



City Council
Mayor John W. Minto
Vice Mayor Ronn Hall
Council Member Laura Koval
Council Member Rob McNelis
Council Member Dustin Trotter

CITY OF SANTEE REGULAR MEETING AGENDA Santee City Council

City Manager | Marlene D. Best
City Attorney | Shawn D. Hagerty
City Clerk | Annette Fagan Ortiz

MEETING INFORMATION

Wednesday, May 25, 2022

6:30 p.m.

Council Chambers | Building 2

10601 Magnolia Ave • Santee, CA 92071

Staff

Assistant to the City Manager | Kathy Valverde
Community Services Director | Nicolas Chavez
Finance Director/Treasurer | Tim McDermott
Fire & Life Safety Director/Fire Chief | John Garlow
Human Resources Director | Matt Rankin
Law Enforcement | Captain Michael McNeill

TO WATCH LIVE:

AT&T U-verse channel 99 (SD Market) | Cox channel 117 (SD County)
www.cityofsanteeca.gov

IN-PERSON ATTENDANCE

Please be advised that current public health orders recommend that attendees wear face coverings while inside the Council Chambers.

LIVE PUBLIC COMMENT

Members of the public who wish to comment on matters on the City Council agenda or during Non-Agenda Public Comment may appear in person and submit a speaker slip, before the item is called. Your name will be called when it is time to speak.

PLEASE NOTE: Public Comment will be limited to 3 minutes and speaker slips will only be accepted until the item is called. The timer will begin when the participant begins speaking.



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

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

LEGISLATIVE INVOCATION: Carlton Hills Evangelical Lutheran Church – Reverend
Andreas Walker-Thode

PLEDGE OF ALLEGIANCE

PRESENTATION: San Diego County Fair June 8 – July 4

CONSENT CALENDAR:

PLEASE NOTE: Consent Calendar items are considered routine and will be approved by one motion, with no separate discussion prior to voting. The public, staff or Council Members 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. (City Clerk – Ortiz)**
- (2) **Approval of Meeting Minutes of the Santee City Council for the April 27, and May 11, 2022, Regular Meetings. (City Clerk – Ortiz)**
- (3) **Approval of Payment of Demands as Presented. (Finance – McDermott)**
- (4) **Approval of the Expenditure of \$66,281.12 for April 2022 Legal Services and Reimbursable Costs. (Finance – McDermott)**
- (5) **Adoption of Resolutions Approving the Engineer’s Report, and Declaring the City Council’s Intention to Levy Assessments and Setting a Public Hearing for the FY 2022-23 Santee Landscape Maintenance District Annual Levy of Assessments. (Finance – McDermott)**
- (6) **Adoption of Resolutions Approving the Engineer’s Report and Declaring the City Council’s Intention to Levy Assessments and Setting a Public Hearing for the FY 2022-23 Town Center Landscape Maintenance District Annual Levy of Assessments. (Finance – McDermott)**
- (7) **Adoption of Resolutions Approving the Engineer’s Report and Declaring the City Council’s Intention to Levy Assessments and Setting a Public Hearing for the FY 2022-23 Santee Roadway Lighting District Annual Levy of Assessments. (Finance – McDermott)**



- (8) **City Conflict of Interest Code – Biennial Review. (City Clerk – Ortiz)**
- (9) **Adoption of a Resolution Accepting the Public Improvements for the Castlerock Project on Mast Boulevard (IP2014-01) as Complete. Location: Mast Boulevard at Weston Road. (Development Services – Engineering)**
- (10) **Adoption of a Resolution Accepting the Parking Lot Resurfacing 2022 (CIP 2022-35) Project as Complete. (Development Services – Engineering)**
- (11) **Adoption of a Resolution Extending Fire Risk Emergency Proclamation for Creation of Defensible Space and Fuel Reduction Throughout the San Diego River Corridor, Waiving the Requirement for Competitive Bidding, and Authorizing the City Manager to Enter into Contracts to Create Defensible. (City Manager – Best)**
- (12) **Adoption of a Resolution Adopting a List of Projects for Fiscal Year 2022-23 Funded by Senate Bill 1: The Road Repair and Accountability Act of 2017. (Development Services – Engineering)**
- (13) **Authorize T.J. Janca Construction, Inc. to Perform Emergency Playground Surface Repairs at Sky Ranch Park in an Amount of \$2,906.00, Bringing the Fiscal Year 2021/22 Total to \$27,699.00. (Community Services – Chavez)**

NON-AGENDA PUBLIC COMMENT (15 minutes):

Persons 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. This first Non-Agenda Public Comment period is limited to a total of 15 minutes. Additional Non-Agenda Public Comment is received prior to Council Reports.

CONTINUED BUSINESS:

- (14) **Update on the Delivery of Building Division Services within the Department of Development Services and Authorization for the City Manager to Execute an Amendment to the Professional Services Agreement with Interwest Consulting Group, Inc. to Extend the Agreement. (Development Services – Planning)**

Recommendation:

1. Receive update on the delivery of Building Division Services within the Department of Development Services and provide direction to staff; and
2. Authorize the City Manager to execute an Amendment to the Professional Services Agreement with Interwest Consulting Group, Inc. extending the agreement.



NEW BUSINESS:

- (15) Resolution Repealing Resolution Nos. 093-2020, 094-2020, 095-2020, 096-2020, 097-2020, 098-2020, and Ordinances No. 580 and 581, which Concerned Project-Related Approvals for the Fanita Ranch Project. (City Attorney – Hagerty)**

Recommendation:

Adopt the Resolution:

1. Repealing Resolution Nos. 093-2020, 094-2020, 095-2020, 096-2020, 097-2020, 098-2020, and Ordinances Nos. 580 and 581, which concern Project-related approvals for the Fanita Ranch Project, pursuant to the Court Judgment in Case No. 37-2020-00038168-CU-WM-CTL.
2. Determining the Resolution is exempt from environmental review under the California Environmental Quality Act.

- (16) Approval of a Sixth Amendment to the Sports Park Maintenance and Operations Services Agreement with Sportsplex USA for the Construction of a Mini Soccer Arena Field and Determining the Project is Categorically Exempt from Environmental Review Under the California Environmental Quality Act. (City Manager – Best)**

Recommendation:

1. Approve the Sixth Amendment to the Sports Park Maintenance and Operations Services Agreement; and
2. Authorize the City Manager to execute the Sixth Amendment; and
3. Determine that the Project is Categorically Exempt from environmental review under the California Environmental Quality Act.

- (17) Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Rick Engineering Company for the Preparation of the Master Drainage Study Update (CIP 2022-20). (Development Services – Engineering)**

Recommendation:

Adopt the Resolution authorizing the City Manager to execute a professional services agreement with Rick Engineering Company in the amount of \$399,490.00 for the preparation of the Master Drainage Study Update and authorizing the City Manager, Director of Development Services or City Engineer to approve amendments in a total amount not to exceed \$39,940.00.

- (18) Resolution Awarding the Construction Contract for the Citywide Slurry Seal and Roadway Maintenance Program 2022 (CIP 2022-02) Project and Determining the Project is Categorically Exempt from Environmental Review Under the California Environmental Quality Act. (Development Services – Engineering)**

Recommendation:

Adopt the Resolution:

1. Awarding the construction contract for the Citywide Slurry Seal and Roadway Maintenance Program 2022 (CIP 2022-02) Project to PAL General Engineering, Inc. for a total amount of \$1,684,969.62; and
2. Authorizing the City Manager, Director of Development Services or City Engineer to approve change orders in a total amount not to exceed \$225,000.00; and
3. Determining the Project is Categorically Exempt from Environmental Review under the California Environmental Quality Act.

- (19) Resolution Approving a Memorandum of Understanding (MOU) Between the County of San Diego and the Cities of El Cajon, La Mesa, Lemon Grove and Santee to Support Homeless Efforts and Services. (City Manager – Best)**

Recommendation:

Approve the MOU between the County of San Diego and the cities of El Cajon, La Mesa, Lemon Grove and Santee to support homeless efforts and services, and authorize the City Manager to execute the MOU.

- (20) Resolution Supporting Senate Bill 1338 for a Community Assistance, Recovery, and Empowerment (CARE) Court Program. (City Manager – Best)**

Recommendation:

Provide direction on the adoption of a Resolution supporting SB 1338 for a Community Assistance, Recovery, and Empowerment (CARE) Court Program.

NON-AGENDA PUBLIC COMMENT (Continued):

All public comment not presented within the first Non-Agenda Public Comment period above will be heard at this time.

CITY COUNCIL REPORTS:

CITY MANAGER REPORTS:

CITY ATTORNEY REPORTS:

CLOSED SESSION:

(21) Conference with Real Property Negotiators

(Government Code section 54956.8)

Property: Parcel 4 of Parcel Map 18857 located in Trolley Square

City Negotiator: City Manager

Negotiating Parties: Excel Hotel Group and Santee Trolley Square 991, LP

Under Negotiation: Price and terms of payment

ADJOURNMENT:



**BOARDS, COMMISSIONS & COMMITTEES
MAY & JUNE MEETINGS**

May	05	SPARC	Council Chamber
May	09	Community Oriented Policing Committee	Council Chamber
May	11	Council Meeting	Council Chamber
May	25	Council Meeting	Council Chamber
Jun	02	SPARC	Council Chamber
Jun	08	Council Meeting	Council Chamber
Jun	13	Community Oriented Policing Committee	Council Chamber
Jun	22	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.



MEETING DATE May 25, 2022

ITEM TITLE PRESENTATION – SAN DIEGO COUNTY FAIR 2022

DIRECTOR/DEPARTMENT John W. Minto, Mayor

SUMMARY

A member from the San Diego County Fair outreach team will be present at the City Council meeting to provide the City Council with an update regarding the activities at San Diego County Fair happening June 8, 2022, through July 4, 2022.

FINANCIAL STATEMENT

N/A

CITY ATTORNEY REVIEW N/A • Completed

RECOMMENDATION

Receive the presentation.

ATTACHMENT

None.

MEETING DATE May 25, 2022

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, CMC, City Clerk

SUMMARY

This Item asks the City Council to waive the reading in full of all Ordinances on the Agenda (if any) and approve their reading by title only. The purpose of this Item is to help streamline the City Council meeting process, to avoid unnecessary delay and to allow more time for substantive discussion of Items on the agenda.

State law requires that all Ordinances be read in full either at the time of introduction or at the time of passage, unless a motion waiving further reading is adopted by a majority of the City Council. (Gov. Code, § 36934). This means that each word in each Ordinance would have to be read aloud unless such reading is waived. Such reading could substantially delay the meeting and limit the time available for discussion of substantive Items. Adoption of this waiver streamlines the procedure for adopting the Ordinances on tonight's Agenda (if any), because it allows the City Council to approve Ordinances by reading aloud only the title of the Ordinance instead of reading aloud every word of the Ordinance.

The procedures for adopting Resolutions are not as strict as the procedures for adopting Ordinances. For example, Resolutions do not require two readings for passage, need not be read in full or even by title, are effective immediately unless otherwise specified, do not need to be in any particular format unless expressly required, and, with the exception of fixing tax rates or revenue amounts, do not require publication. However, like Ordinances, all Resolutions require a recorded majority vote of the total membership of the City Council. (Gov. Code § 36936).

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.

ATTACHMENT

None



MEETING DATE May 25, 2022

ITEM TITLE APPROVAL OF MEETING MINUTES OF THE SANTEE CITY COUNCIL FOR THE APRIL 27, AND MAY 11, 2022, REGULAR MEETINGS

DIRECTOR/DEPARTMENT Annette Ortiz, CMC, City Clerk



SUMMARY

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

FINANCIAL STATEMENT

N/A

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION

Approve Minutes as presented.

ATTACHMENT

Regular Meeting Minutes

- April 27, 2022
- May 11, 2022

DRAFT

**Minutes
Santee City Council
Council Chamber – Building 2
10601 Magnolia Avenue
Santee, California
April 27, 2022**

This Regular Meeting of the Santee City Council was called to order by Mayor John W. Minto at 6:30 p.m.

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

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

INVOCATION was given by Brian Wilbur – The Village Church San Diego

PLEDGE OF ALLEGIANCE was led by Matt Rankin, Director of Human Resources

CONSENT CALENDAR:

Mayor Minto requested Item 8 be pulled from Consent and heard after Item 16.

- (1) **Approval of Reading by Title Only and Waiver of Reading in Full of Ordinances and Resolutions on the Agenda. (City Clerk – Ortiz)**
- (2) **Approval of Meeting Minutes of the Santee City Council for the April 13, 2022, Regular Meeting and the April 20, 2022, District 4 Town Hall Meeting. (City Clerk – Ortiz)**
- (3) **Approval of Payment of Demands as Presented. (Finance – McDermott)**
- (4) **Approval of the Expenditure of \$88,289.18 for March 2022 Legal Services and Reimbursable Costs. (Finance – McDermott)**
- (5) **Adoption of a Resolution Authorizing the Award of a Contract for Custodial Services – Offices to Prizm Janitorial Services, Inc. per RFB #22/23-20060, in an Amount Not to Exceed \$63,045.27. (Public Services Department) (Reso 045-2022)**
- (6) **Adoption of a Resolution Accepting the Council Chamber A/V Upgrades (CIP 2016-51) Project as Complete. (Development Services – Engineering) (Reso 046-2022)**
- (7) **Adoption of a Resolution Accepting the City Hall Trash Enclosure**

- Modifications (CIP 2018-52) Project as Complete. (Development Services – Engineering) (Reso 047-2022)**
- (8) Item Pulled for Discussion
 - (9) Adoption of a Resolution Accepting the Bridge Repairs – Magnolia Avenue (CIP 2013-01) Project as Complete. (Development Services – Engineering) (Reso 049-2022)
 - (10) Adoption of a Resolution Authorizing the Submittal of a Grant Application to the Federal Nationally Significant Multimodal Freight and Highway Projects Grant Program (INFRA) for State Route 52 (SR-52) Improvements. (Development Services – Engineering) (Reso 050-2022)
 - (11) Adoption of a Resolution Supporting a Submittal of a FY 2023 Community Project Funding Request Form to Congressman Darrell Issa (CA-50) for Consideration for the Subcommittee on Transportation, Housing and Urban Development for Additional Funding for the Santee Community Center. (City Manager – Best) (Reso 051-2022)
 - (12) Adoption of a Resolution Acknowledging Receipt of a Report Made by the Fire Chief in Accordance with Section 13146.4 of the California Health and Safety Code (Annual Fire Inspection Compliance Report). (Fire – Garlow) (Reso 052-2022)
 - (13) Purchase of a New 800MHz Portable Radio from Motorola Solutions, Inc. per County of San Diego Regional Communications System Contract No. 553982 in an Amount Not to Exceed \$7,540.30. (Fire – Garlow)
 - (14) Acceptance and Appropriation of the Monetary Donation of \$8,014.58 for the Purchase of Fencing Materials for the Pickleball Courts at Big Rock Park from the Santee Community Foundation. (Public Services Department)

ACTION: Vice Mayor Hall moved approval of the Consent Calendar and Agenda as amended.

Council Member Trotter seconded the motion, which carried by the following vote: Mayor Minto: Aye; Vice Mayor Hall: Aye; and Council Members Koval: Aye; McNelis: Aye; and Trotter: Aye. Ayes: 5. Noes: 0.

NON-AGENDA PUBLIC COMMENT (15 minutes):

- (A) Steven G. Sidlovsky spoke regarding the City of Santee Charter.

PUBLIC HEARING:

- (15) **Public Hearing to Adopt a Resolution Approving the Program Year 2022 Annual Action Plan and Authorizing the City Manager to Submit a Grant Application for Community Development Block Grant (CDBG) Funds to the Department of Housing and Urban Development (HUD). (Development Services – Engineering) (Reso 053-2022)**

The Public Hearing was opened at 6:41 p.m. The Senior Management Analyst provided a PowerPoint presentation and responded to Council questions.

MOTION: Vice Mayor Hall moved approval of staff recommendation. Council Member Koval seconded the motion.

FAILED AMENDMENT: Council Member McNelis requested a friendly amendment to bring the item back to council if there is a greater than ten percent difference in funds. The Amendment failed due to lack of second.

ACTION: The motion carried by the following vote: Mayor Minto: Aye; Vice Mayor Hall: Aye; and Council Members Koval: Aye; McNelis: Aye; and Trotter: Aye. Ayes: 5. Noes: 0.

The Public Hearing was closed at 6:53 p.m.

- (16) **Public Hearing for the “Prospect Estates II” Major Revision (MJR2022-1) to Tentative Map (TM2016-3) and Development Review Permit (DR2016-4) to Waive the Requirement of Undergrounding Overhead Facilities for a Residential Subdivision Consisting of 38 Condominium Units and 15 Single-Family Residences Located on a 6.8-Acre Site on Prospect Avenue at Marrokal Lane (APN 383-112-32 and 383-112-55). Applicant: M. Grant Real Estate, Inc. (Michael Grant). (Development Services – Planning)**

The Public Hearing was opened at 6:53 p.m. The Principal Planner introduced the Item and the Associate Planner and Principal Civil Engineer provided a PowerPoint presentation and responded to Council questions.

PUBLIC SPEAKER(S):

- Lynda Marrokal
- Michael Grant
- Jordan Keenan

Failed Motion: Vice Mayor Hall moved to table the item, the motion failed due to lack of second.

ACTION: Council Member Koval moved approval of staff recommendation.

Council Member McNelis seconded the motion, which carried by the following vote: Mayor Minto: No; Vice Mayor Hall: No; and Council Members Koval: Aye; McNelis: Aye; and Trotter: Aye. Ayes: 3. Noes: 2.

The Public Hearing was closed at 7:25 p.m.

Item Pulled from Consent Calendar:

- (8) **Adoption of a Resolution Approving the Final Map for 24 Condominium Units and One Common Lot (TM2005-05) and Authorizing the City Manager to Execute the Associated Subdivision Improvement Agreement. Location: East Side of Marrokal Lane. Applicant: James Meng. (Development Services – Engineering) (Reso 048-2022)**

Action: Council Member Koval moved approval of staff recommendation.

Vice Mayor Hall seconded the motion, which carried by the following vote: Mayor Minto: Aye; Vice Mayor Hall: Aye; and Council Members Koval: Aye; McNelis: Aye; and Trotter: Aye. Ayes: 5. Noes: 0.

CONTINUED BUSINESS:

- (17) **Approve the City's Participation in the San Diego County Sheriff's Department's Safe Santee Program and Authorize the City Manager to Execute the Related Memorandum of Understanding. (Sheriff – McNeill)**

Caption Michael McNeill introduced the Item and Caption Mike Rand provided a PowerPoint presentation and responded to Council questions.

FAILED MOTION: Vice Mayor Hall moved approval of staff recommendation.

Mayor Minto seconded the motion, which failed by the following vote: Mayor Minto: Aye; Vice Mayor Hall: Aye; and Council Members Koval: No; McNelis: No; and Trotter: No. Ayes: 2. Noes: 3.

After discussion, the City Council directed staff to bring the item back at a later date.

NEW BUSINESS:

- (18) **Resolution Adopting the City of Santee VMT Analysis Guidelines Containing "Vehicle Miles Traveled" Thresholds of Significance for Purposes of Analyzing Transportation Impacts Under the California Environmental Quality Act. (Development Services – Engineering) (Reso 054-2022)**

The Principal Traffic Engineer provided a PowerPoint presentation and responded to

Council questions. Mrs. Katie Cole with Fehr Peers also responded to Council questions.

ACTION: Vice Mayor Hall moved approval of staff recommendation.

Council Member Koval seconded the motion, which carried by the following vote: Mayor Minto: Aye; Vice Mayor Hall: Aye; and Council Members Koval: Aye; McNelis: Aye; and Trotter: Aye. Ayes: 5. Noes: 0.

NON-AGENDA PUBLIC COMMENT: (Continued)

None.

CITY COUNCIL REPORTS:

Vice Mayor Hall reported that the San Diego Metropolitan Transit System (MTS) is running a pilot program called PRONTO, where starting May 1, all riders 18 and under can ride MTS and North County Transit District (NCTD) services for free.

Council Member Trotter thanked citizens for attending the District 4 Town Hall meeting.

Council Member McNelis thanked everyone for attending the Santee Hero's Dinner and congratulated the recipients; he also expressed gratitude for the tribute to the late Buddy Rabaya.

Mayor Minto stated he will be in Sacramento at the California League of Cities conference and will not attend the May 11, 2022, City Council meeting.

CITY MANAGER REPORTS:

The City Manager informed the community that three Council Members represented the City of Santee at the Lakeside Rodeo parade; she also mentioned the Thursday Night Live event at Trolley Square Amphitheater.

CITY ATTORNEY REPORTS:

None.

CLOSED SESSION:

None.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:23 p.m.

Date Approved:

Annette Fagan Ortiz, CMC, City Clerk

DRAFT

**Minutes
Santee City Council
Council Chamber – Building 2
10601 Magnolia Avenue
Santee, California
May 11, 2022**

This Regular Meeting of the Santee City Council was called to order by Mayor John W. Minto at 6:30 p.m.

ROLL CALL: Present: Vice Mayor Ronn Hall and Council Members Laura Koval, Rob McNelis and Dustin Trotter – 4. Absent: Mayor Minto – 1.

Officers present: City Manager Marlene Best and City Attorney Shawn Hagerty

INVOCATION was given by Gary Lawton – Calvary Chapel of Santee

PLEDGE OF ALLEGIANCE was led by Gary Lawton – Calvary Chapel of Santee

PROCLAMATION: Proclaiming May 15 – 21, 2022 as Public Works Week in the City of Santee

Council Member Trotter presented the Proclamation to Public Services Division staff.

PROCLAMATION: Proclaiming May 1 – 7, 2022 as National Small Business Week in the City of Santee

Council Member McNelis presented the Proclamation to James Sly, East County Economic Development Council and a Certificate to Joel Cruz, SoCal Truck Accessories & Equipment.

PRESENTATION: County of San Diego Presentation: San Diego Regional Decarbonization Framework

Murtaza Baxamusa, County of San Diego, provided a PowerPoint presentation.

CONSENT CALENDAR:

- (1) **Approval of Reading by Title Only and Waiver of Reading in Full of Ordinances and Resolutions on the Agenda. (City Clerk – Ortiz)**
- (2) **Approval of Payment of Demands as Presented. (Finance – McDermott)**
- (3) **Award of an Agreement for HVAC Maintenance and Repair Services to Paradigm Mechanical Corp. per RFB #22/23-20061, in an Amount Not to Exceed \$26,366.00. (Public Services Department)**

- (4) Authorization of the Fourth Amendment to the Agreement with Countywide Mechanical Systems, Incorporated for HVAC Maintenance and Repair Services for Emergency A/C Unit Replacement at Fire Station No. 4. (Public Services Department)
- (5) Calendar Year 2021 Sustainable Santee Plan Annual Report to City Council. (Development Services – Planning)
- (6) Adoption of a Resolution Approving the First Amendment to the Employee Benefits Consulting Services Agreement with Keenan & Associates to Extend the Agreement. (Human Resources – Rankin) (**Reso 055-2022**)
- (7) Claim Against the City by Erika Capp. (Human Resources – Rankin)
- (8) Claim Against the City by Yongchang Xia. (Human Resources – Rankin)

ACTION: Council Member McNelis moved approval of the Consent Calendar.

Council Member Trotter seconded the motion, which carried by the following vote: Vice Mayor Hall: Aye; and Council Members Koval: Aye; McNelis: Aye; and Trotter: Aye. Ayes: 4. Noes: 0. Absent: Mayor Minto – 1.

NON-AGENDA PUBLIC COMMENT (15 minutes):

- (A) Steven G. Sidlovsky, Citizens for Life and Peace, spoke regarding pro-life issues.
- (B) Michael Tramontano stated he lives on Cathywood Drive in Santee and there is an issue regarding a trailer that the City and the sheriff need to be made aware of.

PUBLIC HEARING:

- (9) Public Hearing and Resolution Approving General Plan Amendment GPA2022-1 to Amend the Housing Element (Sixth Cycle: 2021-2029) of the Santee General Plan. (Development Services – Planning) (**Reso 056-2022**)

The Public Hearing was opened at 7:03 p.m. The Principal Planner introduced the Item and the Associate Planner provided a PowerPoint presentation.

PUBLIC SPEAKER(S):

- Christopher Allen

ACTION: Council Member McNelis moved approval of staff recommendation.

Council Member Trotter seconded the motion, which carried by the following vote: Vice Mayor Hall: Aye; and Council Members Koval: Aye; McNelis: Aye; and Trotter: Aye. Ayes: 4. Noes: 0. Absent: Mayor Minto – 1.

The Public Hearing was closed at 7:08 p.m.

NEW BUSINESS:

- (10) **Resolution Waiving an Immaterial Deviation and Awarding the Construction Contract for the Citywide Crack Sealing Program 2022 (CIP 2022-07) Project and Determining the Project is Categorically Exempt from Environmental Review Under the California Environmental Quality Act. (Development Services – Engineering) (Reso 057-2022)**

The City Engineer provided a PowerPoint presentation and responded to Council questions.

ACTION: Council Member Trotter moved approval of staff recommendation.

Council Member McNelis seconded the motion, which carried by the following vote: Vice Mayor Hall: Aye; and Council Members Koval: Aye; McNelis: Aye; and Trotter: Aye. Ayes: 4. Noes: 0. Absent: Mayor Minto – 1.

- (11) **Resolution Awarding the Construction Contract for the Citywide Pavement Repair and Rehabilitation Program 2022 (CIP 2022-01) Project and Determining the Project is Categorically Exempt from Environmental Review Under the California Environmental Quality Act. (Development Services – Engineering) (Reso 058-2022)**

ACTION: Council Member Koval moved approval of staff recommendation.

Council Member McNelis seconded the motion, which carried by the following vote: Vice Mayor Hall: Aye; and Council Members Koval: Aye; McNelis: Aye; and Trotter: Aye. Ayes: 4. Noes: 0. Absent: Mayor Minto – 1.

- (12) **Authorization to Award Agreement for July 4th Aerial Fireworks Display to Fireworks & Stage FX America per RFP #22/23-40025. (Public Services Department)**

The Public Services Manager provided a PowerPoint presentation and responded to Council questions.

ACTION: Council Member McNelis moved approval of staff recommendation.

Council Member Trotter seconded the motion, which carried by the following vote: Vice Mayor Hall: Aye; and Council Members Koval: Aye; McNelis: Aye; and Trotter: Aye. Ayes: 4. Noes: 0. Absent: Mayor Minto – 1.

(13) **Resolution Approving an Amended Salary Schedule for Hourly, General and Management Employees. (Human Resources – Rankin) (Reso 059-2022)**

The Director of Human Resources provided a staff report and responded to Council questions.

ACTION: Council Member McNelis moved approval of staff recommendation.

Council Member Koval seconded the motion, which carried by the following vote: Vice Mayor Hall: Aye; and Council Members Koval: Aye; McNelis: Aye; and Trotter: Aye. Ayes: 4. Noes: 0. Absent: Mayor Minto – 1.

NON-AGENDA PUBLIC COMMENT: (Continued)

None.

CITY COUNCIL REPORTS:

Council Member Koval reported on a vote by the San Diego County Board of Supervisor's regarding gender issues in sports.

Council Member Trotter expressed support for Council Member Koval's report.

Council Member McNelis expressed support for Council Member Koval's report and sang happy birthday to Council Member Trotter.

Vice Mayor Hall reported on his attendance to the 39th Annual Law Enforcement Celebration.

CITY MANAGER REPORTS:

The City Manager reported on Thursday Night Live event and the shred event taking place in Santee.

CITY ATTORNEY REPORTS:

None.

CLOSED SESSION:

None.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 7:30 p.m.

Date Approved:

Annette Fagan Ortiz, CMC, City Clerk

MEETING DATE May 25, 2022

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*

Approve the Payment of Demands as presented.

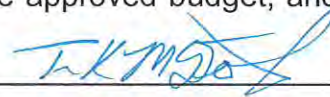
ATTACHMENT

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

Payment of Demands
Summary of Payments Issued

<u>Date</u>	<u>Description</u>	<u>Amount</u>
05/02/22	Retiree Health	5,567.00
05/04/22	Accounts Payable	566,910.94
05/05/22	Accounts Payable	210,428.73
05/05/22	Accounts Payable	40,765.00
05/05/22	Payroll	360,654.76
05/09/22	Accounts Payable	101,792.64
05/10/22	Accounts Payable	119,713.32
05/12/22	Accounts Payable	<u>176,779.75</u>
	TOTAL	<u>\$1,582,612.14</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

EARNINGS SECTION					DEDUCTIONS SECTION			LEAVE SECTION					
Type	Hours/units	Rate	Amount	Src	Plan	Base Wages	Deduction	Benefit/Cont	LvPlan	Accrued	Taken	Banked	Lost
Grand Totals					Employees: 32								
reth			5,824.00		catax	5,824.00	46.00						
					fedtax	5,824.00	211.00						
Grand Totals	0.00		5,824.00				257.00	0.00					

Gross:	5,824.00
Net:	5,567.00

<< No Errors / No Warnings >>

*Transfer
May Retiree Health*

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
130347	5/4/2022	12060 ACCOUNTING PRINCIPALS	12357132	53612	TEMPORARY ACCOUNTING SPECI/	362.64
					Total :	362.64
130348	5/4/2022	10412 AT&T	301053963 - MAY22		MAST PARK	100.94
					Total :	100.94
130349	5/4/2022	12506 BEST, MARLENE	42222-d		ICSC 2022 LAS VEGAS	181.00
					Total :	181.00
130350	5/4/2022	10478 CALIFORNIA DEPARTMENT OF	SALES TAX CY 2021 USE TAX JAN-MAR 2022 USE TAX OCT-DEC 2021		SALES TAX CALENDAR YEAR 2021 USE TAX JAN - MARCH 2022 USE TAX OCT-DEC 2021	46.30 237.00 122.22
					Total :	405.52
130351	5/4/2022	10299 CARQUEST AUTO PARTS	11102-555531	53407	VEHICLE REPAIR PARTS	313.10
					Total :	313.10
130352	5/4/2022	14527 CHAVEZ, NICOLAS	773716790002		FINGERPRINT REIMBURSEMENT	62.00
					Total :	62.00
130353	5/4/2022	10032 CINTAS CORPORATION #694	4116264912	53483	UNIFORM/PARTS CLEANER RNTL	81.53
					Total :	81.53
130354	5/4/2022	11862 CORODATA SHREDDING INC	DN 1355800	53566	SECURE DESCTRUCTION SERVICE	45.82
					Total :	45.82
130355	5/4/2022	10486 COUNTY OF SAN DIEGO	202200271		RECORDED DOC FEES	184.00
					Total :	184.00
130356	5/4/2022	10486 COUNTY OF SAN DIEGO	CIP 2022-07 NOE		COUNTY RECORDER FEE - NOE	50.00
					Total :	50.00
130357	5/4/2022	10333 COX COMMUNICATIONS	063453006-APRIL22 094557601-MAY22 094604602-APRIL22 112256001-APRIL22		9534 VIA ZAPADOR 10601 N MAGNOLIA AVE APT 3 CITY HALL GROUP BILL 9130 CARLTON OAKS DR	91.64 37.50 1,148.93 91.56

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
130357	5/4/2022	10333 10333 COX COMMUNICATIONS	(Continued)			Total : 1,369.63
130358	5/4/2022	10054 ELDERHELP OF SAN DIEGO	03312022 - ELDERHELP	53689	CDBG SUBRECIPIENT	521.54 Total : 521.54
130359	5/4/2022	10057 SAFEUILT, LLC LOCKBOX #88135	03/2022		SHARE OF FEES	125,950.73 Total : 125,950.73
130360	5/4/2022	10988 ESPINOLA, TOBY	04072022		EMPLOYEE REIMBURSEMENT	58.07 Total : 58.07
130361	5/4/2022	10580 FASTENAL COMPANY	CAELC82619	53737	COLD PATCH	4,627.86 Total : 4,627.86
130362	5/4/2022	10251 FEDERAL EXPRESS	7-739-57969		SHIPPING CHARGES	120.44 Total : 120.44
130363	5/4/2022	10196 FIRE PREVENTION SERVICES INC	04292022		WEED ABATEMENT	3,064.10 Total : 3,064.10
130364	5/4/2022	14533 FLIGHT GOLF LLC	74169	53808	ECON DEV FEASIBILITY STUDY	12,500.00 Total : 12,500.00
130365	5/4/2022	12760 FOCUS PSYCHOLOGICAL	SANTEE2022_SUP SANTEE2022-3	53523 53523	COUNSELING SERVICES COUNSELING SERVICES	400.00 800.00 Total : 1,200.00
130366	5/4/2022	12876 FUN 4 KIDS ENTERTAINMENT	4262022		THURSDAY NIGHTS LIVE	600.00 Total : 600.00
130367	5/4/2022	11875 HALL, RONN	42222-a		ICSC 2022 LAS VEGAS	181.00 Total : 181.00
130368	5/4/2022	10490 HARRIS & ASSOCIATES INC	52199	53305	SAFETY & ENV JUSTICE ELEMENT	8,271.25 Total : 8,271.25
130369	5/4/2022	11196 HD SUPPLY FACILITIES	9201763384	53409	STATION SUPPLIES	364.57 Total : 364.57

Bank code : ubqen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
130370	5/4/2022	14459 HMC GROUP	161755	53747	SANTEE COMMUNITY CENTER	87,667.65
Total :						87,667.65
130371	5/4/2022	11391 HUMPHREY, BREANNE	42222-e		ICSC 2022 LAS VEGAS	181.00
Total :						181.00
130372	5/4/2022	13223 KOVAL, LAURA	42222C		ICSC 2022 LAS VEGAS	181.00
Total :						181.00
130373	5/4/2022	14368 LEE, ROSS	51222		THURSDAY NIGHTS LIVE	650.00
Total :						650.00
130374	5/4/2022	10204 LIFE ASSIST INC	1197283	53477	EMS SUPPLIES	96.65
Total :						96.65
130375	5/4/2022	10174 LN CURTIS AND SONS	INV586556	53792	SAFETY APPAREL	1,322.54
Total :						1,322.54
130376	5/4/2022	14470 M.W STEEL GROUP, INC	2200-02	53741	SANTEE ART AND ENTERTAINMEN	6,995.00
Total :						6,995.00
130377	5/4/2022	10720 MALL MEDIA INC	24532U		HOP DOWN BUNNY TRAIL	384.02
Total :						384.02
130378	5/4/2022	10079 MEDICO HEALTHCARE LINEN	20585416 20585419	53546 53546	MEDICAL LINEN SERVICE MEDICAL LINEN SERVICE	20.62 13.01
Total :						33.63
130379	5/4/2022	14526 MIKEN M. COBBS VAN DUESEN	Ref000077972		CORRECTED LICENSE TYPE REFU	43.00
Total :						43.00
130380	5/4/2022	10083 MUNICIPAL EMERGENCY SERVICES	IN1698990	53454	SAFETY APPAREL	311.70
Total :						311.70
130381	5/4/2022	10308 O'REILLY AUTO PARTS	2968-479641	53458	VEHICLE SUPPLIES	19.04
Total :						19.04
130382	5/4/2022	13056 PACIFIC SWEEPING	154881PS	53497	STREET SWEEPING SVCS	16,109.25

Voucher List
CITY OF SANTEE

Bank code : ubgen


Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
130382	5/4/2022	13056 13056 PACIFIC SWEEPING	(Continued)			Total : 16,109.25
130383	5/4/2022	11888 PENSKE FORD	10394755 186932	53486 53486	VEHICLE REPAIR PARTS VEHICLE SERVICE & INSPECTION	331.66 36.00 Total : 367.66
130384	5/4/2022	10157 PRIMO DJ'S	5522		THURSDAY NIGHTS LIVE	400.00 Total : 400.00
130385	5/4/2022	10407 SAN DIEGO GAS & ELECTRIC	0422 970 321 8-APR22 2237 358 004 2-APR22 3422 380 562 8 APR22 4394 020 550 9 APR22 7990 068 577 7 APR22 8509 742 169 4 APR22		STREET LIGHTS TRAFFIC SIGNALS ROW / MEDIANS LMD PARKS CITY HALL GROUP BILL	43,880.10 6,218.53 228.85 3,773.20 17,557.03 9,852.21 Total : 81,509.92
130386	5/4/2022	13171 SC COMMERCIAL, LLC	2104749-IN 2107450-IN	53480 53480	DELIVERED FUEL DELIVERED FUEL	801.04 678.20 Total : 1,479.24
130387	5/4/2022	13554 SC FUELS	0533947-DEF 0533947-F	53488 53481	DIESEL EXHAUST FLUID (DEF) FLEET CARD FUELING	9.89 1,829.41 Total : 1,839.30
130388	5/4/2022	14284 SDI PRESENCE LLC	9280	53387	SANTEE LMS PROCUREMENT	875.00 Total : 875.00
130389	5/4/2022	10585 SHARP REES-STEALY MEDICAL	366395131	53740	MEDICAL TESTING	129.00 Total : 129.00
130390	5/4/2022	14240 SPICER CONSULTING GROUP	0999	53572	SPECIAL DISTRICTS - MAR 2022 AC	2,656.25 Total : 2,656.25
130391	5/4/2022	10217 STAPLES ADVANTAGE	3504820179 3505139506	53631 53548	DOCUMENT JACKETS OFFICE SUPPLIES - DDS	55.64 132.49 Total : 188.13

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
130392	5/4/2022	14535 THE COVETED COOKIE	Ref000078256		REFUND OVERPAID BUS LIC FEE	92.00
Total :						92.00
130393	5/4/2022	10250 THE EAST COUNTY	00116700	53730	INVITATION TO BID - CRACK SEALII	847.00
Total :						847.00
130394	5/4/2022	10165 TRAD AM ENTERPRISES INC	315		INSTRUCTOR PAYMENT	615.00
Total :						615.00
130395	5/4/2022	14354 TRILOGY MEDWASTE WEST, LLC	940946 940947		BIOMEDICAL WASTE DISPOSAL BIOMEDICAL WASTE DISPOSAL	125.87 247.66
Total :						373.53
130396	5/4/2022	14169 TROTTER, DUSTIN	42222b		ICSC 2022 LAS VEGAS	181.00
Total :						181.00
130397	5/4/2022	14463 TRUESDELL CORPORATION OF	CIP 2013-01 #2 CIP 2013-01 #2R	53726	BRIDGE REPAIRS - MAGNOLIA RETENTION	209,128.61 -10,456.43
Total :						198,672.18
130398	5/4/2022	12480 UNITED SITE SERVICES	114-13000975 114-13005463	53419 53419	PORTABLE TOILETS, TEMP FENCE PORTABLE TOILETS, TEMP FENCE	375.80 238.11
Total :						613.91
130399	5/4/2022	12276 VARGAS, CROSSBY	42622		THURSDAY NIGHTS LIVE	500.00
Total :						500.00
130400	5/4/2022	14097 VOICES FOR CHILDREN	3 - 2022	53682	CDBG SUBRECIPIENT	961.60
Total :						961.60
54 Vouchers for bank code : ubgen						Bank total : 566,910.94
54 Vouchers in this report						Total vouchers : 566,910.94

Bank code : ubgen

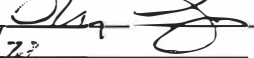

<u>Voucher</u>	<u>Date</u>	<u>Vendor</u>	<u>Invoice</u>	<u>PO #</u>	<u>Description/Account</u>	<u>Amount</u>
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Prepared by: 
Date: 5/4/22

Approved by: 
Date: 5/4/22

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
130401	5/5/2022	12903 AMERICAN FIDELITY ASSURANCE CO	6050406A		FLEXIBLE SPENDING ACCOUNT	1,861.31
					Total :	1,861.31
130402	5/5/2022	10208 ANTHEM EAP	046587568226		EMPLOYEE ASSISTANCE PROGRAI	281.94
					Total :	281.94
130403	5/5/2022	10334 CHLIC	2997302		HEALTH INSURANCE	188,412.88
					Total :	188,412.88
130404	5/5/2022	10508 LIFE INSURANCE COMPANY OF	April 2022		LIFE/LTD INSURANCE	2,594.55
					Total :	2,594.55
130405	5/5/2022	14458 METROPOLITAN LIFE INSURANCE	71731251		DENTAL INSURANCE	12,286.30
					Total :	12,286.30
130406	5/5/2022	10785 RELIANCE STANDARD LIFE	May 22		VOLUNTARY LIFE INSURANCE	501.16
					Total :	501.16
130407	5/5/2022	10424 SANTEE FIREFIGHTERS	PPE 04/27/22		DUES/PEC/BENEVOLENT/BC EXP	3,420.06
					Total :	3,420.06
130408	5/5/2022	10776 STATE OF CALIFORNIA	PPE 04/27/22		WITHHOLDING ORDER	449.53
					Total :	449.53
130409	5/5/2022	10001 US BANK	PPE 04/27/22		PARS RETIREMENT	621.00
					Total :	621.00
9 Vouchers for bank code : ubgen						Bank total : 210,428.73
9 Vouchers in this report						Total vouchers : 210,428.73

Prepared by: 
 Date: 5/5/22
 Approved by: 
 Date: 5/5/22

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>
738866	5/5/2022	10782 VANTAGEPOINT TRNSFR AGT/801801	PPE 04/27/22		RETIREE HSA	7,588.55
					Total :	7,588.55
738987	5/5/2022	10959 VANTAGE TRANSFER AGENT/457	PPE 04/27/22		ICMA - 457	33,176.45
					Total :	33,176.45
2 Vouchers for bank code : ubgen						Bank total : 40,765.00
2 Vouchers in this report						Total vouchers : 40,765.00

Prepared by: 

Date: 5/13/22

Approved by: 

Date: 5-13-22

4/14/2022 to 4/27/2022-1 Cycle b

EARNINGS SECTION					DEDUCTIONS SECTION			LEAVE SECTION					
Type	Hours/units	Rate	Amount	Src	Plan	Base Wages	Deduction	Benefit/Cont	LvPlan	Accrued	Taken	Banked	Lost
wcbf	74.67				sb-1		66.96						
					sb-3		61.04						
					sffa		2,828.46						
					sffapc		448.80						
					st1cs3	100,713.15	3,021.38	-3,021.38					
					st2cs3	12,621.96	378.66	-378.66					
					texlif		55.19						
					vaccpr		628.00						
					vaccpt		304.40						
					vcanpr		433.53						
					vcanpt		156.90						
					vgcprt		88.81						
					vision		481.95						
					voladd		37.29						
					voldis		234.94						
					vollad			250.57					
					vollif		250.59						
Grand Totals	14,141.94		565,263.59				204,608.83	253,750.42					

Gross:	565,263.59
Net:	360,654.76

<< No Errors / 9 Warnings >>

HS

Transfer

PPE 4/27/22

Pay Date 5/5/22

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
42140	5/9/2022	10955 DEPARTMENT OF THE TREASURY	May 22 Retirees PPE 04/27/22		FEDERAL WITHHOLDING TAX FED WITHHOLD & MEDICARE	211.00 76,467.32
						Total : 76,678.32
42156	5/9/2022	10956 FRANCHISE TAX BOARD	May 22 Retirees PPE 04/27/22		CA STATE TAX WITHHELD CA STATE TAX WITHHELD	46.00 25,068.32
						Total : 25,114.32
2 Vouchers for bank code : ubgen						Bank total : 101,792.64
2 Vouchers in this report						Total vouchers : 101,792.64

Prepared by:  _____

Date: 5/13/22 _____

Approved by:  _____

Date: 5/13/22 _____

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount	
4224	5/10/2022	10353 PERS	04 22 4		RETIREMENT PAYMENT	119,713.32	
						Total :	119,713.32
1 Vouchers for bank code : ubgen						Bank total :	119,713.32
1 Vouchers in this report						Total vouchers :	119,713.32

Prepared by: 

Date: 5/13/22

Approved by: 

Date: 5-13-22

Voucher List
CITY OF SANTEE

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
130410	5/12/2022	12060 ACCOUNTING PRINCIPALS INC	12373346	53612	TEMPORARY ACCOUNTING SPECI/	333.04
					Total :	333.04
130411	5/12/2022	13456 AGRICULTURAL PEST CONTROL	631241	53491	PEST CONTROL SERVICES	595.00
					Total :	595.00
130412	5/12/2022	13321 ALPHA PROJECT FOR THE	0008669-IN	53492	HOMELESS CAMP CLEAN UPS	1,635.84
					Total :	1,635.84
130413	5/12/2022	14306 AZTEC LANDSCAPING, INC	J1087	53493	CUSTODIAL SERVICES - PARKS	4,184.71
			J1094	53493	CUSTODIAL SERVICES - PARKS	450.03
					Total :	4,634.74
130414	5/12/2022	12506 BEST, MARLENE	42222-d2		ICSC 2022	60.50
					Total :	60.50
130415	5/12/2022	12136 BOB MURRAY & ASSOCIATES	9546	53731	DIRECTOR OF COMMUNITY SERVI	1,206.25
			9547	53744	DIRECTOR OF HUMAN RESOURCE	1,512.84
					Total :	2,719.09
130416	5/12/2022	10299 CARQUEST AUTO PARTS	11102-555387	53407	VEHICLE REPAIR PARTS	131.15
			11102-556013	53407	VEHICLE REPAIR PART	59.94
					Total :	191.09
130417	5/12/2022	12349 CHOICE LOCKSMITHING	041122OPS	53521	LOCKSMITH SERVICES	115.00
					Total :	115.00
130418	5/12/2022	10032 CINTAS CORPORATION #694	4115560239	53483	UNIFORM/PARTS CLEANER RNTL	66.51
					Total :	66.51
130419	5/12/2022	12328 CINTAS CORP. #2	5104676016	53557	FIRST-AID KIT SERVICE	178.44
					Total :	178.44
130420	5/12/2022	12328 CINTAS CORP. #2	5100653338	53557	FIRST-AID KIT SERVICE	134.38
					Total :	134.38
130421	5/12/2022	10040 COUNTYWIDE MECHANICAL SYSTEMS	49646	53436	HVAC MAINT & REPAIRS	480.00

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
130421	5/12/2022	10040	10040 COUNTYWIDE MECHANICAL SYSTEM (Continued)			Total : 480.00
130422	5/12/2022	10333	COX COMMUNICATIONS	038997401-MAY22	10601 N MAGNOLIA AVE APT 8	57.29
						Total : 57.29
130423	5/12/2022	10046	D MAX ENGINEERING INC	7137	53614 CONSTRUCTION SW INSPECTIONS	4,662.32
				7147	53372 2021 MS4 OUTFALL MONITORING	760.10
				7148	53613 STORM WATER PROGRAM ASSIST	8,058.61
						Total : 13,481.03
130424	5/12/2022	14446	ENTERPRISE FM TRUST	5.MULT FLEET MGT INV	2002-05 FLEET LEASE PAYMENTS	2,705.15
						Total : 2,705.15
130425	5/12/2022	10201	ETHRIDGE, MARK	112-3843701-5105852	WORK BOOTS	184.01
						Total : 184.01
130426	5/12/2022	13565	FAILSAFE TESTING LLC	12145	53771 EQUIPMENT TESTING	2,325.00
						Total : 2,325.00
130427	5/12/2022	10251	FEDERAL EXPRESS	7-732-53146	SHIPPING CHARGES	112.72
						Total : 112.72
130428	5/12/2022	14425	FEHR&PEERS	154272	53675 SANTEE SB 743 IMPLEMENTATION	4,770.00
						Total : 4,770.00
130429	5/12/2022	10009	FIRE ETC	166687	53444 FIRE EXTINGUISHER SERVICE	144.96
						Total : 144.96
130430	5/12/2022	10065	GLOBAL POWER GROUP INC	80282	53445 FY 21/22 ELECTRICAL REPAIRS & M	350.00
				80601	53495 FY 21/22 GENERATOR MAINT & REI	100.00
				80602	53495 FY 21/22 GENERATOR MAINT & REI	100.00
				80607	53445 FY 21/22 ELECTRICAL REPAIRS & M	588.77
						Total : 1,138.77
130431	5/12/2022	11875	HALL, RONN	42222-a2	ICSC 2022	60.50
						Total : 60.50
130432	5/12/2022	10490	HARRIS & ASSOCIATES INC	52251	53763 IS/MND - CANNABIS ORDINANCE	13,613.51

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
130432	5/12/2022	10490 HARRIS & ASSOCIATES INC	(Continued) 52252	53791	ESSENTIAL HOUSING PROJECT - E	7,525.00
					Total :	21,138.51
130433	5/12/2022	11196 HD SUPPLY FACILITIES	9200560880 9200665989 9201782919 9201826800	53664 53664 53664 53409	FACILITIES MAINTENANCE SUPPLI FACILITIES MAINTENANCE SUPPLI FACILITIES MAINTENANCE SUPPLI STATION SUPPLIES	102.13 103.45 299.85 143.90
					Total :	649.33
130434	5/12/2022	14167 HOME START, INC.	5710-03312022	53306	CDBG-CV RENTAL ASSISTANCE	9,908.40
					Total :	9,908.40
130435	5/12/2022	11391 HUMPHREY, BREANNE	42222-e2		ICSC 2022	60.50
					Total :	60.50
130436	5/12/2022	12955 IRON MOUNTAIN OUTFITTERS	103889	53753	PSD UNIFORM APPAREL	2,064.76
					Total :	2,064.76
130437	5/12/2022	12334 KEANE, JOHN	C 66365		LICENSE RENEWAL	180.00
					Total :	180.00
130438	5/12/2022	13223 KOVAL, LAURA	42222-c2		ICSC 2022	60.50
					Total :	60.50
130439	5/12/2022	10174 LN CURTIS AND SONS	INV559989 INV580593	53715 53715	SAFETY APPAREL SAFETY APPAREL	666.80 539.83
					Total :	1,206.63
130440	5/12/2022	10079 MEDICO HEALTHCARE LINEN	20589199 20589202	53546 53546	MEDICAL LINEN SERVICE MEDICAL LINEN SERVICE	20.62 13.01
					Total :	33.63
130441	5/12/2022	10507 MITEL LEASING	903670635 903670659 903670701 903670704		MONTHLY RENTAL 122670 MONTHLY RENTAL 124690 MONTHLY RENTAL 130737 MONTHLY RENTAL 131413	1,878.80 312.66 276.33 266.16

Bank code : ubgen


Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
130441	5/12/2022	10507 10507 MITEL LEASING	(Continued)			Total : 2,733.95
130442	5/12/2022	10105 MYERS & SONS HI-WAY SAFETY INC	127744	53694	FY21/22 TRAFFIC SIGNS & SUPPLII	2,484.86
						Total : 2,484.86
130443	5/12/2022	10344 PADRE DAM MUNICIPAL WATER DIST	29700016-APR22		CONSTRUCTION METER	287.40
						Total : 287.40
130444	5/12/2022	12904 PAT DAVIS DESIGN GROUP, INC	6847	53460	GRAPHIC DESIGN WORK	3,450.00
						Total : 3,450.00
130445	5/12/2022	12062 PURETEC INDUSTRIAL WATER	1963977	53558	DEIONIZED WATER SERVICE	112.66
			1969205	53558	DEIONIZED WATER SERVICE	39.44
			1970323	53592	DEIONIZED WATER SERVICE	56.33
						Total : 208.43
130446	5/12/2022	10109 HEARTLAND FIRE TRAINING	06022022		SDCFCA INSTALLATION MTNG	140.00
						Total : 140.00
130447	5/12/2022	10107 SANTEE MINISTERIAL COUNCIL	SFB-2021-3	53686	CDBG SUBRECIPIENT	3,225.79
						Total : 3,225.79
130448	5/12/2022	13171 SC COMMERCIAL, LLC	2110134-IN	53480	DELIVERED FUEL	645.27
			2112173-IN	53480	DELIVERED FUEL	1,235.07
						Total : 1,880.34
130449	5/12/2022	13554 SC FUELS	0539360-DEF	53488	DIESEL EXHAUST FLUID (DEF)	16.70
			0539360-F	53481	FLEET CARD FUELING	2,740.38
						Total : 2,757.08
130450	5/12/2022	14523 SCA OF CA, LLC	155044PS	53813	STREET SWEEPING SVCS	16,109.25
						Total : 16,109.25
130451	5/12/2022	13206 SHARP BUSINESS SYSTEMS	9003756771	53579	SHARP COPIES APR 2022	1,476.49
						Total : 1,476.49
130452	5/12/2022	14038 SINGH GROUP INC	41122	53512	DEAD ANIMAL REMOVAL SERVICE	1,334.30

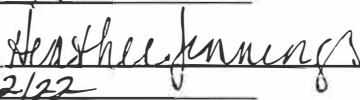
Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
130452	5/12/2022	14038 14038 SINGH GROUP INC	(Continued)			Total : 1,334.30
130453	5/12/2022	10217 STAPLES ADVANTAGE	3505305904	53467	STAPLES OFFICE SUPPLIES	99.84
						Total : 99.84
130454	5/12/2022	10617 STATE OF CALIFORNIA	L0864184864		UNEMPLOYMENT 01/22-03/22	1,326.00
						Total : 1,326.00
130455	5/12/2022	10572 SUNBELT RENTALS INC	124958293-0001	53542	EQUIPMENT RENTAL	544.75
						Total : 544.75
130456	5/12/2022	14541 TEREZ HAMPTON RUFFER	672740		FINGERPRINT REIMBURSEMENT	25.00
						Total : 25.00
130457	5/12/2022	10250 THE EAST COUNTY	0117402	53730	PUBLIC HEARING - PROSPECT ES	224.00
						Total : 224.00
130458	5/12/2022	13333 TJ JANCA CONSTRUCTION INC	21-9087 22-9458	53687 53687	PLAYGROUND SURFACE REPAIRS PLAYGROUND SURFACE REPAIRS	19,818.00 4,975.00
						Total : 24,793.00
130459	5/12/2022	14169 TROTTER, DUSTIN	42222-b2		ICSC 2022	60.50
						Total : 60.50
130460	5/12/2022	14542 UNITED RENTALS (N AMERICA) INC	205069222-001		EQUIPMENT RENTAL	2,255.21
						Total : 2,255.21
130461	5/12/2022	12480 UNITED SITE SERVICES	114-12960073 114-13000974	53419 53419	PORTABLE TOILETS, TEMP FENCE PORTABLE TOILETS, TEMP FENCE	250.00 208.04
						Total : 458.04
130462	5/12/2022	10136 WEST COAST ARBORISTS INC	183857 183949 183950	53503 53503 53503	URBAN FORESTRY MANAGEMENT URBAN FORESTRY MANAGEMENT URBAN FORESTRY MANAGEMENT	6,158.60 640.80 32,680.80
						Total : 39,480.20
53 Vouchers for bank code : ubgen						Bank total : 176,779.75

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount	
53	Vouchers in this report					Total vouchers :	176,779.75 ^v

Prepared by: 
Date: 5/12/22

Approved by: 
Date: 5/12/22

MEETING DATE May 25, 2022

ITEM TITLE APPROVAL OF THE EXPENDITURE OF \$66,281.12 FOR APRIL 2022 LEGAL SERVICES AND REIMBURSABLE COSTS

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

SUMMARY

Legal services invoices proposed for payment for the month of April 2022 total \$66,281.12 as follows:

1) General Retainer Services	\$ 15,798.93
2) Labor & Employment	3,207.60
3) Litigation & Claims	5,315.81
4) Special Projects - General Fund	27,522.69
5) Special Projects – Other Funds	1,616.39
6) Third-Party Reimbursable Projects	<u>12,819.70</u>
Total	<u>\$ 66,281.12</u>

FINANCIAL STATEMENT *tm*

	<u>AMOUNT</u>	<u>BALANCE</u>
General Fund:		
Adopted Budget	\$ 796,920.00	
Revised Budget	\$ 796,920.00	
Prior Expenditures	(509,115.48)	
Current Request	(51,845.03)	\$ 235,959.49
Other Funds (excluding third-party reimbursable items):		
Adopted Budget	\$ 85,000.00	
Revised Budget	\$ 92,000.00	
Prior Expenditures	(40,165.79)	
Current Request	(1,616.39)	\$ 50,217.82

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *msb*

Approve the expenditure of \$66,281.12 for April 2022 legal services and reimbursable costs.

ATTACHMENTS

1. Legal Services Billing Summary April 2022
2. Legal Services Billing Recap FY 2021-22



**LEGAL SERVICES BILLING SUMMARY
APRIL 2022**

Attachment 1

DESCRIPTION	CURRENT AMOUNT	INVOICE NUMBER	NOTES
Retainer 1001.00.1201.51020	\$ 15,798.93 <u>15,798.93</u>	934068	
Labor & Employment: Labor & Employment Employee Benefits 1001.00.1201.51020	 1,239.30 1,968.30 <u>3,207.60</u>	 934079 934106	
Litigation & Claims: Litigation & Claims Affordable Housing Coalition of San Diego County Brooks Receivership 1001.00.1201.51020	 704.70 3,272.31 1,338.80 <u>5,315.81</u>	 934080 934082 934088	
Special Projects (General Fund): Community Oriented Policing CEQA Special Advice Water Quality Election Legal Services Housing Element Advanced Records Center Services for PRA Cannabis AT&T Wireless Facility 1001.00.1201.51020	 14,344.29 2,089.80 243.00 145.80 558.90 4,156.20 4,252.50 31.20 <u>25,821.69</u>	 934081 934102 934083 934091 934085 934089 934092 934103	
Special Projects - CSA 69 (General Fund) CSA 69 Dissolution 1001.03.2203.51020	 <u>1,701.00</u>	 934093	
Special Projects (Other Funds): Cuyamaca Street Right-of-Way Acquisition Town Center LMD Zone B (The Lakes) 1001.03.2203.51020	 1,057.49 558.90 <u>1,616.39</u>	 934086 934084	 cip71402.30.05 2602.02.3101.51020
Third-Party Reimbursable: Rancho Fanita Villas HomeFed Project HomeFed Project Fanita Ranch Referendum Prospect Estates II Redevelopment of Carlton Oaks Golf Course Tyler St. Subdivision Arco Station (9015 Mission Gorge) 1001.03.2203.51020	 124.80 62.40 3,096.20 1,846.80 1,277.90 5,326.10 867.10 218.40 <u>12,819.70</u>	 934094 934097 934097 934087 934100 934104 934105 934101	 grd1348a.20.05 spp1704a.10.05 ehp2101a.10.05 spp1704a.10.05 grd1341a.20.05 cup1906a.10.05 tm17001a.10.05 cup2003a.10.05
Total	 <u><u>\$ 66,281.12</u></u>		

**LEGAL SERVICES BILLING RECAP
FY 2021-22**

<u>Category</u>	<u>Adopted Budget</u>	<u>Revised Budget</u>	<u>Previously Spent Year to Date</u>	<u>Available Balance</u>	<u>Current Request Mo/Yr</u>	<u>Amount</u>
General Fund:						
General / Retainer	\$ 190,920.00	\$ 190,920.00	\$ 141,895.12	\$ 49,024.88	Apr-22	\$ 15,798.93
Labor & Employment	60,000.00	60,000.00	29,776.95	30,223.05	Apr-22	3,207.60
Litigation & Claims	275,000.00	275,000.00	82,258.48	192,741.52	Apr-22	5,315.81
Special Projects	271,000.00	271,000.00	255,184.93	15,815.07	Apr-22	27,522.69
Total	\$ 796,920.00	\$ 796,920.00	\$ 509,115.48	\$ 287,804.52		\$ 51,845.03
Other City Funds:						
MHFP Commission	\$ 5,000.00	\$ 10,000.00	\$ 12,368.70	\$ (2,368.70)		\$ -
Capital Projects	75,000.00	75,000.00	26,995.19	48,004.81	Apr-22	1,057.49
Highway 52 Coalition	5,000.00	5,000.00	801.90	4,198.10		-
Town Center LMD	-	2,000.00	-	2,000.00	Apr-22	558.90
Total	\$ 85,000.00	\$ 92,000.00	\$ 40,165.79	\$ 51,834.21		\$ 1,616.39
Third-Party Reimbursable:						
Total			\$ 117,632.79		Apr-22	\$ 12,819.70

Total Previously Spent to Date FY 2021-22	
General Fund	\$ 509,115.48
Other City Funds	40,165.79
Applicant Deposits or Grants	117,632.79
Total	\$ 666,914.06

Total Proposed for Payment	
General Fund	\$ 51,845.03
Other City Funds	1,616.39
Applicant Deposits or Grants	12,819.70
Total	\$ 66,281.12

MEETING DATE May 25, 2022

ITEM TITLE RESOLUTIONS APPROVING THE ENGINEER'S REPORT, AND DECLARING THE CITY COUNCIL'S INTENTION TO LEVY ASSESSMENTS AND SETTING A PUBLIC HEARING FOR THE FY 2022-23 SANTEE LANDSCAPE MAINTENANCE DISTRICT ANNUAL LEVY OF ASSESSMENTS

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

SUMMARY

Santee Landscape Maintenance District ("SLMD") is a City-wide district and is comprised of 18 zones, ten of which are assessed and maintained by the City. A combination of contract maintenance and City forces maintain the zones. Maps depicting each zone and the areas of maintenance are attached.

The City Council is required to take three distinct steps in order to proceed with the annual levy of assessments. The first step was taken on April 13, 2022 when the City Council formally initiated proceedings and directed the preparation of an engineer's report, analyzing existing and proposed improvements to the District. The second step, which will be taken this evening, requires the City Council to take formal action to either approve or modify and approve the proposed engineer's report, declare its intention to provide for the annual levy of assessments and provide notice of a public hearing. Finally, on July 27, 2022 the City Council will take the final step and hold the public hearing and provide for the annual levy of assessments.

The attached Assessment Summary reflects SLMD assessments and costs for FY 2022-23. The assessment for Zone 1- El Nopal Estates reflects a 3.5% CPI increase from \$232.70 to \$240.84. All other zones will have the same assessments in FY 2022-23 as they had last fiscal year. Seven zones are at the maximum approved assessment amount allowed.

FINANCIAL STATEMENT *TKM*

A total of \$114,972 would be assessed on property owners within ten existing zones of SLMD in FY 2022-23 for the cost of maintenance and administration.

CITY ATTORNEY REVIEW N/A • Completed

RECOMMENDATION *MAB*

Adopt two Resolutions: 1) Approving the engineer's report, and 2) Declaring intention to levy assessments and setting a public hearing for July 27, 2022.

ATTACHMENT

Assessment Summary and Resolutions (Preliminary Engineer's Report and Assessment Diagrams)



**FY 2022-23 SANTEE LANDSCAPE MAINTENANCE DISTRICT
ASSESSMENT SUMMARY FOR ZONES PROPOSED TO BE ASSESSED**

ZONE	ZONE NAME	NUMBER OF UNITS	FY 2022-23 MAINTENANCE & ADMINISTRATION	RESERVES 7/1/22	FY 2022-23 TOTAL ASSESSMENT	FY 2022-23 ASSESSMENT RATE/UNIT	FY 2021-22 ASSESSMENT RATE/UNIT	MAXIMUM APPROVED ASSESSMENT
1	EL NOPAL ESTATES ⁽¹⁾	45	\$ 9,790.00	\$ 6,373.00	\$ 10,838.00	\$ 240.84	\$ 232.70	\$ 240.84
3	COUNTRY SCENES	14	\$ 1,990.00	\$ 3,929.00	\$ 2,067.00	\$ 147.64	\$ 147.64	\$ 147.64
4	CAMELOT HEIGHTS	10	\$ 1,370.00	\$ 754.00	\$ 1,385.00	\$ 138.50	\$ 138.50	\$ 138.50
8	SILVER COUNTRY ESTATES	153	\$ 77,380.00	\$ 99,940.00	\$ 75,735.00	\$ 495.00	\$ 495.00	\$ 495.00
9	MATTAZARO/ TIMBERLANE	34	\$ 2,000.00	\$ 1,936.00	\$ 1,529.00	\$ 44.98	\$ 44.98	\$ 44.98
12	THE HEIGHTS	60	\$ 9,329.00	\$ 23,900.00	\$ 8,757.00	\$ 145.95	\$ 145.95	\$ 375.00
13	PROSPECT HILLS	43	\$ 3,790.00	\$ 7,970.00	\$ 3,225.00	\$ 75.00	\$ 75.00	\$ 75.00
14	MITCHELL RANCH	16	\$ 3,620.00	\$ 7,306.00	\$ 2,690.00	\$ 168.14	\$ 168.14	\$ 168.14
17	DAKOTA RANCH ⁽²⁾	20	\$ 6,389.00	\$ 21,241.00	\$ 4,826.00	\$ 241.30	\$ 241.30	\$ 402.43
18	ALLOS ⁽²⁾	6	\$ 4,379.00	\$ 8,556.00	\$ 3,920.00	\$ 653.34	\$ 653.34	\$ 773.87

(1) Zone 1 - Each fiscal year, beginning Fiscal Year 2020/21, the Maximum Approved Assessment may be increased by the percentage increase calculated for the period between January of the previous calendar year and January of the current calendar year in the San Diego Consumer Price Index All Items for all Urban Consumers (CPI-U), not to exceed 3.5% per fiscal year.

(2) Zone 17 and Zone 18- reflect an allowable 2% increase in the maximum approved assessment for FY 2022-23.

SLMD-Attachment 1

TABLE 1

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA,
APPROVING THE ENGINEER'S REPORT FOR THE ANNUAL
LEVY OF ASSESSMENTS FOR FY 2022-23 FOR THE
SANTEE LANDSCAPE MAINTENANCE DISTRICT**

WHEREAS, the City Council of the City of Santee, pursuant to the provisions of "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California, Article XIII D of the California Constitution and the Proposition 218 Omnibus Implementation Act (commencing with California Government Code Section 53750) (collectively the "Law"), did by previous Resolution, order the preparation of an Engineer's Report for the annual levy of assessments, consisting of plans and specifications, an estimate of the costs, a diagram of the district, and an assessment of the costs relating to what is known and designated as: **SANTEE LANDSCAPE MAINTENANCE DISTRICT** ("District"); and,

WHEREAS, the FY 2022-23 Assessment Engineer's Report ("Report") has been presented to this City Council as required by the Law and as previously directed by Resolution; and

WHEREAS, this City Council has examined and reviewed the Report as presented, and is satisfied with each and all of the items and documents as set forth therein, and is satisfied that the assessments, on a preliminary basis, have been spread in accordance with the benefits received from the maintenance to be performed, as set forth in said Report.

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

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That the Report as presented, consisting of:

- A. plans and specifications of the maintenance of the improvements to be performed;
- B. estimates of the cost of the maintenance of the improvements to be performed, including the cost of incidental expenses in connection therewith, and including that portion of the costs and expenses representing the special benefit to be conferred by such maintenance of the improvements on the parcels within the District;
- C. a diagram of the District, which shows (i) the exterior boundaries of the District; (ii) the boundaries of zones within the District; and (iii) the lines and dimensions of each parcel of land within the District; provided, however, such diagram may refer to the county assessor's maps for a detailed description of such lines and dimensions, in which case such maps shall govern for all details concerning such lines and dimensions;

RESOLUTION NO.

- D. a description of the maintenance of the improvements to be performed; and
- E. the assessment of the total amount of the costs and expenses of the maintenance of the improvements upon the several divisions of land in the District in proportion to the estimated special benefits to be conferred on such subdivisions, respectively, by such maintenance;

is hereby approved as filed, attached, and on file in the Office of the City Clerk as a permanent record and is to remain open to public inspection.

ADOPTED by the City Council of the City of Santee, California, at a regular meeting thereof held this 25th day of May, 2022, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, CMC, CITY CLERK

Exhibit A: Preliminary Engineer's Report

CITY OF SANTEE
Santee Landscape Maintenance District



FISCAL YEAR 2022-23

PRELIMINARY ENGINEER'S REPORT



SPICER CONSULTING
GROUP

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Appendices

- Appendix A – SLMD Budget Detail
- Appendix B – Assessment Rolls
- Appendix C – Assessment Diagrams
- Appendix D – Capital Improvement Projects

AGENCY: CITY OF SANTEE
PROJECT: SANTEE LANDSCAPING MAINTENANCE DISTRICT
TO: CITY COUNCIL
CITY OF SANTEE
STATE OF CALIFORNIA

REPORT PURSUANT TO "LANDSCAPING AND LIGHTING ACT OF 1972"

Pursuant to direction from the City Council (the "City Council") of the City of Santee (the "City"), State of California, submitted herewith is the Engineer's Report for Santee Landscaping Maintenance District (the "Report"), consisting of the following parts, pursuant to the provisions of Division 15, Part 2 of the Streets and Highways Code of the State of California, being the "Landscaping and Lighting Act of 1972", as amended, commencing with Section 22500, and which is in accordance with Resolution No. 041-2022 adopted by the City of Santee City Council, San Diego County, California ordering preparation of the Report for Santee Landscaping Maintenance District (the "SLMD" or the "District"). This Report is applicable for the ensuing 12-month period, being the Fiscal Year commencing July 1, 2022, to June 30, 2023.

- Section 1** **PLANS AND SPECIFICATIONS** of the improvements to be maintained and/or improved for the Fiscal Year. The plans and specifications show and describe the existing improvements, and are sufficient in showing and describing the general nature, location and extent of the improvements.
- Section 2** A **COST ESTIMATE** of the improvements to be maintained and/or improved for the mentioned Fiscal Year.
- Section 3** A **METHOD OF APPORTIONMENT OF ASSESSMENT** calculates the receipt of special benefit and the general benefit derived from the installation and maintenance and servicing of the respective improvements located throughout the District, and the methodology used to apportion the total assessment to the properties within the District.
- Section 4** **ASSESSMENT ROLLS** showing the proportionate amount of the assessment to be charged in proportion to the benefits to be received by each lot or parcel within the boundaries as shown on the below-referenced Diagram. The Assessment Rolls can be found in Appendix A.
- Section 5** The **ASSESSMENT DIAGRAMS** of the District. Said Diagrams shall show the boundaries of the District and the boundaries of any zones within the District. Reference is made to the County Assessor's Maps for a detailed description of the lines and dimensions of any lots or parcels. The lines and dimensions of each lot shall conform to those shown on the County Assessor's Maps for the Fiscal Year to which the Report applies. The Assessment Diagrams can be found in Appendix B.

The District is comprised of 18 separate zones of maintenance. For FY 2022-23 the District will have the following Zones.

Zone	Zone Name	Tract/Map	Units	Total FY 2022-23 Assessment	Per Unit Assessment
1	El Nopal Estates	88-04	45	\$10,838.00	\$240.84
3	Country Scenes	89-01	14	\$2,066.96	\$147.64
4	Camelot Heights	89-02	10	\$1,385.00	\$138.50
5	Mesa Heights ¹	88-08	44	\$0.00	\$0.00
6	Prospect Point ¹	89-05	9	\$0.00	\$0.00
7	Treviso ¹	03-01	186	\$0.00	\$0.00
8	Silver Country Estates	93-02	153	\$75,735.00	\$495.00
9	Mattazaro/Timberlane	88-07/92-03	34	\$1,529.32	\$44.98
10	Lakes West Condos ¹	90-02	78	\$0.00	\$0.00
11	Padre Hills ²	89-04	35	\$0.00	\$0.00
12	The Heights	96-01	60	\$8,757.00	\$145.95
13	Prospect Hills	96-02	43	\$3,225.00	\$75.00
14	Mitchell Ranch	92-04	16	\$2,690.24	\$168.14
15	Vista Este ¹	00-03	33	\$0.00	\$0.00
16	Prospect Glen ¹	01-01	48	\$0.00	\$0.00
17	Dakota Ranch	01-02	20	\$4,826.00	\$241.30
18	Allos	98-02	6	\$3,920.04	\$653.34
19	Sky Ranch ¹	04-08	371	\$0.00	\$0.00

The Ten of the existing zones – Zones 1, 3, 4, 8, 9, 12, 13, 14, 17, and 18 – will be active, and will be assessed and their improvements maintained by City or contract forces. Zones 5, 6, 7, 10, 11, 15, 16, and 19 have been annexed to the District, but have no assessment because they are responsible for their own maintenance; if not maintained to City standards, the City will assume maintenance and levy assessments. Further details are provided in the body of this Engineer's Report.

Background

The City Council of the City of Santee approved the formation of Santee Landscaping Maintenance District in FY 1989-90. The District was formed pursuant to the requirements of the Landscaping and Lighting Act of 1972 (the "72 Act").

The District was formed to provide a source of funds for the operation, servicing, maintenance and repair of landscaping within public streets, right-of-way, easements, and appurtenant facilities within the District. The Report sets forth the methodology to be used in apportioning the assessment to the different land use types and benefit zones within the City based upon the benefit they receive.

The original District was formed in FY 1989-90, then several "benefit zones" were annexed into the District in the following years. These benefit zones were established to ensure a source of funds for the ongoing maintenance of public landscaping which are of local benefit to the parcels within the benefit zone. Currently there are eighteen (18) Zones of Benefit that have been annexed into the District (see Appendix C – Assessment Diagrams).

Parcels within these special benefit zones are assessed their proportionate share of the cost for the maintenance of local improvements including, but not limited to, landscaping and appurtenant facilities. These improvements provide a special benefit to those parcels due to their nature and location.

¹ Maintenance responsibilities assumed by homeowners' association or property owners.

² Assessment not approved by property owners.

Effects of Proposition 218 Legislation

In November 1996, Prop 218 - the "Right to Vote on Taxes Act" – added Article XIII D to the State Constitution. The amendment created new substantive and procedural requirements for '72 Act districts. Now, when a new or increased levy is proposed for a district or a zone therein the local agency must mail a notice and "ballot" to each property owner of record affected by the new or increased assessment. The ballot procedure enables property owners to approve or disapprove the proposed new or increased assessment. The vote is determined by the weighted proportional financial obligation of the ballots returned. A "majority protest" exists if ballots submitted in opposition exceed ballots in favor of the new or increased levy. If a majority protest exists for a new assessment, the local agency cannot levy the assessment. If a majority protest exists for an increase in an existing assessment, the increase cannot be collected but, the base amount (the amount levied last fiscal year) can continue to be levied.

The '72 Act enables the governing body to adjust assessment rates as it directs at the approval stage or the public hearings. Therefore, the rates shown herein are proposed but are not confirmed until approved by the City Council. Once the Engineer's Report has been approved by the City Council, the ballots tabulated (if applicable), and the public hearing(s) completed, final assessment information will be provided to the County of San Diego for inclusion on the appropriate property tax bills.

Current Annual Administration

As required by the '72 Act, the Report includes: (1) a description of the improvements to be operated, maintained, and serviced by the District, (2) an estimated budget for the District, and (3) a listing of the proposed Fiscal Year 2022-23 assessments to be levied upon each assessable lot or parcel within the District.

The City of Santee will hold a Public Hearing on July 27, 2022, regarding the District which will provide an opportunity for any interested person to be heard. At the conclusion of the Public Hearing, the City Council may adopt a resolution confirming the assessment rates as originally proposed or as modified.

Payment of these annual assessments for each parcel will be made in the same manner and at the same time as payments are made for their annual property taxes. All funds collected through the assessments must be placed in a special fund and can only be used for the purposes stated within this Report.

District Description

The District will be divided into 18 separate zones of benefit, as described below. Dimensions of each parcel are shown on Assessor's maps located in the County of San Diego Administration Building, 1600 Pacific Highway, San Diego, CA 92101. As provided in the '72 Act, the boundaries may be adjusted in the future by annexations to this District. The boundary for each zone is depicted on the Assessment Diagrams in Appendix C.

Active Zones

In FY 2022-23, the SLMD consists of 18 separate zones of benefit. The 18 zones are comprised of both active and inactive zones. "Active" means the zones will have maintenance activities during FY 2022-23. Maintenance activities are comprised of both contract and City forces. The ten active zones are:

ZONE 1 - EL NOPAL ESTATES (TM88-04)

Assessor's Parcel Numbers (the "APNs") 381-221-10 through 381-221-42, inclusive, and 381-221-44, -45, -46, and -47, and 381-221-58 through -65, inclusive. Established in FY 1989-90, this was the first subdivision in the District and was originally comprised of two zones. Zone 2 was eliminated in FY 1997-98 because its maintenance was subsumed under Zone 1 to be consistent with current assessment district laws.

ZONE 3 - COUNTRY SCENES (TM89-01)

APNs 381-260-49 through 381-260-62, inclusive. This 14-unit single-family subdivision located near Conejo and Mast Blvd. was annexed in FY 1992-93.

ZONE 4 - CAMELOT HEIGHTS (TM89-02)

APNs 378-420-46 through 378-420-55, inclusive. Annexed in FY 1993-94, this subdivision's ten single-family homes located off Princess Joanne Rd. share maintenance costs.

ZONE 8 - SILVER COUNTRY ESTATES (TM93-02)

APNs 378-440-01 through -29, inclusive, 378-441-01 through -26, inclusive, 378-441-29 through -41, inclusive, 378-441-44 and -45, 378-450-01 through -20, inclusive, 378-450-22 through -53, inclusive, 378-450-55, and 381-710-01 through -30, inclusive. 153 Single-family homes make up this subdivision at the north end of Cuyamaca St. The first unit was annexed in FY 1995-96, but the improvements were not accepted so there was no assessment. Once the project was completed, property owners cast ballots regarding assessments in FY 1998-99, and the affirmative vote set an initial assessment and maximum rate.

ZONE 9 - TIMBERLANE/MATTAZARO (TM88-07/TM92-03)

APNs 381-690-02 through -12, inclusive, 381-690-15 through -26, inclusive, 381-690-34 through -40, inclusive, 381-690-47 through -49, inclusive, and 381-690-51. Due to their physical proximity, improvements for the 25-unit single-family home development called "Timberlane" and the nine-unit "Mattazaro" single-family home project were combined into one zone. Zone 9 had no assessment in its first year because the improvements were not accepted before the start of FY 1996-97. In FY 1997-98, improvements were accepted and an affirmative majority vote was made for the initial and maximum assessment rates.

ZONE 12 - THE HEIGHTS (TM96-01)

APNs 378-460-01 through -06, inclusive, 378-460-09 through -40, inclusive, 378-460-43 and -44, and 378-461-01 through -06, inclusive, 378-461-09 through -20, inclusive, and 378-460-021 and -22. Annexed in FY 1998-99, this 60-unit single-family project is at the northwest end of Magnolia Ave. Maintenance was assumed by the City in FY 2002-03. The project had affirmative assessment ballot proceedings establishing initial and maximum assessments rates.

ZONE 13 - PROSPECT HILLS (TM96-02)

APNs 386-680-01 through -20, inclusive. Also annexed in FY 1998-99, the 43 single-family homes off Prospect Ave. east of Holden Rd. share in the cost of landscaping fronting the project on Prospect Ave. The zone also had an affirmative assessment ballot proceedings to establish initial and maximum assessment rates.

ZONE 14 - MITCHELL RANCH (TM92-04)

APNs 381-720-01 through -16, inclusive. This 16-unit single-family subdivision is at the southwest corner of Magnolia Ave. and El Nopal. An affirmative assessment ballot proceeding setting initial and maximum assessment rates was undertaken prior to its FY 2000-01 annexation.

ZONE 17 - DAKOTA RANCH (TM01-02)

APNs 378-420-56 through -75, inclusive. This 20-unit single family home development located at Dakota Ranch Rd. off Princess Joann was annexed in FY 2004-05. This zone also had affirmative assessment ballot proceedings to establish initial and maximum assessment rates.

ZONE 18 - ALLOS (TM98-02)

APNs 386-280-50 through -55, inclusive. Also annexed in FY 2004-05, the six single-family homes are on Prospect Ct. adjacent to Prospect Ave. near Mesa Rd. Improvements were reduced from originally approved plans to provide a reasonable assessment. The project had affirmative assessment ballot proceedings establishing initial and maximum assessment rates.

Inactive Zones

Eight of the 18 zones are "inactive", i.e., there is no assessment and they are responsible for their own maintenance. These zones are:

ZONE 5 - MESA HEIGHTS (TM88-08)

APNs 386-670-01 through 386-670-44, inclusive. This zone was originally annexed in 1993-94. Due to the rising costs, in FY 1997-98, the Mesa Heights HOA assumed maintenance responsibilities for their 44-unit single-family subdivision's landscaped improvements.

ZONE 6 - PROSPECT POINT (TM89-05)

APNs 386-250-07, -11, -12, -13, -14, -17, -19, -22, and -24. Nine single-family homes comprise this zone located off Prospect Ave. This zone has had no assessments since FY 1996-97.

ZONE 7 - TREVISO (TM03-01)

APNs 383-061-07-01 through -28, inclusive, 383-061-08-01 through -36, inclusive, 383-061-09-01 through -32, inclusive, 383-061-10-01 through -32, inclusive, 383-061-11-01 through -30, inclusive, and 383-061-12-01 through -28, inclusive. Formerly commercially-zoned, the 186-unit multi-family Treviso property carries out its own maintenance, so there is no assessment.

ZONE 10 - LAKES WEST (TM90-02)

APN 386-300-58. The Navy-owned 78-unit condominium project is located on Mission Gorge Rd. at Simeon Dr. and Bushy Hill Dr. It is responsible for its own maintenance and has not been assessed since its FY 1996-97 annexation.

ZONE 11 - PADRE HILLS (TM89-04)

APNs 386-270-53 through -63, inclusive, and 386-270-70 through -93, inclusive. A 35-unit single-family home subdivision located off Prospect Ave., Padre Hills underwent an unsuccessful assessment ballot proceeding upon its FY 1997-98 annexation. Consequently, the subdivision is responsible for maintaining its landscaping and is not assessed.

ZONE 15 - VISTA ESTE (TM00-03)

APNs 386-690-01 through -33, inclusive. The 33 attached homes included in this zone are responsible for their own maintenance through a homeowners' association and was annexed in FY 2004-05. The subdivision is located off Fanita Dr. at Watson Pl.

ZONE 16 - PROSPECT GLEN (TM01-01)

APNs 383-490-01 through -48, inclusive. The development's homeowners' association takes care of the maintenance for the 48 single-family homes in this project, which was annexed in FY 2004-05. The project is located on the northwest corner of Prospect Ave. and Fanita Dr.

ZONE 19 - SKY RANCH (TM04-08)

APNs 385-430-01 through -22, inclusive, 385-431-01 through -08, inclusive, and 385-432-01 through -03, inclusive. The development's homeowners' association takes care of the maintenance for the 223 single-family and 148 multi-family homes in this project, which was annexed in FY 2007-08. The project is located off Graves Ave. and Sevilla St.

Description of Improvements

Facilities or improvements include landscaping within public streets, rights-of-way, easements, and their appurtenances and the costs of installing, operating, and maintaining them. Improvements to be maintained generally comprise frontage landscaping and hardscaping. Maintenance includes, but not limited to, weeding, fertilizing, trimming, cleaning, energy, water, materials, personnel/equipment costs, contract services and other items needed to deliver these services. Zones responsible for their own maintenance are not included in the following section. The following describes zones that will be assessed and/or maintained by the District in FY 2022-23.

Zone 1 - The facilities within the public right-of-way that are to be maintained and serviced include landscaping, walks and retaining wall faces on El Nopal St. and Julio Pl.

Zone 3 - The facilities within the public right-of-way that are to be maintained and serviced include landscaping, walks, and entry monument faces on Conejo Rd. and Country Scenes Ct.

Zone 4 - The facilities within the public right-of-way that are to be maintained and serviced include landscaping and retaining wall face on Princess Joann Rd. adjacent to subdivision.

Zone 8 - The facilities within the public right-of-way that are to be maintained and serviced include landscaping and faces of retaining walls along Cuyamaca St., El Nopal, Woodglen Vista Dr., and Cardoza Dr. adjacent to the site.

Zone 9 - The facilities within the public right-of-way that are to be maintained and serviced include landscaping and faces of block retaining walls along Bilter Dr. and Theresa Ln. adjacent to the subdivision.

Zone 12 - The facilities within the public right-of-way that are to be maintained and serviced include landscaping along Magnolia Avenue and along the pedestrian trail adjacent to the site.

Zone 13 - The facilities within the public right-of-way that are to be maintained and serviced include landscaping and faces of privacy wall along Prospect Ave. and on Holden Rd. adjacent to the subdivision.

Zone 14 - The facilities within the public right-of-way that are to be maintained and serviced include landscaping and faces of block retaining walls on El Nopal and Magnolia Ave. adjacent to the site.

Zone 17 - The facilities within the public right-of-way that are to be maintained and serviced include landscaping on Princess Joann Rd. and Dakota Ranch Rd. adjacent to the site and entrance to the Dakota Ranch project.

Zone 18 - The facilities within the public right-of-way that are to be maintained and serviced include parkway and slope landscaping between Prospect Ave. and Lot #1 of Allos; ten foot wide landscaped strip along the west side of Prospect Ct.

General

The '72 Act provides that the total cost of installation, construction, maintenance, and servicing of the public landscaping and hardscaping facilities can be recovered by the District. Maintenance may include the repair and/or replacement of existing facilities. Servicing may include electrical, water, and public utility costs. Incidental expenses, including administration of the District, data processing fees, annual Engineer's Report, engineering fees, legal fees, printing, posting, mailing of notices, and all other costs associated with the maintenance of the District may also be included.

Budget

Estimated FY 2022-23 expenditures are shown in the table located in Appendix A. Budgets for Zones 1, 3, 4, 8, 9, 12, 13, 14, 17, and 18 are covered. There are no budgets for Zones 5, 6, 7, 10, 11, 15, 16, and 19 because the respective property owners are directly responsible for maintenance.

Basic Data

Data has been compiled from the County Assessor's maps, Development Services Department records, and a field review by Community Services Department staff.

Findings

Individual parcels within a district receive benefits based on land use, size and location of landscaping improvements to be installed or maintained. In the Santee Landscape Maintenance District, all parcels are zoned for residential uses.

*Table 2-1
Benefit Zones by Land Use, Size, and Location*

Zone	Name	Tract/Map #	Assessable Units	Zoning
1	El Nopal Estates	88-04	45	Residential
3	Country Scenes	89-01	14	Residential
4	Camelot Heights	89-02	10	Residential
5	Mesa Heights	88-08	44	Residential
6	Prospect Point	89-05	9	Residential
7	Treviso	03-01	186	Residential
8	Silver Country Estates	93-02	153	Residential
9	Mattazaro / Timberlane	88-07/92-03	34	Residential
10	Lakes West Condos	90-02	1 (78 Condo Parcels)	Residential
11	Padre Hills	89-04	35	Residential
12	The Heights	96-01	60	Residential
13	Prospect Hills	96-02	43	Residential
14	Mitchell Ranch	92-04	16	Residential
15	Vista Este	00-03	33	Residential
16	Prospect Glen	01-01	48	Residential
17	Dakota Ranch	01-02	20	Residential
18	Allos	98-02	6	Residential
19	Sky Ranch	04-08	371	Residential

General

The '72 Act permits the establishment of assessment districts by cities for the purpose of providing and maintaining certain public improvements. The '72 Act requires that assessments be levied according to the benefit received rather than assessed value. Section 22573 states:

"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."

The '72 Act also permits the designation of zones of benefit within any individual assessment district if "by reason of variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvement" (Sec. 22574). Thus, the '72 Act requires the levy of a true "assessment" rather than a "special tax." Excepted from the assessment are the areas of all public streets, avenues, lanes, roads, drives, courts, and alleys; public parks, greenbelts, and parkways; and public-school property, other public property, and zoned agricultural open space.

Article XIII D of the California Constitution also requires that the Engineer's Report identify all parcels receiving a special benefit, and identify the extent of the special benefit conferred. It defines "special benefit" as: "...a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large. General enhancement of property value does not constitute 'special benefit.'" Article XIII D then states:

"An agency which proposes to levy an assessment shall identify all parcels which will have a special benefit conferred upon them and upon which an assessment will be imposed. The proportionate special benefit derived by each identified parcel shall be determined in relationship to the entirety of...the maintenance and operation expenses of a public improvement. No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportionate special benefit conferred on that parcel. Only special benefits are assessable, and an agency shall separate the general benefits from the special benefits conferred on a parcel."

Article XIII D requirements for assessments are similar to those of traditional assessment district law, including the '72 Act. The purpose of the above cited section is to allow assessments to be used, again, as a legitimate financing mechanism and not as a means to impose a "flat rate parcel tax." Thus, while a benefit determination is still made, the Engineer's Report is now required to draw a stronger relationship, or nexus, between the property, the benefit received and the subsequent assessment.

Assessment Methodology

One of Article XIII D's most significant changes is the "calculation requirement." Local agencies must now determine whether or not property owners would receive a "special benefit" from services financed by the assessment. An Engineer's Report is required to estimate the special benefit and general benefit property owners would receive. This step is needed because Article XIII D allows only the recoupment of the proportionate share of costs of the special benefit. Individual levies must be set so that no property owner pays over the proportional share of the total cost. The Jarvis-Gann Group, in Prop 218's "Statement of Drafter's Intent," notes that:

"What constitutes a special benefit will depend on the nature of the... service being provided. It must be more than a mere increase in the value of the property because, arguably, the availability of any public service could provide additional value. It must be a direct and special benefit conferred on the property that exceeds the benefit conferred on the public at large or even to other similar properties."

Clearly an additional level of analysis is required; however, this additional analysis parallels the analyses presented in prior Engineer's Reports which were prepared in compliance with the '72 Act. It differs only in the determination of special vs. general benefit. This requires establishing the facts surrounding each subdivision included or proposed to be included in a district, and requires that these facts support the conferral of the special benefit.

All residential subdivisions included in the Santee Landscape Maintenance District have improvements directly associated with the exterior entrances and internal circulation elements of each particular subdivision. These improvements are features of each subdivision's overall design, are consistent with the City of Santee General Plan Development Standards and Subdivision Ordinance, and were included as a component of each project's Tentative Map approval.

No improvements included within each zone's maintenance responsibility are located outside the boundaries of each subdivision's Tentative Map, or outside the limits of the improvements that fulfill the requirements of project approval. Improvements were installed as part of subdivision construction. If each subdivision had not been built, the improvements associated with each subdivision would not have been installed nor provided later. Thus, the existence of the improvements is a direct function of the construction of each subdivision, and the special benefit of the associated improvements therefore inures to each subdivision. No general benefit is assigned because the improvements would not have been installed without the subdivision.

The approval of each subdivision's landscaping plan is part of the approval of each subdivision's Tentative Map. Thus, construction could not have proceeded without an approved Tentative Map, of which the landscaping plan is an integral part. Similarly, occupancy would not have occurred without fulfilling the conditions of development approval, which includes the installation of the improvements. Therefore, the special benefits of the improvements accrue directly to each home in each subdivision.

The method of assessment spread remains unchanged from prior fiscal years. Assessment spreads are based upon a single-family home being equal to one benefit unit. Total assessment costs are divided by the total benefit units to determine a per benefit unit cost. The portion of the District addressed by this Engineer's Report is split into zones representing different levels of benefit. Developments with no assessment determination are not described in the "Assessment Determination" section.

Annual Assessment Rate Increases

Per Article XIII D, the levy of maximum rates is contingent on obtaining a majority approval of property owners. The maximum assessment rate per unit for Zone 1 may be increased annually by the percentage increase in the San Diego Consumer Price Index for All Urban Consumers (CPI-U), in an amount not to exceed 3.5%. Based on an analysis of maintenance costs and the repayment of capital costs for a recent renovation, the CPI adjustment was applied and the rate per unit increased to \$240.84. The maximum assessment rates per unit in Zones 17 and 18 may be increased by up to 2% annually by City Council action. Based on an analysis of the projected maintenance costs associated with existing public improvements, the maximum cap per unit have been established as \$402.43 in Zone 17, \$773.87 in Zone 18. Please note that all proposed assessments for FY 2022-23 are at or below the approved maximum, fulfilling Article XIII D requirements.

Assessment Determination

Proposed FY 2022-23 assessments are based on the previous methodology and use data available from subdivisions' plans and Assessor's information. Maintenance costs are developed by the Community Services Department. The Finance Department believes the data to be accurate. Final assessments will be based upon these preliminary assessments and any changes made due to Council action and/or input received during the public hearings.

Assessment

Zone 1 - El Nopal Estates

Operations, Maintenance, Administration and Engineering, net of total available:	\$10,837.80
Assessment Formula: [45 parcels (1 unit/parcel)], $\$10,837.80/45 \text{ Units} = \240.84 Per Unit	
Zone 1 - El Nopal Estates Single-Family Parcel Cost Per Year:	\$240.84
Maximum Assessment:	\$240.84

Zone 3 - Country Scenes

Operations, Maintenance, Administration and Engineering, net of total available:	\$2,066.96
Assessment Formula: [14 parcels (1 unit/parcel)], $\$2,066.96/14 \text{ Units} = \147.64 Per Unit	
Zone 3 - Country Scenes Single-Family Parcel Cost Per Year:	\$147.64
Maximum Assessment:	\$147.64

Zone 4 - Camelot Heights

Operations, Maintenance, Administration and Engineering, net of total available:	\$1,385.00
Assessment Formula: [10 parcels (1 unit/parcel)], $\$1,385.00/10 \text{ Units} = \138.50 Per Unit	
Zone 4 - Camelot Heights Single-Family Parcel Cost Per Year:	\$138.50
Maximum Assessment:	\$138.50

Zone 8 - Silver Country Estates

Operations, Maintenance, Administration and Engineering, net of total available:	\$75,735.00
Assessment Formula: [153 parcels (1 unit/parcel)], $\$75,735.00/153 \text{ Units} = \495.00 Per Unit	
Zone 8 - Silver Country Estates Single-Family Parcel Cost Per Year:	\$495.00
Maximum Assessment:	\$495.00

Zone 9 - Mattazaro/Timberlane

Operations, Maintenance, Administration and Engineering, net of total available:	\$1,529.32
Assessment Formula: [34 parcels (1 unit/parcel)], $\$1,529.32/34 \text{ Units} = \44.98 Per Unit	
Zone 9 - Mattazaro/Timberlane Single-Family Parcel Cost Per Year:	\$44.98
Maximum Assessment:	\$44.98

Zone 12 - The Heights

Operations, Maintenance, Administration and Engineering, net of total available:	\$8,757.00
Assessment Formula: [60 parcels (1 unit/parcel)], \$8,757.00/60 Units = \$145.95 Per Unit	
Zone 12 - The Heights Single-Family Parcel Cost Per Year:	\$145.95
Maximum Assessment:	\$375.00

Zone 13 - Prospect Hills

Operations, Maintenance, Administration and Engineering, net of total available:	\$3,225.00
Assessment Formula: [43 parcels (1 unit/parcel)], \$3,225.00/43 Units = \$75.00 Per Unit	
Zone 13 - Prospect Hills Single-Family Parcel Cost Per Year:	\$75.00
Maximum Assessment:	\$75.00

Zone 14 - Mitchell Ranch

Operations, Maintenance, Administration and Engineering, net of total available:	\$2,690.24
Assessment Formula: [16 parcels (1 unit/parcel)], \$2,690.24/16 Units = \$168.14 Per Unit	
Zone 14 - Mitchell Ranch Single-Family Parcel Cost Per Year:	\$168.14
Maximum Assessment:	\$168.14

Zone 17 - Dakota Ranch

Operations, Maintenance, Administration and Engineering, net of total available:	\$4,826.00
Assessment Formula: [20 parcels (1 unit/parcel)], \$4,826.00/20 Units = \$241.30 Per Unit	
Zone 17 - Dakota Ranch Single-Family Parcel Cost Per Year:	\$241.30
Maximum Assessment:	\$402.43

Zone 18 - Allos

Operations, Maintenance, Administration and Engineering, net of total available:	\$3,920.04
Assessment Formula: [6 parcels (1 unit/parcel)], \$3,920.04/6 Units = \$653.34 Per Unit	
Zone 18 - Allos Single-Family Parcel Cost Per Year:	\$653.34
Maximum Assessment:	\$773.87

Executed this _____ day of _____, 2022.



FRANCISCO MARTINEZ JR
PROFESSIONAL CIVIL ENGINEER NO. 84640
ENGINEER OF WORK
CITY OF SANTEE
STATE OF CALIFORNIA

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and Assessment Diagrams thereto attached, was filed with me on the _____ day of _____, 2022, by adoption of Resolution No. _____ by City Council.

CITY CLERK
CITY OF SANTEE
STATE OF CALIFORNIA

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and Assessment Diagrams thereto attached, was approved and confirmed by the City Council of the City of Santee, California on the ____ day of _____, 2022.

CITY CLERK
CITY OF SANTEE
STATE OF CALIFORNIA

The actual assessment and the amount of the assessment for the Fiscal Year 2022-23 apportioned to each parcel as shown on the latest equalized roll at the County Assessor's office are listed in Appendix B of this Report. The description of each lot or parcel is part of the records of the County Assessor of the County of San Diego and such records are, by reference, made part of this Report.

The total assessment for the Fiscal Year 2022-23 is **\$114,972.56**.¹

¹ The actual assessment roll amount might have a minimal variance due to rounding.

The assessment diagrams showing the boundaries of the District and the zones addressed by this Engineer's Report and which will be assessed in FY 2022-23 are on file in the offices of the City Clerk and the Director of Finance. Copies of each diagram are included in this report in Appendix C. For exact details of parcels and dimensions, please refer to the Assessor's maps located in the office of the San Diego County Recorder.

APPENDIX A

SLMD Budget Detail



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Appendix A Budget Detail

SLMD Budget Detail

Description	Zone 1 El Nopal Estates	Zone 3 Country Scenes	Zone 4 Camelot Heights	Zone 8 Silver Country	Zone 9 Timberlane	Zone 12 The Heights	Zone 13 Prospect Hills	Zone 14 Mitchell Ranch	Zone 17 Dakota Ranch	Zone 18 Allos	Grand Total
Fund Balance, beginning	\$6,373	\$3,929	\$754	\$99,940	\$1,936	\$23,900	\$7,970	\$7,306	\$21,241	\$8,556	\$181,905
Estimated Revenues:											
Assessments	\$10,840	\$2,070	\$1,390	\$75,740	\$1,530	\$8,760	\$3,230	\$2,690	\$4,830	\$3,920	\$115,000
Interest	\$50	\$30	\$10	\$740	\$10	\$180	\$60	\$50	\$150	\$60	\$1,340
Total Estimated Revenues	\$10,890	\$2,100	\$1,400	\$76,480	\$1,540	\$8,940	\$3,290	\$2,740	\$4,980	\$3,980	\$116,340
Expenditures											
Administration	\$690	\$210	\$150	\$2,350	\$520	\$920	\$660	\$240	\$310	\$90	\$6,140
Advertising	\$50	\$10	\$10	\$320	\$10	\$40	\$20	\$20	\$20	\$20	\$520
Electricity & Gas – Grounds	\$140	\$190	\$160	\$1,490	\$0	\$0	\$0	\$0	\$150	\$140	\$2,270
Water & Sewer – Grounds	\$1,710	\$820	\$630	\$22,220	\$870	\$5,630	\$1,680	\$830	\$2,340	\$2,360	\$39,090
Repair/Maintenance – Grounds	\$4,030	\$700	\$420	\$49,500	\$600	\$2,130	\$1,370	\$2,070	\$3,570	\$1,570	\$65,960
Internal Service Charges	\$400	\$60	\$0	\$1,500	\$0	\$610	\$60	\$460	\$0	\$200	\$3,290
General Fund Repayment	\$2,770	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,770
Total Budget	\$9,790	\$1,990	\$1,370	\$77,380	\$2,000	\$9,330	\$3,790	\$3,620	\$6,390	\$4,380	\$120,040
Fund Balance, ending	\$7,473	\$4,039	\$784	\$99,040	\$1,476	\$23,510	\$7,470	\$6,426	\$19,831	\$8,156	\$178,205

APPENDIX B

Assessment Rolls



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Assessment Roll
 6091-16 - SLMD Zone 1
 Fiscal Year 2022-23



APN	Levy	APN	Levy	APN	Levy
3812230100	\$240.84	3812230200	\$240.84	3812230300	\$240.84
3812230400	\$240.84	3812230500	\$240.84	3812230600	\$240.84
3812230700	\$240.84	3812230800	\$240.84	3812230900	\$240.84
3812231000	\$240.84	3812231100	\$240.84	3812231200	\$240.84
3812231300	\$240.84	3812231400	\$240.84	3812231500	\$240.84
3812231600	\$240.84	3812231700	\$240.84	3812231800	\$240.84
3812231900	\$240.84	3812232000	\$240.84	3812232100	\$240.84
3812232200	\$240.84	3812232300	\$240.84	3812232400	\$240.84
3812232500	\$240.84	3812232600	\$240.84	3812232700	\$240.84
3812232800	\$240.84	3812232900	\$240.84	3812233000	\$240.84
3812233100	\$240.84	3812233200	\$240.84	3812233300	\$240.84
3812233400	\$240.84	3812233500	\$240.84	3812233600	\$240.84
3812233700	\$240.84	3812233800	\$240.84	3812233900	\$240.84
3812234000	\$240.84	3812234100	\$240.84	3812234200	\$240.84
3812234300	\$240.84	3812234400	\$240.84	3812234500	\$240.84
Totals		Parcels 45	Levy \$10,837.80		

Assessment Roll
 6091-24 - SLMD Zone 3
 Fiscal Year 2022-23



APN	Levy	APN	Levy	APN	Levy
3812604900	\$147.64	3812605000	\$147.64	3812605100	\$147.64
3812605200	\$147.64	3812605300	\$147.64	3812605400	\$147.64
3812605500	\$147.64	3812605600	\$147.64	3812605700	\$147.64
3812605800	\$147.64	3812605900	\$147.64	3812606000	\$147.64
3812606100	\$147.64	3812606200	\$147.64		
Totals		Parcels 14	Levy \$2,066.96		

Assessment Roll
 6091-25 - SLMD Zone 4
 Fiscal Year 2022-23



APN	Levy	APN	Levy	APN	Levy
3784204600	\$138.50	3784204700	\$138.50	3784204800	\$138.50
3784204900	\$138.50	3784205000	\$138.50	3784205100	\$138.50
3784205200	\$138.50	3784205300	\$138.50		
3784205400	\$138.50	3784205500	\$138.50		
Totals		Parcels 10	Levy \$1,385.00		

Assessment Roll
6091-29 - SLMD Zone 8
Fiscal Year 2022-23



APN	Levy	APN	Levy	APN	Levy
3784400100	\$495.00	3784400200	\$495.00	3784400300	\$495.00
3784400400	\$495.00	3784400700	\$495.00	3784400800	\$495.00
3784400900	\$495.00	3784401000	\$495.00	3784401100	\$495.00
3784401200	\$495.00	3784401300	\$495.00	3784401400	\$495.00
3784401500	\$495.00	3784401600	\$495.00	3784401700	\$495.00
3784401800	\$495.00	3784401900	\$495.00	3784402000	\$495.00
3784402100	\$495.00	3784402200	\$495.00	3784402300	\$495.00
3784402400	\$495.00	3784402500	\$495.00	3784402600	\$495.00
3784402700	\$495.00	3784402800	\$495.00	3784402900	\$495.00
3784403200	\$495.00	3784403300	\$495.00	3784410100	\$495.00
3784410200	\$495.00	3784410300	\$495.00	3784410400	\$495.00
3784410500	\$495.00	3784410600	\$495.00	3784410700	\$495.00
3784410800	\$495.00	3784410900	\$495.00	3784411000	\$495.00
3784411100	\$495.00	3784411200	\$495.00	3784411300	\$495.00
3784411400	\$495.00	3784411500	\$495.00	3784411600	\$495.00
3784411700	\$495.00	3784411800	\$495.00	3784412100	\$495.00
3784412200	\$495.00	3784412300	\$495.00	3784412400	\$495.00
3784412500	\$495.00	3784412600	\$495.00	3784412900	\$495.00
3784413000	\$495.00	3784413100	\$495.00	3784413200	\$495.00
3784413300	\$495.00	3784413400	\$495.00	3784413500	\$495.00
3784413600	\$495.00	3784413700	\$495.00	3784413800	\$495.00
3784413900	\$495.00	3784414000	\$495.00	3784414100	\$495.00
3784414400	\$495.00	3784414500	\$495.00	3784414700	\$495.00
3784414900	\$495.00	3784500100	\$495.00	3784500200	\$495.00
3784500300	\$495.00	3784500400	\$495.00	3784500500	\$495.00
3784500600	\$495.00	3784500700	\$495.00	3784500800	\$495.00
3784500900	\$495.00	3784501000	\$495.00	3784501100	\$495.00
3784501200	\$495.00	3784501300	\$495.00	3784501400	\$495.00
3784501500	\$495.00	3784501600	\$495.00	3784501700	\$495.00
3784501800	\$495.00	3784501900	\$495.00	3784502000	\$495.00
3784502200	\$495.00	3784502300	\$495.00	3784502400	\$495.00
3784502500	\$495.00	3784502600	\$495.00	3784502700	\$495.00
3784502800	\$495.00	3784502900	\$495.00	3784503000	\$495.00
3784503100	\$495.00	3784503200	\$495.00	3784503300	\$495.00
3784503400	\$495.00	3784503500	\$495.00	3784503600	\$495.00
3784503700	\$495.00	3784503800	\$495.00	3784503900	\$495.00
3784504000	\$495.00	3784504100	\$495.00	3784504200	\$495.00
3784504300	\$495.00	3784504400	\$495.00	3784504500	\$495.00
3784504600	\$495.00	3784504700	\$495.00	3784504800	\$495.00
3784504900	\$495.00	3784505000	\$495.00	3784505100	\$495.00
3784505200	\$495.00	3784505300	\$495.00	3784505500	\$495.00
3817100100	\$495.00	3817100200	\$495.00	3817100300	\$495.00
3817100400	\$495.00	3817100500	\$495.00	3817100600	\$495.00
3817100700	\$495.00	3817100800	\$495.00	3817100900	\$495.00
3817101000	\$495.00	3817101100	\$495.00	3817101200	\$495.00
3817101300	\$495.00	3817101400	\$495.00	3817101500	\$495.00
3817101600	\$495.00	3817101700	\$495.00	3817101800	\$495.00

Assessment Roll
 6091-29 - SLMD Zone 8
 Fiscal Year 2022-23



APN	Levy	APN	Levy	APN	Levy
3817101900	\$495.00	3817102000	\$495.00	3817102100	\$495.00
3817102200	\$495.00	3817102300	\$495.00	3817102400	\$495.00
3817102500	\$495.00	3817102600	\$495.00	3817102700	\$495.00
3817102800	\$495.00	3817102900	\$495.00	3817103000	\$495.00
Totals		Parcels 153	Levy \$75,735.00		

Assessment Roll
 6091-30 - SLMD Zone 9
 Fiscal Year 2022-23



APN	Levy	APN	Levy	APN	Levy
3816900200	\$44.98	3816900300	\$44.98	3816900400	\$44.98
3816900500	\$44.98	3816900600	\$44.98	3816900700	\$44.98
3816900800	\$44.98	3816900900	\$44.98	3816901000	\$44.98
3816901100	\$44.98	3816901200	\$44.98	3816901500	\$44.98
3816901600	\$44.98	3816901700	\$44.98	3816901800	\$44.98
3816901900	\$44.98	3816902000	\$44.98	3816902100	\$44.98
3816902200	\$44.98	3816902300	\$44.98	3816902400	\$44.98
3816902500	\$44.98	3816902600	\$44.98	3816903400	\$44.98
3816903500	\$44.98	3816903600	\$44.98	3816903700	\$44.98
3816903800	\$44.98	3816903900	\$44.98	3816904000	\$44.98
3816904700	\$44.98	3816904800	\$44.98		
3816904900	\$44.98	3816905100	\$44.98		
Totals		Parcels 34	Levy \$1,529.32		

Assessment Roll
 6091-34 - SLMD Zone 13
 Fiscal Year 2022-23



APN	Levy	APN	Levy	APN	Levy
3866800100	\$75.00	3866800200	\$75.00	3866800300	\$75.00
3866800400	\$75.00	3866800500	\$75.00	3866800600	\$75.00
3866800700	\$75.00	3866800800	\$75.00	3866800900	\$75.00
3866801000	\$75.00	3866801100	\$75.00	3866801200	\$75.00
3866801300	\$75.00	3866801400	\$75.00	3866801500	\$75.00
3866801600	\$75.00	3866801700	\$75.00	3866801800	\$75.00
3866801900	\$75.00	3866802000	\$75.00	3866802100	\$75.00
3866802200	\$75.00	3866802300	\$75.00	3866810100	\$75.00
3866810200	\$75.00	3866810300	\$75.00	3866810400	\$75.00
3866810500	\$75.00	3866810600	\$75.00	3866810700	\$75.00
3866810800	\$75.00	3866810900	\$75.00	3866811000	\$75.00
3866811100	\$75.00	3866811200	\$75.00	3866811300	\$75.00
3866811400	\$75.00	3866811500	\$75.00	3866811600	\$75.00
3866811700	\$75.00	3866811800	\$75.00		
3866811900	\$75.00	3866812000	\$75.00		
Totals		Parcels 43	Levy \$3,225.00		

Assessment Roll
 6091-35 - SLMD Zone 14
 Fiscal Year 2022-23



APN	Levy	APN	Levy	APN	Levy
3817200100	\$168.14	3817200200	\$168.14	3817200300	\$168.14
3817200400	\$168.14	3817200500	\$168.14	3817200600	\$168.14
3817200700	\$168.14	3817200800	\$168.14	3817200900	\$168.14
3817201000	\$168.14	3817201100	\$168.14	3817201200	\$168.14
3817201300	\$168.14	3817201400	\$168.14		
3817201500	\$168.14	3817201600	\$168.14		
Totals		Parcels 16	Levy \$2,690.24		

Assessment Roll
 6091-40 - SLMD Zone 17
 Fiscal Year 2022-23



APN	Levy	APN	Levy	APN	Levy
3784205600	\$241.30	3784205700	\$241.30	3784205800	\$241.30
3784205900	\$241.30	3784206000	\$241.30	3784206100	\$241.30
3784206200	\$241.30	3784206300	\$241.30	3784206400	\$241.30
3784206500	\$241.30	3784206600	\$241.30	3784206700	\$241.30
3784206800	\$241.30	3784206900	\$241.30	3784207000	\$241.30
3784207100	\$241.30	3784207200	\$241.30	3784207300	\$241.30
3784207400	\$241.30	3784207500	\$241.30		
Totals		Parcels 20	Levy \$4,826.00		

Assessment Roll
 6091-41 - SLMD Zone 18
 Fiscal Year 2022-23



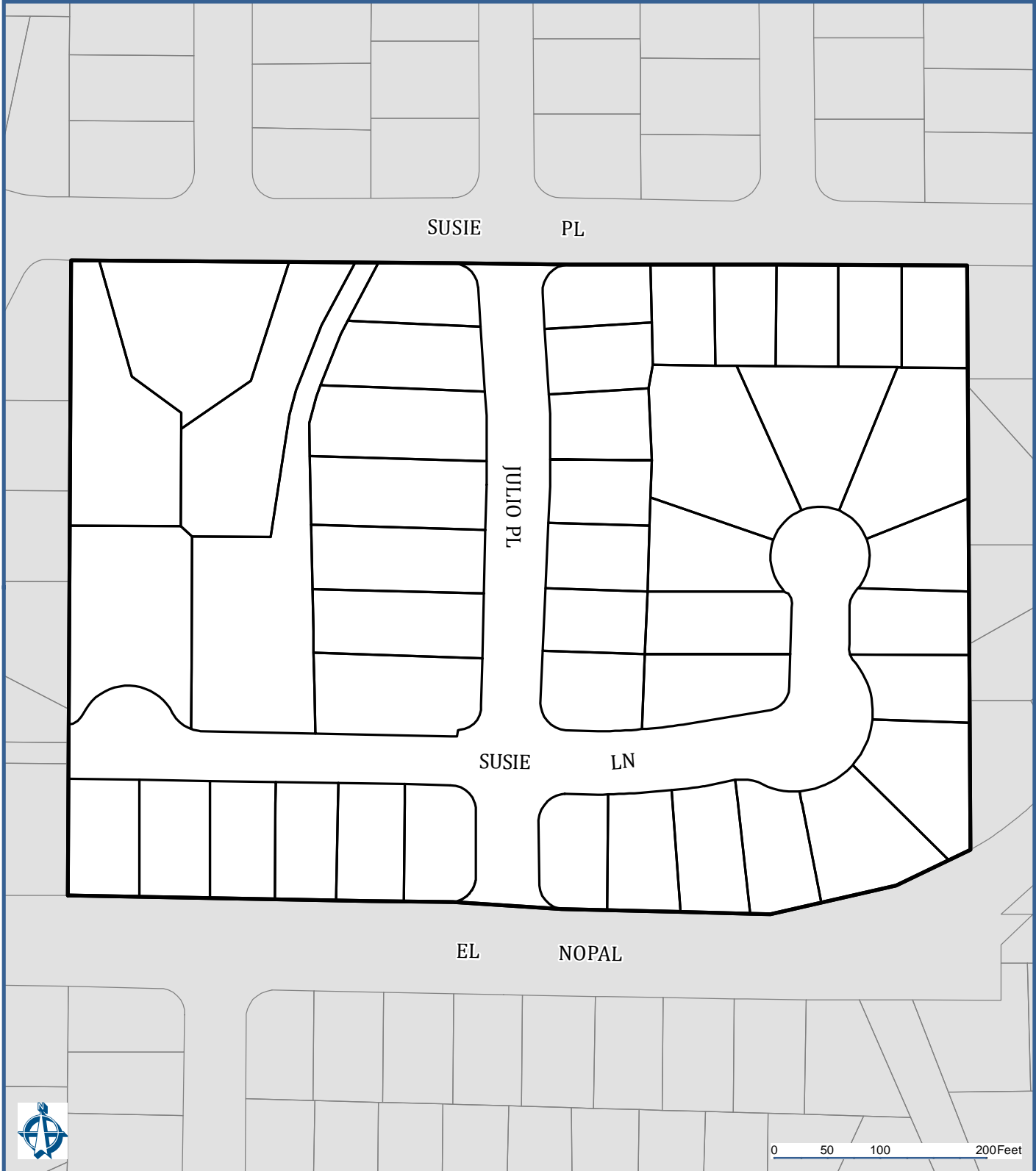
APN	Levy	APN	Levy	APN	Levy
3862805000	\$653.34	3862805100	\$653.34	3862805200	\$653.34
3862805300	\$653.34	3862805400	\$653.34	3862805500	\$653.34
Totals		Parcels 6	Levy \$3,920.04		

APPENDIX C

Assessment Diagrams



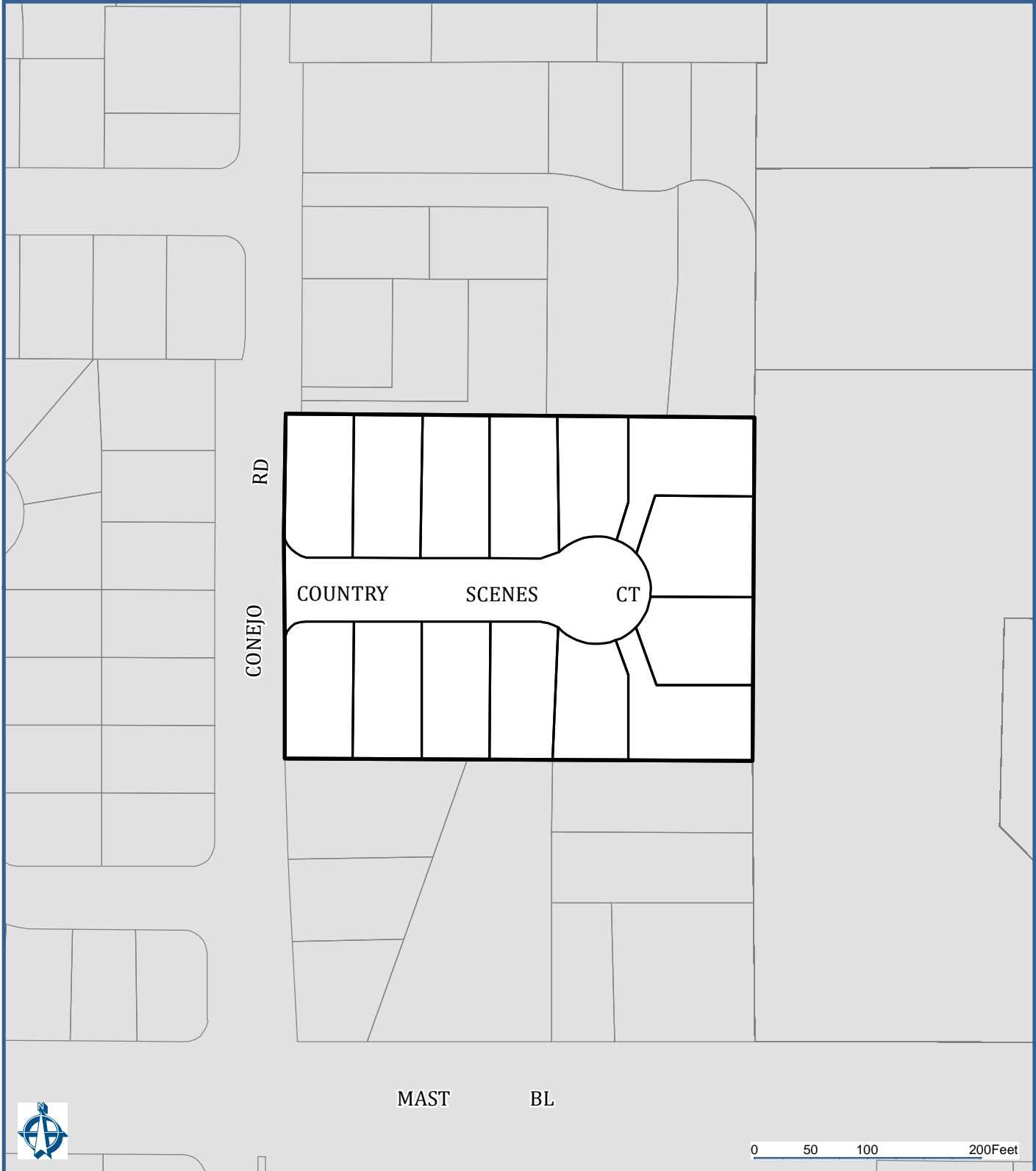
SPIKER CONSULTING
G R O U P



CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT
ZONE 1
(EL NOPAL ESTATES)

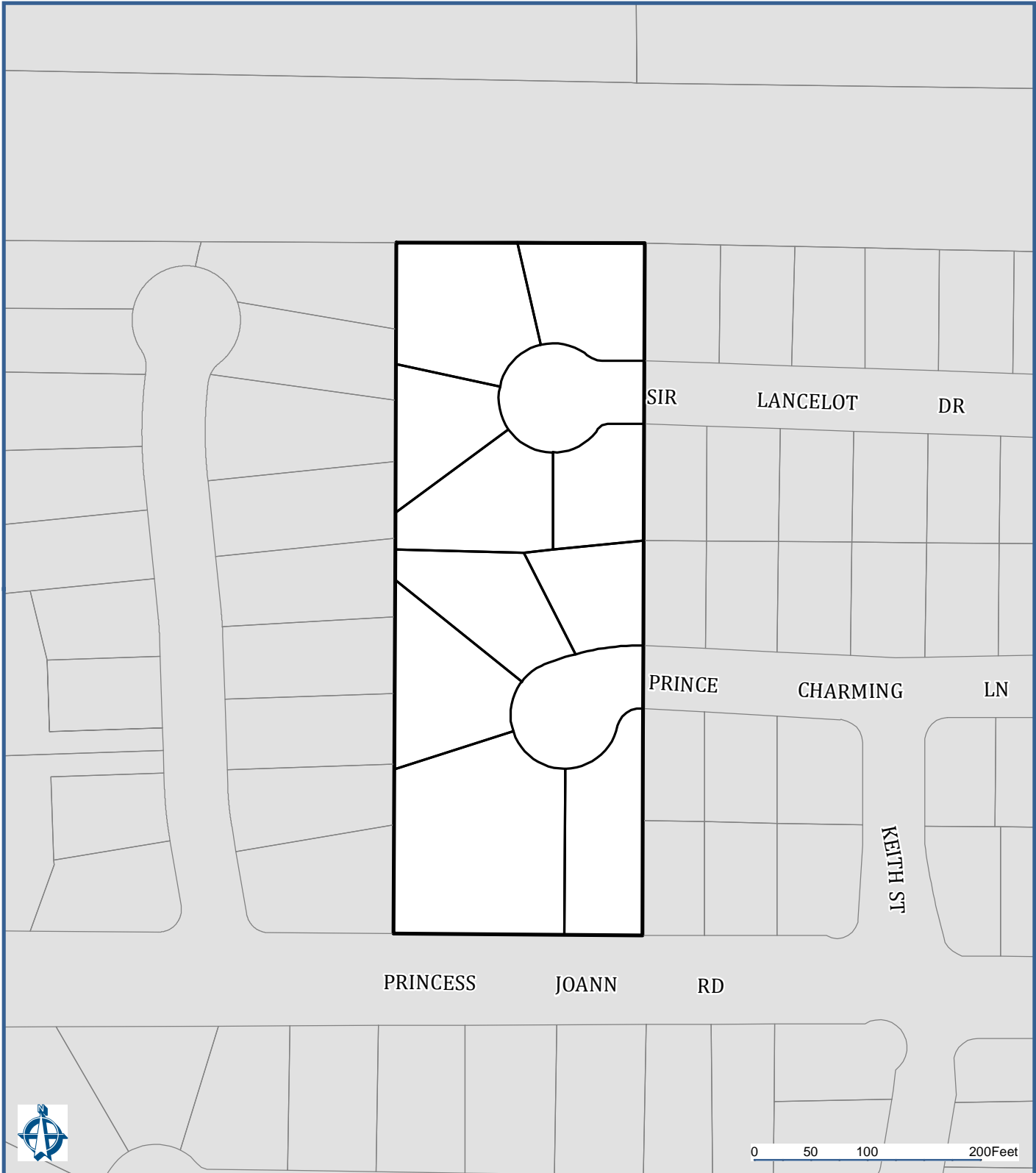




CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT
ZONE 3
(COUNTRY SCENES)





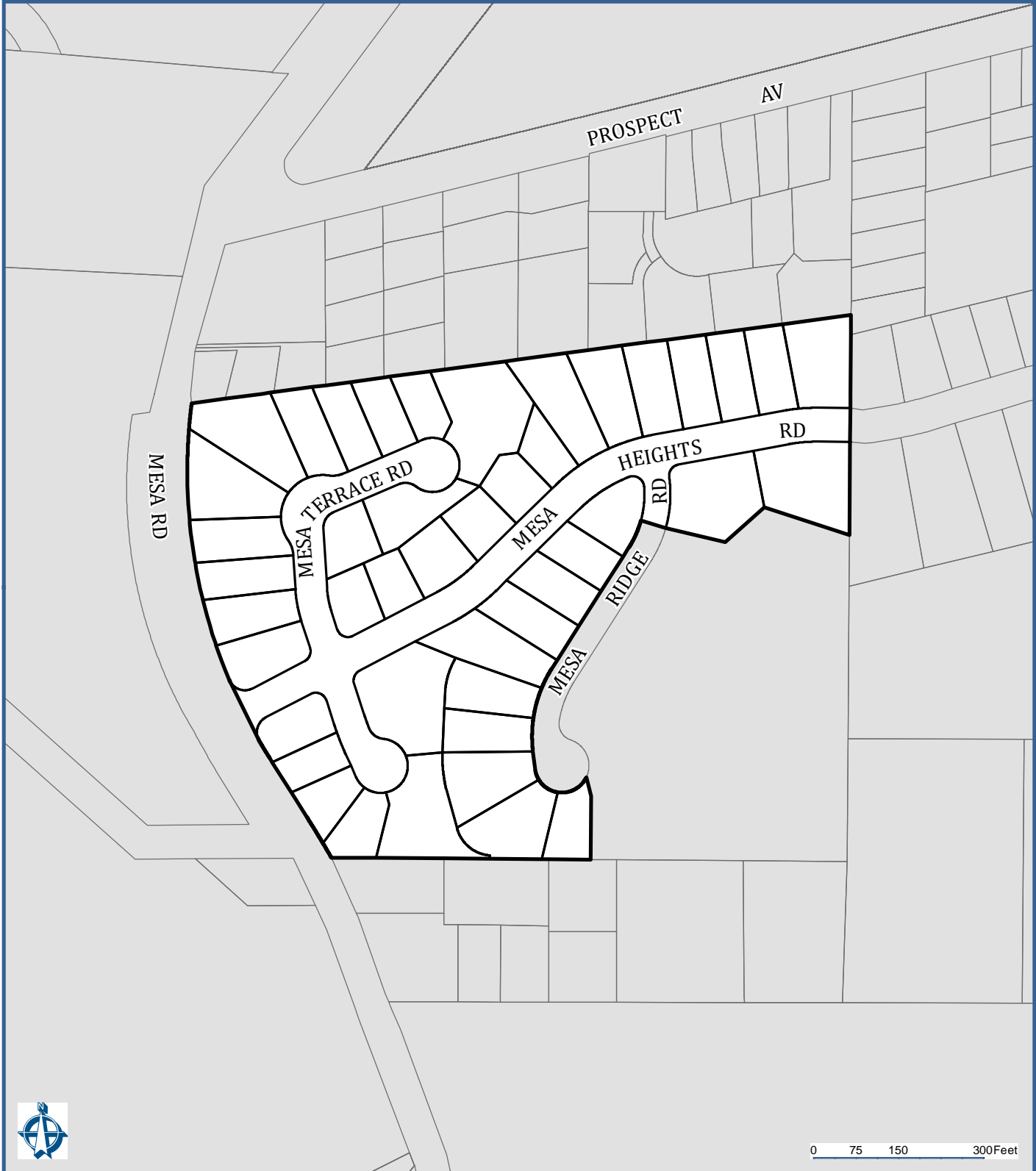
CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT
ZONE 4
(CAMELOT HEIGHTS)



0 50 100 200Feet

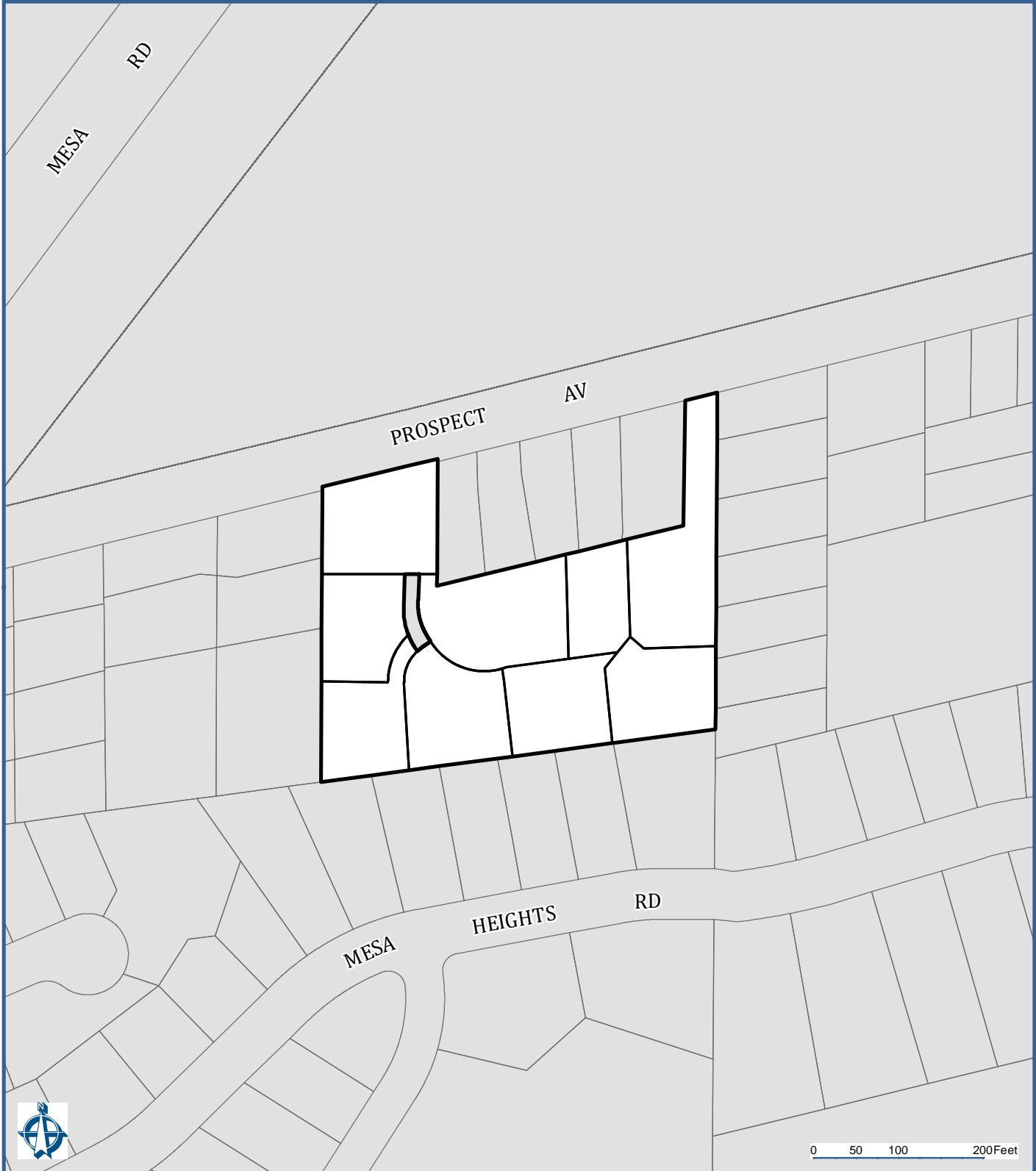




CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT
ZONE 5
(MESA HEIGHTS)

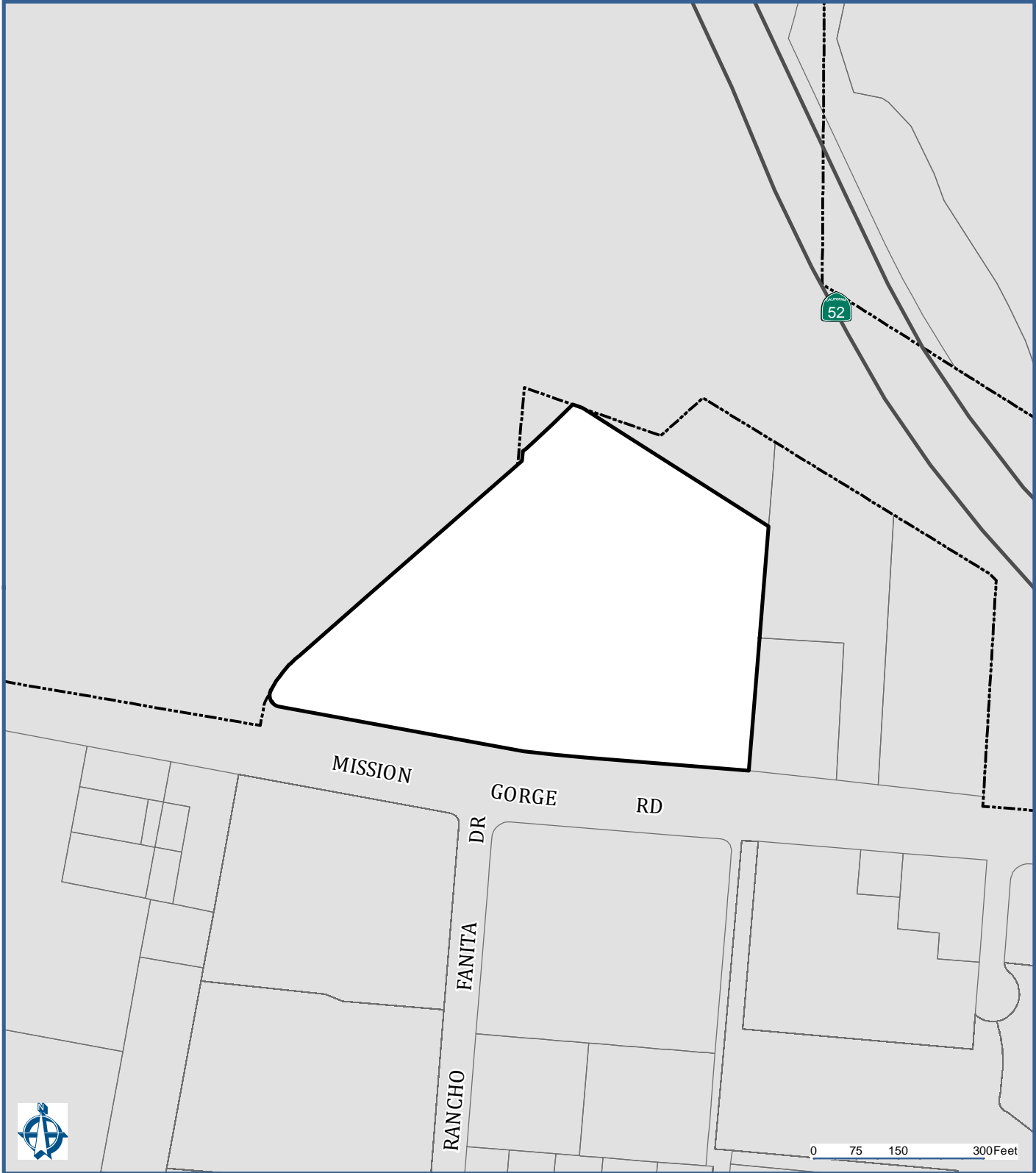




CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT
ZONE 6
(PROSPECT POINT)

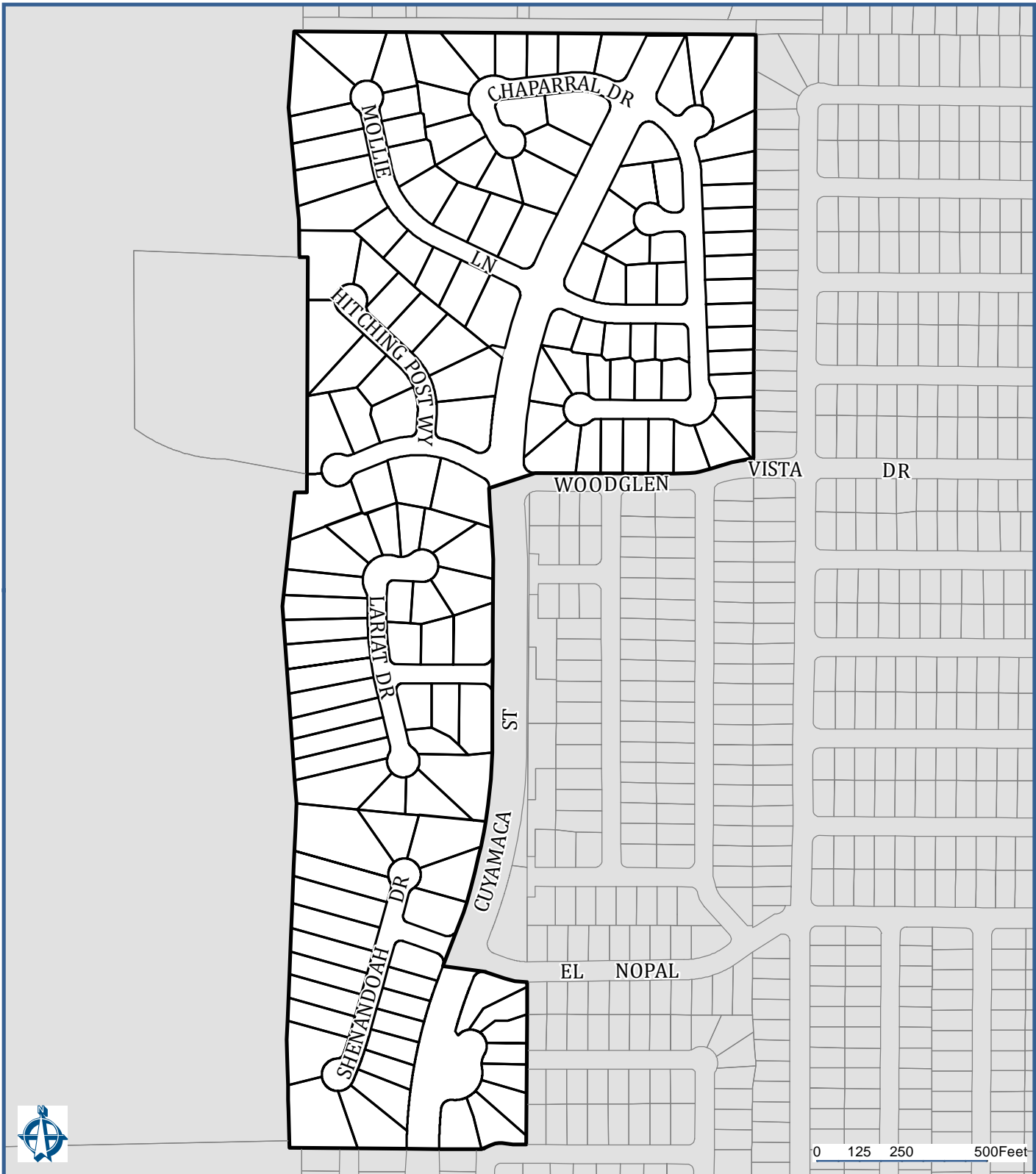




CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT
ZONE 7
(TREVISO)

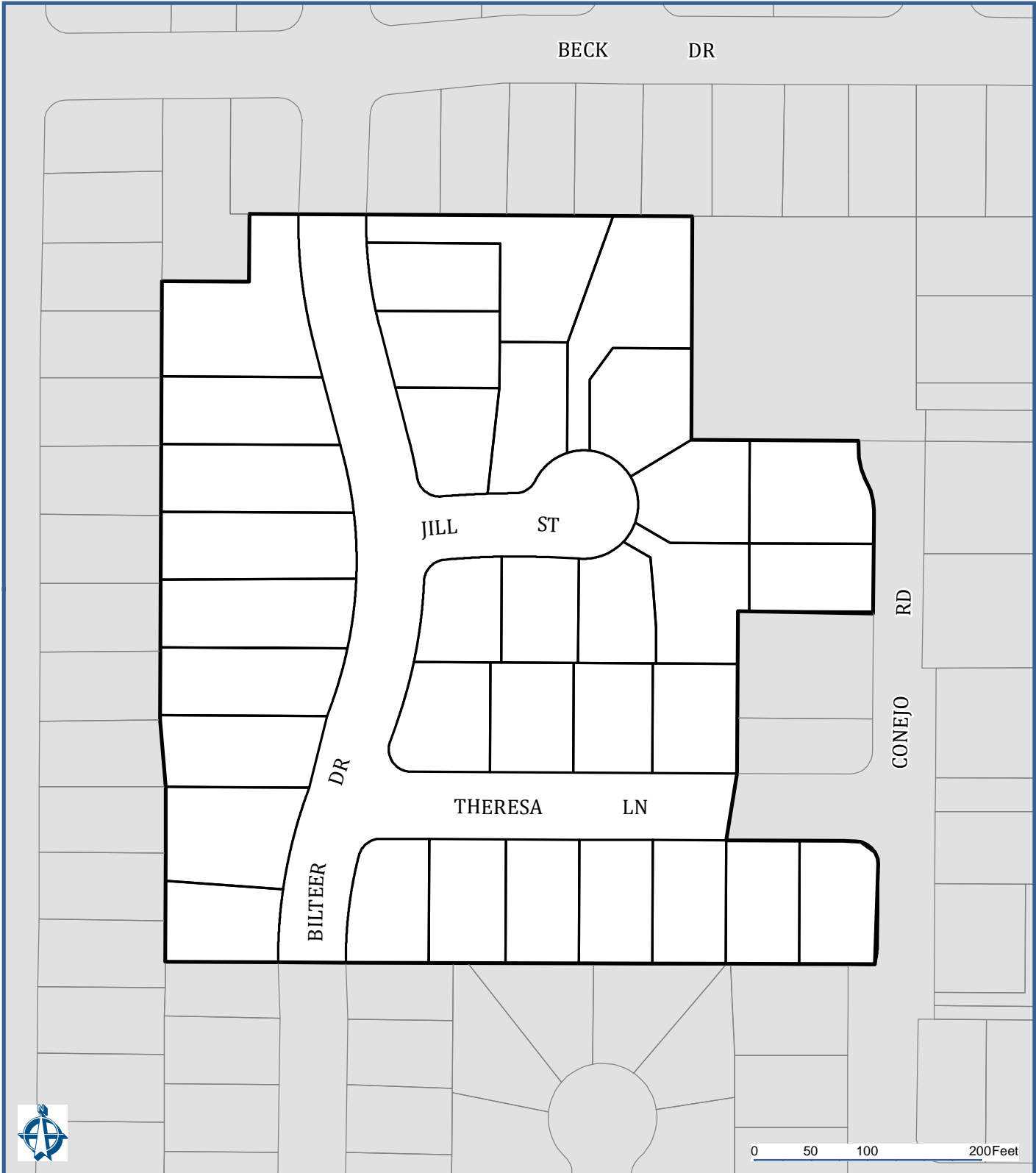




CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT
ZONE 8
(SILVER COUNTRY ESTATES)

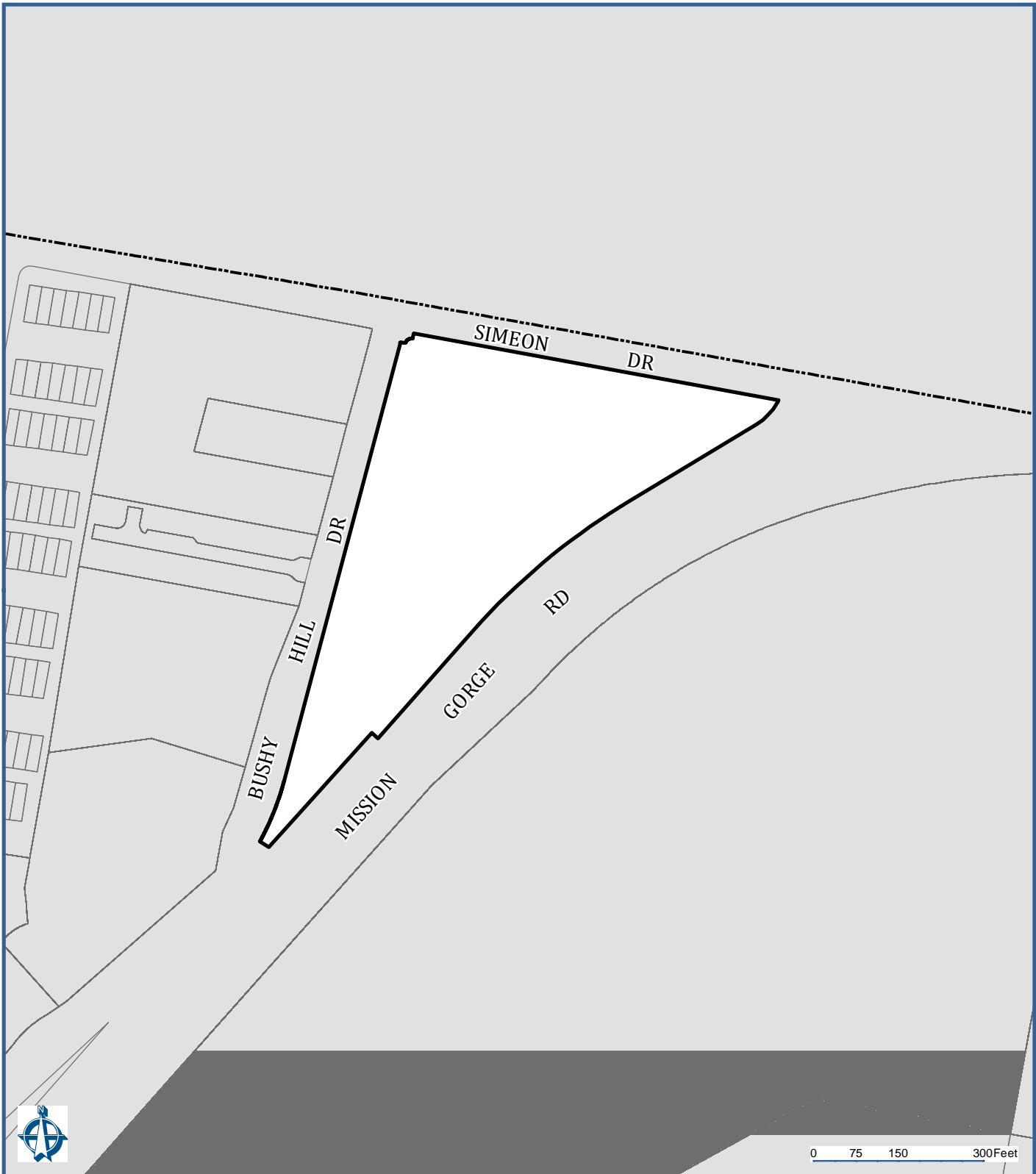




CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT
ZONE 9
(TIMBERLANE/MATTAZARO)

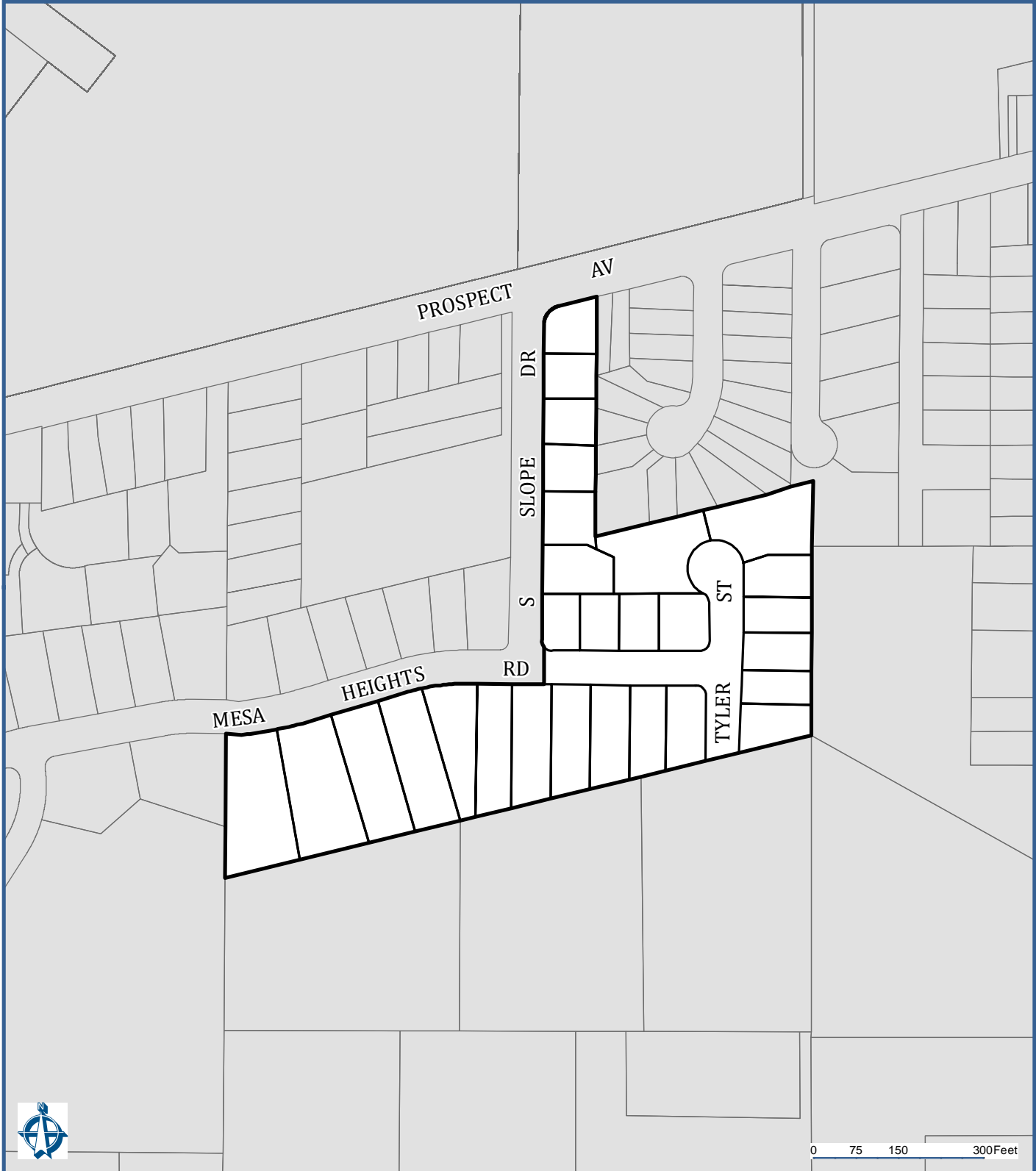




CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT
ZONE 10
(LAKES WEST)

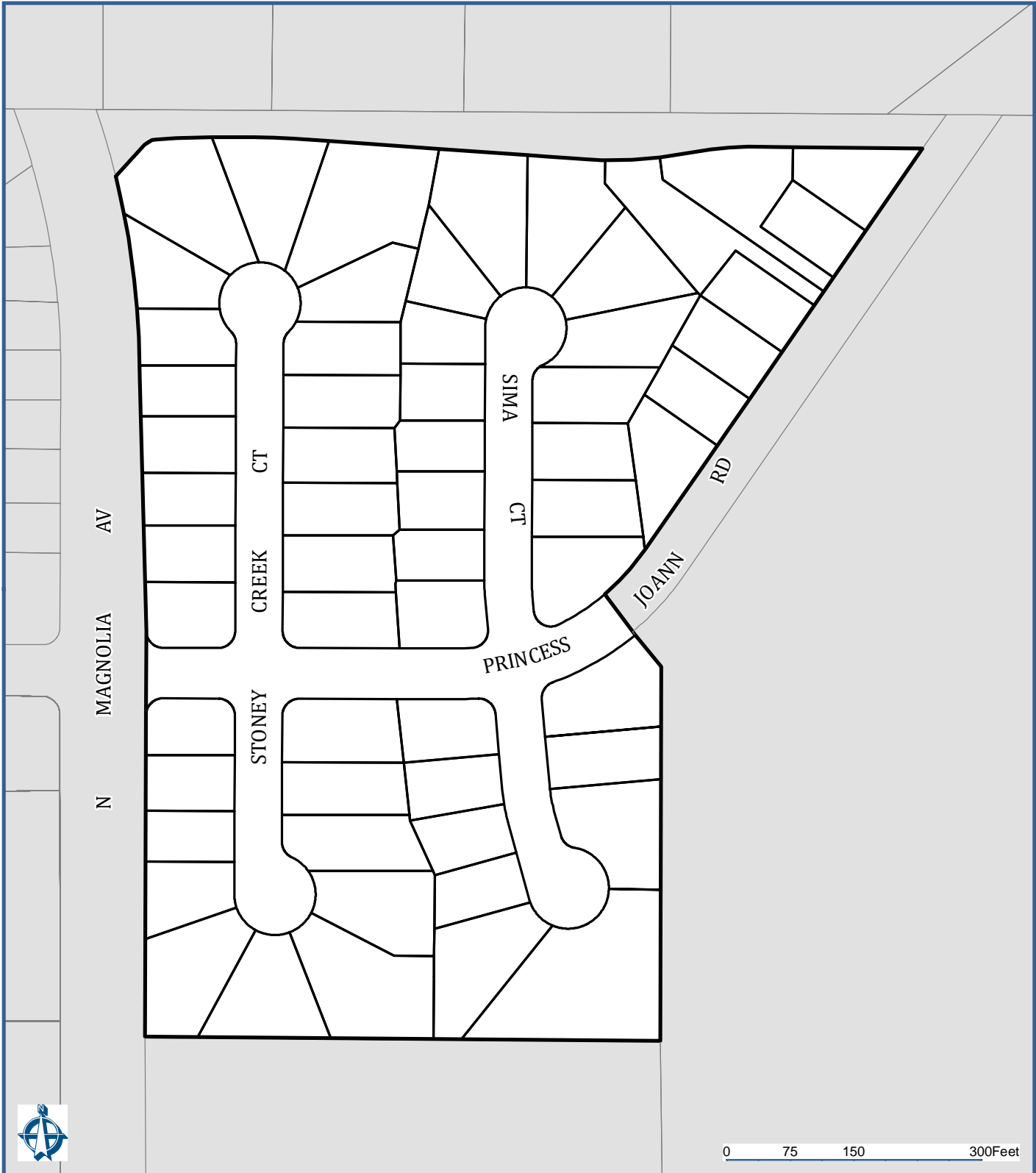




CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT
ZONE 11
(PADRE HILLS)

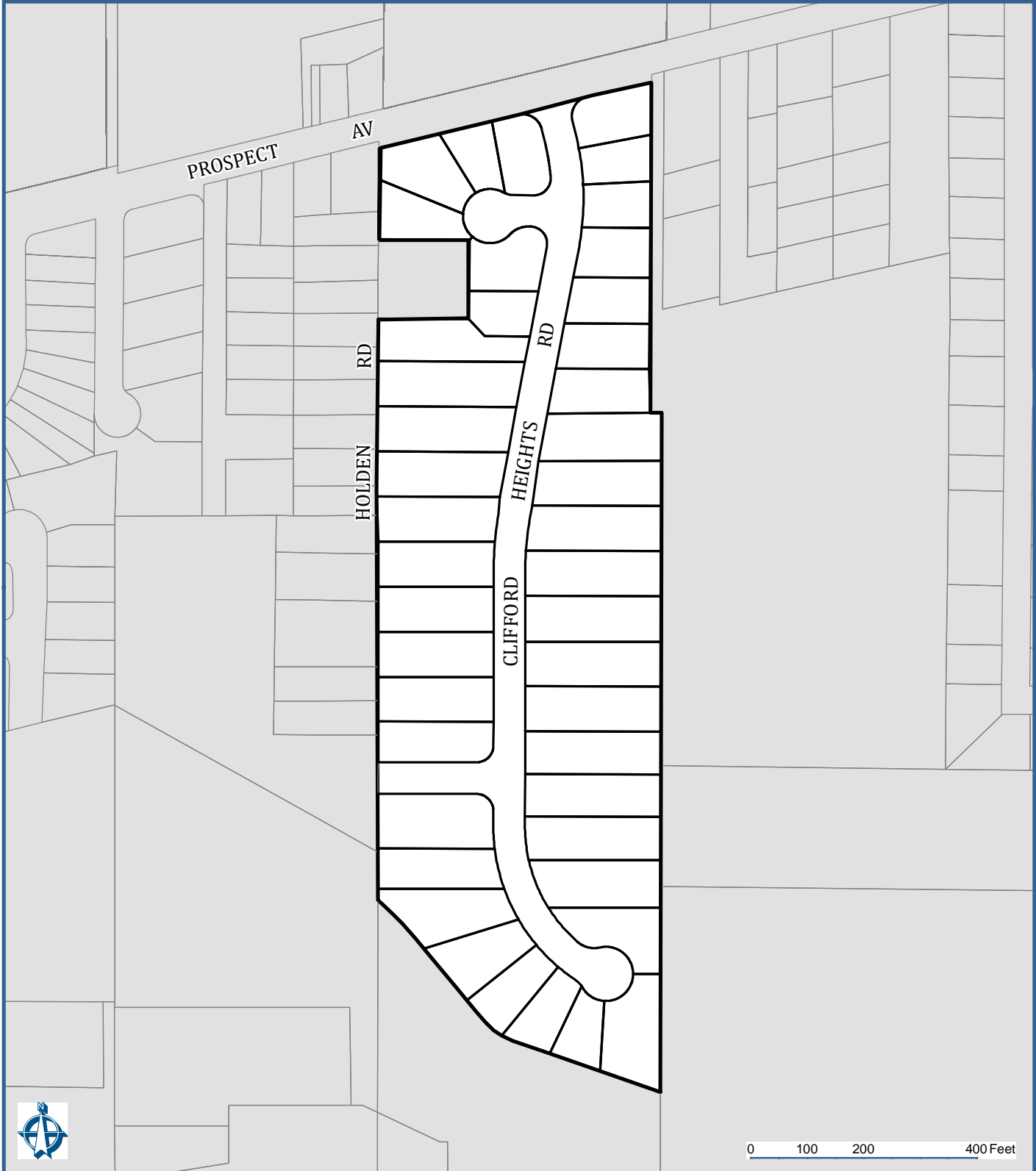




CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT
ZONE 12
(THE HEIGHTS)

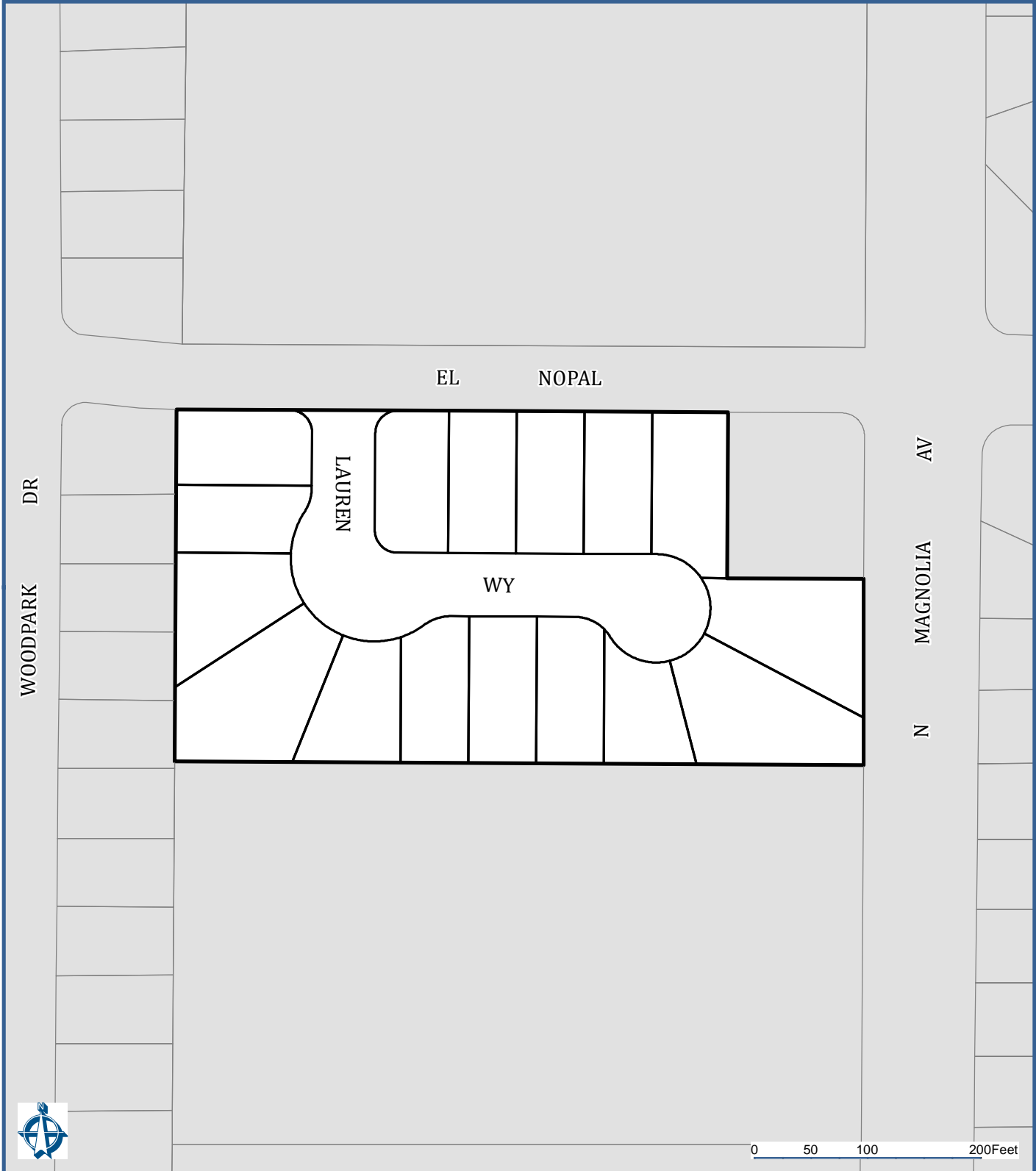




CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT
ZONE 13
(PROSPECT HILLS)





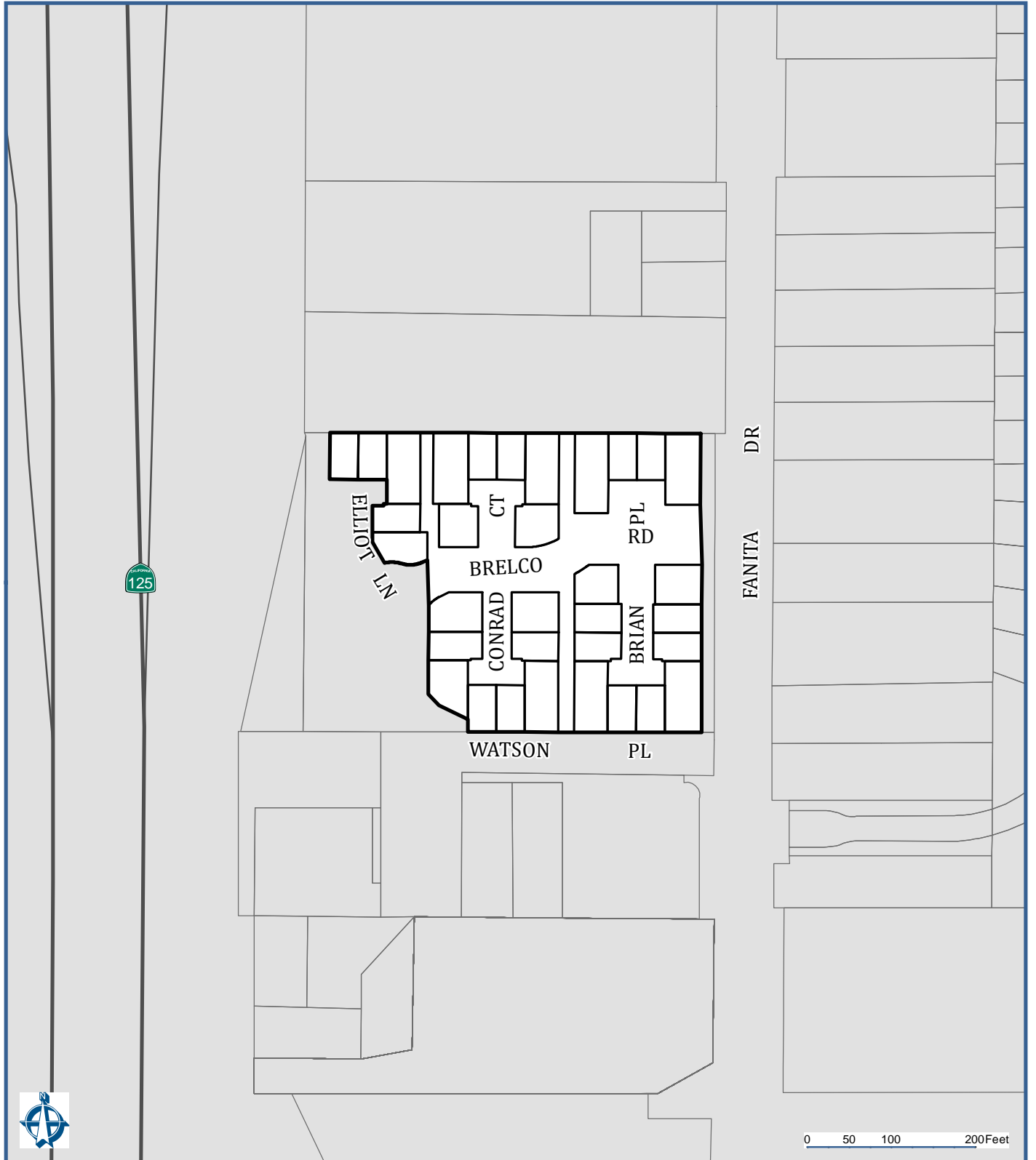
CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT
ZONE 14
(MITCHELL RANCH)



0 50 100 200Feet





CITY OF SANTEE ASSESSMENT DIAGRAM

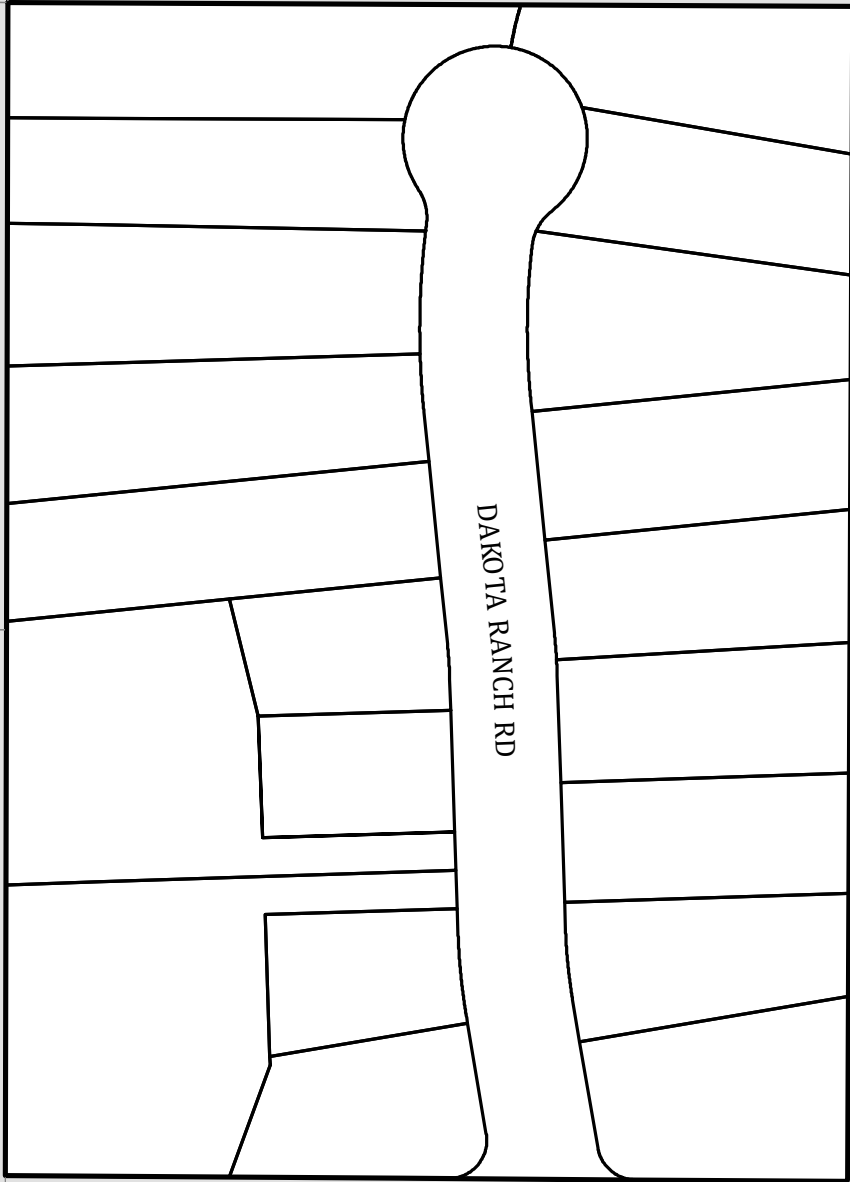
SANTEE LANDSCAPE MAINTENANCE DISTRICT
ZONE 15
(VISTA ESTE)



CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT
ZONE 16
(PROSPECT GLEN)





PRINCESS JOANN RD

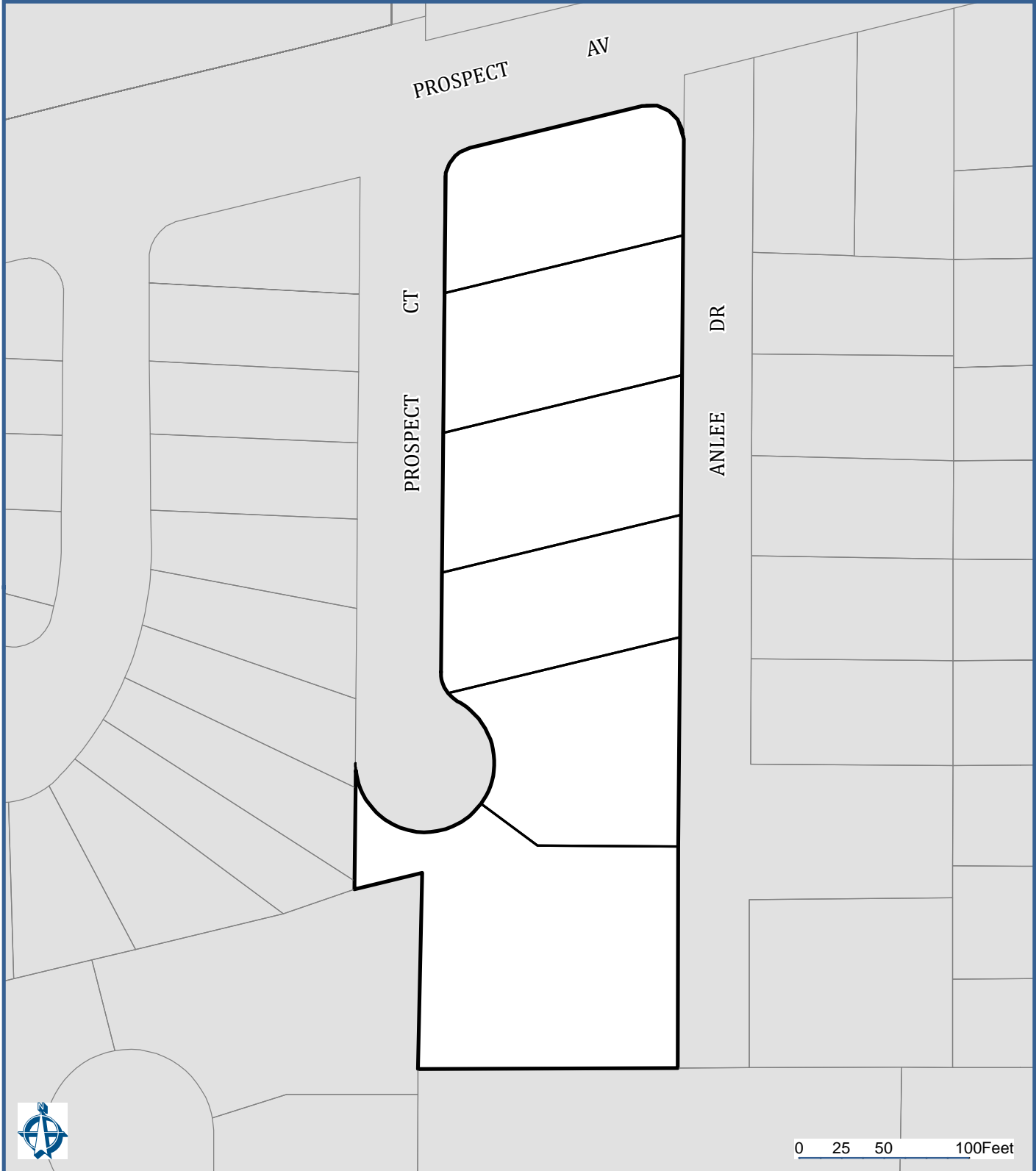


0 25 50 100Feet

CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT
ZONE 17
(DAKOTA RANCH)

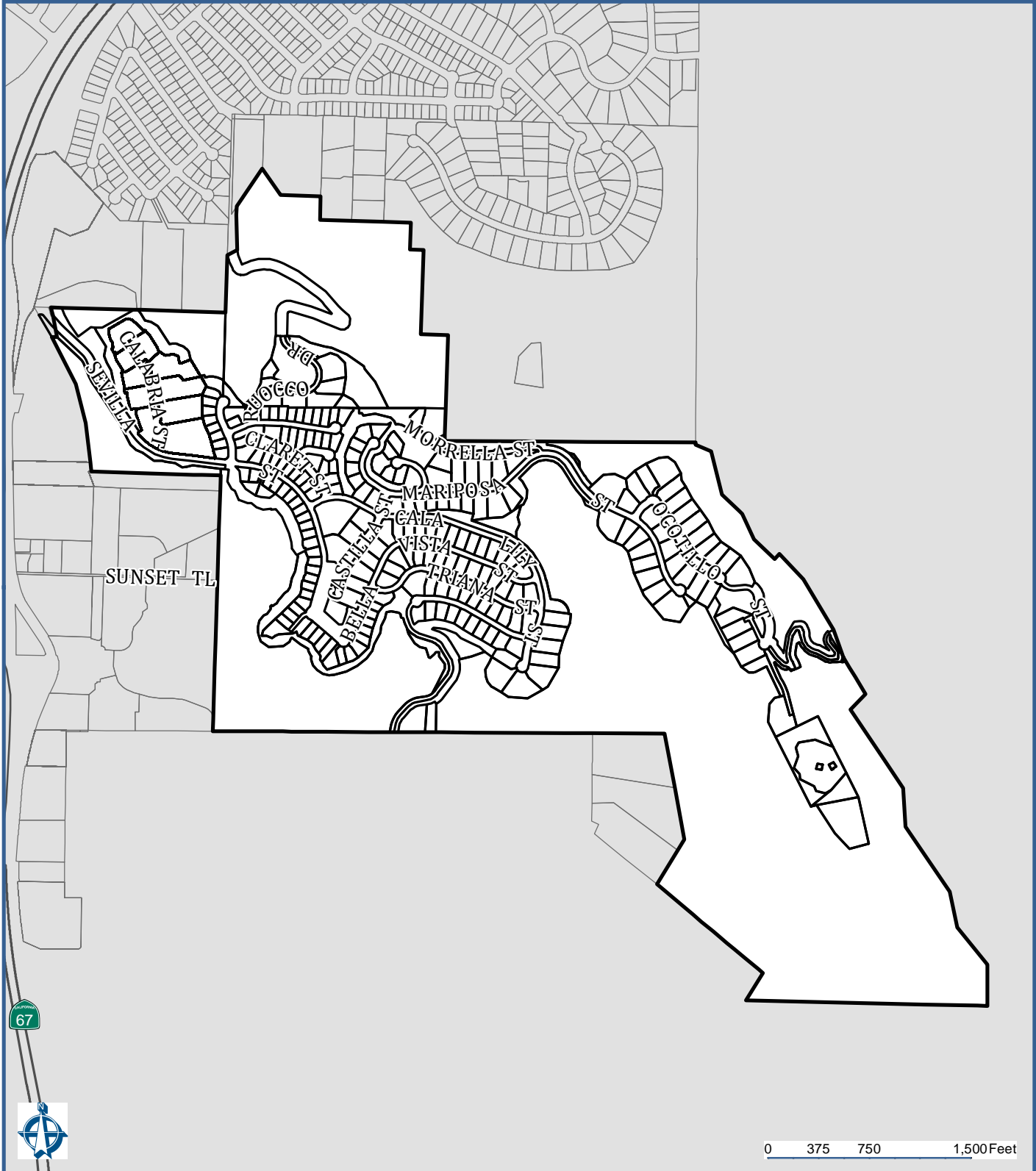




CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT
ZONE 18
(ALLOS)





CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE LANDSCAPE MAINTENANCE DISTRICT
ZONE 19
(SKY RANCH)



APPENDIX D

Capital Improvement Projects



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Appendix D Capital Improvement Projects

The Community Services Department is developing a master plan for each zone that would include capital projects, operational activities, and revenue requirements to meet the objectives and service levels desired. Revenue requirements are set to cover annual operating costs and build reserves over time to perform focused capital replacements year over year, or large capital replacements in one anticipated year. Projects will be brought before City Council for approval as they are developed through the master plan. Zone specific projects are listed below:

Zone 12 Capital Project

For Fiscal Year 2022-23, the City budgeted \$1,000 for revegetation and irrigation upgrades in The Heights.

Zone 14 Capital Project

For Fiscal Year 2022-23, the City budgeted \$1,000 for revegetation and irrigation upgrades in Mitchell Ranch.

Zone 17 Capital Project

For Fiscal Year 2022-23, the City budgeted \$2,000 for revegetation and irrigation upgrades in Dakota Ranch.

Zone 18 Capital Project

For Fiscal Year 2022-23, the City budgeted \$500 for revegetation and irrigation upgrades in Allos.



SPICER CONSULTING
GROUP

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE,
CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN
ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR
MAINTENANCE IN AN EXISTING DISTRICT,
AND SETTING THE TIME AND PLACE FOR A
PUBLIC HEARING THEREON FOR THE
FY 2022-23 SANTEE LANDSCAPE MAINTENANCE DISTRICT**

WHEREAS, the City Council of the City of Santee, California has previously formed a street lighting and landscaping district pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California, Article XIII of the California Constitution , and the Proposition 218 Omnibus Implementation Act (commencing with California Government Code Section 53750) (collectively the "Law"), in what is known and designated as **SANTEE LANDSCAPE MAINTENANCE DISTRICT** ("District"); and,

WHEREAS, at this time, the facilities or improvements, as set forth in the Engineer's Report ("Report"), include landscaping within public streets, rights-of-ways and easements within various residential areas in the City; and

WHEREAS, at this time, this City Council desires to take proceedings to provide for the annual levy of assessments for the next ensuing fiscal year, to provide for the expenses necessary for continued maintenance of improvements within said District; and

WHEREAS, at this time there has been presented and approved by this City Council, a Report as required by law, and this City Council desires to move forth with the proceedings for said annual levy.

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

SECTION 1. That the above recitals are all true and correct.

SECTION 2. The Report regarding the annual levy for said District, which Report is for maintenance for Fiscal Year 2022-23 that has been previously approved is directed to be filed in the Office of the City Clerk for public review. Reference is hereby made to the Report for a full and detailed description of the improvements, the boundaries of the District and any zones therein, and the proposed assessment.

SECTION 3. That the public interest and convenience requires, and it is the intention of this City Council to order, the annual assessment levy for the District as set forth and described in said Report, and further it is determined to be in the best public interest and convenience to levy and collect annual assessments to pay the costs and expenses of said maintenance of improvements as estimated in said Report.

RESOLUTION NO.

SECTION 4. The assessments levied and collected shall be for the maintenance of certain improvements, as set forth in the Report, referenced and so incorporated herein.

SECTION 5. The assessment for Zone 1 - El Nopal Estates will increase from \$232.70 to \$240.84. Nine zones will have the same assessments in FY 2022-23 as in the prior year.

SECTION 6. There are no new improvements or any substantial changes to existing improvements.

SECTION 7. The County Auditor shall enter on the Assessment Roll the amount of the assessments, and shall collect said assessments at the same time and in the same manner as County taxes are collected. After collection, the net amount of the assessments, after the deduction of any compensation due to the County for collection, shall be paid to the Treasurer of the City of Santee for purposes of paying for the costs and expenses of said District.

SECTION 8. That all monies collected shall be deposited in a special fund known as: **"SPECIAL FUND - SANTEE LANDSCAPE MAINTENANCE DISTRICT."** Payment shall be made out of said fund only for the purpose provided for in this Resolution, and in order to expedite the making of this maintenance or improvement, the City Council may transfer into said special fund, from any available source, such funds as it may deem necessary to expedite the proceedings. Any funds shall be repaid out of the proceeds of the assessments provided for in this Resolution.

SECTION 9. Said maintenance work is, in the opinion of this City Council, of direct benefit to the properties within the boundaries of the District, and this City Council makes the costs and expenses of said maintenance chargeable upon a District, of which District this City Council hereby declares to be the District benefited by said improvements and their maintenance thereof, and to be further assessed to pay the costs and expenses thereof. Said District shall include each and every parcel of land within the boundaries of said District, as said District is shown within said Report, as approved by this City Council and on file in the Office of the City Clerk, and so designated by the name of the District.

SECTION 10. Any public properties, as defined in the Law, which are included within the boundaries of the District, shall be subject to any assessment to be made under these proceedings to cover any of the costs and expenses of said maintenance work.

SECTION 11. Notice is hereby given that a public hearing on this item will be held before the **SANTEE CITY COUNCIL** at 6:30 p.m., Wednesday on July 27, 2022, regarding the annual levy of assessments, the extent of the maintenance, and any other matters contained within this resolution. In an effort to protect public health and prevent the spread of COVID19, attendees must comply with state and local public health orders in effect on the date of the hearing. Instructions for participating in the hearing will be posted by the City Clerk on the City's website at <https://www.cityofsanteeca.gov>. Any persons who wish to object to the proceedings for the annual levy should file a

RESOLUTION NO.

written protest with the City Clerk prior to the time set and scheduled for said public hearing.

SECTION 12. That the Finance Department is directed to publish a copy of this Resolution in a newspaper of general circulation within said City, said publication shall be not less than ten (10) days before the date set for said Public Hearing.

SECTION 13. This Resolution shall take effect immediately upon its adoption.

ADOPTED by the City Council of the City of Santee, California, at a regular meeting thereof held this 25th day of May, 2022, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETE ORTIZ, CMC, CITY CLERK

MEETING DATE May 25, 2022

ITEM TITLE RESOLUTIONS APPROVING THE ENGINEER'S REPORT AND DECLARING THE CITY COUNCIL'S INTENTION TO LEVY ASSESSMENTS AND SETTING A PUBLIC HEARING FOR THE FY 2022-23 TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT ANNUAL LEVY OF ASSESSMENTS

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

SUMMARY Town Center Landscape Maintenance District ("TCLMD") was originally formed in 1987. It now comprises eight distinct zones, four of which have been historically assessed: Zone A – "Town Center Parkway," Zone B – "The Lakes," Zone C – "San Remo," and Zone D – the mixed use project known as "Mission Creek." Contractors provide landscape and lighting maintenance services to the assessed zones. Maps depicting each zone and the areas of maintenance are attached.

The City Council is required to take three distinct steps in order to proceed with the annual levy of assessments. The first step was taken on April 13, 2022 when the City Council formally initiated the proceedings and directed the preparation of an engineer's report, analyzing existing and proposed improvements to the District. The second step, which will be taken this evening, requires the City Council to take formal action to either approve or modify and approve the proposed engineer's report, declare its intention to provide for the annual levy of assessments and provide notice of a public hearing. Finally, on July 27, 2022 the City Council will take the final step and hold the public hearing and provide for the annual levy of assessments.

The attached Assessment Summary reflects TCLMD assessments, costs and available balances for FY 2022-23. There will be no change in the assessment for Zones A, C and D, as they are at the maximum assessment. The Magnolia Lakes Homeowner's Association (HOA) in Zone B has expressed its interest in taking over the responsibility for the maintenance of Zone B. While there is currently an assessment and an expenditure budget reflected in the attached Preliminary Engineer's Report, the City's intention is to not levy the assessment once a Public Improvement Maintenance Agreement with the HOA is finalized.

FINANCIAL STATEMENT *TKM*

A total of \$314,254 is proposed to be assessed on property owners within Zones A, C and D of the TCLMD in FY 2022-23 for the cost of maintenance and administration. The tentative assessment for Zone B which will likely not be levied totals \$7,518.72.

CITY ATTORNEY REVIEW N/A • Completed

RECOMMENDATION *MAB*

Adopt two Resolutions: 1) Approving the engineer's report, and 2) Declaring intention to levy assessments and setting a public hearing for July 27, 2022.

ATTACHMENT

Assessment Summary and Resolutions (Preliminary Engineer's Report and Assessment Diagrams)



**ASSESSMENT SUMMARY FOR
TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT**

**FY 2022-23 ASSESSMENTS VS. FY 2021-22 ASSESSMENTS
AND APPROVED MAXIMUM ASSESSMENT**

Zone	Title	Benefit Unit Used	FY 2022-23 Maintenance & Administration	Reserves 7/1/2022	FY 21-22 Levy Per Benefit Unit	FY 22-23 Levy Per Benefit Unit	FY 22-23 Total Levy	Maximum Total Levy
A	Town Center Parkway	Acre	\$171,820.00	\$195,730.00	\$1,627.00/ \$2,973.00 (1)	\$1,627.00/ \$2,973.00 (1)	\$141,816.82	\$141,816.82
B	The Lakes (3)	SFH (2)	\$6,100.00	\$31,580.00	\$84.48	\$84.48	\$7,518.72	\$7,518.72
C	San Remo	SFH (2)	\$9,820.00	\$33,810.00	\$218.22	\$218.22	\$7,855.92	\$7,855.92
D	Mission Creek - Commercial	Acre	N/A	N/A	\$5,481.35	\$5,481.35	\$46,749.08	\$46,749.08
	Mission Creek - Residential	SFH (2)	N/A	N/A	\$286.00	\$286.00	\$117,832.00	\$117,832.00
	Mission Creek - All Uses	N/A	\$179,550.00	\$128,140.00	N/A	N/A	\$164,581.08	\$164,581.08

Notes:

- (1) Based on a 1987 agreement with the RDA and The Price Company, the Costco parcel is levied a lower overall assessment. All other parcels are charged the second-shown rate.
- (2) "SFH" means Single Family Home.
- (3) The Magnolia Lakes Homeowner's Association (HOA) in Zone B has expressed their interest in taking over the responsibility for the maintenance of Zone B. While there is currently an assessment and an expenditure budget reflected in the attached Preliminary Engineer's Report, the City's intention is to not levy the assessment once a Public Improvement Maintenance Agreement with the HOA is finalized.

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA,
APPROVING THE ENGINEER'S REPORT FOR THE ANNUAL LEVY OF
ASSESSMENTS FOR FY 2022-23 FOR THE
TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT**

WHEREAS, the City Council of the City of Santee, pursuant to the provisions of the "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California, Article XIII D of the California Constitution and the Proposition 218 Omnibus Implementation Act (commencing with California Government Code Section 53750) (collectively the "Law"), did by previous Resolution, order the preparation of an Engineer's Report for the annual levy of assessments, consisting of plans and specifications, an estimate of the costs, a diagram of the district, and an assessment of the costs relating to what is known and designated as: **TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT** ("District"); and,

WHEREAS, the FY 2022-23 Assessment Engineer's Report ("Report") has been presented to this City Council as required by the Law and as previously directed by Resolution; and

WHEREAS, this City Council has examined and reviewed the Report as presented, and is satisfied with each and all of the items and documents as set forth therein, and is satisfied that the assessments, on a preliminary basis, have been spread in accordance with the benefits received from the maintenance to be performed, as set forth in said Report.

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

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That the Report as presented, consisting of:

- A. plans and specifications of the maintenance of the improvements to be performed;
- B. estimates of the cost of the maintenance of the improvements to be performed, including the cost of incidental expenses in connection therewith, and including that portion of the costs and expenses representing the special benefit to be conferred by such maintenance of the improvements on the parcels within the District;

RESOLUTION NO.

- C. diagram of the District, which shows (i) the exterior boundaries of the District; (ii) the boundaries and zones within the District; and (iii) the lines and dimensions of each parcel of land within the District; provided, however, such diagram may refer to the county assessor's maps for a detailed description of such lines and dimensions, in which case such maps shall govern for all details concerning such lines and dimensions;
- D. a description of the maintenance of the improvements to be performed; and
- E. the assessment of the total amount of the cost and expenses of the maintenance of the improvements upon the several divisions of land in the District in proportion to the estimated special benefits to be conferred on such subdivisions, respectively, by such maintenance;

is hereby approved as filed, attached and on file in the Office of the City Clerk as a permanent record and is to remain open to public inspection.

ADOPTED by the City Council of the City of Santee, California, at a regular meeting thereof held this 25th day of May, 2022, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, CMC, CITY CLERK

Exhibit A: Preliminary Engineer's Report

CITY OF SANTEE

Santee Town Center Landscape Maintenance District



FISCAL YEAR 2022-23

PRELIMINARY ENGINEER'S REPORT



SPICER CONSULTING
GROUP

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AGENCY: CITY OF SANTEE
PROJECT: SANTEE TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT
TO: CITY COUNCIL
CITY OF SANTEE
STATE OF CALIFORNIA

REPORT PURSUANT TO "LANDSCAPING AND LIGHTING ACT OF 1972"

Pursuant to direction from the City Council, submitted herewith is the Engineer's Report (the "Report"), consisting of the following parts, pursuant to the provisions of Division 15, Part 2 of the Streets and Highways Code of the State of California, being the "Landscape and Lighting Act of 1972," as amended, commencing with Section 22500, and which is in accordance with Resolution No. 042-2022 adopted by the City of Santee, City Council, San Diego County, California ordering preparation of the Engineer's Report for Santee Town Center Landscape Maintenance District (the "District"). This Report is applicable for the ensuing 12-month period, being the Fiscal Year commencing July 1, 2022, to June 30, 2023. Please note that Spicer Consulting Group, LLC provides engineering advice and related consulting engineering services.

- Section 1** **PLANS AND SPECIFICATIONS** of the improvements to be maintained and/or improved for the Fiscal Year. The plans and specifications show and describe the existing improvements, and are sufficient in showing and describing the general nature, location and extent of the improvements.
- Section 2** A **COST ESTIMATE** of the improvements to be maintained and/or improved for the mentioned Fiscal Year.
- Section 3** A **METHOD OF APPORTIONMENT OF ASSESSMENT** calculates the receipt of special benefit and the general benefit derived from the installation and maintenance and servicing of the respective improvements located throughout the District, and the methodology used to apportion the total assessment to the properties within the District.
- Section 4** **ASSESSMENT ROLLS** showing the proportionate amount of the assessment to be charged in proportion to the benefits to be received by each lot or parcel within the boundaries as shown on the below-referenced Diagram. The Assessment Rolls can be found in Appendix A.
- Section 5** The **ASSESSMENT DIAGRAMS** of the District. Said Diagrams shall show the boundaries of the District and the boundaries of any zones within the District. Reference is made to the County Assessor's Maps for a detailed description of the lines and dimensions of any lots or parcels. The lines and dimensions of each lot shall conform to those shown on the County Assessor's Maps for the Fiscal Year to which the Report applies. The Assessment Diagrams can be found in Appendix B.

Description of the Boundaries and Improvement Services of Santee Town Center Maintenance District

Landscaping facilities or improvements are defined as landscaping within public streets and public right-of-way and easements, their appurtenances and the costs of installing, operating and maintaining them. Improvements to be performed generally consist of maintenance of median and right-of-way landscaping, including but not limited to personnel costs, electrical energy, water, materials, contracting services and other items necessary for the satisfactory delivery of these services.

Benefit Zone A – Town Center

- ◆ Town Center is located north of Mission Gorge Road and west of Cuyamaca Street, and all parcels along Town Center Parkway between Mission Gorge Road and Cuyamaca Street within the incorporated territory of the City of Santee. The zone consists of 30 commercial units with 54.04 acres of land.
- ◆ The primary improvements provided within Zone A may include but are not limited to: medians within Town Center Parkway, open space and landscape easements, public alleyways within the boundaries of the District, and public walkways and pathways within the District.

Benefit Zone B – The Lakes

- ◆ The Lakes is located north of Palm Glen Drive and west of Magnolia Avenue within the incorporated territory of the City of Santee. The zone consists of 89 residential units.
- ◆ The primary improvements provided within Zone B may include but are not limited to: public walkways and landscape easements, and walkways and parkway landscaping within the public right-of-way on Palm Glen Drive and Magnolia Avenue.

Benefit Zone C – San Remo

- ◆ San Remo is located south of Mast Boulevard with parcels along both sides of San Remo Court and Bilter Court within the incorporated territory of the City of Santee. The zone consists of 36 residential units.
- ◆ The primary improvements provided within Zone C may include but are not limited to: public walkways and sound walls on Mast Boulevard, open space, landscape and drainage easements.

Benefit Zone D – Mission Creek

- ◆ Mission Creek is located west of Cuyamaca Street and all parcels on cul-de-sacs off of Mission Creek Drive and River Park Drive west of Cuyamaca Street within the incorporated territory of the City of Santee. The zone consists of 181 single family residential units, 231 multi-family residential units, 18 commercial units, 1 vacant commercial unit, and one exempt parcel.
- ◆ The primary improvements provided within Zone D may include but are not limited to: landscape easements, public access, walkways and parkways throughout the Mission Creek development, Western bike path, entrance monuments on the corners of Cuyamaca Street and River Park Drive, San Diego River Channel improvements (i.e., Linear Park, Pedestrian Bridge, Riparian Habitat, etc.), landscape easements, public access, walkways and parkways at Commercial Unit No. 3, landscape easements, public access, walkways and parkways at Residential Units 1 and 2, landscape easements, public access, walkways and parkways at the Mission Creek Townhomes, and landscape easements, public access, walkways and parkways at the Mission Creek Cluster Homes.

Benefit Zone E – Trolley Square

- ◆ Trolley Square is located north of Mission Gorge Road and south of Town Center Parkway, east of Cuyamaca Street and west of Civic Center Drive within the incorporated territory of the City of Santee. The zone consists of 12 commercial units with 44.43 acres of land.
- ◆ The primary improvements provided within Zone E may include but are not limited to: landscape, maintenance and access easements, parkway landscaping and appurtenances within the public right-of-way on the north side of Mission Gorge Road between Cuyamaca Street and Civic Center Drive, parkway landscaping and appurtenances within the public right-of-way on the west side of Civic Center Drive between Mission Gorge Road and Street B, parkway landscaping and appurtenances within the public right-of-way on the south side of Street B between Civic Center Drive and Town Center Parkway, parkway landscaping and appurtenances within the public right-of-way on the south side of Town Center Parkway between Street B and Cuyamaca Street, parkway landscaping and appurtenances within the public right-of-way on the east side of Cuyamaca Street between Town Center Parkway and Mission Gorge Road, water feature at corner of Cuyamaca Street and Mission

Gorge Road, water feature at corner of Mission Gorge Road and Civic Center Drive, and water feature at the north end of the trolley station.

Benefit Zone F – Hartford Property

- ◆ Hartford Property is located east of Cuyamaca Street and Civic Center Drive and west of Cottonwood Avenue, south of River Park Drive and northeast of Town Center Parkway, and Street B Drive within the incorporated territory of the City of Santee. The zone consists of 1 commercial unit with 7.97 acres of land.
- ◆ The primary improvements provided within Zone F may include but are not limited to: landscape, maintenance and access easements, parkway landscaping and appurtenances within the public right-of-way on the north side of Mission Gorge Road between Willow Avenue and Civic Center Drive, parkway landscaping and appurtenances within the public right-of-way on the east side of Civic Center Drive between Mission Gorge Road and Street B.

Benefit Zone G – Riverwalk

- ◆ Riverwalk is located east of Cuyamaca Street and east of Park Center Drive, south of Mast Boulevard and along the north side of Riverwalk Drive within the incorporated territory of the City of Santee. The zone consists of 218 residential units.
- ◆ The primary improvements provided within Zone G may include but are not limited to: landscaping along Riverwalk Drive and Park Center Drive adjacent to the site and the entrance to the Riverwalk project (approximately 22,259 SF).

Benefit Zone H – Riverview

- ◆ Riverview is located east of Cuyamaca Street and west of Magnolia Avenue, southeast of Riverwalk Drive and north of Mission Gorge Road within the incorporated territory of the City of Santee. The zone has 6 units of commercial/residential property with 78.30 acres of land.
- ◆ The primary improvements provided within Zone H may include but are not limited to: landscaping along the east side of Cuyamaca Street, landscaping along the north side of Town Center Parkway, landscaping along the north side of Transit Way, landscaping along the west and north sides of Riverview Parkway, and landscaping along the north side of Mission Gorge Road, landscaping along the east and south sides of Riverview Parkway, landscaping along the north side of Riverview Parkway, landscaping along the west side of Magnolia Avenue, and pedestrian easement.

The 1972 Act provides that the total cost of installation, construction, maintenance and servicing of the public landscaping and park facilities that can be recovered by the District. Maintenance can include the repair and/or replacement of existing facilities. Servicing can include electrical and associated costs from a public utility. Incidental expenses, including administration of the District, engineering fees, legal fees, printing, posting, and mailing of notices, and all other costs associated with the formation and maintenance of the District can also be included. The estimated expenditures for maintenance and the assessments to be levied for Fiscal Year 2022-23 under consideration for this report have been provided by the City and are as follows for each zone.

*Table 2-1
Benefit Zone A – Town Center*

Description	Fiscal Year 2022-23 Estimated Through June 30, 2023
Revenues	
Assessments	\$141,820
Interest	\$1,450
City of Santee Contribution	\$25,820
Reserve Fund Contribution/(Collection)	\$2,730
Total Revenues	\$171,820
Expenditures	
Administration	\$2,720
Advertising	\$210
Electricity & Gas - Grounds	\$32,380
Water & Sewer - Grounds	\$49,250
Repair/Maintenance - Grounds	\$78,260
Irrigation Materials	\$0
Internal Service Charges	\$9,000
Total Expenditures/Proposed Budget	\$171,820

*Table 2-2
Benefit Zone B – The Lakes*

Description	Fiscal Year 2022-23 Estimated Through June 30, 2023
Revenues	
Assessments	\$7,520
Interest	\$240
Reserve Fund Contribution/(Collection)	(\$1,660)
Total Revenues	\$6,100
Expenditures	
Administration	\$140
Advertising	\$20
Water & Sewer - Grounds	\$4,600
Repair/Maintenance - Grounds	\$1,070
Internal Service Charges	\$270
Total Expenditures/Proposed Budget	\$6,100

*Table 2-3
Benefit Zone C – San Remo*

Description	Fiscal Year 2022-23 Estimated Through June 30, 2023
Revenues	
Assessments	\$7,860
Interest	\$250
Reserve Fund Contribution/(Collection)	\$1,710
Total Revenues	\$9,820
Expenditures	
Administration	\$150
Advertising	\$20
Water & Sewer - Grounds	\$3,890
Repair/Maintenance - Grounds	\$5,530
Internal Service Charges	\$230
Total Expenditures/Proposed Budget	\$9,820

*Table 2-4
Benefit Zone D – Mission Creek*

Description	Fiscal Year 2022-23 Estimated Through June 30, 2023
Revenues	
Assessments	\$164,580
Interest	\$960
Reserve Fund Contribution/(Collection)	\$14,010
Total Revenues	\$179,550
Expenditures	
Administration	\$3,150
Advertising	\$250
Electricity & Gas - Grounds	\$29,700
Water & Sewer - Grounds	\$78,500
Repair/Maintenance - Grounds	\$57,950
Irrigation Materials	\$0
Internal Service Charges	\$10,000
Total Expenditures/Proposed Budget	\$179,550

The maximum assessment rate per acre for Zones E, F and G may be increased by 2% by City Council approval each year. The maximum assessment rate per acre for Zone H may be increased by City Council approval each year by (i) the Consumer Price Index - all Urban Consumers for the San Diego Area or (ii) two percent (2%), whichever is greater.

No assessment will be levied for Zones E through H for the Fiscal Year 2022-23 as the property owners' association has maintained the improvements to a level satisfactory to the City.

Proposition 218 Compliance

On November 5, 1996, California voters approved Proposition 218 entitled “Right to Vote on Taxes Act” which added Article XIID to the California Constitution. While its title refers only to taxes, Proposition 218 establishes new procedural requirements for the formation and administration of assessment districts. Proposition 218 also requires that with certain specified exception, which are described below, all existing assessment districts must be ratified by the property owners within the District using the new procedures.

Some of these exceptions include:

- 1) Any assessment imposed exclusively to finance the capital cost or maintenance and operation expenses for streets.
- 2) Any assessments levied pursuant to a petition signed by the persons owning all of the parcels subject to the assessment at the time the assessment was initially imposed.

However, even if assessments are initially exempt from Proposition 218, if the assessments are increased in the future, the City will need to comply with the provisions of Proposition 218 for that portion of the increased assessment formula (e.g., CPI increase).

Proposition 218 does not define this term “streets”, however, based on the opinions of the public agency officials, attorneys, assessment engineers and Senate Bill 919, it has been determined that streets include all public improvements located within the street right-of-way. This would include median and parkway landscaping, traffic signals, safety lighting and street lighting.

Proposition 218 defines “assessment” as “any levy or charge upon real property by an agency for a special benefit conferred upon the real property.” Cal. Const., art. XIID, §2(b). A special assessment, sometimes called a “benefit assessment,” is a charge generally levied upon parcels of real property to pay for benefits the parcels receive from local improvements. Special assessments are levied according to statutory authority granted by the Legislature or, in some instances, local charters. Distinguishing among taxes, fees and assessments can be difficult and often depends on the context in which the distinction is made. For example, taxes, assessments and property-related fees all may be imposed on property. The key feature that distinguishes an assessment from a tax, fee or charge is the existence of a special benefit to real property. Without identifying a special benefit, there can be no assessment.

Method of Apportionment

Pursuant to the Landscaping and Lighting Act of 1972 and Article XIII D of the Constitution of the State of California, all parcels that have special benefit conferred upon them as a result of the maintenance and operation of improvements shall be identified and the proportionate special benefit derived by each identified parcel shall be determined in relationship to the entire cost of the maintenance and operation of the improvements. Only parcels that receive direct special benefit are assessed, and each parcel is assessed in proportion to the estimated benefit received.

The Act also permits the designation of zones of benefit within any individual assessment district if “by reasons or variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvement” (S&H S22574). Thus, the 1972 Act requires the levy of a true “assessment” rather than a “special tax.” Excepted from the assessment would be the area of all public streets and right-of-way; all public parks, greenbelts and parkways.

Special Benefit Determination

The City of Santee considers the maintenance and upkeep of parkways and adjacent slopes to be the responsibility of the adjacent development due to the added beautification of the local community which extends to the perimeter of the development.

Improvements that provide a special benefit to an isolated group of parcels of land located within the District are considered to be a localized benefit, and the costs associated with these improvements are assessed to all parcels receiving the localized benefit. Localized benefits include the construction, operation, servicing and maintenance of the improvements that only benefit the parcels located within the localized areas.

Localized Landscaping – Parcels that have localized landscaping such as entryway landscaping, parkway landscaping, etc. adjacent to or near their parcels directly benefit from the landscaping improvements and are assessed for the costs of the localized landscaping.

General Benefit

The landscape improvements maintained by each zone provide no general public benefit in that the improvements were installed for the sole benefit of the properties within each benefit zone. The landscape improvements do not extend beyond the perimeter of the boundary of each of those benefit zones. It is therefore determined that all properties within each zone benefit equally from the financed improvements and the costs and expenses for the landscaping maintenance and services are apportioned on a per parcel basis.

The actual assessment and the amount of the assessment for the Fiscal Year 2022-23 apportioned to each parcel as shown on the latest equalized roll at the County Assessor's office are listed in Appendix A of this Report. The description of each lot or parcel is part of the records of the County of San Diego Assessor's Office and such records are, by reference, made part of this Report.

Special Benefit Zones

The Santee Town Center Landscape Maintenance District has eight (8) special benefit zones.

Zones "A Through H" were established to accurately track and assess the costs associated with the localized landscaping improvements such as entryway landscaping and parkway landscaping, etc. for specific development sites. These improvements are only assessed to the parcels within the development sites that directly benefit from the improvements.

ZONE A – TOWN CENTER

The method of apportionment for Zone A is based upon the percentage of square footage of landscaping, maintained in the right-of-way, adjacent to an individual property owner's property. The actual adjacent values have been calculated and percentages have been determined to be as indicated in the following figure for the District. Individual parcels within a landscape district will receive benefits based on land use, size and location of landscaping. In the case of the Santee Town Center Landscape Maintenance District, Zone A, all parcels are zoned for commercial usage. Assessor Parcel 381-041-18 is designated as a public street and is exempt from assessment.

ZONE B – THE LAKES

The method of apportionment for Zone B is based upon the finding that each residential unit within the zone shares an equal benefit from landscaped areas to be maintained. The assessment for each unit will be determined by dividing the total assessment costs by the total number of units in Zone B. Individual parcels within a landscape district will receive benefits based on land use, size and location of landscaping. In the case of the Santee Town Center Landscape Maintenance District, Zone B, all parcels are zoned for residential usage. All parcels share an equal benefit in landscape areas that are adjacent to Palm Glen Drive and Magnolia Avenue.

ZONE C – SAN REMO

The method of apportionment for Zone C is based upon the finding that each residential unit within the zone shares an equal benefit from landscaped areas to be maintained. The assessment for each unit will be determined by dividing the total assessment costs by the total number of units in Zone C. Individual parcels within a landscape district will receive benefits based on land use, size and location of landscaping. In the case of the Santee Town Center Landscape Maintenance District, Zone C, all parcels are zoned for residential usage. All parcels share an equal benefit in landscaped areas and are accessible from Mast Boulevard.

ZONE D – MISSION CREEK

The methodology to be used to apportion the assessments to those parcels in Zone D, Mission Creek, will be based upon the special benefit received. Based upon a review of the proposed land uses for Tentative Map No. 87-01 (November 8, 1989) and Revised Illustrative Site Plan C (September 22, 1989), provided by City staff, it is recommended that the single-family parcel be used as the basic unit of calculation for the assessments. Single family residential parcels account for approximately 60% of the proposed residential development within the project. Individual parcels within a landscape district will receive benefits based on land use, size and location of landscaping. In the case of the Santee Town Center Landscape Maintenance District, Zone D, the property has been designated for single family residential, multi-family residential and commercial usage. All parcels will be assessed a fair and equitable portion of the landscape improvements benefiting the properties.

The following methodology has been developed to calculate the EDUs to be assigned to each lot or parcel within the Zone based on land use and parcel size:

Single Family Residential - The single family parcel was selected as the basic unit of calculation for the assessments, and is defined as one Equivalent Dwelling Unit (EDU). A methodology has been developed to calculate the EDUs for other residential land uses and for commercial/industrial parcels as described below based on land use and parcel size.

Multi-Family Residential - The EDUs for land zones for multi-family uses would be assessed 1 EDU per dwelling unit, e.g., a parcel with 100 condominium units would be assigned 100 EDUs.

Vacant Residential - The EDUs for parcels defined as residential but having no dwelling unit on them are calculated based on 1.8 EDUs per acre or any portion thereof, with a minimum of 0.20 EDU. This allocation was developed by dividing the average residential lot size in this project of 4,700 sq.ft. into 43,560 sq.ft. (1 acre) and then assigning twenty (20) percent of the calculated EDUs to the parcel (twenty percent estimates the ratio of land value to land value plus improvement).

Commercial - The EDUs for land zoned for commercial uses would be assigned at the rate of nine (9) EDUs per acre. This allocation has been developed by dividing the average residential lot size in this project of 4,700 sq.ft. into 43,560 sq.ft. (1 acre).

Vacant Commercial - Parcels defined as vacant commercial parcels would be assigned EDUs at the allocated rate of 20% of the Commercial rate, which have structures or improvements on them.

The assessment per equivalent dwelling unit (cost per EDU) will be determined by dividing the total assessment to be levied by the total number of EDUs. The assessment for each parcel would be calculated by multiplying the parcel's number of EDUs by the cost per EDU.

ZONE D – BENEFIT ZONES

In order to determine charges or rates based on the benefit(s) received by each lot or parcel, it is recommended that two subzones be established within Zone D, Mission Creek. Based on review of the proposed improvements and facilities to be maintained and operated by Zone D, a Residential Subzone (including single family and multi-family residential parcels) and a Commercial Subzone should be established.

The Zone-wide improvements include the San Diego River Channel improvements, consisting of the Linear Park, Pedestrian Bridge and Riparian Habitat. The San Diego River Channel improvements provide a special benefit to all parcels in the zone since the improvements border the entire project and were required by the conditions of development for the entire project. Therefore, the maintenance costs for these improvements are spread to all parcels in the zone.

The improvements at Commercial Unit No. 3, consisting of the maintenance of monuments on Cuyamaca Street and River Park Drive, landscape easements, public access, walkways and parkways provide a special benefit to the parcels in the Commercial Subzone since the improvements front the Commercial Subzone and were required by the conditions of development for the project.

The parcels in the Residential Subzone receive a special benefit from the maintenance of the western bike path and the improvements for Residential Units 1 and 2, the Mission Creek Townhomes and the Cluster Homes, which consist of entrance monuments, landscape easements, public access, walkways and parkways, since the improvements front the Residential Subzone and were required by the conditions of development for the project.

ZONE E – TROLLEY SQUARE

The methodology to be used to apportion the assessments to those parcels in Zone E, Trolley Square, will be based upon the special benefit received. The following methodology has been developed to calculate the benefit to be assigned to each lot or parcel within the Zone based on land use and parcel size. Individual parcels within a landscape district will receive benefits based on land use, size and location of landscaping improvements to be installed, operated or maintained. In the case of the Santee Town Center Landscape Maintenance District, Zone E, all parcels are zoned for commercial usage. There are no public properties in Zone E that benefit from the improvements.

Commercial - The benefit for land zoned for commercial uses would be assigned on a per acre basis, where one acre of commercial land equals one adjusted acre of commercial land.

Vacant Commercial - Parcels defined as vacant commercial parcels would be assigned benefit at the allocated rate of 20% of the Commercial rate, which have structures or improvements on them. Therefore, one acre of vacant commercial land equals 0.20 adjusted acre of vacant commercial land.

The assessment per parcel will be determined by dividing the total assessment to be levied by the sum of the adjusted acreage. The assessment for each parcel would be calculated by multiplying the parcel's adjusted acreage by the cost per adjusted acre.

ZONE F – HARTFORD PROPERTY

The methodology to be used to apportion the assessments to those parcels in Zone F, Hartford Property, will be based upon the special benefit received. The following methodology has been developed to calculate the benefit to be assigned to each lot or parcel within the Zone based on land use and parcel size.

Commercial - The benefit for land used for developed commercial/public uses would be assigned on a per acre basis.

Vacant Commercial - Parcels defined as vacant commercial parcels would be assigned benefit at the allocated rate of 20% of the Commercial rate, which have structures or improvements on them, i.e. developed.

The assessment per parcel will be determined by dividing the total assessment to be levied by the sum of the acreage. The assessment for each parcel would be calculated by multiplying the parcel's acreage by the cost per acre.

ZONE G – RIVERWALK

The method of apportionment for Zone G is based upon the finding that each residential unit within the zone shares an equal benefit from landscaped areas to be maintained. The assessment for each unit will be determined by dividing the total assessment costs by the total number of units in Zone G.

ZONE H – RIVERVIEW

The methodology to be used to apportion the assessments to those parcels in Zone H (Riverview) will be based upon the special benefit received. The following methodology has been developed to calculate the benefit to be assigned to each lot or parcel within the Zone based on land use and parcel size.

Residential - The benefit for land used for developed residential uses would be assigned on a per acre basis and then converted to per unit cost based on the number of residential units.

Commercial - The benefit for land used for developed commercial/public uses would be assigned on a per acre basis.

Vacant Commercial - Parcels defined as vacant commercial parcels would be assigned benefit at the allocated rate of 20% of the Commercial rate, which have structures or improvements on them, i.e. developed.

The assessment per parcel will be determined by dividing the total assessment to be levied by the sum of the acreage. The assessment for each parcel would be calculated by multiplying the parcel's acreage by the cost per acre.

Annual Assessment Rate Increases

Based on an analysis of the projected operations and maintenance costs associated with existing and future public improvements within Zone A – Town Center, a maximum assessment of \$2,973 per acre has been established for the 71.1% portion and \$1,627 per acre for the Costco portion. Zones B and C were not established with a CPI escalator and cannot increase without a majority approval Proposition 218 Ballot process. Based on an analysis of the projected operations and maintenance costs associated with existing and future public improvements within Zone D – Mission Creek, a maximum cap of \$286 per EDU has been established for the Residential Subzone and \$5,481 per acre for the Commercial Subzone.

The maximum assessment rate per acre for Zones E, F and G may be increased by 2% by City Council approval each year. The maximum assessment rate per acre for Zone H may be increased by City Council approval each year by (i) the Consumer Price Index - all Urban Consumers for the San Diego Area or (ii) two percent (2%), whichever is greater. Annually, the City Council will determine the operations and maintenance budgeting needs for each zone and determine the annual assessment. The annual assessment amount will not exceed these maximum rates unless a balloting process in compliance with Proposition 218 is completed. Based on an analysis of the projected operations and maintenance costs associated with the public improvements within Zone E (Trolley Square), the maximum assessment rate for FY 2022-23 will be \$5,736.33 per adjusted acre. Based on an analysis of the projected operations and maintenance costs associated with the public improvements within Zone F (Hartford Property), the maximum assessment rate for FY 2022-23 will be \$4,079.81 per acre. Based on an analysis of the projected operations and maintenance costs associated with the public improvements within Zone G (Riverwalk), the maximum assessment rate for FY 2022-23 will be \$160.74

per EDU. Based on an analysis of the projected operations and maintenance costs associated with existing and future public improvements within Zone H (Riverview), the maximum assessment rate for FY 2022-23 will be \$9,976.83 per acre for Commercial property and \$537.50 per unit for Residential property.

Annual Assessment Rate Increases

Zone A – Town Center

Cost x Percentage of Square Footage / Parcel	
Costco Portion	\$1,627 per Acre
Remaining Portion	\$2,973 per Acre
Proposed Levy Amount	\$141,820

Zone B – The Lakes

Calculated Fiscal Year 2022-23 Assessment per Parcel	\$84.48
Total Assessable Parcels	89
Proposed Levy Amount	\$7,520

Zone C – San Remo

Calculated Fiscal Year 2022-23 Assessment per Parcel	\$218.22
Total Assessable Parcels	36
Proposed Levy Amount	\$7,860

Zone D – Mission Creek

Improvements which benefit the entire zone include the San Diego River improvements, and have been allocated to all parcels.

Total Assessment Cost/Total No. of EDUs

\$80,743/488.76 EDUs = \$165.20/EDU

The Improvements for Commercial Unit No. 3 benefit the parcels in the Commercial Subzone, and have been spread to all parcels.

Total Assessment Cost/Total No. of EDUs

\$34,069/76.76 EDUs = \$443.84/EDU

The total assessment rate for parcels in the Commercial Subzone will be \$609.04 per EDU (including the improvements for Commercial Unit No. 3 and the improvements that benefit the entire zone).

The improvements for the Western Bike Path, Residential Units 1 and 2, the Townhouses and the Cluster Homes benefit the parcels in the Residential Subzone and have been spread to all parcels in the subzone.

Total Assessment Cost/Total No. of EDUs

\$49,770/412 EDUs = \$120.80/EDU

The total assessment rate for parcels in the Residential Subzone will be \$286.00 per EDU (including the improvements for the Western Bike Path, Residential Units 1 and 2, the Townhomes, the Cluster Homes and the improvements that benefit the entire zone).

Zone E – Trolley Square

The maximum assessment rate for FY 2022-23 will be increased by 2% to \$5,736.33/adjusted acre. No assessment will be levied for the Fiscal Year 2022-23 as the property owners' association has maintained the improvements to a level satisfactory to the City. Individual parcels within a landscape district will receive benefits based on land use, size and location of landscaping improvements to be installed, operated or maintained. In the case of the Santee Town Center Landscape Maintenance District, Zone E, all parcels are zoned for commercial usage. There are no public properties in Zone E that benefit from the improvements.

Zone F – Hartford Property

The maximum assessment rate for FY 2022-23 will be increased by 2% to \$4,079.81/acre. No assessment will be levied for the Fiscal Year 2022-23 as the property owners' association has maintained the improvements to a level satisfactory to the City. Individual parcels within a landscape district will receive benefits based on land use, size and location of landscaping improvements to be installed, operated or maintained. In the case of the Santee Town Center Landscape Maintenance District, Zone F, all parcels, with the exception of one, are zoned for commercial usage. There is one (1) public property in Zone F that benefits from the improvements.

Zone G - Riverwalk

The maximum assessment rate for FY 2022-23 will be increased by 2% to \$160.74 per EDU. No assessment will be levied for the Fiscal Year 2022-23 as the property owners' association has maintained the improvements to a level satisfactory to the City. Individual parcels within a landscape district will receive benefits based on land use, size and location of landscaping improvements to be installed, operated or maintained. In the case of Zone G of the Santee Town Center Landscape Maintenance District, all parcels are zoned for residential usage for the current year. We have investigated the properties in Zone G and have determined that there are no public properties that benefit from the improvements. There are public streets, public rights-of-way, and easements within Zone G, but they do not benefit from the improvements.

Zone H – Riverview

The maximum assessment rate for FY 2022-23 will be increased by 6.34% (which represents the greater of the increase in the Consumer Price Index - all Urban Consumers for the San Diego Area or 2%) to \$9,976.83 per acre for Commercial property and \$537.50 per unit for Residential property. No assessment will be levied for the Fiscal Year 2022-23 as the management association has maintained the improvements to a level satisfactory to the City. Individual parcels within a landscape district will receive benefits based on land use, size and location of landscaping improvements to be installed, operated or maintained. In the case of the Santee Town Center Landscape Maintenance District, Zone H, all assessable parcels are zoned for commercial usage. We have investigated the properties in Zone H and have determined that there are currently five (5) public properties that benefit from the improvements.

Whereas, on April 13, 2022, a Resolution of the City Council of the City of Santee, California, Initiating Proceedings and Ordering the Preparation of an Engineer's Report for the FY 2022-23 Town Center Landscape Maintenance District Annual Levy of Assessments was ordered;

Whereas, the Resolution Initiating Proceedings for the Annual Levy of Assessments and Ordering the Preparation of an Engineer's Report directed Spicer Consulting Group, LLC., to prepare and file a report presenting plans and specifications describing the general nature, location and extent of the improvements to be maintained, an estimate of the costs of the maintenance, operations and servicing of the improvements for the Santee Town Center Landscape Maintenance District for the referenced fiscal year, a diagram for the District showing the area and properties to be assessed, and an assessment of the estimated costs of the maintenance, operations and servicing the improvements, assessing the net amount upon all assessable lots and-or parcels within the District in proportion to the special benefit received;

Whereas, on May 25, 2022, the City Council of the City of Santee, State of California, under the Landscaping and Lighting Act of 1972, plans to adopt its Resolution of Intention for the Annual Levy of Assessments declaring its intention to levy assessments for the Santee Town Center Landscape Maintenance District and provide notice of the public hearing;

Now Therefore, the following assessment is made to cover the portion of the estimated costs of maintenance, operation and servicing of said improvements to be paid by the assessable real property within the District in proportion to the special benefit received.

Summary of Assessments

Table 3-1
Summary of Assessments

Description	Budgeted for FY 2022-23
Zone A - Town Center	
Total Assessment for FY 2022-23	\$141,820
Interest	\$1,450
City of Santee Contribution	\$25,820
Reserve Fund Contribution/(Collection)	\$2,730
Total Expenditures/Proposed Budget	\$171,820
Zone B - The Lakes	
Total Assessment for FY 2022-23	\$7,520
Interest	\$240
Reserve Fund Contribution/(Collection)	(\$1,660)
Total Expenditures/Proposed Budget	\$6,100
Zone C - San Remo	
Total Assessment for FY 2022-23	\$7,860
Interest	\$250
Reserve Fund Contribution/(Collection)	\$1,710
Total Expenditures/Proposed Budget	\$9,820
Zone D - Mission Creek	
Total Assessment for FY 2022-23	\$164,580
Interest	\$960
Reserve Fund Contribution/(Collection)	\$14,010
Total Expenditures/Proposed Budget	\$179,550
Total Proposed Budget for Fiscal Year 2022-23	\$367,290

Landscaping facilities or improvements are defined as landscaping within public streets and public rights-of-way and easements, their appurtenances and the costs of installing, operating and maintaining them.

Improvements to be performed generally consist of maintenance of median and right-of-way landscaping, including but not limited to personnel costs, electrical energy, water, materials, contracting services and other items necessary for the satisfactory delivery of these services.

Executed this _____ day of _____, 2022.



FRANCISCO MARTINEZ JR
 PROFESSIONAL CIVIL ENGINEER NO. 84640
 ENGINEER OF WORK
 CITY OF SANTEE
 STATE OF CALIFORNIA

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and Assessment Diagram thereto attached, was filed with me on the _____ day of _____, 2022, by adoption of Resolution No. ____-2022 by City Council.

CITY CLERK
 CITY OF SANTEE
 STATE OF CALIFORNIA

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment Roll and Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Santee, California on the _____ day of _____, 2022.

CITY CLERK
 CITY OF SANTEE
 STATE OF CALIFORNIA

The actual assessment and the amount of the assessment for the Fiscal Year 2022-23 apportioned to each parcel as shown on the latest equalized roll at the County Assessor's office are listed in Appendix A of this Report. The description of each lot or parcel is part of the records of the County of San Diego Assessor's Office and such records are, by reference, made part of this Report.

Assessment Diagrams for the Santee Town Center Landscape Maintenance District, Zones A – H have been submitted to the City of Santee in the format required under the provision of the Act. The lines and dimensions shown on maps of the County of San Diego Assessor's Office for the current year are incorporated by reference in Appendix B herein and made part of this Report.

APPENDIX A

Assessment Rolls



SPICER CONSULTING
G R O U P

Assessment Roll

60-9114 - TCLMD - Zone A

Fiscal Year 2022-23



APN	Levy	APN	Levy	APN	Levy
3810410100	\$2,051.36	3810410200	\$3,329.76	3810410300	\$2,824.34
3810410400	\$2,854.08	3810410500	\$2,170.28	3810410700	\$624.32
3810410900	\$1,010.82	3810411200	\$1,486.50	3810411300	\$1,159.46
3810411400	\$25,924.56	3810411500	\$7,016.28	3810411900	\$22,778.00
3810412000	\$1,010.82	3810412300	\$19,740.72	3810412400	\$6,005.46
3810412500	\$1,724.34	3810412600	\$921.62	3810412700	\$3,508.14
3810412800	\$6,183.84	3810412900	\$1,783.80	3810413000	\$1,902.72
3810413100	\$2,556.78	3810413200	\$5,321.66	3810413300	\$4,221.66
3810413400	\$743.24	3810413500	\$1,843.26	3810413600	\$2,051.36
3810413700	\$4,102.74	3810413800	\$1,278.38	3810413900	\$3,686.52
Totals		Parcels 30	Levy \$141,816.82		

Assessment Roll

60-9115 - TCLMD - Zone B

Fiscal Year 2022-23



APN	Levy	APN	Levy	APN	Levy
3810321301	\$84.48	3810321302	\$84.48	3810321303	\$84.48
3810321304	\$84.48	3810321305	\$84.48	3810321306	\$84.48
3810321307	\$84.48	3810321308	\$84.48	3810321309	\$84.48
3810321310	\$84.48	3810321311	\$84.48	3810321312	\$84.48
3810321313	\$84.48	3810321314	\$84.48	3810321315	\$84.48
3810321316	\$84.48	3810321317	\$84.48	3810321318	\$84.48
3810321319	\$84.48	3810321320	\$84.48	3810321321	\$84.48
3810321322	\$84.48	3810321323	\$84.48	3810321324	\$84.48
3810321325	\$84.48	3810321326	\$84.48	3810321327	\$84.48
3810321328	\$84.48	3810321329	\$84.48	3810321330	\$84.48
3810321331	\$84.48	3810321332	\$84.48	3810321333	\$84.48
3810321334	\$84.48	3810321335	\$84.48	3810321336	\$84.48
3810321337	\$84.48	3810321338	\$84.48	3810321339	\$84.48
3810321340	\$84.48	3810321341	\$84.48	3810321342	\$84.48
3810321343	\$84.48	3810321344	\$84.48	3810321345	\$84.48
3810321346	\$84.48	3810321347	\$84.48	3810321348	\$84.48
3810321349	\$84.48	3810321350	\$84.48	3810321351	\$84.48
3810321352	\$84.48	3810321353	\$84.48	3810321354	\$84.48
3810321355	\$84.48	3810321356	\$84.48	3810321357	\$84.48
3810321358	\$84.48	3810321359	\$84.48	3810321360	\$84.48
3810321361	\$84.48	3810321362	\$84.48	3810321363	\$84.48
3810321364	\$84.48	3810321365	\$84.48	3810321366	\$84.48
3810321367	\$84.48	3810321368	\$84.48	3810321369	\$84.48
3810321370	\$84.48	3810321371	\$84.48	3810321372	\$84.48
3810321373	\$84.48	3810321374	\$84.48	3810321375	\$84.48
3810321376	\$84.48	3810321377	\$84.48	3810321378	\$84.48
3810321379	\$84.48	3810321380	\$84.48	3810321381	\$84.48
3810321382	\$84.48	3810321383	\$84.48	3810321384	\$84.48
3810321385	\$84.48	3810321386	\$84.48	3810321387	\$84.48
3810321388	\$84.48	3810321389	\$84.48		
Totals		Parcels 89		Levy \$7,518.72	

Assessment Roll

60-9122 - TCLMD - Zone C

Fiscal Year 2022-23



APN	Levy	APN	Levy	APN	Levy
3813110400	\$218.22	3813110600	\$218.22	3813110800	\$218.22
3813110900	\$218.22	3813111000	\$218.22	3813111100	\$218.22
3813111200	\$218.22	3813111300	\$218.22	3813111400	\$218.22
3813111500	\$218.22	3813111600	\$218.22	3813111700	\$218.22
3813111800	\$218.22	3813111900	\$218.22	3813112000	\$218.22
3813112100	\$218.22	3813112200	\$218.22	3813112300	\$218.22
3813112400	\$218.22	3813112500	\$218.22	3813112600	\$218.22
3813112700	\$218.22	3813112800	\$218.22	3813112900	\$218.22
3813113000	\$218.22	3813113100	\$218.22	3813113200	\$218.22
3813113300	\$218.22	3813113400	\$218.22	3813113500	\$218.22
3813113600	\$218.22	3813113800	\$218.22	3813114000	\$218.22
3813114200	\$218.22	3813114400	\$218.22	3813114600	\$218.22
Totals		Parcels 36	Levy \$7,855.92		

Assessment Roll

60-9123 - TCLMD - Zone D

Fiscal Year 2022-23



APN	Levy	APN	Levy	APN	Levy
3816811301	\$286.00	3816811302	\$286.00	3816811303	\$286.00
3816811304	\$286.00	3816811305	\$286.00	3816811306	\$286.00
3816811307	\$286.00	3816811308	\$286.00	3816811309	\$286.00
3816811310	\$286.00	3816811311	\$286.00	3816811312	\$286.00
3816811313	\$286.00	3816811314	\$286.00	3816811315	\$286.00
3816811316	\$286.00	3816811317	\$286.00	3816811318	\$286.00
3816811319	\$286.00	3816811320	\$286.00	3816811321	\$286.00
3816811322	\$286.00	3816811323	\$286.00	3816811324	\$286.00
3816811325	\$286.00	3816811326	\$286.00	3816811327	\$286.00
3816811328	\$286.00	3816811329	\$286.00	3816811330	\$286.00
3816811331	\$286.00	3816811332	\$286.00	3816811333	\$286.00
3816811334	\$286.00	3816811335	\$286.00	3816811336	\$286.00
3816811337	\$286.00	3816811338	\$286.00	3816811339	\$286.00
3816811340	\$286.00	3816811341	\$286.00	3816811342	\$286.00
3816811343	\$286.00	3816811344	\$286.00	3816811345	\$286.00
3816811346	\$286.00	3816811347	\$286.00	3816811348	\$286.00
3816811349	\$286.00	3816811350	\$286.00	3816811351	\$286.00
3816811352	\$286.00	3816811353	\$286.00	3816811354	\$286.00
3816811355	\$286.00	3816811356	\$286.00	3816811357	\$286.00
3816811358	\$286.00	3816811359	\$286.00	3816811360	\$286.00
3816811361	\$286.00	3816811362	\$286.00	3816811363	\$286.00
3816811364	\$286.00	3816811365	\$286.00	3816811366	\$286.00
3816811367	\$286.00	3816811368	\$286.00	3816811369	\$286.00
3816811370	\$286.00	3816811371	\$286.00	3816811372	\$286.00
3816811373	\$286.00	3816811374	\$286.00	3816811375	\$286.00
3816811376	\$286.00	3816811377	\$286.00	3816811378	\$286.00
3816811379	\$286.00	3816811380	\$286.00	3816811381	\$286.00
3816811382	\$286.00	3816811383	\$286.00	3816811384	\$286.00
3816811385	\$286.00	3816811386	\$286.00	3816811387	\$286.00
3816811388	\$286.00	3816811389	\$286.00	3816811390	\$286.00
3816811701	\$286.00	3816811702	\$286.00	3816811703	\$286.00
3816811704	\$286.00	3816811705	\$286.00	3816811706	\$286.00
3816811707	\$286.00	3816811708	\$286.00	3816811709	\$286.00
3816811710	\$286.00	3816811711	\$286.00	3816811712	\$286.00
3816811713	\$286.00	3816811714	\$286.00	3816811715	\$286.00
3816811716	\$286.00	3816811717	\$286.00	3816811718	\$286.00
3816811719	\$286.00	3816811720	\$286.00	3816811721	\$286.00
3816811722	\$286.00	3816811723	\$286.00	3816811724	\$286.00
3816811725	\$286.00	3816811726	\$286.00	3816811727	\$286.00
3816811728	\$286.00	3816811729	\$286.00	3816811730	\$286.00
3816811731	\$286.00	3816811732	\$286.00	3816811733	\$286.00
3816811734	\$286.00	3816811735	\$286.00	3816811736	\$286.00
3816811737	\$286.00	3816811738	\$286.00	3816811739	\$286.00
3816811740	\$286.00	3816811741	\$286.00	3816811742	\$286.00
3816811743	\$286.00	3816811744	\$286.00	3816811745	\$286.00
3816811746	\$286.00	3816811747	\$286.00	3816811748	\$286.00
3816811749	\$286.00	3816811750	\$286.00	3816811751	\$286.00
3816811752	\$286.00	3816811753	\$286.00	3816811754	\$286.00

Assessment Roll

60-9123 - TCLMD - Zone D

Fiscal Year 2022-23



APN	Levy	APN	Levy	APN	Levy
3816811755	\$286.00	3816811901	\$286.00	3816811902	\$286.00
3816811903	\$286.00	3816811904	\$286.00	3816811905	\$286.00
3816811906	\$286.00	3816811907	\$286.00	3816811908	\$286.00
3816811909	\$286.00	3816811910	\$286.00	3816811911	\$286.00
3816811912	\$286.00	3816811913	\$286.00	3816811914	\$286.00
3816811915	\$286.00	3816811916	\$286.00	3816811917	\$286.00
3816811918	\$286.00	3816811919	\$286.00	3816811920	\$286.00
3816811921	\$286.00	3816811922	\$286.00	3816811923	\$286.00
3816811924	\$286.00	3816811925	\$286.00	3816811926	\$286.00
3816811927	\$286.00	3816811928	\$286.00	3816811929	\$286.00
3816811930	\$286.00	3816811931	\$286.00	3816811932	\$286.00
3816811933	\$286.00	3816811934	\$286.00	3816811935	\$286.00
3816811936	\$286.00	3816811937	\$286.00	3816811938	\$286.00
3816811939	\$286.00	3816811940	\$286.00	3816811941	\$286.00
3816811942	\$286.00	3816811943	\$286.00	3816811944	\$286.00
3816811945	\$286.00	3816811946	\$286.00	3816811947	\$286.00
3816811948	\$286.00	3816811949	\$286.00	3816811950	\$286.00
3816811951	\$286.00	3816811952	\$286.00	3816811953	\$286.00
3816812001	\$286.00	3816812002	\$286.00	3816812003	\$286.00
3816812004	\$286.00	3816812005	\$286.00	3816812006	\$286.00
3816812007	\$286.00	3816812008	\$286.00	3816812009	\$286.00
3816812010	\$286.00	3816812011	\$286.00	3816812012	\$286.00
3816812013	\$286.00	3816812014	\$286.00	3816812015	\$286.00
3816812016	\$286.00	3816812017	\$286.00	3816812018	\$286.00
3816812019	\$286.00	3816812020	\$286.00	3816812021	\$286.00
3816812022	\$286.00	3816812023	\$286.00	3816812024	\$286.00
3816812025	\$286.00	3816812026	\$286.00	3816812027	\$286.00
3816812028	\$286.00	3816812029	\$286.00	3816812030	\$286.00
3816812031	\$286.00	3816812032	\$286.00	3816812033	\$286.00
3816822100	\$30,688.00	3816822201	\$573.16	3816822202	\$573.16
3816822203	\$573.16	3816822204	\$573.16	3816822205	\$573.16
3816822206	\$573.16	3816822207	\$573.16	3816822208	\$573.16
3816822209	\$573.16	3816822210	\$573.16	3816822211	\$573.16
3816822212	\$573.16	3816822213	\$573.16	3816822214	\$573.16
3816822215	\$573.16	3816822300	\$4,383.98	3816822400	\$394.52
3816822500	\$2,685.18	3817000100	\$286.00	3817000200	\$286.00
3817000300	\$286.00	3817000400	\$286.00	3817000500	\$286.00
3817000600	\$286.00	3817000700	\$286.00	3817000800	\$286.00
3817000900	\$286.00	3817001000	\$286.00	3817001100	\$286.00
3817001200	\$286.00	3817001300	\$286.00	3817001400	\$286.00
3817001500	\$286.00	3817001600	\$286.00	3817001700	\$286.00
3817001800	\$286.00	3817001900	\$286.00	3817002000	\$286.00
3817002100	\$286.00	3817002200	\$286.00	3817002300	\$286.00
3817002400	\$286.00	3817002500	\$286.00	3817002600	\$286.00
3817002700	\$286.00	3817002800	\$286.00	3817002900	\$286.00
3817003000	\$286.00	3817003100	\$286.00	3817003200	\$286.00

Assessment Roll

60-9123 - TCLMD - Zone D

Fiscal Year 2022-23



APN	Levy	APN	Levy	APN	Levy
3817003300	\$286.00	3817003400	\$286.00	3817003500	\$286.00
3817003600	\$286.00	3817003700	\$286.00	3817003800	\$286.00
3817003900	\$286.00	3817004000	\$286.00	3817004100	\$286.00
3817004200	\$286.00	3817004300	\$286.00	3817004400	\$286.00
3817004500	\$286.00	3817004600	\$286.00	3817004700	\$286.00
3817010100	\$286.00	3817010200	\$286.00	3817010300	\$286.00
3817010400	\$286.00	3817010500	\$286.00	3817010600	\$286.00
3817010700	\$286.00	3817010800	\$286.00	3817010900	\$286.00
3817011000	\$286.00	3817011100	\$286.00	3817011200	\$286.00
3817011300	\$286.00	3817011400	\$286.00	3817011500	\$286.00
3817011600	\$286.00	3817011700	\$286.00	3817011800	\$286.00
3817011900	\$286.00	3817012000	\$286.00	3817012100	\$286.00
3817012200	\$286.00	3817012300	\$286.00	3817012400	\$286.00
3817012500	\$286.00	3817012600	\$286.00	3817012700	\$286.00
3817012800	\$286.00	3817012900	\$286.00	3817013000	\$286.00
3817013100	\$286.00	3817013200	\$286.00	3817013300	\$286.00
3817013400	\$286.00	3817013500	\$286.00	3817013600	\$286.00
3817013700	\$286.00	3817013800	\$286.00	3817013900	\$286.00
3817014000	\$286.00	3817014100	\$286.00	3817014200	\$286.00
3817014300	\$286.00	3817014400	\$286.00	3817014500	\$286.00
3817014600	\$286.00	3817014700	\$286.00	3817014800	\$286.00
3817014900	\$286.00	3817015000	\$286.00	3817015100	\$286.00
3817015200	\$286.00	3817015300	\$286.00	3817015400	\$286.00
3817015500	\$286.00	3817015600	\$286.00	3817015700	\$286.00
3817015800	\$286.00	3817015900	\$286.00	3817020100	\$286.00
3817020200	\$286.00	3817020300	\$286.00	3817020400	\$286.00
3817020500	\$286.00	3817020600	\$286.00	3817020700	\$286.00
3817020800	\$286.00	3817020900	\$286.00	3817021000	\$286.00
3817021100	\$286.00	3817021200	\$286.00	3817021300	\$286.00
3817021400	\$286.00	3817021500	\$286.00	3817021600	\$286.00
3817021700	\$286.00	3817021800	\$286.00	3817021900	\$286.00
3817022000	\$286.00	3817022100	\$286.00	3817022200	\$286.00
3817022300	\$286.00	3817022400	\$286.00	3817022500	\$286.00
3817022600	\$286.00	3817022700	\$286.00	3817022800	\$286.00
3817022900	\$286.00	3817023000	\$286.00	3817023100	\$286.00
3817023200	\$286.00	3817023300	\$286.00	3817023400	\$286.00
3817023500	\$286.00	3817023600	\$286.00	3817023700	\$286.00
3817023800	\$286.00	3817023900	\$286.00	3817024000	\$286.00
3817024100	\$286.00	3817024200	\$286.00	3817024300	\$286.00
3817024400	\$286.00	3817024500	\$286.00	3817024600	\$286.00
3817024700	\$286.00	3817024800	\$286.00	3817024900	\$286.00
3817025000	\$286.00	3817025100	\$286.00	3817025200	\$286.00
3817025300	\$286.00	3817025400	\$286.00	3817025500	\$286.00
3817025600	\$286.00	3817025700	\$286.00	3817025800	\$286.00
3817025900	\$286.00	3817026000	\$286.00	3817026100	\$286.00
3817026200	\$286.00	3817026300	\$286.00	3817026400	\$286.00

Assessment Roll

60-9123 - TCLMD - Zone D

Fiscal Year 2022-23



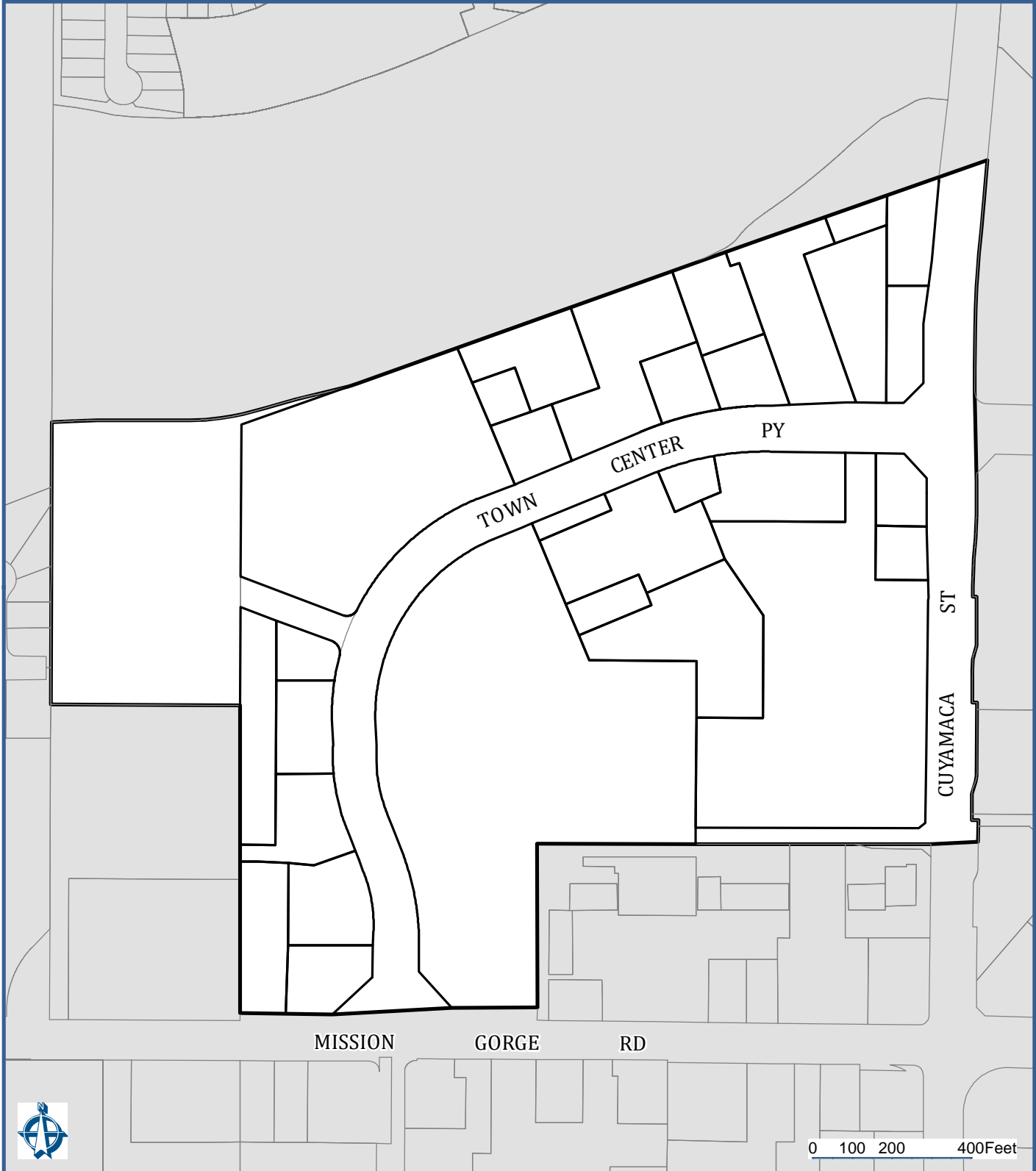
APN	Levy	APN	Levy	APN	Levy
3817026500	\$286.00	3817026600	\$286.00	3817026700	\$286.00
3817027300	\$286.00	3817027400	\$286.00	3817027500	\$286.00
3817027600	\$286.00	3817027700	\$286.00	3817027800	\$286.00
3817027900	\$286.00	3817028000	\$286.00		
Totals		Parcels 431	Levy \$164,581.08		

APPENDIX B

Assessment Diagrams



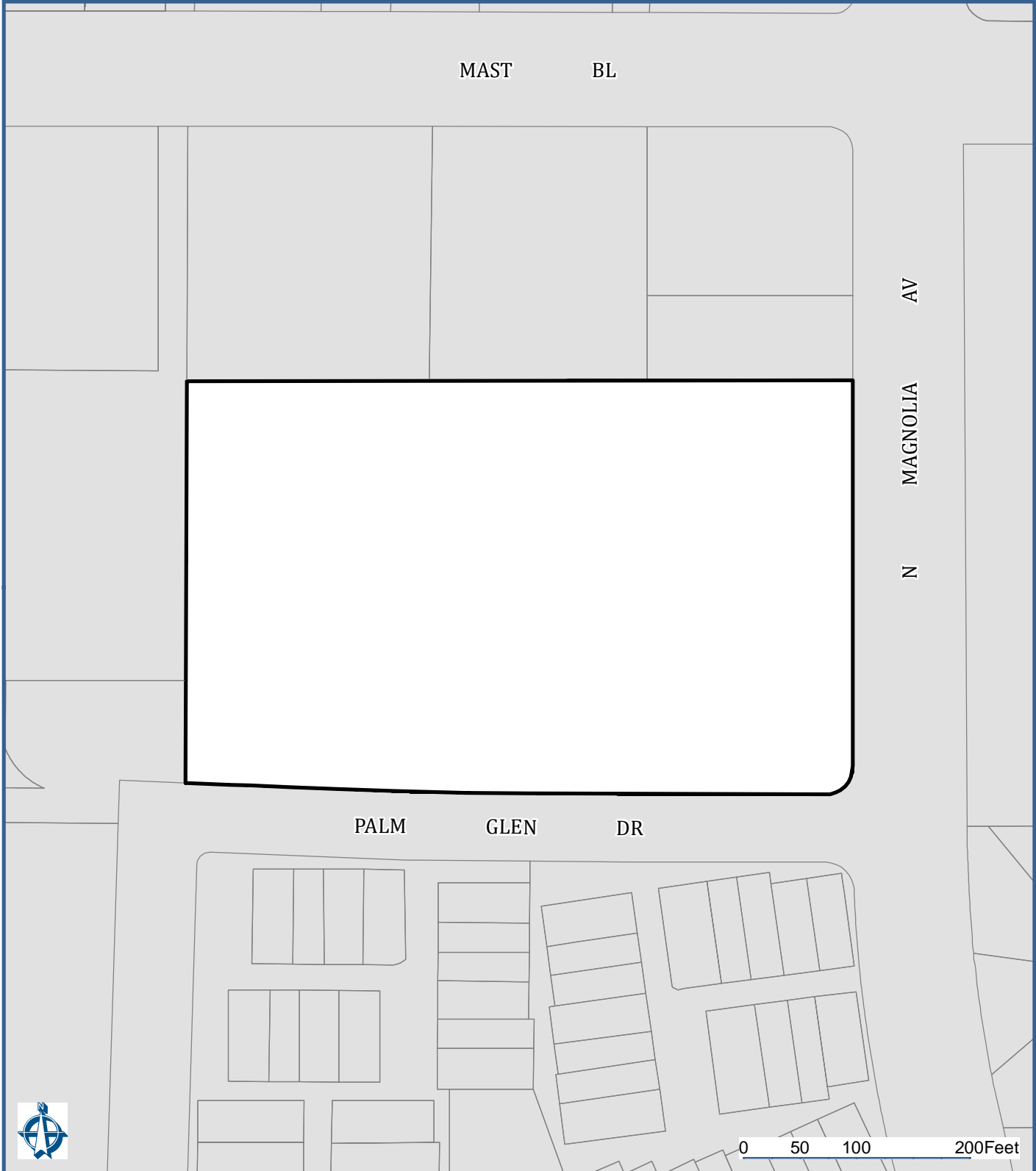
SPIKER CONSULTING
G R O U P



CITY OF SANTEE ASSESSMENT DIAGRAM

TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT
ZONE A
(TOWN CENTER)

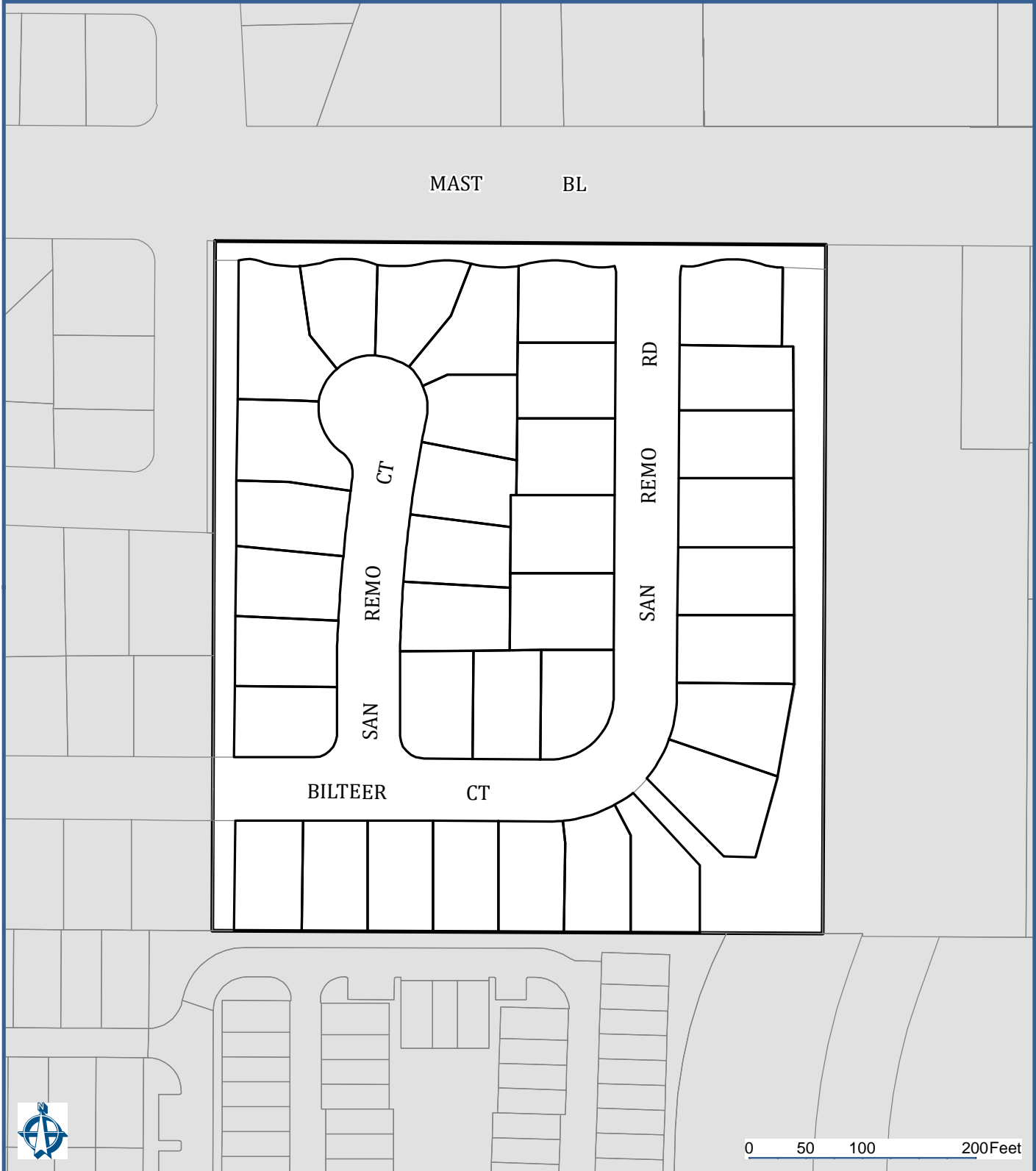




CITY OF SANTEE ASSESSMENT DIAGRAM

TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT
ZONE B
(THE LAKES)

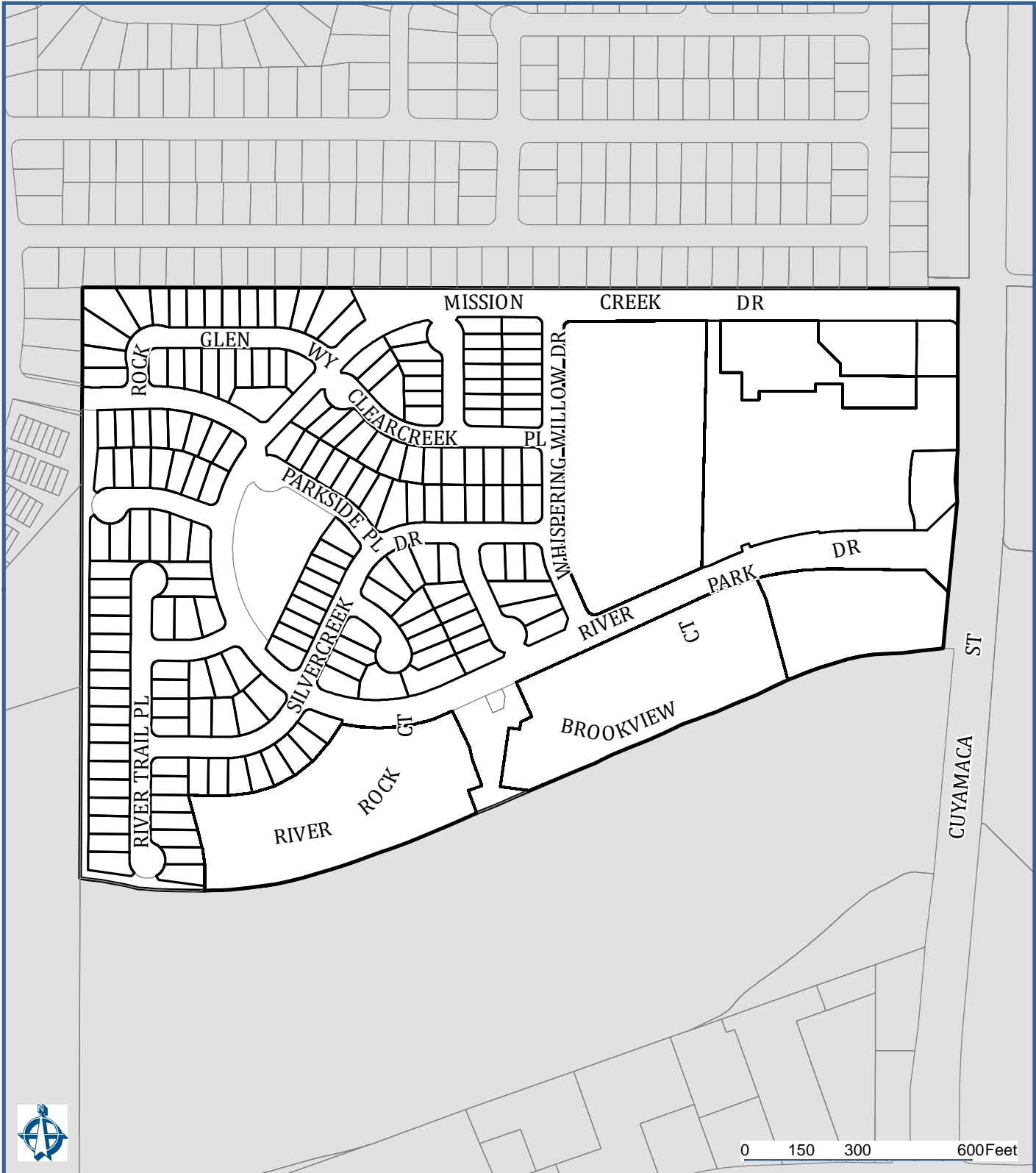




CITY OF SANTEE ASSESSMENT DIAGRAM

TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT
ZONE C
(SAN REMO)

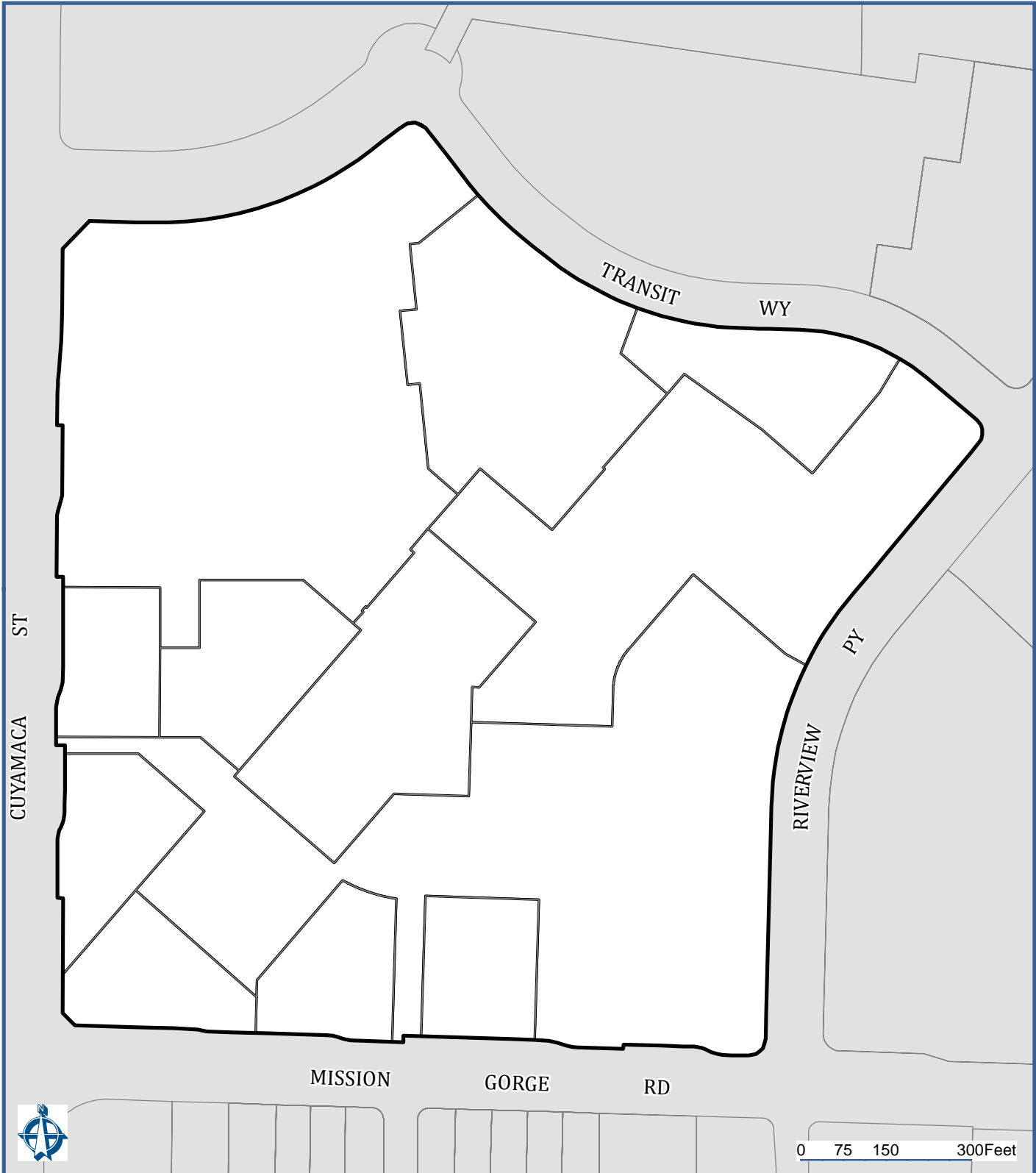




CITY OF SANTEE ASSESSMENT DIAGRAM

TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT
ZONE D
(MISSION CREEK)

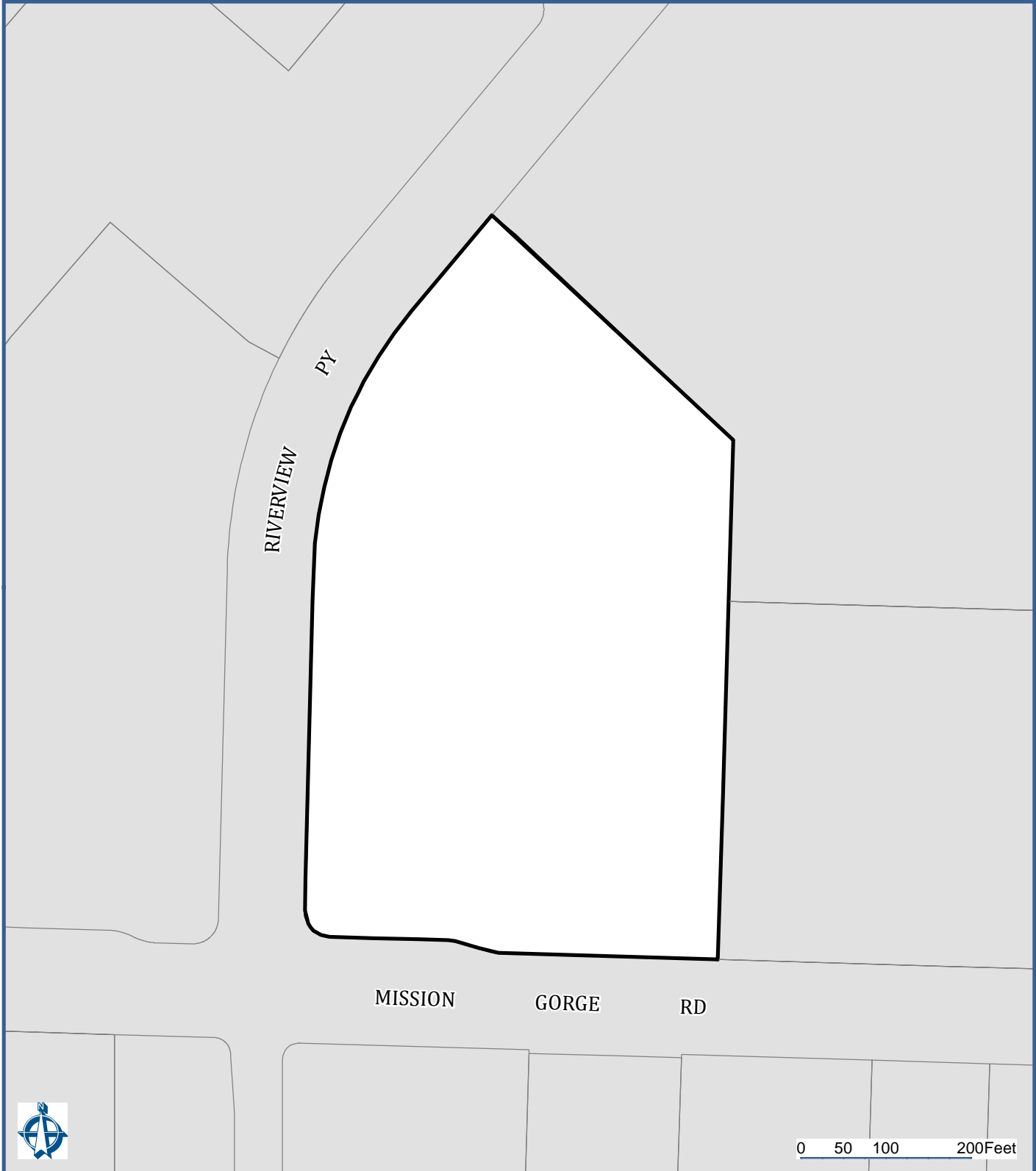




CITY OF SANTEE ASSESSMENT DIAGRAM

TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT
ZONE E
(TROLLEY SQUARE)

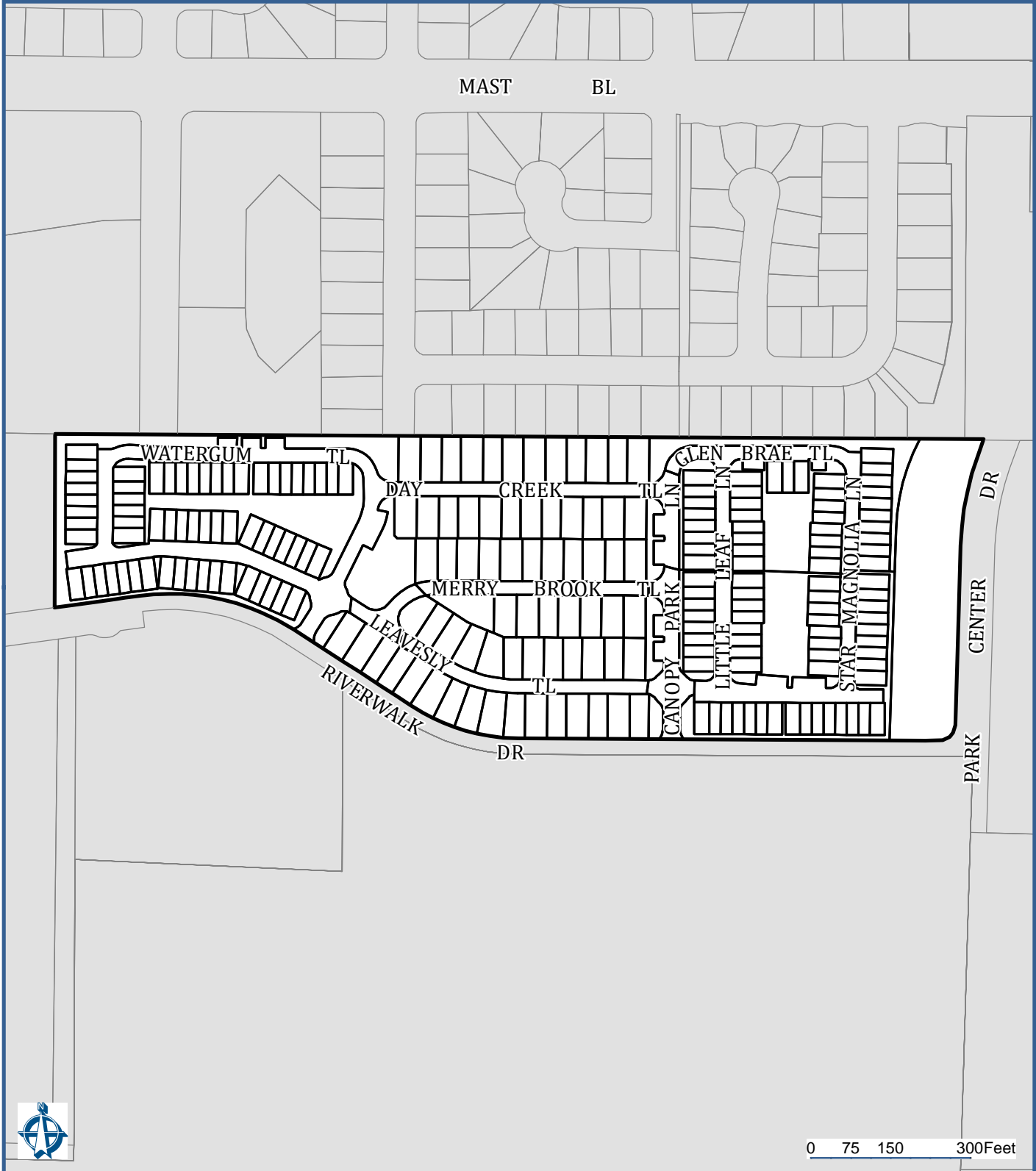




CITY OF SANTEE ASSESSMENT DIAGRAM

TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT
ZONE F
(HARTFORD PROPERTY)

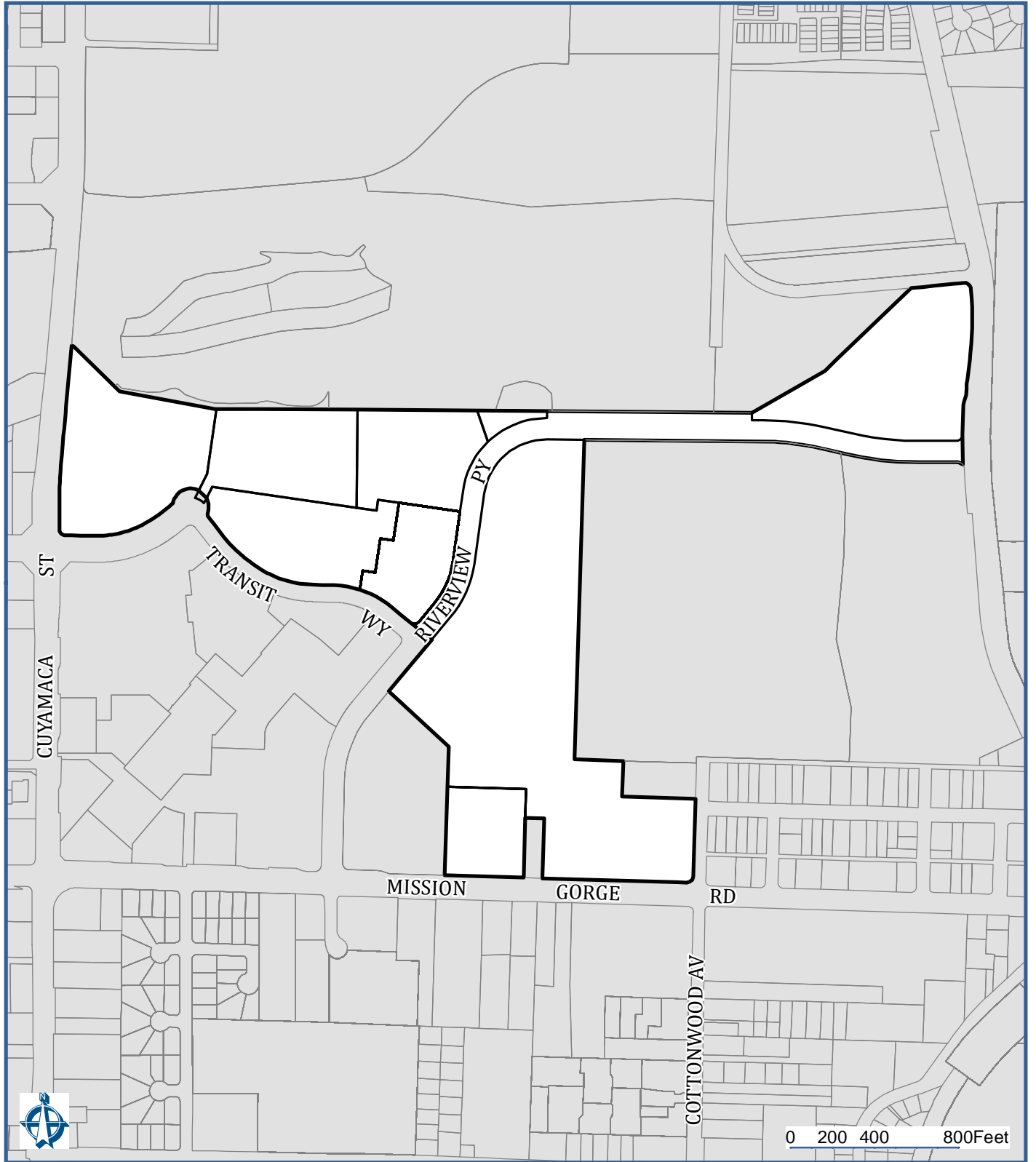




CITY OF SANTEE ASSESSMENT DIAGRAM

TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT
ZONE G
(RIVERWALK)





CITY OF SANTEE ASSESSMENT DIAGRAM

TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT
ZONE H
(RIVERVIEW)



APPENDIX C

Capital Improvement Projects



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Appendix C Capital Improvement Projects

The Community Services Department is developing a master plan for each zone that would include capital projects, operational activities, and revenue requirements to meet the objectives and service levels desired. Revenue requirements are set to cover annual operating costs and build reserves over time to perform focused capital replacements year over year, or large capital replacements in one anticipated year. Projects will be brought before City Council for approval as they are developed through the master plan. Zone specific projects are listed below:

Zone C Capital Project

For Fiscal Year 2022-23, the City budgeted \$5,000 for brush abatement in San Remo.

For Fiscal Year 2022-23, the City budgeted \$15,000 for an electrical pedestal replacement, which provides electricity to a fountain in Mission Creek.



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RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE
DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND
COLLECTION OF ASSESSMENTS, AND SETTING A TIME AND PLACE FOR A
PUBLIC HEARING THEREON FOR THE FY 2022-23
TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT**

WHEREAS, the City Council of the City of Santee, California has previously formed a street lighting and landscaping district pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California, Article XIII of the California Constitution , and the Proposition 218 Omnibus Implementation Act (commencing with California Government Code Section 53750) (collectively the "Law"), in what is known and designated as **TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT** ("District"); and

WHEREAS, at this time, landscaping facilities or improvements, as set forth in the Engineer's Report ("Report"), include landscaping within public streets and public rights-of-ways and easements including medians and right-of-way landscaping within the Town Center area of the City; and

WHEREAS, at this time, this City Council desires to take proceedings to provide for the annual levy of assessments for Fiscal Year 2022-23 to provide for the costs and expenses necessary for the continued maintenance of improvements within said District; and

WHEREAS, at this time there has been presented and approved by this City Council, a Report as required by law, and this City Council desires to move forth with the proceedings for said annual levy.

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

SECTION 1. The above recitals are all true and correct.

SECTION 2. The Report regarding the annual levy for said District, which Report is for maintenance for Fiscal Year 2022-23 that has been previously approved is directed to be filed in the Office of the City Clerk. Reference is hereby made to the Report for a full and detailed description of the improvements, the boundaries of the District and any zones therein, and the proposed assessment.

SECTION 3. The public interest and convenience requires, and it is the intention of this City Council to order, the Fiscal Year 2022-23 annual assessment levy for the District as set forth and described in the Report, and it is further determined to be in the best public interest and convenience to levy and collect Fiscal Year 2022-23 annual assessments to pay the costs and expenses of the maintenance of the improvements as estimated in said Report.

RESOLUTION NO.

SECTION 4. The assessments levied and collected shall be for the maintenance of certain improvements, as set forth in the Report, referenced and so incorporated herein.

SECTION 5. There will be no change in the assessment amounts for Zones A, C and D, as they are at the maximum assessment. If levied, there will be no change in the assessment amount for Zone B. However, the City and Magnolia Lakes Homeowners Association ("HOA") are considering the execution of a Public Improvements Maintenance Agreement whereby the HOA will assume the maintenance obligations for the improvements in Zone B at the HOA's expense, in exchange for the City's agreement not to levy the Zone B assessment.

SECTION 6. There are no new improvements or any substantial changes to existing improvements.

SECTION 7. The County Auditor shall enter on the Assessment Roll the amount of the assessments, and shall collect said assessments at the same time and in the same manner as County taxes are collected. After collection, the net amount of the assessments, after the deduction of any compensation due to the County for collection, shall be paid to the Treasurer of the City of Santee for purposes of paying for the costs and expenses of said District.

SECTION 8. All monies collected shall be deposited in a special fund known as: "**SPECIAL FUND – TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT.**" Payment shall be made out of said fund only for the purpose provided for in this Resolution, and in order to expedite the execution of the maintenance, the City Council may transfer into said special fund, from any available source, such funds as it may deem necessary to expedite the proceedings. Any funds shall be repaid out of the proceeds of the assessments provided for in this Resolution.

SECTION 9. Said maintenance work is, in the opinion of this City Council, of direct special benefit to the properties within the boundaries of the District, and this City Council makes the costs and expenses of said maintenance chargeable upon a District, of which District this City Council hereby declares to be the District specially benefited by said improvements and their maintenance thereof, and to be further assessed to pay the costs and expenses thereof. Said District shall include each and every parcel of land within the boundaries of said District, as said District is shown within said Report, as approved by this City Council and on file in the Office of the City Clerk, and so designated by the name of the District.

SECTION 10. Any public properties, as defined in the Law, which are included within the boundaries of the District, shall be subject to any assessment to be made under these proceedings to cover any of the costs and expenses of said maintenance work.

SECTION 11. Notice is hereby given that a public hearing on this item will be held before the **SANTEE CITY COUNCIL** at 6:30 p.m., Wednesday on July 27, 2022, regarding the annual levy of assessments, the extent of the maintenance, and any other matters contained

RESOLUTION NO.

within this resolution. In an effort to protect public health and prevent the spread of COVID19, attendees must comply with state and local public health orders in effect on the date of the hearing. Instructions for participating in the hearing will be posted by the City Clerk on the City's website at <https://www.cityofsanteeca.gov>. Any persons who wish to object to the proceedings for the annual levy should file a written protest with the City Clerk prior to the time set and scheduled for said public hearing.

SECTION 12. The Finance Department is hereby authorized and directed to publish a copy of this Resolution in a newspaper of general circulation within said City, said publication and be not less than ten (10) days before the date set for said Public Hearing.

SECTION 13. This Resolution shall take effect immediately upon its adoption.

ADOPTED by the City Council of the City of Santee, California, at a regular meeting thereof held this 25th day of May, 2022 by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, CMC, CITY CLERK

MEETING DATE May 25, 2022

ITEM TITLE RESOLUTIONS APPROVING THE ENGINEER'S REPORT AND DECLARING THE CITY COUNCIL'S INTENTION TO LEVY ASSESSMENTS AND SETTING A PUBLIC HEARING FOR THE FY 2022-23 SANTEE ROADWAY LIGHTING DISTRICT ANNUAL LEVY OF ASSESSMENTS

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

SUMMARY

The Santee Roadway Lighting District ("SRLD") has two zones, each with separate funding sources. Zone A is contiguous with the City's boundaries; i.e., all properties in the City are within Zone A. Zone B comprises numerous areas throughout the City, and contains street lights defined as primarily having special benefit.

The funding of street light energy, maintenance and administrative costs for Zone A and Zone B is obtained from two sources: a portion of the ad valorem property tax designated for street lighting purposes (Zone A), and a special benefit assessment (Zone B). It is estimated that 30 new lights will be added within the SRLD in FY 2022-23.

The City Council is required to take three distinct steps in order to proceed with the annual levy of assessments. The first step was taken on April 13, 2022 when the City Council formally initiated proceedings and directed the preparation of an engineer's report, analyzing existing and proposed improvements to the District. The second step, which will be taken this evening, requires the City Council to take formal action to approve or modify and approve the proposed engineer's report, declare its intention to provide for the annual levy of assessments and provide notice of a public hearing. Finally, on July 27, 2022 the City Council will take the final step and hold the public hearing and provide for the annual levy of assessments.

The proposed assessment in Zone B will increase from \$14.06 to \$15.00 per household/benefit unit in FY 2022-23, based on projected increases in the cost of electricity, repairs and maintenance. The assessment in Zone B was last increased in FY 2007-08 from \$12.78 to \$14.06. There will continue to be no assessment in Zone A.

FINANCIAL STATEMENT *tm*

SRLD's FY 2022-23 operating budget totals \$691,730. The budget will be funded primarily by Zone A ad valorem property tax revenues of \$384,100 and Zone B assessments of \$381,620. The decrease in Zone A reserves during FY 2022-23 will be used to fund a Capital Improvement project which will replace existing streetlight fixtures on arterial residential streets with more energy efficient LED lighting. Remaining reserve balances in both Zone A and Zone B will be used for future capital projects.

CITY ATTORNEY REVIEW N/A • Completed

RECOMMENDATION *MSB*

Adopt two Resolutions: 1) Approving the engineer's report and 2) Declaring intention to levy assessments and setting a public hearing for July 27, 2022.

ATTACHMENTS Resolutions (Preliminary Engineer's Report and Assessment Diagram)



RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA
APPROVING THE ENGINEER'S REPORT FOR THE
ANNUAL LEVY OF ASSESSMENTS FOR FISCAL YEAR 2022-23
FOR THE SANTEE ROADWAY LIGHTING DISTRICT**

WHEREAS, the City Council of the City of Santee, pursuant to the provisions of the "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California, Article XIII D, section 4 of the California Constitution , and the Proposition 218 Omnibus Implementation Act (commencing with California Government Code Section 53750) (collectively the "Law"), did, by previous Resolution, order the preparation of an Engineer's Report for the annual levy of assessments, consisting of plans and specifications, an estimate of the cost, a diagram, and an assessment relating to what is known and designated as: **SANTEE ROADWAY LIGHTING DISTRICT** (hereinafter referred to as "District"); and

WHEREAS, the FY 2022-23 Assessment Engineer's Report ("Report") has been presented to this City Council as required by the Law and as previously directed by Resolution; and

WHEREAS, this City Council has now carefully examined and reviewed the Report as presented, and is satisfied with each and all of the items and documents as set forth therein, and is satisfied that the assessments, on a preliminary basis, have been spread in accordance with the benefits received from the maintenance to be performed, as set forth in said Report.

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

SECTION 1. The above recitals are all true and correct.

SECTION 2. The Report as presented, consisting of:

- A. Plans and specifications of the improvements to be maintained an/or improved for the Fiscal Year;
- B. A cost estimate of the improvements to be maintained and/or improved;
- C. A method of apportionment of assessment showing the proportionate amount of the assessment to be charged in proportion to the benefits to be received by each lot or parcel within the District;

RESOLUTION NO. _____

- D. Assessment rolls showing the proportionate amount of the assessment to be charged in proportion to the benefits by each lot or parcel within the boundaries of the District;
- E. Diagrams of the District showing the exterior boundaries of the District and the boundaries of any zones within the District. Reference is made to the County Assessor's Maps for a detailed description of the lines and dimensions of any lots or parcels, which shall govern for all details concerning such lines and dimensions.

is hereby approved on a preliminary basis, attached to this Resolution, and on file in the Office of the City Clerk as a permanent record and to remain open to public inspection.

ADOPTED by the City Council of the City of Santee, California, at a regular meeting thereof held this 25th day of May, 2022, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, CMC, CITY CLERK

Exhibit A: Preliminary Engineer's Report

CITY OF SANTEE

Santee Roadway Lighting District



FISCAL YEAR 2022-23

PRELIMINARY ENGINEER'S REPORT



SPICER CONSULTING
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2. Fiscal Year 2022-23 Cost Estimate	2
3. Method of Apportionment of Assessment	3
4. Assessment Roll	8
5. Assessment Diagram	9

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Table 3-1 Summary of Assessments	6

Appendices

- Appendix A – Assessment Diagram
- Appendix B – Land Use Factors
- Appendix C – Capital Improvement Plan

AGENCY: CITY OF SANTEE
PROJECT: SANTEE ROADWAY LIGHTING DISTRICT
TO: CITY COUNCIL
CITY OF SANTEE
STATE OF CALIFORNIA

REPORT PURSUANT TO "LANDSCAPING AND LIGHTING ACT OF 1972"

Pursuant to direction from the City Council, submitted herewith is the Engineer's Report (the "Report"), consisting of the following parts, pursuant to the provisions of Division 15, Part 2 of the Streets and Highways Code of the State of California, being the "Landscape and Lighting Act of 1972," as amended, commencing with Section 22500, and which is in accordance with Resolution No. 043-2022 adopted by the City of Santee City Council, San Diego County, California ordering preparation of the Engineer's Report for Santee Roadway Lighting District (the "District"). This "Report" is applicable for the ensuing 12-month period, being the Fiscal Year commencing July 1, 2022 to June 30, 2023. Please note that Spicer Consulting Group, LLC provides engineering advice and related consulting engineering services.

- Section 1** **PLANS AND SPECIFICATIONS** of the improvements to be maintained and/or improved for the Fiscal Year. The plans and specifications show and describe the existing improvements, and are sufficient in showing and describing the general nature, location and extent of the improvements.
- Section 2** A **COST ESTIMATE** of the improvements to be maintained and/or improved for the mentioned Fiscal Year.
- Section 3** A **METHOD OF APPORTIONMENT OF ASSESSMENT** showing the proportionate amount of the assessment to be charged in proportion to the benefits to be received by each lot or parcel within the interior boundaries of the District.
- Section 4** **ASSESSMENT ROLL** showing the proportionate amount of the assessment to be charged in proportion to the benefits to be received by each lot or parcel within the boundaries as shown on the below-referenced Diagram.
- Section 5** The **ASSESSMENT DIAGRAM** of the District. Said Diagram shall show the exterior boundaries of the District and the boundaries of any zones within the District. Reference is made to the County Assessor's Maps for a detailed description of the lines and dimensions of any lots or parcels. The lines and dimensions of each lot shall conform to those shown on the County Assessor's Maps for the Fiscal Year to which the Report applies. The Assessment Diagram can be found in Appendix A.

Description of the Boundaries and Improvement Services of Santee Town Center Maintenance District

The City of Santee (the "City") formed the Santee Roadway Lighting District (the "District") on May 24, 1982. The District is an Assessment District formed for the purpose of installing, operating, and maintaining public lighting facilities within the City. The boundaries of the District are coterminous with the boundaries of the City.

Description of the Boundaries of Santee Roadway Lighting District

Benefit Zone A

- ◆ Properties located within Zone A are located throughout the City. Zone A funds generally pays for street lights located on major roadways (streets in the city's Mobility Element network). Within Zone A, there are five major roadway classifications (listed in Section 3 of this report) with street lights of both general benefit and special benefit. No assessment is proposed for Zone A for the general benefit portion of the costs of street light operation and maintenance as this benefit is financed by ad valorem taxes. The special benefit attributable from Zone A streetlights have been included with the Zone B costs and include all streetlights along streets classified by the City of Santee General Plan as prime arterial, major arterials, parkways, collectors, and industrials. A description of the Zone A streets is shown on page 4.

Benefit Zone B

- ◆ Properties located within Zone B are presently served by street lights of special benefit. There is a portion of Zone B benefit attributable to Zone A streetlights. Zone B consists of all parcels that have street lighting on the block (including intersections) of the street to which the parcel has frontage. These streets include not only local streets, but also include collectors, parkways, prime arterials, major arterials, residential collectors and industrial streets. This local lighting is of benefit as it increases property protection, personal safety, visibility, traffic safety, and specifically enhances those areas fronting upon the illuminated streets. Prior to the passage of Proposition 218, the maximum assessment was established at \$16.00 per benefit unit.

The areas in Zones A and B that contain the existing street lighting system consists of lights owned by both San Diego Gas and Electric Company and the District. There are a total of 3,409 lights in the Santee Roadway Lighting District with 1,174 owned by San Diego Gas and Electric Company, and 2,235 owned by the City.

Description of Improvements and Services for Santee Roadway Lighting District

The improvements include the construction, operation, maintenance and servicing of all Street Lighting within the District.

District Financing

The City has two sources of revenue to pay for the costs associated with streetlights within the City boundaries. The streetlights of special benefit are funded through the Assessment District; the streetlights of general benefit are funded through the ad valorem property tax collected on all properties throughout the City. Prior to the passage of Proposition 13, an ad valorem tax was established designating property tax revenues for the installation, operation, and maintenance of streetlights including funding the expenses of public streetlights within the City of Santee.

The general benefit portion of the lights in Zone A is financed from ad valorem tax revenues estimated at \$384,100. The special benefit portion of lights in Zone B is financed from a benefit assessment of \$381,624. As in prior years, for Fiscal Year 2022-23 no benefit assessment will be levied for the general benefit portion of Zone A street lighting

It is recommended that the Zone B street lighting benefit assessment for a single family home be \$15.00 per year; i.e., one (1) Benefit Unit equals \$15.00 for Fiscal Year 2022-23. The benefit assessment will increase to \$15.00 from the prior Fiscal Year and is in accordance with the original methodology. A detail listing of these costs is included in Section 2 of this report.

The cost of servicing, maintaining, repairing and replacing the actual improvements as described in the Plans and Specifications are summarized as follows:

*Table 2-1
Benefit Zone A and Zone B Budget*

Description	Zone A	Zone B	Fiscal Year 2022-23
Estimated Revenue			
Property Tax (Ad Valorem)	\$384,100.00	\$0.00	\$384,100.00
Assessment	\$0.00	\$381,623.74	\$381,623.74
Cost Recovery - Subrogation	\$900.00	\$300.00	\$1,200.00
Interest	\$8,750.00	\$4,430.00	\$13,180.00
Total Estimated Revenue	\$393,750.00	\$386,353.74	\$780,103.74
Estimated Expenditures			
Gas and Electricity	\$155,600.00	\$406,500.00	\$562,100.00
Repairs and Maintenance	\$60,000.00	\$40,000.00	\$100,000.00
Administration	\$3,000.00	\$6,160.00	\$9,160.00
Advertising	\$0.00	\$470.00	\$470.00
Debt Service Principal	\$0.00	\$0.00	\$0.00
Internal Service Charges	\$20,000.00	\$0.00	\$20,000.00
Total Estimated Operating Expenditures	\$238,600.00	\$453,130.00	\$691,730.00
Reserve Collection/(Contribution)	\$155,150.00	(\$66,776.26)	\$88,373.74
Capital Improvement Program Transfer	(\$1,327,000.00)	\$0.00	(\$1,327,000.00)
Beginning Reserve Balance	\$1,757,202.00	\$639,015.00	\$2,396,217.00
Total End of Year Reserves	\$585,352.00	\$572,238.74	\$1,157,590.74
End of Year Operation Reserves	\$119,300.00	\$226,565.00	\$345,865.00
End of Year Capital Improvement Reserve	\$466,052.00	\$345,673.74	\$811,725.74
Total End of Year Reserve Allocation	\$585,352.00	\$572,238.74	\$1,157,590.74

Proposition 218 Compliance

On November 5, 1996, California voters approved Proposition 218, the so-called "Right to Vote on Taxes Act." Proposition 218 amended the California Constitution by adding Articles XIII C and XIII D ("Article XIII D"), which affect the ability of local governments to levy and collect existing and future taxes, assessments, and property-related fees and charges. Article XIII D, Section 4 established new majority ballot protest procedural requirements for levying any new or increasing any existing assessments and placed substantive limitations on the use of the revenues collected from assessments. Pursuant to Article XIII D, Section 5, however, any assessment existing on November 6, 1996 that falls within one of four exceptions is exempt from these majority ballot protest procedures. The four exceptions are as follows.

- 1) Any assessment imposed exclusively to finance the capital costs or maintenance and operation expenses for sidewalks, streets, sewers, water, flood control, drainage systems, or vector control. Subsequent increases in such assessments shall be subject to the procedures and approval process set forth in Section 4.
- 2) Any assessment imposed pursuant to a petition signed by the persons owning all of the parcels subject to the assessment at the time the assessment is initially imposed. Subsequent increases in such assessments shall be subject to the procedures and approval process set forth in Section 4.
- 3) Any assessment the proceeds of which are exclusively used to repay bonded indebtedness of which the failure to pay would violate the Contract Impairment Clause of the Constitution of the United States.
- 4) Any assessment that previously received majority voter approval from the voters voting in an election on the issue of the assessment. Subsequent increases in those assessments shall be subject to the procedures and approval process set forth in Section 4.

In *Howard Jarvis Taxpayers Association v. City of Riverside*, 73 Cal. App. 4th 679, 685-86 (1999), the court of appeals concluded that streetlights fall within the definition of "streets" for purposes of Article XIII D, Section 5(a), which exempts an assessment imposed solely for "street purposes."

As previously noted, the District was formed in 1982, prior to the adoption of Proposition 218, and assessments are imposed for the purpose of operating and maintaining streetlights. Pursuant to Government Code Section 53753.5, because the assessments levied within the District fall within the first exception identified above, the assessments imposed within the District are not subject to the procedural and substantive requirements of Article XIII D, Section 4 in subsequent fiscal years unless: (1) the assessment methodology is changed to increase the assessment; or (2) the amount of the assessments are proposed to exceed an assessment formula or range of assessments adopted by the City in accordance with Article XIII D, Section 4 or Government Code Section 53753.

The City is not proposing to change the assessment methodology and the assessments are not proposed to exceed the assessment formula or range of assessment as adopted by the City prior to November 6, 1996. Based on the forgoing, the assessments to be imposed in Fiscal Year 2022-23 are not subject to Article XIII D, Section 4.

Method of Apportionment

As previously stated the District was formed in 1982 for the purpose of installing, operating, and maintaining public lighting facilities within the City of Santee. The benefit charge formula established the amount of the estimated assessment on each lot or parcel of land in the District in proportion to the estimated benefit to be received by each such lot or parcel of land from the use of the streets and their appurtenances, such as street lights. An evaluation of the major roadways consistent with the method of apportionment of the District was conducted to determine the portion of general and special benefit conferred on real property within the City. Each lot or parcel of land in the District has been determined to have a specific land use by the City of Santee Department of Development Services. The use or benefit of a public street is best determined by the use of the land adjacent to the public street. Each type of actual land use was assigned a land use factor derived from trip generation rates, developed by the Transportation Planning Division of the City of San Diego's Planning Department. These factors are based on a compilation of trip generation studies done in San Diego and other Western U.S. locations. Please refer to Appendix B for the assigned land use factors.

Previously, the streetlights were split into Zones with streetlights being designated as either general benefit or special benefit. However, the majority of streetlights provide both general and special benefit. Therefore, based on the results of a traffic study completed in 2014 and on file with the City of Santee Department of Development Services, the percent of special benefit is estimated by taking the total measured Average Daily Traffic (ADT) volumes and comparing this amount to the estimated ADT volumes

generated from the parcels fronting the roadway. The percentage of traffic that is from the parcels fronting the roadway is defined to be the percentage of local benefit. The percentage of traffic that is not from the parcels fronting the roadway is considered to be general benefit. All properties within the District are being assessed the estimated benefit received from the public lighting facilities within the City of Santee.

In 2017, the City updated the General Plan's Mobility Element which was intended to provide a framework for the development of the City's transportation network through the year 2035 and to comply with current state laws and codes. As a result of these changes, a new traffic study was needed which affected the classification of the roadways within the City as well as the special benefit and general benefit provided by each roadway classification. The information below reflects the changes determined by the traffic study completed July 2019.

The streetlights along major roadways provide both general and special benefit. Based on the City's 2017 Mobility Element and the July 2019 traffic study, the streets below have been classified as prime arterials, collectors, major arterials, parkways, or industrial.

Prime Arterials

- 1. Cuyamaca Street
- 2. Mission Gorge Road
- 3. Magnolia Avenue

Major Arterials

- 1. Mission Gorge Road
- 2. Woodside Avenue
- 3. Mast Boulevard
- 4. Carlton Hills Boulevard
- 5. Cuyamaca Street
- 6. Magnolia Avenue
- 7. Fanta Drive

Parkways

- 1. Town Center Parkway
- 2. Riverview Parkway
- 3. Park Center Drive
- 4. Fanita Parkway

Industrial

- 1. Railroad Avenue
- 2. Buena Vista Avenue
- 3. Pathway Street
- 4. Hartley Road
- 5. Isaac Street
- 6. Abraham Way
- 7. Wheatlands Avenue
- 8. Wheatlands Court
- 9. Wheatlands Road

Collectors

- 1. Fanita Parkway
- 2. Carlton Oaks Drive
- 3. Halberns Boulevard
- 4. El Nopal
- 5. Mesa Road
- 6. Prospect Avenue
- 7. Olive Lane
- 8. Cottonwood Avenue
- 9. Graves Avenue
- 10. Carlton Hills Boulevard
- 11. N. Woodside Avenue
- 12. S. Woodside Avenue
- 13. Mast Boulevard

The distinction between special benefit and general benefit for each road classification, as shown in the table below, is utilized by the City to determine the cost breakdown for electricity and repairs associated with each light.

Special and General Benefit for each Roadway Classification

Road Classification	% Special Benefit	% General Benefit
Prime	27%	73%
Major	16%	84%
Parkway	34%	66%
Collector	37%	63%
Industrial	89%	11%

Each property subject to the District assessment is assigned a land use factor. The land use factor is multiplied by the number of dwelling units for parcels classified as residential, or the number of acres for other land use classifications. The product of this multiplication is the number of benefit units for each lot or parcel of land to be assessed. The amount per benefit unit is then multiplied by the number of benefit units for each of the lots or parcels of land to establish the benefit charge for that lot or parcel of land.

This local lighting is of benefit to abutting parcels as it provides increased property protection, personal safety, visibility, traffic safety, and specifically enhances those areas fronting upon the illuminated street, in addition to providing the appearance of a progressive and illuminated city.

The recommended assessment this year is \$15.00 per Benefit Unit for parcels in Zone B. The benefit assessment will increase to \$15.00 from the prior Fiscal Year and is in accordance with the original methodology. The latest Assessor's information related to parcel size and parcel number (available in mid-July 2022) will be used to determine the final assessment

Land Use Factors

1. Each parcel of land in the lighting district was determined to have a specific land use by the City of Santee Department of Development Services.
2. Each type of land use was assigned a land use factor determined by trip generation rates by land use as they relate to a single-family residential land use. The trip generation rates by land use were prepared by the City of San Diego Transportation, Planning Division and are a compilation of trip generation studies done in San Diego and other western U.S. locations.
3. If a land use was not included in the study, the City of Santee Department of Development Services made a determination as to its probable trip generation compared to single family residential and assigned a land use factor on that basis.
4. Single family residential land use was assigned a land use factor of 1.0, notwithstanding its size. The theory is that all single-family residences, notwithstanding parcel size, generate approximately the same number of trips, and therefore, receive the same benefit from the use of the streets, and their appurtenances such as street lights.
5. Determination of the land use factors other than single family residential are based upon the average number of trips generated per acre or per dwelling unit for a specific land use divided by the average number of trips generated per acre or per dwelling unit for a single-family residential dwelling.

A complete listing of these land use factors can be found in Appendix B.

Whereas, on April 13, 2022, a Resolution of the City Council of the City of Santee, California, Initiating Proceedings and Ordering the Preparation of an Engineer’s Report for the FY 2022-23 Santee Roadway Lighting District Annual Levy of Assessments was adopted;

Whereas, the Resolution Initiating Proceedings for the Annual Levy of Assessments and Ordering the Preparation of an Engineer’s Report directed Spicer Consulting Group, LLC, to prepare and file a report presenting plans and specifications describing the general nature, location and extent of the improvements to be maintained, an estimate of the costs of the maintenance, operations and servicing of the improvements for the City of Santee Roadway Lighting District for the referenced Fiscal Year, a diagram for the District showing the area and properties to be assessed, and an assessment of the estimated costs of the maintenance, operations and servicing the improvements, assessing the net amount upon all assessable lots and-or parcels within the District in proportion to the special benefit received;

Whereas, on May 25, 2022, the City Council of the City of Santee, State of California, under the Landscaping and Lighting Act of 1972, plans to adopt its Resolution of Intention for the Annual Levy of Assessments declaring its intention to levy assessments for the Santee Roadway Lighting District and provide notice of the public hearing;

Now Therefore, the following assessment is made to cover the portion of the estimated costs of maintenance, operation and servicing of said improvements to be paid by the assessable real property within the District in proportion to the special benefit received.

Summary of Assessments by Zone

*Table 3-1
Summary of Assessments*

Description	Fiscal Year 2022-23
Zone A	\$0
Zone B	\$381,624
Total	\$381,624

Executed this _____ day of _____ 2022.



FRANCISCO MARTINEZ JR
PROFESSIONAL CIVIL ENGINEER NO. 84640
ENGINEER OF WORK
CITY OF SANTEE
STATE OF CALIFORNIA

I HEREBY CERTIFY that the enclosed Engineer's Report and Assessment Diagram thereto attached, was filed with me on the _____ day of _____, 2022, by adoption of Resolution No. ____-2022 by City Council.

CITY CLERK
CITY OF SANTEE
STATE OF CALIFORNIA

I HEREBY CERTIFY that the enclosed Engineer's Report and Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Santee, California on the _____ day of _____, 2022.

CITY CLERK
CITY OF SANTEE
STATE OF CALIFORNIA

The actual assessment and the amount of the assessment for the Fiscal Year 2022-23 apportioned to each parcel as shown on the latest equalized roll at the County Assessor's office are listed under separate cover. The description of each lot or parcel is part of the records of the County of San Diego Assessor's Office and such records are, by reference, made part of this Report.

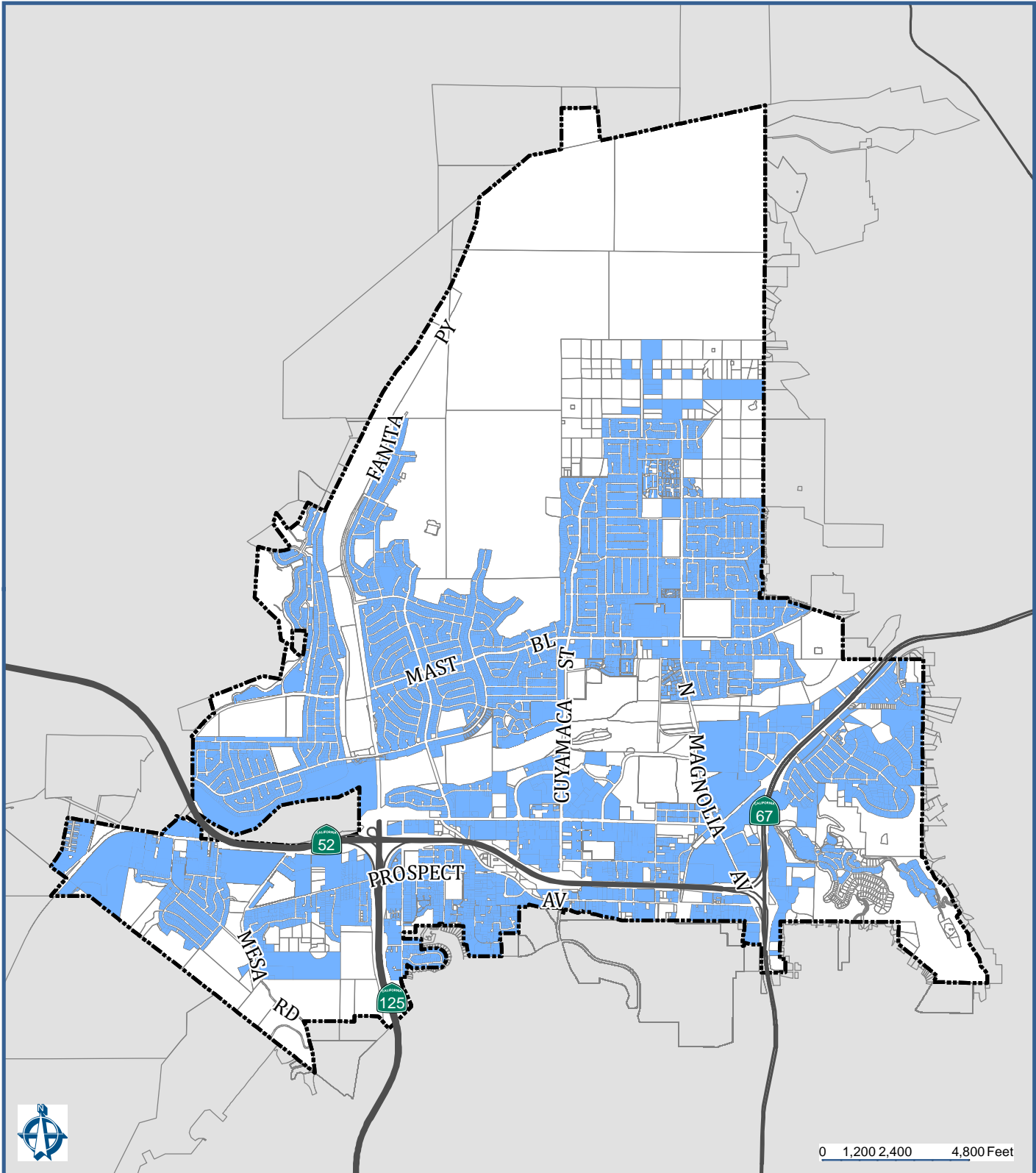
An Assessment Diagram for Santee Roadway Lighting District has been submitted to and is on file with the City Clerk in the format required under the provision of the Act.

APPENDIX A

Assessment Diagram





SPIKER CONSULTING
G R O U P



CITY OF SANTEE ASSESSMENT DIAGRAM

SANTEE ROADWAY LIGHTING DISTRICT

 SANTEE CITY BOUNDARY (ZONE A)
  LEVIED (ZONE B)

Zone B - Includes approximately 79% of all parcels throughout the City



APPENDIX B

Land Use Factors



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G R O U P

CITY OF SANTEE

BENEFIT UNITS / LAND USE CODES

BENEFIT UNITS	LAND USE CODE	DESCRIPTION	BENEFIT UNITS	LAND USE CODE	DESCRIPTION
0.0	00	Unzoned	1.0	46	Small automotive garages
0.1	07	Timeshare	2.0	47	Industrial condominiums
0.0	09	Mobilehome (Force)	2.0	49	Special/misc. industrial
0.0	10	Vacant Residential	0.0	50	Vacant irrigated
1.0	11	Single Family Residence	0.1	51	Citrus
1.0	12	Duplex or Double	0.1	52	Avocados
1.0	13	Residential 2-4 Units/2 Houses	0.2	53	Vines
1.0	14	Residential 5-15 Units	0.1	54	Miscellaneous trees
1.0	15	Residential 16-60 Units	0.1	55	Livestock
1.0	16	Residential 61 units and up	0.1	56	Poultry
1.0	17	Condominium	0.1	57	Misc. irrigated crops
1.0	18	Co-op	0.1	58	Growing houses
1.0	19	Miscellaneous residential	0.1	59	Special/misc. irrigated
0.0	20	Vacant commercial	0.1	61	Non-irrigated 1-10 Ac.
10.0	21	1-3 story misc. store buildings	0.1	62	Non-irrigated 11-40 Ac.
10.0	22	4 story & up office/store buildings	0.1	63	Non-irrigated 41-160 Ac.
14.0	23	Regional shopping center	0.1	64	Non-irrigated 161-360 Ac.
22.0	24	Community shopping center	0.1	65	Non-irrigated 361 Ac. & up
33.0	25	Neighborhood shopping center	0.0	70	Vacant Institutional
22.0	26	Hotel, motel	2.0	71	Church
33.0	27	Service station	1.0	72	Church parking/related
25.0	28	Medical, dental, animal hospital	0.1	73	Cemetery
6.0	29	Conv. Hospital, rest home	0.1	74	Mausoleum
10.0	30	Office condominiums	0.1	75	Mortuary
22.0	31	Parking lot, garage, used car lot	1.0	76	Public building (fire, school, library)
0.5	32	Trailer park (Force # spaces)	6.0	77	Hospital
22.0	33	Theater	1.0	79	Special/misc. institutional
22.0	34	Bowling alley	0.0	80	Vacant recreational
22.0	35	Restaurant	2.0	81	Meeting hall, gym
22.0	36	Car wash	0.2	82	Golf course
22.0	37	Large chain grocery/drug store	0.4	83	Marina, dock
11.0	38	Auto sales & service agency	1.0	84	Recreational camps
11.0	39	Misc. commercial, radio station, bank, et al	0.0	85	Non-tax recreational
0.0	40	Vacant industrial	0.0	86	Open space easements
1.0	41	Factory - light manufacturing	0.1	87	Agr. preserve (no contract)
3.0	42	Factory - heavy manufacturing	0.1	88	Agr. preserve (contract)
2.0	43	Warehouse - process or storage	1.0	89	Special/misc. recreational
2.0	44	Bulk Storage (tanks, etc.)	0.0	90	Vacant taxable government property
3.0	45	Extractive & Mining	1.0	91	Improved taxable government property

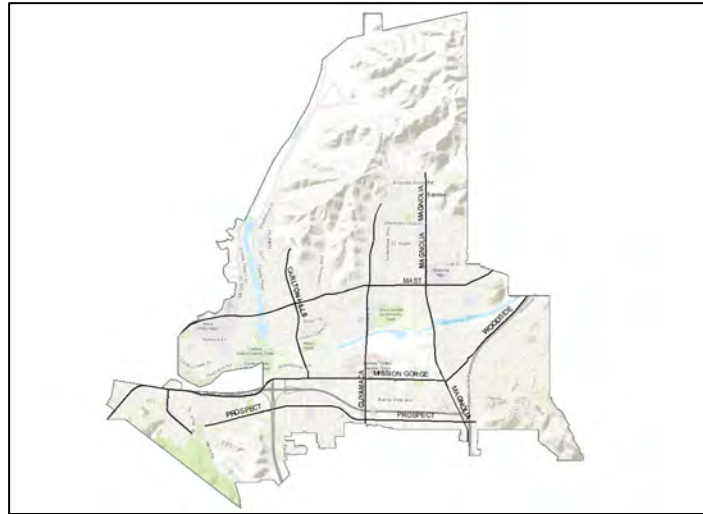
APPENDIX C

Capital Improvement Plan



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G R O U P

Street Light LED Upgrades CIP 2023-XX • Circulation Project



Project Location: Citywide

Description: Replace existing street light fixtures on arterial and residential streets, as well as walkway lights along roadways, with more energy efficient LED lighting.

Justification: The City-owned street lights were replaced ten years ago to energy saving induction lights, which have a service life of 10 to 15 years. However, after 10 years the light output has decreased. In addition, induction fixtures are no longer available and there are no replacement parts. The current standard of street lighting is use of light emitting diodes (LED), which are more energy efficient and produce more uniform lighting with a longer service life of 15 to 20 years. This project is consistent with the Sustainable Santee Plan.

Operating Impact: Cost savings of \$55,000 annually is expected due to energy savings and reduction in maintenance cost.

	Prior Year							
Expenditures		FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26		Total
Expenditures:								
Planning/Design	\$	-	\$ 95,000	\$	-	\$	-	\$ 95,000
Land Acquisition		-	-	-	-	-	-	-
Construction		-	1,232,000	-	-	-	-	1,232,000
Total	\$	-	\$ 1,327,000	\$	-	\$	-	\$ 1,327,000
Source of Funds:								
Roadway Lighting District	\$	-	\$ 1,327,000	\$	-	\$	-	\$ 1,327,000
Total	\$	-	\$ 1,327,000	\$	-	\$	-	\$ 1,327,000



SPICER CONSULTING
GROUP

RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA
DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND
COLLECTION OF ASSESSMENTS FOR CERTAIN MAINTENANCE IN AN
EXISTING DISTRICT, AND SETTING A TIME AND PLACE FOR A
PUBLIC HEARING THEREON FOR THE FY 2022-23
SANTEE ROADWAY LIGHTING DISTRICT**

WHEREAS, the City Council of the City of Santee, California has previously formed a street lighting and landscaping district pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California, Article XIII D of the California Constitution , and the Proposition 218 Omnibus Implementation Act (commencing with California Government Code Section 53750) (collectively the "Law"), in what is known and designated as **SANTEE ROADWAY LIGHTING DISTRICT** ("District"); and

WHEREAS, at this time, the District contains two zones, as set forth in the Engineer's Report ("Report"), Zone A containing all the street lights of primarily general benefit located within the City limits of Santee, and Zone B containing street lights defined as primarily having special benefit to the assessed properties located in various areas throughout the City; and

WHEREAS, at this time, this City Council desires to take proceedings to set the annual levy of assessments for the ensuing fiscal year, to provide for the costs and expenses necessary for the continued maintenance of improvements within said District; and

WHEREAS, at this time there has been presented and approved by this City Council a Report as required by law, and this City Council desires to move forth with the proceedings for said annual levy.

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

SECTION 1. The above recitals are all true and correct.

SECTION 2. The Report regarding the annual levy for said District, which Report is for maintenance of certain improvements for Fiscal Year 2022-23 that has been previously approved is directed to be filed in the Office of the City Clerk. Reference is hereby made to the Report for a full and detailed description of the improvements, the boundaries of the District and any zones therein, and the proposed assessment.

RESOLUTION NO.

SECTION 3. The public interest and convenience requires, and it is the intention of this City Council to order, the annual assessment levy for the District as set forth and described in the Report, and it is further determined to be in the best public interest and convenience to levy and collect annual assessments to pay the costs and expenses of the maintenance of the improvements as estimated in said Report.

SECTION 4. The assessments levied and collected shall be for the maintenance of certain improvements, as set forth in the Report, referenced and so incorporated herein.

SECTION 5. The proposed assessment in Zone B will increase from \$14.06 to \$15.00 per household/benefit unit in FY 2022-23, based on projected increases in the cost of electricity, repairs and maintenance. There will continue to be no assessment in Zone A.

SECTION 6. It is estimated that 30 new lights will be added within the District in Fiscal Year 2022-23.

SECTION 7. The County Auditor shall enter on the Assessment Roll the amount of the assessments, and shall collect said assessments at the same time and in the same manner as County taxes are collected. After collection, the net amount of the assessments, after the deduction of any compensation due to the County for collection, shall be paid to the Treasurer of the City of Santee for purposes of paying for the costs and expenses of said District.

SECTION 8. All monies collected shall be deposited in a special fund known as: "**SPECIAL FUND - SANTEE ROADWAY LIGHTING DISTRICT.**" Payment shall be made out of said fund only for the purpose provided for in this Resolution, and in order to expedite the execution of the maintenance, the City Council may transfer into said special fund, from any available source, such funds as it may deem necessary to expedite the proceedings. Any funds shall be repaid out of the proceeds of the assessments provided for in this Resolution.

SECTION 9. Said maintenance work is, in the opinion of this City Council, of direct benefit to the properties within the boundaries of the District, and this City Council makes the costs and expenses of said maintenance chargeable upon a District, of which District this City Council hereby declares to be the District benefited by said improvements and their maintenance thereof, and to be further assessed to pay the costs and expenses thereof. Said District shall include each and every parcel of land within the boundaries of said District, as said District is shown within said Report, as approved by this City Council and on file in the Office of the City Clerk, and so designated by the name of the District.

SECTION 10. Any public properties, as defined in the Law, which are included within the boundaries of the District, shall be subject to any assessment to be made under these proceedings to cover any of the costs and expenses of said maintenance work.

RESOLUTION NO.

SECTION 11. Notice is hereby given that a public hearing on this item will be held before the **SANTEE CITY COUNCIL** at 6:30 p.m., Wednesday on July 27, 2022, regarding the annual levy of assessments, the extent of the maintenance, and any other matters contained within this resolution. In an effort to protect public health and prevent the spread of COVID19, attendees must comply with state and local public health orders in effect on the date of the hearing. Instructions for participating in the hearing will be posted by the City Clerk on the City's website at <https://www.cityofsanteeca.gov>. Any persons who wish to object to the proceedings for the annual levy should file a written protest with the City Clerk prior to the time set and scheduled for said public hearing.

SECTION 12. The Finance Department is hereby authorized and directed to publish a copy of this Resolution in a newspaper of general circulation within said City, said publication and be not less than ten (10) days before the date set for said Public Hearing.

SECTION 13. This Resolution shall take effect immediately upon its adoption.

ADOPTED by the City Council of the City of Santee, California, at a regular meeting thereof held this 25th day of May, 2022 by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, CMC, CITY CLERK

MEETING DATE May 25, 2022

ITEM TITLE CITY CONFLICT OF INTEREST CODE – BIENNIAL REVIEW

DIRECTOR/DEPARTMENT Annette Ortiz, City Clerk



SUMMARY

The Political Reform Act requires every local government agency to review its Conflict of Interest Code biennially to determine if it needs to be amended. Once the determination has been made, a notice must be submitted to the code reviewing body no later than October 1st of the even-numbered years. Since October 1, 2022 falls on a Saturday, this year's deadline is October 3, 2022.

The City Council is the code reviewing body for the City of Santee. Therefore, the City Council must, no later than July 1, 2022, direct review of its code and, no later than October 3, 2022, receive a notice that an amendment is or is not required. If an amendment is required, it must be completed prior to December 31, 2022.

FINANCIAL STATEMENT



There is no expected financial impact for this action.

CITY ATTORNEY REVIEW N/A • Completed

RECOMMENDATION



Direct staff to review the Conflict of Interest Code and submit a notice to the City Council prior to October 3, 2022, that either an amendment is required or that no amendment is necessary.

ATTACHMENT

None.

MEETING DATE May 25, 2022

ITEM TITLE RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, ACCEPTING THE PUBLIC IMPROVEMENTS FOR THE CASTLEROCK PROJECT ON MAST BOULEVARD (IP2014-01) AS COMPLETE. LOCATION: MAST BOULEVARD AT WESTON ROAD

DIRECTOR/DEPARTMENT Carl Schmitz, City Engineer

jk for Carl Schmitz

SUMMARY

This item requests City Council accept the public improvements constructed as part of the Castlerock project on Mast Boulevard, IP2014-01. The public improvements constructed by Pardee Homes include public improvements on Mast Boulevard along the project frontage, traffic signals at two intersections on Mast Boulevard, as well as drainage improvements within the existing drainage easements along the easterly project boundary. One of the traffic signals was installed under a separate Right of Way Improvement Agreement and accepted on June 24, 2015 per City Council Resolution No. 056-2015.

The public improvements are completed and ready for acceptance and incorporation into the City's maintained street system. All required improvements along Mast Boulevard, within the existing drainage easement along the eastern project boundary, and areas within existing City of Santee right of way have been constructed in accordance with the Resolution of Approval (Resolution No. 073-2016), the accepted plans and to the satisfaction of the City Engineer.

ENVIRONMENTAL REVIEW

Environmental review was performed at the time of approval of Vesting Tentative Map No. 1004468, Ordinance O-20305 by the City of San Diego. Certification of the Environment Impact Report was filed as State Clearinghouse No. 004061029 with the San Diego County Clerk.

FINANCIAL STATEMENT

Acceptance of these public improvements will result in a minor increase in City street maintenance costs. These costs will be offset by increased tax revenues.

CITY ATTORNEY REVIEW N/A • Completed

RECOMMENDATION *MAB*

Adopt the attached Resolution accepting the public improvements 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.

ATTACHMENTS

Resolution
Vicinity Map



RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA,
ACCEPTING THE PUBLIC IMPROVEMENTS FOR CASTLEROCK PROJECT ON
MAST BOULEVARD (IP2014-01) AS COMPLETE.
LOCATION: MAST BOULEVARD AT WESTON ROAD**

WHEREAS, Pardee Homes, the developer of the Castlerock (Weston) subdivision project, entered into a Public Right of Way Improvement Agreement to construct certain public improvements associated with the development; and

WHEREAS, the public improvements on Mast Boulevard, within existing drainage easements along the eastern project boundary, and areas within the existing City of Santee right of way are constructed according to the improvement agreement, accepted plans, and to the satisfaction of the City Engineer.

NOW, THEREFORE BE IT RESOLVED that City Council of the City of Santee, California, does hereby accept the public improvements and incorporates them into the City's maintained street system.

BE IT FURTHER RESOLVED that the City Council does hereby direct the City Clerk to retain 10 percent of the faithful performance bond for 12 months as a warranty bond, and retain the labor and material bond for six months. The retained bonds shall be released upon approval of the Director of Development Services or City Engineer.

ADOPTED by the City Council of the City of Santee, California, at a Regular meeting thereof held this 25th day of May 2022, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, CMC, CITY CLERK

Vicinity Map - Castle Rock (Weston) IP2014-1



APPROXIMATE
LOCATION OF
SIX (6) UTILITY
CONNECTIONS

APPROXIMATE LIMITS
OF NEW SIDEWALK

MEETING DATE May 25, 2022

ITEM TITLE RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA ACCEPTING THE PARKING LOT RESURFACING 2022 (CIP 2022-35) PROJECT AS COMPLETE

DIRECTOR/DEPARTMENT Carl Schmitz, City Engineer *SM FOR:*

SUMMARY

This item requests City Council accept the Parking Lot Resurfacing 2022 (CIP 2022-35) Project as complete. This project resurfaced the parking lots at West Hills Park, Shadow Hill Park and the City Operations Center.

At its February 23, 2022 meeting, the City Council awarded the construction contract for the Parking Lot Resurfacing 2022 (CIP 2022-35) Project for a total contract amount of \$42,619.92 to United Paving Company and authorized the City Manager, Director of Development Services or City Engineer to approve contract change orders in a total amount not to exceed \$10,654.00 for unforeseen items and additional work.

A Notice to Proceed was issued on April 1, 2022 and the work was completed on May 6, 2022. One change order was authorized in the amount of \$1,500.00 for additional work.

Staff requests City Council accept the project as complete and direct the City Clerk to file a Notice of Completion with the San Diego County Clerk.

FINANCIAL STATEMENT *ms*

This project is included in the adopted Capital Improvement Program budget as part of the Parking Lot Resurfacing project with a project budget of \$115,000.00. Funding for this project is provided by the General Fund.

Bidding	\$	904.00
Construction Contract		42,619.92
Construction Change Orders		<u>1,500.00</u>
Total Project Cost	\$	<u>45,023.92</u>

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MSB*

Adopt the attached Resolution accepting the Parking Lot Resurfacing 2022 (CIP 2022-35) Project as complete.

ATTACHMENT

Resolution
Project Map



RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA
ACCEPTING THE PARKING LOT RESURFACING 2022 (CIP 2022-35) PROJECT AS
COMPLETE**

WHEREAS, the City Council awarded the construction contract for the Parking Lot Resurfacing 2022 (CIP 2022-35) Project to United Paving Company on February 23, 2022 for \$42,619.92; and

WHEREAS, the City Council authorized the City Manager, Director of Development Services or City Engineer to approve construction change orders in a total amount not to exceed \$10,654.00; and

WHEREAS, one change order in the amount of \$1,500.00 was approved for additional work; and

WHEREAS, the construction contract was completed for a total contract amount of \$44,119.92; and

WHEREAS, United Paving Company has completed the project in accordance with the contract plans and specifications.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Santee, California, that the work for the construction of the Parking Lot Resurfacing 2022 (CIP 2022-35) Project as complete on this date and the City Clerk is directed to record a Notice of Completion.

ADOPTED by the City Council of the City of Santee, California, at a Regular meeting thereof held this 25th day of May, 2022 by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, CMC, CITY CLERK



PROJECT MAP

Parking Lot Resurfacing 2022
CIP 2022-35

Project Location 

MEETING DATE May 25, 2022

ITEM TITLE RESOLUTION EXTENDING FIRE RISK EMERGENCY PROCLAMATION FOR CREATION OF DEFENSIBLE SPACE AND FUEL REDUCTION THROUGHOUT THE SAN DIEGO RIVER CORRIDOR, WAIVING THE REQUIREMENT FOR COMPETITIVE BIDDING, AND AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACTS TO CREATE DEFENSIBLE SPACE

DIRECTOR/DEPARTMENT Marlene Best, City Manager *MB*

SUMMARY

On February 9, 2022, pursuant to Santee Municipal Code Section 2.32.060, the City Council proclaimed an emergency due the risk of fire near structures and to reduce fuel accumulation of dead/dry vegetation and invasive tree growth such as palms and Arundo which increase the likelihood of additional fires. On March 23, 2022 the City Council extended the emergency proclamation. The City Manager requests the City Council continue the existing emergency proclamation and authorize the continued creation of defensible space and reduction of fuel accumulation, as the work is now approximately 85% complete.

Given the extreme fire conditions the state is currently experiencing and the possibility of future fires in the San Diego River area, the Fire Chief recommends the creation of defensible space near structures and fuel reduction throughout the San Diego River Corridor in order to safeguard life, health, and property. City Council previously extended an emergency due to the risk of fire in the San Diego River area on March 23, 2022, and as a result, the City has made significant progress in creating defensible space needed to safeguard life, health, and property from immediate fire risk.

ENVIRONMENTAL REVIEW

The project is exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15269(c) because the project is an action necessary to prevent or mitigate an emergency.

FINANCIAL STATEMENT *MB*

A total of \$825,000 has been allocated for this effort, which includes a \$500,000 grant from the San Diego River Conservancy and \$325,000 appropriated from the General Fund. No additional allocation is required to continue the creation of the needed defensible space.

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MSB*

Adopt the Resolution:

1. Continuing the existing fire risk emergency proclamation; and
2. Approving the continued creation of defensible space and fuel reduction to safeguard life, health, or property and waiving the requirement for competitive bidding; and
3. Authorizing the City Manager to enter into contracts for the emergency work from funds appropriated by the City Council for this purpose, and to take other actions as necessary.

ATTACHMENT

Resolution



RESOLUTION NO. _____

RESOLUTION CONTINUING THE FIRE RISK EMERGENCY PROCLAMATION FOR THE CREATION OF DEFENSIBLE SPACE AND FUEL REDUCTION THROUGHOUT THE SAN DIEGO RIVER CORRIDOR, AND WAIVING THE REQUIREMENT FOR COMPETITIVE BIDDING, AND AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACTS TO CONTINUE CREATION OF DEFENSIBLE SPACE.

WHEREAS, Section 2.32.060 of the Santee Municipal Code empowers the City Manager to request that the City Council proclaim a local emergency when the City is affected or likely to be affected by an actual incident or the threatened existence of conditions or incidents of extreme peril to the safety of persons and property within the City caused by conditions which may be or are beyond control of the services, personnel, equipment, and facilities of the City; and

WHEREAS, City Council proclaimed an emergency on February 9, 2022, due to extreme fire risk and Government Code section 8630 requires the City Council to review the need for continuing the emergency at least once every sixty days until it is terminated; and

WHEREAS, the City Council continued the existing emergency on March 23, 2022, as the defensible space creation began under the February 9, 2022 proclamation was only 20% complete; and

WHEREAS, the City Manager recommends that the City Council continue the existing emergency as the defensible space creation continued under the March 23, 2022 proclamation is approximately 85% complete; and

WHEREAS, conditions of extreme peril to the safety of persons and property still exist within the City with the extreme fire season experienced in the State of California and the frequency of fires in the San Diego River Corridor, as shown in Exhibit A, attached hereto; and

WHEREAS, Section 3.24.140 of the Santee Municipal Code authorizes the City Council to approve services in the case of emergency that threatens public health, safety, and welfare; and

WHEREAS, funding for this project is available through budgeted General Funds and a \$500,000 grant from the San Diego River Conservancy; and

WHEREAS, this project is exempt from the provisions of the California Environmental Quality Act (CEQA) as provided in CEQA Guidelines Section 15269 (c) title "Emergency Projects".

RESOLUTION NO. _____

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

Section 1. The Recitals above are true and correct and are hereby incorporated into this Resolution.

Section 2. Pursuant to Government Code section 8630 the City Council hereby finds that due to continued immediate fire risk, it is necessary to continue the local emergency proclaimed on February 9, 2022. The City Council hereby continues the proclamation of the local emergency.

Section 3. That during the existence of the local emergency, the powers, functions, and duties of the City Manager, as Director of Emergency Services, shall be those prescribed by state law, ordinances, and resolutions of the City and by the City of Santee Emergency Plan.

Section 4. The requirement for competitive bidding is hereby waived in order to safeguard life, health, and property.

Section 5. The City Manager is hereby authorized to execute contracts on behalf of the City to complete the emergency work described herein from funds appropriated by the City Council for this purpose and to take other actions as necessary. Such actions include, but are not limited to, obtaining rights of entry and signing other agreements required to perform the work.

ADOPTED by the City Council of the City of Santee, California, at a Regular meeting thereof held this 25th day of May, 2022, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, CMC, CITY CLERK

MEETING DATE May 25, 2022

ITEM TITLE RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2022-23 FUNDED BY SENATE BILL 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

DIRECTOR/DEPARTMENT Carl Schmitz, City Engineer *SM FOR:*

SUMMARY

On April 28, 2017 the Governor signed Senate Bill 1 (SB1) known as the Road Repair and Accountability Act of 2017. SB1 increases per gallon fuel excise taxes; increases diesel fuel sales taxes and vehicle registration fees; and provides for inflationary adjustments to tax rates in future years, to address basic road maintenance, rehabilitation and critical safety needs on the state highway and local streets and road system.

Beginning November 1, 2017, the State Controller (Controller) began depositing SB1 revenues into the Road Maintenance and Rehabilitation Account (RMRA). A percentage of RMRA funding is apportioned by formula to eligible cities and counties pursuant to Streets and Highways Code (SHC) Section 2032(h).

In order to receive RMRA funds local agencies must submit to the California Transportation Commission (CTC) a list of projects proposed to be funded by RMRA in the form of a City Council Resolution. SB1 includes accountability and governmental transparency provisions to inform the public of projects proposed for funding, and to report on status of projects each year.

This item requests City Council approval of the proposed project list within the Resolution to meet CTC reporting requirements. The proposed list includes the following four Capital Improvement Program projects: Bridge Restorations Citywide, Concrete Repair/Replacement Program, Pavement Repair and Rehabilitation Citywide, and Pavement Roadway Maintenance Citywide.

ENVIRONMENTAL REVIEW

Compliance with the Environmental Quality Act (CEQA) would be required prior to construction authorization.

FINANCIAL STATEMENT *sm*

Funding for the Fiscal Year 2022-23 SB1 RMRA (Gas Tax) projects is included in the adopted Capital Improvement Program for Fiscal Years 2022-2026.

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MSB*

Adopt the Resolution approving a list of projects funded by the Road Maintenance and Rehabilitation Account for SB1 reporting requirements.

ATTACHMENTS

Resolution



RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA,
ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2022-23 FUNDED BY
SENATE BILL 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017**

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City must adopt by resolution a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, the City, will receive an estimated \$1,230,000 in RMRA funding in Fiscal Year 2022-23 from SB 1; and

WHEREAS, this is the 6th year in which the City is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

WHEREAS, the City has undergone a robust public process to ensure public input into our community's transportation priorities/the project list; and

WHEREAS, the City used a Pavement Management System to assist in developing the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the community's priorities for transportation investment; and

WHEREAS, the funding from SB 1 will help the City maintain and rehabilitate approximately 65 streets/roads, one bridge, concrete pedestrian and bicycle facility repairs throughout the City this year and several similar projects into the future; and

WHEREAS, the 2020 California Statewide Local Streets and Roads Needs Assessment found that the City streets and roads are in an at-risk/poor condition and this revenue will help us increase the overall quality of our road system and over the next decade will bring our streets and roads into a good condition; and

WHEREAS, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete

RESOLUTION NO. _____

streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide.

NOW, THEREFORE IT IS HEREBY RESOLVED, ORDERED AND FOUND by the City Council of the City of Santee, State of California, as follows:

Section 1: The foregoing recitals are true and correct.

Section 2: The following list of newly proposed projects will be funded in-part or solely with Fiscal Year 2022-23 Road Maintenance and Rehabilitation Account revenues:

A. Project Title: Pavement Repair and Rehabilitation Citywide 2022

Project Description: This project will fund the administration and construction to repair roads with asphalt overlays and reconstruction of the pavement section. It will also conduct adjacent repairs to curbs, gutters, pedestrian ramps and associated drainage improvements.

Project Location: As identified in the City's Pavement Management Report dated April 2022 and street list submitted to CalSMART.

Estimated Project Schedule: Start (07/2022) – Completion (03/2023) based on the components being funded with RMRA funds

Estimated Project Useful Life: 15 to 20 Years

B. Project Title: Pavement Roadway Maintenance Citywide 2022

Project Description: This project will fund the administration and construction to repair roads with slurry seals, cape seals and chip seals for City streets. It will also conduct adjacent repairs to curbs, gutters, pedestrian ramps and associated drainage improvements, adjacent repairs to curbs, gutters, pedestrian ramps and associated drainage improvements.

Project Location: As identified in the City's Pavement Management Report dated April 2022 and street list submitted to CalSMART.

Estimated Project Schedule: Start (07/2022) – Completion (03/2023) based on the components being funded with RMRA funds

Estimated Project Useful Life: 10 to 15 Years

RESOLUTION NO. _____

C. Project Title: Citywide Crack Sealing Program 2022

Project Description: This project will fund the administration and construction to repair roads with crack sealing prior to asphalt overlays, reconstruction, slurry seals, and cape seals that will be performed by the Pavement Roadway Maintenance Citywide 2022 and Pavement Repair and Rehabilitation Citywide 2022 program projects.

Project Location: As identified in the City's Pavement Management Report dated April 2022 and street list submitted to CalSMART.

Estimated Project Schedule: Start (06/2022) – Completion (01/2023) based on the components being funded with RMRA funds

Estimated Project Useful Life: 10 to 15 Years

D. Project Title: Bridge Restorations Citywide

Project Description: This project will fund the administration and construction for maintenance and repairs to City bridges. This includes the replacement of bridge deck joint seal, deck seals, patching and concrete overlays.

Project Location: Various City bridges whose prioritization is based on the Caltrans bi-annual bridge inspection reports. Bridges include Cuyamaca Street, Carlton Hills Boulevard, Carlton Oaks Drive, Prospect Avenue, Forester Creek Mission Gorge Road and Mast Boulevard.

Estimated Project Schedule: Start (07/2022) – Completion (06/2023) based on the components being funded with RMRA funds

Estimated Project Useful Life: 20 to 50 Years

E. Project Title: Concrete Repair/Replacement Program 2022

Project Description: This project will fund the administration and construction to repair or replace damaged concrete curbs, gutters, sidewalks, driveways and pedestrian ramps throughout the City.

Project Location: Within City limits at identified priority locations as identified by residents, and recommended, identified or listed by the City of Santee Public Works Division, and the Development Services Capital Improvement Engineering staff. The locations identified on the list are subject to change based on priority needs.

Estimated Project Schedule: Start (07/2022) – Completion (06/2023) based on the components being funded with RMRA funds

Estimated Project Useful Life: 20 to 50 Years

RESOLUTION NO. _____

Section 3: The following previously proposed and adopted projects may also utilize Fiscal Year 2022-23 Road Maintenance and Rehabilitation Account revenues in their delivery. With the relisting of these projects in the adopted fiscal year resolution, the City is reaffirming to the public and the State our intent to fund these projects with Road Maintenance and Rehabilitation Account revenues:

A. Project Title: Concrete Repair/Replacement Program 2021

Project Description: This project will fund the administration and construction to repair or replace damaged concrete curbs, gutters, sidewalks, driveways and pedestrian ramps throughout the City.

Project Location: Within City limits at identified priority locations as identified by residents, and recommended, identified or listed by the City of Santee Public Works Division, and the Development Services Capital Improvement Engineering staff. The locations identified on the list are subject to change based on priority needs.

Estimated Project Schedule: Start (01/2022) – Completion (09/2022) based on the components being funded with RMRA funds

Estimated Project Useful Life: 20 to 50 Years

ADOPTED by the City Council of the City of Santee, California, at a Regular meeting thereof held this 25th day of May, 2022, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, CMC, CITY CLERK

MEETING DATE May 25, 2022

ITEM TITLE AUTHORIZE T.J. JANCA CONSTRUCTION, INC. TO PERFORM EMERGENCY PLAYGROUND SURFACE REPAIRS AT SKY RANCH PARK

DIRECTOR/DEPARTMENT Nicolas Chavez, Director of Community Services 

SUMMARY

In October 2021 the Public Services Division requested informal bids for needed repairs of the poured in place playground surfacing at Town Center Community Park East. One vendor, T.J. Janca Construction, attended the mandatory pre-bid meeting and submitted an informal bid totaling \$19,818.00 for the needed repairs.

T.J. Janca Construction, Inc. performed the needed repairs at Town Center Community Park East in March 2022, for a total of \$19,818.00, and did a superior job compared to any other vendor the City has contracted with in the past for these types of repairs. In April 2022, T.J. Janca Construction, Inc. performed emergency repairs at West Hills Park at a cost of \$4,975.00, bringing the Fiscal Year 2021/22 total to \$24,793.00

On May 16, 2022 the Public Services Division was notified of repairs needed to the poured in place playground surfacing at Sky Ranch Park. Staff is seeking authorization for T.J. Janca Construction, Inc. to perform emergency repairs at Sky Ranch Park in the amount of \$2,906.00 which will bring the Fiscal Year 2021/22 total to \$27,699.00. Santee Municipal Code Section 3.24.180(A)(4) requires City Council approval on contracts and amendments to contracts if the cumulative amount of the contract plus any amendment(s) exceeds \$25,000.00 in any single fiscal year.

FINANCIAL STATEMENT 

Funding for this contract is provided in the adopted Fiscal Year 2021/22 Community Services Department operating budget.

CITY ATTORNEY REVIEW N/A • Completed

RECOMMENDATION 

Authorize T.J. Janca Construction, Inc. to perform emergency playground surfacing repairs at Sky Ranch Park in the amount of \$2,906.00 bringing the Fiscal Year 2021/22 total to \$27,699.00.

ATTACHMENT

None



MEETING DATE May 25, 2022

ITEM TITLE UPDATE ON THE DELIVERY OF BUILDING DIVISION SERVICES WITHIN THE DEPARTMENT OF DEVELOPMENT SERVICES AND AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH INTERWEST CONSULTING GROUP, INC. TO EXTEND THE AGREEMENT

DIRECTOR/DEPARTMENT Chris Jacobs, Development Services < J

SUMMARY Among the priorities the City Council established in March 2021 was to “Review Development Services Department Building and Inspection services; renew contract or consider alternatives”. Staff has recognized through previous City Council meetings that the Council has concerns about the timeliness of plan check response and staff continuity during the review and inspection process.

On May 26, 2021 and September 8, 2021, the City Council considered reports on the delivery of Building Division services. On September 8, 2021, the City Council directed staff to work on a model staffed with approximately seven City employees, and extended the Interwest Consulting Group’s (“Interwest”) Professional Services Agreement with the City of Santee to continue providing contract Building Division services through December 17, 2022.

Several important factors have transpired since the September 2021 direction provided by the City Council that have impacted staff’s ability to move forward with the requested move towards an in-house staffed Building Division. Implementation of the new Tyler Enterprise Permitting and Licensing software system is now underway, and Interwest staff are playing a key role in the implementation of modules related to Building Division activities. This system is currently scheduled to “go live” at the end of March 2023, and the continuity of Interwest staff’s participation in this critical project through “go live” and for several months thereafter is strongly recommended. In addition, the City has experienced a number of vacancies in key positions, including several in the Development Services and Human Resources Departments, that have directly impacted the ability to move forward towards an in-house staffed Building Division.

Staff is prepared to focus on the hiring of a Building Official who can make recommendations for the effective transition from a contract Building Division to either a hybrid or fully City employee staffed operation. The attached Staff Report provides more information on this plan.

ENVIRONMENTAL REVIEW The proposed Professional Services Agreement amendment is not subject to the California Environmental Quality Act because it is not a “project” (14 Cal. Code Regs., § 15378) as it would not result in a physical change in the environment.

jm
FINANCIAL STATEMENT The current service fee structure for the Interwest Agreement is 75% of related City fees collected to be paid to Interwest Group. The current fiscal year Building Division budget totals \$1,013,830. The estimated annual cost of a Building Division staffed with seven City employees is \$1,158,000.

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MSB*

1. Receive update on the delivery of Building Division Services within the Department of Development Services and provide direction to staff; and
2. Authorize the City Manager to execute an Amendment to the Professional Services Agreement with Interwest Consulting Group, Inc. extending the agreement.

ATTACHMENTS

Staff Report

STAFF REPORT

UPDATE ON THE DELIVERY OF BUILDING DIVISION SERVICES WITHIN THE DEPARTMENT OF DEVELOPMENT SERVICES AND AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH INTERWEST CONSULTING GROUP, INC. TO EXTEND THE AGREEMENT

**CITY COUNCIL MEETING
MAY 25, 2022**

A. INTRODUCTION:

Interwest, formerly known as EsGil, has provided building permitting and inspection services for the City of Santee since 1981. The first contract recitals state that the City “does not wish to increase staff size where equal or better services can be provided at a lesser cost” and that the City does “not wish to risk having fund deficits...during low periods of activity in the cyclical construction industry”.

The City Council on September 8, 2021 directed staff to improve service delivery systems related to the Building Division. This includes automating processes through a new Land Management System currently being implemented and replacing consultant plan check and inspection services with a permanent full-time Building Division so that the City has in-house control over all Building Division processes and procedures. Pursuant to City Council direction, staff is preparing the FY 22-23 budget to include the phased hiring of four full time City staff for the Building Division. This report focuses on the process to transition from a Building Division currently using Interwest Group consulting services to a full-service City-staffed Building Division.

B. BACKGROUND:

In San Diego County, Interwest Consulting Group Inc., formerly known as EsGil, provides building department services for the cities of Carlsbad, Chula Vista, Coronado, El Cajon, Encinitas, Imperial Beach, Lemon Grove, National City, Poway, and Solana Beach, in addition to Santee. The municipal consulting firm offers a broad range of building and safety, planning, engineering, and other professional services. Interwest building department services are comprised of licensed civil and structural engineers and International Code Council-certified building officials, plan examiners, inspectors and permit technicians who can provide complete and comprehensive construction, building department, and fire protection services including electronic plan reviews and virtual inspections.

In May 2021 and September 2021, the City Council considered reports on the delivery of building services by the Department of Development Services. In particular, the Council considered options to have:

- A Building Division staffed with City employees, estimated to be seven employees, comprised of a Building Official, two permit technicians, two inspectors and two certified plan checkers;
- A Building Division staffed with contract staff, as is represented by the current Professional Services Agreement with Interwest Group; or
- A combination of contract staff and City employees.

On September 8, 2021, the City Council directed staff to work on a model staffed with approximately seven City employees and extended Interwest's Professional Services Agreement with the City of Santee to December 17, 2022.

C. DISCUSSION:

Existing Santee Building Permit Process

Building permits are required for most construction projects to ensure that construction is performed in compliance with state and local codes, including safety standards. Interwest building technicians coordinate building permit reviews between the Interwest plans examiners off-site and the City's Fire Department, Planning Division, Engineering Division, and Storm Water Division.

The building permit plan check process typically takes about 20 business days or less for first submittal. Second submittals generally take about 10 days. Smaller projects have much quicker turn-around times and can be addressed directly at the permit counter, such as water heater, solar, or patio cover permits. Once permits are issued, inspections are scheduled. In 2021, Interwest provided on average 613 monthly inspections, which includes multiple inspections of any given site visit if a site required more than one inspection. Field inspection requests may be routed to City staff in the Planning, Engineering, and Storm Water Divisions of Development Services, and Fire Department, depending upon the scope of the required inspection.

The City Council has established a goal to improve permit processes. Part of the goal is to improve the continuity of personnel assigned to the review of any given permit, increase responsiveness to customers and reduce plan check turn-around time. The Land Management System under development is addressing these needs by automating plan check and inspection processes. The system will include electronic information flow between customers and staff which will enable customers to track the status of pending permit applications and easily communicate with the Building Division. Interwest is a key player in the development of this on-line system. The Land Management System is anticipated to "go live" at the end of March, 2023.

The City Council has also directed the hiring of permanent City employees in the Building Division for increased continuity of staffing.

Position Analysis

Based upon previous Council direction, staff believes that the following positions may be needed to fulfill the functions of a full-service in-house Building Division:

1. Building Official
2. Building Inspector I
3. Building Inspector II
4. Plans Examiner I
5. Plans Examiner II
6. Permit Technician
7. Permit Technician

In order to begin the process of adding a new, in-house Building Division, the City's Human Resources Department will need to develop a job description for each position to be hired, as well as identifying appropriate salary ranges or bands.

Cost and Timing

The Building Division's budget is subject to annual fluctuations based on building activity and economic conditions. Over the past ten years Building Division costs have fluctuated on average by 20% from one year to the next and have ranged from \$616,541 in fiscal year 2013 to \$1,513,700 in FY 2017. For fiscal year 2022, the total Building Services Budget is \$1,013,830. Interwest receives 75% of permit revenue in accordance with the Professional Services Agreement with the City.

The initial rough estimate budget for a Building Division fully staffed with City employees is \$1,158,000 - which includes personnel costs (\$909,000) and non-personnel costs (\$249,000). Total non-personnel costs include two City field inspection vehicles, supplies (workstations with computers, chairs, etc.), subscriptions to professional associations, and funds to attend professional development conferences and seminars to maintain required licenses and certifications.

Hiring is proposed in three phases with a City Building Official proposed as the first recruitment in Phase 1. The Building Official would observe Santee Building Division methods and procedures with Interwest staff and would be relied upon to provide specific recommendations regarding the timing and positions before the recruitment of other permanent Building Division staff. This temporary staffing overlap of City and contract staffing is also needed as staff develops and implements the new Tyler Enterprise

Permitting and Licensing land management system with critical assistance provided by Interwest personnel.

The following table summarizes phasing, positions, and proposed timing for transitioning to permanent full time City staff:

<i>Phase</i>	<i>Position</i>	<i>Timing</i>
Phase I	Building Official	Late 2022
Phase II	Building Inspector I Plans Examiner I Permit Technician	Early - mid 2023
Phase III	Building Inspector II Plans Examiner II Permit Technician	Mid - late 2023

Interwest Contract and Proposed Amendment

The City, under a Professional Services Agreement approved by the City Council on March 14, 2018 (“Agreement”), retained EsGil, LLC to provide building services to the Department of Development Services. In 2020, EsGil, LLC became part of the Interwest Group (a SAFEbuilt company). On June 21, 2021, an Amendment to the Agreement was executed to extend the term of the Agreement to December 31, 2021, and add additional tasks to the Scope of Services, and to add a specific insurance coverage requirement. A Second Amendment in 2021 extended the term of the Agreement to December 17, 2022.

Staff recommends that the City Council authorize the extension of the Interwest Professional Services Agreement through December 31, 2023 in order to provide for the phased hiring of City personnel. This would constitute the Third Amendment to the Agreement. Adjustment to certain terms of the current agreement will be negotiated in recognition of the transition of these services to City personnel. It is anticipated that Interwest will be retained on contract at some level to provide backup support and specialty review and inspection as necessary.

D. STAFF RECOMMENDATION:

1. Receive update on the delivery of Building Division Services within the Department of Development Services and provide direction to staff; and

2. Authorize the City Manager to execute an Amendment to the Professional Services Agreement with Interwest Consulting Group, Inc. extending the Agreement through December 31, 2023.

MEETING DATE

May 25, 2022

ITEM TITLE RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA REPEALING RESOLUTION NOS. 093-2020, 094-2020, 095-2020, 096-2020, 097-2020, 098-2020, AND ORDINANCES NO. 580 AND 581, WHICH CONCERNED PROJECT-RELATED APPROVALS FOR THE FANITA RANCH PROJECT

DIRECTOR/DEPARTMENT

Shawn Hagerty, City Attorney

SUMMARY

This item requests the repeal of the following project-related approvals concerning the Fanita Ranch Project ("Project").

On September 23, 2020, the City Council of the City of Santee ("City") adopted the following Resolutions relating to the Project:

- Resolution No. 093-2020, certifying the Final Environmental Impact Report ("EIR") (State Clearinghouse No. 2005061118) for the proposed Project as compliant with CEQA, adopting the findings of fact and a statement of overriding considerations, and adopting a mitigation monitoring reporting program ("MMRP");
- Resolution No. 094-2020, adopting a General Plan Amendment, Case File GPA2017-2, relating to the Fanita Ranch Specific Plan;
- Resolution No. 095-2020, approving the application of HomeFed Fanita Rancho LLC for Fanita Ranch Vesting Tentative Map TM2017-3 for the subdivision of approximately 2,638 acres into 1,467 lots to develop the Fanita Ranch Master Planned Community located north of the terminus of Fanita Parkway in the Fanita Ranch Specific Plan Development Area;
- Resolution No. 096-2020 approving the application of HomeFed Fanita Rancho LLC for Fanita Ranch Development Review Permit DR2017-4 for the subdivision of approximately 2,638 acres into 1,467 lots to develop the Fanita Ranch Master Planned Community located north of the terminus of Fanita Parkway in the Fanita Ranch Specific Plan Development Area;
- Resolution No. 097-2020 approving the application of HomeFed Fanita Rancho LLC for a Conditional Use Permit (P2017-5) for a new 31.2-acre public community park located in the Fanita Commons Village shown on Lot CP-1 of Fanita Ranch Vesting Tentative Map TM2017-3; and
- Resolution No. 098-2020 approving the application of HomeFed Fanita Rancho LLC for a Conditional Use Permit (P2020-2) for a new 4.2-acre public neighborhood park located in the Fanita Commons Village shown on Lot NP-8 of Fanita Ranch Vesting Tentative Map TM2017-3.

In addition, after a second reading on October 14, 2020, the City adopted:

- Ordinance No. 580, adding Chapter 13.20 “Specific Plan District” to Title 13 and amending Chapter 13.04 “Administration” of the Santee Municipal Code, and approving the Fanita Ranch Specific Plan (Case Files R2017-1 and SP2017-1); and
- Ordinance No. 581 approving and authorizing the execution of a development agreement by and among the City of Santee and HomeFed Fanita Rancho, LLC.

In 2020, a lawsuit was filed challenging the adequacy of the EIR. On March 3, 2022, the San Diego County Superior Court (Hon. Katherine A. Bacal, presiding) issued a ruling identifying deficiencies in the EIR related to evacuation in the event of a wildfire. On March 25, 2022, the court entered judgment and a writ of mandate (order) directing the City to set aside certification of the EIR and the approvals for the Project. On April 26, 2022, a peremptory writ of mandate was issued by the court stating that not more than sixty (60) days after service of the writ, the City must set aside and vacate in its entirety the aforementioned Resolutions and Ordinances in relation to the Project. The City was served with the peremptory writ of mandate on May 16, 2022. The proposed action is necessary for City compliance with the court order.

ENVIRONMENTAL REVIEW

The adoption of this Resolution does not constitute a “Project” under the California Environmental Quality Act pursuant to 15060(c)(3) and 15378(b)(5) since approval of this Resolution does not have the potential to result in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. Moreover, pursuant to State CEQA Guidelines section 15061(b)(3), the approval of the Resolution is exempt from CEQA because there is no possibility that it may have a significant effect on the environment.

FINANCIAL STATEMENT

N/A

CITY ATTORNEY REVIEW

N/A Completed

RECOMMENDATION

Adopt the Resolution:

1. Repealing Resolution Nos. 093-2020, 094-2020, 095-2020, 096-2020, 097-2020, 098-2020, and Ordinances Nos. 580 and 581, which concern Project-related approvals for the Fanita Ranch Project, pursuant to the Court Judgment in Case No. 37-2020-00038168-CU-WM-CTL.
2. Determining the Resolution is exempt from environmental review under the California Environmental Quality Act.

ATTACHMENTS

Resolution

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA
REPEALING RESOLUTION NOS. 093-2020, 094-2020, 095-2020, 096-2020, 097-
2020, 098-2020, AND ORDINANCES NO. 580 AND 581, WHICH CONCERNED
PROJECT-RELATED APPROVALS FOR THE FANITA RANCH PROJECT**

WHEREAS, on September 23, 2020, the City Council of the City of Santee (“City”) adopted Resolution No. 093-2020 certifying the Revised Environmental Impact Report (“EIR”) (State Clearinghouse No. 2005061118) prepared for the Fanita Ranch Project (the “Project”), adopting the findings of fact and a statement of overriding considerations under the California Environmental Quality Act (“CEQA”), adopting a mitigation monitoring and reporting program for the Project, and approving the Project; and

WHEREAS, on September 23, 2020, the City Council adopted Resolution No. 094-2020 adopting a General Plan Amendment, Case File GPA2017-2, relating to the Fanita Ranch Specific Plan; and

WHEREAS, on September 23, 2020, the City Council adopted Resolution No. 095-2020 approving the application of HomeFed Fanita Rancho LLC for Fanita Ranch Vesting Tentative Map TM2017-3 for the subdivision of approximately 2,638 acres into 1,467 lots to develop the Fanita Ranch Master Planned Community located north of the terminus of Fanita Parkway in the Fanita Ranch Specific Plan Development Area; and

WHEREAS, on September 23, 2020, the City Council adopted Resolution No. 096-2020 approving the application of HomeFed Fanita Rancho LLC for Fanita Ranch Development Review Permit DR2017-4 for the subdivision of approximately 2,638 acres into 1,467 lots to develop the Fanita Ranch Master Planned Community located north of the terminus of Fanita Parkway in the Fanita Ranch Specific Plan Development Area; and

WHEREAS, on September 23, 2020, the City Council adopted Resolution No. 097-2020 approving the application of HomeFed Fanita Rancho LLC for a Conditional Use Permit (P2017-5) for a new 31.2-acre public community park located in the Fanita Commons Village shown on Lot CP-1 of Fanita Ranch Vesting Tentative Map TM2017-3; and

WHEREAS, on September 23, 2020, the City Council adopted Resolution No. 098-2020 approving the application of HomeFed Fanita Rancho LLC for a Conditional Use Permit (P2020-2) for a new 4.2-acre public neighborhood park located in the Fanita Commons Village shown on Lot NP-8 of Fanita Ranch Vesting Tentative Map TM2017-3; and

WHEREAS, after a second reading on October 14, 2020, the City Council adopted Ordinance No. 580, adding Chapter 13.20 “Specific Plan District” to Title 13 and amending Chapter 13.04 “Administration” of the Santee Municipal Code, and approving the Fanita Ranch Specific Plan (Case Files R2017-1 and SP2017-1); and

RESOLUTION NO. _____

WHEREAS, after a second reading on October 14, 2020, the City Council adopted Ordinance No. 581 approving and authorizing the execution of a development agreement by and among the City of Santee and HomeFed Fanita Rancho, LLC; and

WHEREAS, on October 21, 2020, Preserve Wild Santee, Center for Biological Diversity, Endangered Habitats League, and California Chaparral Institute (collectively, "Petitioners") filed a Petition for Writ of Mandate in the San Diego County Superior Court (Case No. 37-2020-00038168-CU-WM-CTL) challenging the September 23, 2020 decision of the City to approve the Project, adopt findings, and certify an EIR for the Project; and

WHEREAS, on March 25, 2022, after full briefing and hearing, the Court entered Judgment for the Petitioners, in which the Court granted the Petition and ordered the City of Santee to set aside and vacate in its entirety Resolution Nos. 093-2020, 094-2020, 095-2020, 096-2020, 097-2020, 098-2020, and Ordinance Nos. 580 and 581 related to the Project; and

WHEREAS, on April 26, 2022, a Peremptory Writ of Mandate was issued by the Court stating that not more than sixty (60) days after service of the Writ, the City must set aside and vacate in its entirety the aforementioned Resolutions and Ordinances in relation to the Project; and

WHEREAS, the City was served with the Peremptory Writ of Mandate on May 16, 2022.

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

SECTION 1. The City finds and determines that the foregoing recitals are true and correct.

SECTION 2. Pursuant to the Court Judgment in Case No. 37-2020-00038168-CU-WM-CTL, the City Council hereby sets aside and vacates in their entirety Resolution Nos. 093-2020, 094-2020, 095-2020, 096-2020, 097-2020, 098-2020, and Ordinance Nos. 580 and 581 related to the Project.

SECTION 3. Approval of this Resolution does not constitute a "project" under the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code section 21080(a) and State CEQA Guidelines section 15378 since approval of this Resolution does not have the potential to result in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. Moreover, pursuant to State CEQA Guidelines section 15061(b)(3), the approval of this Resolution is exempt from CEQA because there is no possibility that it may have a significant effect on the environment.

RESOLUTION NO. _____

ADOPTED by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 25th day of May, 2022, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, CMC, CITY CLERK

MEETING DATE May 25, 2022

ITEM TITLE APPROVAL OF A SIXTH AMENDMENT TO THE SPORTS PARK MAINTENANCE AND OPERATIONS SERVICES AGREEMENT WITH SPORTSPLEX USA FOR THE CONSTRUCTION OF A MINI SOCCER ARENA FIELD AND DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

DIRECTOR/DEPARTMENT Marlene Best, City Manager

SUMMARY On September 13, 2006, the City and Sportsplex USA entered into a Sports Park Maintenance and Operations Services Agreement (“Agreement”). The proposed Sixth Amendment to the Agreement would allow but not require Sportsplex USA to install a mini soccer arena field at the Sports Complex Site at an existing grass turf field. This private investment, estimated at \$300,000 will provide a 50-foot-wide by 100-foot-long mini synthetic turf soccer arena field matching the existing soccer arena field to accommodate the growing youth soccer activities in the City. The project will reduce water consumption costs and turf maintenance for Sportsplex USA while providing a synthetic turf soccer arena field to accommodate youth soccer activities.

The Sixth Amendment includes conditions to ensure the City has oversight over the bidding and installation of the soccer arena field in compliance with the Public Contract Code and Santee Municipal Code. The amendment will also protect the City from future costs. Once the new facility is constructed, the Agreement will be extended for an additional 10-year period. Upon termination of the Agreement, Sportsplex USA shall either donate the soccer arena field to the City or remove the soccer arena field and post a performance bond to ensure the site is restored to its original state. Once the new facility is constructed, the Sports Park Maintenance and Operations Services Agreement with Sportsplex USA will be extended for an additional 10-year period.

ENVIRONMENTAL REVIEW The project is Categorically Exempt from environmental review under State Guidelines to the California Environmental Quality Act (CEQA), section 15303 New Construction or Conversion of Small Structures.

FINANCIAL STATEMENT There will be no direct costs to the City. Sportsplex USA shall be solely responsible for all expenses associated with the bid, design and construction of the project. The City will waive plan check fees and permitting fees associated with Building Division plan review and permitting. The City will likely benefit from increased revenue from Sportsplex USA as a result of the added mini soccer arena field.

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MSB*

1. Approve the Sixth Amendment to the Sports Park Maintenance and Operations Services Agreement; and
2. Authorize the City Manager to execute the Sixth Amendment; and
3. Determine that the Project is Categorically Exempt from environmental review under the California Environmental Quality Act.

ATTACHMENTS

Site Map Sixth Amendment





PROPOSED MINI SOCCER ARENA FIELD
(50'x100')

TOWN CENTER COMMUNITY PARK
SPORTS COMPLEX

SITE MAP

**AMENDMENT TO
SPORTS PARK MAINTENANCE AND OPERATIONS SERVICES
AGREEMENT BETWEEN CITY OF SANTEE AND
SPORTSPLEX USA OF SANTEE INC.
(TOWN CENTER COMMUNITY PARK – SPORTS COMPLEX)**

THIS SIXTH AMENDMENT (“Amendment”) is made and entered into as of May ____, 2022, by and between the City of Santee, a California charter city (“City”), and Sportsplex USA of Santee Inc., a California corporation (“Operator”). In consideration of the mutual covenants and conditions set forth herein, the parties agree as follows:

1. This Amendment is made with respect to the following facts and purposes:
 - A. On September 13, 2006, the City and the Operator entered into a Sports Park Maintenance and Operations Services Agreement (“Agreement”).
 - B. On January 10, 2010, the City and the Operator entered into a First Amendment to the Agreement to amend Section 1.49 – Fixed City Revenue, Section 1.113 Third Tier Revenue and Section 1.118 – definition of “Weekend.”
 - C. On April 14, 2014, the City and the Operator entered into a Second Amendment modifying the Agreement to extend the term of the Agreement, to add two new funding tiers, and to allow the CPI annual increase to be triggered earlier.
 - D. On December 28, 2015, the City and the Operator entered into a Third Amendment modifying the Agreement to authorize, but not contractually obligate, the Operator to bid and install solar panels and shade structures within the sports complex parking lot.
 - E. On October 11, 2017, the City and the Operator entered into a Fourth Amendment modifying the Amendment to revise the renewal and extension options for the Agreement.
 - F. On November 8, 2017, the City and the Operator entered into a Fifth Amendment modifying the Agreement to delete Section 1.7, “Available Credit Amount,” Section 1.99, “Security Deposit” definition, and Section 7.9, “Security Deposit,” of the Agreement, and to revise Section 13 of Exhibit “D” to the Agreement, “Sports Complex Maintenance Standards.”
 - G. On May 13, 2020, the City Council authorized payment adjustments due to COVID-19. These adjustments included a waiver of the Operator’s payment of fixed monthly rent and third-tier payments, and the City’s provision of a credit of \$1,000 per week for ongoing maintenance while the sports complex remained closed. The City also postponed repayment for amounts owed by the Operator for Program Year 2020 until monthly gross revenue exceeded 80% of pre-pandemic revenue or until January 1, 2021, whichever occurred first. After that period, the deferred amount was to be repaid by the Operator over a period of 12 months.

- H. On January 13, 2021, the City Council approved an extension of the payment adjustments until monthly gross revenue exceeded 80% of pre-pandemic revenue, or until June 1, 2021, whichever occurred first.
 - I. The Operator wishes to amend the Agreement to allow the installation of a soccer arena on the sports complex site.
 - J. The City and the Operator have determined that modifications to the Agreement are necessary to ensure the City has oversight over the installation of the soccer arena.
 - K. Section 28.3 of the Agreement provides that any modification of the Agreement must be in writing and signed by the Party to be bound.
2. Section 4.1.3 is hereby added to the Agreement to read as follows:
- 4.1.3 Second Extension Option. Upon the completion of the construction, by the Operator at the Operator's sole expense, of the soccer arena described in Section 32 of this Agreement, and acceptance by the City Council of the soccer arena project as complete, this Agreement shall be extended upon all the same terms and conditions (except as this Agreement otherwise expressly states), for one additional period of ten (10) years beyond the ten (10) year extension period described in Section 4.1.2.
3. Section 32 is hereby added to the Agreement to read as follows:

32. SOCCER ARENA CONSTRUCTION

32.1 Operator shall publicly bid the installation of the soccer arena in compliance with the public bidding procedure set forth in the Public Contract Code or shall competitively procure the installation in compliance with the procedures for design-build contracts set forth in Santee Municipal Code Chapter 3.22. The contract shall be between the Operator and the contractor, rather than the City and contractor. Operator shall be solely responsible for all expenses associated with procuring bids and entering into the contract, which may include but are not limited to, bidding advertisement fees, design fees, and installation of the soccer arena and all related improvements.

32.2. In accordance with Section 6.25 of the Agreement, it shall be mandatory upon the Operator when awarding the bid to require the contractor to whom the contract is awarded, and upon any subcontractor under such contractor, to adhere to the prevailing wage rate determinations pursuant to the California Labor Code and to pay not less than the specified rates to all workers employed by them in the execution of the contract. Operator shall timely file the PWC-100 form with the Department of Industrial Relations and shall file a Notice of Completion with the San Diego County Recorder's Office upon completion of the soccer arena project.

32.3. Construction of the soccer arena shall include removal of the existing irrigation system that is in conflict with the soccer arena, relocation of existing drainage facilities which are located under the proposed soccer arena and installation of

concrete walkways around the entire soccer arena to match the existing soccer arena in compliance with the Americans with Disabilities Act (ADA).

The soccer arena will require the installation of sports lighting to match the existing soccer arena sports lighting on site to ensure the new soccer arena has adequate lighting required for sport field use. If sports field lighting is not provided, the Operator agrees that the soccer arena shall not be operated in night-time hours.

The soccer field within the soccer arena shall consist of synthetic turf. The synthetic turf system shall be tested by a 3rd party testing firm for G-Max testing to ensure the synthetic turf field meets industry standards for field hardness in compliance with ASTM F355A, ASTM F1936 and as recommended by the Synthetic Turf Council.

The soccer arena area shall be tested by a 3rd party licensed geotechnical testing firm with recommendations provided by a licensed geotechnical engineer for the remediation and compaction of the existing soils to ensure the soccer arena is constructed on a suitable subgrade. Due to known wet soil conditions at the soccer arena site, a subdrain will be required at the northern side of the field to reduce potential for ground water intrusion into the soccer field.

32.4. Upon the termination of the Agreement, the Operator shall have the option to either donate the soccer arena and related improvements to the City subject to City Council acceptance or to remove the soccer arena at the Operator's expense. If the City does not accept the donation of the soccer arena, the Operator will be required to remove the soccer arena at the Operator's expense. If the Operator decides to remove the soccer arena, or the donation of the soccer arena is not accepted by the City Council, the Operator shall notify the City in writing 60 calendar days prior to commencing the work. The Operator shall have 30 days after notification by the Operator to submit a Performance Bond in an amount determined by the City to ensure the sports complex site is restored to its original state prior to the installation of the soccer arena.

4. This Sixth Amendment authorizes but does not contractually obligate the Operator to bid and construct the soccer arena.
5. This Sixth Amendment may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument, and shall be effective upon the execution by both the City and the Operator.
6. Except for the changes specifically set forth herein, all other terms and conditions of the Agreement shall remain in full force and effect.

[SIGNATURES ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed the day and year above written.

OPERATOR

CITY OF SANTEE

Sportsplex USA of Santee Inc.

Marlene Best, City Manager

**APPROVED AS TO FORM
BEST BEST & KRIEGER, LLP**

Shawn Hagerty, City Attorney

MEETING DATE May 25, 2022

ITEM TITLE RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH RICK ENGINEERING COMPANY FOR THE PREPARATION OF THE MASTER DRAINAGE STUDY UPDATE (CIP 2022-20)

DIRECTOR/DEPARTMENT Carl Schmitz, City Engineer

JK for Carl Schmitz

SUMMARY

This item requests the authorization for the City Manager to execute a professional services agreement with Rick Engineering Company for the preparation of the Master Drainage Study Update (CIP 2022-20) project. The current City of Santee Citywide Drainage Study was prepared in February 1990 and a supplement regarding Mission Gorge Road was prepared in August 1992. This report identifies master drainage facilities across the City and determines any deficient facilities that require upsizing, replacement or realignment for the conveyance of flood control. A cost estimate to replace the identified deficient facilities will be provided by the report which is used to determine the Drainage Impact Fees paid by future development. Development projects that contribute drainage waters to deficient master drainage facilities are required to pay Drainage Impact Fees as part of the conditions of approval for their project. An update to the City's geographic information system (GIS) for the master storm drain facilities will be completed as part of the update.

Staff issued a request for proposals from engineering consulting firms for the preparation of the report and received two proposals. Proposals were ranked based upon the qualifications and experience with similar projects. Rick Engineering Company was selected as the most qualified and cost-effective consultant based upon the scope of services for their design fee which will provide the City with a high quality Master Drainage Study update.

Staff has negotiated a scope of work and fee of \$399,490.00 with Rick Engineering Company. Staff requests authorization for the City Manager to execute a professional services agreement with Rick Engineering Company on behalf of the City and authorization for the City Manager, Director of Development Services or City Engineer to approve amendments in a total amount not to exceed \$39,940.00 for unforeseen items and additional qualifying services as required.

ENVIRONMENTAL REVIEW

The adoption of this resolution does not constitute a "Project" under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines sections 15060(c)(3) and 15378(b)(5) because design work will not result in any direct or indirect physical change to the environment. Even if this professional services agreement is considered a "Project" under CEQA, it is statutorily exempt pursuant to State CEQA Guidelines section 15262 as a feasibility of planning study, and



categorically exempt pursuant to State CEQA Guidelines section 15306 as it involves data collection that does not result in a major disturbance of an environmental resource.

FINANCIAL STATEMENT *msb*

Funding for this project is provided by American Rescue Plan Act funds in the amount of \$500,000.00 and is included in the adopted FY 2022-26 Capital Improvement Program.

CITY ATTORNEY REVIEW

N/A Completed

RECOMMENDATION *msb*

Adopt the Resolution authorizing the City Manager to execute a professional services agreement with Rick Engineering Company in the amount of \$399,490.00 for the preparation of the Master Drainage Study Update and authorizing the City Manager, Director of Development Services or City Engineer to approve amendments in a total amount not to exceed \$39,940.00.

ATTACHMENTS

Resolution

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE,
CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE A
PROFESSIONAL SERVICES AGREEMENT WITH RICK ENGINEERING COMPANY
FOR THE PREPARATION OF A MASTER DRAINAGE STUDY UPDATE
(CIP 2022-20)**

WHEREAS, the preparation of a Master Drainage Study is necessary for the assessment and operation of a City drainage system for flood control purposes and was last updated in August 1992; and

WHEREAS, staff issued a request for proposals for the preparation of the Master Drainage Facility Update (CIP 2022-20); and

WHEREAS, staff received two proposals in response to the request for proposals; and

WHEREAS, staff reviewed the proposals and selected Rick Engineering Company as the most qualified and cost-effective firm to perform the work as required; and

WHEREAS, staff recommends City Council authorize the City Manager to execute a professional services agreement with Rick Engineering Company for the preparation of the Master Drainage Facility Update (CIP 2022-20) in the amount of \$399,490.00; and

WHEREAS, staff requests authorization for the City Manager, Director of Development Services or City Engineer to approve amendments in a total amount not to exceed \$39,940.00 for unforeseen items and additional qualifying necessary work; and

WHEREAS, funding for the professional services will be provided by the American Rescue Plan Act as included in the adopted FY 2022-26 Capital Improvement Program.

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

SECTION 1: The adoption of this resolution does not constitute a “Project” under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines sections 15060(c)(3) and 15378(b)(5) because design work will not result in any direct or indirect physical change to the environment. Even if this professional services agreement is considered a “Project” under CEQA, it is statutorily exempt pursuant to State CEQA Guidelines section 15262 as a feasibility or planning study, and categorically exempt pursuant to State CEQA Guidelines section 15306 as it involves data collection that does not result in a major disturbance of an environmental resource.

RESOLUTION NO. _____

SECTION 2: The City Manager is authorized to execute a professional services agreement with Rick Engineering Company in the amount of \$399,490.00 for the preparation of the Master Drainage Study Update (CIP 2022-20).

SECTION 3: The City Manager, Director of Development Services or City Engineer are authorized to approve amendments in a total amount not to exceed \$39,490.00 for unforeseen items and additional qualifying necessary 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 25th day of May, 2022, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, CMC, CITY CLERK

MEETING DATE May 25, 2022

ITEM TITLE RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, AWARDING THE CONSTRUCTION CONTRACT FOR THE CITYWIDE SLURRY SEAL AND ROADWAY MAINTENANCE PROGRAM 2022 (CIP 2022-02) PROJECT AND DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

DIRECTOR/DEPARTMENT Carl Schmitz, City Engineer

SUMMARY

This item requests City Council award the construction contract for the Citywide Slurry Seal and Roadway Maintenance Program 2022 (CIP 2022-02) Project to PAL General Engineering, Inc. in the amount of \$1,684,969.62. This project will resurface a total of 23 streets as identified in the Pavement Management Report including Carlton Oaks Dr. from Pebble Beach Dr. to Wethersfield Rd. as directed by the City Council on February 9, 2022. The attached project map and street list identify the streets throughout the City which are to be resurfaced.

On May 11, 2022, the City Clerk publicly opened and examined one sealed bid. Upon review of the submitted bid, the bid submitted by PAL General Engineering, Inc. has been determined to be the lowest responsive and responsible bidder in the amount of \$1,684,969.62. The bid submitted by PAL General Engineering, Inc. is 10% higher than the Engineer's construction estimate of \$1,529,000.00. The receipt of only one bid may be due to the fact that there are a larger than normal amount of paving projects currently out to bid by public agencies and the ability of paving contractors to complete current contracts. The bid received has been deemed by staff as fair and reasonable considering the volatility in the oil markets and based on the amount of work within the scope of the project.

Staff also requests authorization for the City Manager, Director of Development Services or City Engineer to approve change orders in a total amount not to exceed \$225,000.00 (13% of the contract price) for unforeseen items and additional work.

ENVIRONMENTAL REVIEW

The project is Categorically Exempt from environmental review under State Guidelines to the California Environmental Quality Act (CEQA), section 15301 (Class 1, repair or minor alternation to existing facilities involving negligible or no expansion of use).

FINANCIAL STATEMENT *ms*

Funding for this project is provided by Transnet funds, Gas Tax-RMRA funds and the General Fund and is included in the adopted Capital Improvement Program budget as part of the Pavement Roadway Maintenance Citywide project.



Design and Bidding	\$15,018.42
Construction Contract	1,684,969.62
Construction Change Orders	225,000.00
Construction Engineering/Management	35,000.00
Project Closeout	<u>3,000.00</u>
Total Anticipated Project Cost	<u>\$ 1,962,988.04</u>

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MAB*

Adopt the Resolution:

1. Awarding the construction contract for the Citywide Slurry Seal and Roadway Maintenance Program 2022 (CIP 2022-02) Project to PAL General Engineering, Inc. for a total amount of \$1,684,969.62; and
2. Authorizing the City Manager, Director of Development Services or City Engineer to approve change orders in a total amount not to exceed \$225,000.00; and
3. Determining the Project is Categorically Exempt from Environmental Review under the California Environmental Quality Act.

ATTACHMENTS

Resolution
Bid Summary Chart
Project Map
Street List

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 2022 (CIP 2022-02) PROJECT AND
DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT FROM
ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY
ACT**

WHEREAS, the City Clerk, on May 11, 2021, publicly opened and examined sealed bids for the Citywide Slurry Seal and Roadway Maintenance Program 2022 (CIP 2022-02) (“Project”); and

WHEREAS, the lowest received bid was submitted by PAL General Engineering, Inc. in the amount of \$1,684,969.62; and

WHEREAS, in accordance with Santee Municipal Code section 3.24.100(E), staff has determined that the bid submitted by PAL General Engineering, Inc. conforms in all material respects to the requirements set forth in the invitation for bids; and

WHEREAS, PAL General Engineering, Inc. was found to be the lowest responsive and responsible bidder with their total bid amount of \$1,684,969.62; and

WHEREAS, staff recommends awarding the construction contract to PAL General Engineering, Inc. in the amount of \$1,684,969.62; and

WHEREAS, the project is categorically exempt from environmental review under section 15301 Class 1 of the Guidelines to the California Environmental Quality Act; and

WHEREAS, staff requests authorization for the City Manager, Director of Development Services or City Engineer to approve change orders in a total amount not to exceed \$225,000.00 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 construction contract for the Citywide Slurry Seal and Roadway Maintenance Program 2022 (CIP 2022-02) is awarded to PAL General Engineering, Inc. as the lowest responsive and responsible bidder in the amount of \$1,684,969.62, and the City Manager is authorized to execute the contract on behalf of the City.

SECTION 3: The project is categorically exempt from environmental review under section 15301 Class 1 of the Guidelines to the California Environmental Quality Act as repair of existing roadway facilities.

RESOLUTION NO. _____

SECTION 4: The City Manager, Director of Development Services, or City Engineer is authorized to approve change orders in a total amount not to exceed \$225,000.00 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 25th day of May, 2022 by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

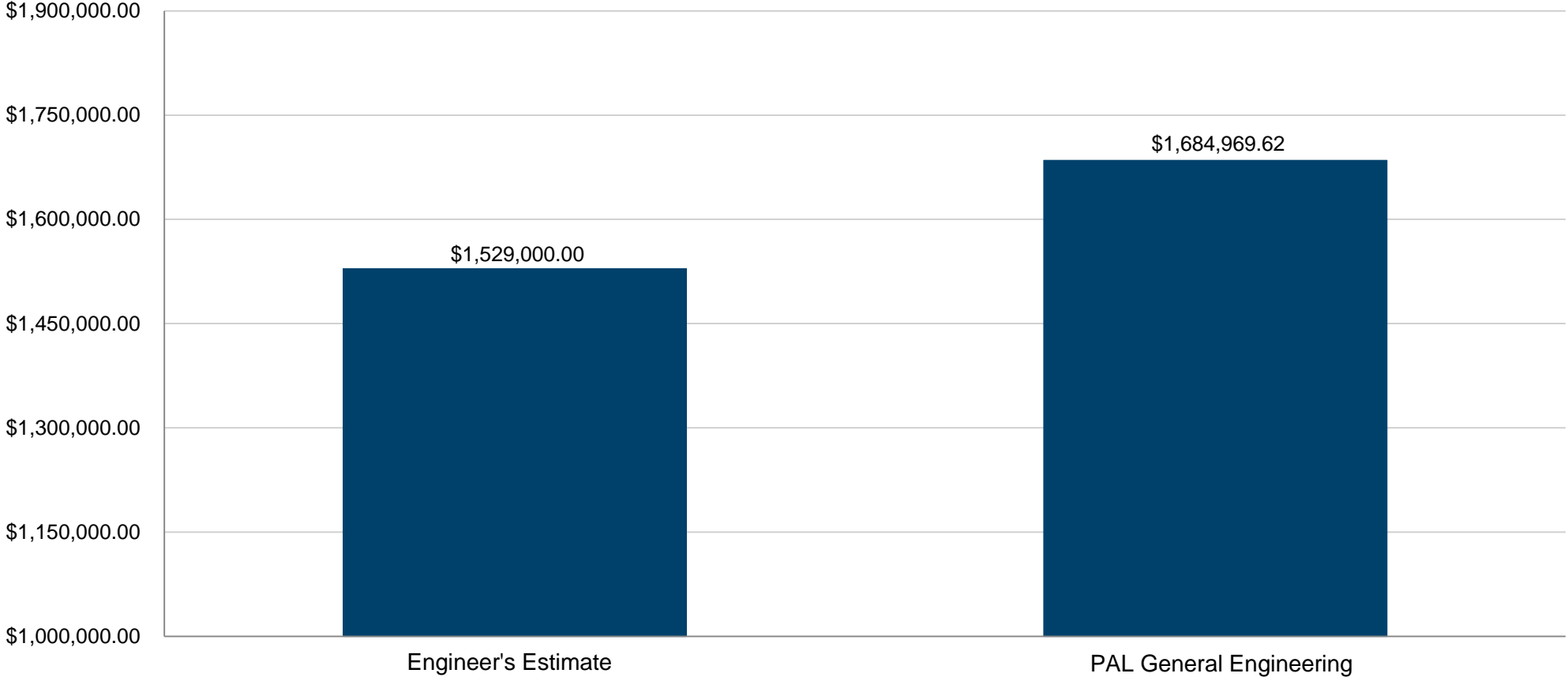
APPROVED:

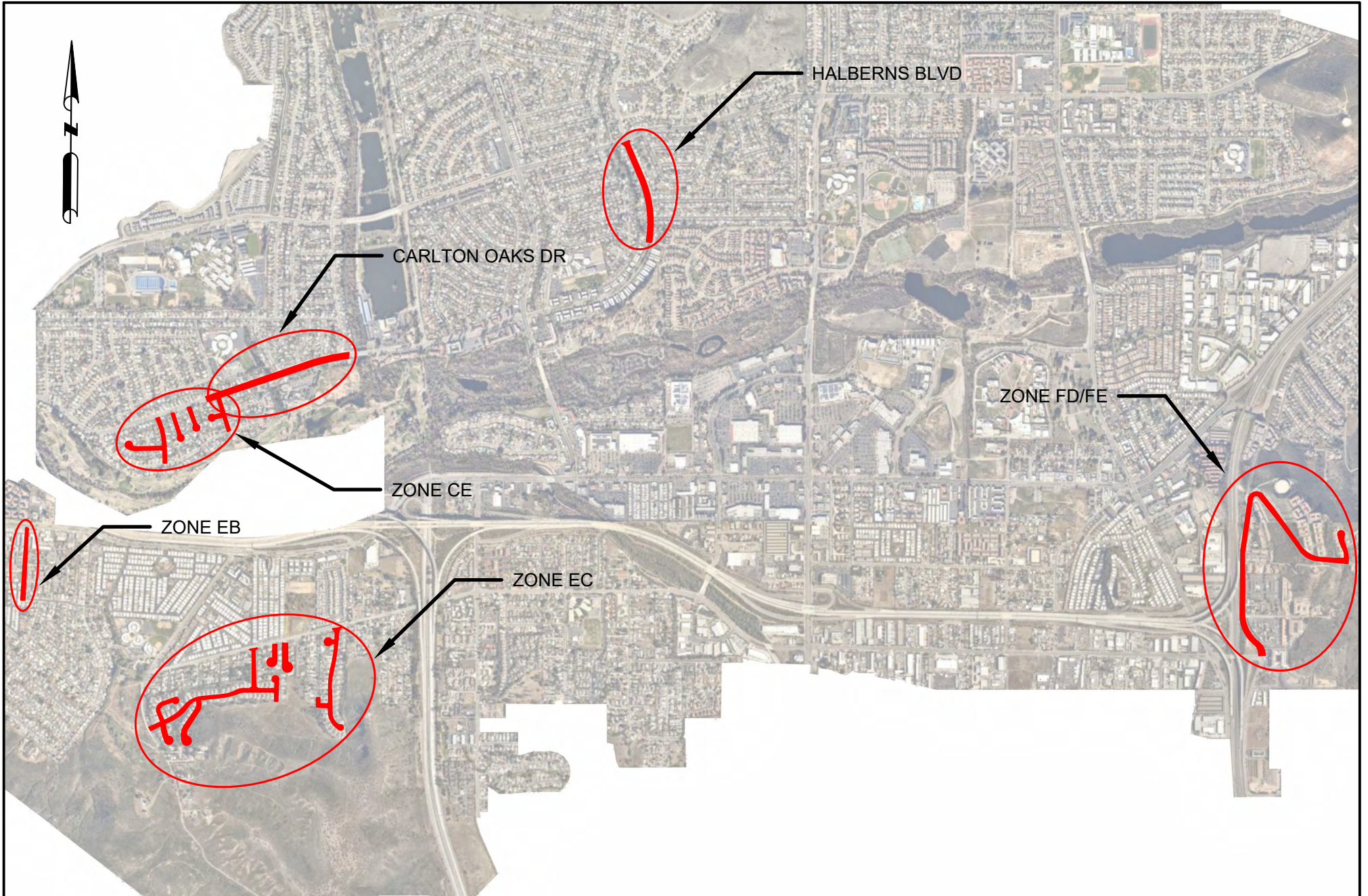
JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, CMC, CITY CLERK

CITYWIDE SLURRY SEAL AND ROADWAY MAINTENANCE PROGRAM 2022 CIP 2022-02





PROJECT MAP

Citywide Slurry Seal and Roadway Maintenance 2022
CIP 2022-02

Project Location 



**Citywide Slurry Seal and Roadway Maintenance Program 2022
CIP 2022-02**

Street Name	From Street	To Street
Allano Way	Carlton Oaks Drive	End
Barbara Jean Street	Clifford Heights Road	End
Calico Street	Sevilla Street	End
Carlton Oaks Drive	Pebble Beach Drive	Wethersfield Road
Carribbean Way	Mission Gorge Road	Woodpecker Way
Carreta Drive	Second Street	El Nopal
Cleary Street	Second Street	Holborn Street
Clifford Heights Road	Prospect Avenue	End
Dania Court	Clifford Heights Road	End
Delia Lane	Second Street	End
Dortha Court	Prospect Avenue	End
Dunwoodie Road	Wethersfield Road	End
Graves Avenue	Prospect Avenue	Sevilla Street
Halberns Boulevard	Mast Boulevard	Stoyer Drive
Holborn Court	Holborn Street	End
Holborn Street	Holborn Court	End
Lomker Way	Massot Avenue	End
Massot Avenue	Carlton Oaks Drive	Inverness Road
Melanie Court	Delia Lane	End
Mesa Heights Road	Mesa Road	Tyler Street
Mesa Ridge Road	Mesa Heights Road	End
Mesa Terrace Road	Mesa Heights Road	End
Mesa View Road	Mesa Heights Road	End
Montura Avenue	Trigal Way	End
Montura Court	Montura Avenue	End
Pine Valley Drive	Carlton Oaks Drive	End
Prospect Court	Prospect Avenue	End
S. Slope Drive	Prospect Avenue	End
Sevilla Street	Graves Avenue	Calico Street
Tyler Street	North End	South End
Wethersfield Road	Carlton Oaks Drive	Inverness Road

MEETING DATE May 25, 2022

ITEM TITLE RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE COUNTY OF SAN DIEGO AND THE CITIES OF EL CAJON, LA MESA, LEMON GROVE AND SANTEE TO SUPPORT HOMELESS EFFORTS AND SERVICES

DIRECTOR/DEPARTMENT Marlene Best, City Manager

SUMMARY

During the City Council's March 2021 Planning Workshop, the Council agreed on 11 priority projects. One of these priorities was to increase focus on services and safety for those experiencing homelessness.

For the past year, the cities of Santee, El Cajon, La Mesa, Lemon Grove, and the County of San Diego have been meeting to discuss and develop a multi-jurisdictional approach to homeless issues in the East County. In turn, a proposed Memorandum of Understanding (MOU) was drafted by all of the parties to help address homelessness through mutual collaborative efforts and a shared desire to increase access to low-barrier emergency housing and facilities, as well as permanent housing solutions for people experiencing homelessness within the municipal boundaries of the cities and the unincorporated areas in the East County.

The MOU is for a five-year term and requires each city to:

1. Identify potential locations within its municipal boundaries for the siting of low barrier emergency housing and facilities for associated on-site services.
2. Seek the establishment of permanent and permanent supportive housing within each city in sufficient numbers to house persons identified as experiencing unsheltered or sheltered homelessness.
3. Project the needs for low barrier emergency housing and facilities.

All projects, programs, efforts, budgeting, and entitlement actions are subject to the final approval and/or concurrence of each jurisdiction's governing body so that no party (or group of parties) can obligate another to any course of action, location of facilities, commitment of funds, or otherwise remove a jurisdiction's control over the program.

In accordance with the MOU, the County of San Diego agrees to:

1. Identify potential locations within the unincorporated areas for the siting of low-barrier emergency housing and facilities for associated on-site services.
2. Coordinate with the partner cities in determining the equitable financial share of any joint contributions, availability of external state/federal resources, and other non-monetary contributions.



3. Collaborate on homeless and social outreach services within all of the partner cities, and work collaboratively to identify behavioral health service needs for those experiencing homelessness within all of the cities.
4. Seek the establishment of permanent and permanent supportive housing within the unincorporated areas in sufficient numbers to house persons identified as experiencing homelessness within all of the cities' jurisdictions.
5. Administer federal, state, and local funded housing programs that are awarded to the County, throughout the region.
6. As funding is available, solicit proposals from qualified housing developers for the creation of affordable housing, permanent housing, and permanent supportive housing.
7. Consider making surplus property in the unincorporated area available for the production of low barrier emergency housing and facilities, and consider a means to streamline processes for zoning and/or General Plan Amendment(s) when possible.

With this MOU, the County and four partner cities can more effectively address joint plans, share resources, and develop separate agreements to jointly fund and operate shelter facilities.

Any party to the MOU, including the City of Santee, may terminate the MOU for convenience in whole or in part, at any time.

To date, the cities of El Cajon and La Mesa have formally approved the MOU.

FINANCIAL STATEMENT *m*

No immediate fiscal impact with approval of the MOU. Any future actions, joint plans, shared resources or proposed agreements will be brought to City Council for review and approval, as required.

CITY ATTORNEY REVIEW N/A • Completed

RECOMMENDATION *msb*

Approve the MOU between the County of San Diego and the cities of El Cajon, La Mesa, Lemon Grove and Santee to support homeless efforts and services, and authorize the City Manager to execute the MOU.

ATTACHMENT

MOU

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA
APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE
COUNTY OF SAN DIEGO AND THE CITIES OF EL CAJON, LA MESA, LEMON
GROVE AND SANTEE TO SUPPORT HOMELESS EFFORTS AND SERVICES**

WHEREAS, one of the City's current priorities, established during the City Council's March 2021 Planning Workshop, is to increase focus on services and safety for those experiencing homelessness; and

WHEREAS, for the past year, the cities of Santee, El Cajon, La Mesa, Lemon Grove, and the County of San Diego have been meeting to discuss and develop a multi-jurisdictional approach to homeless issues in East County; and

WHEREAS, an MOU was drafted by all parties to help address homelessness through mutual collaborative efforts and a shared desire to increase access to low-barrier emergency housing and facilities, as well as permanent housing solutions for people experiencing homelessness within the municipal boundaries of the cities and the unincorporated areas in East County; and

WHEREAS, with the MOU in place, the County and the cities can more effectively address joint plans, share resources, and develop separate agreements to jointly fund and operate shelter facilities; and

WHEREAS, the term of the MOU is for five (5) years, and commits each city to identify potential locations within its municipal boundaries for the siting of low-barrier emergency housing and facilities, and seek the establishment of permanent and permanent-supportive housing within each city in sufficient number to house persons identified as experiencing unsheltered or sheltered homelessness; and

WHEREAS, all projects, programs, efforts, budgeting, and entitlement actions shall be subject to the final approval or concurrence of each jurisdiction's governing body so that no party can obligate another party; and

WHEREAS, the County agrees to (1) identify potential locations within the unincorporated areas for the siting of low-barrier emergency housing and facilities, (2) coordinate with the partner cities in determining the equitable financial share of any joint contributions, availability of external state/federal resources, and other non-monetary contributions, (3) collaborate on homeless and social outreach services within all of the partner cities, and work collaboratively to identify behavioral health service needs for those experiencing homelessness within all of the cities, (4) seek the establishment of permanent and permanent supportive housing within the unincorporated areas in sufficient numbers to house persons identified as experiencing homelessness within all of the cities' jurisdictions, (5) administer federal, state, and local funded housing programs that are awarded to the County, throughout the region, (6) as funding is available, solicit proposals from qualified housing developers for the creation of affordable housing,

RESOLUTION NO. _____

permanent housing, and permanent supportive housing and (7) consider making surplus property in the unincorporated area available for the production of low barrier emergency housing and facilities, and consider a means to streamline processes for zoning and/or General Plan Amendment(s) when possible; and

WHEREAS, the City of Santee or any party to the MOU may, by written notice stating the extent and effective date, terminate the MOU for convenience in whole or in part, at any time.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santee, California, hereby approves the MOU between the County of San Diego and the cities of El Cajon, La Mesa, Lemon Grove and Santee to support homeless efforts and services, and authorizes the City Manager to execute the MOU.

ADOPTED by the City Council of the City of Santee, California, at a Regular meeting thereof held this 25th day of May, 2022, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, CMC, CITY CLERK



MEMORANDUM OF UNDERSTANDING

Parties

This Memorandum of Understanding (MOU) is made between the County of San Diego (“County”) by and through its Health and Human Services Agency (“HHSA”) and Cities of El Cajon, La Mesa, Lemon Grove, and Santee (collectively, the “Cities”). The parties to this MOU may be referred to herein collectively as the “Parties” or individually as a “Party”.

Recitals

WHEREAS, the County provides a broad range of health and social services to its clients promoting wellness, self-sufficiency, and a better quality of life for all individuals and families in San Diego County.

WHEREAS, the Cities provide a range of local government services to residents within their jurisdictions.

WHEREAS, the Parties of this MOU desire to increase access to low-barrier emergency housing and facilities, and permanent housing solutions for people experiencing homelessness within the municipal boundaries of the Cities and/or unincorporated areas of the County.

WHEREAS, the Parties of this MOU desire to establish a shared network of housing solutions for people experiencing homelessness through mutual collaborative efforts; and

WHEREAS, the Parties of this MOU desire to memorialize their understanding of each Party’s conduct in working toward such solutions and, where appropriate, enter into MOUs for the responsibility for the operation, maintenance, capital improvement, and ongoing services of multiple low-barrier emergency housing and facilities locations, permanent housing and/or permanent supportive housing within the municipal boundaries of El Cajon, La Mesa, Lemon Grove, and Santee and unincorporated areas of East San Diego County.

THEREFORE, in consideration of the foregoing recitals and the mutual covenants and promises to set forth below, and for other good and valuable consideration, receipt of which is hereby acknowledged, the Parties hereto agree as follows:

1. **Incorporation of Recitals.** The Recitals set forth above are incorporated herein by this reference.
2. **Administration of MOU:**
 - 2.1. Each party identifies the following individual to serve as the authorized administrative representative for that Party.

<p><u>County of San Diego</u></p> <p>Barbara Jiménez Community Operations Officer Health and Human Services Agency, Department of Homeless Solutions and Equitable Communities (HSEC) 1255 Imperial Ave, San Diego, CA 92101 Phone (619) 338-2722; Fax (619) 338-2967 Barbara.Jimenez@sdcounty.ca.gov</p>	<p><u>City of El Cajon</u></p> <p>GRAHAM MITCHELL City Manager 200 Civic Center Way El Cajon, CA 92020 (619) 441-1716 GMitchell@elcajon.gov</p>
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<p style="text-align: center;"><u>City of La Mesa</u> GREG HUMORA City Manager 8130 Allison Ave La Mesa, CA 91942 (619) 463-6611 GHumora@cityoflamesa.us</p>	<p style="text-align: center;"><u>City of Lemon Grove</u> LYDIA ROMERO City Manager 3232 Main St Lemon Grove, CA 91945 (619) 825-3800 lromero@lemongrove.ca.gov</p>
	<p style="text-align: center;"><u>City of Santee</u> MARLENE BEST City Manager 1601 Magnolia Ave Santee, CA 92071 (619) 258-4100 mbest@cityofsanteeca.gov</p>

2.2. Any Party may change its administrative representative at any time by notifying the other Parties in writing of such change. Any such change shall become effective upon receipt of such notice by the other Parties in this MOU.

3. Program Service Delivery Elements: All programs shall embrace the following practices:

- 3.1. The Parties of this MOU agree that it is beneficial for all of them to pursue efforts that align with Housing First principles as defined by California Welfare and Institutions Code Section 8255.
- 3.2. To be most effective, the programs should participate in and utilize the 2-1-1 database and Community Information Exchange ("CIE"), which is a multidisciplinary network of community-based organizations that provide information to individuals in need regardless of their current homeless status to help prevent new or recurring homeless experiences, to the maximum extent possible that aligns with a program's objectives and services and is appropriate for the model of service delivery.
- 3.3. The Parties of this MOU recognize the importance of collaborating with each other and the Regional Task Force on the Homeless ("RTFH"), to be advised of performance standards and requirements, including recommendations from the RTFH regional planning process for creation of a Homeless Crisis Response System.
- 3.4. The Parties of this MOU understand that as a part of their collective efforts it is important for each of them to participate in the RTFH's Homeless Management Information System ("HMIS") and Coordinated Entry System ("CES"), or successor system(s) of HMIS or CES, for the purpose of enabling emergency housing and facilities provider(s) to find permanent housing options for individuals experiencing homelessness and will coordinate when applicable with their contractors.
- 3.5. The Parties of this MOU recognize that each Party prefers non-congregate emergency housing and facilities that provides individuals or families with their own personal space, at the discretion of the individual Party. Potential sites identified for non-congregate emergency housing and facilities should be supported by all Parties.
- 3.6. The Parties of this MOU acknowledge that successfully establishing and operating appropriate emergency housing and facilities services is a multi-faceted endeavor that requires varied involvement by different entities, depending on the location of such emergency housing and facilities. The Parties of this MOU recognize that:



- 3.6.1. A Party of this MOU where facilities are proposed to be located ("Host Jurisdiction") should support priority efforts to seek all necessary land use approvals for the authority to locate appropriate emergency housing and facilities within its jurisdictional boundaries through its staff and permit and approval processes.
- 3.6.2. The Host Jurisdiction should, as part of its efforts in this MOU, work with Parties of this MOU to determine the appropriate number of emergency housing and facilities beds, rooms, or other units based on the needs of the Host Jurisdiction, other Parties of this MOU, and other local constraints specific to the Host Jurisdiction.
- 3.6.3. The Host Jurisdiction should use best efforts to lead all community outreach, process of any necessary amendments or revisions to local ordinances, and the identification of sites within its jurisdictional boundaries.
- 3.7. The Parties of this MOU understand that it is important that each of them works together to identify resources provided by federal, state, and local resources for the initial acquisition, rehabilitation, construction, and/or ongoing operations and maintenance of the emergency housing and facilities, interim or permanent housing, and/or permanent supportive housing, as well as any applicable community engagement or public process needs.
- 3.8. The Parties of this MOU will work collaboratively to determine which entity based on funding sources and identified roles shall identify and procure provider(s) for the purposes of supporting programs, including property management, operations, and behavioral health support services, especially where their individual strengths in programs and experiences can benefit any one or all of the Parties of this MOU.
- 3.9. The Parties of this MOU are expected to monitor programmatic outcomes of their respective contractors to ensure compliance with the U.S. Department of Housing and Urban Development ("HUD") regulations, statutes, guidelines, best practices and other relevant state and local requirements to ensure program integrity and continuous quality improvement.
- 3.10. The Parties of this MOU each recognize that they should seek broad options for permanent and permanent supportive housing opportunities including but not limited to making surplus property available in compliance with state laws; streamlining processes for zoning, land use and/or General Plan Amendments (GPAs) when possible; whenever possible, explore expediting environmental review processes; and reducing other barriers which may limit housing opportunities.
- 3.11. The Parties of this MOU intend to collaborate to identify housing which may have expiring long-term covenants.
- 3.12. The Parties of this MOU commit to work together to increase outreach and community engagement in each respective jurisdiction whenever possible.
- 3.13. **Schedule A** is attached hereto and made a part of this MOU, as it outlines the specific commitments of the Parties of this MOU.
- 3.14. All Parties shall provide outcome reports as agreed upon or as appropriate



4. **Insurance:** Each Party shall obtain at their own cost and expense and keep in force and effect during the term of this MOU, including all extensions, policies of insurance or programs of self-insurance with policy limits in sufficient amounts to cover any and all potential liability of that Party. Minimum policy limits maintained by the Parties shall in no way limit the Party's indemnification obligations to the County.
5. **Conformance with Rules and Regulations:** All Parties shall be in conformity with all applicable federal, State, County, and local laws, rules, and regulations, current and hereinafter enacted, including facility and professional licensing and/or certification laws and keep in effect any and all licenses, permits, notices, and certificates as are required. All Parties shall further comply with all laws applicable to wages and hours of employment, occupational safety, and to fire safety, health, and sanitation.
6. **Permits and Licenses:** The Parties each certify that they possess and shall continue to maintain or shall cause to be obtained and maintained, at no cost to the other Parties, all approvals, permissions, permits, licenses, and other forms of documentation required for them and their employees to comply with all existing foreign or domestic statutes, ordinances, and regulations, or other laws, that may be applicable to performance of services hereunder. Each Party reserves the right to reasonably request and review all such applications, permits, and licenses prior to the commencement of any services hereunder.
7. **Governing Law:** This MOU shall be governed, interpreted, construed, and enforced in accordance with the laws of the State of California.
8. **Third Party Beneficiaries Excluded:** This MOU is intended solely for the benefit of the Parties listed herein. Any benefit to any third party is incidental and does not confer on any third party any rights whatsoever regarding the performance of this MOU. Any attempt to enforce provisions of this MOU by third parties is specifically prohibited.
9. **Amendments to MOU:** Any Party may propose amendments to this MOU by providing written notice of such amendments to the other party. This MOU may only be amended by a written amendment signed by all Parties.
10. **Severability:** If any terms or provisions of this MOU or the application thereof to any person or circumstance shall, to any extent, be held invalid or unenforceable, the remainder of this MOU, or the application of such term and provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby and every other term and provision of this MOU shall be valid and enforced to the maximum extent permitted by law.
11. **Full MOU:** This MOU represents the full and entire MOU between the parties and supersedes any prior written or oral MOUs that may have existed.
12. **Scope of MOU:** This MOU only applies to the program described herein and does not set forth any additional, current, or future obligations or MOUs between the parties, except that the parties may by written amendment amend the scope of this MOU. Nothing herein contained shall be interpreted as a commitment or obligation on the part of a Party; each of the Parties of this MOU understand that this MOU makes no binding obligations to perform any of the programs where funding has not been approved by its legislative body, and that none of the Parties of this MOU can commit to legislative actions in the performance of its collaborative efforts described in this MOU.



13. **Information Privacy and Security Provisions:** The Parties of this MOU agree to follow all federal, state, and local laws related to privacy of protected information and security of data, and to keep individual(s) information confidential, in the performance of any programs undertaken in collaboration with one or all of the Parties.
14. **Counterparts:** This MOU may be executed in any number of separate counterparts, each of which shall be deemed an original but all of which when taken together shall constitute one and the same instrument.
15. **Term:** This MOU shall become effective on the date all parties have signed this MOU and be in force for a maximum of five (5) years from last signature date below. This MOU should be used to support and provide interpretation in any resulting contracts or MOUs among the Parties of this MOU, which contracts and MOUs will take effect only upon express written approval signed by all Parties.
16. **Termination for Convenience:** Any Party to this MOU may, by written notice stating the extent and effective date, terminate this MOU for convenience in whole or in part, at any time.

Remainder of this page is intentionally left blank.



IN WITNESS WHEREOF, this MOU is entered into by the Parties, by and through the signature of the parties' authorized representative(s), all as set forth below.

County of San Diego

Dated: _____

By: _____
 NICK MACCHIONE, FACHE, Agency Director
 Health and Human Services Agency

City of El Cajon

Dated: _____

By: _____
 GRAHAM MITCHELL, City Manager

City of La Mesa

Dated: _____

By: _____
 GREG HUMORA, City Manager

City of Lemon Grove

Dated: _____

By: _____
 LYDIA ROMERO, City Manager

City of Santee

Dated: _____

By: _____
 MARLENE BEST, City Manager

ATTACHMENT: Schedule A, Specific Objectives of MOU Parties



Schedule A

Specific Objectives of MOU Parties City of El Cajon, City of La Mesa, City of Santee, City of Lemon Grove, and the County of San Diego

Through the MOU, the Parties have established goals and objectives that include guidelines to collectively work together to secure low barrier, housing-placement focused emergency housing and facilities, and associated supportive services for people experiencing homelessness within the Parties' jurisdictions. These goals and objectives may include the development of low-barrier emergency housing and facilities, transitional/interim housing, permanent housing, permanent supportive housing and such other housing and services as identified by the Parties, as well as coordination of data gathering and street outreach efforts.

1. The Parties agree, as indicated according to jurisdiction, to the following initial Phase I objectives through the MOU:
 - 1.1 All Parties desire to support the siting of low barrier emergency housing and facilities within each jurisdiction (i.e., be a "Host Jurisdiction") to be reserved for people experiencing homelessness within their jurisdictions.
 - 1.2 Support the development of Requests for Proposals to solicit suitable providers(s) or operator(s) of low barrier emergency housing and facilities, and to identify staff who will review proposals and participate on a Source Selection Committee for the selection of such emergency housing and facilities provider(s) or operator(s). It is anticipated that one or more operator(s) will be selected through open and competitive process and that all Parties will consider the contribution of resources as outlined in specific program MOUs among the participating Parties. Nothing in this MOU and these objectives shall prevent any of the Parties, together or individually, from seeking to establish facilities or housing to address needs within one or more Host Jurisdiction.
 - 1.3 The development and siting of low barrier emergency housing and facilities, transitional housing, bridge housing, permanent housing and permanent supportive housing should be, to the greatest extent permissible by applicable laws, reserved for individuals experiencing homelessness within the respective jurisdictions of the Parties. Each Host Jurisdiction shall retain the right to reserve emergency or other homeless facilities, subject to applicable laws, within its municipal boundaries.
 - 1.4 To participate in ongoing data coordination efforts, including but not limited to developing and identifying legally appropriate modifications to single or multi-party authorizations for release of information; coordinating submittal of data to the County of San Diego on a frequency to be determined by the Parties; and to allow or permit the public sharing of de-identified data regarding the coordinated information in such fashion; all as shall be reasonably calculated to communicate with members of the public and elected and appointed decision-makers within the Parties' respective jurisdictions.
2. City of La Mesa Objectives:
 - 2.1 To identify potential locations within the municipal boundaries of the City of La Mesa for the siting of low barrier emergency housing and facilities, either as a single building, individual rooms or units, or other suitable emergency housing and facilities for associated on site services. Site approval, along with any required entitlement actions, shall be subject to the final approval or concurrence of the La Mesa City Council.



- 2.2 To seek the establishment of permanent and permanent supportive housing within the municipal boundaries of the City of La Mesa in sufficient number to house persons identified as experiencing unsheltered or sheltered homelessness within the city of La Mesa.
 - 2.3 Project the needs of low barrier emergency housing and facilities according to the data available for this jurisdiction.
3. City of El Cajon Objectives:
- 3.1 To identify potential locations within the municipal boundaries of the City of El Cajon for the siting of low barrier emergency housing and facilities, either as a single building, individual rooms or units, or other suitable emergency housing and facilities for associated on site services. Site approval, along with any required entitlement actions, shall be subject to the final approval or concurrence of the El Cajon City Council.
 - 3.2 To seek the establishment of permanent and permanent supportive housing within the municipal boundaries of the City of El Cajon in sufficient number to house persons identified as experiencing unsheltered or sheltered homelessness within the city of El Cajon.
 - 3.3 Project the needs of low barrier emergency housing and facilities according to the data available for this jurisdiction.
4. City of Santee Objectives:
- 4.1 To identify potential locations within the municipal boundaries of the City of Santee for the siting of low barrier emergency housing and facilities, either as a single building, individual rooms or units, or other suitable emergency housing and facilities for associated on site services. Site approval, along with any required entitlement actions, shall be subject to the final approval or concurrence of the Santee City Council.
 - 4.2 To seek the establishment of permanent and permanent supportive housing within the municipal boundaries of the City of Santee in sufficient number to house persons identified as experiencing unsheltered or sheltered homelessness within the city of Santee.
 - 4.3 Project the needs of low barrier emergency housing and facilities according to the data available for this jurisdiction.
5. City of Lemon Grove Objectives:
- 5.1 To identify potential locations within the municipal boundaries of the City of Lemon Grove for the siting of low barrier emergency housing and facilities, either as a single building, individual rooms or units, or other suitable emergency housing and facilities for associated onsite services. Site approval, along with any required entitlement actions, shall be subject to the final approval or concurrence of the Lemon Grove City Council.
 - 5.2 To seek the establishment of permanent and non-permanent supportive housing within the municipal boundaries of the City of Lemon Grove in sufficient number to house persons identified as experiencing unsheltered and sheltered homelessness within the city of Lemon Grove.
 - 5.3 Project the needs of low barrier emergency housing and facilities according to the data available for this jurisdiction.



6. County of San Diego Objectives:

- 6.1 To identify locations within the unincorporated areas of the County of San Diego for the siting of low barrier emergency housing and facilities, either as a single building, individual rooms or units, or other suitable emergency housing and facilities for associated on site services and to site such emergency housing and facilities in the unincorporated area covered by this MOU in the East County communities of the County of San Diego. Site approval, along with any required entitlement actions, shall be subject to the final approval or concurrence of the County of San Diego Board of Supervisors.
- 6.2 To coordinate with other Parties on determining the equitable financial share of RFP contributions based on formula of persons experiencing homelessness in each jurisdiction, availability of external state/federal resources, and other non-monetary contributions.
- 6.3 To continue to collaborate on homeless outreach and social work street outreach services by engaging, connecting, and referring persons experiencing homelessness in the Cities' jurisdictions for the purpose of providing assessment, support, and housing appropriate for the individual's needs.
- 6.4 To work collaboratively with jurisdictions of the Cities upon identification of need for behavioral health services within the participating jurisdictions to maximize efficient availability of, and connection to, appropriate services for people experiencing homelessness.
- 6.5 To seek the establishment of permanent and permanent supportive housing within the unincorporated areas of the County of San Diego in sufficient number to house persons identified as experiencing unsheltered homelessness within the Cities' jurisdictions.
- 6.6 Project the needs of low barrier emergency housing and facilities according to the data available for the jurisdictions of the Cities.
- 6.7 Administer federal, state, and local funded housing programs that are awarded to the County, throughout the region as dictated by each funding source in a manner consistent with the MOU.
- 6.8 As funding is available, solicit proposals from qualified housing developers for the creation of affordable housing, permanent housing, and permanent supportive housing in a manner consistent with the MOU.
- 6.9 In accordance with applicable state laws, consider making surplus property in the unincorporated area available for the production of low barrier emergency housing and facilities, and in accordance with applicable laws and ordinances, consider means to streamline processes for zoning and or General Plan Amendment(s) when possible.

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MEETING DATE May 25, 2022

ITEM TITLE RESOLUTION SUPPORTING SENATE BILL 1338 FOR A COMMUNITY ASSISTANCE, RECOVERY, AND EMPOWERMENT (CARE) COURT PROGRAM

DIRECTOR/DEPARTMENT Marlene Best, City Manager

SUMMARY

Governor Gavin Newsom recently presented legislation being introduced by Senators Umberg and Eggman, which would help to address mental illness of those experiencing homelessness. This legislation, known as SB 1338, would establish a Community Assistance, Recovery, and Empowerment (CARE) Court Program, and would authorize specified people to petition a civil court to create a CARE plan and implement services, to be provided by county behavioral health agencies, to provide behavioral health care, stabilization medication, and housing support to adults who are suffering from specified mental health disorders (schizophrenia spectrum and psychotic disorders) and who lack medical decision making capacity.

The legislation would provide individuals with a clinically appropriate, community-based, court-ordered care plan, which includes mental health and substance abuse treatment services. The legislation allows medical professionals, first responders, and family members to file a petition for an individual suffering from severe mental health issues. If granted under a CARES Court, the individual would receive clinical evaluation that could result in court-ordered mental health holds and the creation of a customized mental health plan. The court-ordered plan could require behavioral health treatment, stabilization medication, and a housing plan. If someone were to not participate in their CARE plan, it could result in them being referred to a conservatorship.

As one of the City's current priorities, this legislation could serve as an important tool to help in the City's effort to help address the challenges of homelessness and increase focus on services and safety for those experiencing homelessness.

FINANCIAL STATEMENT *m*

No fiscal impact.

CITY ATTORNEY REVIEW N/A • Completed

RECOMMENDATION *MSB*

Provide direction on the adoption of a Resolution supporting SB 1338 for a Community Assistance, Recovery and, Empowerment (CARE) Court Program

ATTACHMENT

Resolution
Current Text - SB 1338 CARE Court Legislation

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA
SUPPORTING SENATE BILL 1338 FOR A COMMUNITY ASSISTANCE, RECOVERY,
AND EMPOWERMENT (CARE) COURT PROGRAM**

WHEREAS, one of the City's current priorities is to increase focus on services and safety for those experiencing homelessness; and

WHEREAS, mental illness and drug addiction are oftentimes root causes for many individuals experiencing homelessness; and

WHEREAS, until the challenges of mental illness and drug addiction are addressed, homelessness will remain a challenge for the City of Santee and other communities in California; and

WHEREAS, Governor Gavin Newsom has presented legislation, known as Senate Bill 1338, which would establish a Community Assistance, Recovery, and Empowerment (CARE) Court Program to help address mental illness of those experiencing homelessness; and

WHEREAS, Senate Bill 1338 would provide individuals with a clinically appropriate, community-based, court-ordered care plan, including behavioral health care, stabilization medication, and housing support to adults who are suffering from specified mental health disorders (schizophrenia spectrum and psychotic disorders) and who lack medical decision making capacity; and

WHEREAS, this legislation could serve as an important tool to help in the City's effort to help address the challenges of homelessness and increase services and safety for those experiencing homelessness.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Santee, California, hereby supports Senate Bill 1338.

ADOPTED by the City Council of the City of Santee, California, at a Regular meeting thereof held this 25th day of May, 2022, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, CMC, CITY CLERK

AMENDED IN SENATE APRIL 7, 2022

AMENDED IN SENATE MARCH 16, 2022

SENATE BILL

No. 1338

Introduced by Senators Umberg and Eggman

February 18, 2022

An act to add ~~Part 1.3 (commencing with Section 5565) to Division 5 of Section 1374.723 to the Health and Safety Code, to amend Section 1370.01 of the Penal Code, and to add Part 8 (commencing with Section 5970) to Division 5 of the Welfare and Institutions Code, relating to mental health.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1338, as amended, Umberg. Community Assistance, Recovery, and Empowerment (CARE) Court Program.

~~Existing~~

~~(1) Existing law, the Assisted Outpatient Treatment Demonstration Project Act of 2002, known as Laura's Law, requires each county to offer specified mental health programs, unless a county or group of counties opts out by a resolution passed by the governing body, as specified. Existing law defines "assisted outpatient treatment" to mean categories of outpatient services that have been ordered by a court, as prescribed. Law, the Lanterman-Petris-Short Act, provides for short-term and longer-term involuntary treatment and conservatorships for people who are determined to be gravely disabled.~~

~~This bill would establish the Community Assistance, Recovery, and Empowerment (CARE) Court Program to connect a person struggling with untreated mental illness and substance use disorders with a court-ordered CARE plan. The bill would authorize a court to order an adult person who is suffering from a mental illness and a substance use~~

~~disorder and who lacks medical decisionmaking capacity to obtain treatment and services under a CARE plan that is managed by a CARE team, as specified. The bill would require each county to participate in providing services under the program. By imposing new duties on counties, the bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.~~

This bill would enact the Community Assistance, Recovery, and Empowerment (CARE) Act, which would authorize specified people to petition a civil court to create a CARE plan and implement services, to be provided by county behavioral health agencies, to provide behavioral health care, stabilization medication, and housing support to adults who are suffering from schizophrenia spectrum and psychotic disorders and who lack medical decisionmaking capacity. The bill would specify the process by which the petition is filed and reviewed, including requiring the petition to be signed under penalty of perjury, and to contain specified information, including the acts that support the petitioner's belief that the respondent meets the CARE criterion. The bill would also specify the schedule of review hearings required if the respondent is ordered to comply with a one-year CARE plan by the court. The bill would authorize the CARE plan to be extended for up to one year and prescribes the requirement for the graduation plan that is required upon leaving the CARE program. By expanding the crime of perjury and imposing additional duties on the county behavioral health agencies, this bill would impose a state-mandated local program.

This bill would include in the CARE program the respondent's right to have a supporter and counsel at all proceedings. The bill would require the California Health and Human Services Agency, subject to appropriation, to administer the CARE Supporter program, which would make available a trained supporter to each respondent.

This bill would authorize the court, at any time during the proceedings if it finds the county not complying with court orders, to fine the county up to \$1,000 per day and, if the court finds persistent noncompliance, to appoint a receiver to secure court-ordered care for the respondent at the county's cost.

(2) Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care. Existing law requires health care service plans to provide coverage for medically necessary treatment of mental health and substance use disorders. Violation of the Knox-Keene Act is a crime.

This bill would require health care service plans to cover the cost of developing an evaluation for CARE services and the provision of all health care services for an enrollee when required or recommended for the enrollee pursuant to a CARE plan, as specified, without cost sharing. By creating a new crime, this bill would impose a state-mandated local program.

(3) Existing law prohibits a person from being tried or adjudged to punishment while that person is mentally incompetent. Existing law establishes a process by which a defendant’s mental competency is evaluated and by which the defendant receives treatment, with the goal of returning the defendant to competency. Existing law suspends a criminal action pending restoration to competency.

This bill, for misdemeanor defendants who have been determined to be incompetent to stand trial, would authorize the court to refer the defendant to the CARE program.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Thousands of Californians are suffering from untreated
- 4 schizophrenia spectrum and psychotic disorders, leading to risks

1 to their health and safety and increased homelessness,
2 incarceration, hospitalization, conservatorship, and premature
3 death. These individuals, families, and communities deserve a path
4 to care and wellness.

5 (b) With advancements in behavioral health treatments, many
6 people with untreated schizophrenia spectrum and psychotic
7 disorders can stabilize, begin healing, and thrive in
8 community-based settings, with the support of behavioral health
9 services, stabilizing medications, and housing. But too often this
10 comprehensive care is only provided after arrest, conservatorship,
11 or institutionalization.

12 (c) A new approach is needed to act earlier and to provide
13 support and accountability, both to individuals with these untreated
14 severe mental illnesses and to local governments with the
15 responsibility to provide behavioral health services. California's
16 civil courts will provide a new process for earlier action, support,
17 and accountability, through a new Community Assistance,
18 Recovery, and Empowerment (CARE) Court Program.

19 (d) Self-determination and civil liberties are important
20 California values that can be advanced and protected for
21 individuals with these untreated severe mental illnesses and without
22 current capacity for medical decisionmaking, with the
23 establishment of a new CARE Supporter role, in addition to legal
24 counsel, for CARE proceedings.

25 (e) California continues to act with urgency to expand
26 behavioral health services and to increase housing choices and
27 end homelessness for all Californians. CARE provides a vital
28 solution for some of the most ill and most vulnerable Californians.

29 SEC. 2. Section 1374.723 is added to the Health and Safety
30 Code, to read:

31 1374.723. (a) A health care service plan contract issued,
32 amended, renewed, or delivered on or after July 1, 2023, that
33 covers hospital, medical, or surgical expenses shall cover the cost
34 of developing an evaluation pursuant to Section 5977 of the
35 Welfare and Institutions Code and the provision of all health care
36 services for an enrollee when required or recommended for the
37 enrollee pursuant to a care plan approved by a court in accordance
38 with the court's authority under Sections 5977 and 5982 of the
39 Welfare and Institutions Code.

1 (b) (1) A health care service plan shall not require prior
2 authorization for services provided pursuant to a care plan
3 approved by a court under the CARE program.

4 (2) A health care service plan may conduct a postclaim review
5 to determine appropriate payment of a claim. Payment for services
6 subject to this section may be denied only if the health care service
7 plan reasonably determines the enrollee was not enrolled with the
8 plan at the time the services were rendered, the services were never
9 performed, or the services were not provided by a health care
10 provider appropriately licensed or authorized to provide the
11 services.

12 (3) Notwithstanding paragraph (1), a health care service plan
13 may require prior authorization for services as permitted by the
14 department pursuant to subdivision (e).

15 (c) (1) A health care service plan shall provide for
16 reimbursement of services provided to an enrollee pursuant to this
17 section at the greater of either of the following amounts:

18 (A) The health plan's contracted rate with the provider.

19 (B) The fee-for-service or case reimbursement rate paid in the
20 Medi-Cal program for the same or similar services, including
21 prescription drugs, as identified by the State Department of Health
22 Care Services.

23 (2) A health care service plan shall provide reimbursement for
24 services provided pursuant to this section in compliance with the
25 requirements for timely payment of claims, as required by this
26 chapter.

27 (d) Services provided to an enrollee pursuant to a CARE plan
28 shall not be subject to copayment, coinsurance, deductible, or any
29 other form of cost sharing. An individual or entity shall not bill
30 the enrollee or subscriber, nor seek reimbursement from the
31 enrollee or subscriber, for services provided pursuant to a CARE
32 plan.

33 (e) No later than July 1, 2023, the director of the Department
34 of Managed Health Care may issue guidance to health care service
35 plans regarding compliance with this section. This guidance shall
36 not be subject to the Administrative Procedure Act (Chapter 3.5
37 (commencing with Section 11340) of Part 1 of Division 3 of Title
38 2 of the Government Code). Guidance issued pursuant to this
39 subdivision shall be effective only until the director adopts
40 regulations pursuant to the Administrative Procedure Act.

1 (f) *This section does not apply to Medi-Cal managed care*
2 *contracts entered pursuant to Chapter 7 (commencing with Section*
3 *14000), Chapter 8 (commencing with Section 14200), or Chapter*
4 *8.75 (commencing with Section 14591) of Part 3 of Division 9 of*
5 *the Welfare and Institutions Code, between the State Department*
6 *of Health Care Services and a health care service plan for enrolled*
7 *Medi-Cal beneficiaries.*

8 (g) *This section shall become operative on July 1, 2023.*

9 *SEC. 3. Section 1370.01 of the Penal Code is amended to read:*

10 1370.01. (a) If the defendant is found mentally competent, the
11 criminal process shall resume, and the trial on the offense charged
12 or hearing on the alleged violation shall proceed.

13 (b) If the defendant is found mentally incompetent, the trial,
14 judgment, or hearing on the alleged violation shall be suspended
15 and the court may do either of the following:

16 (1) (A) Conduct a hearing, pursuant to Chapter 2.8A
17 (commencing with Section 1001.35) of Title 6, and, if the court
18 deems the defendant eligible, grant diversion pursuant to Section
19 1001.36 for a period not to exceed one year from the date the
20 individual is accepted into diversion or the maximum term of
21 imprisonment provided by law for the most serious offense charged
22 in the misdemeanor complaint, whichever is shorter.

23 (B) If the court opts to conduct a hearing pursuant to this
24 paragraph, the hearing shall be held no later than 30 days after the
25 finding of incompetence. If the hearing is delayed beyond 30 days,
26 the court shall order the defendant to be released on their own
27 recognizance pending the hearing.

28 (C) If the defendant performs satisfactorily on diversion pursuant
29 to this section, at the end of the period of diversion, the court shall
30 dismiss the criminal charges that were the subject of the criminal
31 proceedings at the time of the initial diversion.

32 (D) If the court finds the defendant ineligible for diversion based
33 on the circumstances set forth in subdivision (b) or (d) of Section
34 1001.36, the court may, after notice to the defendant, defense
35 counsel, and the prosecution, hold a hearing to determine whether
36 to do any of the following:

37 (i) Order modification of the treatment plan in accordance with
38 a recommendation from the treatment provider.

39 (ii) Refer the defendant to assisted outpatient treatment pursuant
40 to Section 5346 of the Welfare and Institutions Code. A referral

1 to assisted outpatient treatment may only occur in a county where
2 services are available pursuant to Section 5348 of the Welfare and
3 Institutions Code, and the agency agrees to accept responsibility
4 for treatment of the defendant. A hearing to determine eligibility
5 for assisted outpatient treatment shall be held within 45 days after
6 the date of the referral. If the hearing is delayed beyond 45 days,
7 the court shall order the defendant, if confined in county jail, to
8 be released on their own recognizance pending that hearing. If the
9 defendant is accepted into assisted outpatient treatment, the charges
10 shall be dismissed pursuant to Section 1385.

11 (iii) Refer the defendant to the county conservatorship
12 investigator in the county of commitment for possible
13 conservatorship proceedings for the defendant pursuant to Chapter
14 3 (commencing with Section 5350) of Part 1 of Division 5 of the
15 Welfare and Institutions Code. A defendant shall only be referred
16 to the conservatorship investigator if, based on the opinion of a
17 qualified mental health expert, the defendant appears to be gravely
18 disabled, as defined in subparagraph (A) of paragraph (1) of
19 subdivision (h) of Section 5008 of the Welfare and Institution
20 Code. Any hearings required in the conservatorship proceedings
21 shall be held in the superior court in the county of commitment.
22 The court shall transmit a copy of the order directing initiation of
23 conservatorship proceedings to the county mental health director
24 or the director's designee and shall notify the county mental health
25 director or their designee of the outcome of the proceedings. Before
26 establishing a conservatorship, the public guardian shall investigate
27 all available alternatives to conservatorship pursuant to Section
28 5354 of the Welfare and Institutions Code. If a petition is not filed
29 within 60 days of the referral, the court shall order the defendant,
30 if confined in county jail, to be released on their own recognizance
31 pending conservatorship proceedings. If the outcome of the
32 conservatorship proceedings results in the establishment of
33 conservatorship, the charges shall be dismissed pursuant to Section
34 1385.

35 (iv) *Refer the defendant to the CARE program pursuant to*
36 *Section 5978 of the Welfare and Institutions Code. A hearing to*
37 *determine eligibility for CARE shall be held within 14 days after*
38 *the date of the referral. If the hearing is delayed beyond 14 days,*
39 *the court shall order the defendant, if confined in county jail, to*
40 *be released on their own recognizance pending that hearing. If*

1 *the defendant successfully completes CARE, the charges shall be*
 2 *dismissed pursuant to Section 1385.*

3 (2) Dismiss the charges pursuant to Section 1385. If the criminal
 4 action is dismissed, the court shall transmit a copy of the order of
 5 dismissal to the county mental health director or the director's
 6 designee.

7 (c) If the defendant is found mentally incompetent and is on a
 8 grant of probation for a misdemeanor offense, the court shall
 9 dismiss the pending revocation matter and may return the defendant
 10 to supervision. If the revocation matter is dismissed pursuant to
 11 this subdivision, the court may modify the terms and conditions
 12 of supervision to include appropriate mental health treatment.

13 (d) It is the intent of the Legislature that a defendant subject to
 14 the terms of this section receive mental health treatment in a
 15 treatment facility and not a jail. A term of four days will be deemed
 16 to have been served for every two days spent in actual custody
 17 against the maximum term of diversion. A defendant not in actual
 18 custody shall otherwise receive day for day credit against the term
 19 of diversion from the date the defendant is accepted into diversion.
 20 "Actual custody" has the same meaning as in Section 4019.

21 (e) This section shall apply only as provided in subdivision (b)
 22 of Section 1367.

23 *SEC. 4. Part 8 (commencing with Section 5970) is added to*
 24 *Division 5 of the Welfare and Institutions Code, to read:*

25
 26 *PART 8. THE COMMUNITY ASSISTANCE, RECOVERY, AND*
 27 *EMPOWERMENT ACT*

28
 29 *CHAPTER 1. GENERAL PROVISIONS*

30
 31 *5970. This part shall be known, and may be cited, as*
 32 *Community Assistance, Recovery, and Empowerment (CARE) Act.*

33 *5971. Unless the context otherwise requires, the following*
 34 *definitions shall govern the construction of this part.*

35 (a) "Court-ordered evaluation" means an evaluation ordered
 36 by a superior court pursuant to Section 5977.

37 (b) "CARE plan" means an individualized, clinically
 38 appropriate range of behavioral health related services and
 39 supports provided by a county behavioral health agency, including,

1 *but not limited to, clinical care, stabilization medications, and a*
2 *housing plan, pursuant to Section 5982.*

3 (c) *“Graduation plan” means a plan that is developed by the*
4 *person who is the subject of the petition, with assistance from a*
5 *supporter; as needed, and the person’s treatment team. The*
6 *graduation plan shall include a strategy to support a successful*
7 *transition out of court jurisdiction and may include a psychiatric*
8 *advance directive. The graduation plan may also include, but is*
9 *not limited to, on-going behavioral health services, including*
10 *medication management, peer support services, housing and*
11 *related support services, vocational or educational services, and*
12 *psychoeducation.*

13 (d) *“Psychiatric advance directive” means a legal document*
14 *that allows a person with mental illness to protect their autonomy*
15 *and ability to self-direct care by documenting their preferences*
16 *for treatment in advance of a mental health crisis.*

17 (e) *“Respondent” means the person who is subject to the petition*
18 *for CARE court proceedings.*

19 (f) *“Supporter” means an adult, trained pursuant to Chapter*
20 *4 (commencing with Section 5980), who assists the person who is*
21 *the subject of the petition, which may include supporting the person*
22 *to understand, make, communicate, implement, or act on their own*
23 *life decisions.*

24
25 *CHAPTER 2. PROCESS*
26

27 5972. *A court may order a respondent to participate in CARE*
28 *proceedings if the court finds, by clear and convincing evidence,*
29 *that the facts stated in the petition are true and establish that the*
30 *requisite criteria set forth in this section are met, including all of*
31 *the following:*

32 (a) *The person is 18 years of age or older.*

33 (b) *The person has a diagnosis of schizophrenia spectrum or*
34 *other psychotic disorder, as defined in the most current version*
35 *of the Diagnostic and Statistical Manual of Mental Disorders.*

36 (c) *The person is not clinically stabilized in on-going treatment*
37 *with the county behavioral health agency.*

38 (d) *The person currently lacks medical decisionmaking capacity.*

39 5973. *Proceedings under this part may be commenced in any*
40 *of the following:*

- 1 (a) *The county in which the respondent resides.*
2 (b) *The county where the respondent is found.*
3 (c) *The county where the respondent is facing criminal or civil*
4 *proceedings.*
5 5974. *The following persons may file a petition to initiate CARE*
6 *proceedings:*
7 (a) *A person 18 years of age or older with whom the respondent*
8 *resides.*
9 (b) *A spouse, parent, sibling, or adult child of the respondent.*
10 (c) *The director of a hospital, or their designee, in which the*
11 *respondent is hospitalized, including hospitalization pursuant to*
12 *Section 5150 or 5250.*
13 (d) *The director of a public or charitable organization, agency,*
14 *or home, or their designee, currently or previously providing*
15 *behavioral health services to the respondent or in whose institution*
16 *the respondent resides.*
17 (e) *A qualified behavioral health professional, or their designee,*
18 *who is, or has been, either supervising the treatment of, or treating*
19 *the respondent for a mental illness.*
20 (f) *A first responder, including a peace officer, firefighter,*
21 *paramedic, emergency medical technician, mobile crisis response*
22 *worker, or homeless outreach worker.*
23 (g) *The public guardian or public conservator, or their designee,*
24 *of the county in which the respondent is present or reasonably*
25 *believed to be present.*
26 (h) *The director of a county behavioral health agency, or their*
27 *designee, of the county in which the respondent is present or*
28 *reasonably believed to be present.*
29 5975. *The petition shall be signed under the penalty of perjury*
30 *and contain all of the following:*
31 (a) *The name of the court to which it is addressed.*
32 (b) *The title of the proceeding.*
33 (c) *The name, age, and address, if any, of the respondent.*
34 (d) *The code section and the subdivision under which the*
35 *proceedings are instituted.*
36 (e) *The petitioner's relationship with the respondent.*
37 (f) *Facts that support the petitioner's belief that the respondent*
38 *meets the CARE criterion, including identification of the county*
39 *behavioral health agency with responsibility for providing care*
40 *to the respondent, if known.*

1 (g) *Either of the following:*

2 (1) *An affirmation or affidavit of a qualified behavioral health*
3 *professional, stating that the qualified behavioral health*
4 *professional or their designee has examined the respondent within*
5 *three months of the submission of the petition, or has made*
6 *appropriate attempts, but has not been successful, in eliciting the*
7 *cooperation of the respondent to submit to an examination, and*
8 *that the qualified behavioral health professional had determined*
9 *that, based on an examination or a review of records and collateral*
10 *interviews, the respondent meets, or is likely to meet, the diagnostic*
11 *criteria for CARE proceedings.*

12 (2) *Evidence that the respondent was detained for intensive*
13 *treatment pursuant to Article 4 (commencing with Section 5250)*
14 *of Chapter 2 of Part 1 within the previous 90 days.*

15 5976. *The respondent shall have all of the following rights:*

16 (a) *To receive notice of the hearings.*

17 (b) *To receive a copy of the court-ordered evaluation.*

18 (c) *To be represented by counsel at all stages of a proceeding*
19 *commenced under this chapter.*

20 (d) *To a supporter, as described in Section 5982.*

21 (e) *To be present at the hearing unless the respondent waives*
22 *the right to be present or the court makes a finding described in*
23 *Section 5977 or appears remotely.*

24 (f) *To present evidence.*

25 (g) *To call witnesses.*

26 (h) *To cross-examine witnesses.*

27 (i) *To appeal decisions, and to be informed of the right to*
28 *appeal.*

29 5977. (a) (1) *Upon receipt by the court of a petition, the court*
30 *shall set an initial hearing not later than 14 days from the date*
31 *the petition is filed with the court.*

32 (2) *The court shall appoint counsel and a supporter within five*
33 *calendar days of filing.*

34 (3) *The petitioner shall be responsible for providing notice of*
35 *the hearing to the respondent, the respondent's counsel and*
36 *supporter, and the county behavioral health agency in the county*
37 *where the respondent resides.*

38 (b) (1) *At the initial hearing, which shall occur 14 days after*
39 *the petition is filed with the court, the court shall determine if the*
40 *respondent meets the CARE criteria.*

1 (2) *All of the following shall be required for the hearing:*

2 (A) *The petitioner shall be present. If the petitioner is not*
3 *present, the matter shall be dismissed.*

4 (B) *The respondent may waive their appearance and appear*
5 *through their counsel. If the respondent does not waive their*
6 *appearance and does not appear at the hearing, and appropriate*
7 *attempts to elicit the attendance of the respondent have failed, the*
8 *court may conduct the hearing in the respondent's absence. If the*
9 *hearing is conducted without the respondent present, the court*
10 *shall set forth the factual basis for doing so.*

11 (C) *A representative from the county behavioral health agency*
12 *shall be present.*

13 (D) *The supporter shall be allowed to be present.*

14 (3) (A) *The court shall determine if the petitioner has presented*
15 *prima facie evidence that respondent meets the CARE criteria.*

16 (B) *If the court finds that the petitioner has not presented*
17 *sufficient prima facie evidence, the court shall dismiss the case*
18 *without prejudice, unless the court makes a finding on the record*
19 *that the petitioner's filing was not in good faith.*

20 (C) *If the court finds that the petitioner has submitted prima*
21 *facie evidence that the respondent meets the CARE criteria, the*
22 *court shall order the county behavioral health agency to work with*
23 *the respondent and the respondent's counsel and supporter to*
24 *determine if the respondent shall engage in a treatment plan. A*
25 *case management conference shall be set for no later than 14 days*
26 *after the court makes its finding.*

27 (c) (1) *At the case management conference hearing, the court*
28 *shall determine if a settlement agreement may be entered into by*
29 *the parties.*

30 (2) *The case management conference may be continued for up*
31 *to 14 days upon stipulation of the respondent and the county*
32 *behavioral health agency.*

33 (3) *The court's findings that a settlement agreement may be*
34 *entered into by the parties shall require a recitation of all terms*
35 *and conditions on the record.*

36 (4) *If the court finds that parties have agreed to a settlement*
37 *agreement, and the court agrees with the terms of the agreement,*
38 *the court shall stay the matter and set a progress hearing for 60*
39 *days.*

1 (5) (A) *If the court finds that the parties are not likely to reach*
2 *a settlement agreement, the court shall order a clinical evaluation*
3 *of the respondent unless the parties stipulate otherwise.*

4 (B) *The court shall order the county behavioral health agency*
5 *to conduct the evaluation unless the parties stipulate otherwise.*

6 (C) *The court shall set a hearing to review the evaluation within*
7 *14 days.*

8 (D) *The evaluation shall be confidential pursuant to Section*
9 *5200.*

10 (d) (1) *At the evaluation review hearing, the court shall review*
11 *the evaluation and any other evidence from all interested*
12 *individuals, including, but not limited to, evidence from the*
13 *petitioner, the county behavioral health agency, the respondent,*
14 *and the supporter.*

15 (2) *The hearing may be continued a maximum of 14 days upon*
16 *stipulation of the respondent and the county behavioral health*
17 *agency.*

18 (3) (A) *If the court finds that the evaluation and other evidence*
19 *demonstrate by clear and convincing evidence that the respondent*
20 *meets the CARE criteria, the court shall order the county*
21 *behavioral health agency, the respondent, and the respondent's*
22 *counsel and supporter to jointly develop a CARE plan.*

23 (B) *The respondent and the county behavioral health agency*
24 *may request appellate writ review of the order to develop a CARE*
25 *plan.*

26 (C) *A hearing to approve the CARE plan shall be set not more*
27 *than 14 days from the date of the order to develop a CARE plan.*

28 (4) *If the court finds that the evidence does not, by clear and*
29 *convincing evidence, support that the respondent meets the CARE*
30 *criteria, the court shall dismiss the petition without prejudice.*

31 (e) (1) *The plan approval and implementation hearing to*
32 *approve the CARE plan shall occur within 14 days after date of*
33 *the order to develop a CARE plan.*

34 (2) *The CARE plan may be presented by both or either of the*
35 *parties. After presentation, the court may do any of the following:*

36 (A) *Approve the plan as presented and make any orders*
37 *necessary for the implementation of the plan.*

38 (B) *Order the plan modified to better meet the needs of the*
39 *parties, approve the plan as modified, within the scope of the*

1 county behavioral health agency's services, and make any orders
2 necessary for the implementation of the plan.

3 (C) Reject the plan and order the parties to continue to work
4 on the plan. The court shall set a subsequent hearing for no more
5 than 14 days after rejecting the proposed plan.

6 (3) (A) If the court rejects the plan or if there is no CARE plan
7 because the parties have not had sufficient time to complete it, the
8 court may grant a continuance for no more than 14 days.

9 (B) At the subsequent CARE plan approval and implementation
10 hearing, the court shall review the CARE plan, at which time the
11 court may do either of the following:

12 (i) Approve the plan as presented and make any orders
13 necessary to implement the plan.

14 (ii) Order the plan modified, within the scope of the county
15 behavioral health agency's services, to better meet the needs of
16 the parties, approve the plan as modified, and make any orders
17 necessary to implement the plan.

18 (4) Court approval of the CARE plan begins the one-year CARE
19 program timeline.

20 (f) The court shall schedule a status conference for 60 days after
21 the approval of the CARE plan to review the progress of the CARE
22 plan's implementation.

23 (g) (1) The 60-day status conference shall be followed by
24 regular status conferences set by the court, at least every 180 days.

25 (2) Intermittent lapses or setbacks experienced by the respondent
26 shall be reviewed by the court.

27 (h) (1) In the 11th month of the program timeline, the court
28 shall hold a one-year status hearing. At that hearing, the court
29 shall determine whether to graduate the respondent from the
30 program with a graduation plan or reappoint the respondent to
31 the program for another term, not to exceed one year.

32 (2) The one-year status hearing shall be an evidentiary hearing.
33 All parties shall be permitted to speak, present evidence, and the
34 court shall hear recommendations from the county behavioral
35 health agency.

36 (3) If the respondent has successfully completed participation
37 in the one-year CARE program, the respondent shall not be
38 reappointed to the program.

39 (4) At the one-year status hearing, the respondent may request
40 graduation or reappointment to the CARE program. If the

1 respondent elects to accept voluntary reappointment to the
2 program, the respondent may request any amount of time, up to
3 and including one additional year, to be reappointed to the CARE
4 program.

5 (5) If the respondent requests to be graduated from, or times
6 out of, the program, the court shall officially graduate the
7 respondent and terminate its jurisdiction with a graduation plan.

8 (6) Upon completion, for a respondent who was transferred
9 from another court, the referring court shall be given notice of
10 completion and the underlying matter shall be terminated.

11 (i) The hearings described in this section shall occur in-person
12 unless the court, in its discretion, determines that a party may
13 appear remotely through the use of remote technology.

14 (j) Consistent with its constitutional rulemaking authority, the
15 Judicial Council shall adopt rules to implement the policies and
16 provisions in this section to promote statewide consistency,
17 including, but not limited to, what is included in the petition form
18 packet, the clerk's review of the petition, and the process by which
19 counsel and supporter will be appointed.

20 5978. (a) A court may refer an individual from assisted
21 outpatient treatment and conservatorship proceedings to CARE
22 proceedings.

23 (b) A court may refer an individual from misdemeanor
24 proceedings pursuant to Section 1370.01 of the Penal Code.

25
26 *CHAPTER 3. ACCOUNTABILITY*

27
28 5979. (a) If, at any time during the proceedings, the court
29 determines by a preponderance of evidence that the respondent is
30 not participating in CARE proceedings, after the respondent
31 receives notice, or is failing to comply with their CARE plan, the
32 court may terminate the respondent's participation in the CARE
33 program. The court may utilize existing legal authority pursuant
34 to Article 4 (commencing with Section 5200) of Chapter 2 of Part
35 1, to ensure the respondent's safety. The subsequent proceedings
36 may use the CARE proceedings as a factual presumption that no
37 suitable community alternatives are available to treat the
38 individual.

39 (b) If, at any time during the proceedings, the court finds that
40 the county is not complying with court orders, the court may fine

1 the county up to one thousand dollars (\$1,000) per day for
2 noncompliance. If a county is found to be persistently
3 noncompliant, the court may appoint a receiver to secure
4 court-ordered care for the respondent at the county's cost.

5 (c) Either the respondent or the county behavioral health agency
6 may appeal an adverse court determination to the appellate
7 division of the superior court.

8

9

CHAPTER 4. THE SUPPORTER

10

11 5980. (a) Subject to appropriation, the California Department
12 of Aging shall administer the CARE Supporter program, which
13 shall make available a trained supporter to the respondent. The
14 department shall train the supporter on supported decisionmaking
15 with individuals who have behavioral health conditions and on
16 the use of psychiatric advance directives, with support and input
17 from peers, family members, disability groups, providers, and
18 other relevant stakeholders. The department may enter into a
19 technical assistance and training agreement to provide trainings
20 either directly to supporters or to the contracted entities who will
21 be responsible for hiring and matching supporters to respondents.
22 The CARE Supporter program contracts shall include labor
23 standards.

24 (b) The CARE Supporter program shall be designed to do all
25 of the following:

26 (1) Offer the respondent a flexible and culturally responsive
27 way to maintain autonomy and decisionmaking authority over
28 their own life by developing and maintaining voluntary supports
29 to assist them in understanding, making, communicating, and
30 implementing their own informed choices.

31 (2) Strengthen the respondent's capacity and prevent or remove
32 the need to use more restrictive protective mechanisms, such as
33 conservatorship.

34 (3) Assist the respondent with understanding, making, and
35 communicating decisions and expressing preferences throughout
36 the CARE court process.

37 (c) If the respondent chooses to have a supporter who was not
38 trained pursuant to this section, that person may serve as a
39 supporter without compensation.

1 5981. (a) Notwithstanding any other provision of this part,
2 the respondent may have their supporter present, if available, in
3 any meeting, judicial proceeding, or communication related to
4 any of the following:

- 5 (1) An evaluation.
- 6 (2) Creation of a CARE plan.
- 7 (3) Establishing a psychiatric advance directive.
- 8 (4) Development of a graduation plan.

9 (b) A supporter shall do all the following, to the best of their
10 ability and to the extent reasonably possible:

- 11 (1) Support the will and preferences of the respondent.
- 12 (2) Respect the values, beliefs, and preferences of the
13 respondent.
- 14 (3) Act honestly, diligently, and in good faith.
- 15 (4) Avoid, to the greatest extent possible, and disclose, minimize,
16 and manage, conflicts of interest.

17 (c) Unless explicitly authorized, a supporter shall not do any
18 of the following:

- 19 (1) Make decisions for, or on behalf of, the respondent, except
20 when necessary to prevent imminent bodily harm or injury.
- 21 (2) Sign documents on behalf of the respondent.
- 22 (3) Substitute their own judgment for the decision or preference
23 of the respondent.

24 (d) In addition to the obligations in this section, a supporter
25 shall be bound by all existing obligations and prohibitions
26 otherwise applicable by law that protect people with disabilities
27 and the elderly from fraud, abuse, neglect, coercion, or
28 mistreatment. This section does not limit a supporter's civil or
29 criminal liability for prohibited conduct against the respondent,
30 including liability for fraud, abuse, neglect, coercion, or
31 mistreatment, including liability under the Elder Abuse and
32 Dependent Adult Civil Protection Act (Chapter 11 (commencing
33 with Section 15600) of Part 3 of Division 9), including, but not
34 limited to, Sections 15656 and 15657.

35
36 *CHAPTER 5. CARE PLAN*
37

38 5982. The CARE plan shall be created by the respondent, their
39 supporter and counsel, and the county behavioral health agency.
40 The plan shall include all of the following components:

1 (a) (1) Behavioral health treatment, which includes medically
2 necessary mental health or substance use disorder treatment, or
3 both.

4 (2) If the respondent is enrolled in the Medi-Cal program, the
5 county shall provide all medically necessary specialty mental
6 health and substance use disorder treatment services, as those
7 services are defined in the Medi-Cal program and consistent with
8 their responsibilities thereunder, to a respondent when included
9 in their court ordered CARE plan. Specialty mental health services
10 and substance use disorder treatment services may be included in
11 the CARE plan if they are determined to be medically necessary
12 by the clinical evaluation. If the respondent is an enrollee in a
13 health care service plan, other than a Medi-Cal managed care
14 plan, the services shall be provided and reimbursed pursuant to
15 Section 1374.723 of the Health and Safety Code.

16 (3) Counties are encouraged to employ medically necessary,
17 evidence-based practices and promising practices supported with
18 community-defined evidence, which may include assertive
19 community treatment, peer support services, and psychoeducation.

20 (b) (1) As part of the provision of behavioral health care, the
21 care plan may include medically necessary stabilization
22 medications, including antipsychotic medications. If medically
23 necessary, medications may be provided as long-acting injections.

24 (2) Court ordered stabilization medications shall not be forcibly
25 administered, absent a separate order by the court pursuant to
26 Sections 5332 to 5336, inclusive.

27 (3) Medically necessary stabilization medications may be
28 prescribed by the treating licensed behavioral health care provider
29 and medication support services shall be offered. The respondent,
30 in the development and on-going maintenance of the plan, shall
31 work with their behavioral health care provider and their supporter
32 to address medication concerns and make changes to the treatment
33 plan.

34 (c) A housing plan that describes the housing needs of the
35 respondent and the housing resources that will be considered in
36 support of an appropriate housing placement. The respondent
37 shall have diverse housing options, including, but not limited to,
38 housing in clinically enhanced interim or bridge housing, licensed
39 adult and senior care settings, and supportive housing. Counties
40 may offer appropriate housing placements in the region as early

1 *as feasible in the engagement process. This section does not allow*
2 *the court to order housing or to require the county to provide*
3 *housing.*

4

5 *CHAPTER 6. TECHNICAL ASSISTANCE AND ADMINISTRATION*

6

7 5983. (a) *Subject to appropriation, the State Department of*
8 *Health Care Services shall provide technical assistance to county*
9 *behavioral health agencies to support the implementation of this*
10 *part, including trainings regarding the CARE model and statute*
11 *and data collection.*

12 (b) *Subject to appropriation, the State Department of Health*
13 *Care Services shall administer the Behavioral Health Bridge*
14 *Housing program to provide funding for clinically enhanced bridge*
15 *housing settings to serve individuals who are experiencing*
16 *homelessness and have behavioral health conditions. Individuals*
17 *who are CARE program participants shall be prioritized for any*
18 *appropriate bridge housing funded by the Behavioral Health*
19 *Bridge Housing program.*

20 (c) *Subject to appropriation, the Judicial Council shall provide*
21 *technical assistance to judges to support the implementation of*
22 *this part, including trainings regarding the CARE model and*
23 *statutes, working with the supporter, best practices, and*
24 *evidence-based models of care for people with severe behavioral*
25 *health conditions.*

26 5984. (a) *For purposes of implementing this part, the*
27 *California Health and Human Services Agency, the State*
28 *Department of Health Care Services, and the California*
29 *Department of Aging may enter into exclusive or nonexclusive*
30 *contracts, or amend existing contracts, on a bid or negotiated*
31 *basis. Contracts entered into or amended pursuant to this part*
32 *shall be exempt from Chapter 6 (commencing with Section 14825)*
33 *of Part 5.5 of Division 3 of Title 2 of the Government Code, Section*
34 *19130 of the Government Code, Part 2 (commencing with Section*
35 *10100) of Division 2 of the Public Contract Code, and the State*
36 *Administrative Manual, and shall be exempt from the review or*
37 *approval of any division of the Department of General Services.*

38 (b) *Notwithstanding Chapter 3.5 (commencing with Section*
39 *11340) of Part 1 of Division 3 of Title 2 of the Government Code,*
40 *the California Health and Human Services Agency, the State*

1 Department of Health Care Services, and the California
 2 Department of Aging may implement, interpret, or make specific
 3 this part, in whole or in part, by means of plan letters, information
 4 notices, provider bulletins, or other similar instructions, without
 5 taking any further regulatory action.

6 SEC. 5. No reimbursement is required by this act pursuant to
 7 Section 6 of Article XIII B of the California Constitution for certain
 8 costs that may be incurred by a local agency or school district
 9 because, in that regard, this act creates a new crime or infraction,
 10 eliminates a crime or infraction, or changes the penalty for a crime
 11 or infraction, within the meaning of Section 17556 of the
 12 Government Code, or changes the definition of a crime within the
 13 meaning of Section 6 of Article XIII B of the California
 14 Constitution.

15 However, if the Commission on State Mandates determines that
 16 this act contains other costs mandated by the state, reimbursement
 17 to local agencies and school districts for those costs shall be made
 18 pursuant to Part 7 (commencing with Section 17500) of Division
 19 4 of Title 2 of the Government Code.

20 SECTION 1. ~~Part 1.3 (commencing with Section 5565) is~~
 21 ~~added to Division 5 of the Welfare and Institutions Code, to read:~~

22

23 ~~PART 1.3. COMMUNITY ASSISTANCE, RECOVERY, AND~~
 24 ~~EMPOWERMENT (CARE) COURT PROGRAM~~

25

26 5565. ~~(a) The Community Assistance, Recovery, and~~
 27 ~~Empowerment (CARE) Court Program is hereby established to~~
 28 ~~connect a person struggling with untreated mental illness and~~
 29 ~~substance use disorders with a court-ordered CARE plan.~~

30 ~~(b) (1) A court may order a person who is the subject of a~~
 31 ~~petition filed pursuant to this section to obtain treatment and~~
 32 ~~services under a CARE plan if the court finds that the facts stated~~
 33 ~~in the verified petition are true and established and the criteria set~~
 34 ~~in this section are met, including, but not limited to, each of the~~
 35 ~~following:~~

- 36 ~~(A) The person is 18 years of age or older.~~
- 37 ~~(B) The person is suffering from a mental illness and a substance~~
 38 ~~use disorder.~~
- 39 ~~(C) The person lacks medical decisionmaking capacity.~~

1 ~~(2) A court may order the person to have a CARE plan for up~~
2 ~~to 12 months, and may renew the plan for up to another 12 months.~~
3 ~~The court shall conduct periodic review hearings.~~

4 ~~(3) A person who is ordered under a CARE plan who does not~~
5 ~~complete the plan may be referred to conservatorship pursuant to~~
6 ~~Chapter 3 (commencing with Section 5350) of Part 1, and it shall~~
7 ~~be presumed that there are no suitable alternatives to~~
8 ~~conservatorship available to the person~~

9 ~~(e) A petition for an order authorizing a CARE plan may be~~
10 ~~filed by a family member, county representative, community-based~~
11 ~~social services provider, behavioral health provider, or first~~
12 ~~responder in the superior court in the county in which the person~~
13 ~~who is the subject of the petition is present or reasonably believed~~
14 ~~to be present.~~

15 ~~(d) (1) A CARE plan shall be managed by a CARE team in the~~
16 ~~community, and may include clinically prescribed and~~
17 ~~individualized interventions with several supportive services,~~
18 ~~including, but not limited to, medication and housing.~~

19 ~~(2) The CARE team shall consist of clinical team members, a~~
20 ~~public defender, and a support person to help make self-directed~~
21 ~~care decisions.~~

22 ~~(e) (1) Each county shall participate in providing services under~~
23 ~~the program.~~

24 ~~(2) The court may order sanctions or appoint an agent to ensure~~
25 ~~the county provides services under the program.~~

26 ~~SEC. 2. If the Commission on State Mandates determines that~~
27 ~~this act contains costs mandated by the state, reimbursement to~~
28 ~~local agencies and school districts for those costs shall be made~~
29 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
30 ~~4 of Title 2 of the Government Code.~~