently title 10.

Section 9.60.080 Authority to issue citations. This section has been deleted because this authority already exists and is recited in title 1.

Chapter 9.64 Recovery of Book Fee Costs

General comment This chapter has been moved to chapter 7.02.

TITLE 8 PUBLIC WORKS AND PUBLIC PROPERTY

Formerly Title 12 Streets, Sidewalks and Public Property

Title 8 proposes revisions to Title 12 and encompasses regulations relating to the use of public property, such as encroachments in and protection of the public rights of way, and city parks. The proposed substantive revisions to Title 8 are generally as follows (section references are to revised section numbers, unless noted as “former”):

Chapter 8.02 Encroachments

- General Comment This chapter has been separated into four discrete articles. Article 1 addresses general provisions. Article 2 addresses permit requirements. Article 3 addresses regulatory requirements. Article 4 addresses enforcement matters.
- Section 8.02.120 Definitions. The definitions have been updated as follows: “delineate” is clarified with reference to Government Code 4216; “driveway” is clarified to note that it applies to both residential and commercial driveways, not just commercial driveways; “encroachment” is clarified to mean any temporary or permanent encroachment; “excavation,” “facility,” “graffiti,” “markouts,” “requestor,” “ticket,” “utility,” and “utility locker” are defined consistent with other titles in the code; “moving contractor” and “total number of tire inches” are deleted as unused. Terms defined in title 1 are also deleted.
- Section 8.02.200 Permit. This section has been updated to refer to the “regulatory permit” required under the revised business licensing regulates in title 3.
- Section 8.02.205 Permit-exemptions. Combined exemptions for emergency work in Section 12.04.170 (former) with the general exemptions listed in this Section. Added an exemption for the city’s own signs. Clarified the emergency repair permit provision to require an after-the-fact permit within five days after emergency repair work starts and to provide notice to the director within 24 hours after the work starts.
- Section 8.02.210 Permit-application and issuance. This section has been streamlined to clean up unnecessary language and to clarify the distinction between the application requirements and the permit conditions.
- Section 8.02.215 Permit – fees, security deposit. This section has been revised to specify all of the fees and deposits that must be paid in connection with a permit application, including

charges set forth in other sections, such as former 12.04.090.

Sections 8.02.220 through 8.02.315 No substantive revisions.

Sections 8.02.320 Request for inspector. Added subsection B to require a request for an after-hours inspection at least 72 hours ahead of the inspection date.

Sections 8.02.325 through 8.02.335 No substantive revisions

Section 8.02.340 Traffic control. Updated references to the Caltrans traffic manual with references to the "San Diego Regional Standard Drawings" and the California Manual Traffic Control Devices.

Sections 8.02.345 through 8.02.365 No substantive revisions.

Section 8.02.375 Drop boxes and publication stands. Separated the requirement that drop boxes and publication standards need a permit into a separate subsection A. No substantive revisions.

Section 8.02.380 through 8.02.385 No substantive revisions

Section 8.02.390 Abandonment or discontinuation of use. Added a prohibition against abandonment of encroachments in the right of way without approval from the Director.

Section 8.02.400 Enforcement generally. Added a section clarifying that all enforcement mechanisms are available to the city to enforce this chapter.

Sections 8.02.410 through 8.02.430 These sections have been relocated into the new article 4 on enforcement without substantive revision.

Section 12.04.320 (former) Interference with public right of ways. Deleted as redundant. Same for former Section 12.04.390.

Chapter 8.04 Protection of Public Highways

General comment The provisions setting out specific nuisance abatement procedures have been deleted and replaced with a cross reference to the nuisance abatement proceedings in title 1.

Section 8.04.020 Establishment of trench cut moratorium. To protect newly constructed or reconstructed streets, a section has been added to prohibit trenching work on any street that has been

constructed, reconstructed, or resealed in the previous five years. If any trenching work is allowed, such as in the case of an emergency, the restoration must include repaving the full width of residential streets and to the center line of non-residential streets, for the entire distance of any disturbed or damaged asphalt, but no less than 10 feet.

Section 8.04.030 Establishment of year end street work moratorium. This section proposes a moratorium on any work within certain street segments that requires lane closures during the busy shopping season from Thanksgiving through the new year. Emergency work is excepted from this prohibition, but is required to be completed during night hours.

Section 8.04.040 and 8.04.060 Added regulation of utility markouts for construction to ensure they are properly marked and removed.

Chapter 8.06 Urban Forestry

General comment The title of this chapter has been revised to more closely match the “title” given to the chapter in section 8.04.010.

Section 8.06.020 Purpose and intent. Subdivision E has been updated to reference the Tree City USA and other relevant city commitments.

Section 8.06.030 Definitions. The definition of “native tree” has been expanded to include trees native to southern California. “Protected tree” has been added to incorporate the live oaks referenced in section (former) 12.24.070.H.

Sections 8.06.040 through 8.06.070 No substantive revisions.

Section 8.06.080 Responsibilities of property owners. Clarification has been added to subdivision C, defining street and sidewalk clearance as a minimum of 13’6” from the lowest branches to the street or sidewalk. Added clarification that property owners are obligated to maintain sidewalks on their properties consistent with Streets and Highways Code section 5610.

Section 8.06.090 Responsibilities for removing trees for newly aligned curbs, gutters, sidewalks, and water/sewer laterals. Added clauses clarifying that a property owner is responsible for removing private trees in the public rights of way that interfere with new alignments.

Section 8.06.100 through 8.06.240 No substantive revisions except to clarify that protected trees must not be removed until city council authorizes removal.

Section 8.06.250 and 8.06.260. Replaced specific appeal and enforcement provisions with cross reference to the general procedures in title 1.

Section 12.24.190 (former) Resolution of conflicts between trees and structures. This section has been deleted as redundant as it relates to property owner obligations.

Section 12.24.280 (former) Severability. Deleted as redundant.

Chapter 8.08 City Parks

General comment Sections have been reorganized to preserve the alphabetical ordering of topics in the chapter.

Section 8.08.010 Definitions. Deleted terms already defined in title 1. Added definition for “watercourse.”

Section 8.08.020 Administration and enforcement. Updated the provisions to reflect actual city practice.

Section 8.08.030 through 8.08.050 No substantive revisions.

Section 8.08.060 Bingo games. Provisions relating to gambling and fortune telling in parks have been deleted. The California Gambling Control Act already prohibits gambling and gambling is specifically addressed in revised title 7. The provision relating to fortune telling have also been deleted because the California Supreme Court determined that ordinances prohibiting fortune telling unduly burdened free speech rights guaranteed by Cal. Const., art. I, § 2. *Spiritual Psychic Sci. Church v. City of Azusa* 39 Cal. 3d 501 (1985). Further, to the extent that a person wishes to undertake fortunetelling activities in a city park, section 8.06.230, governing for-profit activities will govern those activities.

Section 8.08.070 through 8.08.090 No substantive revisions.

Section 8.08.100 Drones. This section has been added to serve as a placeholder for regulations currently under development in coordination with cities throughout the county who are working on a comprehensive ordinance incorporating FAA regulations and state laws governing drones. The current language includes the City’s current regulations and will be

brought back for further revision when the countywide standards have been finalized.

- Section 8.08.110 through 8.08.220 No substantive revisions.
- Section 8.08.230 Prohibited any vending or selling within a city park and posting of fliers in city parks except during city-sponsored events and only in accordance with City-imposed conditions.
- Section 8.08.240 Special permits. Expanded the special permitting provision to allow the director of community services to issue a permit to undertake any activity otherwise permitted by the chapter, as long as the activity otherwise complies with the rules and regulations adopted by the director, is in the best interests of the city, or that it will not substantially interfere with the peaceful enjoyment of city parks or recreation areas
- Section 8.08.250 through 8.08.290 No substantive revisions.
- Section 8.08.300 Water pollution. This section has been expanded to prohibit any activities within a city park or recreation area that pollutes or threatens to pollute a water course.
- Section 8.08.310 No substantive revisions.
- Section 12.28.130 (former) Gambling and fortunetelling. Provisions relating to gambling and fortune telling in parks have been deleted, preserving only the provisions related to bingo games, above.
- Section 12.28.160 (former) Interference with peace officer or community services officer. This section has been deleted. These activities are already prohibited by and enforced under state law. (See, e.g., Penal Code § 148.)
- Section 12.28.180 (former) Disturbing the peace. Deleted provision regarding disturbing the peace. These activities are already prohibited by the noise regulations in the chapter on health and safety.
- Section 12.28.280 (former) Toilet facilities. This section has been deleted to be consistent with the regulation of loitering in *City of Chicago v. Morales* (1999) 527 U.S. 41. Loitering is further regulated by title 7.
- Section 12.28.330 (former) Drug Free Zone. This section was repealed by its own terms when Health and Safety Code section 11380.5 was repealed and has not been extended by a subsequent action of the legislature.

Chapter 8.12 Special Events

General comment This chapter has been relocated from chapter 5.34 without substantive revision.

Comments on chapters deleted from Title 12 (former).

Chapter 12.08 Trench Cuts and Street Construction Moratoria

General Comment The requirements relating to trench cut fees have been deleted. The exceptions to the fee in the code itself and carved out through case law resulted in city staff not applying this fee for the past decade.

Chapter 12.32 Cemeteries

General Comment This chapter has been deleted as unnecessary. There are no cemeteries in Santee. In the zoning ordinance, cemeteries are allowed with a Conditional Use Permit (CUP). A CUP requires notification and a public hearing.

TITLE 9 PUBLIC SERVICES

Formerly Title 13 Public Services

Title 9 proposes revisions to current Title 13 and includes regulations of certain public services provided by the City, such as solid waste management, construction and demolition recycling, storm water management, and underground utility districts. The proposed substantive revisions to Title 13 are generally as follows:

Chapter 9.02 Solid Waste Management

- General comment This chapter is largely substantively unchanged, except as noted below. The content has been reorganized into three titles containing general provisions, regulation of solid waste generators, and regulation of solid waste collectors.

- Section 9.02.100 Purpose and intent. This section has been modified to include references to commercial organic recycling addressed by Assembly Bill 1826 (2014).

- Section 9.02.110 Definitions. Unused terms, and terms defined in title 1 have been deleted. New terms for “business,” “commercial solid waste,” and “organic waste” as used in AB 1826 have been added. Moved definitions for “biohazardous waste” and “biomedical waste” to the definitions section.

- Section 9.02.120 Promulgation of rules and regulations. Section regarding the submission of reports has been relocated into this section that already required reports to be prepared (former section 13.36.230B).

- Section 9.02.130 Enforcement. A single section cross referencing the enforcement authority established in title 1 has been added.

- Section 9.02.200 Illegal disposal. Redundant references to violations constituting a misdemeanor have been deleted.

- Section 9.02.210 Frequency of removal. Redundant references to violations constituting a misdemeanor have been deleted. The requirement for single- and multi-family residents to use the services of a franchisee have been relocated from their current location in (former) section 13.36.100.B.

- Section 9.02.230 Storage and containers. Provisions imposing obligations on franchisees have been moved to title 3. An additional requirement to double bag food wastes in order to prevent leaking has been added.

- Sections 9.02.240 and 9.02.250 Relocated recycling requirements into article 2 without substantive revision, except to add commercial organic waste recycling requirements imposed by AB 1826 (2014) and to note that on-site composting is exempt from the recycling requirements if properly managed to prevent nuisance conditions.
- Section 9.02.260 and 9.02.270 Relocated regulation of waste generators into article 2 without substantive revision, except to permit commercial entities to donate or give away recyclable materials in addition to selling them.
- Section 9.02.300 Franchise permit required. Deleted references to dates that have already passed.
- Section 9.02.305 Collection operations. Deleted the requirement that the city issue a cease and desist order or suspend operations for certain actions by a collector. Instead, the general enforcement provisions of title 1 are available to enforce violations. Relocated regulations of containers from elsewhere in the chapter without substantive revision.
- Section 9.02.310 Deleted redundant prohibition against a collector operating in the city without a franchise agreement or permit.
- Section 9.02.330 Administrative requirements. Replaced hearing procedures for revoking a permit with cross-reference to the general hearing procedures established in title 1. Retained insurance and indemnity requirements, but updated reference to public liability insurance to commercial general liability insurance, and required all insurance and bonds to be in forms, types, limits, and with companies acceptable to the city. Added a requirement that workers' compensation insurance be endorsed to include the city as an additional insured
- Section 9.02.350 Suspension or revocation of permit. This section has been streamlined to cross reference the hearing procedures set forth in title 1 in the event a collector's permit is to be revoked or suspended.
- Section 9.02.365 Suspension or revocation of franchise. This section has been updated to note that revocation or suspension of a franchise is governed by the franchise agreement itself, but that the city may still pursue any remedies set forth in the code for violations of the chapter.
- Section 9.02.220, Section 9.02.315 through 9.02.325, 9.02.335 through 9.02.350, 9.02.360 No substantive changes.

Chapter 9.04 Construction and Demolition Debris Recycling

- Section 9.04.030 Definitions. Added definition for “Green Building Standards Code” which is used in the chapter but wasn’t defined.
- Section 9.04.040 Covered projects. Staff recommends adding interior remodels of existing residential structures that involve the demolition of 1,000 square feet or more of floor area to the types of “covered projects” subject to the construction and demolition recycling requirements.
- Section 9.04.060 Diversion requirements. Subsection B. Clarified the existing diversion requirements as the higher of 50% of C&D debris or the amount required by state law.
- Section 9.04.050 Exempt activities. Exemptions for installation of solar photovoltaic systems and roofing system replacements have been added.
- Section 9.04.070 Diversion of construction and demolition debris. Added requirement that debris containing asbestos materials in a concentration of 1% or higher must be removed by a certified abatement company. Clarified that this requirement does not apply to a project involving demolition activities on one single family residence.
- Section 9.04.130 Appeals. Streamlined the appeal process with cross-reference to the appeal procedures in chapter 1.14.
- Section 9.04.010, 9.04.020, 9.04.080 through 9.04.120, 9.04.150, 9.04.160
No substantive revisions.

Chapter 9.06 Storm Water Management and Discharge Control

- General comment This chapter is largely substantively unchanged, except as noted below. The content has been reorganized into three titles containing general provisions, regulatory provisions, and enforcement.
- Section 9.06.120 Definitions. Added definition of “waste.” Definition of BMP Design Manual and SUSMP have been revised in light of the completion of the BMP Design Manual. JRMP has been revised to reflect the terms definition in the municipal permit. Unused terms and terms defined in title 1 have been deleted. New terms have been added for Caltrans Standards, Graywater, Guidelines for Surface Water Pollution Prevention (which is the new name for the former

BMP Standards Manual), and tenant improvement, temporary sewage disposal facility.

- Section 9.06.200 Discharge of Pollutants and Non-Storm Water Prohibited. This section has been separated into two different sections, with the new section (9.06.210) prohibiting illicit connections while this section continues the prohibition against illicit discharges. Former section 13.42.070 has been included in subdivision D of this section 9.06.200.
- Section 9.06.220 Reduction of pollutants. Revised existing language to clearly require BMPs of everyone, and specific BMPs for new and redevelopment projects, construction projects, and industrial and commercial property. Added general BMP requirements for the use of temporary sewage disposal facilities, wastewater disposal, graywater systems, and recreational vehicles. Added subsection B.4 relating to the prohibition of wastewater discharges except through approved plumbing and drainage systems
- Section 9.06.230 BMPs for construction projects. Proposed revisions clarify that the city does not enforce the Construction General Permit or its SWPPP requirement, but imposes independent requirements for construction sites to implement best management practices and to adequately plan for the dynamic nature of a construction site through the use of pollution control plans. Added a requirement that any construction project undertaking dewatering must submit a dewatering plan.
- Section 9.06.240 BMPs for Commercial and Industrial Activities. Added Subsection A.4 to require payment of the inspection fee established by City Council, consistent with current practice.
- Section 9.06.250 BMPs for new development and significant redevelopment. Revisions address the finalization of the city's BMP Design Manual since the last update to this chapter without substantive revision to the remaining requirements. Deleted provisions in subdivision B are already required elsewhere. Added provisions provide additional clarity to the existing requirements, specifically, the additional language in subdivision C clarifies the requirements applicable to comply with trash control and hazardous materials handling already implemented by the city.
- Sections 9.06.310 through 9.06.360 Enforcement provisions. These sections have been updated to make the enforcement provisions

consistent with the Enforcement Response Plan included in the JRMP. The revisions generally clarify the city's existing authority to issue administrative, civil, and criminal enforcement actions for instances of non-compliance. These provisions do not change the city's existing enforcement authority and include cross references to title 1 to streamline enforcement.

Sections 9.06.100, 9.06.110, 9.06.240, 9.06.260 through 9.06.300 No substantive revisions.

Chapter 9.08 Overhead and Underground Utilities

General comment This chapter is largely substantively unchanged, except as noted below. The content has been reorganized into four titles containing definitions, procedural requirements for establishing underground utility districts, regulations applicable in underground utility districts, and the established districts.

Section 9.08.200 Authorization to establish underground utility districts. This section is proposed to be added to provide an introductory statement of the city's authority to establish underground utility districts in accordance with the procedures set forth in the article.

Sections 9.08.100 through 9.08.470 Reorganized and reworded as noted in the general comment and with cross-references to enforcement procedures in title 1, without substantive revision.

Comments on provisions deleted from Title 13 (former).

Chapter 13.04 Sewers

General comment This chapter has been deleted. Padre Dam Municipal Water District provides sewer service and regulates use of the collection system.

Chapter 13.32 Septic Tanks and Seepage Pits

General comment This chapter has been deleted. The County of San Diego regulates septic systems.

Chapter 13.40 Waste and Pollution of Water

General comment This chapter has been deleted. The regulations in this chapter have been superseded by more specific regulations

governing waste management and water pollution in chapter 9.06.

Chapter 13.44 Municipal Solar Utility

General comment This chapter has been deleted. The Revenue and Tax Code provisions were repealed by their own terms. Tax rebates and other incentives for solar installation are offered primarily through utility agencies now and not through cities.

TITLE 10 TRAFFIC CODE

Formerly Title 10 Vehicles and Traffic

Title 10 contains the City's regulations for vehicle movement and parking within the City. Modifications to these regulations are intended to comply with existing law and reflect current practice except as otherwise noted. The proposed substantive revisions to Title 10 are generally as follows:

Chapter 10.02 General Provisions

Section 10.02.020 Revised definitions of "alley, " "sidewalk," to be consistent with the definition in the Vehicle Code. Added definitions for new term "dockless vehicle," and moved defined terms from other locations in the title into this section.

Section 10.04.030 (former) deleted section imposed penalties for violations. These penalties are set forth in title 1 for the entire code.

Section 10.02.010 and 10.02.040 No substantive revisions.

Chapter 10.04 Traffic Control Devices

Sections 10.04.010, 10.04.030 through 10.04.100 No substantive revisions.

Section 10.04.020 Subdivision B has been deleted as duplicative of state law and of other portions of the title. The delineation of responsibilities between city council and the director of development services is clarified and combined with former section 10.083.030, but not substantively revised.

Section 10.04.070 Added special events as times when the director is authorized to modify traffic signs

Section 10.08.060 (former) deleted as obsolete.

Chapter 10.06 Centerlines

Section 10.06.010 No substantive revisions.

Section 10.060.020 Updated references to state codes.

Section 10.06.030 and 10.06.040 Included reference to the appeal procedures in title 1.

Section 10.12.010 (former) moved to chapter 10.02.

Chapter 10.08 Stops

Section 10.08.010, 10.08.020 No substantive changes.

Section 10.08.030 Deleted language was duplicative of the requirements in the Vehicle Code.

Section 10.08.040 This section combines two sections that previously addressed emergencies (former 10.16.040 and 10.16.050) into a single section without substantive change.

Chapter 10.10 Stopping, Standing, and Parking

General Comment This chapter has been divided into three articles and reorganized. The Articles are: (1) authority, (2) regulations and prohibitions, and (3) enforcement. Article 1 sets out who is responsible for making different determinations related to traffic control. Except as noted, these designations have not changed from the current code. Article 2 sets out regulations related to stopping, standing, and parking. Except as noted, the changes are non-substantive and are intended to streamline the regulations. Article 3 sets out enforcement provisions specific to Chapter 10.10.

Section 10.10.100 through 10.10.120 As noted above, the allocation of responsibilities previously set out in different sections has been consolidated into a single chapter with each section setting out the responsibilities of each position.

Section 10.10.230 Subdivision A.2 has added a prohibition against stopping, standing, or parking within a curb return of an intersection if the curb return is more than 25 feet from an intersection. Subdivision A.4 has been modified to prevent stopping, standing, or parking so as to block access to a crosswalk or driveway. Subdivision A.9 was added by Ordinance 552 prior to this update. Former subdivision H has been deleted because there is a separate section regulating fire hydrants.

Section 10.10.235 No substantive revision.

Section 10.10.240 No substantive revision since the addition of the language in subdivision B by Ordinance 552.

Section 10.10.245 Subdivision B. The revision adds the word “consecutive” to be consistent with the time limit in Subsection A. Subdivision C is added to require a permit before placing any object on a street or alley in a manner that obstructs traffic flow or parking, except for trash and recycling containers. This amendment conforms with current practice.

- Section 10.10.250 This section is new and is intended to address the increasing presence of dockless vehicles. The regulations require a business license, agreement, and security deposit for companies that want to offer dockless vehicles. The licensing process is intended to ensure that the vehicles are operated under sufficient insurance scheme and that their use of the public rights of way will be subject to an agreement with the city.
- Section 10.10.260 This section has been revised to remove the language regarding council authority, which has been placed in Article 1, and to prohibit parking in areas that the council designates for emergency vehicles.
- Section 10.10.265 As with section 10.10.260, which section prohibits activities that the council determines to be unlawful.
- Section 10.10.270 No substantive revision.
- Section 10.10.275 This section combines language from multiple sections that regulate sleeping in automobiles without substantive revision. Revisions delete prohibition on “reclining” in a vehicle.
- Section 10.10.300 The descriptions of the types of zones (red, yellow, white, etc.) was deleted as redundant and regulations relevant to each zone have been consolidated. No other substantive revisions are suggested.
- Sections 10.10.280 through 10.10.290 No substantive revisions.
- Section 10.10.305, 10.10.310 No substantive revisions.
- Section 10.10.310 No substantive revisions
- Section 10.10.350 Relocated without substantive revision except as described under former section 10.20.100.
- Section 10.10.360 Relocated with revisions noted under former section 10.20.220. References to Vehicle Code provisions have been updated. Included citation to procedures for unpaid penalty amounts. Penalty amounts for parking citations have been removed from the Municipal Code and will be included in a separate fee schedule. Vehicle Code section 40203.5 requires agencies that issue parking penalties to standardize penalties within a county to the extent possible. Revised penalty amounts are thus proposed, consistent with county penalties.

- Section 10.20.090 (former) deleted as duplicative.
- Section 10.20.100 (former) deleted because the sheriffs do not move vehicles. Instead, when authorized, they will have improperly parked vehicles towed. The towing remedy has been moved to Article 3.
- Sections 10.20.140 and 10.20.150 (former) these sections were removed from title 10 because they are more properly included in title 7 (formerly title 9), regulating public peace and welfare.
- Section 10.20.190 (former) Restrictions regarding advertising of vehicles “for sale” have been removed to provide content neutral regulation of speech.
- Section 10.20.200 (former) deleted as redundant of general prohibition on parking in violation of signs.
- Section 10.20.220 (former) deleted specific penalty amounts and moved section on penalties to article 3.
- Section 10.20.250 (former) deleted as duplicative.
- Section 10.20.260 (former) this section was deleted as contradictory to the allocation of responsibility for regulating parking on city property to the director of development services. Deletion does not affect the city council’s authority to regulate city property. See section 10.10.310
- Section 10.20.280 (former) deleted as duplicative.
- Section 10.20.292 (former) deleted as duplicative of requirement to comply with posted signs and sections authorizing city council to establish time limits

Chapter 10.12 Local Delivery Routes

- General comment Regulations relating to loading and unloading have been incorporated into chapter 10.10 regarding stopping, standing, and parking, without substantive revision. Duplicative sections have been deleted. Otherwise, there are no substantive revisions in this chapter except to note that a permit required by the traffic engineer does not replace the moving permit required for oversized loads.

Chapter 10.14 Turning Movements

General Comment No substantive revisions. Language from former section 10.28.040 has been incorporated into section 10.14.020.

Chapter 10.22 Miscellaneous Provisions

Section 10.22.010 Revised to remove outright prohibition since the city has established wide, multi-use paths in business areas.

Section 10.22.020 through 10.22.050 No substantive revisions.

Section 10.22.060 Revised to eliminate permission for livestock to use public highways.

Section 10.22.070 through 10.22.120 No substantive revisions.

Section 10.22.130 Section 10.40.130 (former) requiring snow chains under certain conditions has been deleted as unnecessary and replaced with regulations prohibiting engine braking where the city traffic engineer determines such braking is prohibited.

Section 10.22.140 through 10.22.170 No substantive revisions.

Chapter 10.24 Abandoned Vehicles

Section 10.24.010 No substantive revisions.

Section 10.24.020 Terms defined in chapter 10.02 have been deleted.

General comment The remaining revisions are designed to incorporate the hearing and appeal procedures set forth in title 1. We have retained procedural differences in the present chapter 10.48 where those procedures differ or are in addition to title 1. Except for these revisions, there are no other substantive changes.

Chapter 10.26 Food Trucks and Mobile Food Merchants

General Comment This chapter has been added due to the increasing presence of food truck in the city. The regulations in this chapter regulate the business of food trucks. The regulations distinguish between food trucks, which tend to set up in a single location and draw customers to that location from ice cream trucks that drive around the city and solicit customers. The city treats ice cream trucks as solicitors and requires a solicitor's license (a business license and regulatory permit). The city treats food trucks as other businesses and only

requires a business permit. The County health department regulates the trucks for health purposes.

Section 10.26.010 This section sets out findings relating to the risks involved in setting mobile vending vehicles (food trucks and ice cream trucks) in certain areas or at certain times that can pose traffic hazards. The regulations in this chapter are intended to mitigate those hazards.

Section 10.26.020 This section adds definitions for key terms, including mobile food merchant (essentially food trucks and ice cream trucks), mobile food vending (selling foodstuffs from any vending vehicle), vending vehicle (a vehicle from which foodstuff is sold).

Section 10.26.030 This section requires mobile food merchants to comply with all state and local laws.

Section 10.26.040 This section requires mobile food merchants to obtain a business license and persons operating ice cream trucks to additionally acquire a regulatory permit.

Section 10.26.050 This section requires mobile food merchants who are required to have a certificate from the County health department to display that certificate.

Section 10.26.060 This section establishes the regulations applicable to sales from vending vehicles, including that the vehicle must come to a complete stop, that food trucks must provide trash control, and that no person may operate in a city park without a special event permit.

Section 10.26.070 This section regulates sales at or within 1,000 feet of public and private schools without written permission from the school principal.

General: Chapters with no substantive amendments:

Chapter 10.16 One-Way Streets

Chapter 10.18 Speed Limits

Chapter 10.20 Spectators Prohibited at Illegal Speed Contests or Exhibitions of Speed.

Chapter 10.44 Traffic Advisory Committee

General Comment This chapter has been deleted as outdated.

TITLE 11 BUILDINGS AND CONSTRUCTION

Formerly Title 15 Buildings and Construction

Title 11 contains regulations relating to buildings and construction in the City. The proposed substantive revisions to Title 11 (formerly Title 15) are generally as follows (section references are to revised section numbers, unless noted as “former”):

Chapter 11.01 Definitions

General comment Added chapter and added definition for term “City Engineer” and updated references to “director” throughout title.

Chapter 11.04 California Building Code

Section 11.04.010 through 11.04.020 Reworded for clarity without substantive revision.

Section 11.04.030 Section 105.2 Deletions, revisions and additions to the 2016 California Building Code. The Green Building Code now requires cool roofs during all re-roofing activities. For this reason, renewal of roof coverings has been deleted from the exemption from permit requirements. Repairs have been deleted because they are covered by the CA Building Code Section 105.2.2. The revisions in Section 11.04.030 are intended to reflect these requirements. Additional revisions are intended to provide clarity without substantive change. Section 109.5. Revised “180 days” to “one year” consistent with revised state law.

Section 11.04.040 through 11.04.050 reworded for clarity without substantive revision

Chapter 11.06 California Residential Code

Section 11.06.010 Reworded for clarity without substantive revision, except that: (1) subdivision B.10 has been modified to address new requirements relating to permits for decks in very-high-fire hazard severity zones. Decks in these zones must still comply with applicable development standards; (2) Subdivision B.12 has been modified to require compliance with development standards for certain structures even though no permit is required. Sections R108.5 and R108.7. Revised “180 days” to “one year” consistent with revised state law.

Chapter 11.12 California Plumbing Code

Section 11.12.010 reworded for clarity without substantive revision

Section 11.12.020 deleted reference to actions occurring after the effective date of the ordinance as outdated in section 104.1.1.1(c).

Section 11.12.030 no revisions

Chapter 11.18 California Fire Code

General Comment reworded for clarity without substantive revisions, except that the liability insurance requirements in section 5607.4.4 have been increased to be consistent with the city's standard limit requirements.

Section 11.18.040 revised appeal process with cross reference to chapter 1.14.

Section 15.20.080 Deleted penalties provisions as duplicative of title 1

Chapter 11.24 Construction and Improvement Standards

Section 11.24.010 no substantive changes

Section 11.24.020 Deleted surplus language.

Section 11.24.030 through 11.24.050 no substantive changes

Section 11.24.070 through 11.24.130 reworded without substantive revision except to remove references to dollar amounts that are otherwise contained in a fee schedule and to delete redundant appeal provisions and include cross reference to chapter 1.14.

Chapter 11.30 Abandoned Residential Property Registration

Sections 11.30.010 through 11.30.030 No substantive revisions.

Section 11.30.040 Deleted subdivisions A and B as unnecessary now that the registry is established.

Section 11.30.050 through 11.30.090 Reworded to provide clarity without substantive revision, except to remove reference to dollar amounts otherwise contained in the fee schedule.

Sections 11.30.100 through 11.30.110 revised to include cross references to enforcement provisions in title 1.

Section 11.30.120 no substantive revisions

Chapter 11.32 Swimming Pools

Section 11.32.010 Updated definitions in this chapter include definitions for terms used but not defined: director, health officer, public swimming pool. These new definitions bring the chapter in line with current practice and do not change the substantive requirements.

Section 11.32.020 updated reference to regulations relating to public swimming pools in the California Code of Regulations and included reference to fee amounts set forth in the fee schedule; remaining revisions provide clarity and without substantive changes

Section 11.30.030 revisions are non-substantive and include reference to fee amounts set forth in the fee schedule.

Section 11.30.040 through 11.30.050 no substantive revisions

Sections 15.36.040 and 15.36.050, 15.36.090 (former) Deleted as duplicative of enforcement provisions in title 1.

Chapter 11.34 Moving and Temporary Storage of Buildings and Structures

General comment The sections in this chapter have been organized into three articles: (1) general provisions (2) moving regulations (3) storage regulations; and (4) Public Housing

Section 11.34.010 and 11.34.020 These sections have been modified to clarify the scope of the regulations and which department administers the regulations.

Sections 11.34.100 through 11.34.410 reworded for clarity without substantive revision, except to remove reference to specific dollar amounts and to include reference to the fee schedule

Chapter 11.36 Flood Damage Prevention

General Comment The recommended revisions are intended to conform this flood control ordinance with the standards established in the federal regulations adopted under the National Flood Insurance Program and are based, in part, on the model ordinance developed by the Department of Water Resources. Prior to adoption, the revised chapter will need to be submitted to the Department of Water Resources for review. After adoption, a certified version will need to be sent to FEMA, Region IX and to the Department of Water Resources.

Sections 11.36.010 through 11.36.040 No substantive changes.

Section 11.36.050 Deleted definitions of terms not used in the chapter, updated reference to the Federal Insurance and Mitigation Administration, and added definitions for terms used but undefined.

Section 11.36.060 through 11.36.130 No substantive changes.

Section 11.36.140 Additional requirements added to conform with the requirements of 44 CFR § 60.3(a). The new language requires the floodplain administrator to review permit applications to ensure that a proposed development will not adversely affect the carrying capacity of certain areas and that letters of map revision are obtained, when required.

Section 11.36.150 Additional requirements to ensure adequate drainage paths and elevation of structures are intended to conform with requirements in 44 C.F.R. § 60.3.

Section 11.36.190 Additional requirement that manufactured homes must be elevated to or above the base flood elevation and anchored to a permanent foundation is intended to comply with the requirements of 44 C.F.R. § 60.3(c).

Section 11.36.195 Section has been added to regulate recreational vehicles in accordance with the requirements of 44 C.F.R. § 60.3(c)(14).

Sections 11.36.200 through 11.36.230 No substantive revisions.

Chapter 11.38 Drainage and Watercourses

Section 11.38.020 Deleted outdated reference and unused terms.

Section 11.38.030 through 11.38.060 No substantive revisions.

Section 11.38.070 Deleted outdated references to county codes.

Sections 11.38.080 through 11.38.270 No substantive revisions.

Section 11.38.280, 11.38.310 Updated to refer to nuisance procedures in Title 1.

Section 11.38.290 No substantive revisions.

Chapter 11.40 Excavation and Grading

Sections 11.40.010 through 11.40.040 reworded for clarity without substantive revisions

- Section 11.40.050 Deleted defined terms that are not used in the chapter or are already defined in title 1 for purposes of the entire code and added definitions for “design and development standards” and “director” which are used in the chapter, but are not defined. Added definition for “paving.”
- Section 11.40.100 Added subsection E to require a grading permit to construct a retaining wall on or within five feet of any property line.
- Section 11.40.105 Added exception to grading permit requirement for paving activities that disturb less than 5,000 square feet, consistent with Regional MS4 Permit requirements.
- Section 11.40.110 Added reference to each section that sets forth specific requirements for the required plans and reports; remaining revisions are non-substantive
- Section 11.40.115 through Section 11.40.135 reworded to provide clarity without substantive revisions
- Section 11.40.135 revised reference to the defined term for the standards applicable to the landscape and irrigation plans; deleted duplicative language
- Section 11.40.140 revised reference to applicable chapter without substantive revision
- Section 11.40.145 no substantive revision
- Section 11.40.150 removed enforcement language that is duplicative of enforcement provisions elsewhere in the chapter and in title 1; otherwise revised to provide clarity without substantive revision
- Section 11.40.155 through 11.40.170 revised to provide clarity without substantive revision
- Section 11.40.175 Added B.4 to allow additional provisions in an agreement that the city attorney and city engineer determine are necessary; remaining changes are non-substantive
- Section 11.40.180 through 11.40.200 revised to provide clarity without substantive revision
- Section 11.40.205 revised to cross reference appeal procedures in chapter 1.14
- Section 11.40.210 through 11.40.215 revised to provide clarity without substantive revision

- Section 11.40.220 through 11.40.245 revised to reference the fees established by resolution of the city council; remaining revisions provide clarity without substantive revision
- Section 11.40.300 through 11.40.390 revised to provide clarity without substantive revision
- Section 11.40.400 through 11.40.605 revised to provide clarity without substantive revision
- Section 11.40.610 Subdivisions C.7 and C.8 added for consistency with Public Resources Code section 2714
- Section 11.40.620 Revisions in subdivision G, H, and I are to comply with amendments to Public Resources Code section 2773.4 (AB 1142, 2016).
- Section 11.40.625 through 11.40.645 revised to provide clarity without substantive revision
- Section 11.40.650 Revisions allow an applicant to identify proprietary information in an application, rather than require the city to identify such information. The revisions then establish a process where the city will notify the applicant when it receives a request for information the applicant considers proprietary and will provide the applicant an opportunity to defend and indemnify the city against liability for withholding such information. Finally, the revisions clarify that the release of information is governed by the Public Records Act.
- Section 11.40.655 Subdivision E has been revised to comply with revisions to the Surface Mining Act, which allow additional extensions to interim management plans for idle surface mining operations.
- Section 11.40.660 Revisions are intended to comply with amendments to Public Resources Code section 2774.1
- Sections 11.40.665 through 11.40.670 revised to provide clarity without substantive revision
- Section 11.40.675 revised to clarify to that the department of development services enforces this chapter
- Section 11.40.680 Revisions are intended to comply with amendments to Public Resources Code section 2774.1 regarding enforcement of violations of the chapter.

- Section 11.40.685 This section has been revised to include a cross reference to the appeal procedures in chapter 1.14.
- Section 11.40.700 revised to clarify and streamline language without substantive revision
- Section 11.40.705 Streamlined the language in subdivision A without substantive revision. Deleted subdivision B because liability of city officials is governed by state law.
- Section 11.40.710 revised to provide clarity without substantive revision
- Section 11.40.715 through 11.40.750 revised and reorganized duties for clarity without substantive revision
- Section 11.40.755 This section fills out the city's authority to revoke a permit and includes a cross reference to the permit revocation procedures in chapters 1.08 and 1.14.
- Section 11.40.760 reworded without substantive revision.
- Sections 11.40.110, 11.40.120, 11.40.300, 11.40.515, 11.40.715, 11.40.720. Added subsection D to Section 11.40.110 and other conforming changes, requiring a grading permit application for paving activities that disturb 5,000 square feet or more, consistent with the priority development project provisions of the Regional MS4 Permit.

Chapter 11.42 Improvements Reimbursement

- Section 11.42.010 revised without substantive change
- Section 11.42.020 deleted terms defined in title 1
- Section 11.42.030 through 11.42.100 revised without substantive change

Chapter 11.44 Uniform Code for the Abatement of Dangerous Buildings

General Comment This new chapter recodifies the Uniform Code for the Abatement of Dangerous Buildings into Chapter 11.44. This Uniform Code establishes the procedures applicable to abating substandard buildings. The Uniform Code has been included in Title 1, but the section adopting the Uniform Code is proposed for deletion.

Chapter 11.48 Historical Landmarks

General Comment Deleted reference to the “Santee Landmark District” as this is no longer applicable. Remaining sections address the procedure for designating and regulations applicable to a historical landmark.

General: Chapters reworded without substantive amendments:

Chapter 11.02	California Administrative Code
Chapter 11.08	California Electrical Code
Chapter 11.10	California Mechanical Code
Chapter 11.14	California Energy Code
Chapter 11.16	Historical Building Code
Chapter 11.20	California Existing Building Code
Chapter 11.22	California Green Building Standards Code
Chapter 11.26	Referenced Standards Code
Chapter 11.28	Housing Regulations

Comments on provisions deleted from Title 15 (former).

Chapter 15.32 (former) Procedure for Inspection of Buildings

General Comment This chapter was deleted as duplicative of the general inspection provisions now included in title 1.

TITLE 12 SUBDIVISION OF LAND, DEVELOPMENT OF FEES, AND DEDICATIONS

Formerly Title 16 Subdivisions

Title 12, formerly Title 16, addresses subdivisions. It currently has two divisions: parkland dedication, and subdivisions. The revisions keep these two divisions and create two new divisions for already-existing regulations relating to dedications and fee calculation and school-related dedications (relocated into title 12 from title 3). Division 1 relates to subdivisions of land. Division 2 relates to fees. Division 3 relates to park lands and sports fields. Division 4 relates to schools. The proposed substantive revisions to Title 12 (formerly Title 16) are generally as follows (section references are to revised section numbers, unless noted as “former”):

DIVISION 1 SUBDIVISION OF LAND

Chapter 12.02 General Provisions

General Comment no substantive revisions except to delete former Section 16.04.140 as duplicative of title 1.

Chapter 12.04 Definitions

General Comment Added definitions of “common interest development,” “condominium project,” “planned development,” and “stock cooperative” consistent with state law.

Chapter 12.06 Required Maps

Sections 12.06.010 through 12.06.030 no substantive revisions

Section 12.06.040 Added a requirement in subdivision B that a waiver application for a parcel map must include a demonstration that the proposed division will comply with storm water control requirements. Clarified that the requirement to file a certificate of compliance is the subdivider’s responsibility.

Section 12.06.050 This section lists the findings required in order to approve maps required by this division. This additional language does not create new requirements, but articulates the requirements already in place.

Chapter 12.08 Tentative Maps – Procedures

Sections 12.08.010 Revised subdivision A.26 to account for different types of common interest developments in state law.
Revised subdivision B.6 to account for the statewide Onsite Wastewater Treatment System Policy adopted by the State Water Resources Control Board and the Local Agency

Management Plan for Onsite Wastewater Treatment Systems adopted by the County, which regulate when new septic systems may be installed.

Section 12.08.020 Updated reference to Subdivision Map Act code citations.

Section 12.08.030 Added reference that an application for waiver of tentative and final maps for mobile home park conversions must demonstrate that stormwater controls are properly addressed.

Section 12.08.040 no substantive revisions

Section 12.08.050 Deleted reference to the “subdivision committee” as outdated.

Section 12.08.060 through 12.08.090 no substantive revisions

Chapter 12.10 Vesting Tentative Maps

Sections 12.10.400 through 12.12.030 no substantive revision.

Section 12.10.040 Deleted reference to actions occurring prior to January 1, 1988 as outdated.

Section 12.10.050 Included requirement to include stormwater controls on vesting maps. Subsection B has been revised to remove the requirements that an applicant for a vesting tentative map must submit information regarding the use of the buildings and architectural renderings and obtain state and federal agency permits before applying for a vesting tentative map; clarified the level of detail required for grading plans. Added subsection C to provide that a vesting tentative map only vests the rights for which sufficient information is included in the vesting tentative map.

Section 12.10.060 through 12.10.080 no substantive revisions

Chapter 12.12 Final Maps - Procedures

Section 12.12.010 No substantive revisions

Section 12.12.020 through 12.12.030 Revised map submission requirements to address changes in the technology applicable to such submissions

Sections 12.12.040 through 12.12.050 no substantive revisions

Chapter 12.18 Merger of Parcels

General comment Removed reference to “Santee regulatory ordinance” as outdated.

Section 12.18.010 through 12.18.050 no substantive revisions

Chapter 12.22 Enforcement

Section 12.22.010 no revisions

Section 12.22.020 This section has been revised to be consistent with the enforcement provisions in Government Code section 66499.36.

Sections 12.22.030 through 12.22.040 no substantive revisions.

DIVISION 2 FEES AND DEDICATIONS

Chapter 12.30 Development Fees and Dedication

Sections 12.30.010 through 12.30.020 no substantive revisions

Section 12.30.030 deleted terms that were defined but not used in this chapter.

Section 12.30.040 through 12.30.050 no substantive revisions

Section 12.30.060 Deleted reference to Government Code section 53077.5(b), which is inapplicable to development impact fees.

Section 12.30.070 through 12.30.080 No substantive revisions

Section 12.30.090 Clarified that only persons who are required to pay a development fee or made a dedication are authorized to appeal the amount of the fee or dedication.

Section 12.30.100 through 12.30.200 no substantive revisions

Sections 16.26.200, 16.26.300, 16.26.400, 16.26.500, 16.26.600 (former)
Deleted sections that were reserved for future use.

Chapter 12.32 Dedications and Improvements

Section 12.32.010 no substantive revisions

Section 12.32.020 Added clause in subdivision B, allowing alternative language for dedications occurring on maps, subject to approval by the director and city attorney. Revised remaining language for clarity without substantive revision.

Section 12.32.030 through 12.32.040 no substantive revisions

Section 12.32.050 Deleted most content as duplicative of Division 2 and added cross reference to Division 2.

Section 12.32.060 Added a provision that allows a maintenance agreement or similar mechanism to provide for the perpetual maintenance of private streets.

Section 12.32.070 no substantive revision

DIVISION 3 PARK LANDS AND SPORTS FIELDS

Chapter 12.40 Park Lands Dedication

Section 12.40.020 The definitions of dwelling unit and family have been revised to be consistent with the zoning code.

Section 12.40.030 Additional language in subdivision B1 through B.3 has been incorporated to be consistent with Government Code 66477(d). Subdivision B.4 has been moved from former Section 16.04.040.

Section 12.40.040 Reference to Government Code 53077.5(b) has been deleted as irrelevant to parkland dedications.

Section 12.40.050 no substantive revisions

Section 12.40.060 Additional language in subdivision A.1 has been incorporated to be consistent with Government Code section 66477(a)(7).

Section 12.40.070 Deleted reference to occupancy rate per dwelling unit as outdated and unused.

Section 12.40.080 Reference to Government Code 53077.5(b) has been deleted as irrelevant to parkland dedications.

Section 12.40.090 reworded for clarity without substantive revision

Section 12.40.100 through 12.40.130 no substantive revisions.

Chapter 12.42 Development Projects – Displacement of Sports Fields

Section 12.42.010 no substantive revision

Section 12.42.020 added an explicit requirement for a development project to provide for the relocation of displaced sports fields in subdivision A.

Section 12.42.030 through 12.42.050 no substantive revisions.

DIVISION 4 SCHOOLS

Chapter 12.50 Dedications of land and fees for school districts.

General comments Chapter 3.36 has been relocated into title 12, division 3 and has been renumbered as Chapter 12.50. The new chapter 12.50 has four articles because the first two articles in Chapter 3.36, which contain general provisions and definitions, have been combined into a single, general article.

Sections 12.50.100 through 12.50.160 no substantive changes

Section 12.50.170 Definitions. The definitions applicable to Division 1 have been placed in a single section. The definitions have not changed substantively, except: (1) to remove reference to “planning commission” because the city council sits as the planning commission; (2) to make the definition of “dwelling unit” consistent with the definition in the zoning ordinance; (3) including all agreements provided by the division in the definition of the term “reasonable methods for mitigating conditions of overcrowding”

Section 12.50.200 through 12.50.315 These sections have been reworded for clarity without substantive revision.

Section 12.50.320 Additional language clarifies any land required for interim school facilities must also not exceed the amount necessary to pay five annual lease payments for the interim facilities.

Section 12.50.325 through 12.50.370 Rewritten for clarity without substantive revision.

Section 12.50.375 revised reference to proper Education Code section.

Section 12.50.380 through 12.02.010 no substantive revisions

Section 3.36.030 Deleted as unnecessary.

General: Comments on chapters with no substantive revisions:

Chapter 12.14 Additional Requirements

Chapter 12.16 Bonding and Improvement Security

Chapter 12.20 Boundary Adjustment

TITLE 13 ZONING

Formerly Title 17 Zoning

Title 13 contains the City's zoning regulations. The proposed substantive revisions to Title 13 (formerly Title 17) are generally as follows (section references are to revised section numbers, unless noted as "former"):

Chapter 13.04 Administration

Section 13.04.020 Added language to the table to clarify terms and make them consistent through the title. No substantive changes except the addition of the existing residential business ("RB") overlay district to the table of districts.

Section 13.04.100 Revised subdivision C.4 to allow flexibility in the continuation of public hearings to a future meeting, but not necessarily to the next meeting.

Section 13.04.110.

Subdivision B Added new subdivision B to establish a process that allows a person to obtain a determination on whether an existing use is a legally nonconforming use, consistent with *Calvert v. County of Yuba* (2006) 145 Cal.App.4th 613.

Subdivision C In this subdivision and in similarly worded subdivisions in this chapter, added clarifying language without modifying the substantive requirement and made language consistent throughout the title.

Section 13.04.120 Revised this section to refer back to the uniform enforcement procedures now located in title 1.

Section 13.04.140

Subdivision B (former) deleted this subdivision, which has been incorporated into title 1.

Definitions made the following modifications:

- Modified building height to account for solar equipment structures, consistent with current practice;
- deleted "cabaret" as included in dance hall definition per chapter 13.28, consistent with current practice;

- deleted “cluster development” and “development, convention” as outdated terms and added definition for “planned residential development” as the modern term;
- added definition for term “composting;” revised “conceptual development plan” to include indication of stormwater facilities, consistent with current practice;
- revised “hotel” to be consistent with definition in new title 7;
- revised “kennel” to be consistent with definition in title 6;
- revised “lot coverage” to include that open structures are not included in coverage calculations for any structures, consistent with current practice;
- added definition for “outdoor recreation facility” which is regulated later in title 17 consistent with current practice;
- deleted “parking bay” as this term was not used in title 17;
- revised “restaurant” to exclude cafes and coffee shops, consistent with current practice;
- revised “San Diego County Municipal Storm Water Permit” to refer to the current version of that permit consistent with current practice;
- revised “single household unit” to remove outdated references to “traditional family” consistent with current practice;
- deleted diagrams

Section 17.04.130 Deleted as duplicative.

Chapter 13.06 Permits

Sections 13.06.010 through 13.06.040.C made clarifying revisions without substantive modification

Section 13.06.040.E clarified that the findings required to issue a variance include a finding that the variance will not be inconsistent with the limitations on other properties classified in the same district.

Section 13.06.050 Subdivision B.5 modified to allow the Director to approve a reduction in the size of existing garages in single family zones when sufficient space is available for parking on-site and is consistent with the parking space available in the

surrounding homes. Also allows the director to authorize the use of reduced size parking spaces on sites that are limited by size, topography, or street access.

Section 13.06.060 Added subsection C related to allowed home occupations (office uses, music, art, tutoring lessons, hairdressing, online sales for crafts, cottage food operations, others allowed by director) consistent with current practice. Added subsection D to specify prohibited home occupations, consistent with current practice (automotive repair, upholstery, machine and welding shops, and similar uses).

Section 13.06.070. Subsection E.1.(h) and (i) added requirements for carnivals and circuses to implement stormwater controls and other requirements deemed necessary, consistent with regulatory requirements for business licenses and regulatory permits in title 4.

Subsection E.4.(c) removed reference to renewal of temporary use permits issued prior to March 1994 as outdated.

Section 13.06.080 through 13.06.100 no substantive revisions

Chapter 13.08 Development Review

Section 13.08.010 no revisions

Section 13.08.020

Subdivision A clarified that development review is required for construction, reconstruction or structural additions with a total floor area of 1,200 square feet or more; moved former subdivision A.4 to subdivision C; added subdivisions A.5 and A.6 to reflect current practice

Subdivision B

1. Revised waiver of fees for single family residence to clarify that the fee must be waived for accessory dwelling units to reflect the liberal treatment of such units in Government Code section 65852.2

2 and 3. Revised development review to be consistent with general practice of requiring development review for development of all property within the hillside overlay district.

Subdivision C consolidates requirements from other sections to reflect current practice.

Section 13.08.030 relocated subdivision C to Section 13.08.020

Sections 13.08.040 through 13.08.050 no substantive changes

Sections 13.08.060 Clarified that a completed application for development review must either be approved by the Director or scheduled for a public hearing to reflect current practice

Section 13.08.070 Subdivision I.1 revised to clarify that the minimum building separation is 10 feet, consistent with Section 13.10.040.F

Sections 13.08.080 through 13.08.100 no substantive changes

Chapter 13.09 Procedures and Requirements for Consideration of Development Agreements

Sections 13.09.010 through 13.09.150 revisions reflect current practice

Chapter 13.10 Residential Districts

Section 13.10.010 through 13.10.030 revisions reflect current practice

Table 13.10.030A added use category of “planned residential developments” and designated this use as permitted in the R-7 and R-14 districts; made clarifying changes to reflect current practice, such as treating large family day cares as those having up to 17 children and small family day care as having up to 8 children; clarified that kennels are not limited to housing dogs; deleted feed and tack stores as a separate use category; revised the maximum permitted living area of an accessory use to distinguish between accessory structures with less than or more than 50 percent of the living area of the primary residence; deleted small collection facility as a separate use type.

Reclassified habitat preserves from a conditionally permitted use to a use permitted by right to conform with a future Multiple Species Conservation Plan (MSCP) subarea plan.

Table 13.10.030B added examples of the types of animals allowable in residential districts to reflect current practice without substantive revision

Section 13.10.030.F.6 deleted definition of accessory dwelling unit as duplicative

Section 13.10.040 No substantive changes

Section 13.10.040

Subdivision A updated table to reflect current practice in regulation of common open space

Subdivision E added regulations currently used for planned residential developments

Subdivision I Added regulations related to trash enclosures, consistent with current practice and stormwater requirements

Section 13.10.050 made the following changes to reflect current practice:

clarified that the special development criteria are applied to residential developments;

clarified that the maximum height for accessory structures is 15 feet;

clarified that the coverage maximum applies in the rear setback;

removed exception to rear yard setback for 2-story structures but allowed encroachment by a 2 story structure up to 5 feet if necessary

clarified that an accessory structure cannot be placed in front of the main structure;

made conforming changes to the use tables on maximum allowable floor area as no more than 50% of the living area of the primary residence;

authorized kitchens, wash basins, and bathrooms in accessory structures (A) with restrictions;

allowed equipment for pools and air conditioning to project into setbacks by 2 feet and required that equipment be screened (B)

clarified when projections above height limits are acceptable (C)

required roof mounted solar collectors to comply with applicable fire regulations and ground mounted solar

collectors to comply with height and setback requirements (D)

required walls constructed next to a Mobility Element Street to include an anti-graffiti surface as required by chapter 7.16 (F)

added use restrictions for required yards (I)

added requirement to adequately light all public parking areas (J)

Section 13.10.060 B added language clarifying what surfaces are approved for off-street parking and removed screening provision for certain automobile servicing and storing activities and require enclosure of these activities

Chapter 13.12 Commercial / Office Districts

Section 13.12.010 through 13.12.020 no substantive revisions

Table 13.12.030A

Added note that pet shops are authorized, subject to pet sourcing requirements under state law and added use regulations for:

- dance, gymnastics, martial arts, and fitness / sports schools to reflect current treatment of these uses (permitted in NC and GC districts)
- massage and other body conditioning services (permitted in NC and GC districts) in accordance with state law.

Modified Table 13.12.030A(C)(3) to reclassify habitat preserves from a conditionally permitted use to a use permitted by right to conform with a future Multiple Species Conservation Plan (MSCP) subarea plan.

Added clarification that automotive rentals with on-site vehicle storage require are prohibited in “OP” but are allowed with a minor conditional use permit in the “NC” and “GC” zones and that rentals without any on-site vehicle storage are permitted in all three commercial zones. This is a clarification of existing practice and not a substantive change.

Section 13.12.030.G.6 Deleted permitting requirements for push carts to reflect current practice but kept limited regulations applicable to the location of pushcarts and the requirement to obtain a business license and regulatory permit from the City.

Section 13.12.040

Table 13.12.040A clarified that the height limitations apply within 50 feet of a residential district

Chapter 13.14 Industrial Districts

Section 13.14.010 no substantive change

Section 13.14.020 deleted language in subdivision B is intended to be consistent with Use Table 13.14.030B

Table 13.14.030A clarified that regulation of athletic and health clubs applies to indoor clubs; added use category for micro-breweries, which sometimes have characteristics of a restaurant. This new use category treats all micro-breweries the same regardless of whether they have a tasting room or serve food and permits micro-breweries in IL and IG districts; Consistent with *Anderson v. City of Hermosa Beach*, 621 F.3d 1051 (9th Cir. 2010). . Reclassified habitat preserves from a conditionally permitted use to a use permitted by right to conform with a future Multiple Species Conservation Plan (MSCP) subarea plan.

Section 13.14.030.K clarified where emergency shelters are permitted by APN since all other parcels on North Woodside are developed

Table 13.14.040A Clarified that the height limitations apply within 50 feet of a residential zone

Chapter 13.16 Park / Open Space District

Section 13.16.010 no substantive revisions

Section 13.16.020 revised to reflect current practice regarding the procedure for use determination since not all uses are subject to the development review, minor conditional use, or conditional use permit process

Table 13.16.030A added use categories for stormwater detention and water quality structures, flood control facilities as permitted uses in park/open space districts. Reclassified habitat preserves from a conditionally permitted use to a use permitted by right to conform with a future Multiple Species Conservation Plan (MSCP) subarea plan.

Section 13.16.050 no substantive revisions

Chapter 13.19 Planned Development District

Table 13.19.030A Reclassified habitat preserves from a conditionally permitted use to a use permitted by right to conform with a future Multiple Species Conservation Plan (MSCP) subarea plan.

Chapter 13.26 Density Bonus Program

General comment Substance of density bonus program has been removed from the municipal code because the program is governed by state law and is explicitly applicable to charter cities. Revisions refer to state law to avoid the need to modify the code in response to each state law amendment.

Chapter 13.28 Adult Businesses

General comment no substantive revision except to remove massage parlors as an adult business, consistent with state law.

Chapter 13.32 Signs

General comment In *Reed v. Gilbert* 135 S.Ct. 2218 (2015), the Supreme Court determined that municipal sign regulations which require “reference to the content of the regulated speech” in their application are considered content based and are subject to strict scrutiny. Reference to the content of regulated speech occurs where, for example, sign types are defined and regulated by their “communicative content,” such as by whether a sign directs the public to a church or is designed to influence the outcome of an election. Content-based regulations are permissible only where the regulation furthers a compelling interest and is narrowly tailored to achieve that interest. Content neutral regulations, such as regulation of a sign’s size, building materials, lighting, moving parts, portability, etc., remain permissible. *Reed* also did not address standing case law that recognizes a governmental interest in regulating commercial speech differently from non-commercial speech. In addition to the general revisions to modernize the code, the proposed revisions to Chapter 13.32 are also intended to conform with the holding in *Reed v. Gilbert*.

Section 13.32.010.B.3 Added reference to the concern for ensuring safe and efficient movement of traffic as one objective of the sign code. The sign ordinance distinguishes certain signs based on their provision of directions to commercial or industrial activities, These activities generate unique traffic concerns, and this section expresses the City’s concern with ensuring safe movement of traffic created by these activities.

- Section 13.32.020 Deleted terms no longer used in the sign ordinance. Added definitions for new terms, “changeable copy sign,” “commercial directional sign,” “commercial property, commercial speech,” “development,” “digital display,” “electronic message center sign,” “industrial property,” “permanent sign,” and “seasonal direction.” Modified definitions of “comprehensive sign program,” “flashing sign,” “non-commercial sign,” “off-premises sign,” “portable sign,” “temporary non-commercial sign,” “temporary sign,” and “vehicle sign.”
- Section 13.32.025 Created a separate section for the regulations associated with a comprehensive sign program. The revisions are consistent with current practice. Streamlined the approval process by allowing the Director to approve comprehensive sign programs.
- Section 13.32.030 This section continues to require a permit for any permanent or temporary sign except as otherwise provided in the chapter. Revisions are intended to reflect current procedures.
- Section 13.32.035 No substantive revision
- Section 13.32.040
- Subdivision A This subdivision provides exceptions from the sign permit requirement for certain signs, such as utility signs, signs entirely within structures, railroad crossing signs, traffic signs, legally required signs, address signs, and city-sponsored signs.
- Subdivision B This subdivision provides exceptions from the sign permit requirement for certain signs which meet listed specifications. These sign types include permanent window signs, commercial directional signs, flags, signs on vehicles, and temporary and portable signs meeting the requirements in Section 13.32.060.
- Section 13.32.045 Prohibited signs have been placed in their own section. This section retains the existing prohibition on signs not specifically authorized by this chapter.
- Section 13.32.050 Subdivision C has been revised to remove temporary sign regulations. These regulations have been rewritten into Section 13.32.060. The current requirement for on-site subdivision signs has been revised to remove content requirements and to remove a cash deposit to reflect current

practice. The current requirements for temporary real estate directional signs have been revised to remove reference to color standards and to clarify that these signs are located on city-provided kiosks. In addition, the requirement for a cash deposit has been removed to reflect current practice.

Subdivision C.4 has been added to provide regulation of electronic message center signs (“EMC”). EMC have digital displays to present variable messages. These signs can only be located on parcels with frontage on Prime Arterials, Major Arterials, Parkways, or Collector Roads with Two-Way Left Turn Lane as defined in the Mobility Element and which do not face or abut a residential district. The copy on an EMC cannot change more frequently than once every 8 seconds with a minimum of 0.3 seconds of time with no message displayed between messages. Messages must be static once displayed. EMC’s located within the Airport Influence Area 1 are subject to review by the FAA and the Airport Land Use Commission. EMC signs cannot be illuminated more than 0.3 foot-candles more than ambient lighting when measured at the distances shown in the chart.

Section 13.32.060

Subdivision B This subdivision sets out regulations related to temporary and portable signs in the public right of way and on parcels outside the right of way. No temporary or portable sign is permitted to obstruct the free flow of pedestrian or vehicular traffic, restrict visibility around corners or at intersections, be placed in the median, or be illuminated. Additional regulations are summarized as follows:

Temporary and Portable Signs

		Number	Size (max)	Timing	Other
Public right of way					
	Portable Signs	No limit	4SF	Up to 24 hours on Friday, Saturday, Sunday or holidays	No permit required
	Temporary non-commercial signs	No limit	32SF 6' high	45 calendar days / year Remove within 10 days after any event relating to the sign	No permit required
Parcels outside ROW					
	Portable signs	No limit	4SF	Up to 24 hours on Friday, Saturday, Sunday or holidays	No permit required
	Temporary non-commercial signs	1 per parcel	6' high	Up to 4SF indefinitely 4-32SF for 45 days	No permit required.
	Temporary commercial signs	Up to 2 per business	40SF total	30 consecutive days per year 90 total days per year	Permit required
	Temporary commercial signs	1 per property	16SF 6' high	Indefinitely	No permit; only on vacant, developing commercial and industrial property

Section 13.32.070 No substantive changes

Section 13.32.080 Replaced provisions regarding enforcement with a reference to enforcement provisions in title 1.

Chapter 13.34 Wireless Telecommunications Facilities

Section 13.34.010 No substantive revision.

Section 13.34.015 Added definitions for terms used in the chapter: antenna, base station, co-location, eligible facility, equipment, FCC, tower, wireless telecommunication facility. The definitions are consistent with federal law.

Section 13.34.020 Revisions clarify that wireless telecommunications facilities that require a permit are not subject to the application requirements in this section.

Section 13.34.030 Subdivision E has been added to clarify that an encroachment permit is required prior to placing wireless telecommunications facilities in the public right of way.

- Section 13.34.040 through 13.34.050 No substantive revision.
- Section 13.34.060 Revisions to subdivision C specify lighting requirements for wireless support structures consistent with FAA regulations.
- Revisions to subdivision I provide that equipment shelters must not be used to store excess equipment or as habitable spaces.
- Section 13.34.070 Subdivision A.6 has been added and Subdivision B has been modified to clarify that wireless telecommunications facilities in the public right of way are not subject to the requirements in the chapter, but an application for an eligible facilities request is subject to the requirements in Section 13.34.085.
- Section 13.34.080 No substantive revisions.
- Section 13.34.085 Added regulations applicable to the permitting of “eligible facilities” as required by federal law, 47 USC 1455(a) and 47 C.F.R. 1.610. Federal law limits the City’s ability to regulate or restrict eligible facilities. Thus, if an application for an eligible facilities request is determined to be complete, it must be approved. If the application or proposed facility does not satisfy the requirements, the application must be denied. In addition, if an application is incomplete and the applicant fails to provide requested information for more than 45 days, the application expires.
- Section 13.34.090 no substantive changes
- Section 13.34.100 Revisions to indemnity language strengthen indemnity requirements
- Section 13.34.110 Clarified that when a wireless facility is considered abandoned and must be removed. Further, if a wireless telecommunications facility is not removed timely, the City may remove the facility at the permittee’s cost.
- Section 13.34.120 No substantive change
- Section 13.34.130 Deleted subdivision A as outdated. Added subdivision B to provide that permits expire after 10 years.
- Section 13.34.140 This new section authorizes the City to grant an exception to the requirements of the chapter if the applicant demonstrates that failure to allow such use would prohibit or have the

effect of prohibiting the provision of personal wireless services within the meaning of 47 U.S.C. 332(c)(7).

Section 13.34.150 This new section provides that ordinary maintenance, colocation, and eligible facilities requests are permitted pursuant to an antenna permit set forth in Section 13.34.085.

Chapter 13.36 Landscape and Irrigation Regulations

No substantive revisions

General: Chapters with no substantive revisions:

- Chapter 13.18 Town Center District
- Chapter 13.21 Residential Business District
- Chapter 13.22 Overlay Districts
- Chapter 13.24 Parking Regulations
- Chapter 13.30 General Development and Performance Standards
- Chapter 13.36 Landscape and Irrigation Regulations

City of Santee
COUNCIL AGENDA STATEMENT

Item 17

MEETING DATE June 26, 2019

AGENDA ITEM NO.

ITEM TITLE **ADOPT ORDINANCE ADDING SECTION 7.30.030 TO THE SANTEE MUNICIPAL CODE RELATING TO SMOKING IN PUBLIC PARKS**

DIRECTOR/DEPARTMENT Shawn Hagerty, City Attorney

SUMMARY

This item presents an ordinance for second reading and adoption which would add Section 7.30.030 to the Santee Municipal Code as part of the comprehensive update to the Code. At the meeting on May 22, 2019, the City Council introduced and conducted the first reading of proposed revisions and recodification of Titles 1 through 12 of the Municipal Code. During the meeting, the City Council discussed Section 7.30.030, which bans smoking in public parks and requested additional revisions to give the Director of Community Services the authority to create smoking areas in public parks during special events.

The attached ordinance adds Section 7.30.030 to the updated Municipal Code, which maintains the ban on smoking on public trails, adds a ban on smoking in public parks, and authorizes the Director of Community Services to designate areas in public parks where smoking is permitted during special events.

The first reading was conducted on May 22, 2019.

FINANCIAL STATEMENT *fr*

The amended FY 2018-19 City Attorney operating budget includes \$46,800 for the comprehensive update to the Municipal Code. The City Clerk's operating budget includes \$20,000 for public noticing, codification, and publishing.

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MWB*
Adopt Ordinance No. 567.

ATTACHMENTS
Ordinance

ORDINANCE NO. 567

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, ADDING SECTION 7.30.030 TO TITLE 7 OF THE SANTEE MUNICIPAL CODE RELATING TO SMOKING IN

WHEREAS, the City Council of the City of Santee, California hereby finds that the smoking of tobacco, or any other weed or plant, is a positive danger to health and a material annoyance, inconvenience, discomfort and a health hazard to those who are exposed to the resulting smoke;

WHEREAS, state law prohibits smoking in enclosed places of employment;

WHEREAS, the City desires to supplement California Labor Code Section 6404.5 and California Health and Safety Code Sections 104495 and 118875, *et seq.*, as amended, to serve public health, safety and welfare by prohibiting smoking in certain public places, except where otherwise authorized;

WHEREAS, the City intends that, in all cases of conflict between this Ordinance and any state law, the applicable state law provision shall prevail.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Recitals Incorporated. The Recitals set forth above are true and correct and are incorporated into this Ordinance.

SECTION 2. Amendment. Section 7.30.030 "Prohibitions" is hereby added to Title 7 "Public Peace and Welfare" of the Santee Municipal Code as follows:

7.30.030 Prohibitions.

- A. No person is permitted to smoke on a public trail within the City.
- B. No person is permitted to smoke within a City park, except as provided in regulations promulgated by the Community Services Director for City sponsored events.
- C. The provisions of this section do not apply in any circumstances where federal or state law regulates smoking if the federal or state law preempts local regulations, or if the federal or state law is more restrictive.
- D. The Director of Community Services is authorized to install and maintain permanent "No Smoking" signs at all public trails to aid in enforcement of this section.

SECTION 3. CEQA. Based upon the whole of the administrative record before it, the City Council hereby finds that the addition of Section 7.30.030 to the Santee Municipal Code as set forth in this Ordinance is exempt from environmental review under the California Environmental Quality Act ("CEQA") (Pub. Res. Code, § 21000 et seq.)

pursuant to State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) sections 15061(b)(3) and 15378(b)(5). An activity is subject to CEQA only if that activity has “the potential for causing a significant effect on the environment.” (State CEQA Guidelines, § 15061(b)(3).) An activity is thus exempt from CEQA “[w]here it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” (*Ibid.*) Here, the addition of Section 7.30.030 to restrict smoking in public parks as set forth in this Ordinance does not have the potential to result in either a direct or reasonably foreseeable indirect physical change in the environment. (State CEQA Guidelines, § 15061(b)(3).) Moreover, approval of the Ordinance constitutes an administrative activity of the City and is additionally exempt from CEQA on that basis. (State CEQA Guidelines, § 15378(b)(5).) Staff is hereby directed to prepare, execute and file with the San Diego County Clerk a CEQA Notice of Exemption within five (5) working days after the adoption of this Ordinance.

SECTION 4. Codification. The City has adopted the “City of Santee Municipal Code Editorial Guidelines,” and, except as otherwise provided herein, authorizes Quality Code Publishing to make technical, non-substantive changes to conform the codified Ordinance to the guidelines. In the event a substantive conflict arises on the basis of the changes authorized by this Section, the language adopted by this Ordinance prevails. The City Clerk is authorized to provide certified copies and notice of this Ordinance or any part of this Ordinance required or advised by the law or any regulation.

SECTION 5. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council of the City of Santee hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrases be declared unconstitutional.

SECTION 6. Effective Date. This Ordinance shall become effective thirty (30) days after its adoption.

INTRODUCED AND FIRST READ at a Regular Meeting of the City Council of the City of Santee, California, on the 22 day of May 2019, and thereafter **ADOPTED** at a Regular Meeting of the City Council held on this 26 day of June 2019, by the following vote to wit:

AYES:

NOES:

ABSENT:

APPROVED

JOHN MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, CITY CLERK

City of Santee
COUNCIL AGENDA STATEMENT

MEETING DATE June 26, 2019

AGENDA ITEM NO.

ITEM TITLE RECOMMENDATION FROM THE SALARY SETTING ADVISORY COMMITTEE REGARDING COMPENSATION FOR THE MAYOR AND CITY COUNCIL

DIRECTOR/DEPARTMENT Kathy Valverde, Assistant to the City Manager *KV*

SUMMARY

In accordance with the Santee City Charter, the Salary Setting Advisory Committee recently convened to review the compensation of the Mayor and City Council in order to make a recommendation regarding the appropriate level of salary and benefits. The Committee met on April 24, 2019; May 8, 2019; and is scheduled to meet again on June 24, 2019. The committee reviewed and considered the City Council's current and historical salary and benefits; the salaries of other elected city officials in the County; the salary of various city employees; and the boards and committees of other cities as compared to Santee. The Committee will provide a presentation to City Council, outlining its recommendation.

As background, the attached staff report outlines the two processes that the City Council may utilize to set salaries for the Mayor and City Council.

The last increase for the Mayor and Council was January 1, 2017, pursuant to Ordinance No. 544, which increased salaries by 5% and increased auto allowance from \$300 to \$350. The Mayor's current salary is \$2,841.84 per month and the Council's salary is \$1,686.24 per month. The attached staff report provides a comparison of salaries and auto allowance for the elected city officials in San Diego County.

FINANCIAL STATEMENT *fm*

An appropriation of General Fund reserves will be required for any salary or benefit increases for the Mayor and Council in Fiscal Year 2019-20.

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MAB*

Receive recommendation and provide direction to staff.

ATTACHMENTS

Staff Report

STAFF REPORT

Recommendation from the Salary Setting Advisory Committee June 26, 2019

With regard to compensation of the Mayor and City Council, general law cities operate under state law (Government Code §36516 et seq.), which authorizes a city council to enact an ordinance approving a salary increase up to five percent (5%) per calendar year, to be effective at the beginning of a new term of office.

Historically, the Santee City Council adopted such an ordinance according to the Government Code up until January 20, 2009, when Santee officially became a Charter City and established a Salary Setting Advisory Committee to make recommendations regarding the appropriate level of salary and benefits for the Mayor and City Council. Specifically, City Charter Section 400, Article IV, provides:

The City Council shall, from time to time, establish a Salary Setting Advisory Committee to make recommendations regarding the appropriate level of salary and benefits for the Mayor and the City Council. The City Council may establish the appropriate composition, membership and procedures for the Salary Setting Advisory Committee. The City Council shall not adjust the salary and benefits of the Mayor or the City Council in a manner not otherwise expressly authorized by the laws of the State of California applicable to general law cities unless and until it establishes the Salary Setting Advisory Committee and receives a recommendation from the Committee.

Essentially, as a charter city, Santee may follow either of the two processes to set salaries:

1. Santee City Charter § 400 – Salary Setting Advisory Committee Recommendation
 - a. The Committee must first make a recommendation before the Council can act to adjust the salary in a manner not expressly authorized by state law. In other words, in this instance, salary increases could exceed the state's limit of 5%.
 - b. Council does not have to approve the Committee's recommendation; Council can set salaries different from the recommendation but only after receiving the recommendation.
 - c. Salary increases can go into effect at any time. For example, the City Council may want to apply an increase on July 1 to coincide with the budget, but increases cannot be retroactive.
2. State Law – California Government Code § 36516
 - a. Does not require a recommendation from the Committee.
 - b. Allows for regular salary adjustments, not to exceed 5% for each calendar year from the date of the last adjustment, but cannot be compounded.
 - c. Salary increases cannot be automatic; the City Council must adopt a new ordinance each year.
 - d. No increase may take effect until the beginning of a new term of office.

**Comparison of Other Cities in San Diego County
Monthly Salaries**

as of March 2019

Sorted by Mayor

CITY ⁽²⁾	Council Salary	Mayor Salary	Population	
1. Escondido	2,088.43	5,815.09	151,478	last increase Jan 1, 2019
2. National City	1,189.78	4,532.13 ⁽¹⁾	62,257	last increase Jan 1, 2017
3. Santee	1,686.24	2,841.84	56,994	last increase Jan 1, 2017
4. Vista	2,622.00	2,722.00	103,381	no increase since 2013
5. Carlsbad	2,052.16	2,152.16	114,622	no increase since 2013
6. Oceanside	1,932.75	2,107.92	177,362	no increase since 2013
7. El Cajon	1,434.00	2,068.00	105,557	no increase since 2013
8. La Mesa	1,000.00	2,000.00	61,261	no increase since 2013
9. Poway	1,304.05	1,825.67	50,207	last increase January 2017
10. Encinitas	1,719.70	1,819.70	63,158	last increase Dec 2018
11. Imperial Beach	641.00	1,441.00	28,163	last increase 2016
12. Lemon Grove	803.00	1,405.21	26,834	last increased Dec 2016
13. San Marcos	977.66	977.66	95,768	no increase since 2013
14. Coronado	913.50	913.50	21,683	last increase Dec 2018
15. Solana Beach	712.58	712.58	13,938	no increase since 2013
16. Del Mar	300.00	300.00	4,322	no increase since 2013

⁽¹⁾ National City has full time Mayor

⁽²⁾ San Diego and Chula Vista are not included for comparison

**Comparison of Other Cities in San Diego County
Monthly Salaries**

as of March 2019

Sorted by Council

CITY ⁽²⁾	Council Salary	Mayor Salary	Population	
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8. Poway	1,304.05	1,825.67	50,207	last increase January 2017
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⁽¹⁾ National City has full time Mayor

⁽²⁾ San Diego and Chula Vista are not included for comparison

**Comparison of Other Cities in San Diego County
Auto Allowance**
as of March 2019

CITY ⁽²⁾	Council Auto Allowance	Mayor Auto Allowance	Population
1. National City	none	750 ⁽¹⁾	62,257
2. Escondido	750	750	151,478
3. El Cajon	450	550	105,557
4. Carlsbad	350	450	114,622
5. Oceanside	350	400	177,362
6. La Mesa	350	400	61,261
7. Santee	350	350	56,994
8. Encinitas	350	350	63,158
9. Solana Beach	350	350	13,938
10. San Marcos	300	300	95,768
11. Poway	300	300	50,207
12. Coronado	150	225	21,683
13. Lemon Grove	175	175	26,834
14. Vista	none	none	103,381
15. Del Mar	none	none	4,322
16. Imperial Beach	none	none	28,163

⁽¹⁾ National City has full time Mayor

⁽²⁾ San Diego and Chula Vista are not included for comparison

City of Santee
COUNCIL AGENDA STATEMENT

Item 19

MEETING DATE June 26, 2019

AGENDA ITEM NO.

ITEM TITLE **SELECTION OF VOTING REPRESENTATIVE AND ALTERNATE FOR
LEAGUE OF CALIFORNIA CITIES' ANNUAL CONFERENCE**


DIRECTOR/DEPARTMENT Annette Ortiz, City Clerk 

SUMMARY

The League of California Cities 2019 Annual Conference is scheduled for Wednesday, October 16 through Friday, October 18, 2019, at the Long Beach Convention Center. Notice has been received from the League requesting each City select a voting representative and alternate, specifically for the Annual Business Meeting. At this meeting, the League membership considers and takes action on resolutions that establish League policy.


FINANCIAL STATEMENT N/A

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION 
Select a voting representative and alternate to attend the Annual Business Meeting and direct the City Clerk to complete and forward the Voting Delegate/Alternate to the League of California Cities.

ATTACHMENTS

None