

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

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



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

CITY COUNCIL

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

******GOVERNOR'S EXECUTIVE ORDER N-29-20****
RE CORONAVIRUS COVID-19**

THIS MEETING WILL BE CONDUCTED PURSUANT TO THE PROVISIONS OF THE GOVERNOR'S EXECUTIVE ORDER WHICH SUSPENDS CERTAIN REQUIREMENTS OF THE RALPH M. BROWN ACT.

IN AN EFFORT TO PROTECT PUBLIC HEALTH AND PREVENT THE SPREAD OF COVID-19, THE CITY COUNCIL MEETING ON WEDNESDAY, MARCH 25, 2020, WILL BE CONDUCTED TELEPHONICALLY. A PHONE NUMBER WILL BE PROVIDED TO MEMBERS OF THE PUBLIC AND CITIZENS MAY LISTEN TO THE CITY COUNCIL MEETING BY CALLING INTO THE PHONE NUMBER PROVIDED. WE WILL PROVIDE THIS NUMBER ON OUR CITY WEBSITE AS SOON AS IT IS UPDATED. MEMBERS OF THE PUBLIC WHO WISH TO COMMENT ON MATTERS ON THE CITY COUNCIL AGENDA OR DURING NON-AGENDA PUBLIC COMMENT MAY SUBMIT COMMENTS TO THE CITY CLERK AT CITYCLERK@CITYOFSANTEECA.GOV ON OR BEFORE 5:00 P.M. ON WEDNESDAY, MARCH 25, 2020. PUBLIC COMMENT WILL BE LIMITED TO 300 WORDS AND YOUR COMMENTS WILL BE ENTERED INTO THE OFFICIAL COUNCIL MEETING RECORD. IN THE EVENT THAT THERE ARE TECHNICAL DIFFICULTIES, PLEASE REFER TO THE CITY'S COVID-19 WEBPAGE (<http://cityofsanteeca.gov/our-city/public-notice>) FOR UPDATES BOTH BEFORE AND DURING THE COUNCIL MEETING.

WE THANK YOU FOR YOUR PATIENCE IN THIS UNPRECEDENTED TIME, WHILE WE WORK OUT THE DETAILS OF THIS PROCESS.

**Wednesday, March 25, 2020
6:30 PM**

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

Regular City Council Meeting – 6:30 p.m.

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

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



LEGISLATIVE INVOCATION: Kay Little – Church of Jesus Christ of Latter-Day Saints

PLEDGE OF ALLEGIANCE

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 March 11, 2020, Regular Meeting. (City Clerk – Ortiz)
- (3) Approval of Payment of Demands as presented. (Finance – McDermott)
- (4) Approval of the expenditure of \$97,258.89 for February 2020 legal services and related costs. (Finance – McDermott)
- (5) Professional services agreement with Webb Municipal Finance, LLC for Fiscal Year 2020-21 assessment engineering and community facilities district administration services in the amount of \$26,200.00. (Finance – McDermott)
- (6) 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)
- (7) Purchase of new structural firefighting clothing (Turnouts) from Municipal Emergency Services per National Purchasing Partners, LLC (dba NPPGov) Contract #00000168 for an amount not to exceed \$35,901.92. (Fire – Garlow)
- (8) Adoption of a Resolution accepting the City Hall Accessibility Upgrades (CIP 2018-39) project as complete. (Development Services – Kush)
- (9) Second Reading and Adoption of an Ordinance amending Santee Municipal Code Section 1.01.050 to include the City Logo and add a penalty for unlawful use. (City Clerk – Ortiz)

- (10) **Adoption of a Resolution approving the final map for a 40-unit residential condominium subdivision project (TM 2015-04) and authorizing the City Manager to execute the associated Subdivision Improvement Agreement. Location: Northeast corner of Buena Vista Avenue and Mission Greens Road. Applicant: Village Run Homes, LLC. (Development Services – Kush)**

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.

NEW BUSINESS:

- (11) **Resolution awarding the construction contract for the Citywide Concrete Repair and Replacement Program 2020 (CIP 2020-07) and determining a categorical exemption pursuant to Section 15301(c) of the California Environmental Quality Act. (Development Services – Kush)**

Recommendation:

Adopt the Resolution:

1. Awarding the construction contract for the Citywide Concrete Repair and Replacement Program 2020 (CIP 2020-07) to Portillo Concrete, Inc. for a total amount of \$149,545.00, and authorizing the City Manager to execute the contract; and
2. Authorizing the Director of Development Services to approve change orders in a total amount not to exceed \$37,386.00; and
3. Approving a categorical exemption pursuant to the California Environmental Quality Act Section 15301(c).

- (12) **Approval of seven template Resolutions for emergency operations. (City Clerk – Ortiz)**

Recommendation:

Approve the template Resolutions to be utilized in the event of a local emergency.

- (13) **Resolution adopting a local succession of governance during times of disaster. (City Manager – Best)**

Recommendation:

Adopt the Resolution.

- (14) Resolution declaring the existence of a local emergency regarding Novel Coronavirus (COVID-19) and ratifying the Proclamation of the Director of Emergency Services. (City Manager – Best)

Recommendation:

Adopt Resolution Option A or Option B.

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:

ADJOURNMENT:



Mar	05	SPARC		Civic Center Building 8A
Mar	09	Community Oriented Policing Committee		Council Chamber
Mar	11	Council Meeting		Council Chamber
Mar	19	SMHFPC	CANCELED	Council Chamber
Mar	25	Council Meeting		Council Chamber
Apr	02	SPARC	CANCELED	Civic Center Building 8A
Apr	08	Council Meeting		Council Chamber
Apr	13	Community Oriented Policing Committee		Council Chamber
Apr	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.


State of California }

County of San Diego } ss.

City of Santee }

AFFIDAVIT OF POSTING AGENDA

I, Annette Ortiz, CMC, City Clerk of the City of Santee, hereby declare, under penalty of perjury, that a copy of this Agenda was posted in accordance with the Brown Act and Santee Resolution 61-2003 on March 20, 2020, at 8:00 p.m.



 Signature

03/20/2020

 Date

City of Santee
COUNCIL AGENDA STATEMENT

Item 1

MEETING DATE March 25, 2020

AGENDA ITEM NO.

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

DIRECTOR/DEPARTMENT Annette Ortiz, 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).

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION

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

ATTACHMENTS

None


City of Santee
COUNCIL AGENDA STATEMENT

Item 2

MEETING DATE March 25, 2020

AGENDA ITEM NO.

ITEM TITLE APPROVAL OF MEETING MINUTES OF THE SANTEE CITY COUNCIL
FOR THE MARCH 11, 2020, REGULAR MEETING.

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

- March 11, 2020

**Minutes
Santee City Council
Council Chamber – Building 2
10601 Magnolia Avenue
Santee, California
March 11, 2020**

DRAFT

This Regular Meeting of the Santee City Council was called to order by Mayor John W. Minto at 6:31 p.m.

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

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

INVOCATION was given by Marshall Masser – Lakeside Christian Church.

PLEDGE OF ALLEGIANCE was led by Vice Mayor Laura Koval.

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 Meeting Minutes of the Santee City Council for the February 12 and 26, 2020, Regular Meetings. (City Clerk – Ortiz)
- (3) Approval of Payment of Demands as presented. (Finance – McDermott)
- (4) Adoption of a Resolution approving the City of Santee Investment Policy and delegating authority to the City Treasurer. (Finance – McDermott) (Reso 014-2020)
- (5) Adoption of a Resolution accepting the Electric Vehicle Charging Station at the Mast Park (CIP 2020-36) Project as complete. (Development Services – Kush) (Reso 015-2020)
- (6) Adoption of a Resolution authorizing submission of the Annual Housing Element Progress Report for Calendar Year 2019 to the State of California Office of Planning and Research and the State of California Department of Housing and Community Development. (Development Services – Kush) (Reso 016-2020)

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

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

NON-AGENDA PUBLIC COMMENT: (15 minutes)

- (A) Sharon Guerrero provided a handout and made brief comments regarding an alleged conflict of interest with the Carlton Oaks Golf Course development and Council Members; expressed concerns with the impact the development will have on traffic.

PUBLIC HEARING:

- (7) **Public Hearing for the vacating of excess right-of-way along Mission Gorge Road (VAC 2019-01) Location: 8801 Mission Gorge Road. (Development Services – Kush) (Reso 017-2020)**

The Public Hearing was opened at 6:39 p.m. The Development Services Director introduced the Item and the Principal Civil Engineer presented the staff report.

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

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

The Public Hearing closed at 6:41 p.m.

- (8) **Public Hearing to review the Draft Program Years (PY) 2020-2024 Consolidated Plan and Program Year 2020 Annual Action Plan. (Development Services – Kush)**

The Public Hearing was opened at 6:41 p.m. The Development Services Director introduced the Item and the Senior Management Analyst presented the staff report.

PUBLIC SPEAKERS:

- Michele Perchez

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

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

The Public Hearing closed at 6:47 p.m.

NEW BUSINESS:**(9) Housing Element Update Workshop I – consideration of potential sites for the Sixth Cycle Housing Element Residential Sites Inventory. (Development Services – Kush)**

The Development Services Director introduced the Item and the Associate Planner presented the staff report and responded to Council questions.

Vice Mayor Koval recused herself from Site No. 16, APN 38307104 and left the dais at 7:07 p.m.

Council Member Houlahan stated he does not support including Site No. 16 in the inventory.

Council Member Hall expressed concerns with the floodplain.

Council Member McNelis clarified that the floodplain would need to be corrected if the property were developed; stated he is in support of including Site No. 16 if the engineering will be done properly.

Mayor Minto stated that there will be no decision made on Site No. 16 at this time.

Vice Mayor Koval returned to the dais at 7:15 p.m.

Council concurred with staff's recommendation to remove Site 25 from the inventory.

The City Attorney clarified there is no action being taken tonight, only a report on the inventory that could be considered at a later date.

PUBLIC SPEAKERS:

- Araceli Arreola spoke regarding Site No. 12, APN 38169028
- Jim Moxhan, spoke regarding Site No. 25, APN 38706111
- Lia Marino, spoke regarding Site No. 26, APN 38416204
- David Santisteven, spoke regarding Site No. 31, APN 38630031
- Michele Perchez
- Patti LaBouff
- John Hossick

Council Member Houlahan made brief comments regarding each of the sites; stated he would like a list of which properties are zoned light industrial or general commercial to assess which properties are being rezoned to residential.

Council Member McNelis made brief comments regarding each of the sites.

Vice Mayor Koval made brief comments regarding each of the sites and addressed some of the concerns from constituents; requested information from staff regarding what the different zones mean; she would like some senior veteran housing.

Council Member Hall made brief comments regarding each of the sites.

Mayor Minto made brief comments regarding each of the sites; he requested clarification regarding how the City would comply with Smart Growth and how the City is being sensitive to the environment.

(10) City Manager update on the City's preparation and planning for novel coronavirus (COVID-19) and use of General Fund supplemental reserve funding. (City Manager – Best)

The City Manager provided a presentation and responded to Council questions.

Council Member Houlahan thanked staff for their hard work; he stressed the seriousness of COVID-19 and provided brief instructions on proper handwashing techniques; he implored staff to stay home if they feel ill.

Vice Mayor Koval also provided a brief demonstration on the proper handwashing techniques.

Mayor Minto stated that public health is the City's main concern; he inquired whether the City has allocated sufficient additional funds in the event of an emergency.

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

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

(11) Continued discussion of General Fund supplemental reserve funding specific to pavement repair recommendations. (Development Services – Kush)

The Development Services Director introduced the Item and the Principal Civil Engineer presented the staff report and responded to Council questions.

Vice Mayor Koval referenced an article titled, "Saving America's Cities", regarding Community Gateways; she requested staff research how Community Gateways can attract business development into the City; she proposed that staff allocates \$50,000.00 from the Community Choice Aggregation (CCA) funds for the City's Community Gateways.

Council Member Hall stated that all of the Road Maintenance Rehabilitation Program

(SB1) funds should go to repairing the City's main roads; he requested staff bring forward more research regarding the Community Gateways.

Council Member Houlahan urged staff to consider a public-private partnership with Sharp Rees Stealy to help improve the infrastructure surrounding the new Sharp Rees Stealy Medical Center in Santee; he is in favor of improving the Community Gateways and suggested that staff consider commencing with the gateway on Cuyamaca.

In response to Vice Mayor Koval's request, Council Member McNelis stated the areas referenced are privately owned businesses, which the City cannot give money to.

Mayor Minto requested that property owners be reminded to comply with the City's maintenance Ordinances; he is in favor of a monument for the gateways and requested staff identify a cost and funding resources.

The City Manager stated that the Assistant to the City Manager has been collaborating with the County of San Diego relative to a CCA; she stated staff will bring back ideas on improving the Community Gateways.

Vice Mayor Koval suggested collaborative marketing between the City, Padre Dam Municipal Water District and the Santee Chamber of Commerce for the City's 40th birthday and other events.

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

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

(12) Introduction of an Ordinance amending Santee Municipal Code Section 1.01.050 to include the City Logo and add a penalty for unlawful use. (City Manager – Best)

The City Manager introduced the Item and the Assistant to the City Manager presented the staff report and responded to Council questions.

Council concurred that registering the trademark with the state would be the best route.

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

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

NON-AGENDA PUBLIC COMMENT: (Continued)

- (A) Sharon Guerrero spoke about her opposition regarding new housing developments.

- (B) Vicki Call spoke about the Santee Public Library and inquired whether there are plans to build a new one.

CITY COUNCIL REPORTS:

Mayor Minto reported that San Diego Association of Government (SANDAG) retreat was cancelled due to COVID-19.

Council Member Hall reported that a conference he was due to attend was cancelled due to COVID-19.

CITY MANAGER REPORTS:

The City Manager reported on the opening of the new East County Assessor/Recorder/County Clerk's Office; she encouraged everyone to attend the State of the City Address to take place at the Regular City Council Meeting, on March 25, 2020; she announced that the San Diego County Sheriff's Department's, Captain Brislin, will be leaving the City and thanked him for his service.

CITY ATTORNEY REPORTS:

ADJOURNMENT:

There being no further business, the meeting was adjourned at 9:21 p.m.

Prepared by:

Rosi Acosta, Administrative Secretary

Date Approved:

Annette Ortiz, CMC, City Clerk

City of Santee
COUNCIL AGENDA STATEMENT

Item 3

MEETING DATE March 25, 2020

AGENDA ITEM NO.

ITEM TITLE PAYMENT OF DEMANDS

DIRECTOR/DEPARTMENT

Tim K. McDermott, Finance *TM*

SUMMARY

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

FINANCIAL STATEMENT *TM*

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

CITY ATTORNEY REVIEW

N/A Completed

RECOMMENDATION *MDB*

Approval of the payment of demands as presented.

ATTACHMENTS (Listed Below)

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

Payment of Demands
Summary of Payments Issued

<u>Date</u>	<u>Description</u>	<u>Amount</u>
03/01/2020	Retiree Health	\$ 5,385.00
03/02/2020	Accounts Payable	91,914.09
03/03/2020	Accounts Payable	113,442.02
03/04/2020	Accounts Payable	250,342.25
03/12/2020	Payroll	348,387.93
03/12/2020	Accounts Payable	234,642.75
03/16/2020	Accounts Payable	92,630.67
03/17/2020	Accounts Payable	<u>113,974.11</u>
	TOTAL	<u>\$1,250,718.82</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

Bank code : ubgen


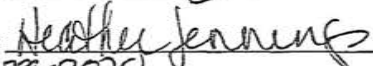
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
63985	3/2/2020	10956 FRANCHISE TAX BOARD	PPE 02/19/20		CA STATE TAX WITHHELD	22,572.25
					Total :	22,572.25
63990	3/2/2020	10955 DEPARTMENT OF THE TREASURY	PPE 02/19/20		FED WITHHOLD & MEDICARE	69,341.84
					Total :	69,341.84
2 Vouchers for bank code : ubgen						Bank total : 91,914.09
2 Vouchers in this report						Total vouchers : 91,914.09

Prepared by:

Date:


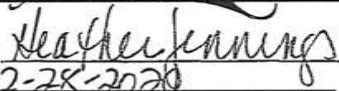
Approved by:

Date:

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
2204	3/3/2020	10353 PERS	02 20 4		RETIREMENT PAYMENT	113,442.02
						Total : 113,442.02
1 Vouchers for bank code : ubgen						Bank total : 113,442.02
1 Vouchers in this report						Total vouchers : 113,442.02

Prepared by: 
Date: 2-27-2020
Approved by: 
Date: 2-28-2020

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
123806	3/4/2020	10128 AAIR PURIFICATION SYSTEMS	16475	52900	PLYMOVENT REPAIRS	115.00
			16512	52900	PLYMOVENT REPAIRS	368.61
			16603	52900	PLYMOVENT REPAIRS	235.62
			16606	52900	PLYMOVENT REPAIRS	125.00
Total :						844.23
123807	3/4/2020	10968 ABABA BOLT	1106450	52560	SHOP SUPPLIES	229.09
Total :						229.09
123808	3/4/2020	10010 ALLIANT INSURANCE SERVICES INC	1289953		FIDO FEST	1,403.00
Total :						1,403.00
123809	3/4/2020	11460 ASBURY ENVIRONMENTAL SERVICES	I500-00526928	52567	WASTE OIL DISPOSAL	55.00
			I500-00527256	52567	WASTE OIL DISPOSAL	85.00
			I500-00528057	52567	WASTE OIL DISPOSAL	65.00
Total :						205.00
123810	3/4/2020	10412 AT&T	0000014362582		TELEPHONE	758.41
Total :						758.41
123811	3/4/2020	10412 AT&T	301053963		MAST PARK	80.25
Total :						80.25
123812	3/4/2020	10262 AUSTIN, ROY	UPD JAN-MAR 2020		RETIREE HEALTH INSURANCE	65.40
Total :						65.40
123813	3/4/2020	13292 BORDER TIRE	8009149	52871	TIRES	1,376.49
			8009744	52871	TIRE REPAIR	41.18
Total :						1,417.67
123814	3/4/2020	10021 BOUND TREE MEDICAL LLC	83502504	52673	EMS SUPPLIES	1,605.50
			83502505	52673	EMS SUPPLIES	3.71
			83502506	52673	EMS SUPPLIES	880.52
			83510233	52673	EMS SUPPLIES	73.75
			83510234	52673	EMS SUPPLIES	283.29
			83510235	52673	EMS SUPPLIES	70.26
			83511927	52673	EMS SUPPLIES	1,434.92

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
123814	3/4/2020	10021 10021 BOUND TREE MEDICAL LLC	(Continued)			Total : 4,351.95
123815	3/4/2020	13569 BRIDGE, DWAYNE	03012020		PARAMEDIC LICENSE RENEWAL	200.00
						Total : 200.00
123816	3/4/2020	11448 CHEN RYAN ASSOCIATES INC	2020.2212	52503	ACTIVE TRANS STUDY	12,028.75
						Total : 12,028.75
123817	3/4/2020	11862 CORODATA SHREDDING INC	DN1256698	52743	SECURE DESTRUCTION SVCS	79.74
						Total : 79.74
123818	3/4/2020	10039 COUNTY MOTOR PARTS COMPANY INC	471186 471561	52578 52578	VEHICLE SUPPLIES VEHICLE SUPPLIES	400.68 15.13
						Total : 415.81
123819	3/4/2020	10358 COUNTY OF SAN DIEGO	20CTOFSASN07	52579	800 MH2 ACCESS (FIRE/PS)	1,624.50
						Total : 1,624.50
123820	3/4/2020	13408 COURTYARD BY MARRIOTT	22765		RACEWALK	7,499.35
						Total : 7,499.35
123821	3/4/2020	10333 COX COMMUNICATIONS	112256001		9130 CARLTON OAKS DR	89.74
						Total : 89.74
123822	3/4/2020	10142 CSA SAN DIEGO COUNTY	609	52830	CDBG SUBRECIPIENT	1,317.93
						Total : 1,317.93
123823	3/4/2020	10046 D MAX ENGINEERING INC	5447 5452	52745 52745	WATER QUALITY MONITORING WATER QUALITY MONITORING	1,769.48 4,262.61
						Total : 6,032.09
123824	3/4/2020	13129 DAVID TURCH AND ASSOCIATES	02112020	52657	HIGHWAY 52 COALITION SUPPORT	10,000.00
						Total : 10,000.00
123825	3/4/2020	12356 DAVIS FARR LLP	7020	52536	FY 2018-19 AUDIT SERVICES	1,060.00
						Total : 1,060.00
123826	3/4/2020	11295 DOKKEN ENGINEERING	36241	52440	SANTEE LAKES STORM DRAIN	5,705.00

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
123826	3/4/2020	11295 DOKKEN ENGINEERING	(Continued) 36266	52440	CUYAMACA RIGHT TURN POCKET	13,840.00
					Total :	19,545.00
123827	3/4/2020	12265 ELITE COMMAND TRAINING	4	52910	FEMA SFTY OFFICER TRAINING	8,000.00
					Total :	8,000.00
123828	3/4/2020	13553 EVERYTHING RUNNING	220202020OLYRW20		RACEWALK	2,350.00
					Total :	2,350.00
123829	3/4/2020	10251 FEDERAL EXPRESS	6-907-05185 6-914-39137 6-921-12155 6-935-97828		SHIPPING CHARGES SHIPPING CHARGES SHIPPING CHARGES SHIPPING CHARGES	36.64 38.73 76.46 36.81
					Total :	188.64
123830	3/4/2020	13393 FIRE CATT, LLC	8048	52681	ANNUAL FIRE HOSE TESTING	5,779.70
					Total :	5,779.70
123831	3/4/2020	10196 FIRE PREVENTION SERVICES INC	02272020		WEED ABATEMENT	434.54
					Total :	434.54
123832	3/4/2020	10065 GLOBAL POWER GROUP INC	66542	52791	ELECTRICAL REPAIRS	1,212.60
					Total :	1,212.60
123833	3/4/2020	10066 GLOBALSTAR USA LLC	1000000011005656		SATELLITE PHONE SERVICE	90.25
					Total :	90.25
123834	3/4/2020	10070 HAWTHORNE MACHINERY	PS020046611	52594	VEHICLE REPAIR PARTS	297.01
					Total :	297.01
123835	3/4/2020	10256 HOME DEPOT CREDIT SERVICES	9154865	52597	SHOP SUPPLIES	38.37
					Total :	38.37
123836	3/4/2020	12955 IRON MOUNTAIN OUTFITTERS	IM-2020	52863	UNIFORM APPAREL - PSD	2,492.52
					Total :	2,492.52
123837	3/4/2020	13335 IRON WALL SECURITY, INC	3036	52600	FIDO FEST	427.50

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
123837	3/4/2020	13335 13335 IRON WALL SECURITY, INC	(Continued)			Total : 427.50
123838	3/4/2020	13247 JOHNSON, DOUGLAS	UPD JAN-MAR 2020		RETIREE HEALTH INSURANCE	24.30
						Total : 24.30
123839	3/4/2020	13345 KING, ERIC	03022020		TUITION REIMBURSEMENT	245.98
						Total : 245.98
123840	3/4/2020	10997 LAKESIDE FIRE PREVENTION	150	52646	SOFTWARE SUBSCRIPTION	548.00
						Total : 548.00
123841	3/4/2020	10174 LN CURTIS AND SONS	INV314821 INV347116 INV358340	52714 52885 52885	WILDLAND EQUIPMENT EQUIPMENT REPAIR PART EQUIPMENT REPAIR PART	437.73 43.79 88.79
						Total : 570.31
123842	3/4/2020	10078 LUTHERAN SOCIAL SVCS OF SO CAL	LSS192020 Q2	52856	CDBG SUBRECIPIENT	935.00
						Total : 935.00
123843	3/4/2020	10558 MAERTZ, BILL	02/25/2020		CELL PHONE REIMBURSEMENT	72.79
						Total : 72.79
123844	3/4/2020	10982 MATSUSHITA, JUSTIN	12192019		TUITION REIMBURSEMENT	306.25
						Total : 306.25
123845	3/4/2020	10079 MEDICO PROFESSIONAL	20170722 20170724 20174471 20174473 20178195 20178197	52763 52763 52763 52763 52763 52763	MEDICAL LINEN SERVICE MEDICAL LINEN SERVICE MEDICAL LINEN SERVICE MEDICAL LINEN SERVICE MEDICAL LINEN SERVICE MEDICAL LINEN SERVICE	20.02 8.16 20.02 8.16 20.02 8.16
						Total : 84.54
123846	3/4/2020	10507 MITEL LEASING	902444626 902444670 902444752 902444768		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
123846	3/4/2020	10507 10507 MITEL LEASING	(Continued)		Total :	2,733.95
123847	3/4/2020	12451 MOBILE GRAPHICS & DESIGN	20022	52607	SPECIAL EVENTS BANNERS	450.00
					Total :	450.00
123848	3/4/2020	12604 MSDSONLINE, INC.	211876	52899	HAZARDOUS CHEMICAL DATABASE	2,619.00
					Total :	2,619.00
123849	3/4/2020	10083 MUNICIPAL EMERGENCY SERVICES	IN1426097 IN1426667	52893 52874	STRUCTURE BOOTS SAFETY APPAREL	2,972.44 1,112.97
					Total :	4,085.41
123850	3/4/2020	10085 NATIONAL SAFETY COMPLIANCE INC.	80407		DRUG/ALCOHOL TESTING	139.44
					Total :	139.44
123851	3/4/2020	13330 THE BURDETTE AGENCY INC	INV-5090	52528	BRANDING SERVICES	13,500.00
					Total :	13,500.00
123852	3/4/2020	10308 O'REILLY AUTO PARTS	2968-325662	52611	VEHICLE REPAIR PARTS	19.21
					Total :	19.21
123853	3/4/2020	12904 PAT DAVIS DESIGN GROUP, INC	6144	52614	GRAPHIC DESIGN WORK	2,475.00
					Total :	2,475.00
123854	3/4/2020	10241 CASEY PRICE	03/02/2020 03/02/2020B		PETTY CASH REIMB - PSD PETTY CASH REIMB - CSD	11.90 97.30
					Total :	109.20
123855	3/4/2020	10092 PHOENIX GROUP INFO SYSTEMS	012020031	52766	PARKING CITE PROCESS SVCS	363.95
					Total :	363.95
123856	3/4/2020	10101 PROFESSIONAL MEDICAL SUPPLY	B009047 B009048	52617 52617	OXYGEN CYLINDERS & REFILLS OXYGEN CYLINDERS & REFILLS	71.61 78.12
					Total :	149.73
123857	3/4/2020	12062 PURETEC INDUSTRIAL WATER	1773839	52661	DEIONIZED WATER SERVICE	99.22
					Total :	99.22

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
123858	3/4/2020	10095 RASA	5351	52677	MAP CHECK	1,185.00
			5352	52677	MAP CHECK	895.00
			5353	52677	MAP CHECK	435.00
			5354	52677	MAP CHECK	435.00
					Total :	2,950.00
123859	3/4/2020	10097 ROMAINE ELECTRIC CORPORATION	12-048761	52654	VEHICLE SUPPLIES	178.33
					Total :	178.33
123860	3/4/2020	12605 SAFE HEARING AMERICA INC	17044		HEARING TEST 2020	1,696.00
			17051		HEARING TEST 2020	848.00
					Total :	2,544.00
123861	3/4/2020	10870 SAN DIEGO COUNTY VECTOR	SD10203		VECTOR CONTROL SERVICES	532.24
					Total :	532.24
123862	3/4/2020	13171 SC COMMERCIAL, LLC	0753865-IN	52728	PROPANE & FUEL	54.59
			0757391-IN	52644	DELIVERED FUEL	393.87
			0758329-IN	52644	DELIVERED FUEL	513.65
			0759576-IN	52644	DELIVERED FUEL	822.98
			0760505-IN	52644	DELIVERED FUEL	557.05
					Total :	2,342.14
123863	3/4/2020	13554 SC FUELS	0204019	52889	FLEET CARD FUELING	2,102.13
			0209223	52889	FLEET CARD FUELING	1,583.57
					Total :	3,685.70
123864	3/4/2020	12223 SITEONE LANDSCAPE SUPPLY LLC	97167950-001	52825	IRRIGATION SUPPLIES	83.58
			97201630-001	52825	IRRIGATION SUPPLIES	785.75
					Total :	869.33
123865	3/4/2020	10314 SOUTH COAST EMERGENCY VEHICLE	497737	52647	VEHICLE REPAIR PART	42.55
					Total :	42.55
123866	3/4/2020	11122 SOUTHWEST PIPELINE AND	CIP 2017-20		RETENTION RELEASE	80,940.78
					Total :	80,940.78
123867	3/4/2020	10217 STAPLES ADVANTAGE	3438666734	52730	OFFICE SUPPLIES	182.79

Voucher List
CITY OF SANTEE

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
123867	3/4/2020	10217 STAPLES ADVANTAGE	(Continued)			
			3438666735	52730	OFFICE SUPPLIES	28.52
			3438732687	52751	OFFICE SUPPLIES	55.48
			3438732688	52751	OFFICE SUPPLIES	21.12
			3438732690	52662	OFFICE SUPPLIES	160.38
			3438732691	52662	OFFICE SUPPLIES	15.11
			3438869721	52751	OFFICE SUPPLIES	47.92
			3439009108	52751	OFFICE SUPPLIES	72.18
			3439109786	52626	OFFICE SUPPLIES CSD	82.69
			3439109787	52626	OFFICE SUPPLIES CSD	203.21
			3439271419	52730	OFFICE SUPPLIES	159.13
			3439393362	52626	OFFICE SUPPLIES CSD	203.21
					Total :	1,231.74
123868	3/4/2020	10119 STEVEN SMITH LANDSCAPE INC	43163-66	52789	A3 LANDSCAPE SERVICES	484.29
			43314	52665	A1 LANDSCAPE SERVICES	2,580.00
			43336	52789	A3 LANDSCAPE SERVICES	180.00
			43337	52789	A3 LANDSCAPE SERVICES	360.00
			43338	52789	A3 LANDSCAPE SERVICES	180.00
			43339	52789	A3 LANDSCAPE SERVICES	180.00
			43340	52789	A 3 LANDSCAPE SERVICES	180.00
			43376	52788	A2 LANDSCAPE SERVICES	180.00
			43379	52789	A3 LANDSCAPE SERVICES	17,780.00
			43448	52665	A1 LANDSCAPE SERVICES	180.00
			43449	52789	A3 LANDSCAPE SERVICES	360.00
			43450	52789	A3 LANDSCAPE SERVICES	225.00
			43451	52789	A3 LANDSCAPE SERVICES	720.00
			43452	52665	A1 LANDSCAPE SERVICES	3,120.00
			43453	52789	A3 LANDSCAPE SERVICES	225.00
					Total :	26,934.29
123869	3/4/2020	10165 TRAD AM ENTERPRISES INC	0220SRP		INSTRUCTOR PAYMENT	692.40
					Total :	692.40
123870	3/4/2020	12480 UNITED SITE SERVICES	114-9809621	52648	RACE WALK & SUNSET 5K	383.14
					Total :	383.14

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount	
123871	3/4/2020	12012 US TIRE SUPPLY	10458	52633	VEHICLE SUPPLIES	104.51	
						Total :	104.51
123872	3/4/2020	10475 VERIZON WIRELESS	9848120327		WIFI SERVICE	1,994.90	
						Total :	1,994.90
123873	3/4/2020	10136 WEST COAST ARBORISTS INC	156995	52663	URBAN FORESTRY MGMNT	180.00	
			156996	52663	URBAN FORESTRY MGMNT	2,886.00	
						Total :	3,066.00
123874	3/4/2020	10537 WETMORES	63106732	52638	VEHICLE SUPPLIES	105.06	
						Total :	105.06
123875	3/4/2020	10318 ZOLL MEDICAL CORPORATION	3012331	52655	EMS SUPPLIES	448.51	
			3012339	52655	EMS SUPPLIES	387.90	
			3015818	52655	EMS SUPPLIES	818.41	
						Total :	1,654.82
70 Vouchers for bank code : ubgen						Bank total :	250,342.25
70 Vouchers in this report						Total vouchers :	250,342.25

Prepared by: Made J
Date: 3-4-2020
Approved by: Heather Jennings
Date: 3-4-2020

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount	
123876	3/12/2020	12903 AMERICAN FIDELITY ASSURANCE CO	2064954		FLEXIBLE SPENDING ACCOUNT	2,928.22	
					Total :	2,928.22	
123877	3/12/2020	10208 ANTHEM EAP	78492		EMPLOYEE ASSISTANCE PROGRAI	286.38	
					Total :	286.38	
123878	3/12/2020	10334 CHLIC	2612628		HEALTH/DENTAL INSURANCE	194,646.89	
					Total :	194,646.89	
123879	3/12/2020	10785 RELIANCE STANDARD LIFE	March 2020		VOLUNTARY LIFE INSURANCE	648.58	
					Total :	648.58	
123880	3/12/2020	10424 SANTEE FIREFIGHTERS	PPE 03/04/20		DUES/PEC/BENEVOLENT/BC EXP	2,915.99	
					Total :	2,915.99	
123881	3/12/2020	10776 STATE OF CALIFORNIA	PPE 03/04/20		WITHHOLDING ORDER	308.30	
					Total :	308.30	
123882	3/12/2020	10001 US BANK	PPE 03/04/20		PARS RETIREMENT	684.96	
					Total :	684.96	
123883	3/12/2020	10959 VANTAGE TRANSFER AGENT/457	PPE 03/04/20		ICMA - 457	28,180.77	
					Total :	28,180.77	
123884	3/12/2020	10782 VANTAGEPOINT TRNSFR AGT/801801	PPE 03/04/20		RETIREMENT HSA	4,042.66	
					Total :	4,042.66	
9 Vouchers for bank code : ubgen						Bank total :	234,642.75
9 Vouchers in this report						Total vouchers :	234,642.75

Prepared by: 

Date: 3/12/2020

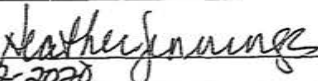
Approved by: 

Date: 3-12-2020

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
13713	3/16/2020	10955 DEPARTMENT OF THE TREASURY	March 20 Retirees PPE 03/04/20		FEDERAL WITHHOLDING TAX FED WITHHOLD & MEDICARE	75.00 69,976.41
					Total :	70,051.41
13733	3/16/2020	10956 FRANCHISE TAX BOARD	PPE 03/04/20		CA STATE TAX WITHHELD	22,579.26
					Total :	22,579.26
2 Vouchers for bank code : ubgen					Bank total :	92,630.67
2 Vouchers in this report					Total vouchers :	92,630.67

Prepared by: 
Date: 3/12/2020

Approved by: 
Date: 3-12-2020

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
3203	3/17/2020	10353 PERS	03 20 3		RETIREMENT PAYMENT	113,974.11

Total : 113,974.11

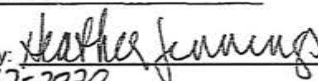
1 Vouchers for bank code : ubgen

Bank total : 113,974.11

1 Vouchers in this report

Total vouchers : 113,974.11

Prepared by: 
Date: 3/12/2020

Approved by: 
Date: 3-12-2020

City of Santee
COUNCIL AGENDA STATEMENT

Item 4

MEETING DATE March 25, 2020

AGENDA ITEM NO.

ITEM TITLE APPROVAL OF THE EXPENDITURE OF \$97,258.89 FOR FEBRUARY 2020 LEGAL SERVICES AND RELATED COSTS

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

SUMMARY

Legal services invoices proposed for payment for the month of February 2020 total \$97,258.89 as follows:

1) General Retainer Services	\$ 15,698.56
2) Labor & Employment	1,637.99
3) Litigation & Claims	24,587.78
4) Special Projects - General Fund	6,626.86
5) Special Projects – Other Funds	419.40
6) Third-Party Reimbursable Projects	<u>48,288.30</u>
Total	<u>\$ 97,258.89</u>

tm
FINANCIAL STATEMENT

	<u>AMOUNT</u>	<u>BALANCE</u>
General Fund:		
Adopted Budget	\$ 572,120.00	
Revised Budget	\$ 743,120.00	
Prior Expenditures	(396,265.75)	
Current Request	(48,551.19)	\$ 298,303.06
Other Funds (excluding applicant initiated items):		
Adopted Budget	\$ 26,400.00	
Revised Budget	\$ 26,400.00	
Prior Expenditures	(2,935.80)	
Current Request	(419.40)	\$ 23,044.80

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MOB*

Approve the expenditure of \$97,258.89 for February 2020 legal services and related costs.

ATTACHMENT (Listed Below)

Legal Services Billing Summary

LEGAL SERVICES BILLING SUMMARY
FY 2019-20

<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	\$ 186,120.00	\$ 192,120.00	\$ 110,638.32	\$ 81,481.68	Feb-20	\$ 15,698.56
Labor & Employment	60,000.00	60,000.00	30,401.37	29,598.63	Feb-20	1,637.99
Litigation & Claims	70,000.00	170,000.00	15,069.39	154,930.61	Feb-20	24,587.78
Special Projects	256,000.00	321,000.00	240,156.67	80,843.33	Feb-20	6,626.86
Total	\$ 572,120.00	\$ 743,120.00	\$ 396,265.75	\$ 346,854.25		\$ 48,551.19
Other City Funds:						
Highway 52 Coalition	\$ 21,400.00	\$ 21,400.00	\$ 1,957.20	\$ 19,442.80	Feb-20	\$ 116.50
MHFP Commission	5,000.00	5,000.00	978.60	4,021.40	Feb-20	302.90
Total	\$ 26,400.00	\$ 26,400.00	\$ 2,935.80	\$ 23,464.20		\$ 419.40
Third-Party Reimbursable:						
Sky Ranch	n/a	n/a	\$ 2,134.70	n/a	Feb-20	\$ 4,589.19
Lantern Crest	n/a	n/a	8,380.60	n/a	Feb-20	36.20
Parcel 4 Hotel	n/a	n/a	18,041.99	n/a	Feb-20	46.60
Weston	n/a	n/a	11,398.77	n/a		-
MSCP - Subarea Plan	n/a	n/a	6,055.80	n/a	Feb-20	2,172.00
Home Fed Project	n/a	n/a	110,142.87	n/a	Feb-20	40,885.71
Prospect Estates II	n/a	n/a	3,856.86	n/a		-
River Village	n/a	n/a	512.00	n/a		-
Carribean Way TM/DR Permit	n/a	n/a	60.00	n/a		-
Sharp Medical Office Building	n/a	n/a	210.00	n/a		-
Cornerstone/Wm. Lyon Homes	n/a	n/a	2,705.00	n/a		-
8711 Atlas View	n/a	n/a	1,213.40	n/a		-
Parkside	n/a	n/a	5,444.44	n/a		-
Woodsprings Suites	n/a	n/a	4,874.04	n/a		-
Hillside Meadows Mitigation	n/a	n/a	5,304.82	n/a		-
Carlton Oaks Redevelopment	n/a	n/a	2,896.00	n/a		-
Graves Commercial Center	n/a	n/a	4,307.80	n/a		-
Palazzo Villas	n/a	n/a	-	n/a	Feb-20	558.60
Total			\$ 187,539.09			\$ 48,288.30

LEGAL SERVICES BILLING SUMMARY
FY 2019-20

Total Previously Spent to Date FY 2019-20	
General Fund	\$ 396,265.75
Other City Funds	2,935.80
Applicant Deposits	187,539.09
Total	<u>\$ 586,740.64</u>

Total Proposed for Payment	
General Fund	\$ 48,551.19
Other City Funds	419.40
Applicant Deposits	48,288.30
Total	<u>\$ 97,258.89</u>

City of Santee
COUNCIL AGENDA STATEMENT

Item 5

MEETING DATE March 25, 2020

AGENDA ITEM NO.

ITEM TITLE **PROFESSIONAL SERVICES AGREEMENT WITH WEBB MUNICIPAL FINANCE, LLC FOR FY 2020-21 ASSESSMENT ENGINEERING AND COMMUNITY FACILITIES DISTRICT ADMINISTRATION SERVICES**

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

SUMMARY

The Finance Department recently issued a request for proposals to provide assessment engineering and community facilities district administration services for the Santee Town Center Landscape Maintenance District, Santee Roadway Lighting District, Fire Special Tax, Santee Landscape Maintenance District, Community Facilities District No. 2015-1 (Municipal Maintenance Services), Community Facilities District No. 2017-1 (Weston Infrastructure), and Community Facilities District No. 2017-2 (Weston Municipal Services). Eight proposals were received which were evaluated by City staff based upon criteria such as professional qualification of the firm and key personnel, experience with similar projects, proposed project approach and methodology, and ability to meet the project requirements within budgetary considerations.

Four firms were selected to interview with a team of City staff on March 17th and 18th as the final step in making a recommendation for the award of a multi-year agreement. Due to the Covid-19 outbreak and resulting in-person interaction restrictions and other demands on City staff in addressing Covid-19 related matters, staff determined that it would be prudent to put the interviews on hold and conclude the request for proposals process in early 2021. As a result, staff recommends that the City Council authorize a one-year contract with the current firm handling our assessment engineering and community facilities district administration services, Webb Municipal Finance, LLC ("Webb"). Webb is one of the top four rated firms in the current process and has successfully and efficiently performed these services for the City since 2012. After this one-year period, the City will conclude the evaluation process and recommend the award of a multi-year agreement.

Staff recommends that the City Council authorize the execution of a professional services agreement with Webb Municipal Finance, LLC to perform fiscal year 2020-21 assessment engineering and community facilities district administration services in the amount of \$26,200. The proposed contract amount is consistent with the fiscal year 2019-20 amount.

FINANCIAL STATEMENT *tm*

Funding for this agreement is included in the adopted fiscal year 2019-20 operating budgets for the General Fund and each district covered by the agreement.

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MSB*

Authorize the City Manager to execute a professional services agreement with Webb Municipal Finance, LLC in the amount of \$26,200 to provide fiscal year 2020-21 assessment engineering and community facilities district administration services.

ATTACHMENTS

None

City of Santee
COUNCIL AGENDA STATEMENT

Item 6

MEETING DATE March 25, 2020

AGENDA ITEM NO.

ITEM TITLE 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)

DIRECTOR/DEPARTMENT John Garlow, Fire Chief 

SUMMARY

In accordance with Senate Bill (SB) 1205 and California Health and Safety Code Section 13146.4, this report is being submitted for review and approval. Fire departments are mandated to report inspections of apartment buildings, condominiums, hotels, motels, and all public and private schools for compliance with building standards, as provided. Health and Safety Code Section 13146.4 requires the administering authority to formally acknowledge receipt of the annual compliance report.

Calendar Year 2019 State Mandated Inspection Compliance

Occupancy Type	No. of Occupancies	No. of Inspections	Percent Completed
Educational (E): Public/Private Schools	19	5	26%
Residential (R1): Hotel/Motel	3	1	33%
Residential (R2): Apartments	54	17	31%
Residential (R2): Condominiums	29	0	0%



FINANCIAL STATEMENT N/A

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION  Adopt the attached resolution.

ATTACHMENTS

Resolution

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE ACKNOWLEDGING
RECEIPT OF A REPORT MADE BY THE FIRE CHIEF OF THE SANTEE FIRE DEPARTMENT
IN ACCORDANCE WITH SECTION 13146.4 OF THE CALIFORNIA HEALTH AND SAFETY
CODE**

WHEREAS, California Health and Safety Code Section 13146.4 was added in 2018 and became effective on January 1, 2019; and,

WHEREAS, California Health and Safety Code Sections 13146.2 and 13146.3 require all fire departments that provide fire protection services to perform annual inspections in every building used as a public or private school, hotel, motel and apartment house for compliance with building standards, as provided; and,

WHEREAS, California Health and Safety Code Section 13146.4(a) requires all fire departments that provide fire protection services to report annually to the administering authority its compliance with Sections 13146.2 and 13146.3; and,

WHEREAS, the Council of the City of Santee intends this Resolution to fulfill the requirements of Section 13146.4 of the California Health and Safety Code regarding acknowledgement of the Santee Fire Department's compliance with California Health and Safety Code Sections 13146.2 and 13146.3.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santee that it expressly acknowledges receipt of a report made by the Fire Chief of the Santee Fire Department in accordance with Section 13146.4 of the California Health and Safety Code regarding Sections 13146.2 and 13146.3 of the California Health and Safety Code which require annual inspections of schools, apartment houses and hotels/motels.

ADOPTED by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 25th day of March 2020, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, CMC, CITY CLERK

City of Santee
COUNCIL AGENDA STATEMENT

Item 7

MEETING DATE March 25, 2020

AGENDA ITEM NO.

ITEM TITLE **PURCHASE OF NEW STRUCTURAL FIREFIGHTING CLOTHING (TURNOUTS) FROM MUNICIPAL EMERGENCY SERVICES PER NATIONAL PURCHASING PARTNERS, LLC (dba NPPGov) CONTRACT #00000168**

DIRECTOR/DEPARTMENT John Garlow, Fire Chief *JG*

SUMMARY

This item requests City Council authorization to purchase a total of thirteen (13) new sets of structural firefighting clothing (turnouts) from Municipal Emergency Services (MES). One (1) set of turnouts is for a newly hired firefighter paramedic. The additional twelve (12) sets of turnouts will get us closer to providing two sets for each firefighter. Structural firefighting turnouts suffer from decreased safety and thermal efficiency when they are soiled and wet, so it is important that crews have a clean and dry set to use after a fire. Soiled and contaminated gear is also a major contributing factor of carcinogen exposure that firefighters face.

Santee Municipal Code Section 3.24.130 authorizes the City to purchase equipment and supplies from a vendor at a price established by competitive or competitively negotiated bid by another public agency as long as that bid substantially complied with the formal bidding procedures in Santee Municipal Code Section 3.24.100. On May 28, 2017, the Public Procurement Authority, working in cooperation with National Purchasing Partners, LLC (dba NPPGov) completed a competitive process, substantially complying with Santee's Municipal Code, for procurement of fire turnouts and fire-related equipment. Based on the requirements for the lowest responsive responsible bidder offering the best overall quality and selection of products and services, Municipal Emergency Services (MES) was one of the vendors awarded Contract #00000168 for fire turnouts and fire-related equipment for an initial term of three years plus three annual options to renew.

Santee's Purchasing Ordinance requires City Council approval of all purchases exceeding \$25,000. Staff recommends utilizing NPPGov Contract #00000168 to purchase thirteen (13) sets of structural firefighting clothing (turnouts) from Municipal Emergency Services (MES) for an amount not to exceed \$35,901.92.

JG

FINANCIAL STATEMENT

Adequate funding for the purchase of the thirteen (13) sets of structural firefighting clothing (turnouts) is included in the amended FY 2019-20 Fire Department budget.

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MOB*

Authorize the purchase of thirteen (13) sets of structural firefighting clothing (turnouts) from Municipal Emergency Services (MES) per NPPGov Contract #00000168 for an amount not to exceed \$35,901.92 and authorize the City Manager to execute all necessary documents.

ATTACHMENTS

None

City of Santee
COUNCIL AGENDA STATEMENT

Item 8

MEETING DATE March 25, 2020

AGENDA ITEM NO.

ITEM TITLE RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, ACCEPTING THE CITY HALL ACCESSIBILITY UPGRADES (CIP 2018-39) PROJECT AS COMPLETE

DIRECTOR/DEPARTMENT Melanie Kush, Development Services



SUMMARY

This item requests City Council accept the City Hall Accessibility Upgrades (CIP 2018-39) project as complete.

City Council awarded the construction contract for the City Hall Accessibility Upgrades (CIP 2018-39) project to Tri-Group Construction and Development on June 26, 2019 in the amount of \$398,150.00 with change order authorization up to \$39,815.00. A Notice to Proceed was issued on September 12, 2019, and work was completed on February 5, 2020. Two change orders were approved for the project for a deductive amount of (\$20,801.40), due to cost savings during the project, making the total contract amount \$377,348.60.

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

FINANCIAL STATEMENT



Funding for this project was provided by the General Fund as part of the City Hall Improvements project as reflected in the adopted Capital Improvement Program budget.

Construction Contract	\$ 398,150.00
Change Orders	<u>(20,801.40)</u>
Total Project Cost	<u>\$ 377,348.60</u>

CITY ATTORNEY REVIEW

N/A

Completed

RECOMMENDATION



Adopt the attached Resolution accepting the Tri-Group Construction and Development (CIP 2018-39) project as complete.

ATTACHMENTS

Resolution

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA,
ACCEPTING THE CITY HALL ACCESSIBILITY UPGRADES
(CIP 2018-39) PROJECT AS COMPLETE

WHEREAS, City Council awarded the construction contract for the City Hall Accessibility Upgrades (CIP 2018-39) project to Tri-Group Construction and Development, on June 26, 2019 for \$398,150.00; and

WHEREAS, City Council authorized staff to approve construction change orders not to exceed \$39,815.00; and

WHEREAS, Staff approved two construction change orders for a total deductive amount of (\$20,801.40); and

WHEREAS, the project was completed for a total amount of \$377,348.60; and

WHEREAS, Tri-Group Construction and Development 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 City Hall Accessibility Upgrades (CIP 2018-39) project is accepted 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 March, 2020, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, CMC, CITY CLERK

City of Santee
COUNCIL AGENDA STATEMENT

Item 9

MEETING DATE March 25, 2020

AGENDA ITEM NO.

ITEM TITLE SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, AMENDING SANTEE MUNICIPAL CODE SECTION 1.01.050 TO INCLUDE THE CITY LOGO AND ADD A PENALTY FOR UNLAWFUL USE

DIRECTOR/DEPARTMENT Annette Ortiz, City Clerk 

SUMMARY

The Introduction and First Reading of the above-entitled Ordinance was approved at a Regular Council Meeting on Wednesday, March 11, 2020. The Ordinance is now presented for Second Reading by title only, and adoption.

Vote at First Reading: AYES: HALL, HOULAHAN, KOVAL, MCNELIS, MINTO
NOES: NONE
ABSENT: NONE


FINANCIAL STATEMENT None

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION 
Adopt Ordinance.

ATTACHMENTS
Ordinance

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE,
CALIFORNIA, AMENDING SANTEE MUNICIPAL CODE SECTION 1.01.050 TO
INCLUDE THE CITY LOGO AND ADD A PENALTY FOR UNLAWFUL USE**

WHEREAS, Pursuant to article XI, section 5 of the California Constitution and Government Code section 37100, the legislative body of a city may pass ordinances not in conflict with the Constitution and law of the State or the United States; and

WHEREAS, the City recently unveiled a new City logo and tagline, which was developed through an extensive branding process; and

WHEREAS, the City Council adopted the new logo and tagline, and supported using the logo to graphically represent the City; and

WHEREAS, the City Council desires to protect the City logo and other indicia from unauthorized use and imitation; and

WHEREAS, the City Council also desires to allow for an enforcement provision that makes any unlawful use of the City seal, City logo or other indicia a misdemeanor.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTEE,
CALIFORNIA, DOES ORDAIN AS FOLLOWS:**

Section 1. Recitals Incorporated. The Recitals set forth above are true and correct and incorporated into this Ordinance.

Section 2. Section 1.01.050 Amended. Section 1.01.050 of the Santee Municipal Code is hereby restated and amended as set forth in the attached Exhibit A, incorporated by this reference.

Section 3. CEQA. The City Council finds that this Resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because this Resolution has no potential for resulting in physical change to the environment, directly or indirectly.

Section 4. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof.

Section 5. Effective Date. This Ordinance shall become effective thirty (30) days after its adoption.

ORDINANCE NO. _____

Section 6. Publication. The City Clerk is hereby directed to certify the adoption of this Ordinance and cause a summary or ¼ page advertisement of the same to be published as required by law.

INTRODUCED AND FIRST READ at a Regular Meeting of the City Council of the City of Santee, California, on the 11th day of March 2020, and thereafter **ADOPTED** at a Regular Meeting of said City Council held on the 25th day of March 2020, by the following vote to wit:

AYES:

NOES:

ABSENT:

APPROVED

JOHN W. MINTO, MAYOR

ATTEST

ANNETTE ORTIZ, CMC, CITY CLERK

Attachment: Exhibit A

ORDINANCE NO. _____

EXHIBIT A

Section 1.01.050
CITY SEAL AND LOGO

The official City seal of the City or the City logo may be adopted by City resolution. The resolution describes the City seal in the following manner:

- A. Two concentric circles separated by a narrow black border. Contained within the outer circle are the words "City of Santee, California" at the top and "Incorporated 1980" at the bottom. The inner circle consists of an artistic rendering of a green, grassy area in the foreground, a brown tree with green leaves in the right foreground, a brown knoll or rock in the left foreground fronting a strip of blue water. The background representation consists of a green bank of bushes fronting a range of brown hills and mountains. The background sky is blue.
- B. For the purposes of this section, any black and white or single-color representation of the above described City seal is considered as the official City seal.
- C. City Logo Designated. The City logo is the same as heretofore used and shall appear substantially as follows:



- D. For the purposes of this section, any black and white or single-color representation of the City logo is considered as the official City logo.
- E. Unlawful Use of City Seal or City Logo. No person may use or allow to be used any reproduction or facsimile of the seal of the City, the City logo, or other indicia, for any purpose other than official business of the City, without prior authorization from the City Manager or the City Manager's designee.
- F. Unlawful Use of Imitation. No person may use, or allow to be used, any colorable imitation of the seal of the City, the City logo, or other indicia, when such use is likely to lead the ordinary observer to believe that the imitation is, in fact, the City seal, logo, or other indicia.
- G. Penalty for Violation. A violation of this chapter shall be a misdemeanor punishable in accordance with section 1.04.060 or as otherwise provided for in this Code.
- H. Penalty supplemental to other penalties and remedies. The penalties imposed by the provisions of this chapter shall be supplemental and in addition to any other penalties or remedies which may be imposed or provided by other laws or ordinances.

City of Santee
COUNCIL AGENDA STATEMENT

Item 10

MEETING DATE March 25, 2020


AGENDA ITEM NO.

ITEM TITLE **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA APPROVING THE FINAL MAP FOR A 40-UNIT RESIDENTIAL CONDOMINIUM SUBDIVISION PROJECT (TM 2015-04) AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE ASSOCIATED SUBDIVISION IMPROVEMENT AGREEMENT. LOCATION: NORTHEAST CORNER OF BUENA VISTA AVENUE AND MISSION GREENS ROAD. APPLICANT: VILLAGE RUN HOMES, LLC.**

DIRECTOR/DEPARTMENT Melanie Kush, Development Services 

SUMMARY This item requests City Council approve the final map for a 40-unit residential condominium subdivision project and the associated Subdivision Improvement Agreement. On December 13, 2017, City Council adopted Resolution No. 130-2017 for Tentative Map 2015-04, approving the project located on the site at the northeast corner of Buena Vista Avenue and Mission Greens Road. Development would be in substantial conformance with Development Review Permit DR 2015-08. Public improvements along the east side of Mission Greens Road and north side of Buena Vista Avenue include landscaping, sidewalk, streetscape trees, and pedestrian facilities. Dedications and plan approvals required by Tentative Map Resolution No. 130-2017 have been satisfied. The final map has been reviewed by the Department of Development Services and found to be technically correct, in substantial conformance with the tentative map requirements of Resolution No. 130-2017, the Santee Municipal Code and the Subdivision Map Act.

ENVIRONMENTAL REVIEW On December 13, 2017, the City Council approved and adopted Mitigated Negative Declaration (State Clearinghouse Number (2017101026)) and its associated Mitigation Monitoring and Reporting Program by Resolution No. 129-2017, which fully disclosed, evaluated and mitigated the environmental impacts of the proposed project, including the Tentative Map contemplated in this Resolution. No further environmental review is required for the City to adopt this Resolution.

FINANCIAL STATEMENT  The City Fee Schedule allows full cost recovery of staff time from fees paid by the developer.

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION
Adopt the Resolution: 

1. Authorizing the approval of the final map for the 40-unit residential condominium subdivision project, TM 2015-04; and
2. Authorizing the City Manager to execute the associated Subdivision Improvement Agreement.

ATTACHMENTS
Resolution
Aerial Map
Subdivision Improvement Agreement

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA
APPROVING THE FINAL MAP FOR A 40-UNIT RESIDENTIAL CONDOMINIUM
SUBDIVISION PROJECT (TM 2015-04) AND AUTHORIZING THE CITY MANAGER TO
EXECUTE THE ASSOCIATED SUBDIVISION IMPROVEMENT AGREEMENT.
LOCATION: NORTHEAST CORNER OF BUENA VISTA AVENUE AND MISSION
GREENS ROAD. APPLICANT: VILLAGE RUN HOMES, LLC.**

WHEREAS, on December 13, 2017, the City Council adopted Resolution No. 130-2017 approving Tentative Map 2015-04, a 40-unit residential condominium subdivision at the northeast corner of Buena Vista Avenue and Mission Greens Road; and

WHEREAS, the City Council approved and adopted Mitigated Negative Declaration (State Clearinghouse Number (2017101026)) and its associated Mitigation Monitoring and Reporting Program by Resolution No. 129-2017, which fully disclosed, evaluated and mitigated the environmental impacts of the proposed project, including the Tentative Map contemplated in this Resolution. No further environmental review is required for the City to adopt this Resolution; and

WHEREAS, the developer Village Run Homes, LLC has complied with all provisions of the tentative map approval required for recordation of the Final Map; and

WHEREAS, under the direction of the City Engineer the Final Map has been examined and found to be technically correct, in compliance with State law, applicable Municipal Code and in substantial conformance with the approved Tentative Map.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Santee does hereby approve the Final Map of Tentative Map 2015-04.

BE IT FURTHER RESOLVED that the City Council does hereby authorize the City Manager to execute the Subdivision Improvement Agreement on their behalf and directs the City Clerk to certify approval of the Final Map and the associated Subdivision Improvement Agreement and certify rejection or acceptance of all dedications and easements as indicated on the Final Map, and directs staff to submit the map to the County Recorder for recordation.

RESOLUTION NO. _____

ADOPTED by the City Council of the City of Santee, California, at a Regular meeting thereof held this 25th day of March 2020, by the following vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, CMC, CITY CLERK

Aerial Map



Village Run Homes
Tentative Map (TM2015-4)
Development Review Permit (DR2015-8)
Mitigated Negative Declaration (AEIS2015-14)

(APN 384-042-22-00 & 384-042-23-00)

**CITY OF SANTEE
SUBDIVISION IMPROVEMENT AGREEMENT**

DATE OF AGREEMENT: _____

NAME OF SUBDIVIDER: Ruis Holdings Santee LLC
(referred to as "Subdivider")

NAME OF SUBDIVISION: Village Run Condos
(referred to as "Subdivision")

TENTATIVE MAP RESOLUTION
AND DATE OF APPROVAL: Resolution No. 130-2017, December 13, 2017
(referred to as "Resolution of Approval")

IMPROVEMENT PLAN NO(S): 2019-264-269

GRADING PLAN NO(S): 2019-155-159 (Rough Grading)

LANDSCAPE PLAN NO(S): 2019-249-263 (Precise Grading)
(all hereinafter referred to as "Improvement Plans")

ESTIMATED TOTAL COST OF GRADING AND LANDSCAPING: \$ 562,139

ESTIMATED TOTAL COST OF IMPROVEMENTS: \$ 326,147

ESTIMATED TOTAL COST OF MONUMENTATION: \$ 1,606

SURETY/FINANCIAL INSTITUTION: Philadelphia Indemnity Insurance Company

ADDRESS: 251 South Lake Avenue, #360, Pasadena, CA 91101

FORM OF SECURITY: Cash, Bonds

SECURITY ID NOS.: RFD #1474, PB11511100536

This agreement is made and entered into by and between the City of Santee, California, a Municipal Corporation of the State of California, hereinafter referred to as "City", and the Subdivider.

RECITALS

- A. Subdivider has presented to City for approval and recordation, a final subdivision map of a proposed subdivision pursuant to provisions of the Subdivision Map Act of the State of California and City's ordinances and regulations relating to the filing, approval and recordation of subdivision maps. The Subdivision Map Act and the City's ordinances and regulations relating to the filing, approval and recordation of subdivision maps are collectively referred to in this agreement as the "Subdivision Laws".
- B. A tentative map of the Subdivision has been approved. The Resolution of Approval, listed on Page 1, is on file in the Office of the City Clerk or the Secretary to the Planning Commission and is hereby incorporated into this agreement by reference.
- C. The Subdivision Laws establish as a condition precedent to the approval of a final subdivision map that Subdivider must have complied with the Resolution of Approval and must have either (a) completed, in compliance with City Standards, all of the improvements and land development work required by the Subdivision Laws or the Resolution of Approval or, (b) have entered into a secured agreement with City to complete the construction and installation of improvements and land development within a period of time specified by City.
- D. In consideration of approval of a final subdivision map for the Subdivision by the Planning Commission or City Council (hereinafter referred to as "Legislative Body"), Subdivider desires to enter into this agreement, whereby Subdivider promises to install and complete at Subdivider's own expense, unless otherwise provided for in the Resolution of Approval, all the public improvement work required by City in connection with the proposed Subdivision. Subdivider has secured this agreement with improvement security required by the Subdivision Laws and approved by the City Attorney.
- E. Improvement Plans for the construction, installation and completion of the improvements have been prepared by Subdivider and approved by the City Engineer and are incorporated into this agreement by this reference. All references in this agreement to the Improvement Plans shall include any specifications for the improvements as approved by the City Engineer.
- F. Estimates of the cost of constructing the public improvements and performing land development work in connection with the public improvement requirements according to the Improvement Plans has been made and approved by the City Engineer. The estimated amounts are stated on Page 1 of the agreement and the basis for these estimates are attached as Exhibit "A".
- G. An estimate of the cost of installing all required Subdivision Monuments has been made and approved by the City Engineer. The estimated amount is stated on Page 1 of the agreement and the basis for this estimate is attached as Exhibit "B".
- H. Subdivider recognizes that by approval of the final subdivision map for

Subdivision, City has conferred substantial rights upon Subdivider, including the right to sell, lease, or finance lots within the Subdivision, and has taken the final act necessary to subdivide the property within the Subdivision.

NOW, THEREFORE, in consideration of the approval and authorization for recordation of the final map of the Subdivision by the City Council, Subdivider and City agree as follows:

1. Subdivider's Obligations to Construct Improvements.

Subdivider shall:

- a. Comply with all the requirements of the Resolution of Approval, any amendments thereto, and with the provisions of the Subdivision Laws.
- b. Complete at Subdivider's own expense, all the public and private improvement work required on the Tentative Map and Resolution and the City standards as follows:

<u>IMPROVEMENTS</u>	<u>DEADLINE DATE</u>
<u>City of Santee Plans Drawing</u>	<u>Prior to first occupancy and/or</u>
<u>Nos. 2019-155-159 and</u>	<u>per Director of Development Services</u>
<u>Nos. 2019-249-269</u>	<u></u>

The Subdivider acknowledges that the Improvement Plans have been prepared in conformance with the City standards in effect on the date of improvement plan submittal, but that Subdivider shall be subject to the City standards in effect on the date the improvements are actually constructed.

- c. Furnish the necessary equipment, labor and material for completion of the public improvements in conformity with the Improvement Plans and City standards.
- d. Acquire and dedicate, or pay the cost of acquisition by City, all rights-of-way, easements and other interests in real property required for construction or installation of the public improvements, except as may otherwise be provided for in the Resolution of Approval, free and clear of all liens and encumbrances. The Subdivider's obligations with regard to acquisition by City of off-site rights-of-way, easements and other interests in real property shall be subject to a separate agreement between Subdivider and City and shall be in accordance with City Legislative Policy Memorandum (LPM 91-1). Subdivider shall also be responsible for obtaining any public or private drainage easements or other authorization to accommodate the Subdivision.

- e. Notify City Engineer in writing at least five working days prior to the commencement of the work so that City Engineer will be able to schedule inspections.
 - f. Complete the improvements under this contract on or before the time limit stated in Paragraph 1.b, hereof, unless a time extension is granted by the City Engineer as authorized by Paragraph 20.
 - g. Install all Subdivision Monuments required by law within thirty days after the completion and prior to acceptance of the public improvements by the City.
 - h. Install street name signs conforming to City standards. If permanent street name signs have not been installed before acceptance of the improvements by the City, Subdivider shall install temporary street name signs according to such conditions as the City Engineer may require. Such action shall not, however, relieve Subdivider of the obligation to install permanent street signs.
2. Acquisition and Dedication of Easements or Rights-of-Way. If any of the public improvement and land development work contemplated by this agreement is to be constructed or installed on land not owned by Subdivider, no construction or installation shall be commenced prior to:
- a. The offer of dedication to City of appropriate rights-of-way, easements or other interest in real property, and appropriate authorization from the property owner to allow construction or installation of the improvements or work; or
 - b. The dedication to, and acceptance by City of appropriate rights-of-way, easements, or other interests in real property, as determined by the City Engineer.
 - c. The issuance by a court of competent jurisdiction, pursuant to the state eminent domain law, of an order of possession. Subdivider shall comply in all respects with the order of possession.

Subdivider acknowledges their responsibility to comply with the requirements of Santee Municipal Code and the Subdivision Map Act and acknowledges further that the City will not be in a position to process a final map without the timely submittal of information to obtain off-site property interests required for the construction of off-site improvements, all in accordance with City Legislative Policy Memorandum (LPM 91-1).

Nothing in Paragraph 2 shall be construed as authorizing or granting an extension of time to Subdivider.

3. Security. Subdivider shall at all times guarantee Subdivider's performance of this agreement by furnishing to City, and by maintaining, good and

sufficient security as required by the Subdivision Laws on forms approved by City for the purposes and in the amounts as follows:

- a. To assure faithful performance of this agreement and to secure payment to any contractor, subcontractor, persons renting equipment, or furnishing labor or materials for the grading, drainage and landscaping required to be constructed or installed pursuant to this agreement in an amount equal to one hundred percent (100%) of the Estimated Total Costs of Grading and Landscaping ("Grading and Landscaping Security"); and,
- b. To assure faithful performance of this agreement in regard to the improvements in an amount equal to one hundred percent (100%) of the Estimated Total Cost of the Improvements ("Faithful Performance Security"); and,
- c. To secure payment to any contractor, subcontractor, persons renting equipment, or furnishing labor or materials for the improvements required to be constructed or installed pursuant to this agreement in the additional amount equal to fifty percent (50%) of the Estimated Total Cost of the Improvements ("Labor and Material Security"); and,
- d. To guarantee or warranty the work done pursuant to this agreement for a period of one year following acceptance thereof by City against any defective work or labor done or defective materials furnished in the additional amount equal to ten percent (10%) of the Estimated Total Cost of the Improvements ("Warranty Security"). The Warranty Security shall be included with, and made a part of the Faithful Performance Security until release of the Faithful Performance Security as specified in Paragraph 5.b hereof; and,
- e. Subdivider shall also furnish to City good and sufficient security in an amount equal to one hundred percent (100%) of the Estimated Total Cost of Monumentation to secure the setting of subdivision monuments, as stated previously in this agreement and all payments associated with the setting ("Monumentation Security").

The securities required by this agreement shall be kept on file with the City Clerk. The terms and conditions of the security documents referenced on Page 1 of this agreement are incorporated into this agreement. If any security is replaced by another City approved security, the replacement shall be filed with the City Clerk and, upon filing, shall be deemed to have been made a part of and incorporated into this agreement. Upon filing of a replacement security with the City Clerk, the former security shall be released.

4. Guarantee or Warranty for One Year. In addition to any other remedy in law or equity, Subdivider shall guarantee or warranty the work done pursuant to this agreement for a period of one year after final acceptance by the City Council of the work and improvements against any defective

work or labor done or defective materials furnished. If within the warranty period any work or improvement or part of any work or improvement done, furnished, installed, constructed or caused to be done, furnished, installed or constructed by Subdivider fails to fulfill any of the requirements of this agreement or the Improvement Plans and specifications referred to herein, Subdivider shall without delay and without any cost to City, repair or replace or reconstruct any defective or otherwise unsatisfactory part or parts of the work or structure. Should Subdivider fail to act promptly or in accordance with this requirement, Subdivider hereby authorizes City, at City's option, to perform the work twenty (20) days after mailing written notice of default to Subdivider and to Subdivider's Financial Institution/Surety, and agrees to pay the cost of such work by City. Should the City determine that an urgency requires repairs or replacements to be made before Subdivider can be notified, City may, in its sole discretion, make the necessary repairs or replacement or perform the necessary work and Subdivider shall pay to City the cost of such repairs. City shall take all steps reasonably possible to notify Subdivider of such urgency, but failure to receive notification, shall not relieve the Subdivider or their Financial Institution/Surety from the obligation to pay for the entire cost of such urgency work.

5. Release of Securities. The securities required by this agreement shall be released as follows:
 - a. Security given under Paragraph 3.a as Grading and Landscaping Security shall be released in accordance with the City Design and Development Manual procedures for release of grading and erosion control securities.
 - b. Security given under Paragraph 3.b as Faithful Performance Security shall be released upon the final completion and acceptance of the improvements by the City. An amount equal to ninety percent (90%) of the security shall be released with the provision for ten percent (10%) of the original security amount to be retained as Warranty Security for guarantee and warranty of the work performed.
 - c. Security given under Paragraph 3.c as Labor and Material Security shall be released six months after the completion and acceptance of the work. The amount released shall be reduced to an amount equal to 125% of the total amounts claimed by all claimants for whom liens have been filed and of which notice has been given to the City, conditioned upon the payment of said claims together with costs of suit plus reasonable attorney's fees, plus an amount reasonably determined by the City Engineer to be required to assure the performance of any other obligations secured by the security. The balance of the security is to be released upon the settlement of all claims and obligations for which the security was given.

- d. Security given under Paragraph 3.d as Warranty Security shall be released after expiration of the warranty period providing any claims filed during the warranty period have been settled. As provided in Paragraph 4, the warranty period shall not commence until final acceptance of all work and improvements by the City.
 - e. Security given under Paragraph 3.e as Monumentation Security shall be released upon receipt by the City Engineer of written notice by the Subdivider, stating that monuments have been set in accordance with Subdivision Laws and receipt of evidence the Subdivider has paid the Engineer or Surveyor for the setting of subdivision monuments.
 - f. The City may retain from any security released, an amount sufficient to cover costs, reasonable expenses, and fees, including reasonable attorneys' fees.
6. Inspection and Acceptance. Subdivider shall at all times maintain proper facilities and safe access for inspection of the public improvements by City inspectors and to the shops wherein any work is in preparation. Upon completion of the work the Subdivider shall request a final inspection by the City. Upon receipt of the request the City will make final inspection within fifteen (15) days. If the City Engineer, or his/her authorized representative, determines that the work has been completed in accordance with this agreement, they shall certify the completion of the public improvements to the City Council. If the City Council determines that the improvements have been completed as required by this agreement, they shall accept the improvements within thirty (30) days. No improvements shall be accepted unless all aspects of the work have been inspected and determined to have been completed in accordance with the Improvement Plans and City standards. Subdivider shall bear all costs of inspection and certification.
7. Final Acceptance of Work. Acceptance of the work on behalf of City shall be made by the City Council upon recommendation of the City Engineer after final completion and inspection of all improvements. Such acceptance shall not constitute a waiver of defects by City, nor of the applicable statutes of limitation.
8. Alteration to Improvement Plans.
- a. Any changes, alterations or additions to the Improvement Plans and specifications or to the improvements which are mutually agreed upon by City and Subdivider, not exceeding ten percent (10%) of the original estimated cost of the improvement or \$50,000 whichever is less, shall not change the amount of security required under Paragraph 3. In the event such changes, alterations, or additions exceed such amounts, Subdivider shall provide additional security as required by Paragraph 3 of this agreement based on the

Total Estimated Cost of Improvements as changed, altered, or amended, minus any completed partial releases allowed by Paragraph 5 of this agreement.

- b. The Subdivider shall construct the improvements in accordance with the City standards in effect at the time of their construction. City reserves the right to modify the standards applicable to the Subdivision and this agreement, when necessary to protect the public safety or welfare or comply with applicable state or federal law or City zoning ordinances. If Subdivider requests and is granted an extension of time for completion of the improvements, City may apply the standards in effect at the time of the extension.
9. Injury to Public Improvements, Public Property or Public Utility Facilities. Subdivider shall replace or repair subdivision monuments which are destroyed or damaged as a result of any work under this agreement. Subdivider shall bear the entire cost of replacement or repairs of any and all public or public utility property damaged or destroyed by reason of any work done under this agreement, whether such property be owned by the United States or any agency thereof, or the State of California, or any agency, district or political subdivision thereof or by the City or any public or private utility corporation or by any combination of such owners. Any repair or replacement shall be to the satisfaction, and subject to the approval of, the City Engineer.
10. Injury to Work. Until such time as the improvements are accepted by City, Subdivider shall be responsible to bear the risk of loss to any of the improvements constructed or installed. Until such time as all improvements required by this agreement are fully completed and accepted by City, Subdivider will be responsible for the care, operation of, maintenance of, and any damage to such improvements. City shall not, nor shall any officer or employee thereof, be liable or responsible for any accident, loss or damage, regardless of cause, happening or occurring to the work or improvements specified in this agreement prior to the completion and acceptance of the work or improvements. All such risks shall be the responsibility of and are hereby assumed by Subdivider.
11. Default of Subdivider.
 - a. Default of Subdivider shall include, but not be limited, to, Subdivider's failure to timely commence construction of the improvements under this agreement; Subdivider's failure to timely complete construction of the improvements; Subdivider's failure to cure any defect in the improvements; Subdivider's failure to perform substantial construction work for a period of twenty (20) calendar days after commencement of the work; Subdivider's insolvency, appointment of a receiver, or the filing of any petition in bankruptcy either voluntary or involuntary which Subdivider fails to discharge within thirty (30) days; the commencement of a foreclosure action against the Subdivision or a portion thereof, or any conveyance in

lieu or in avoidance of foreclosure; or Subdivider's failure to perform any other obligation under this agreement.

- b. The City reserves to itself all remedies available to it at law or in equity for breach of Subdivider's obligations under this agreement. In the event Subdivider fails to perform any of the terms or conditions of this agreement, the City will be damaged to the extent of the costs of installation of the improvements which Subdivider failed to install. It is specifically recognize that the determination of whether a reversion to acreage or rescission of the Subdivision approval constitutes an adequate remedy for default of the Subdivider shall be reserved to the sole discretion of City. The City shall have the right, to draw upon or utilize the appropriate security to mitigate City's damages in event of default by Subdivider. The right of City to draw upon or utilize the security is additional to, and not in lieu of, any other remedy available to City. Both parties specifically recognize that the estimated costs and security amounts may not reflect the actual cost of construction or installation of the improvements and, therefore, City's damages for Subdivider's default shall be measured by the actual cost to the City of completing the required improvements.

The sums provided by the improvement security may be used by City for the completion of the public improvements in accordance with the Improvement Plans and specifications contained herein. In the event of Subdivider's default under this agreement, Subdivider authorizes City to perform such obligation twenty (20) days after mailing written notice of default to Subdivider and to Subdivider's Surety, and agrees to pay the entire cost of such performance by City.

City may take over the work and prosecute the same to completion, by contract or by any other method City may deem advisable, for the account and at the expense of Subdivider, and Subdivider's Surety shall be liable to City for any excess cost or damages occasioned thereby; and, in such event, City, without liability for so doing, may take possession of, and utilize in completing the work such materials, appliances, plant and other property belonging to Subdivider as may be on the site of the work and necessary for performance of the work. Subdivider agrees not to remove such property from the site.

- c. Failure of Subdivider to comply with the terms of this agreement shall constitute consent to the filing by City of a notice of violation against all lots in Subdivision, or to rescind the approval or otherwise revert the Subdivision to acreage.
- d. In the event that Subdivider fails to perform any obligation hereunder, Subdivider agrees to pay all costs and expenses incurred by City in obtaining performance of such obligations,

including costs of suit and reasonable attorney's fees.

- e. The failure of City to take an enforcement action with respect to a default, or to declare a breach, shall not be construed as a waiver of that default or any subsequent default of Subdivider.
12. Permits. Subdivider shall, at Subdivider's expenses, obtain all necessary permits and licenses for the construction and installation of the improvements, give all necessary notices and pay all fees and taxes required by law.
13. Subdivider Not Agent of City. Neither Subdivider nor any of Subdivider's agents or contractors are or shall be considered to be agents of City in connection with the performance of Subdivider's obligations under this agreement.
14. Other Agreements. Nothing contained in this agreement shall preclude City from expending monies pursuant to agreements concurrently or previously executed between the parties, or from entering into agreements with other subdividers or developers for the apportionment of costs of water and sewer mains, or other improvements, pursuant to the provisions of the City ordinances providing therefore, nor shall anything in this agreement commit City to any such apportionment.
15. Subdivider's Obligation to Warn Public During Construction. Until final acceptance of the improvements, Subdivider shall give good and adequate warning to the public for each and every dangerous condition present in improvements, whether brought to his or her attention by the City or otherwise, and will take all reasonable actions to protect the public from such dangerous conditions. Warning to the public shall include but is not limited to; installation and maintenance of any and all traffic control devices in accordance with the approved traffic control plan, if any, adherence to Caltrans and City standards for traffic control, site lighting, fencing, barricading, warning signs, cover plates, warning tape, etc.
16. Vesting of Ownership. Upon acceptance of the work on behalf of City, ownership of the improvements constructed pursuant to this agreement shall vest in City.
17. Indemnity/Hold Harmless. The City or any officer or employee thereof shall not be liable for any injury to persons or property occasioned by reason of the acts or omissions of Subdivider, its agents or employees, in the performance of this agreement. Subdivider further agrees to protect and hold harmless City, its officials and employees from any and all claims, demands, causes of action, liability or loss of any sort, because of, or arising out of, acts or omission of Subdivider, its agents or employees in the performance of this agreement, including all claims, demands, causes of action, liability, or loss because of, or arising out of, in whole or in part, the design or construction of the improvements; provided, however, that the approved development securities shall not be required to cover the

provisions of this paragraph. Said indemnification and agreement to hold harmless shall extend to injuries to persons, and damages to or taking of property, resulting from the design or construction of said subdivision, and the public improvements as provided herein, and, in addition, damage to adjacent property as a consequence of the drainage systems, streets and other public improvements. Acceptance by the City of the improvements shall not constitute an assumption by the City of any responsibility for any damage or taking covered by this paragraph. City shall not be responsible for the design or construction of said Subdivision or the improvements pursuant to the approved Improvement Plans or map, regardless of any action or inaction taken by the City in approving the plans or map, unless the particular improvement design was specifically required by City over written objection by Subdivider submitted to the City Engineer before approval of the particular improvement design, which objection indicated that the particular improvement design was dangerous or defective and suggested an alternative safe and feasible design. After acceptance of the improvements, the Subdivider shall remain obligated to eliminate any defect in design or dangerous condition caused by the design or construction defect, however Subdivider shall not be responsible for routine maintenance. Provision of this paragraph shall remain in full force and effect for ten (10) years following the acceptance by the City of improvements. It is the intent of this section that Subdivider shall be responsible for all liability for design and construction of the improvements installed or work done pursuant to this agreement and that City shall not be liable for any nonfeasance, misfeasance or malfeasance in approving, reviewing, checking, or correcting any plans or specifications or in approving, reviewing or inspecting any work or construction.

18. Sale or Disposition of Subdivision. Sale or other disposition of this property will not relieve Subdivider from the obligations set forth herein. If Subdivider sells the property or any portion of the property within the subdivision to any other person, the Subdivider may request a novation of this agreement and a substitution of security. Upon approval of the novation by City and substitution of securities approved by City, the Subdivider may request a release or reduction of the securities required by this agreement. Nothing in the novation shall relieve the Subdivider of the obligations under Paragraph 17 for the work or improvement done by Subdivider.
19. Time is of the Essence. Time is of the essence in this agreement. Unless otherwise noted all "days" shall be construed to mean calendar days.
20. Time for Commencement of Work; Time Extensions. Subdivider shall commence substantial construction of the improvements required by this agreement not later than nine (9) months prior to the time for completion. In the event good cause exists, as determined by the City Engineer, the time for commencement of construction or completion of the improvements may be extended. The extension shall be made in writing executed by the City Manager. Any such extension may be granted without notice to Subdivider's Surety and shall in no way affect the validity

In the event a party chooses to bring an action to enforce this agreement, the prevailing party shall be entitled to costs and reasonable attorney's fees in enforcing the terms of this agreement.

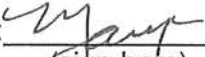
26. Incorporation of Recitals. The Recitals to this agreement are hereby incorporated into the terms of this agreement.
27. Entire Agreement. This agreement constitutes the entire agreement of the parties with respect to the subject matter. All modifications, amendments, or waivers of the terms of this agreement must be in writing and signed by the appropriate representatives of the parties. In the case of the City, the appropriate party shall be the City Manager.
28. Force Majeure. Delay, other than delay in the commencement of work, resulting from an act of City, or by an act of God, which Subdivider could not have reasonably foreseen, or by storm or inclement weather which prohibits the conducting of work, or by strikes, boycotts, similar actions by employees or labor organizations, which prevent the conducting of work, and which were not caused by or contributed to by Subdivider, shall constitute good and sufficient cause for a time extension.

Executed by SUBDIVIDER this 27th day of January, 2019 20

SUBDIVIDER:

CITY OF SANTEE, a municipal corporation of the State of California

Ruis Holdings Santee LLC
(Name of Subdivider)

By: 
(sign here)

Mary Olivo
(print name here)

Authorized Representative
(title and organization of signatory)

By: _____
Marlene Best
City Manager

Attest: _____
Annette Ortiz
City Clerk

By: _____
(sign here)

(print name here)

(title and organization of signatory)

(Proper notary acknowledgment of execution by SUBDIVIDER must be attached.)

(President or vice-president **and** secretary or assistant secretary must sign for corporations. If only one officer signs, the corporation must attach a resolution certified by the secretary or assistant secretary under corporate seal empowering that officer to bind the corporation.)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of San Diego)
On 1/27/2020 before me, Sandra Grow, Notary Public,
Date Here Insert Name and Title of the Officer
personally appeared Mary Olivo
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Sandra Grow
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Subdivision Improvement Agreement
Document Date: 1/27/2020 Number of Pages: 17
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

City of Santee
COUNCIL AGENDA STATEMENT

Item 11

MEETING DATE March 25, 2020

AGENDA ITEM NO.

ITEM TITLE **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, AWARDING THE CONSTRUCTION CONTRACT FOR THE CITYWIDE CONCRETE REPAIR AND REPLACEMENT PROGRAM 2020 (CIP 2020-07) AND DETERMINING A CATEGORICAL EXEMPTION PURSUANT TO SECTION 15301(c) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

DIRECTOR/DEPARTMENT Melanie Kush, Development Services 

SUMMARY

This item requests the City Council to award the construction contract for the Citywide Concrete Repair and Replacement Program 2020 (CIP 2020-07) to Portillo Concrete, Inc. in the amount of \$149,545.00. This project will repair uneven concrete surfaces and replace damaged sidewalk panels, curbs and gutters throughout the City.

On March 5, 2020, the City Clerk publicly opened and examined eight sealed bids. Upon review by staff, the bid submitted by Portillo Concrete, Inc. has been deemed the lowest responsive and responsible bid and is 23% lower than the Engineer's estimate of \$193,500.00. Staff also requests authorization for the Director of Development Services to approve change orders in a total amount not to exceed \$37,386.00 (25%) for unforeseen items and additional concrete repairs across the City.

ENVIRONMENTAL REVIEW

The project is categorically exempt from environmental review by Section 15301(c) of the Guidelines to the California Environmental Quality Act (CEQA). This section provides an exemption for the maintenance of existing facilities.

FINANCIAL STATEMENT 

Funding for this contract is included in the adopted FY 2019-20 Gas Tax Fund budget and is also provided from prior year Gas Tax funds carried forward to FY 2019-20 for this purpose. The appropriated Gas Tax Funds will be transferred to the Capital Projects Fund for expenditure as a capital improvement project.

Design and Bidding	\$ 6,158.19
Construction Contract	149,545.00
Construction Change Orders	37,386.00
Construction Engineering/Management	33,600.00
Project Closeout	<u>5,000.00</u>
Total Anticipated Project Cost	<u>\$ 231,689.19</u>

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION 

Adopt the attached Resolution:

1. Awarding the construction contract for the Citywide Concrete Repair and Replacement Program 2020, CIP 2020-07 to Portillo Concrete, Inc. for a total amount of \$149,545.00, and authorizing the City Manager to execute the contract; and
2. Authorizing the Director of Development Services to approve change orders in a total amount not to exceed \$37,386.00; and
3. Approving a categorical exemption pursuant to the California Environmental Quality Act Section 15301(c).

ATTACHMENTS

Resolution Bid Summary Chart

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA,
AWARDING THE CONSTRUCTION CONTRACT FOR THE CITYWIDE CONCRETE
REPAIR AND REPLACEMENT PROGRAM 2020 (CIP 2020-07) AND DETERMINING
A CATEGORICAL EXEMPTION PURSUANT TO SECTION 15301(c) OF THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the City Clerk, on the 5th day of March, 2020 publicly opened and examined sealed bids for the Citywide Concrete Repair and Replacement Program 2020, (CIP 2020-07) ("Project"); and

WHEREAS, the lowest received bid was submitted by Portillo Concrete, Inc. in the amount of \$149,545.00; and

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

WHEREAS, Portillo Concrete, Inc. was found to be the lowest responsive and responsible bidder with a total bid amount of \$149,545.00; and

WHEREAS, staff recommends awarding the construction contract to Portillo Concrete, Inc. in the amount of \$149,545.00; and

WHEREAS, staff requests authorization for the Director of Development Services to approve changes orders in a total amount not to exceed \$37,386.00 for unforeseen change orders and additional work; and

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

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

Section 1. The construction contract for the Citywide Concrete Repair and Replacement Program 2020, (CIP 2020-07) is awarded to Portillo Concrete, Inc. in the amount of \$149,545.00 and the City Manager is authorized to execute the contract on behalf of the City.

Section 2. The Director of Development Services is authorized to approve change orders in an amount not to exceed \$37,386.00 for unforeseen items and additional work.

RESOLUTION NO. _____

ADOPTED by the City Council of the City of Santee, California, at a Regular meeting thereof held this 25th day of March, 2020, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

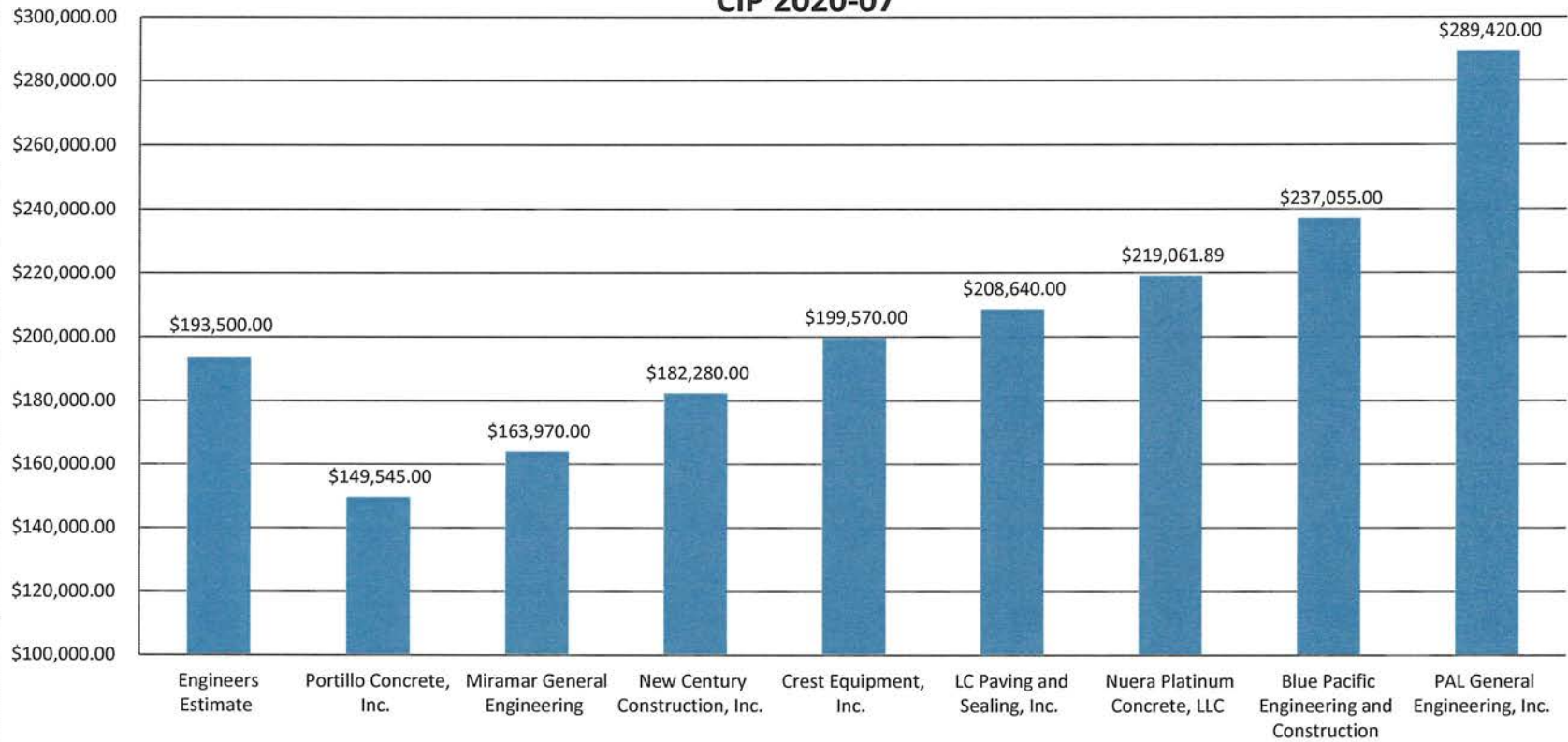
APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, CMC, CITY CLERK

CITYWIDE CONCRETE REPAIR AND REPLACEMENT PROGRAM 2020 CIP 2020-07



City of Santee
COUNCIL AGENDA STATEMENT

Item 12

MEETING DATE March 25, 2020

AGENDA ITEM NO.

ITEM TITLE **APPROVAL OF SEVEN TEMPLATE RESOLUTIONS FOR EMERGENCY OPERATIONS**

DIRECTOR/DEPARTMENT Annette Ortiz, City Clerk *AO*

SUMMARY

The City Clerk is the Emergency Operations Center (EOC) Legislative Liaison responsible for preparing resolutions as part of the City's emergency planning and response to local emergencies and disasters. In the event of an emergency, the City Clerk has a box that contains items needed in order to continue to conduct City business, including templates for proclamations, minutes, ordinances, agendas, special meeting notices and oaths of office.

The attached seven resolutions are templates for various emergency situations that would allow the City Council or the City Manager, acting as the Director of Emergency Services, to proclaim or confirm the existence of a local emergency, request assistance from the state, concurrence of a local emergency or proclaim termination of a local emergency.

FINANCIAL STATEMENT *m*

N/A

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MAB*

Approve the attached template Resolutions to be utilized in the event of a local emergency.

ATTACHMENTS

EOC Resolutions:

1. EOC-015A – Declaring the existence of a local emergency (City Council)
2. EOC-015B – Proclaiming the existence of a local emergency (City Manager)
3. EOC-015C – Confirming the existence of a local emergency (City Council)
4. EOC-015D – Requesting Governor to proclaim a state of emergency (City Council)
5. EOC-015E – Confirming the existence of a local emergency (City Council)
6. EOC-015F – Office of emergency services' concurrence in local emergencies (City Council)
7. EOC-015G – Proclaiming termination of local emergency (City Council)

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA
DECLARING THE EXISTENCE OF A LOCAL EMERGENCY**

WHEREAS, Ordinance No. 344 of the City of Santee ("City") empowers the City Council to declare the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity; and

WHEREAS, the City of Santee Director of Emergency Services has requested that the City Council declare the existence of a local emergency in the City; and

WHEREAS, the City Council does hereby find:

That conditions of extreme peril to the safety of persons and property have arisen within the City, caused by _____; (*fire, flood, storm, pandemic, epidemic, riot, earthquake, drought, energy shortage, or other causes*) commencing on or about __.m. on the _____ day of _____, 20__; and

That the aforesaid conditions of extreme peril warrant and necessitate the declaration of the existence of a local emergency;

NOW, THEREFORE, IT IS HEREBY DECLARED that a local emergency now exists throughout the City; and

IT IS HEREBY FURTHER DECLARED AND ORDERED that during the existence of the local emergency the powers, functions, and duties of the EOC Director and the emergency organization of this City shall be those prescribed by state law, by ordinances, and resolutions of this City and approved by the City Council on _____, 20____; and

IT IS FURTHER DECLARED AND ORDERED that said local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of Santee, State of California.

RESOLUTION NO. _____

ADOPTED by the City Council of the City of Santee, California, on this _____ day of _____, 20__ by the following vote to wit:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

APPROVED:

MAYOR

ATTEST:

CITY CLERK

I, _____ City Clerk of the City of Santee, California, do hereby certify the foregoing Resolution No. _____ was duly passed, approved and adopted by the City Council of the City of Santee at a [Regular or Special] meeting of the City Council held on the _____ day of _____, 20__.

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA,
BY THE DIRECTOR OF EMERGENCY SERVICES, PROCLAIMING THE
EXISTENCE OF A LOCAL EMERGENCY**

WHEREAS, Ordinance No. 344 of the City of Santee ("City") empowers the City Council to proclaim the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity and the City Council is not in session; and

WHEREAS, the City of Santee, Director of Emergency Services does hereby find;

That conditions of extreme peril to the safety of persons and property have arisen within the City, caused by _____; and (*fire, flood, storm, pandemic, epidemic, riot, earthquake, drought, energy shortage, or other causes*)

That the City Council of the City of Santee is not in session (and cannot immediately be called into session);

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists throughout the City; and

IT IS HEREBY FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law, by ordinances, and resolutions of this City and by the City of Santee SEMS Multi-hazard Functional Plan, as approved by the City Council on _____, 20__.

Dated: _____

By: _____
Director of Emergency Services
City of Santee

RESOLUTION NO. _____

ADOPTED by the City Council of the City of Santee, California, on this _____ day of _____, 20__ by the following vote to wit:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

APPROVED:

MAYOR

ATTEST:

CITY CLERK

I, _____ City Clerk of the City of Santee, California, do hereby certify the foregoing Resolution No. _____ was duly passed, approved and adopted by the City Council of the City of Santee at a [Regular or Special] meeting of the City Council held on the _____ day of _____, 20__.

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE,
CALIFORNIA CONFIRMING EXISTENCE OF A LOCAL EMERGENCY***

WHEREAS, Ordinance No. 344 of the City of Santee ("City") empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity and the City Council is not in session, subject to ratification by the City Council within seven days; and

WHEREAS, conditions of extreme peril to the safety of persons and property have arisen within this City, caused by _____
(*fire, flood, storm, pandemic, epidemic, riot, earthquake, drought, energy shortage, or other causes*) commencing on or about _____ m. on the _____ day of _____, 20_____, at which time the City Council of the City of Santee was not in session; and

WHEREAS, the City Council does hereby find that the aforesaid conditions of extreme peril did warrant and necessitate the proclamation of the existence of a local emergency; and

WHEREAS, the Director of Emergency Services of the City of Santee did proclaim the existence of a local emergency within the City on the _____ day of _____, 20_____;

NOW THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED that the local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of Santee, State of California.

RESOLUTION NO. _____

ADOPTED by the City Council of the City of Santee, California, on this _____ day of _____, 2020 by the following vote to wit:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

APPROVED:

MAYOR

ATTEST:

CITY CLERK

I, _____ City Clerk of the City of Santee, California, do hereby certify the foregoing Resolution No. _____ was duly passed, approved and adopted by the City council at a meeting of the City of Santee held on the _____ day of _____, 20__.

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE,
CALIFORNIA REQUESTING GOVERNOR TO PROCLAIM A
STATE OF EMERGENCY**

WHEREAS, on _____, 20_____, the City Council of the City of Santee ("City) found that due to _____
_____ (*fire, flood, storm, pandemic, epidemic, riot, earthquake, drought, energy shortage, or other causes*) a condition of extreme peril to life and property did exist within said City; and

WHEREAS, in accordance with state law, the City Council proclaimed an emergency did exist throughout the City; and

WHEREAS, it has now been found that local resources are unable to cope with the effects of said emergency;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED that a copy of this resolution be forwarded to the Governor of California with the request that he proclaim the City of Santee to be in a state of emergency; and

IT IS FURTHER ORDERED that a copy of this resolution be forwarded to the State Director of the Office of Emergency Services; and

IT IS FURTHER RESOLVED that _____, Director of Emergency Services, is hereby designated as the authorized representative for individual assistance of the City of Santee for the purpose of receipt, processing, and coordination of all inquiries and requirements necessary to obtain available state and federal assistance.

RESOLUTION NO. _____

ADOPTED by the City Council of the City of Santee, California, on this _____ day of _____, 20____ by the following vote to wit:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

APPROVED:

MAYOR

ATTEST:

CITY CLERK

I, _____ City Clerk of the City of Santee, California, do hereby certify the foregoing Resolution No. _____ was duly passed, approved and adopted by the City Council of the City of Santee at a [Regular or Special] meeting of the City Council held on the _____ day of _____, 20____.

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA
PROCLAIMING EXISTENCE OF A LOCAL EMERGENCY AND REQUESTING
GOVERNOR TO (1) PROCLAIM A STATE OF EMERGENCY; AND (2) REQUEST A
PRESIDENTIAL DECLARATION**

WHEREAS, Ordinance No. 344 of the City of Santee ("City") empowers the City of Santee Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity; and

WHEREAS, the City Council has been requested by the Director of Emergency Services to proclaim the existence of a local emergency therein; and

WHEREAS, the City Council does hereby find:

That conditions of extreme peril to the safety of persons and property have arisen within the City, caused by _____; (*fire, flood, storm, pandemic, epidemic, riot, earthquake, drought, energy shortage, or other causes*) and

That the aforesaid conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists throughout the City; and

IT IS HEREBY FURTHER PROCLAIMED AND ORDERED that during the existence of the local emergency, the powers, functions, and duties of the Director of Emergency Services and the emergency organization of this City shall be those prescribed by state law, by Ordinances, and Resolutions of this City and approved by the City Council on _____, 20__; and

WHEREAS it has now been found that local resources are unable to cope with the effects of the emergency;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED that a copy of this Resolution be forwarded to the Governor of California with the request that he proclaim the City of Santee to be in a state of emergency; and further that the Governor request a Presidential Declaration.

IT IS FURTHER ORDERED that a copy of this Resolution be forwarded to the State Director of the Office of Emergency Services.

IT IS FURTHER RESOLVED THAT _____, (Title) _____, is designated as the local Hazard Mitigation Coordinator of the City of Santee for

RESOLUTION NO. _____

the purpose of assessing damage within the City and consulting with Federal/State survey teams about hazard mitigation actions; and

IT IS FURTHER RESOLVED that _____, (Title) _____, is hereby designated as the authorized representative for public assistance and _____, (Title) _____ is hereby designated as the authorized representative for individual assistance of the City of Santee for the purpose of receipt, processing, and coordination of all inquiries and requirements necessary to obtain available state and federal assistance.

IT IS FURTHER PROCLAIMED AND ORDERED that the local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of Santee, State of California.

ADOPTED by the City Council of the City of Santee, California, on this _____ day of _____, 20__ by the following vote to wit:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

APPROVED:

MAYOR

ATTEST:

CITY CLERK

I, _____ City Clerk of the City of Santee, California, do hereby certify the foregoing Resolution No. _____ was duly passed, approved and adopted by the City Council of the City of Santee at a [Regular or Special] meeting of the City Council held on the _____ day of _____, 20__.

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA
REQUESTING STATE DIRECTOR, OFFICE OF EMERGENCY SERVICES'
CONCURRENCE IN LOCAL EMERGENCIES*

WHEREAS, on _____, 20____, the City Council of the City of Santee ("City") found that due to _____; (fire, flood, storm, pandemic, epidemic, riot, earthquake, drought, energy shortage, or other causes) a condition of extreme peril to life and property did exist within the City; and

WHEREAS, in accordance with state law the City Council now proclaims an emergency does exist throughout the City; and

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED that a copy of this Resolution be forwarded to the State Director of the Office of Emergency Services with a request that he find it acceptable in accordance with provisions of the Natural Disaster Assistance Act; and

IT IS FURTHER RESOLVED that _____, Director of Emergency Services, is hereby designated as the authorized representative of the City of Santee for the purpose of receipt, processing, and coordination of all inquiries and requirements necessary to obtain available state assistance.

ADOPTED by the City Council of the City of Santee, California, on this _____ day of _____, 20____ by the following vote to wit:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

APPROVED:

MAYOR

ATTEST:

CITY CLERK

I, _____ City Clerk of the City of Santee, California, do hereby certify the foregoing Resolution No. _____ was duly passed, approved and adopted by the City Council of the City of Santee at a [Regular or Special] meeting of the City Council held on the _____ day of _____, 20____.

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA
PROCLAIMING TERMINATION OF LOCAL EMERGENCY**

WHEREAS, a local emergency existed in the City of Santee ("City") in accordance with the Resolution thereof by the City Council on the _____ day of _____, 20____,

or

The City of Santee Director of Emergency Services on the _____ day of _____, 20____, and its ratification by the City Council on the _____ day of _____, 20____,

as a result of conditions of extreme peril to the safety of persons and property caused by _____; and (*fire, flood, storm, pandemic, epidemic, riot, earthquake, drought, energy shortage, or other causes*)

WHEREAS, the situation resulting from the conditions of extreme peril is now deemed to be within the control of the normal protective services, personnel, equipment, and facilities of and within the City of Santee;

NOW, THEREFORE, the City Council of the City of Santee, State of California, does hereby proclaim the termination of the local emergency.

ADOPTED by the City Council of the City of Santee, California, on this _____ day of _____, 20____ by the following vote to wit:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

APPROVED:

MAYOR

ATTEST:

CITY CLERK

I, _____ City Clerk of the City of Santee, California, do hereby certify the foregoing Resolution No. _____ was duly passed, approved and adopted by the City Council of the City of Santee at a [Regular or Special] meeting of the City Council held on the _____ day of _____, 20____.

City of Santee
COUNCIL AGENDA STATEMENT

Item 13

MEETING DATE March 25, 2020

AGENDA ITEM NO.

ITEM TITLE **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE
ADOPTING A LOCAL SUCCESSION OF GOVERNANCE DURING TIMES
OF DISASTER**

DIRECTOR/DEPARTMENT Marlene Best, City Manager

SUMMARY

On August 9, 2006, the City adopted a Resolution adopting a local succession plan of governance during times of disaster. The plan includes a position that no longer exists ("Chair of the Human Relations Advisory Board"), so the plan has been updated per the attached Resolution. The revised succession of governance with standby officers includes the following:

(1) Chair of the Santee Park and Recreation Committee; (2) Chair of the Salary Setting Committee; (3) Chair of the Manufactured Home Fair Practices Commission (4) Vice Chair of Santee Park and Recreation Committee; (5) Vice Chair of the Chair of the Salary Setting Committee; (6) Vice Chair of the Manufactured Home Fair Practices Commission

ENVIRONMENTAL REVIEW

This recommended action is categorically exempt from environmental review under the California Environmental Quality Act ("CEQA") by Guidelines section 15060(c)(2) (the action will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a protect as defined in Section 15378).

FINANCIAL STATEMENT *Jm*

None.

CITY ATTORNEY REVIEW

N/A Completed

RECOMMENDATION *MSSB*

Adopt Resolution

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA,
ADOPTING A LOCAL SUCCESSION OF GOVERNANCE DURING TIMES OF DISASTER**

WHEREAS, on July 12, 2006, the City Council adopted the Santee Disaster Preparedness Committee Report and Action Plan, and

WHEREAS, on August 6, 2006, the City Council adopted a local succession of governance during times of disaster; and

WHEREAS, City Council, as the governing body of the City of Santee, desires to preserve law and order and to continue functioning during times of a disaster; and

WHEREAS, during an emergency situation, a member of the governing body may be "unavailable"; and

WHEREAS, the Emergency Services Act (Government Code, Title 2, Division I, Chapter 7, Article 15, Section 8635-8644) provides the authority and procedures to ensure continued functioning of political subdivisions within the State of California. It permits the appointment of up to three standby officers for each member of the governing body.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Santee, California, that the Council does hereby adopt a local succession of governance with standby officers in the following sequence: (1) Chair of the Santee Park and Recreation Committee; (2) Chair of the Salary Setting Advisory Committee; (3) Chair of the Manufactured Home Fair Practices Commission (4) Vice Chair of Santee Park and Recreation Committee; (5) Vice Chair of the Salary Setting Advisory Committee; (6) Vice Chair of the Manufactured Home Fair Practices Commission.

ADOPTED by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 25th day of March, 2020, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

JOHN W. MINTO, MAYOR

ATTEST:

ANNETTE ORTIZ, CMC, CITY CLERK

- (14) Resolution declaring the existence of a local emergency regarding Novel Coronavirus (COVID-19) and ratifying the Proclamation of the Director of Emergency Services. (City Manager – Best)

Recommendation:

Adopt attached Resolution Option A or Option B.

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RESOLUTION NO. ____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE DECLARING THE EXISTENCE OF A LOCAL EMERGENCY REGARDING NOVEL CORONAVIRUS (COVID-19) AND RATIFYING THE PROCLAMATION OF THE DIRECTOR OF EMERGENCY SERVICES

WHEREAS, COVID-19 has spread globally to over 182 countries, infecting more than 240,000 persons and killing more than 10,000 individuals worldwide. As of March 20, 2020, there were 105 cases in San Diego County. Due to the expanding list of countries experiencing sustained or uncontrolled community transmission issued by the Centers for Disease Control and Prevention ("CDC"), the escalation of United States domestic cases of and death from COVID-19, and the identification of COVID-19 cases in California, including San Diego County, COVID-19 has created conditions that are likely to be beyond the control of local resources and require the combined forces of other political subdivisions to combat; and

WHEREAS, on February 26, 2020, the CDC confirmed the first possible case of community transmission of COVID-19 in the United States. On February 14, 2020, the Health Officer of San Diego County determined that there is an imminent and proximate threat to the public health from the introduction of COVID-19 in San Diego County and declared a Local Health Emergency and the San Diego County Board of Supervisors ratified the existence of a local emergency for the County of San Diego; and

WHEREAS, on March 4, 2020, California Governor Gavin Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for broader spread of COVID-19; and

WHEREAS, on March 11, 2020, the World Health Organization (WHO) publicly characterized COVID-19 as a pandemic; and

WHEREAS, on March 12, 2020, Governor Newsom issued Executive Order N-25-20 in a further effort to confront and contain COVID-19 that among other things suspended certain provisions of the Ralph M. Brown Act providing local agencies with greater flexibility to hold meetings via teleconferencing; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency due to the continued spread and the effects of COVID-19; and

WHEREAS, on March 19, 2020, Governor Newsom issued Executive Order N-33-2-0, ordering all individuals living in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal government critical infrastructure sectors; and

WHEREAS, the City's ability to mobilize local resources, coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and seek future reimbursement by the State and Federal governments will be critical to successfully responding to COVID-19; and

RESOLUTION NO. _____

WHEREAS, California Government Code Section 8630, et seq., and City of Santee Municipal Code Section 2.23.060 empowers the Director of Emergency Services to proclaim the existence of a local emergency to protect and preserve the public welfare when the City is affected or likely to be affected by a public calamity; and

WHEREAS, on March 18, 2020, the Director of Emergency Services, did proclaim the existence of a local emergency; and

WHEREAS, the City Council does hereby find the following:

1. That the spread and potential further spread of COVID-19 constitutes a situation that severely impairs the public health and safety within the City of Santee and constitutes conditions of extreme peril to the safety of persons and property within the City of Santee;
2. That these conditions are likely to be beyond the control of the services, personnel, equipment, and facilities of the City of Santee;
3. That the conditions of extreme peril warrant and necessitate the declaration of the existence of a local emergency; and

WHEREAS, a declaration of a local emergency will assist in a coordinated public health response to reduce transmission and illness severity, provide assistance to health care providers, coordinate and mitigate public services that may be disrupted by this emergency, and mitigate any other effects of this emergency on the citizens of the City; and

WHEREAS, under Government Code Section 8630(b), a proclamation of local emergency must be ratified by the City Council within seven (7) days to remain in effect; and

WHEREAS, Government Code Section 8630 generally requires the City Council to review the need for continuing the local emergency at least every sixty (60) days, but as part of Governor Newsom's March 4, 2020, Declaration of a State of Emergency in California due to COVID-19, this provision has been waived for the duration of the statewide emergency, allowing the City to maintain its emergency in place until terminated by the City Council; and

WHEREAS, the Governor of the State of California has stated that individuals exposed to COVID-19 may be temporarily unable to report to work due to illness caused by COVID-19 or quarantines related to COVID-19 and individuals directly affected by COVID-19 may experience potential loss of income, health care and medical coverage, and the ability to pay for housing and basic needs, thereby placing increased demands on already strained regional and local health and safety resources, including shelters and food banks; and

WHEREAS, further economic impacts are anticipated, leaving tenants vulnerable to eviction; and

RESOLUTION NO. _____

WHEREAS, during this local emergency, and in the interest of protecting the public health and preventing transmission of COVID-19, it is essential to avoid unnecessary housing displacement, to protect the City's affordable housing stock, and to prevent housed individuals from falling into homelessness; and

WHEREAS, loss of income as a result of COVID-19 may inhibit City residents and businesses from fulfilling their financial obligations, including public utility payments such as water and sewage charges and parking penalties; and

WHEREAS, ensuring that all people in the City continue to have access to running water during this public health crisis will enable compliance with public health directives that people regularly wash their hands will help to prevent the further spread of COVID-19; and

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, it is necessary to exercise authority to issue this regulation related to the protection of life and property; and

WHEREAS, the City Council desires to declare a local emergency and ratify the proclamation of a local emergency by the Director of Emergency Services.

NOW, THEREFORE, IT IS HEREBY DECLARED by the City Council that a local emergency exists throughout the City of Santee, and the City Council ratifies the proclamation by the Director of Emergency Services, proclaiming the existence of local emergency caused by the spread of COVID-19 issued on March 18, 2020.

IT IS FURTHER DECLARED AND RESOLVED that, as authorized in Government Code Sections 8630 and City of Santee Municipal Code Section 2.32.060, and based on the foregoing, an "emergency" as defined in Government Code Section 54956.5(a) and City of Santee Municipal Code Section 2.32.020 and a "local emergency" as defined in Government Code Section 8558(c) hereby exists within the territorial jurisdiction of the City of Santee and are deemed to continue to exist until its termination is declared by the City Council.

IT IS HEREBY FURTHER DECLARED AND RESOLVED that the City Manager, acting as the Director of Emergency Services, is hereby authorized to furnish information, to promulgate orders and regulations necessary to provide for the protection of life and property pursuant to California Government Code Section 8634, to enter into agreements and to take all actions necessary to obtain State emergency assistance to implement preventive measures to protect and preserve the residents of the City within the scope of the local emergency hereby declared.

IT IS FURTHER DECLARED AND RESOLVED that pursuant to California Penal Code Section 396, it is unlawful for any person or business of the City of Santee to charge more than 10% higher than the price charged by that person or business 30 days after the declaration of this local emergency; and that pursuant to that statute, the City Council shall have the authority to extend the price controls for additional 30-day periods as needed to protect the lives, property, or welfare of the citizens.

RESOLUTION NO. ____

IT IS FURTHER DECLARED AND RESOLVED that a temporary moratorium on eviction for non-payment of rent by residential tenants impacted by the COVID-19 crisis is imposed as follows:

1. During the period of local emergency declared in response to COVID-19, no landlord shall endeavor to evict a tenant in either of the following situations: (1) for nonpayment of rent if the tenant demonstrates that the tenant is unable to pay rent due to financial impacts related to COVID-19 or (2) for a no-fault eviction unless necessary for the health and safety of tenants, neighbors, or the landlord. A landlord who knows that a tenant cannot pay some or all of the rent temporarily for the reasons set forth above shall not serve a notice pursuant to Code of Civil Procedure section, file or prosecute an unlawful detainer action based on a 3-day pay or quit notice, or otherwise seek to evict for nonpayment of rent. A landlord knows of a tenant's inability to pay rent within the meaning of this Resolution if the tenant, within 30 days after the date that rent is due, notifies the landlord in writing of lost income and inability to pay full rent due to financial impacts related to COVID-19, and provides documentation to support the claim. For purposes of this Resolution, "in writing" includes email or text communications to a landlord or the landlord's representative with whom the tenant has previously corresponded by email or text. Any medical or financial information provided to the landlord shall be held in confidence, and only used for evaluating the tenant's claim. Nothing in this Resolution shall relieve the tenant of liability for the unpaid rent, which the landlord may seek after expiration of the local emergency and the tenant must pay within six months of the expiration of the local emergency. A landlord may not charge or collect a late fee for rent that is delayed for the reasons stated in this Resolution; nor may a landlord seek rent that is delayed or the reasons stated in this Resolution through the eviction process.
2. For purposes of this Resolution, "financial impacts related to COVID-19" include, but are not limited to, tenant lost household income as a result of any of the following: (1) being sick with COVID-19, or caring for a household or family member who is sick with COVID-19; (2) lay-off, loss of hours, or other income reduction resulting from business closure or other economic or employer impacts of COVID-19; (3) compliance with a recommendation from a government health authority to stay home, self-quarantine, or avoid congregating with others during the state of emergency; (4) extraordinary out-of-pocket medical expenses; or (5) child care needs arising from school closures related to COVID-19.
3. For purposes of this Resolution, "no-fault eviction" refers to any eviction for which the notice to terminate tenancy is not based on alleged fault by the tenant, including but not limited to eviction notices served pursuant to Code of Civil Procedure sections 1161(1), 1161(5), or 1161c.

RESOLUTION NO. ____

4. This Resolution applies to nonpayment eviction notices, no-fault eviction notices, and unlawful detainer actions based on such notices, served or filed on or after the date on which a local emergency was declared.
5. This Resolution grants a defense in the event that an unlawful detainer action is commenced in violation of this Resolution.
6. This Resolution shall be superseded by any duly enacted ordinance or resolution of the City Council or an order by the Director of Emergency Services adopted during the local emergency that expressly supersedes this Resolution.

IT IS FURTHER DECLARED AND RESOLVED that as a result of the local emergency, for a period of 60 days from the date of this Resolution, the City hereby suspends the imposition of late payment penalties or fees for parking violations.

IT IS FURTHER DECLARED AND RESOLVED that the City Council will utilize, to the extent reasonably feasible and appropriate, the ability to conduct its Council Meetings via teleconferencing and other electronic means to permit Council Members and members of the public to adopt social distancing to the greatest extent possible while still proceeding with the efficient handling of the City's business, in compliance with California Executive Order N-33-20.

IT IS FURTHER DECLARED AND RESOLVED that a copy of this declaration be forwarded to the Director of California Governor's Office of Emergency Services requesting that the Director find it acceptable in accordance with State law; that the Governor of California, pursuant to the Emergency Services Act, declare an emergency in San Diego County and waive regulations that may hinder response and recovery efforts; that recovery assistance be made available under the California Disaster Assistance Act; and that the State expedite access to State and Federal resources and any other appropriate federal disaster relief programs.

IT IS HEREBY FURTHER DECLARED AND RESOLVED that during the existence of said local emergency, the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law, and the ordinances, and resolutions heretofore and hereafter adopted by the City Council.

RESOLUTION NO. _____

PASSED, APPROVED and ADOPTED by the City Council of the City of Santee at a regular meeting of said Council held on the 25th of March, 2020, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

Mayor, City of Santee

ATTEST:

City Clerk

APPROVED AS TO FORM:
BEST, BEST & KRIEGER LLP

City Attorney

Attachment 1: Proclamation by the Director of Emergency Services (March 18, 2020)

**PROCLAMATION BY THE DIRECTOR OF EMERGENCY SERVICES, PROCLAIMING
THE EXISTENCE OF A LOCAL EMERGENCY REGARDING NOVEL CORONAVIRUS
(COVID-19)**

WHEREAS, the federal Centers for Disease Control and Prevention (“CDC”) has confirmed multiple cases of individuals who have severe respiratory illness caused by a novel coronavirus, called COVID-19, as well as deaths caused by this illness; and

WHEREAS, the World Health Organization declared COVID-19 a pandemic, and the CDC announced that community spread of COVID-19 is likely to occur in the United States; and

WHEREAS, on March 4, 2020 California Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for broader spread of COVID-19; and

WHEREAS, the increase of reported cases and deaths associated with COVID-19 has also prompted the County of San Diego and the Health and Human Services Agency to declare a local and public health emergency; and

WHEREAS, the imminent and proximate threat of introduction of COVID-19 in the City of Santee threatens the safety and health of City residents; and

WHEREAS, California Government Code Section 8630 and Santee Municipal Code section 2.23.060 empowers the Director of Emergency Services to proclaim the existence of a local emergency to protect and preserve public welfare when the City is affected or likely to be affected by a public calamity; and

WHEREAS, a proclamation of a local emergency will assist in a coordinated public health response to reduce transmission and illness severity, provide assistance to health care providers, coordinate and mitigate public services that may be disrupted from this emergency, and mitigate any other effects of this emergency on the citizens of the City; and

WHEREAS, under Government Code section 8630(b), a proclamation of local emergency must be ratified by the City Council within seven (7) days to remain in effect; and

WHEREAS, Government Code section 8630 generally requires the City Council to review the need for continuing the local emergency at least every sixty (60) days, but as part of Governor Gavin Newsom’s March 4, 2020 Declaration of a State of Emergency in California due to COVID-19, this provision has been waived for the

duration of the statewide emergency, allowing the City to maintain its emergency in place until terminated by the City Council; and

WHEREAS, Ordinance No. 344 of the City of Santee ("City") empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity and the City Council is not in session; and

WHEREAS, Pursuant to California Government Code section 8630 and Santee Municipal Code section 2.23.060, the City of Santee, Director of Emergency Services does hereby find;

Section 1. A local emergency caused by conditions or threatened conditions of COVID-19 in Santee, which constitutes an extreme peril of health and safety of persons within the territorial limits of the City.

Section 2. The local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council.

Section 3. Pursuant to California Penal Code section 396, it is unlawful for any person or business of the City of Santee to charge more than 10% higher than the price charged by that person or business 30 days after the proclamation this local emergency. The statute also authorizes the City Council to extend the price controls for additional 30-day period as needed to protect the lives, property or welfare of the citizens.

Section 4. During the existence of said local emergency, the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law, ordinances, and resolutions of this City of Santee.

Section 5. That the City Council of the City of Santee is not in session (and cannot immediately be called into session).

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists throughout the City; and

IT IS HEREBY FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law, by ordinances, and resolutions of this City and by the City of Santee SEMS Multi-hazard Functional Plan.

Dated: 3/18/20

By: Mark A. Best
Director of Emergency Services
City of Santee

RESOLUTION NO. ____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE DECLARING THE EXISTENCE OF A LOCAL EMERGENCY REGARDING NOVEL CORONAVIRUS (COVID-19) AND RATIFYING THE PROCLAMATION OF THE DIRECTOR OF EMERGENCY SERVICES

WHEREAS, COVID-19 has spread globally to over 182 countries, infecting more than 240,000 persons and killing more than 10,000 individuals worldwide. As of March 20, 2020, there were 105 cases in San Diego County. Due to the expanding list of countries experiencing sustained or uncontrolled community transmission issued by the Centers for Disease Control and Prevention ("CDC"), the escalation of United States domestic cases of and death from COVID-19, and the identification of COVID-19 cases in California, including San Diego County, COVID-19 has created conditions that are likely to be beyond the control of local resources and require the combined forces of other political subdivisions to combat; and

WHEREAS, on February 26, 2020, the CDC confirmed the first possible case of community transmission of COVID-19 in the United States. On February 14, 2020, the Health Officer of San Diego County determined that there is an imminent and proximate threat to the public health from the introduction of COVID-19 in San Diego County and declared a Local Health Emergency and the San Diego County Board of Supervisors ratified the existence of a local emergency for the County of San Diego; and

WHEREAS, on March 4, 2020, California Governor Gavin Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for broader spread of COVID-19; and

WHEREAS, on March 11, 2020, the World Health Organization (WHO) publicly characterized COVID-19 as a pandemic; and

WHEREAS, on March 12, 2020, Governor Newsom issued Executive Order N-25-20 in a further effort to confront and contain COVID-19 that among other things suspended certain provisions of the Ralph M. Brown Act providing local agencies with greater flexibility to hold meetings via teleconferencing; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency due to the continued spread and the effects of COVID-19; and

WHEREAS, on March 19, 2020, Governor Newsom issued Executive Order N-33-2-0, ordering all individuals living in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal government critical infrastructure sectors; and

WHEREAS, the City's ability to mobilize local resources, coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and seek future reimbursement by the State and Federal governments will be critical to successfully responding to COVID-19; and

RESOLUTION NO. _____

WHEREAS, California Government Code Section 8630, et seq., and City of Santee Municipal Code Section 2.23.060 empowers the Director of Emergency Services to proclaim the existence of a local emergency to protect and preserve the public welfare when the City is affected or likely to be affected by a public calamity; and

WHEREAS, on March 18, 2020, the Director of Emergency Services, did proclaim the existence of a local emergency; and

WHEREAS, the City Council does hereby find the following:

1. That the spread and potential further spread of COVID-19 constitutes a situation that severely impairs the public health and safety within the City of Santee and constitutes conditions of extreme peril to the safety of persons and property within the City of Santee;
2. That these conditions are likely to be beyond the control of the services, personnel, equipment, and facilities of the City of Santee;
3. That the conditions of extreme peril warrant and necessitate the declaration of the existence of a local emergency; and

WHEREAS, a declaration of a local emergency will assist in a coordinated public health response to reduce transmission and illness severity, provide assistance to health care providers, coordinate and mitigate public services that may be disrupted by this emergency, and mitigate any other effects of this emergency on the citizens of the City; and

WHEREAS, under Government Code Section 8630(b), a proclamation of local emergency must be ratified by the City Council within seven (7) days to remain in effect; and

WHEREAS, Government Code Section 8630 generally requires the City Council to review the need for continuing the local emergency at least every sixty (60) days, but as part of Governor Newsom's March 4, 2020, Declaration of a State of Emergency in California due to COVID-19, this provision has been waived for the duration of the statewide emergency, allowing the City to maintain its emergency in place until terminated by the City Council; and

WHEREAS, the Governor of the State of California has stated that individuals exposed to COVID-19 may be temporarily unable to report to work due to illness caused by COVID-19 or quarantines related to COVID-19 and individuals directly affected by COVID-19 may experience potential loss of income, health care and medical coverage, and the ability to pay for housing and basic needs, thereby placing increased demands on already strained regional and local health and safety resources, including shelters and food banks; and

RESOLUTION NO. _____

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, it is necessary to exercise authority to issue this regulation related to the protection of life and property; and

WHEREAS, the City Council desires to declare a local emergency and ratify the proclamation of a local emergency by the Director of Emergency Services.

NOW, THEREFORE, IT IS HEREBY DECLARED by the City Council that a local emergency exists throughout the City of Santee, and the City Council ratifies the proclamation by the Director of Emergency Services, proclaiming the existence of local emergency caused by the spread of COVID-19 issued on March 18, 2020.

IT IS FURTHER DECLARED AND RESOLVED that, as authorized in Government Code Sections 8630 and City of Santee Municipal Code Section 2.32.060, and based on the foregoing, an "emergency" as defined in Government Code Section 54956.5(a) and City of Santee Municipal Code Section 2.32.020 and a "local emergency" as defined in Government Code Section 8558(c) hereby exists within the territorial jurisdiction of the City of Santee and are deemed to continue to exist until its termination is declared by the City Council.

IT IS HEREBY FURTHER DECLARED AND RESOLVED that the City Manager, acting as the Director of Emergency Services, is hereby authorized to furnish information, to promulgate orders and regulations necessary to provide for the protection of life and property pursuant to California Government Code Section 8634, to enter into agreements and to take all actions necessary to obtain State emergency assistance to implement preventive measures to protect and preserve the residents of the City within the scope of the local emergency hereby declared.

IT IS FURTHER DECLARED AND RESOLVED that pursuant to California Penal Code Section 396, it is unlawful for any person or business of the City of Santee to charge more than 10% higher than the price charged by that person or business 30 days after the declaration of this local emergency; and that pursuant to that statute, the City Council shall have the authority to extend the price controls for additional 30-day periods as needed to protect the lives, property, or welfare of the citizens.

IT IS FURTHER DECLARED AND RESOLVED that as a result of the local emergency, for a period of 60 days from the date of this Resolution, the City hereby suspends the imposition of late payment penalties or fees for parking violations.

IT IS FURTHER DECLARED AND RESOLVED that the City Council will utilize, to the extent reasonably feasible and appropriate, the ability to conduct its Council Meetings via teleconferencing and other electronic means to permit Council Members and members of the public to adopt social distancing to the greatest extent possible while still proceeding with the efficient handling of the City's business, in compliance with California Executive Order N-33-20.

IT IS FURTHER DECLARED AND RESOLVED that a copy of this declaration be forwarded to the Director of California Governor's Office of Emergency Services

RESOLUTION NO. _____

requesting that the Director find it acceptable in accordance with State law; that the Governor of California, pursuant to the Emergency Services Act, declare an emergency in San Diego County and waive regulations that may hinder response and recovery efforts; that recovery assistance be made available under the California Disaster Assistance Act; and that the State expedite access to State and Federal resources and any other appropriate federal disaster relief programs.

IT IS HEREBY FURTHER DECLARED AND RESOLVED that during the existence of said local emergency, the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law, and the ordinances, and resolutions heretofore and hereafter adopted by the City Council.

PASSED, APPROVED and ADOPTED by the City Council of the City of Santee at a regular meeting of said Council held on the 25th of March, 2020, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

Mayor, City of Santee

ATTEST:

City Clerk

APPROVED AS TO FORM:
BEST, BEST & KRIEGER LLP

City Attorney

Attachment 1: Proclamation by the Director of Emergency Services (March 18, 2020)

**PROCLAMATION BY THE DIRECTOR OF EMERGENCY SERVICES, PROCLAIMING
THE EXISTENCE OF A LOCAL EMERGENCY REGARDING NOVEL CORONAVIRUS
(COVID-19)**

WHEREAS, the federal Centers for Disease Control and Prevention (“CDC”) has confirmed multiple cases of individuals who have severe respiratory illness caused by a novel coronavirus, called COVID-19, as well as deaths caused by this illness; and

WHEREAS, the World Health Organization declared COVID-19 a pandemic, and the CDC announced that community spread of COVID-19 is likely to occur in the United States; and

WHEREAS, on March 4, 2020 California Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for broader spread of COVID-19; and

WHEREAS, the increase of reported cases and deaths associated with COVID-19 has also prompted the County of San Diego and the Health and Human Services Agency to declare a local and public health emergency; and

WHEREAS, the imminent and proximate threat of introduction of COVID-19 in the City of Santee threatens the safety and health of City residents; and

WHEREAS, California Government Code Section 8630 and Santee Municipal Code section 2.23.060 empowers the Director of Emergency Services to proclaim the existence of a local emergency to protect and preserve public welfare when the City is affected or likely to be affected by a public calamity; and

WHEREAS, a proclamation of a local emergency will assist in a coordinated public health response to reduce transmission and illness severity, provide assistance to health care providers, coordinate and mitigate public services that may be disrupted from this emergency, and mitigate any other effects of this emergency on the citizens of the City; and

WHEREAS, under Government Code section 8630(b), a proclamation of local emergency must be ratified by the City Council within seven (7) days to remain in effect; and

WHEREAS, Government Code section 8630 generally requires the City Council to review the need for continuing the local emergency at least every sixty (60) days, but as part of Governor Gavin Newsom’s March 4, 2020 Declaration of a State of Emergency in California due to COVID-19, this provision has been waived for the

duration of the statewide emergency, allowing the City to maintain its emergency in place until terminated by the City Council; and

WHEREAS, Ordinance No. 344 of the City of Santee ("City") empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity and the City Council is not in session; and

WHEREAS, Pursuant to California Government Code section 8630 and Santee Municipal Code section 2.23.060, the City of Santee, Director of Emergency Services does hereby find;

Section 1. A local emergency caused by conditions or threatened conditions of COVID-19 in Santee, which constitutes an extreme peril of health and safety of persons within the territorial limits of the City.

Section 2. The local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council.

Section 3. Pursuant to California Penal Code section 396, it is unlawful for any person or business of the City of Santee to charge more than 10% higher than the price charged by that person or business 30 days after the proclamation this local emergency. The statute also authorizes the City Council to extend the price controls for additional 30-day period as needed to protect the lives, property or welfare of the citizens.

Section 4. During the existence of said local emergency, the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law, ordinances, and resolutions of this City of Santee.

Section 5. That the City Council of the City of Santee is not in session (and cannot immediately be called into session).

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists throughout the City; and

IT IS HEREBY FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law, by ordinances, and resolutions of this City and by the City of Santee SEMS Multi-hazard Functional Plan.

Dated: 3/18/20

By: Mark A. Best
Director of Emergency Services
City of Santee