

City of Santee
Regular Meeting Agenda

Santee City Council
CDC Successor Agency
Santee Public Financing Authority

Council Chamber – Building 2
10601 Magnolia Avenue
Santee, CA 92071

October 26, 2016
7:00 PM

Click on
Blue Text
to jump to
support
material for
that item.

ROLL CALL: Mayor Randy Voepel
Vice Mayor Jack E. Dale
Council Members Ronn Hall, Rob McNelis and John W. Minto

LEGISLATIVE INVOCATION \ PLEDGE OF ALLEGIANCE:

PROCLAMATION: [Interfaith Awareness Week – August 6-10, 2017](#)

PROCLAMATION: [Pancreatic Cancer Awareness Month – November 2016](#)

ITEMS TO BE ADDED, DELETED OR RE-ORDERED ON AGENDA:

1. CONSENT CALENDAR:

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

- (A) **Approval of reading by title only and waiver of reading in full of Ordinances and Resolutions on the agenda.**
- (B) [Approval of Meeting Minutes of the Santee City Council, the CDC Successor Agency and the Santee Public Financing Authority for the September 28, 2016 Regular Meetings.](#)
- (C) **Approval of Payment of Demands as presented.**
- (D) [Approval of the expenditure of \\$62,333.20 for September 2016 Legal Services and related costs.](#)

- (E) Second Reading and adoption of an Ordinance amending Chapter 9.74 of the Santee Municipal Code to regulate the personal, medical and commercial use of marijuana.
- (F) Second Reading and adoption of an Ordinance repealing Ordinance 524 and amending Section 2.08.010 of the Santee Municipal Code regarding Council salaries and Section 2.08.020 regarding the Mayor's salary.
- (G) Adoption of a Resolution supporting the request to detach an approximate 0.194-acre portion of Assessor Parcel Number 379-024-23-00 from the City of Santee and the annexation of this property to the County of San Diego and the Lakeside Fire Protection District; making determination under the California Environmental Quality Act. Applicant: Lakeside Investment Company, L.P.
- (H) Adoption of a Resolution waiving minor bid irregularity and authorizing award of the contract for EMS Supplies (Bid 16/17-20024) to Bound Tree Medical, LLC for an amount not to exceed \$71,842.67 for the remainder of FY 2016-17 and authorizing the City Manager to approve three (3) additional 12-month options to renew, and allowable annual increases, if any, along with the corresponding purchase orders and approve annual change orders up to 10% of the then-current contract amount.
- (I) Adoption of a Resolution accepting the City Hall HVAC Replacement Project (CIP 2012-41) as complete and directing the City Clerk to file a Notice of Completion.
- (J) Resolution accepting the Citywide CMP Lining and Rehabilitation Program (CIP 2013-24) as complete and directing the City Clerk to file a Notice of Completion.

2. PUBLIC HEARING:

An item regarding a request to detach property from the City of Santee was inadvertently noticed as a public hearing. This item is on the agenda under 1(G).

- (A) Public Hearing for Conditional Use Permit P2016-1 allowing a private club with alcohol service at 8516 Magnolia Avenue in the General Commercial Zone (GC) Zone and finding the project exempt under the California Environmental Quality Act (CEQA) pursuant to Section 15301. (Applicant: Veterans of Foreign Wars)

Recommendation:

1. Conduct and close the public hearing; and
2. Find Conditional Use Permit P2016-1 is exempt from CEQA pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines; and
3. Adopt the Resolution approving Conditional Use Permit P2016-1.

- (B) **Public Hearing and Second Reading to adopt an Ordinance rescinding Chapters 15.02, 15.04, 15.06, 15.08, 15.10, 15.12, 15.16, 15.18 and 15.22 of Title 15 of the Santee Municipal Code Entitled “Building and Construction,” in their entirety and adopting by reference the 2016 California Building Standards Code, including the 2016 California Administrative Code, the 2016 California Building Code, the 2016 California Residential Code, the 2016 California Electrical Code, the 2016 California Mechanical Code, the 2016 California Plumbing Code, the 2016 California Energy Code, the 2016 California Historical Building Code, the 2016 California Existing Building Code, the 2016 California Green Building Standards Code, the 2016 California Fire Code, and the California Referenced Standards Code, together with modifications, additions, and deletions thereto.**

Recommendation:

1. Conduct and close the Public Hearing; and
2. Adopt the Ordinance.

3. ORDINANCES:

See Items 1(E), 1(F) and 2(B).

4. CITY COUNCIL ITEMS AND REPORTS:

- (A) **Consideration of rescheduling the November 9, 2016 Regular City Council meeting. (Dale)**

Recommendation:

Determine if the November 9th Council meeting should be cancelled and rescheduled to November 16th, or another date, and direct the City Clerk to post the appropriate legal notices.

5. CONTINUED BUSINESS: None

6. NEW BUSINESS:

- (A) **Authorize the City Manager to execute a 3-year professional services agreement for “as needed” labor compliance services for capital improvement program projects.**

Recommendation:

Authorize the City Manager to execute a 3-year professional services agreement with Alliant Consulting Inc. for “as needed” labor compliance services in an amount not to exceed \$50,000 per fiscal year and authorize the Director of Development Services to negotiate and issue task orders to complete the work.

- (B) **Resolution authorizing the City Manager to execute a professional services agreement with Kleinfelder, Inc. for the preparation of environmental documents, plans, specifications and estimates for the seismic safety retrofit of the Carlton Oaks Drive Bridge over Sycamore Creek. (CIP 2012-54)**

Recommendation:

Adopt the Resolution authorizing the City Manager to execute a professional services agreement with Kleinfelder, Inc. in the amount of \$165,100 for the preparation of environmental documents, plans, specifications and estimates for the seismic safety retrofit of the Carlton Oaks Drive bridge over Sycamore Creek and authorize staff to approve contract changes in an amount not to exceed \$10,000.

- (C) **Resolution awarding the construction contract for the Town Center Community Park Memorial Flagpole Project (CIP 2016-34), appropriating proceeds from the Santee Bluegrass Festival and approving a categorical exemption pursuant to the California Environmental Quality Act (CEQA).**

Recommendation:

Adopt the Resolution:

1. Deeming the bid submitted by Anton's Service, Inc. as a non-responsive bid, and
2. Awarding the construction contract to GEM Industrial Electric, Inc. for a total amount of \$29,100.00 and authorizing the City Manager to execute the contract, and
3. Authorizing the Director of Development Services to approve change orders in an amount not to exceed \$2,910.00, and
4. Appropriating \$6,700 in the Recreation Revolving Fund from the proceeds of the Santee Bluegrass Festival; and
5. Approving a categorical exemption pursuant to the CEQA.

7. COMMUNICATION FROM THE PUBLIC:

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

8. CITY MANAGER REPORTS:

9. CDC SUCCESSOR AGENCY:

(Note: Minutes appear as Item 1(B))

10. SANTEE PUBLIC FINANCING AUTHORITY:
(Note: Minutes appear as Item 1(B))

11. CITY ATTORNEY REPORTS:

12. CLOSED SESSION:

13. ADJOURNMENT:

November & December Meetings

Nov	03	SPARC	Civic Center Building 7
Nov	09	City Council Meeting	Council Chamber
Nov	14	Community Oriented Policing Committee	Council Chamber
Dec	01	SPARC	Civic Center Building 7
Dec	08	Manufactured Home Fair Practices Commission	Council Chamber
Dec	12	Community Oriented Policing Committee	Council Chamber
Dec	14	City 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 202 of the American with Disabilities Act of 1990. 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 }	<h3 style="margin: 0;">AFFIDAVIT OF POSTING AGENDA</h3>
I, <u>Patsy Bell, CMC, City Clerk</u> 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 <u>October 21, 2016</u> , at <u>4:30 p.m.</u>	
_____ Signature	<u>10/21/16</u> Date

City of Santee
COUNCIL AGENDA STATEMENT

PROC

MEETING DATE October 26, 2016

AGENDA ITEM NO.

ITEM TITLE PROCLAMATION: INTERFAITH AWARENESS WEEK

DIRECTOR/DEPARTMENT Randy Voepel, Mayor

SUMMARY

In an effort to generate cooperation, peace, and understanding the North American Interfaith Network (NAIN) has partnered with local Interfaith organizations to create a 3-1/2 day conference to promote Interfaith peace. This event is open to people of any faith including those who are not affiliated with any faith. This first conference is entitled *HARMONY: Journey to One Heart* and will be held at the University of California San Diego (UCSD) campus and at other various centers around San Diego. The events of the conference will start on Sunday, August 6, 2017 and run through Thursday, August 10, 2017. In support of this effort a Proclamation has been prepared and will be accepted by Rev. Dr. Stephen Albert.

FINANCIAL STATEMENT

N/A

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION ✓

Present the proclamation.

ATTACHMENTS

Proclamation

City of Santee, California Proclamation

WHEREAS, The World Christian Encyclopedia calculates that “there are over 10,000 distinct religions in the world” and that the City of Santee and surrounding regions are home to a number of such different faith paths; and

WHEREAS, Santee honors and respects all faiths, cultures, creeds, and races and seeks to learn from those who believe that equal spiritual opportunity and human rights belong to every citizen; and

WHEREAS, there are seven or more Interfaith organizations currently operating in San Diego County and offering varied programs designed to bring more faith groups into dialogue together to discuss and better practice peace, harmony, cooperation and understanding among all peoples; and

WHEREAS, the North American Interfaith Network (NAIN) has been networking together to support the constructive activities of local interfaith operations around North America since 1988; and

WHEREAS, many local Interfaith organizations have partnered with NAIN to create a formal 3-1/2 day conference to be followed by days of individual reflection on Interfaith peace, which is open to all people of any faith including those who are not affiliated with any faith; and

WHEREAS, this first conference entitled, *HARMONY: Journey to One Heart* will be celebrated on the University of California San Diego (UCSD) campus and at various cultural and faith centers throughout San Diego; and

WHEREAS, speakers, facilitators and clergy from over twenty faith beliefs will join together to discuss the positive programs which already exist in North America and which can be replicated in other cities; and

WHEREAS, the ongoing activities of harmony among a diversity of faiths is a vital goal for all people throughout Santee, San Diego, North America and the world.

NOW, THEREFORE, I, Randy Voepel, Mayor of the City of Santee, on behalf of the City Council do hereby proclaim the first week of August, 2017 to be “**INTERFAITH AWARENESS WEEK**” in the City of Santee.

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



Mayor Randy Voepel

City of Santee
COUNCIL AGENDA STATEMENT

PROC

MEETING DATE October 26, 2016

AGENDA ITEM NO.

ITEM TITLE PROCLAMATION: PANCREATIC CANCER AWARENESS MONTH

DIRECTOR/DEPARTMENT Randy Voepel, Mayor

SUMMARY

The American Cancer Society estimates that about 53,070 people (27,670 men and 25,400 women) will be diagnosed with pancreatic cancer in 2016.

Pancreatic cancer accounts for about 3% of all cancers in the US. The average lifetime risk of pancreatic cancer for both men and women is about 1 in 65 (1.5%). But each individual's chances of developing this cancer can be affected by certain risk factors such as age, gender, family history, tobacco use, obesity, heavy exposure to certain chemicals and others.

Pancreatic cancer is hard to detect early. The pancreas is deep inside the body, so early tumors can't be seen or felt by health care providers during routine physical exams. Patients usually have no symptoms until the cancer has already spread to other organs.

Pancreatic Cancer Action Network is the national patient advocacy organization serving the pancreatic cancer community nationwide focusing its efforts on public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer.

A proclamation has been prepared at the request of a Santee resident and will be presented at this meeting.

FINANCIAL STATEMENT N/A

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION Present proclamation.

ATTACHMENTS (Listed Below)

Proclamation.

City of Santee, California

Proclamation

WHEREAS over 53,070 people will be diagnosed with pancreatic cancer this year in the United States; and

WHEREAS pancreatic cancer is the third leading cause of cancer death in the United States; and

WHEREAS, pancreatic cancer is very aggressive and there are no early detection methods as the pancreas is located deep inside the body, so early tumors can't be seen or felt by health care providers during routine physical exams. Patients usually have no symptoms until the cancer has already spread to other organs; and.

WHEREAS the good health and well-being of the residents of the city of Santee are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments; and

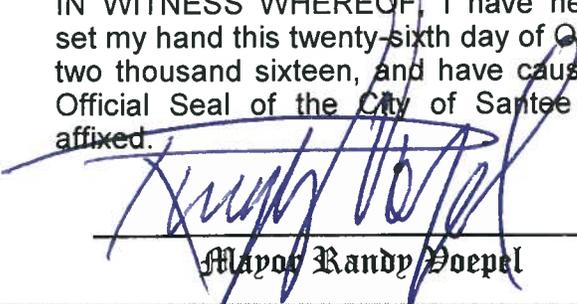
WHEREAS the Pancreatic Cancer Action Network is the national patient advocacy organization serving the pancreatic cancer community in Santee and nationwide by focusing its efforts on public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer.

NOW, THEREFORE, I, Randy Voepel, Mayor of the City of Santee, on behalf of the City Council do hereby proclaim November 2016 as

"PANCREATIC CANCER AWARENESS"

month in the city of Santee in honor of those who have lost their lives to pancreatic cancer and in support of patients currently battling the disease.

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


Mayor Randy Voepel



City of Santee
COUNCIL AGENDA STATEMENT

MEETING DATE October 26, 2016

AGENDA ITEM NO.

ITEM TITLE APPROVAL OF MEETING MINUTES OF THE SANTEE CITY COUNCIL,
THE CDC SUCCESSOR AGENCY AND THE SANTEE PUBLIC
FINANCING AUTHORITY REGULAR MEETINGS OF SEPTEMBER 28,
2016.

DIRECTOR/DEPARTMENT Patsy Bell, CMC, City Clerk

PB

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.

ATTACHMENTS

September 28, 2016 Minutes

Minutes

Draft

**Santee City Council
CDC Successor Agency
Santee Public Financing Authority**

**Council Chambers
10601 Magnolia Avenue
Santee, California
September 28, 2016**

This Regular Meeting of the Santee City Council, the CDC Successor Agency and the Santee Public Financing Authority was called to order by Mayor/Agency Chair/Authority Chair Randy Voepel at 7:03 p.m.

Council Members present were: Mayor/Agency Chair/Authority Chair Randy Voepel, and Council/Agency/Authority Members Ronn Hall and Rob McNelis. Council/Agency/Authority Member John Minto was absent. Vice Mayor/Agency Vice Chair/Authority Vice Chair Jack E. Dale entered the meeting at 7:22 p.m.

Officers present were: City Manager/Executive Director/Authority Secretary Marlene Best, City/Agency/Authority Attorney Shawn Hagerty and City Clerk/Agency Secretary Patsy Bell.

(Note: Hereinafter the titles Mayor, Vice Mayor, Council Member, City Manager, and City Attorney shall be used to indicate Mayor/Agency Chair/Authority Chair, Vice Mayor/Agency Vice Chair/Authority Vice Chair, Council/Agency/Authority Member, City Manager/Executive Director/Authority Secretary, and City/Agency Attorney.)

The **INVOCATION** was given by Deacon Richard Richey of the World Mission Society Church of God and the **PLEDGE OF ALLEGIANCE** was led by Girl Scout Troop 5147.

PROCLAMATION: National Manufacturing Week – October 3-7, 2016

Mayor Voepel presented the proclamation to East County Economic Development Council Vice President James Sly.

Added Item:

PROCLAMATION: Recognition – Anita Bautista

With Council consensus, Mayor Voepel and Sheriff's Captain Anthony Ray presented a Certificate of Recognition from Senator Joel Anderson's office to Santee Park & Recreation Committee Member Anita Bautista in recognition of her support of National Night Out.

ITEMS TO BE ADDED, DELETED OR RE-ORDERED ON AGENDA:

Council Member McNelis requested Item 1(F) be pulled for discussion.

- (A) Approval of reading by title only and waiver of reading in full of Ordinances and Resolutions on the agenda.
- (B) Approval of Payment of Demands as presented.
- (C) Approval of the expenditure of \$46,928.63 for August 2016 Legal Services and related costs.
- (D) Adoption of a Resolution accepting the Town Center Community Park West Safety Netting project (CIP 2016-32) as complete and direct the City Clerk to file a Notice of Completion. (Reso 091-2016)
- (E) Rejection of three (3) claims against the City by Pamela Stickler, Brian Martins and Randy Burgess per Government Code Section 913.
- (F) Item removed for discussion.
- (G) Authorization of lease agreements for two new Xerox copier/printers from Xerox Corporation per the Cooperative Purchasing Network (TCPN) Contract #R150302 for a total amount not to exceed \$37,705 at the end of the 5-year terms and authorization for the City Manager to execute the agreements and approve change orders up to ten percent of the annual purchase order amount.

ACTION: On motion of Council Member McNelis, seconded by Council Member Hall, the Agenda and Consent Calendar were approved as amended with all voting aye, except Vice Mayor Dale and Council Member Minto who were absent.

City Clerk Bell noted that Item 1(F) would be trailed until Vice Mayor Dale arrived.

2. PUBLIC HEARING:

- (A) Public Hearing for Tentative Map (TM2015-3) and Development Review Permit (DR2015-6) for a 10-unit residential condominium subdivision at 8646 Carribean Way in the R-7 (Medium Density Residential) Zone and finding the project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Section 15332. Applicant: Infill Development Company. (Resos 094-2016 and 095-2016)

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

ENTERED INTO THE RECORD:

Correspondence in opposition to the project received from Rebecca Duncan was distributed.

Director of Development Services Kush introduced the item and Associate Planner Michael Coyne provided the staff report utilizing a PowerPoint presentation and answered Council's questions.

PUBLIC SPEAKERS:

In Support:

- David Weiland, Applicant
- Michael Thiem

ACTION: On motion of Vice Mayor Dale, seconded by Council Member McNelis, the Public Hearing was closed at 7:46 p.m., the project was found to be exempt from CEQA, and the two Resolutions approving Tentative Map TM2015-3 and Development Review Permit DR2015-6 were adopted with all voting aye, except Council Member Minto who was absent.

Item removed from the Consent Calendar:

- (F) **Adoption of two (2) Resolutions approving the FY 2016-17 Salary Schedules and for Employer Paid Member Contributions (EPMC) for Local Safety Members. (Resos 092-2016 and 093-2016)**

Council Member McNelis asked if the two salary schedules could be bifurcated into the individual groups (General Miscellaneous, Firefighters Association and Council). Vice Mayor Dale noted that he had voted against this item previously during Closed Session, but would vote in favor tonight to keep the item moving forward.

ACTION: On motion of Vice Mayor Dale, seconded by Council Member Hall, the two Resolutions approving the two FY 2016-17 Salary Schedules and the Employer Paid Member Contributions for Local Safety Members were adopted with all voting aye, except Council Member McNelis who voted no and Council Member Minto who was absent.

- (B) **Public Hearing for a Resolution of the City Council of the City of Santee, California declaring its intent to become a Groundwater Sustainability Agency (GSA) under the Sustainable Groundwater Management Act for a portion of the San Diego River Valley Groundwater Basin and notification to the Department of Water Resources of said intent.**

The Public Hearing was opened at 7:49 p.m.

Draft

Director of Development Services Kush introduced the item and Principal Civil Engineer Scott Johnson provided the staff report utilizing a PowerPoint presentation and answered Council's questions.

ACTION: On motion of Council Member Hall, seconded by Mayor Voepel, the Public Hearing was closed at 7:50 p.m., and the Resolution to elect to become a GSA for the San Diego River Valley Groundwater Basin pursuant to California Water Code Section 10723 within the City limits and notify the Department of Water Resources within 30 days was adopted with all voting aye, except Council Member Minto who was absent.

3. ORDINANCES:

- (A) **An Interim Urgency Ordinance of the City Council of the City of Santee, California, enacted pursuant to California Government Code Section 65858 establishing a temporary moratorium on marijuana uses pending the enactment of an update to the City's Municipal Code.**

City Attorney Hagerty provided the staff report and answered Council's questions.

ACTION: On motion of Council Member Hall, seconded by Mayor Voepel, the interim urgency ordinance was adopted with all voting aye, except Council Member Minto who was absent.

4. CITY COUNCIL ITEMS AND REPORTS: None

5. CONTINUED BUSINESS: None

6. NEW BUSINESS: None

7. COMMUNICATION FROM THE PUBLIC: None

8. CITY MANAGER REPORTS:

- (A) **Request to fund legislative advocacy firm.**

City Manager Best provided a brief report and answered Council's questions.

ACTION: On motion of Vice Mayor Dale, seconded by Council Member Hall, direction was given to staff to fund the legislative advocacy firm beginning in January 2017 with all voting aye, except Council Member Minto who was absent.

Draft

10. SANTEE PUBLIC FINANCING AUTHORITY:

11. CITY ATTORNEY REPORTS: None

Council Members recessed at 7:55 p.m. and convened in Closed Session at 8:05 p.m. with all Members present, except Council Member Minto who was absent.

12. CLOSED SESSION:

(A) LIABILITY CLAIM

(Gov. Code section 54956.95)

Claimant: Brad Peterson

Agency Claimed Against: City of Santee

Consideration pursuant to Government Code section 54956.9(d)(4) of whether to initiate litigation: One case involving the County of San Diego's compliance with the California Environmental Quality Act in connection with the proposed development of an Assessor/Recorder/County Clerk's Branch Office and Archives on County-owned property located at approximately 10135 Mission Gorge Road.

Council Members reconvened in Open Session at 8:13 p.m. with all Members present, except Council Member Minto who was absent. Mayor Voepel reported that the Council unanimously approved settlement of the claim.

13. ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:14 p.m.

Date Approved: _____

Patsy Bell, CMC, City Clerk/Agency Secretary
and for Authority Secretary Marlene Best

City of Santee
COUNCIL AGENDA STATEMENT

MEETING DATE October 26, 2016

AGENDA ITEM NO.

ITEM TITLE PAYMENT OF DEMANDS

DIRECTOR/DEPARTMENT Tim K. McDermott, Director of Finance 

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 

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

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION 

Approval of the payment of demands as presented.

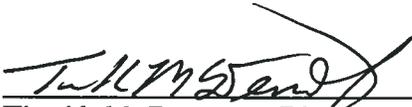
ATTACHMENTS (Listed Below)

- 1) Payment of Demands-Summary of Checks Issued
- 2) Disbursement Journal

Payment of Demands
Summary of Payments Issued

<u>Date</u>	<u>Description</u>	<u>Amount</u>
10/03/16	Accounts Payable	\$ 111,379.44
10/05/16	Accounts Payable	301,617.94
10/06/16	Accounts Payable	1,101,366.90
10/13/16	Payroll	328,385.26
10/13/16	Accounts Payable	338,419.81
10/13/16	Accounts Payable	<u>1,655,747.20</u>
	TOTAL	<u>\$ 3,836,916.55</u>

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



Tim K. McDermott, Director of Finance

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
95109	10/3/2016	10955 DEPARTMENT OF THE TREASURY	PPE 09/21/16		FEDERAL WITHHOLDING AND MEC	85,621.21
					Total :	85,621.21
95133	10/3/2016	10956 FRANCHISE TAX BOARD	PPE 09/21/16		CA STATE TAX WITHHELD	25,758.23
					Total :	25,758.23
2 Vouchers for bank code : ubgen						Bank total : 111,379.44
2 Vouchers in this report						Total vouchers : 111,379.44

Prepared by: Nicole S.
 Date: 10-03-16

Approved by: [Signature]
 Date: 10-3-16

Voucher List
CITY OF SANTEE

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
113347	10/5/2016	10633 ALL STAR GLASS INC	WEC092856		WINDSHIELD REPAIR	69.00
					Total :	69.00
113348	10/5/2016	12083 ANIMAL PEST MANAGEMENT	401107	51537	PEST CONTROL	640.00
			401116	51537	MICE/RAT CONTROL	45.00
			401221	51537	BEE CONTROL/HIVE REMOVAL	120.00
					Total :	805.00
113349	10/5/2016	11460 ASBURY ENVIRONMENTAL SERVICES	1500-00087754		WASTE DISPOSAL	55.00
					Total :	55.00
113350	10/5/2016	10412 AT&T	000008635269		CREDIT	-1.63
			000008635794		TELEPHONE	1,838.14
					Total :	1,836.51
113351	10/5/2016	10190 AUDIO ASSOCIATES OF SAN DIEGO	11588	51599	AUDIO EQUIP REPAIR	6,288.50
					Total :	6,288.50
113352	10/5/2016	10516 AWARDS BY NAVAJO	08161252		ENGRAVING	6.46
					Total :	6.46
113353	10/5/2016	10018 BENCHMARK LANDSCAPE SVCS INC	127947	51603	IRRIGATION REPAIR	1,347.00
			128145	51603	AUG - AREA 3 LANDSCAPE	10,001.01
			128146	51586	LANDSCAPE MAINTENANCE	12,249.16
			128729	51586	IRRIGATION REPAIRS	1,064.00
			128735	51603	IRRIGATION REPAIRS	4,704.00
			128742	51586	LANDSCAPE IMPROVEMENTS	6,150.00
			128748	51586	IRRIGATION REPAIR	2,968.00
			128752	51603	IRRIGATION REPAIRS	1,456.00
			128755	51586	LANDSCAPE SVCS EXTRA WORK	2,475.00
					Total :	42,414.17
113354	10/5/2016	10021 BOUND TREE MEDICAL LLC	82266958	51486	EMS SUPPLIES	369.58
			82266959	51486	EMS SUPPLIES	11.93
			82268601	51516	PHARMACEUTICALS	249.24
			82268602	51486	EMS SUPPLIES	1,199.08

Voucher List
CITY OF SANTEE

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
113354	10/5/2016	10021 BOUND TREE MEDICAL LLC	(Continued) 82268603 82268604 82268605	51486 51516 51486	EMS SUPPLIES PHARMACEUTICALS EMS SUPPLIES	5.97 81.42 174.53 Total : 2,091.75
113355	10/5/2016	10023 BUILDERS FENCE COMPANY INC	1609774	51422	PROSPECT AVE FENCING	160.25 Total : 160.25
113356	10/5/2016	10299 CARQUEST AUTO PARTS	11102-411531 11102-411866 11102-411991 11102-412017 11102-412018	51488 51488 51488 51488 51488	VEHICLE REPAIR PARTS VEHICLE REPAIR PARTS VEHICLE REPAIR PARTS VEHICLE SUPPLIES VEHICLE REPAIR PARTS	21.05 63.33 29.06 74.60 46.44 Total : 234.48
113357	10/5/2016	12349 CHOICE LOCKSMITHING	091416BRP	51425	LOCK REPAIRS	143.72 Total : 143.72
113358	10/5/2016	10032 CINTAS CORPORATION #694	694255752 694256379	51489 51489	UNIFORM/PARTS CLEANER RNTL STATION SUPPLIES	60.17 51.76 Total : 111.93
113359	10/5/2016	11040 CIRCULATE SAN DIEGO	229-2 230-2	51402 51554	SAFE ROUTES TO SCHOOL SAFE ROUTES TO SCHOOL	500.00 500.00 Total : 1,000.00
113360	10/5/2016	10040 COUNTYWIDE MECHANICAL SYSTEMS	H16067476 P16066106 P16066364 P16067213 P16067402	51616 51626 51626 51626 51626	EXHAUST FAN REPAIRS PLUMBING REPAIRS PLUMBING REPAIRS PLUMBING REPAIRS PLUMBING REPAIRS	126.00 596.64 180.00 495.73 304.00 Total : 1,702.37
113361	10/5/2016	10595 CUTTER'S EDGE INDUSTRIES INC	090916-5	51468	EQUIPMENT REPAIR	36.29 Total : 36.29
113362	10/5/2016	10449 DAY WIRELESS SYSTEMS	562752-02		SANTEE BLUEGRASS FESTIVAL	162.50

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
113362	10/5/2016	10449 10449 DAY WIRELESS SYSTEMS	77804	51604	BACKFLOW TESTING	162.50
113363	10/5/2016	10124 DEPENDABLE PLUMBING				2,355.00
					Total :	2,355.00
113364	10/5/2016	12438 DIESEL PRINT CO, LLC	1009 1033		STAFF SHIRTS BANNER REPAIR & EDITING	646.13 85.32
					Total :	731.45
113365	10/5/2016	12483 DISCOUNT SIGNS AND BANNERS	4617		EQUIPMENT DECALS	140.40
					Total :	140.40
113366	10/5/2016	11295 DOKKEN ENGINEERING	30535 30549 30583 30593 30595	50583 50583 50583 50583	VIA DE CRISTINA PARK CONCRETE REPLACEMENT MAST BLVD SIGNAL UPGRADE MAST PARK IMPROVEMENTS STORMWATER ENGINEERING	1,675.00 130.00 350.00 80,404.59 2,490.00
					Total :	85,049.59
113367	10/5/2016	10053 EL CAJON PLUMBING & HEATING	291801 292473	51432 51432	MISC PLUMBING PARTS MISC PLUMBING SUPPLIES	150.71 24.24
					Total :	174.95
113368	10/5/2016	10057 ESGIL CORPORATION	08164775 09/12/16-09/16/16 09/19/16-09/23/16		FIRE INSPECTIONS - 08/2016 SHARE OF FEES SHARE OF FEES	166.00 23,161.13 19,421.36
					Total :	42,748.49
113369	10/5/2016	10580 FASTENAL COMPANY	CAELC64126	51524	MISC NUTS & BOLTS	55.18
					Total :	55.18
113370	10/5/2016	10009 FIRE ETC	93977 94027 94034	51617 51473 51472	FIREFIGHTING SUPPLIES FIREFIGHTING EQUIPMENT SAFETY APPAREL	1,490.40 317.48 497.07
					Total :	2,304.95
113371	10/5/2016	12478 G.M. NORTHRUP CORPORATION	16-1330		OVERPYMNT PERMIT 16-1330	618.09

Voucher List
CITY OF SANTEE

Bank code : ubgen		Invoice		PO #	Description/Account	Amount
Voucher	Date	Vendor				
113371	10/5/2016	12478	G.M. NORTHRUP CORPORATION			
			(Continued)			
113372	10/5/2016	12335	GREENPLAY LLC	5556	51413	2016 PARKS & REC MASTER PLAN
						Total : 618.09
113373	10/5/2016	10490	HARRIS & ASSOCIATES INC	122010301	50122	BUENA VISTA & RAILROAD
				32514	51326	FANITA RANCH EIR
						Total : 16,687.50
113374	10/5/2016	10256	HOME DEPOT CREDIT SERVICES	0201609	51514	CREDIT
				3152228	51514	STATION SUPPLIES
				6152195	51514	STATION SUPPLIES
				7152175	51514	VEHICLE SUPPLIES
						Total : -47.49
113375	10/5/2016	10246	HUDSON SAFETY T LITE RENTALS	00039097	51438	TRAFFIC SIGNS & MATERIALS
						Total : 39.06
113376	10/5/2016	10151	KONICA MINOLTA BUSINESS	9002744509	51573	COPIER MAINT & USAGE
						Total : 159.84
113377	10/5/2016	10174	LN CURTIS AND SONS	INV51817	51625	FIREFIGHTING EQUIPMENT
						Total : 863.19
113378	10/5/2016	10079	MEDICO PROFESSIONAL	1864720	51497	MEDICAL LINEN SERVICE
				1864721	51497	MEDICAL LINEN SERVICE
						Total : 20.02
113379	10/5/2016	12451	MOBILE GRAPHICS & DESIGN	201601	51629	BANNER INSTALL & REMOVAL
				201602	51629	BANNER INSTALL & REMOVAL
						Total : 2,320.00
113380	10/5/2016	10308	O'REILLY AUTO PARTS	2968-498321	51476	VEHICLE SUPPLIES
						Total : 42.09
113381	10/5/2016	10336	PADRE DAM MUNICIPAL WATER DIST	SUMMER2016		DAY CAMP LAKES ADMISSION
						Total : 860.00
						Total : 860.00

Bank code :	ubgen										
Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount					
113382	10/5/2016	12479 PROSPECT ESTATES LLC	728-16		OVERPYMNT PERMIT 728-16	38.88					
					Total :	38.88					
113383	10/5/2016	10821 RIVERA, FELIX	070616		EMPLOYEE REIMBURSEMENT	75.58					
					Total :	75.58					
113384	10/5/2016	10407 SAN DIEGO GAS & ELECTRIC	3422 380 562 8 4394 020 550 9 7990 068 577 7		GAS TAX	108.85					
					LMD	3,742.44					
					PARKS	11,420.11					
					Total :	15,271.40					
113385	10/5/2016	10424 SANTEE FIREFIGHTERS	0010 0011 0012 0013		PE CLOTHING FOR NEW FF/PM	91.00					
					PE CLOTHING FOR NEW FF/PM	91.00					
					PE CLOTHING FOR NEW FF/PM	91.00					
					PE CLOTHING FOR NEW FF/PM	91.00					
					Total :	364.00					
113386	10/5/2016	10768 SANTEE SCHOOL DISTRICT	7564	51450	CHET HARRITT FIELDS LIGHTS	89.85					
					Total :	89.85					
113387	10/5/2016	10314 SOUTH COAST EMERGENCY VEHICLE	481495	51502	VEHICLE REPAIR	491.31					
					Total :	491.31					
113388	10/5/2016	10217 STAPLES BUSINESS ADVANTAGE	3314269543 3314269544 3314503184 3315408635		OFFICE SUPPLIES	1.30					
					OFFICE SUPPLIES	159.01					
					OFFICE SUPPLIES	66.36					
					CREDIT	-143.40					
					Total :	83.27					
113389	10/5/2016	10119 STEVEN SMITH LANDSCAPE INC	33767 33811	51596 51596	LANDSCAPE MAINT- AREA 1	39,444.72					
					LANDSCAPE SVCS EXTRA WORK	2,430.00					
					Total :	41,874.72					
113390	10/5/2016	11994 THADDEUS BURCHAM DESIGNS	1220	51636	AMBULANCE GRAPHICS	850.00					
					Total :	850.00					
113391	10/5/2016	10250 THE EAST COUNTY	00045377 00045414	51551	REQUEST FOR PROPOSALS	66.50					
					PUBLIC NOTICE	84.00					

Voucher List
CITY OF SANTEE

Bank code :	ubgen			Invoice	PO #	Description/Account	Amount
Voucher	Date	Vendor					
113391	10/5/2016	10250 THE EAST COUNTY		CL80160	51505	FLEET CARD FUELING	150.50
113392	10/5/2016	10158 THE SOCO GROUP INC					1,046.40
113393	10/5/2016	10681 TY INVESTMENT INC		1282016		SENIOR VOLUNTEER EVENT	1,500.00
113394	10/5/2016	11434 TYLER BUSINESS FORMS		263650		2016 TAX FORMS	1,500.00
113395	10/5/2016	10133 UNDERGROUND SERVICE ALERT		820160675	51552	DIG ALERT SERVICES	374.62
113396	10/5/2016	11194 USAFACT INC		6091716		BACKGROUND CHECK	374.62
113397	10/5/2016	10211 VISION INTERNET PROVIDERS		33387 33413	51506	WEB HOSTING WEBSITE REDESIGN	150.00
113398	10/5/2016	12472 WAWANESA GENERAL		1288035		LEGAL CLAIMS SETTLEMENT	150.00
113399	10/5/2016	10136 WEST COAST ARBORISTS INC		118443	51579	TREE MAINTENANCE	46.40
53 Vouchers for bank code : ubgen							200.00
53 Vouchers in this report							9,406.00
Bank total :							9,606.00
Total vouchers :							7,305.13
Total :							7,305.13
Total :							1,316.00
Total :							1,316.00
Bank total :							301,617.94
Total vouchers :							301,617.94

Prepared by: M. Nicole
 Date: 10-05-16
 Approved by: [Signature]
 Date: 10-5-16

Voucher List
CITY OF SANTEE

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
113400	10/6/2016	11341 SRM CONTRACTING & PAVING	2 2R	51536	CITYWIDE PAVEMENT REPAIR RETENTION	1,159,333.58 -57,966.68

Total : 1,101,366.90
Bank total : 1,101,366.90
Total vouchers : 1,101,366.90

- 1 Vouchers for bank code : ubgen
- 1 Vouchers in this report

Prepared by: *[Signature]*
Date: 10-06-16
Approved by: *[Signature]*
Date: 10-6-16

Bank code : ubgen

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
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Prepared by: M. Cole
Date: 10-13-16
Approved by: [Signature]
Date: 10-13-16

Voucher List
CITY OF SANTEE

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
113411	10/13/2016	10010 ALLIANT INSURANCE SERVICES INC	07/01/16-09/30/16		1ST QTR EVENT INS	811.00
					Total :	811.00
113412	10/13/2016	12083 ANIMAL PEST MANAGEMENT	401378 401379	51537 51537	MOSQUITO CONTROL WASP CONTROL	75.00 85.00
					Total :	160.00
113413	10/13/2016	12010 ASSOCIATED STUDENTS OF SDSU	8,907,641 8,907,651		SAGE PROJECT SAGE PROJECT	25,000.00 25,000.00
					Total :	50,000.00
113414	10/13/2016	10018 BENCHMARK LANDSCAPE SVCS INC	127866	51603	IRRIGATION REPAIRS	672.00
					Total :	672.00
113415	10/13/2016	10021 BOUND TREE MEDICAL LLC	82271369 82271370 82274169 82274170 82274171	51516 51516 51486 51486 51516	PHARMACEUTICALS PHARMACEUTICALS EMS SUPPLIES EMS SUPPLIES PHARMACEUTICALS	28.86 1,007.96 1,261.86 25.24 351.92
					Total :	2,675.84
113416	10/13/2016	12490 BTW DEVELOPMENT	CUP1502A		REFUNDABLE DEPOSIT	4,155.69
					Total :	4,155.69
113417	10/13/2016	10098 BURNER, RONALD	83016	51560	ATHLETIC FIELD COORDINATION	2,083.34
					Total :	2,083.34
113418	10/13/2016	10668 CALIFORNIA BUILDING STANDARDS	JULY - SEPT 2016		SB1473 JULY - SEPT 2016	533.70
					Total :	533.70
113419	10/13/2016	11169 CALIFORNIA WATERS LLC	16930 17055	51522 51522	FOUNTAIN MAINT & REPAIRS CREDIT	2,474.00 -247.00
					Total :	2,227.00
113420	10/13/2016	10299 CARQUEST AUTO PARTS	11102-412227 11102-412537	51488 51488	VEHICLE REPAIR PARTS VEHICLE REPAIR PART	80.31 26.09

Voucher List
CITY OF SANTEE

Bank code :	ubgen			Invoice	PO #	Description/Account	Amount
Voucher	Date	Vendor					
113420	10/13/2016	10299	10299 CARQUEST AUTO PARTS				
				694258245	51489	UNIFORM/PARTS CLEANER RNTL	Total : 106.40
113421	10/13/2016	10032	CINTAS CORPORATION #694				
				10062016		CCAC WORKSHOP	Total : 60.17
113422	10/13/2016	12022	CITY CLERKS ASSOCIATION				
				HCA0000161		2ND QTR MEMBER ASSESSMENT	Total : 200.00
113423	10/13/2016	10050	HCFA				
				HFTA000019		HFTA FEES-2ND QUARTER	Total : 85,686.00
113424	10/13/2016	10050	CITY OF EL CAJON				
				521548		LEGAL SERVICES-CLAIMS	Total : 13,531.00
113425	10/13/2016	10801	CLAIMS MANAGEMENT ASSOC INC				
				229942	51428	TCCPW FENCE REPAIR	Total : 930.10
113426	10/13/2016	10035	COMPETITIVE METALS INC				
				08/2016 AGENCY REV		08/16 AGENCY PARK CITE REPT	Total : 117.94
113427	10/13/2016	10171	COUNTY OF SAN DIEGO AUDITOR &				
				08/2016 DMV REVENUE		08/16 DMV PARK CITE REPT	Total : 57.50
				08/2016 PHOENIX REV		08/16 PHOENIX CITE REV REPT	Total : 90.00
				SN-2016/2017-1		ANIMAL CONTROL SERVICES	Total : 167.50
113428	10/13/2016	10541	COUNTY OF SAN DIEGO				
				SN-2016/2017-2		ANIMAL CONTROL SERVICES	Total : 315.00
				038997401		ANIMAL CONTROL SERVICES	Total : 87,472.75
113429	10/13/2016	10333	COX COMMUNICATIONS				
				105080401		10601 N MAGNOLIA AVE	Total : 87,472.75
				3023		9310 FANITA PKWY	Total : 174,945.50
113430	10/13/2016	11090	CSE SECURITY INC				
				47746		SANTEE BLUEGRASS FESTIVAL	Total : 103.92
				47747		LEGAL SERVICES-CLAIMS	Total : 32.34
113431	10/13/2016	10042	DALEY & HEFT LLP				
						LEGAL SERVICES -CLAIMS	Total : 1,134.00
						LEGAL SERVICES -CLAIMS	Total : 3,400.87
							1,758.34

Voucher List
CITY OF SANTEE

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
113442	10/13/2016	10066 GLOBALSTAR USA LLC				
113443	10/13/2016	10490 HARRIS & ASSOCIATES INC	32343	51326	FANITA RANCH EIR	46,986.29
113444	10/13/2016	11196 HD SUPPLY FACILITIES	9148991236	51517	STATION SUPPLIES	538.68
113445	10/13/2016	10144 HDL COREN & CONE	0023210-IN		2015-16 CAFR STAT RPT PKG	645.00
113446	10/13/2016	10256 HOME DEPOT CREDIT SERVICES	0152316 9152336 9152337	51514 51514 51514	STATION SUPPLIES CREDIT STATION SUPPLIES	24.70 -22.60 20.35
113447	10/13/2016	10759 INDUSTRIAL RUBBER SUPPLY INC	11212		VEHICLE REPAIR	135.00
113448	10/13/2016	10203 LAKESIDE EQUIPMENT SALES &	130693	51648	BLUEGRASS	8,317.96
113449	10/13/2016	12317 LEKOS ELECTRIC INC	6 6R	51363	MAST BLVD SIGNAL UPGRADES RETENTION	33,154.01 -1,657.70
113450	10/13/2016	11986 MARION B BORG ENVIRONMENTAL	SANTEE01-33 SANTEE03-13 SANTEE04-07	51024	PROF SVCS - FANITA RANCH PROF SVCS - WALMART EXP PROF SVCS - CALVARY CHAPEL	5,180.00 980.00 525.00
113451	10/13/2016	12053 MARKEN PPE RESTORATION	21267P	51518	TURNOUT INSPECTION/REPAIR	1,252.67
113452	10/13/2016	10079 MEDICO PROFESSIONAL	1868119 1868120	51497 51497	MEDICAL LINEN SERVICE MEDICAL LINEN SERVICE	20.02 8.16
					Total :	50.46
					Total :	46,986.29
					Total :	538.68
					Total :	645.00
					Total :	645.00
					Total :	24.70
					Total :	-22.60
					Total :	20.35
					Total :	22.45
					Total :	135.00
					Total :	135.00
					Total :	8,317.96
					Total :	8,317.96
					Total :	33,154.01
					Total :	-1,657.70
					Total :	31,496.31
					Total :	5,180.00
					Total :	980.00
					Total :	525.00
					Total :	6,685.00
					Total :	1,252.67
					Total :	1,252.67
					Total :	20.02
					Total :	8.16
					Total :	28.18

Bank code :	ubgen			Invoice	PO #	Description/Account	Amount
Voucher	Date	Vendor					
113473	10/13/2016	10515	10515 THE SAN DIEGO UNION - TRIBUNE (Continued)				Total : 201.75
113474	10/13/2016	10158	THE SOCO GROUP INC	CL81191	51505	FLEET CARD FUELING	953.11
113475	10/13/2016	10479	TIRE CENTERS LLC	8720172476	51520	TIRES	Total : 1,701.11
113476	10/13/2016	10692	UNITED PARCEL SERVICE	000006150X406		SHIPPING CHARGES	27.75
113477	10/13/2016	10555	UNITIS CONTRACTOR SUPPLIES	121793	51458	ASPHALT SUPPLIES	Total : 27.75
113478	10/13/2016	11281	VALLEY BOX COMPANY INC	24806-1	51622	RECYCLED CONTENT BOXES	106.93
113479	10/13/2016	10475	VERIZON WIRELESS	9772327473		WIFI SERVICE	Total : 1,363.39
113480	10/13/2016	10704	VIRTUAL GRAFFITI INC	686285	51637	COMPUTER NETWORK FIREWALL	618.26
113481	10/13/2016	10139	ZAP MANUFACTURING INC	45445	51512	SIGN RECYCLING & REPLACEMENT	Total : 4,693.42
113482	10/13/2016	10318	ZOLL MEDICAL CORPORATION	2425914	51521	EMS SUPPLIES	Total : 2,476.29

72 Vouchers for bank code : ubgen

72 Vouchers in this report

Prepared by: Nicole S
 Date: 10-13-16
 Approved by: [Signature]
 Date: 10-13-16

Bank total : 1,655,747.20
Total vouchers : 1,655,747.20

City of Santee
COUNCIL AGENDA STATEMENT

MEETING DATE October 26, 2016

AGENDA ITEM NO.

ITEM TITLE **APPROVAL OF THE EXPENDITURE OF \$62,333.20 FOR SEPTEMBER 2016 LEGAL SERVICES AND RELATED COSTS**

DIRECTOR/DEPARTMENT Tim K. McDermott, Director of Finance *TM*

SUMMARY

Legal service billings proposed for payment for the month of September 2016 total \$62,333.20 as follows:

1) General Retainer Services	\$ 13,509.09
2) Labor & Employment	3,720.20
3) Litigation & Claims	10,332.18
4) Special Projects (General Fund)	11,883.52
5) Special Projects (Other Funds)	313.50
6) Applicant Initiated Projects	22,574.71

FINANCIAL STATEMENT *TM*

	<u>AMOUNT</u>	<u>BALANCE</u>
General Fund:		
Adopted Budget	\$ 398,000.00	
Revised Budget	\$ 458,315.00	
Prior Expenditures	(85,013.48)	
Current Request	(39,444.99)	\$ 333,856.53
Other Funds (excluding applicant initiated items):		
Adopted Budget	\$ 40,000.00	
Revised Budget	\$ 40,522.50	
Prior Expenditures	(794.20)	
Current Request	(313.50)	\$ 39,414.80

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MSB*

Approve the expenditure of \$62,333.20 for September 2016 legal services and related costs.

ATTACHMENT (Listed Below)

Legal Services Billing Summary

LEGAL SERVICES BILLING SUMMARY
FY 2016-17

Category	Adopted Budget	Revised Budget	Spent Year to Date	Available Balance	Mo/Yr	Current Request	
						Amount	Amount
General Fund:							
General / Retainer	\$ 162,000.00	\$ 162,000.00	\$ 27,021.22	\$ 134,978.78	Sep-16	\$	\$ 13,509.09
Labor & Employment	50,000.00	50,000.00	5,183.20	44,816.80	Sep-16		3,720.20
Litigation & Claims	50,000.00	67,053.00	36,787.62	30,265.38	Sep-16		10,332.18
Special Projects	136,000.00	179,262.00	16,021.44	163,240.56	Sep-16		11,883.52
Total	\$ 398,000.00	\$ 458,315.00	\$ 85,013.48	\$ 373,301.52		\$	\$ 39,444.99
Other City Funds:							
Special Projects	\$ 30,000.00	\$ 30,000.00	\$ 125.40	\$ 29,874.60		\$	\$ -
MHFP Commission	10,000.00	10,000.00	146.30	9,853.70	Sep-16		313.50
Total	\$ 40,000.00	\$ 40,000.00	\$ 271.70	\$ 39,728.30		\$	\$ 313.50
CDC Successor Agency Bond Proceeds:							
Prospect Avenue Project	\$ -	\$ 522.50	\$ 522.50	\$ -		\$	\$ -

LEGAL SERVICES BILLING SUMMARY
FY 2016-17

Category	Adopted Budget	Revised Budget	Spent Year to Date	Available Balance	Current Request Mo/Yr	Current Request Amount
<i>Applicant-initiated (paid from developer/applicant deposits)</i>						
Riverwalk (County)	n/a	n/a	\$ 260.70	n/a	Sep-16	\$ -
Lantern Crest	n/a	n/a	201.90	n/a	Sep-16	320.70
Castlerock	n/a	n/a	2,019.00	n/a	Sep-16	4,957.99
Castlerock CFD	n/a	n/a	237.60	n/a		-
Wal-Mart	n/a	n/a	594.00	n/a	Sep-16	950.40
Home Fed/Subarea Plan	n/a	n/a	13,257.33	n/a	Sep-16	13,532.22
Santee 50	n/a	n/a	71.10	n/a		-
East County Estates	n/a	n/a	189.60	n/a		-
Karl Strauss	n/a	n/a	1,722.60	n/a		-
Santee Walker	n/a	n/a	5,725.20	n/a		-
Prospect Estates	n/a	n/a	7.99	n/a		-
PDMWD Maint. Yard Wireless Fac.	n/a	n/a	118.50	n/a		-
Heaney Properties	n/a	n/a	2,877.30	n/a	Sep-16	89.10
Calvary Chapel CUP Revision	n/a	n/a	1,128.60	n/a	Sep-16	148.50
Hillside Meadows Reorg	n/a	n/a	-	n/a	Sep-16	2,575.80
Robinson Lane	n/a	n/a	-	n/a		
Total			\$ 28,411.42			\$ 22,574.71

Total Previously Spent to Date FY 2016-17		Total Proposed for Payment	
General Fund	\$ 85,013.48	General Fund	\$ 39,444.99
Other City Funds	271.70	Other City Funds	313.50
CDCSA Bond Proceeds	522.50	CDCSA Bond Proceeds	-
Applicant Deposits	28,411.42	Applicant Deposits	22,574.71
Total	\$ 114,219.10	Total	\$ 62,333.20

ORDINANCE NO. 543

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE,
CALIFORNIA, AMENDING CHAPTER 9.74 OF THE SANTEE
MUNICIPAL CODE TO REGULATE THE PERSONAL, MEDICAL, AND
COMMERCIAL USE OF MARIJUANA**

WHEREAS, the City of Santee, California (the "City") is a charter city, duly organized under the constitution, the Santee City Charter, and laws of the State of California; and

WHEREAS, California Government Code section 65800 et seq. authorizes the adoption and administration of zoning laws, ordinances, rules and regulations by cities as a means of implementing the General Plan; and

WHEREAS, the City passed Ordinance No. 538 on January 27, 2016; and

WHEREAS, on June 28, 2016, the Secretary of State certified Proposition 64, the Control, Regulate, and Tax Adult Use of Marijuana Act ("AUMA"), for the November 8, 2016 ballot; and

WHEREAS, the AUMA would become law if a majority of the electorate votes "Yes" on the proposition; and

WHEREAS, the AUMA would regulate, among other items, the use of marijuana for personal and commercial purposes, including the recreational use of marijuana by adults over 21 years of age; and

WHEREAS, to regulate personal use of marijuana the AUMA would add Section 11362.1 to the Health and Safety Code, which makes it "lawful under state and local law" for persons 21 years of age or older to "possess, process, transport, purchase, obtain, or give away to persons 21 years of age or older without any compensation whatsoever" up to 28.5 grams of marijuana in the form of concentrated cannabis or not more than eight grams of marijuana in the form of concentrated cannabis contained in marijuana products; and

WHEREAS, the AUMA would make it lawful for those individuals to "possess, plant, cultivate, harvest, dry, or process not more than six living marijuana plants and possess the marijuana produced by the plants; and

WHEREAS, the AUMA would make it lawful for those individuals to smoke or ingest marijuana or marijuana products; and

WHEREAS, should the AUMA pass, many of its provisions would take effect on November 9, 2016; and

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WHEREAS, to regulate commercial use of marijuana, the AUMA would add Division 10 (Marijuana) to the Business & Professions Code, which grants state agencies “the exclusive authority to create, issue, renew, discipline, suspend, or revoke” licenses for businesses including the transportation, storage, distribution, sale, cultivation, manufacturing, and testing of marijuana; and

WHEREAS, the AUMA provides that the above state agencies shall promulgate rules and regulations and shall begin issuing licenses under Division 10 by January 1, 2018; and

WHEREAS, the AUMA states that a local jurisdiction shall not prevent transportation of marijuana or marijuana products on public roads by a licensee transporting marijuana or marijuana products in compliance with Division 10; and

WHEREAS, the AUMA would authorize cities to “reasonably regulate” without completely prohibiting cultivation of marijuana inside a private residence or inside an “accessory structure to a private residence located upon the grounds of a private residence that is fully enclosed and secure”; and

WHEREAS, the AUMA would authorize cities to completely prohibit outdoor cultivation on the grounds of a private residence, up to and until a “determination by the California Attorney General that nonmedical use of marijuana is lawful in the State of California under federal law”; and

WHEREAS, the AUMA would authorize cities to completely prohibit the establishment or operation of any marijuana business licensed under Division 10 within its jurisdiction, including marijuana dispensaries, marijuana retailers, and marijuana delivery services; and

WHEREAS, absent appropriate local regulation authorized by the AUMA, state regulations will control; and

WHEREAS, the “Medical Marijuana Regulation and Safety Act” (“MMRSA”), which took effect January 1, 2016, regulates use of marijuana for medical purposes; and

WHEREAS, the MMRSA contains a provision which provides that the State shall become the sole authority for regulation under certain parts of the Act unless local governments pass their own regulations; and

WHEREAS, in May 2013, the California Supreme Court held in *City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc.*, 56 Cal. 4th 729 (2013) that cities have the authority to regulate or ban outright medical marijuana land uses; and

WHEREAS, the California Attorney General's August 2008 Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use recognizes that the cultivation or other concentration of marijuana in any location or premises without

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adequate security increases the risk that nearby homes or businesses may be negatively impacted by nuisance activity such as loitering or crime; and

WHEREAS, under the Federal Controlled Substances Act, the use, possession, and cultivation of marijuana are unlawful and subject to federal prosecution without regard to a claimed medical need; and

WHEREAS, the indoor cultivation of marijuana has potential adverse effects to the health and safety of the occupants; including structural damage to the building due to increased moisture and excessive mold growth which can occur and can pose a risk of fire and electrocution; additionally, the use of pesticides and fertilizers can lead to chemical contamination within the structure; and

WHEREAS, based on the experiences of other cities, these negative effects on the public health, safety, and welfare are likely to occur, and continue to occur, in the City due to the establishment and operation of marijuana cultivation, processing, and distribution uses; and

WHEREAS, the Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2), 15060(c)(3) and 15061(b)(3). The activity is not subject to CEQA because it will not result in a direct or reasonably foreseeable indirect physical change in the environment; the activity is not a project as defined in Section 15378, and the activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment, the activity is not subject to CEQA; and

WHEREAS, the City desires to continue to ban all marijuana dispensaries, cultivation, and delivery service land uses within the City to the extent allowed by California law; and

WHEREAS, on September 28, 2016, the City Council adopted Interim Urgency Ordinance No. 542 to confirm the City's policy regarding marijuana and to preemptively address some proposed changes to California law in the event AUMA passes on November 8, 2016; and

WHEREAS, Interim Urgency Ordinance No. 542 was intended to remain in effect only until a non-urgency ordinance would become effective; and

WHEREAS, this Ordinance would amend Chapter 9.74 to regulate the personal, medical and commercial use of marijuana in the City, and to address some of the proposed changes to California law in the event AUMA passes on November 8, 2016.

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

ORDINANCE NO. 543

SECTION 1. The City Council of the City of Santee hereby finds and determines that all of the above Recitals are true and correct and incorporates such Recitals into this Ordinance as if sully set forth herein.

SECTION 2. The City Council of the City of Santee hereby amends Chapter 9.74 to read in its entirety as follows:

Chapter 9.74 Marijuana Uses.

9.74.010 Purpose.

The purpose of this Section is to regulate personal, medical, and commercial marijuana uses. Nothing in this Section shall preempt or make inapplicable any provision of state or federal law.

9.74.020 Definitions.

For purposes of this Title, the following definitions shall apply:

“Commercial marijuana activity” includes the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, labeling, transportation, distribution, delivery or sale of marijuana and marijuana products.

“Cultivation” means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of marijuana.

“Delivery” means the commercial transfer of marijuana or marijuana products to a customer. “Delivery” also includes the use by a retailer of any technology platform owned and controlled by the retailer, or independently licensed under California law, that enables customers to arrange for or facilitate the commercial transfer by a licensed retailer of marijuana or marijuana products.

“Distribution” means the procurement, sale, and transport of marijuana and marijuana products between entities for commercial use purposes.

“Licensee” means the holder of any state issued license related to marijuana activities, including but not limited to licenses issued under Division 10 of the Business & Professions Code.

“Manufacture” means to compound, blend, extract, infuse, or otherwise make or prepare a marijuana product.

“Marijuana” means all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include:

ORDINANCE NO. 543

(i) Industrial hemp, as defined in Section 11018.5 of the California Health & Safety Code; or

(ii) The weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other product.

“Marijuana accessories” means any equipment, products or materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, smoking, vaporizing, or containing marijuana, or for ingesting, inhaling, or otherwise introducing marijuana or marijuana products into the human body.

“Marijuana products” means marijuana that has undergone a process whereby the plant material has been transformed into a concentrate, including, but not limited to, concentrated cannabis, or an edible or topical product containing marijuana or concentrated cannabis and other ingredients.

“Person” includes any individual, firm, co-partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular.

“Private residence” means a house, an apartment unit, a mobile home, or other similar dwelling.

“Sale” includes any transaction whereby, for any consideration, title to marijuana is transferred from one person to another, and includes the delivery of marijuana or marijuana products pursuant to an order placed for the purchase of the same and soliciting or receiving an order for the same, but does not include the return of marijuana or marijuana products by a licensee to the licensee from whom such marijuana or marijuana product was purchased.

Any term defined in this Section also means the very term as defined in the California Business & Professions Code or the California Health & Safety Code, unless otherwise specified.

9.74.030 Personal Use.

A. For purposes of this subsection, personal recreational use, possession, purchase, transport, or dissemination of marijuana shall be considered unlawful in all areas of the City to the extent it is unlawful under California law.

B. Outdoor Cultivation. A person may not plant, cultivate, harvest, dry, or process marijuana plants outdoors in any zoning district of the City. No use permit, building permit, variance, or any other permit or entitlement, whether administrative or discretionary, shall be approved or issued for any such use or activity.

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C. Indoor Cultivation.

1. A person may not plant, cultivate, harvest, dry, or process marijuana plants inside a private residence, or inside an accessory structure to a private residence located upon the grounds of a private residence, or inside any other enclosed structure within any zoning district of the City. No use permit, building permit, variance, or any other permit or entitlement, whether administrative or discretionary, shall be approved or issued for any such use or activity.

2. To the extent a complete prohibition on indoor cultivation is not permitted under California law, a person may not plant, cultivate, harvest, dry, or process marijuana plants inside a private residence, or inside an accessory structure to a private residence located upon the grounds of a private residence, in excess of the limitations imposed by Health and Safety Code Section 11362.2. A person may not plant, cultivate, harvest, dry, or process marijuana plants inside any enclosed structure within any zoning district of the City which is not either a private residence or an accessory structure to a private residence located upon the grounds of a private residence.

3. The City Council may adopt, by later resolution, reasonable regulations on indoor cultivation of marijuana pursuant to Health and Safety Code Section 11362.2(b)(1).

9.74.040 Medical Use.

The cultivation of medical marijuana pursuant to Section 11362.77 of the California Health and Safety Code, the establishment or operation of any medical marijuana collective, cooperative, dispensary, delivery service, operator, establishment, or provider shall be considered a prohibited use in all zoning districts of the City. No use permit, variance, building permit, or any other entitlement or permit, whether administrative or discretionary, shall be approved or issued for the cultivation of medical marijuana or the establishment of any collective, cooperative, dispensary, delivery service, operator, establishment, or provider in any zoning district, and no person shall otherwise establish such businesses or operations in any zoning district.

9.74.050 Commercial use.

A. The establishment or operation of any business of commercial marijuana activity is prohibited. No use permit, variance, building permit, or any other entitlement or permit, whether administrative or discretionary, shall be approved or issued for the establishment or operation of any such business or operation. Such prohibited businesses or operations may include, but are not limited to:

1. The transportation, delivery, storage, distribution, or sale of marijuana, marijuana products, or marijuana accessories;

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2. The cultivation of marijuana;

3. The manufacturing or testing of marijuana, marijuana products, or marijuana accessories; or

4. Any other business licensed by the state or other government entity under Division 10 of the California Business & Professions Code, as it may be amended from time to time.

9.74.060 Penalty for Violations.

No person, whether as principal, agent, employee or otherwise, shall violate, cause the violation of, or otherwise fail to comply with any of the requirements of this section. Every act prohibited or declared unlawful, and every failure to perform an act made mandatory by this section, shall be a misdemeanor or an infraction, at the discretion of the City Attorney or the District Attorney. In addition to the penalties provided in this section, any condition caused or permitted to exist in violation of any of the provisions of this section is declared a public nuisance and may be abated as provided in Chapter 1.14 of this Municipal Code and/or under state law.

SECTION 3. CEQA. This Ordinance is not a project within the meaning of Section 15378 of the State of California Environmental Quality Act ("CEQA") Guidelines, because it has no potential for resulting in physical change in the environment, directly or indirectly. The City Council further finds, under Title 14 of the California Code of Regulations, Section 15061(b)(3), that this Ordinance is nonetheless exempt from the requirements of CEQA in that the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The City Council, therefore, directs that a Notice of Exemption be filed with the County Clerk of the County of San Diego in accordance with CEQA Guidelines.

SECTION 4. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 5. Custodian of Records. The documents and materials that constitute the record of proceedings on which this Ordinance is based are located at the City Clerk's office located at 10601 Magnolia Ave, Santee, CA 92071. The custodian of these records is the City Clerk.

ORDINANCE NO. 543

SECTION 6. Restatement of Existing Law. Neither the adoption of this Ordinance nor the repeal of any other ordinance of this City shall in any manner affect the prosecution for violations of ordinances, which violations were committed prior to the effective date hereof, nor be construed as a waiver of any license or penalty or the penal provisions applicable to any violation thereof. The provisions of this Ordinance, insofar as they are substantially the same as ordinance provisions previously adopted by the City relating to the same subject matter or relating to the enumeration of permitted uses under the City's zoning code, shall be construed as restatements and continuations, and not as new enactments.

SECTION 7. This Ordinance shall take effect thirty (30) days after its final passage and adoption. A summary of this Ordinance shall be published and a certified copy of the full text of this proposed Ordinance shall be posted in the office of the City Clerk at least five (5) days prior to the City Council meeting at which this proposed Ordinance is to be adopted. Within fifteen (15) days after adoption of this Ordinance, the City Clerk is instructed to publish a summary of this Ordinance with the names of those City Council members voting for and against this Ordinance and the City Clerk shall post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance along with the names of those City Council members voting for and against this Ordinance or amendment at least until the day of such publication.

INTRODUCED AND FIRST READ at a Regular Meeting of the City Council of the City of Santee, California, on the 12th day of October, 2016, and thereafter **ADOPTED**, at a Regular Meeting of the City Council held on the 26th day of October, 2016, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

RANDY VOEPEL, MAYOR

ATTEST:

PATSY BELL, CMC, CITY CLERK

ORDINANCE NO.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE,
CALIFORNIA, REPEALING ORDINANCE 524 AND AMENDING SECTION 2.08.010
OF THE SANTEE MUNICIPAL CODE REGARDING COUNCIL SALARIES AND
SECTION 2.08.020 REGARDING THE MAYOR'S SALARY**

WHEREAS, the Santee City Charter provides for the establishment of a Salary Setting Advisory Committee to make recommendations regarding the appropriate level of salary and benefits for the Mayor and City Council; and

WHEREAS, the City Council established a Salary Setting Advisory Committee and the Committee met on September 15, 2016, and October 6, 2016, to review and discuss the current salaries and benefits of the Mayor and City Council; and

WHEREAS, the effective date of the last Mayor and Council Member salary increase was July 1, 2014, pursuant to Ordinance No. 524; and

WHEREAS, the Salary Setting Advisory Committee recommends the Mayor and Council Member salaries be increased by two and one-half percent (2.5%) effective January 1, 2017; salaries be increased an additional two and one-half percent (2.5%) effective July 1, 2017; and salaries be increased an additional two and one-half percent (2.5%) effective July 1, 2018; and

WHEREAS, the Salary Setting Advisory Committee recommends an increase in auto allowance paid to the Mayor and Council Members from \$300 to \$350 per month effective January 1, 2017; and

WHEREAS, after review and consideration of the Salary Setting Advisory Committee recommendation, the City Council desires to approve a 5% salary increase for the Mayor and Council Members effective January 1, 2017 instead of approving two separate increases of 2.5% each in 2017, and disregard the salary increase in 2018, and approve auto allowance paid to the Mayor and Council to be \$350 per month effective January 1, 2017.

The City Council of the City of Santee, California, does ordain as follows:

Section 1: Ordinance number 524 is repealed and Section 2.08.010 of the Santee Municipal Code is amended to read in its entirety, as follows:

Section 2.08.010 Council Member compensation.

- A. The salary of Council Members shall be \$1,686.24 per month effective January 1, 2017.
- B. The auto allowance paid to Council Members shall be \$350 per month effective January 1, 2017.

ORDINANCE NO.

Section 2: Ordinance number 524 is repealed and Section 2.08.020 of the Santee Municipal Code is amended to read in its entirety, as follows:

Section 2.08.020 Mayor's compensation.

- A. The salary of the directly-elected Mayor shall be \$2,841.84 per month effective January 1, 2017.
- B. The auto allowance paid to the Mayor shall be \$350 per month effective January 1, 2017.

Section 3: This Ordinance shall take effect 30 days after its adoption. The City Clerk shall post at the duly designated posting places within the City and publish once within fifteen (15) days after adoption in a newspaper of general circulation.

INTRODUCED AND FIRST READ at a Regular Meeting of the City Council of the City of Santee, California, on the 12th day of October, 2016 and thereafter **ADOPTED** at a Regular Meeting of said City Council held on the 26th day of October, 2016, by the following vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

RANDY VOEPEL, MAYOR

ATTEST:

PATSY BELL, CMC, CITY CLERK

State of California } County of San Diego } ss. City of Santee }	AFFIDAVIT OF POSTING ORDINANCE
I, <u>Patsy Bell, CMC, City Clerk</u> of the City of Santee, hereby declare, under penalty of perjury, that a certified copy of this Ordinance was posted in accordance with the Brown Act and Resolution 61-2003 on _____ at _____.	
_____ Signature	_____ Date

City of Santee
COUNCIL AGENDA STATEMENT

1G

MEETING DATE October 26, 2016

AGENDA ITEM NO.

ITEM TITLE **SUPPORT OF A REQUEST TO DETACH AN APPROXIMATE 0.194-ACRE PORTION OF ASSESSOR PARCEL NUMBER 379-024-23-00 FROM THE CITY OF SANTEE AND THE ANNEXATION OF THIS PROPERTY TO THE COUNTY OF SAN DIEGO AND THE LAKESIDE FIRE PROTECTION DISTRICT; MAKING DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (LAKESIDE INVESTMENT COMPANY, L.P.)**

DIRECTOR/DEPARTMENT Melanie Kush, Development Services *MK*

SUMMARY

At the October 12, 2016 meeting, the City Council directed staff to continue processing a request to support the detachment a 0.194-acre section of land from the City of Santee. This portion of land is part of a 34.07-acre parcel (APN: 379-024-23-00), that is part of a tentative map (TM No. 5203 RPL) approved by the County of San Diego in 2002 for the Hillside Meadows project consisting of 142 single family residential units, the bulk of which is under the jurisdiction of the County of San Diego. This detachment, if approved, would align the City/County jurisdictional boundary to the parcel's southern boundary, thereby simplifying administration and the provision of services.

Jurisdictional changes must be approved by the San Diego Local Agency Formation Commission ("LAFCO"). The City of Santee must approve of a detachment of land from its jurisdiction. Attached is a resolution of support for the proposed detachment. An approved resolution demonstrates the City's support for the reorganization and would become part of the property owner's application to LAFCO. The resolution would allow staff to sign any LAFCO forms related to this reorganization.

The County of San Diego, as lead agency under the California Environmental Quality Act ("CEQA"), fully evaluated the Hillside Meadows project, including the proposed detachment through adoption of an Addendum to the Upper San Diego River Improvement Project Programmatic Environmental Impact Report ("EIR") certified by the County on August 9, 2000. The City of Santee, acting as a responsible agency in its support of the proposed detachment of the 0.194-acre portion of land from the City of Santee municipal boundary under State CEQA Guidelines sections 15096 and 15381, and other provisions of CEQA, has considered the EIR and subsequent Addendum adopted by the County.

FINANCIAL STATEMENT *m*

Staff time and other expenses spent on this request will be fully funded by the developer/applicant.

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MSB*

Approve the resolution of support for the detachment.

ATTACHMENTS

Resolution Oct 12, 2016 Staff Report w/ attachments

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE SUPPORTING A REQUEST TO DETACH AN APPROXIMATE 0.194-ACRE PORTION OF ASSESSOR PARCEL NUMBER 379-024-23-00 FROM THE CITY OF SANTEE AND THE ANNEXATION OF THIS PROPERTY TO THE COUNTY OF SAN DIEGO AND THE LAKESIDE FIRE PROTECTION DISTRICT; MAKING DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

**APPLICANT: LAKESIDE INVESTMENT COMPANY, L.P.
APN: 379-024-23-00**

WHEREAS, a 34.07-acre parcel (APN: 379-024-23-00) has split jurisdiction between the City of Santee and the County of San Diego; and

WHEREAS, a 0.194-acre portion of the 34.07-acre parcel is within the City of Santee's jurisdiction; and

WHEREAS, the balance of the 34.07-acre parcel (33.876 acres) is within the County of San Diego's jurisdiction; and

WHEREAS, the current jurisdictional boundary does not follow a public road, street or highway; and

WHEREAS, the property is uninhabited; and

WHEREAS, the 0.194 acre section of land within the City of Santee has no assigned General Plan Land Use Designation or zone district classification; and

WHEREAS, the entire 34.07-acre parcel is part of a tentative map (TM No. 5203 RPL) approved by the County of San Diego on November 13, 2002 for the Hillside Meadows project consisting of 142 single family residential units; and

WHEREAS, three residential parcels on Tentative Map 5203 RPL were impacted by this jurisdiction split and would have been wholly or partially within the City of Santee; and

WHEREAS, as a result of the jurisdiction split, all future homes in the approved subdivision would be served by the Lakeside Fire Protection District, except that portion of the development located in the City of Santee; and

WHEREAS, Tentative Map 5203 RPL, included a condition to resolve the jurisdiction split to ensure all future lots would be located within the County of San Diego (Specific Condition No. 15(g)); and

WHEREAS, detachment of the 0.194-acre portion of the 34.07-acre parcel would eliminate split jurisdiction on the parcel and align the City/County boundary along the southern border of this parcel. The San Diego Local Agency Formation Commission ("LAFCO") must determine whether to approve the detachment; and

WHEREAS, the owner of the 34.07-acre parcel, Lakeside Investment Company, L.P. submitted a request for support of the proposed detachment by the City of Santee on August 26, 2016; and

RESOLUTION NO. _____

WHEREAS, approval of the detachment would simplify the responsibility for emergency services; and

WHEREAS, the boundaries of the Spheres of Influence for the City and fire district would need to be amended to reflect the detachment; and

WHEREAS, Government Code Section 56751 provides for either a pre-hearing by the Local Agency Formation Commission or a resolution from a detaching City showing support; and

WHEREAS, the County of San Diego, as lead agency under the California Environmental Quality Act ("CEQA"), fully evaluated the Hillside Meadows project, including the proposed detachment, through adoption of an Addendum to the Upper San Diego River Improvement Project Programmatic Environmental Impact Report ("EIR") (State Clearing House Number 2002119034) certified by the County on August 9, 2000; and

WHEREAS, the City of Santee, acting as a responsible agency in its support of the proposed detachment of the 0.194-acre portion of land from the City of Santee municipal boundary under State CEQA Guidelines sections 15096 and 15381, and other provisions of CEQA, has considered the EIR and subsequent Addendum adopted by the County; and

WHEREAS, all the procedures of CEQA and the State CEQA Guidelines have been followed, and the environmental documentation, prepared in connection with the Hillside Meadows project, is sufficiently detailed so that all of the potentially significant effects of the proposed detachment on the environment, and any measures necessary to avoid or substantially lessen such effects, have been evaluated in accordance with CEQA and the State CEQA Guidelines; and

WHEREAS, the reasons for the proposed reorganization are:

1. The original 1980 incorporation boundary did not include the small portion of the larger assessor parcel. City boundaries do not customarily divide a legal parcel.
2. During a boundary adjustment in 1981 to address a potential road alignment project, the 34.07-acre parcel was split between the City of Santee and the County of San Diego.
3. The proposed detachment from the City of Santee is a condition of a County approved Tentative Map (TM 5203 RPL). The City boundaries overlap portions of three proposed residential lots.
4. The administrative correction to the City's boundaries by LAFCO several decades ago for a former road alignment is no longer being considered by either the City of Santee or County of San Diego.
5. The portion of the parcel proposed to be detached has neither a General Plan Land Use Designation nor a zone classification.

RESOLUTION NO. _____

6. Approval of the proposed detachment would not affect land use decisions over adjacent properties located within the City of Santee.
7. Approval of the proposed detachment would allow for all of the approved residential subdivision to be located within the County and the Lakeside Fire Protection District rather than having split jurisdictions; and

WHEREAS, the Lakeside Investment Company, L.P. is responsible for preparing and processing the reorganization application to LAFCO; and

WHEREAS, the City Council considered the Staff Report, all recommendations by staff, public testimony, and all other relevant information contained in the administrative record regarding the reorganization.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santee, California, after considering the evidence presented at the public hearing, as follows:

SECTION 1: The foregoing facts are found and determined to be true and correct.

SECTION 2: The City of Santee certifies that it has reviewed and considered the EIR and Addendum adopted by the County of San Diego for the Hillside Meadows project, and all other environmental documentation relating to the proposed detachment prior to approving this Resolution. The City Council has reviewed and considered public comment and additional information presented at or prior to the October 26, 2016 meeting of the City Council.

SECTION 3: The City Council finds the proposed detachment of the portion of land identified in Exhibit "A" to this Resolution would clarify city boundaries and improve emergency services and, on this basis, the City supports the proposed detachment.

SECTION 4: The City Council determines that the City's jurisdiction to impose conditions on the detachment is limited under State CEQA Guidelines sections 15050 and 15096 because the detachment is just a component of the larger Hillside Meadows project approved by the County. The EIR and Addendum identified one or more significant environmental effects for the larger project. Changes or alterations that would avoid or substantially lessen the significant environmental effects as identified in the EIR and addendum are within the responsibility and jurisdiction of the County, and not the City. Such changes have been adopted by the County, or can and should be adopted by the County.

SECTION 5: State CEQA Guidelines section 15096(g)(1) provides that a responsible agency, such as the City, has responsibility for mitigating or avoiding only the direct or indirect environmental effects of those parts of the project which it decides to carry out, finance, or approve. The City Council finds that the detachment would have no significant direct or indirect environmental effect on the City of Santee related to provision of services, among other potential impacts. The mitigation measures in the EIR, which might reduce or eliminate the significant adverse environmental impacts of the larger Hillside Meadows project, are not within the jurisdiction of the City of Santee in considering whether to support the detachment. Therefore no findings under State CEQA Guidelines section 15096(h) are required for impacts. None of the mitigation

RESOLUTION NO. _____

measures in the EIR and Addendum address issues over which the City of Santee has discretion, as the County, and not the City, has authority to impose measures.

SECTION 6: The City Council authorizes and directs the Director of Development Services Director to 1) provide a certified copy of this Resolution to LAFCO; 2) to sign any documents related to this reorganization; and 3) file a Notice of Determination with the San Diego County Clerk and with the Governor's Office of Planning and Research within five (5) working days of the Resolution's execution..

SECTION 7: The proposal will be subject to the following terms and conditions:

- A. Lakeside Investment Company, L.P. shall defend, indemnify, and hold harmless the City of Santee and its officers, employees, and agents from any claim, action, liability or proceeding against the City and/or its officers, employees or agents to attack or set aside, void, or annul the approval of the City of Santee concerning this action, or any action relating to or arising out of the proposed detachment.

SECTION 8: The documents and material that constitute the record of proceedings on which these findings are based are located with the City Clerk at the City of Santee's City Clerk's office at 10601 Magnolia Avenue, Building Number 3, Santee, CA 92071, unless otherwise located within the custody of the Planning and Development Services, 5510 Overland Avenue, Suite 110, San Diego, CA 92123 related to the County of San Diego's approval of the Hillside Meadows project.

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

AYES:

NOES:

ABSENT:

APPROVED:

RANDY VOEPEL, MAYOR

ATTEST:

PATSY BELL, CMC, CITY CLERK

EXHIBIT "A"

DETACHMENT FROM THE CITY OF SANTEE

ALL THAT CERTAIN REAL PROPERTY SITUATED IN A PORTION OF TRACT "B" OF THE RANCHO EL CAJON, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO PARTITION MAP THEREOF MADE IN THE ACTION ENTITLED "ISAAC LANKERSHIM, ET AL VS A. M. CRANE ET AL" IN JUDICIAL COURT OF THE 18 JUDICIAL DISTRICT OF THE STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THAT EXISTING CITY OF SANTEE BOUNDARY PER CERTIFICATE OF COMPLETION RECORDED FEBRUARY 20, 1981 AS FILE NO. 81-052979, OF OFFICIAL RECORDS, WITH THE CENTERLINE OF ROAD SURVEY NO. 1275-2, MAP ON FILE IN THE COUNTY ENGINEER'S OFFICE OF SAID COUNTY;

THENCE ALONG SAID EXISTING CITY OF SANTEE BOUNDARY, SOUTH 72°05'31" EAST, 55.30 FEET TO AN ANGLE POINT IN SAID CITY OF SANTEE BOUNDARY AND THE **TRUE POINT OF BEGINNING**, BEING ALSO THE BEGINNING OF A NON-TANGENT 1051.00 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY, A RADIAL LINE TO SAID POINT BEARS SOUTH 49°56'58" EAST;

THENCE CONTINUING ALONG SAID CITY OF SANTEE BOUNDARY AND THE ARC OF SAID CURVE (1) NORTHEASTERLY THROUGH A CENTRAL ANGLE OF 04°52'08" A DISTANCE OF 89.31 FEET;

THENCE CONTINUING ALONG SAID CITY OF SANTEE BOUNDARY (2) NORTH 35°10'54" EAST, 7.10 FEET TO THE CUSP OF A 20.00 FOOT RADIUS CURVE CONCAVE EASTERLY;

THENCE CONTINUING ALONG SAID CITY OF SANTEE BOUNDARY AND THE ARC OF SAID CURVE (3) SOUTHERLY THROUGH A CENTRAL ANGLE OF 87°48'41" A DISTANCE OF 30.65 FEET;

THENCE CONTINUING ALONG SAID CITY OF SANTEE BOUNDARY (4) SOUTH 52°37'47" EAST, 198.20 FEET TO AN ANGLE POINT IN SAID CITY OF SANTEE BOUNDARY;

THENCE LEAVING SAID CITY OF SANTEE BOUNDARY (5) NORTH 72°05'31" WEST, 231.53 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 0.194 ACRES, MORE OR LESS.

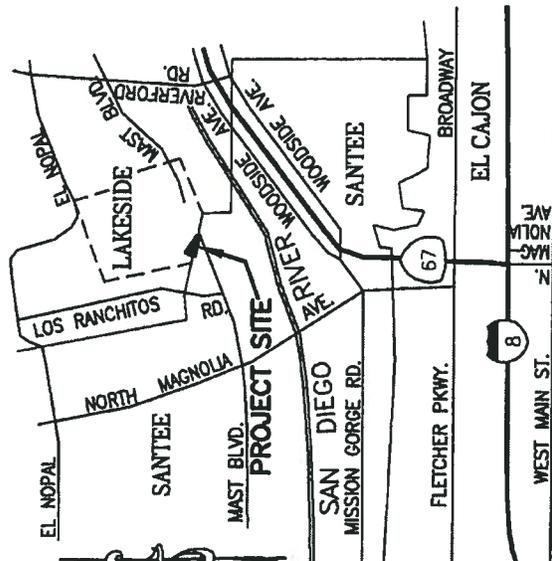
PROPOSED "HILLSIDE MEADOWS" REORGANIZATION INVOLVING DETACHMENT FROM THE CITY OF SANTEE AND ANNEXATION TO THE LAKESIDE FIRE PROTECTION DISTRICT

- EXISTING CITY OF SANTEE BOUNDARY/LAKESIDE FIRE PROTECTION DISTRICT
- PROPOSED CITY OF SANTEE BOUNDARY/LAKESIDE FIRE PROTECTION DISTRICT
- EXISTING PARCELS

COURSES:

- 1 - Δ=04°52'08" R=1051.00' L= 89.31'
- 2 - N 35°10'54" E, 7.10'
- 3 - Δ=87°48'41" R= 20.00' L=30.65'
- 4 - S 52°37'47" E, 198.20'
- 5 - N 72°05'31" W, 231.53'

0.194 ACRES



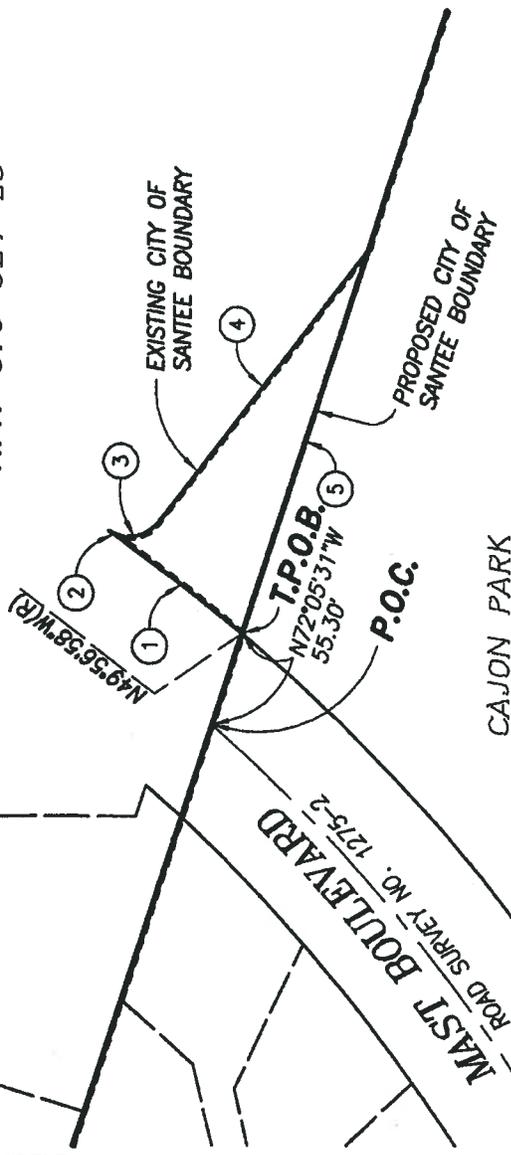
VICINITY MAP

NOT TO SCALE

RANCHITOS PL.

RANCHO EL CAJON

APN: 379-024-23



CAJON PARK

APN: 379-030-31



DISCLAIMER:
"FOR ASSESSMENT PURPOSES ONLY. THE DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED."

ASSESSOR'S PARCEL NUMBER: 379-024-23	LAFCO RESOLUTION NO. _____	ACREAGE 0.194	DATE: 9/23/2016	SCALE: 1"=200'
REORGANIZATION NO. _____		HUNSAKER & ASSOCIATES SAN DIEGO, INC. PLANNING - ENGINEERING - SURVEYING 9707 MAPLES STREET, SAN DIEGO, CA 92121 (858) 558-4500 - FAX (858) 558-1414		
BEING A PORTION OF TRACT "B" OF THE RANCHO EL CAJON, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA				

City of Santee
COUNCIL AGENDA STATEMENT

6A

MEETING DATE October 12, 2016

AGENDA ITEM NO.

ITEM TITLE CONSIDERATION OF A REQUEST TO DETACH A 0.19-ACRE PORTION OF LAND FROM THE CITY OF SANTEE (LAKESIDE INVESTMENT COMPANY)

DIRECTOR/DEPARTMENT Melanie Kush, Development Services *JK*

SUMMARY

At the time of its incorporation in 1980, Santee's boundary was established by the San Diego Local Agency Formation Commission (LAFCO). In 1981, the boundary between the City of Santee and the County of San Diego was adjusted near the eastern terminus of Mast Boulevard that resulted in parcel split. Specifically, the revised boundary split a 34.07-acre parcel (APN: 379-024-23-00) between two jurisdictions. A 0.194-acre (8,450 square feet) portion near the southwest corner of the lot was placed within the City of Santee while the remainder of the parcel's land (33.876 acres) stayed in the County of San Diego's jurisdiction. The small portion within the City has remained without a land use designation and a zone district classification since 1981.

In November 2002, the County of San Diego approved a tentative map of 148 single-family homes ("Hillside Meadows") on the subject parcel. The map approval was conditioned to resolve this split jurisdiction. The current owner, Lakeside Investment Company, is working on an application to LAFCO to remove the split jurisdiction by aligning the City/County border with the parcel's southern boundary and thereby reestablishing the 1980 boundary.

A jurisdictional change would require LAFCO approval. For the LAFCO application to move forward, the City of Santee City Council must first adopt a resolution of support. This item is a request for direction from the City Council on whether to continue processing this detachment request. If the City Council is in favor of the detachment, staff would return at a later meeting with a resolution of support for the detachment as required by LAFCO.

The proposal would align the municipal boundary with existing parcel lines and remove uncertainty related to this 0.194-acre section of land. The realignment would also correct the City's land use and zoning maps as this segment of land has no assigned land use designation or zoning.

FINANCIAL STATEMENT *m*

Staff time and other expenses spent on this request will be fully funded by the developer/applicant.

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *KV for MB*

Provide direction to staff on consideration of a request for detachment of land from the City of Santee.

ATTACHMENTS Staff Report Land Use/Zoning Maps Applicant Letter

STAFF REPORT
CITY COUNCIL MEETING
10/12/2016



Figure 1
Hillside Meadows Reorganization

- Existing City Boundary
- Parcel Boundary

A. SITUATION AND FACTS

1. Requested by Lakeside Investment Company
2. Land Owner Lakeside Investment Company
3. Type and Purpose of Request Request for detachment of a 0.194-acre portion of a 34.07-acre parcel from the City of Santee for inclusion into the County of San Diego.
4. Location Eastern border of the City of Santee at the terminus of Mast Boulevard.
5. APN A portion of 379-024-23-00
6. Site Area 0.194 acre of a 34.07-acre parcel.
7. Hillside Overlay No
8. Existing Zoning None
9. Surrounding Zoning North: County of San Diego
South: R-2 (Low-Medium Density Residential)
East: County of San Diego
West: County of San Diego
R-2 (Low-Medium Density Residential)
10. General Plan Designation None
11. Existing Land Use Undeveloped
12. Surrounding Land Use North: Residences / Businesses
South: Vacant/Water Reservoir
East: Agriculture
West: Single Family Residences
13. Terrain Relatively flat

B. BACKGROUND

The boundaries of the City of Santee were established by San Diego Local Agency Formation Commission (LAFCO) at the time of City's incorporation in 1980. Shortly after incorporation, LAFCO approved a change in the City's jurisdictional boundary along the City's eastern border with the County of San Diego. This boundary change or "reorganization" affected a section of the border near the eastern terminus of Mast Boulevard.

The original municipal boundary of Santee followed the south portion of assessor's parcel number (APN) 379-024-23-00 as shown in Figure 1. The subsequent change modified the straight line portion of this border by creating a northward inverse "V" shaped segment which would have coincided with a planned alignment of Mast Boulevard and El Nopal as shown in Figure 2. This northward change in the boundary resulted in a 0.194-acre triangle of parcel 379-024-23-00 being placed in the City of Santee. The remaining 33.876 acres of this parcel remained within the jurisdiction of the County of San Diego.

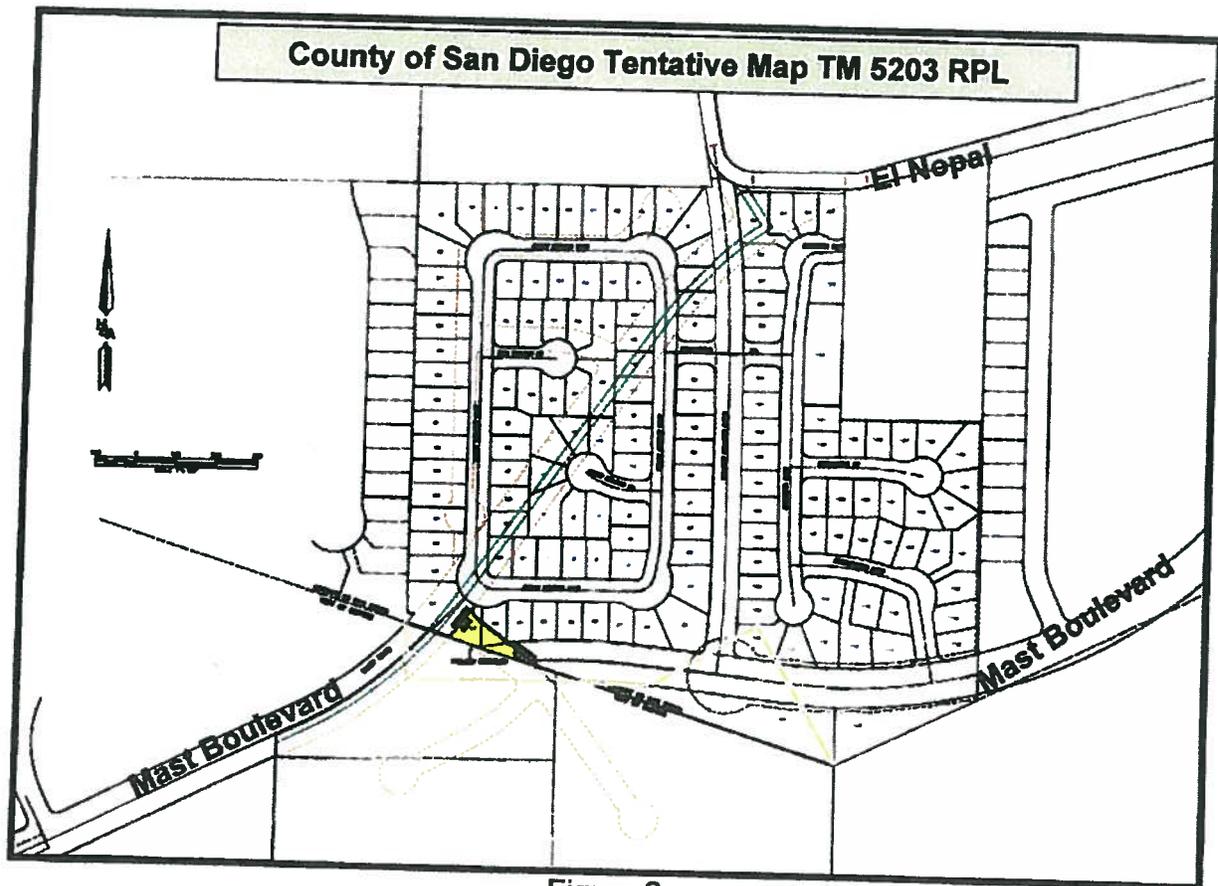


Figure 2

Lakeside Investment Company owns the subject parcel. The owner is finalizing a tentative subdivision map (TM No. 5203 RPL) approved by the County of San Diego in 2002. This tentative map approved 142 single-family residential lots with two open lots. In 2002, portions of three of the proposed lots appeared to be located within the City of Santee. At its approval, the County required the developer to prove that no portion of the tentative map fell within the City of Santee, or process a jurisdictional boundary adjustment. This map condition is still outstanding. The property owner is therefore seeking a detachment of the 0.194-acre (approximately 8,450 square feet) section of the subject parcel from the City of Santee (Lakeside Investment Company, L.P letter of August 25, 2016). If approved, the entire parcel would be located within the jurisdiction of the County of San Diego.

Reorganizations must be approved by LAFCO and will require concurrence from both the City of Santee and the County of San Diego. The County of San Diego staff has expressed verbal concurrence as approval of the final subdivision map requires this reorganization. The change does not affect other agencies such as Padre Dam Municipal Water District, County Service Area (CSA) 69 (Heartland Paramedics), or CSA 135 (San Diego Regional Communications/Fire Protection and EMS) as the site is already within the respective jurisdictions. The triangle-shaped land would be annexed into the Lakeside Fire Protection District, who has informally agreed to this change.

C. ANALYSIS

The proposal is to detach a triangular shaped 0.1940-acre segment from the City of Santee. If detached, the area shown in Figure 3 would then come under the jurisdiction of the County of San Diego. The 0.194-acre site has no specific land use designation or zoning classification as Santee's General Plan land use and zoning maps are parcel based and this parcel is not located within Santee. If no action is taken, City Council action would later be required to assign a land use designation and zone district to the 0.194-acre site.

The proposal would align the municipal boundary with existing parcel lines which has the benefit of simplifying development of both adjacent parcels and correcting the City's land use and zone district maps to reflect the 1980 boundary.

Detachment would facilitate the County's final map approval on the 34.07-acre parcel. This approval requires that Mast Boulevard be extended for an approximate distance of 500 feet, in the County, to serve the development. This street extension, entirely within the County's jurisdiction, does not have an effect on the City of Santee's policy to not connect Mast Boulevard to the County's roadway segment.

If given authority to process this request, staff would return with a resolution in support of this detachment. The applicant would include the resolution with the LAFCO application.

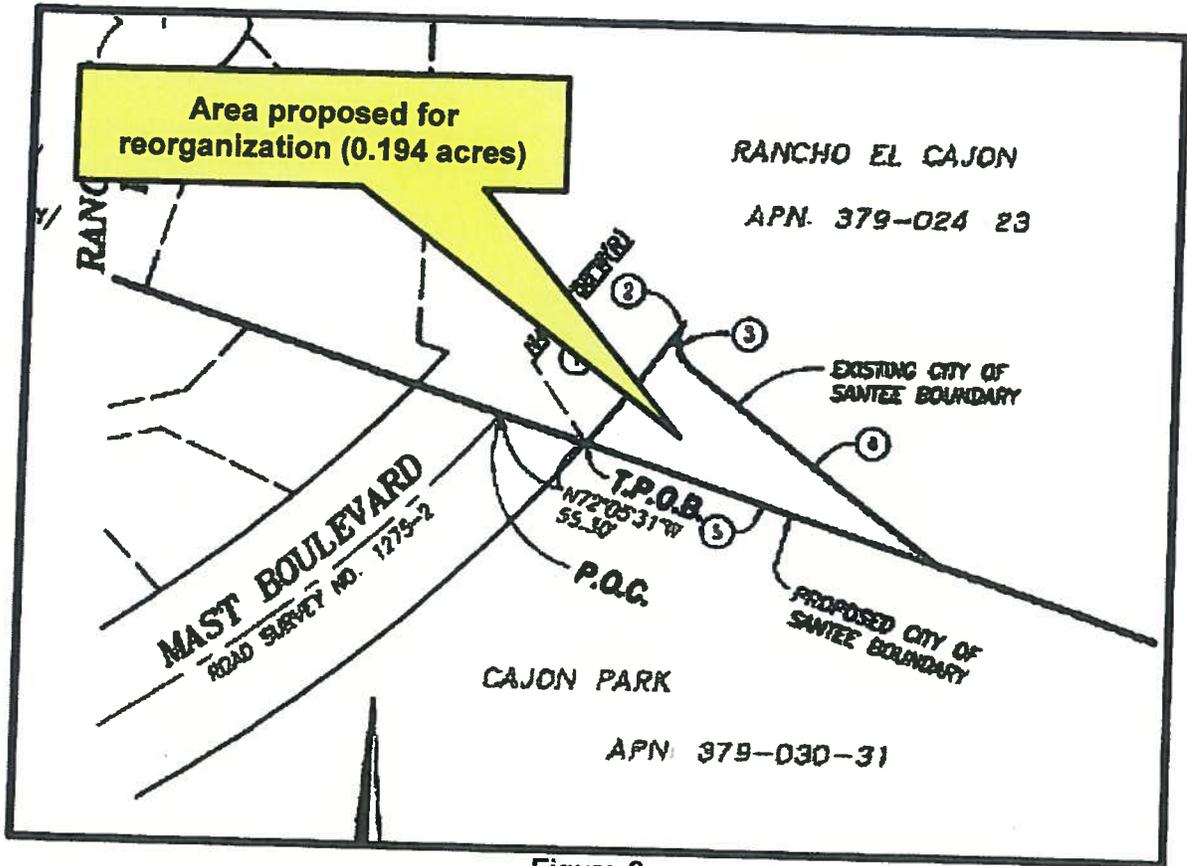


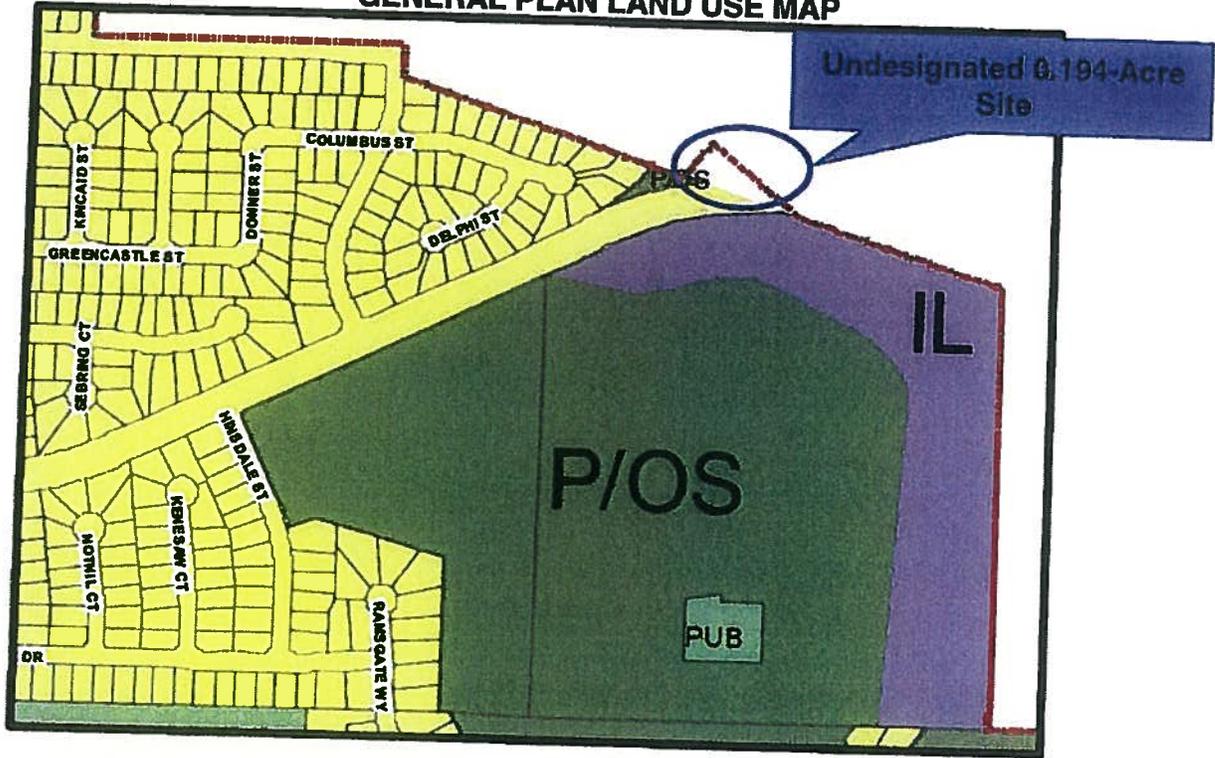
Figure 3

D. STAFF RECOMMENDATION

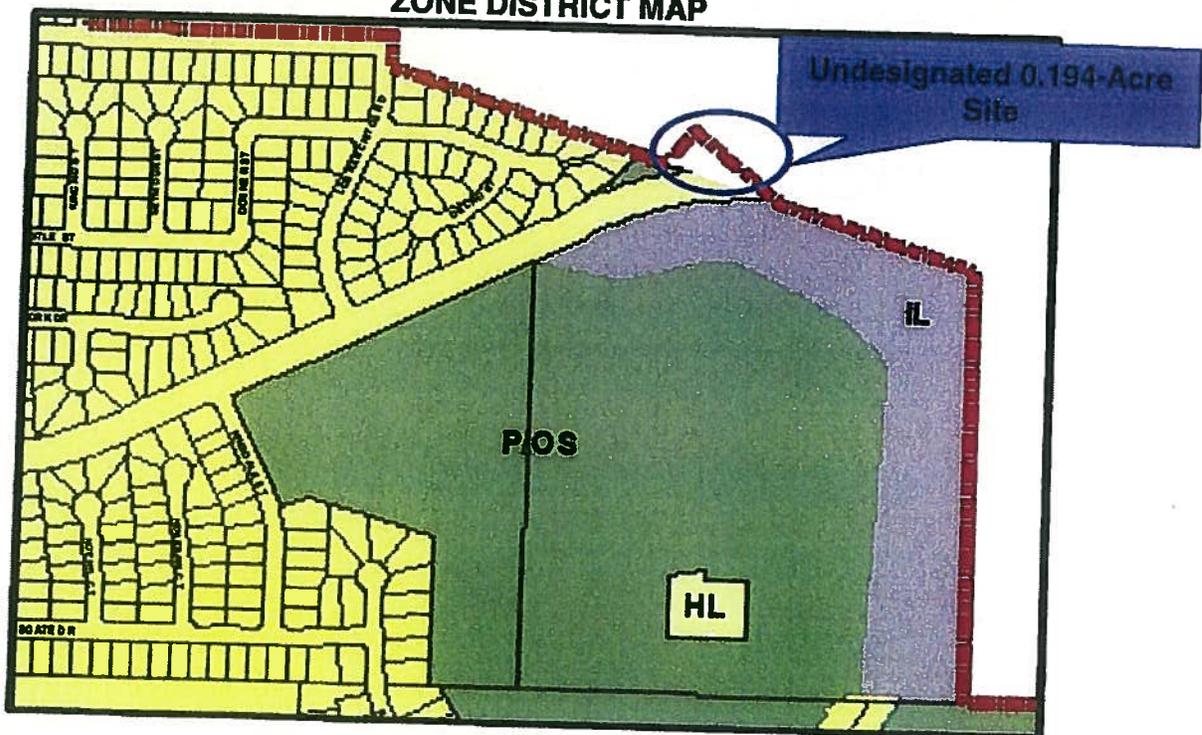
Provide direction to staff on this detachment request.

October 12, 2016
Reorganization Request
Attachment

GENERAL PLAN LAND USE MAP



ZONE DISTRICT MAP



Lakeside Investment Company, L. P.

9370 Sky Park Court, Suite 230, San Diego, CA 92123, (858) 268-3210, Facsimile (760) 230-6995

August 25, 2016

Melanie Kush, Planning Director
CITY OF SANTEE
Department of Development Services
10601 Magnolia Ave
Santee, California 92071



Subject: Proposed "Hillside Meadows Reorganization"

Dear Melanie:

Thank you for meeting with Rich Miller and me last week to discuss the potential detachment of 0.194 acre from the City of Santee (Attachment 1). The subject area is a small part of an approximately 37.05 acre parcel (APN 379-024-23) that we own, which otherwise is entirely within the unincorporated County of San Diego. The 0.194 acre is outside the boundaries of the City of Santee General Plan and has neither a City land use designation nor zoning classification. The following narrative provides background, reasons for City support of the proposal and a commitment to pay all costs associated with a detachment from the City.

History

In November 1980, the LAFCO Executive Officer issued a Certificate of Completion (Doc. 1980-401123) for the Santee Reorganization, which included incorporation of the new City of Santee. The originally approved boundaries for the City of Santee as shown on the metes and bounds legal description did not include the 0.194 acre. The boundary between the newly formed City and County of San Diego was drawn along the historic Rancho El Cajon line.

In February 1981, LAFCO issued a revised Certificate of Completion (Document 1981-052979) which adjusted the boundary to split APN 379-024-23 between the County of San Diego and City of Santee. This action resulted in 0.194 of an acre or less than 1% of the parcel being placed within the City of Santee.

The County of San Diego in November 2002 approves Hillside Meadows (TM No. 5203 RPL¹) which provides for a single-family residential community and 2 industrial lots. Portions of a couple of residential lots are within the 0.194 acre in the City of Santee (Attachment 2). Condition 15. C. g. of the tentative map addresses detachment of this sliver of land from the City of Santee which requires support from the City and LAFCO approval.

In 2003, the City of Santee adopts General Plan 2020. The area in question is not included within the boundaries of the City General Plan and is not assigned a land use designation. The zoning map adopted in the same year to reflect the updated General Plan includes the portion of the parcel within the zoning map but does not implement a City of Santee zoning classification.

Reorganization Request
October 12, 2016

Melanie Kush, Planning Director
August 25, 2016
Page 2

Three years later, the County of San Diego erroneously issues a letter stating that Condition 15. C. g. has been satisfied based on the original boundaries approved by LAFCO rather than the revised Certificate of Completion issued by the Executive Officer. Based on a subsequent review of the second legal description contained in the revised Certificate of Completion, the condition has not been addressed and the small portion of the map is actually within the City of Santee.

Proposal

The Cortese Knox Hertzberg Act of 2000, the portion of the California Government Code that establishes laws overseeing LAFCOs, allows a City to terminate a detachment. Government Code Section 56751 (a-d) provides for either a pre-hearing before LAFCO or adoption of a City resolution showing support for the proposal.

We propose that the 0.194 acre area be detached from the City of Santee to comply with the County Tentative Map condition. Fire protection will need to be provided by the Lakeside Fire Protection District which will be serving all of the other homes approved for Hillside Meadows. The two actions (detachment and annexation to the fire district) define the proposal as reorganization.

Attachment 3 is a draft resolution of application for your review and consideration. Approval of the resolution would indicate: (1) the support described in Government Code Section 56751(d), (2) avoid the need for an unnecessary pre-hearing at LAFCO and (3) allow the owner to proceed with a formal application.

Full City Cost Recovery

Enclosed is a check made out to the City of Santee for an initial deposit of \$10,000. We recognize that all aspects of the proposal shall be full cost recovery for any City or legal staff time. If the City supports the application by adopting the attached resolution, it will be our responsibility to prepare, file and process the reorganization through the San Diego LAFCO.

Justification

A number of reasons would support detachment from the City:

1. The original City incorporation boundary did not include this small portion (0.194 acre) of a larger (37.05 acres) assessor parcel. City boundaries do not customarily divide a legal parcel.
2. The detachment from the City of Santee is a condition of a County approved Tentative Map. The city boundary currently overlaps portions of a couple of residential lots.
3. The administrative correction to the City's boundaries by LAFCO several decades ago appears to be for a former road alignment that was considered but later withdrawn from consideration by both the City of Santee and County.

Reorganization Request
October 12, 2016

Melanie Kush, Planning Director
August 25, 2016
Page 3

4. The property is neither designated by the City General Plan nor zoned.
5. Approval of the proposal will simplify maintenance responsibilities for Mast Boulevard between the City and County. The reorganization will not affect the City's decision regarding the connection of the two segments of Mast Boulevard.
6. Support for the proposal will place all of the approved residential subdivision within the Lakeside Fire Protection District rather than requiring City emergency personnel to drive significantly out-of-the way to serve a new neighborhood that, other than the 0.194 acre, is entirely located within the unincorporated County.

We appreciate your positive consideration of the proposed reorganization including a detachment from the City of Santee. If you have any questions, please feel free to call me or our consultant, Rich Miller of MetroPlan, LLC (858 335-9344).

Sincerely,



Randy K. Lang

Cc: John O'Donnell, Department of Development Services
Scott Johnson, Department of Development Services
Richard Miller, MetroPlan

Reorganization Request
October 12, 2016

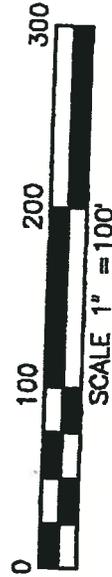
Reorganization Request
October 12, 2016

RANCHO EL CAJON

APN: 379-024-23

CAJON PARK

APN: 379-030-31



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ASSESSOR'S PARCEL NUMBER 379-024-23	LAFCO RESOLUTION NO.	ACREAGE 0.194	DATE 7/12/2016	SCALE 1"=200'
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ANNEXATION NO. _____
 BEING A PORTION OF TRACT "E" OF THE
 RANCHO EL CAJON, IN THE COUNTY OF
 SAN DIEGO, STATE OF CALIFORNIA

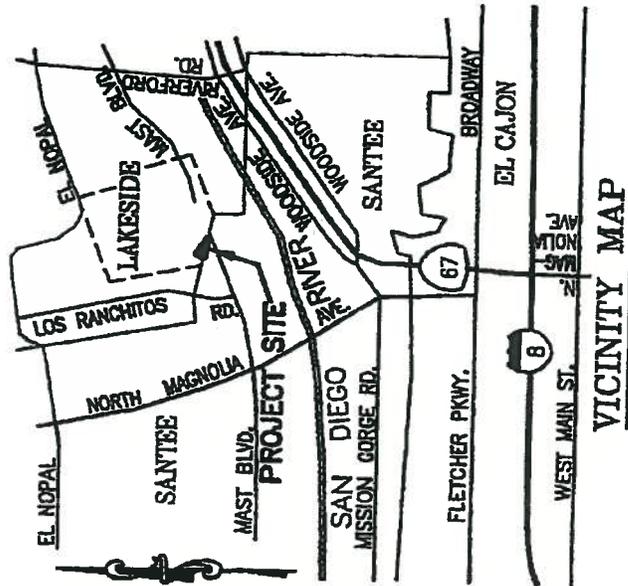
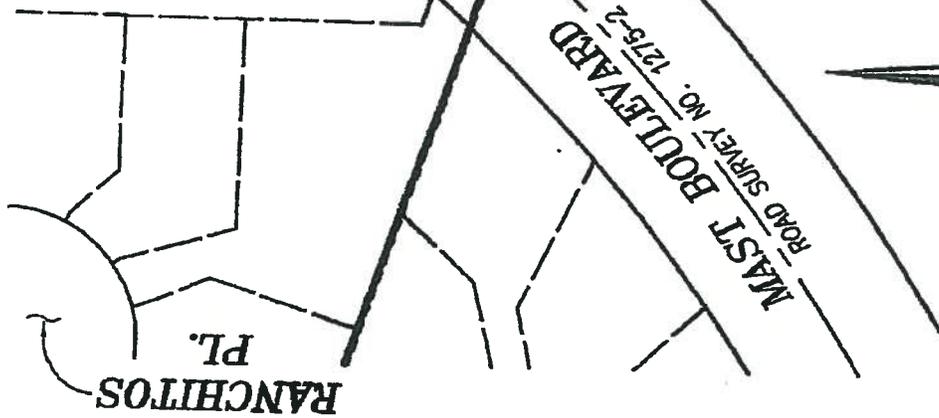
H&A
 HENSBAKER & ASSOCIATES SAN DIEGO, INC.
 PLANNING - ENGINEERING - SURVEYING
 9707 MAPLES STREET, SAN DIEGO, CA 92121
 (658) 558-4500 - FAX (658) 558-1414

- EXISTING CITY OF SANTEE BOUNDARY
- PROPOSED CITY OF SANTEE BOUNDARY
- EXISTING PARCELS

COURSES:

- 1 -- Δ=04°52'08" R=1051.00' L= 89.31'
- 2 -- N 35°10'54" E, 7.10'
- 3 -- Δ=87°48'41" R= 20.00' L=30.65'
- 4 -- S 52°37'47" E, 198.20'
- 5 -- N 72°05'31" W, 231.53'

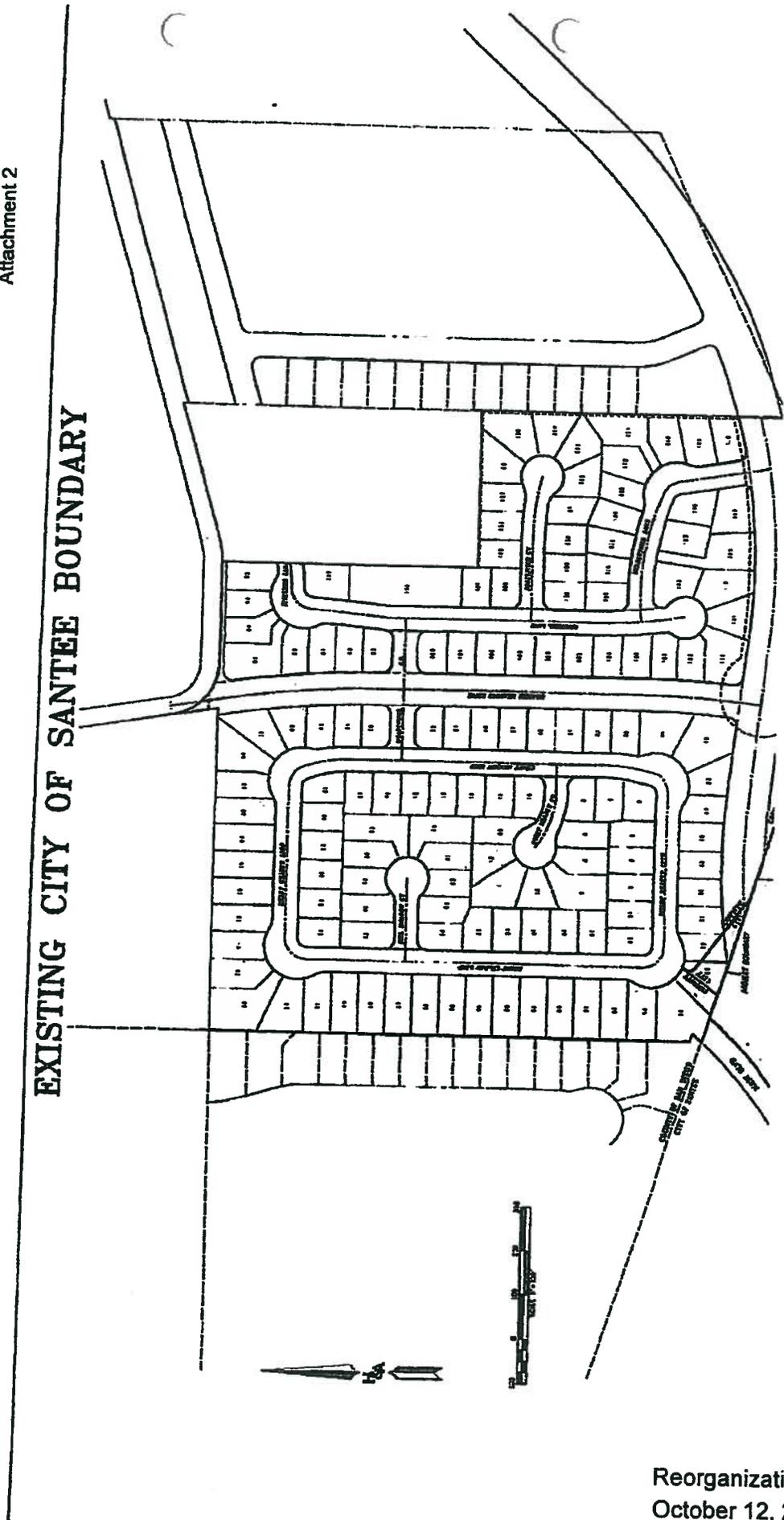
0.194 ACRES



VICINITY MAP

NOT TO SCALE

EXISTING CITY OF SANTEE BOUNDARY



1H

City of Santee
COUNCIL AGENDA STATEMENT

MEETING DATE October 26, 2016

AGENDA ITEM NO.

ITEM TITLE RESOLUTION AWARDING A CONTRACT FOR EMS SUPPLIES TO BOUND TREE MEDICAL, LLC PER BID 16/17-20024

DIRECTOR/DEPARTMENT Richard Smith, Fire Chief *RS*

SUMMARY

The City has been utilizing City of El Cajon Contracts 005-12 and 300232 to purchase emergency medical services (EMS) supplies and pharmaceuticals on an as-needed basis. Contract 005-12 for EMS supplies will expire on October 31, 2016 and Contract 300232 for pharmaceuticals will expire February 28, 2017. In compliance with the City's purchasing ordinance, Santee Municipal Code 3.24.110, the Finance Department administered a formal bid process for EMS supplies and pharmaceuticals, and on October 17, 2016, four bids were received and opened for Bid 16/17-20024. Based on the requirements for lowest responsive responsible bid, staff recommends awarding the contract for as-needed EMS supplies and pharmaceuticals to Bound Tree Medical, LLC for an amount not to exceed \$71,842.67 for the remainder of fiscal year (FY) 2016-17. Total spend for a full fiscal year is approximately \$75,000. Staff recommends waiver of a minor irregularity in the low bid where the low bidder provided a price per unit of "each" rather than a price per unit of "box"/"case" for nine items. Price corrections for said items are reflected in the award amount.

The term of the initial contract will be upon issuance of a purchase order through June 30, 2017, with three (3) subsequent 12-month options to renew. Annual increases for said contract, if any, may be allowed as the result of manufacturer or supplier price increases in the product offered; governmental or regulatory agency increases to the trade; and regional CPI increases to the industry.

Staff also requests City Council authorization for the City Manager to approve future purchase orders and allowable annual increases, if any, per subsequent contract renewals and annual change orders up to ten percent (10%) of the then-current contract amount.

CITY ATTORNEY REVIEW N/A Completed

FLEET MANAGER REVIEW N/A Completed

FINANCIAL STATEMENT *MS*

Funding for this contract is provided by the adopted FY 2016-17 Fire Department Emergency Medical Services operating budget and will be fully reimbursed by County Service Area 69.

RECOMMENDATION – Adopt Resolution *MSB*

1. Waiving minor bid irregularity and authorizing award of the contract for EMS Supplies, Bid 16/17-20024, to Bound Tree Medical, LLC for an amount not to exceed \$71,842.67 for the remainder of FY 2016-17; and
2. Authorizing the City Manager to approve three (3) additional 12-month options to renew, and allowable annual increases, if any, along with the corresponding purchase orders;
3. Authorizing the City Manager to approve annual change orders up to 10% of the then-current contract amount.

ATTACHMENTS

Bid Summary
Resolution



CITY OF SANTEE

MAYOR
Randy Voepel

CITY COUNCIL
Jack E. Dale
Ronn Hall
Rob McNeelis
John W. Minto

October 19, 2016
RFB 16/17-20024

BID SUMMARY
for
EMS SUPPLIES

Bid Opening Date: October 17, 2016 at 3:00 p.m.

Bids received and verified:

1. Bound Tree Medical LLC	\$71,842.67	corrected
2. Life-Assist, Inc.	\$74,275.26	corrected
3. Guardian EMS Products	\$83,334.05	corrected
4. Henry Schein, Inc.	\$118,096.60	corrected

To review submitted bid documents, please contact the Office of the City Clerk at (619) 258-4100 extension 114

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE AWARDING
A CONTRACT FOR EMS SUPPLIES TO BOUND TREE MEDICAL, LLC
PER BID 16/17-20024**

WHEREAS, in September 2016, in compliance with the City's purchasing ordinance, Santee Municipal Code 3.24.110, the Finance Department administered a formal bid process to contract for purchase of as-needed emergency medical services (EMS) supplies and pharmaceuticals; and

WHEREAS, on the 17th day of October 2016, four bids were received and opened for Bid 16/17-20024; and

WHEREAS, staff recommends awarding the contract for purchase of as-needed EMS Supplies, Bid 16/17-20024, to Bound Tree Medical, LLC for an amount not to exceed \$71,842.67 for the remainder of FY 2016-17; and

WHEREAS, staff recommends waiver of a minor irregularity in the low bid where the low bidder provided a price per unit of "each" rather than a price per unit of "box"/"case" for nine items. Price corrections for said items are reflected in the award amount; and

WHEREAS, staff recommends authorizing the City Manager to approve three (3) additional 12-month options to renew, and allowable annual increases, if any, along with the corresponding purchase orders; and

WHEREAS, staff recommends authorizing the City Manager to approve annual change orders up to ten percent (10%) of the then-current contract amount; and

WHEREAS, this item is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to section 15378(b)(2) (purchase of supplies).

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Santee, California, that the City Council hereby:

SECTION 1. Waives minor bid irregularity and authorizes award of the contract for EMS Supplies, Bid 16/17-20024, to Bound Tree Medical, LLC for an amount not to exceed \$71,842.67 for the remainder of FY 2016-17.

SECTION 2. Authorizes the City Manager to approve three (3) additional 12-month options to renew, and allowable annual increases, if any, along with the corresponding purchase orders.

SECTION 3. Authorizes the City Manager to approve annual change orders up to ten percent (10%) of the then-current contract amount.

RESOLUTION NO. _____

ADOPTED by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 26th day of October 2016, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

RANDY VOEPEL, MAYOR

ATTEST:

PATSY BELL, CMC, CITY CLERK

City of Santee
COUNCIL AGENDA STATEMENT

MEETING DATE October 26, 2016

AGENDA ITEM NO.

ITEM TITLE **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, ACCEPTING THE CITY HALL HVAC REPLACEMENT (CIP 2012-41) AS COMPLETE**

DIRECTOR/DEPARTMENT Melanie Kush, Development Services



SUMMARY This item requests City Council accept the City Hall HVAC Replacement (CIP 2012-41) as complete. This project replaced 43 of 45 roof top mounted packaged heat pumps (air conditioners) at the City Hall Complex. These units were over 20 years old and in need of replacement. The new heat pump units use 20% less energy which will lower electrical operating costs to the General Fund.

The City Council awarded the construction contract to Countywide Mechanical Systems, Inc. in the amount of \$515,325.13 on June 8, 2016, and authorized the Director of Development Services to approve change orders in an amount not to exceed \$25,766.25 for unforeseen items and additional work. The Notice to Proceed was issued on July 7, 2016 and all work was completed on October 7, 2016. Two construction change orders were approved for the project in the deductive amount of \$12,992.00 for a total contract price of \$502,333.13

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

FINANCIAL STATEMENT

This project was funded by the General Fund and Energy Efficiency Funds and was included in the adopted Capital Improvement Program budget.

Design & Bidding	\$ 24,325.94
Original Construction Contract	515,325.13
Construction Change Orders	(12,992.00)
Construction Engineering/Management	17,175.05
Project Close Out	<u>4,500.00</u>
Total Project Cost	<u>\$ 548,334.12</u>

CITY ATTORNEY REVIEW

N/A

Completed

RECOMMENDATION



Adopt the attached Resolution accepting the City Hall HVAC Replacement (CIP 2012-41) as complete, and direct the City Clerk to file a Notice of Completion.

ATTACHMENT

Resolution

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA,
ACCEPTING THE CITY HALL HVAC REPLACEMENT (CIP 2012-41) AS COMPLETE**

WHEREAS, the City Council awarded the construction contract for the City Hall HVAC Replacement (CIP 2012-41) to Countywide Mechanical Systems, Inc. on June 8, 2016, for \$515,325.13; and

WHEREAS, City Council authorized the Director of Development Services to approve construction change orders not to exceed \$25,766.25; and

WHEREAS, Staff approved two construction change orders in the deductive amount of \$12,992.00; and

WHEREAS, the project was completed for a total construction contract amount of \$502,333.13; and

WHEREAS, Countywide Mechanical Systems, Inc. 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 HVAC Replacement (CIP 2012-41) 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 26th day of October 2016, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

RANDY VOEPEL, MAYOR

ATTEST:

PATSY BELL, CMC, CITY CLERK

City of Santee
COUNCIL AGENDA STATEMENT

MEETING DATE October 26, 2016

AGENDA ITEM NO.

ITEM TITLE RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, ACCEPTING THE CITYWIDE CMP LINING AND REHABILITATION PROGRAM (CIP 2013-24) AS COMPLETE

DIRECTOR/DEPARTMENT Melanie Kush, Development Services *MK*

SUMMARY

This item requests City Council accept the Citywide CMP Lining and Rehabilitation Program (CIP 2013-24) as complete. This project repaired failed corrugated metal pipe (CMP) storm drains at 25 locations on Graves Avenue, Carlton Hills Boulevard, Galston Drive, Settle Road, Mission Gorge Road, Rappaport Place, Magnolia Avenue, El Nopal, Mast Boulevard, Magnolia Park Drive, and Carlton Oaks Drive within City streets and drainage easements located on private property. These pipe facilities were classified as high priority replacements in the Citywide Corrugated Metal Pipe Assessment report completed in 2012.

City Council awarded the construction contract to Sancon Engineering, Inc. in the amount of \$1,523,868.50 on May 27, 2015 and authorized the Director of Development Services to approve change orders in an amount not to exceed \$152,368.00 for unforeseen items and additional work. The Notice to Proceed was issued on July 9, 2015. On February 10, 2016, City Council authorized the increase of change order authorization from \$152,368.00 to \$380,948.00, an increase of \$228,580.00 for additional replacement and relining of failed CMP pipelines. All work was completed on September 30, 2016. In total, sixteen change orders were approved for the project in the amount of \$302,285.93, for a total contract price of \$1,826,154.43.

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

FINANCIAL STATEMENT *am*

Funding for this project was provided through the Highway Users Tax Fund (Gas Tax), Developer Contribution and Drainage Impact Fees. This project is included in the adopted Capital Improvement Program Budget.

Design & Bidding	\$ 101,469.57
Original Construction Contract	1,523,868.50
Construction Change Orders	302,285.93
Construction Engineering/Management	48,694.02
Project Close Out	<u>3,500.00</u>
Total Project Cost	<u>\$1,979,818.02</u>

CITY ATTORNEY REVIEW

N/A Completed

RECOMMENDATION *MOB*

Adopt the attached Resolution accepting the Citywide CMP Lining and Rehabilitation Program (CIP 2013-24) as complete, and direct the City Clerk to file a Notice of Completion.

ATTACHMENT

Resolution

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA,
ACCEPTING THE CITYWIDE CMP LINING AND REHABILITATION PROGRAM
(CIP 2013-24) AS COMPLETE**

WHEREAS, the City Council awarded the construction contract for the Citywide CMP Lining and Rehabilitation Program (CIP 2013-24) to Sancon Engineering, Inc. on May 27, 2015, for \$1,523,868.50; and

WHEREAS, City Council authorized the Director of Development Services to approve construction change orders in an amount not to exceed \$152,368.00; and

WHEREAS, during construction staff identified the need to expedite the replacement of additional storm drain pipelines which were already identified in the Citywide CMP Replacement Program as priority projects; and

WHEREAS, on February 10, 2016 the City Council authorized the increase of change order authorization from \$152,368.00 to \$380,948.00, an increase of \$225,580.00 for the replacement and relining of additional failed CMP pipelines; and

WHEREAS, staff approved sixteen construction change orders in the amount of \$302,285.93; and

WHEREAS, the project was completed for a total construction contract amount of \$1,826,154.43; and

WHEREAS, Sancon Engineering, Inc. 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 Citywide CMP Lining and Rehabilitation Program (CIP 2013-24) 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 26h day of October 2016, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

RANDY VOEPEL, MAYOR

ATTEST:

PATSY BELL, CMC, CITY CLERK

City of Santee
COUNCIL AGENDA STATEMENT

2A

MEETING DATE October 26, 2016

AGENDA ITEM NO.

ITEM TITLE **PUBLIC HEARING FOR CONDITIONAL USE PERMIT (P2016-1) ALLOWING A PRIVATE CLUB WITH ALCOHOL SERVICE AT 8516 MAGNOLIA AVENUE IN THE GENERAL COMMERCIAL ZONE (GC) ZONE AND FINDING THE PROJECT EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15301. (APPLICANT: VETERANS OF FOREIGN WARS).**

DIRECTOR/DEPARTMENT Melanie Kush, Director of Development Services *JK*

SUMMARY The Veterans of Foreign Wars (VFW) is a non-profit veteran's service and advocacy organization which provides charitable and educational services to its members. The VFW's local chapter (Post 9327) has been located in Santee for many years, most recently at 8790 Cuyamaca Street. The post is now seeking to occupy two suites totaling 2,950 square feet within Prospect Plaza at 8516 Magnolia Avenue (southwest corner of Magnolia Avenue and Prospect Avenue) in the General Commercial (CG) zone.

Section 17.13.030(B)(29)(i) of the Santee Municipal Code requires approval of a Conditional Use Permit for clubs or lodges which serves alcoholic beverages in the GC zone. The VFW is a member's only club serving as a gathering and social center. The club's activities would include serving of alcoholic beverages. Post 9327 typically operates from 11 a.m. to 9 p.m. Monday through Thursday; 11 a.m. to 11 p.m. Friday and Saturday; and 9 a.m. to 8 p.m. on Sunday. The proposed location is within an existing commercial center surrounded by commercial and industrial uses.

ENVIRONMENTAL REVIEW The project is Categorically Exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15301 (Existing Facilities) of the CEQA guidelines. The VFW, a private club with alcohol sales, is proposed within an existing building that involves minor interior alterations and no expansion of the building

JK
FINANCIAL STATEMENT On September 14, 2016, City Council approved the applicant's request to waive the fees associated with processing a Conditional Use Permit Application and associated building permit fees. The cost to process the project is estimated to be \$13,200 and will be absorbed by the General Fund.

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MAB*

1. Conduct and close the public hearing.
2. Find that Conditional Use Permit P2016-1 is exempt from CEQA pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines.
3. Approve Conditional Use Permit P2016-1 per the attached Resolution.

ATTACHMENTS

Staff Report Resolution Map of Existing Businesses
Aerial Project Plans

A. SITUATION AND FACTS

1. Requested by Veterans of Foreign Wars
2. Land Owner Roy Woodward Trust
3. Type and Purpose of Request Conditional Use Permit for a club/lodge with alcohol beverage service.
4. Location 8516 Magnolia Avenue
5. Site Area 3.29 acres
6. Number of lots 2
7. Hillside Overlay No
8. Existing Zoning GC (General Commercial)
9. Surrounding Zoning North: IL (Light Industrial)
South: IG (General Industrial)
East: N/A (landscaped lot adjacent to State Route 67)
West: GC/IL & IG (General Commercial/Light Industrial) and General Industrial
10. General Plan Designation GC (General Commercial)
11. Existing Land Use Shopping Center
12. Surrounding Land Use North: Auto repair
South: Storage facility
East: Landscaped lot adjacent to State Route 67
West: Recreational vehicle services and an industrial plaza
13. Terrain Flat, developed site
14. Environmental Status The project was determined to be Categorical Exempt from the California Environmental Quality Act (CEQA) under Class 1 (Existing Facilities) Section 15301 of the CEQA Guidelines
15. APN 384-261-26-00 and 384-261-27-00
16. Within Airport Influence Area The project is within Airport Influence Area 1. No overflight notification is required for this project.

B. BACKGROUND

The Veterans of Foreign Wars (VFW), a private non-profit, veteran's organization that provides support, advocacy, charitable and educational services to its members. Its local chapter, Post 9327, has been located in Santee for many years. The Post 9327 of the VFW is seeking to occupy two suites at 8516 Magnolia Avenue in the General Commercial (GC) zone. The suites are located in the Prospect Plaza shopping center at the southwest corner of Magnolia Avenue and Prospect Avenue. This center, which opened in 1990, contains restaurants, a bar, a shooting range and a variety of retail uses.

C. PROJECT DESCRIPTION

Overview

Post 9327 proposes to lease two suites (203/204) totaling 2,950 square feet, in this center. These suites were formerly occupied by a church and a vacuum cleaner retail store. The typical hours of operation are 11 a.m. to 9 p.m. Monday through Thursday, 11 a.m. to 11 p.m. Friday and Saturday, and 9 a.m. to 8 p.m. on Sunday. Currently there are approximately 400 members (inactive and active) in Post 9327 and membership participation fluctuates.

The VFW is requesting approval of a Conditional Use Permit to allow alcohol service at their establishment. The applicant's request to transfer the Type 52 license from their previous location on Cuyamaca Street to the proposed location on Magnolia Avenue is pending with the Alcohol Beverage Control (ABC). The Type 52 license authorizes beer, wine, and distilled spirits to members and guests.

In addition to the club's activities, suite 204 may be occasionally rented to non-VFW members for special events. If the special events include the sale of alcohol by a non-member, additional permits would be required by ABC.

D. ANALYSIS

General Plan/Zoning Consistency

The Santee General Plan land use designation of General Commercial (GC) provides for a wide range of uses. It is intended to for general commercial activities and services designed to serve the city or the region as a whole.

Per SMC Section 17.12.030, clubs or lodges with alcohol beverage service require approval of a Conditional Use Permit (CUP) in the General Commercial (GC) zone. A building permit is required for the proposed interior improvements which include new seating, counter areas, shelving, and allowing access between the two suites. The project does not involve an expansion of the building; therefore additional parking spaces are not required.

Land Use Compatibility

The tenants within Prospect Plaza (see attached Map of Existing Businesses within Prospect Plaza) are primarily restaurants and retail which generally close between 9 p.m. and 10 p.m. during the weekdays and weekends with the exception of Affordable Bail Bonds, Jack in the Box, and Second Wind Bar. The bail bonds and the fast food restaurant are open 24 hours a day, seven days a week and the bar is open from 10 a.m. to 2 a.m., seven days a week.

According to the VFW, normal club participation averages around 45 people a week. It is a private organization which offers services to its members and guests only. The VFW peak hours are between 5 p.m. and 7 p.m. during the weekdays and the peak hours for Golden Eagle Liquor and Second Wind Bar occur during the evenings and weekends. Impacts would be minimal because the VFW is not open to the public and their peak hours differ from the other businesses within the shopping center that provide alcohol sales.

The project is conditioned to operate indoors, maintain the parking areas and the building in good condition and free of debris, and comply with the noise regulations in Chapter 8 of the SMC to minimize noise impacts to the adjacent tenants and properties. In addition, the applicant is required to obtain all necessary approvals from ABC.

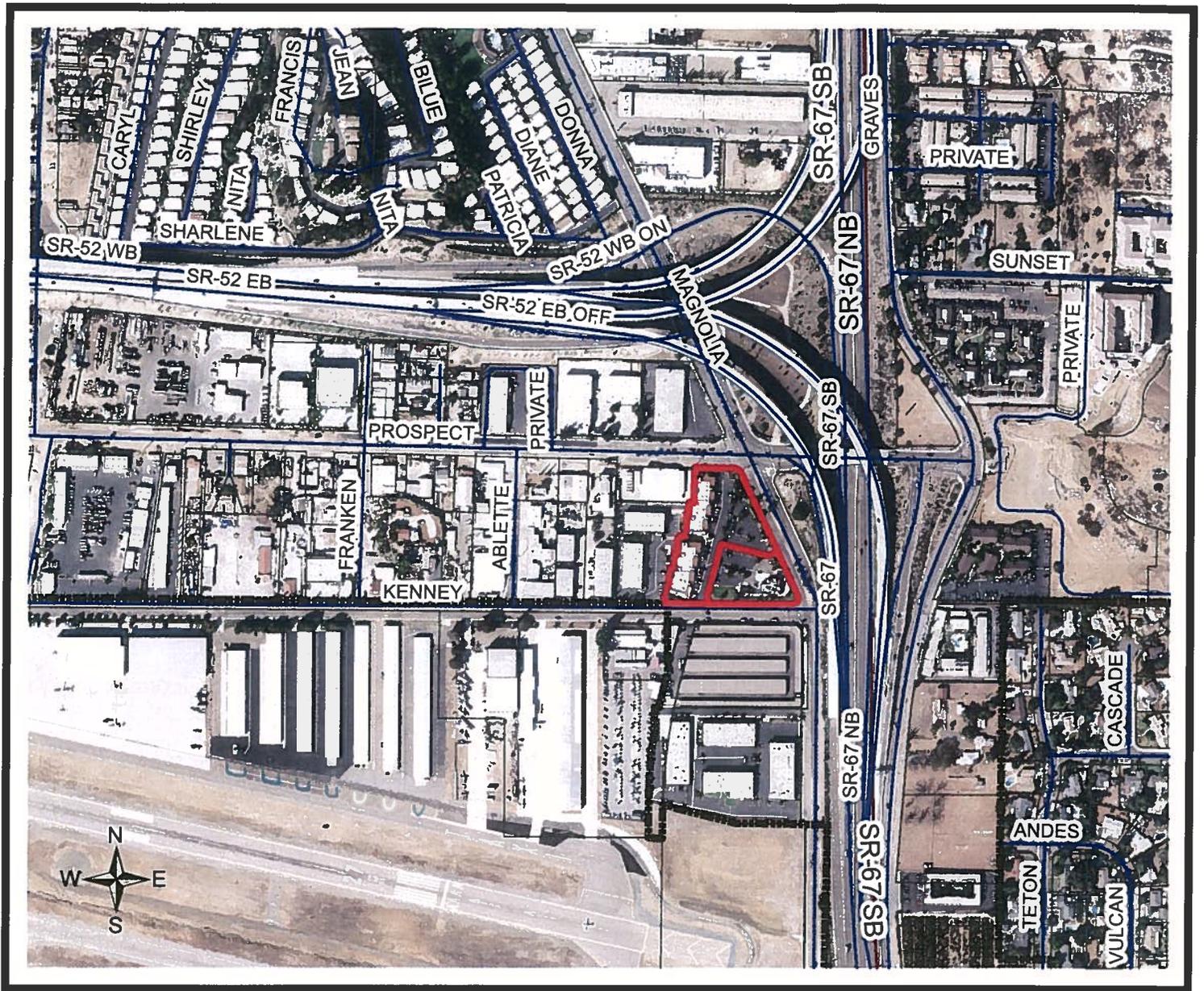
The City has not received any complaints regarding the operation of the VFW lodge at their previous location and no conflicts with on or off-site uses have been identified at the proposed location.

Environmental Status

The project was determined to be Categorically Exempt from the California Environmental Quality Act (CEQA) under Class 1 (Existing Facilities) Section 15301 of the CEQA Guidelines. The establishment is proposed within an existing building that involves minor interior alterations and no expansion of the building

E. STAFF RECOMMENDATION

1. Conduct and close the public hearing
2. Find that Conditional Use Permit P2016-1 and approval of the Verizon Wireless Communications Facility is exempt from the California Environmental Quality Act pursuant to Class 1 (Existing Facilities) Section 15301 of the CEQA Guidelines.
3. Approve Conditional Use Permit P2016-1 per the attached Resolution.



Conditional Use Permit P2016-1
Veterans of Foreign Wars
8516 Magnolia Avenue

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA
APPROVING CONDITIONAL USE PERMIT (P2016-1) ALLOWING A PRIVATE CLUB
WITH ALCOHOL SERVICE AT 8516 MAGNOLIA AVENUE IN THE GENERAL
COMMERCIAL ZONE (GC) ZONE, AND FINDING THE PROJECT CATEGORICALLY
EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)
PURSUANT TO SECTION 15301 OF THE CEQA GUIDELINES**

**[APPLICANT: VETERANS OF FOREIGN WARS (VFW)]
(APN: 384-261-26 & 384-261-27)**

WHEREAS, Section 17.12.030 of the Santee Municipal Code (SMC) requires approval of a Conditional Use Permit for a club or lodge with alcohol beverage service within the GC zone; and

WHEREAS, the VFW, a private club with alcohol service, is proposing to relocate to 8516 Magnolia Avenue in the GC zone; and

WHEREAS, on September 14, 2016, Council approved the applicant's request to waive the fees associated with processing a Conditional Use Permit Application and associated building permit fees; and

WHEREAS, on September 20, 2016, the VFW submitted a complete application for Conditional Use Permit P2016-1 to allow the VFW alcohol beverage service at 8516 Magnolia Avenue in the GC zone; and

WHEREAS, the proposed project is exempt from the California Environmental Quality Act (CEQA) under Class 1 (Existing Facilities) Section 15301; and

WHEREAS, on October 26, 2016, the City Council held a duly advertised and noticed public hearing; and

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

NOW, THEREFORE, BE IT RESOLVED by the City of Santee City Council, after considering the evidence presented at the public hearing, as follows:

SECTION 1: Conditional Use Permit P2016-1 is Categorically Exempt from the provisions of CEQA pursuant to Class 1 (Existing Facilities) Section 15301. The VFW, a private club with alcohol sales, is proposed within an existing building that involves minor interior alterations and no expansion of the building.

SECTION 2: The findings in accordance with Section 17.06.030.E of the Santee Municipal Code for a Conditional Use Permit are made as follows:

RESOLUTION NO. _____

- A. The use is in accord with the General Plan, the objectives of the Zoning Ordinance, and the purposes of the district in which the site is located. The proposed use, a private club with alcohol sales, is permitted in the GC land use district with an approved Conditional Use Permit and is relocating within an existing commercial center.

The use, as designed and conditioned, will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity because 1) the project meets the applicable provisions of the Zoning Ordinance; 2) the VFW must comply with the State of California Department of Alcohol Beverage Control regulations; 3) a building permit is required for the proposed interior improvements; 4) the VFW will be located in a commercial center surrounded by commercial and industrial uses; 5) there are no schools or residential uses within the immediate vicinity of the project site; and 6) the VFW will comply with the noise regulations in Chapter 8 of the SMC to minimize noise impacts to the adjacent tenants and properties.

- B. The proposed use complies with each applicable provision of the Zoning Ordinance. The proposed use requires a Conditional Use Permit within the GC zone for alcohol service and is located on a developed site within a commercial center. The required parking for the VFW and the commercial center is approximately 160 parking spaces (includes retail/office parking requirement for one vacant suite) and 160 parking spaces are provided.

SECTION 3: Conditional Use Permit P2016-1 to allow the VFW's alcohol beverage service at 8516 Magnolia Avenue is hereby approved, subject to the following conditions:

- A. All construction must be in substantial conformance with the approved project plans received June 29, 2016, as amended by this Resolution.
- B. Minor or Major Revisions to the Conditional Use Permit, such as changes to the business operation approved herein, must be approved by the Director of Development Services, unless, in the Director's judgment, a Major Revision should be reviewed by the City Council.
- C. The project must comply with all applicable sections of the Municipal Code, Land Development Manual, and Public Works Standards of Santee.
- D. Prior to issuance of a Building Permit, the applicant must complete the following to the satisfaction of the Director of Development Services:
 - 1. Obtain building permits for the proposed work in compliance with all applicable sections of the Municipal Code, Uniform Building Code, California Building Code, Uniform Plumbing Code, National Electric Code, Uniform Mechanical Code, Public Works Standards of the City of Santee and all requirements of the Fire Department.

RESOLUTION NO. _____

2. A building permit is required for changes to the building occupancy and/or when any changes are made to the interior of the suite including seating, dining, or kitchen area.
 3. Comply with the State of California Department of Alcoholic Beverage Control (ABC) regulations and provide documentation/evidence to the City that all necessary approvals for the "licensed premises" have been obtained from ABC.
 4. Prior to issuance of a demolition permit or building permit, a Debris Management Plan Application must be submitted to the Department of Development Services Planning Division for compliance with the Construction and Demolition Debris Recycling Ordinance (SMC Chapter 13.38).
- E. Upon certification by the Director of Development Services for occupancy or establishment of the use allowed by Conditional Use Permit P2016-1, the following conditions shall apply to the satisfaction of the Director of Development Services:
1. Hours of operation are limited to 11 a.m. to 9 p.m. Monday through Thursday, 11 a.m. to 11 p.m. Friday and Saturday, and 9 a.m. to 8 p.m. on Sunday. Changes to the hours of operation must be reviewed by the Director of Development Services which may require a Minor Revision or Major Revision to the Conditional Use Permit.
 2. A sign must be posted at each exit door which clearly states: "No Alcoholic Beverages Permitted Beyond This Point."
 3. An alcohol beverage warning sign must be posted in each public restroom in compliance with Chapter 8.40.075 of the Santee Municipal Code, stating "Pregnancy and Alcohol Do Not Mix – Drinking Alcoholic Beverages, Including Wine and Beer, During Pregnancy Can Cause Birth Defects."
 4. The applicant must post and maintain a professional quality sign within the parking lot that reads as follows: "No Loitering, No Littering, No drinking of Alcoholic Beverages. Violators are Subject to Arrest". The sign must be at least two feet square with two inch block lettering.
 5. All business operations must take place entirely within the tenant space of the proposed use unless a Temporary Use Permit is granted for outdoor special events.
 6. The building, trash enclosure, parking areas and landscaping must be maintained in good condition and free of debris.
 7. Entertainment provided within the bar must not be audible beyond the exterior walls of the premises and must not exceed the limits established by Title 8, Chapter 8.12 of the Santee Municipal Code. There must be no

RESOLUTION NO. _____

exterior speakers. Should recurring noise problems be reported to the City as a result of the front door remaining open, the Director of Development Services may amend the condition to require exterior doors to remain closed during business hours.

8. There must be no exterior advertising or sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior constitutes a violation of this condition.
9. An entertainment license, when required, must be obtained from the Finance Department for live entertainment in compliance with Santee Municipal Code Chapter 5.36.
10. The sale service and consumption of alcoholic beverages must be made only to or by members of the club and bona fide guests in compliance with VFW rules and regulations.
11. The sale of alcoholic beverages for off-site consumption is prohibited.
12. Bottle service of distilled spirits is prohibited.
13. Staff managing the bar shall successfully complete a Department of Alcohol Beverage Control certified responsible beverage sales and service training program (RBSS). New staff must complete the RBSS training prior to managing the bar.
14. If the space for the VFW hall has an occupant load of more than 50 persons, an occupant load sign is required to be posted. The sign must be a permanent engraved, carved or embossed sign indicating "Occupant Load" (and the number of people allowed in the room or area). The sign must be a minimum of 8" x 10", with 3" block letters/numbers. Exact design, occupant load number and sign placement must be approved by the fire code official prior to installation.
15. This Conditional Use Permit expires upon the applicant's termination of the club/lodge use at the subject premises. Any subsequent use of the subject premises as a restaurant, bar, or private club/lodge with the sale of alcohol beverages by an entity other than the Veterans of Foreign Wars must be subject to the approval of a new Conditional Use Permit.
16. The Department of Development Services may periodically review this Conditional Use Permit to ensure that activities are being conducted in a manner consistent with the conditions of approval or in a manner which is not detrimental to the public health, safety, or welfare, or materially injurious to properties in the vicinity. The City Council can revoke or modify a Conditional Use Permit if, after holding a public hearing, it finds that the use does not conform to the requirements in this Conditional Use Permit.

RESOLUTION NO. _____

SECTION 4: The terms and conditions of this Conditional Use Permit (P2016-1) approval are binding upon the permittee and all persons, firms and corporations having an interest in the property subject to these permits and the heirs, executors, administrators, successors and assigns of each of them, including municipal corporations, public agencies and districts.

SECTION 5: The City of Santee Municipal Code, Chapter 1.14, provides for the issuance of administrative citations for Municipal Code violations. Should non-compliance with said terms and conditions of this Conditional Use Permit or any violation of the Municipal Code that includes the City's Storm Water Ordinance, the City has the right to issue administrative citations containing an assessment of civil fines for each violation and collect administrative fines for violations.

SECTION 6: Pursuant to Government Code Section 66020, the 90-day approval period in which the applicant may protest the imposition of any fees, dedications, reservations, or exactions imposed pursuant to this approval, begins on October 26, 2016.

SECTION 7: The applicant must defend, indemnify and hold harmless the City of Santee and its officers, employees and agents from any claim, action or proceeding against the City and/or its officers, employees or agents to attack, set aside, void, or annul the approval of the City of Santee concerning approval of Conditional Use Permit (P2016-1) or any action relating to or arising out of its approval.

SECTION 8: This Conditional Use Permit (P2016-1) expires on October 26, 2019 at 5:00 p.m. unless substantial construction of the proposed use pursuant to this permit has taken place. If such construction not commenced within the three-year period, said permit may be extended pursuant to a request for extension received 60 days prior to the original expiration date. The City Council expressly grants to the Director of Development Services the authority to extend the expiration date of this approval pursuant to Section 17.04.090.B of the Santee Municipal Code, when a request for an extension is filed 60 days prior to the original expiration date.

SECTION 9: The City of Santee hereby notifies the applicant that State Law (SB1535) authorizes the County Clerk to collect a documentary handling fee for the processing of CEQA documents. In order to comply with State Law, the applicant should remit to the City of Santee Department of Development Services, within two (2) working days of the effective date of this approval (the "effective date" being the end of the appeal period, if applicable), a certified check payable to the "County Clerk" in the amount of \$ 50.00. The City of Santee will file the Notice of Exemption with the County Clerk upon receipt of the certified check. Failure to remit the required fee in full within the time specified above will result in a delay of the start of the thirty-five (35) day statute of limitations on court challenges to the approval under CEQA.

RESOLUTION NO. _____

ADOPTED by the City Council of the City of Santee, California, at a regular meeting thereof held this 26th day of October 2016, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

RANDY VOEPEL, MAYOR

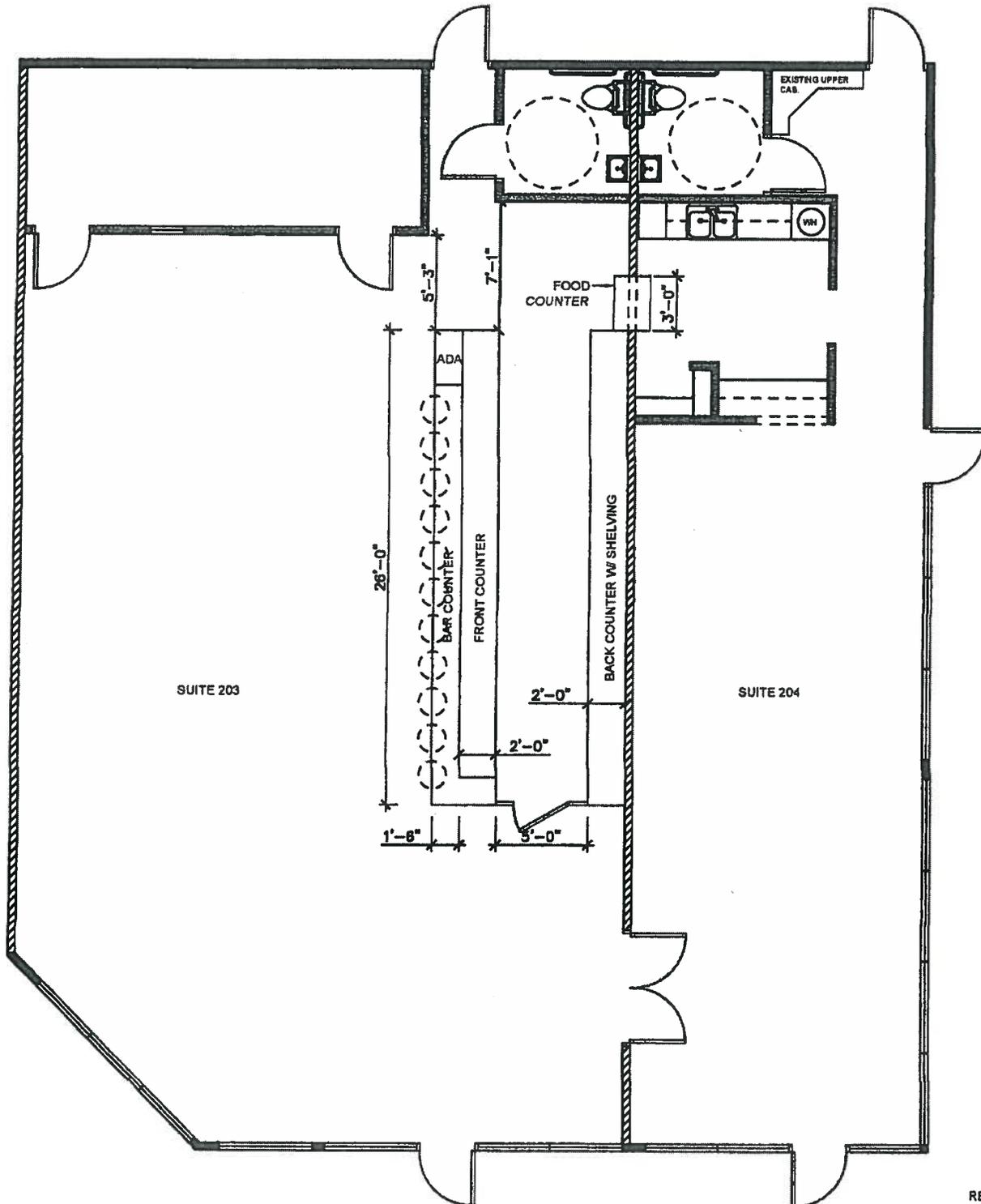
ATTEST:

PATSY BELL, CMC, CITY CLERK



VETERANS OF FOREIGN WARS
8518 NORTH MAGNOLIA AVE. STE. 203 & 204
SANTEE, CA 92071
CONDITIONAL USE PERMIT
DATE: 08/02/16

LEGEND
[Solid line] EXTERIOR WALL
[Dashed line] INTERIOR WALL
[Hatched line] DEMISING WALL



BAR LAYOUT - VERSION 1.2

SCALE: 1/8" = 1'-0"

REF. NORTH



CUP2016-1

Map of Existing Businesses within Prospect Plaza



1. Golden Eagle Liquor
2. Laughing Elephant Smoke Shop
3. Estrada's Mexican Restaurant
4. Affordable Bail Bonds
5. Second Wind Bar
6. Kingsman Casino Training
7. Chicago Pizza
8. VFW (proposed)
9. Vacant
10. Discount Gun Mart
11. Jack in the Box

City of Santee
COUNCIL AGENDA STATEMENT

2B

MEETING DATE October 26, 2016

AGENDA ITEM NO.

ITEM TITLE PUBLIC HEARING AND SECOND READING TO ADOPT AN ORDINANCE RESCINDING CHAPTERS 15.02, 15.04, 15.06, 15.08, 15.10, 15.12, 15.16, 15.18 AND 15.22 OF TITLE 15 OF THE SANTEE MUNICIPAL CODE ENTITLED "BUILDING AND CONSTRUCTION", IN THEIR ENTIRETY AND ADOPTING BY REFERENCE THE 2016 CALIFORNIA BUILDING STANDARDS CODE, INCLUDING THE 2016 CALIFORNIA ADMINISTRATIVE CODE, THE 2016 CALIFORNIA BUILDING CODE, THE 2016 CALIFORNIA RESIDENTIAL CODE, THE 2016 CALIFORNIA ELECTRICAL CODE, THE 2016 CALIFORNIA MECHANICAL CODE, THE 2016 CALIFORNIA PLUMBING CODE, THE 2016 CALIFORNIA ENERGY CODE, THE 2016 CALIFORNIA HISTORICAL BUILDING CODE, THE 2016 CALIFORNIA EXISTING BUILDING CODE, THE 2016 CALIFORNIA GREEN BUILDING STANDARDS CODE, THE 2016 CALIFORNIA FIRE CODE, AND THE CALIFORNIA REFERENCED STANDARDS CODE, TOGETHER WITH MODIFICATIONS, ADDITIONS, AND DELETIONS THERETO

DIRECTOR/DEPARTMENT

Melanie Kush, Development Services
Richard Smith, Fire Department

SUMMARY On October 12, 2016, the City Council introduced the Ordinance and set the public hearing for October 26, 2016. The Ordinance will update the Santee Municipal Code to the current state-mandated building code editions, which include the Fire Code. While the City of Santee is required to utilize the newest state-adopted version of the codes for building permit review and inspections, minor modifications are permitted to address local conditions, such as climate, topography and geology. The ordinance rescinds and replaces various chapters of Title 15 "Building and Construction" by incorporating by reference the latest Code Editions, while retaining local amendments, such as requirements for Class B roofing (greater fire resistance) and fire sprinkler systems. Local requirements related to fuel-modified defensible space beside fire access roads in wildland/urban interface areas would be increased from 30 feet on each side to a total of 50 feet on each side. No additional local amendments are proposed.

ENVIRONMENTAL REVIEW This Ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) under Sections 15061(b)(3) of the CEQA Guidelines and 15308 (Class 8) because its adoption will not have a significant environmental effect, and the project is an action being taken in compliance with state mandates where the process involves procedures for the protection of the environment which do not have the potential to cause significant environmental effects.

FINANCIAL STATEMENT The cost of implementation is expected to have no fiscal impact.

CITY ATTORNEY REVIEW

N/A

Completed

RECOMMENDATIONS

1. Conduct and close the Public Hearing
2. Adopt the Ordinance

ATTACHMENTS

Staff Report

Ordinance

**STAFF REPORT
CITY COUNCIL MEETING October 26, 2016**

AN ORDINANCE OF THE CITY OF SANTEE, CALIFORNIA, RESCINDING CHAPTERS 15.02, 15.04, 15.06, 15.08, 15.10, 15.12, 15.16, 15.18 AND 15.22 OF TITLE 15 OF THE SANTEE MUNICIPAL CODE ENTITLED "BUILDING AND CONSTRUCTION", IN THEIR ENTIRETY AND ADOPTING BY REFERENCE THE 2016 CALIFORNIA BUILDING STANDARDS CODE, INCLUDING THE 2016 CALIFORNIA ADMINISTRATIVE CODE, THE 2016 CALIFORNIA BUILDING CODE, THE 2016 CALIFORNIA RESIDENTIAL CODE, THE 2016 CALIFORNIA ELECTRICAL CODE, THE 2016 CALIFORNIA MECHANICAL CODE, THE 2016 CALIFORNIA PLUMBING CODE, THE 2016 CALIFORNIA ENERGY CODE, THE 2016 CALIFORNIA HISTORICAL BUILDING CODE, THE 2016 CALIFORNIA EXISTING BUILDING CODE, THE 2016 CALIFORNIA GREEN BUILDING STANDARDS CODE, THE 2016 CALIFORNIA FIRE CODE, AND THE CALIFORNIA REFERENCED STANDARDS CODE TOGETHER WITH MODIFICATIONS, ADDITIONS, AND DELETIONS THERETO.

PUBLIC NOTICE: Notice of the first reading of the Ordinance was published in the East County Californian on Thursday, October 13, 2016, and October 20, 2016. In addition, an individual notice was mailed to the Building Industry Association on October 4, 2016.

INTRODUCTION & FIRST READING: The introduction and first reading of the Ordinance occurred at the October 12, 2016 City Council Meeting.

A. BACKGROUND

The California Building Standards Code is published every three years and amends the California Code of Regulations, Title 24. These codes are commonly referred to as the California Building Code ("Codes") and include, but are not limited to, building, plumbing, mechanical, electrical, energy standards and fire code. The City periodically incorporates the Codes by reference in Title 15 of the Municipal Code, titled "Building and Construction". The City last adopted the Codes in 2013.

Section 17922 of the California Health and Safety Code requires that each jurisdiction in the state adopt the most recent edition of the California Building Standards Code within 180 days of publication. If it is not adopted by a jurisdiction it has the force of law 180 days after publication. When adopting the California Building Standards Code, a jurisdiction may establish more restrictive standards reasonably necessary based on climatic, geologic or topographic conditions.

Changes to Chapter 15 of the City Municipal Code

Changes have occurred in numbering where certain Sections of the California Building Standards Code are being placed in Chapter 15 of the City Municipal Code. This was

done for easy reference and in keeping with the on-going effort to update the City Municipal Code.

Summary of Changes to the 2016 California Building Standards Code

The 2016 California Building Standards Code adoption includes very limited revisions to the content of the 2013 code adoption. No significant additions have been adopted.

2016 California Building Code: The California Building Code changes include references to updated standards. Some sections are re-written to clarify existing code requirements. Local amendments adopted with the 2013 code have been carried forward.

2016 California Residential Code: The California Residential Code changes include references to updated standards. Some sections are re-written to clarify existing code requirements. Local amendments adopted with the 2013 code have been carried forward.

2016 California Electrical Code: The California Electrical Code addresses materials and devices current with changes in the industry. No local amendments are proposed.

2016 Green Building Standards Code: The Green Building Standards Code changes include references to updated standards. Some sections are re-written to clarify existing code requirements. No local amendments are recommended.

2016 California Plumbing Code: The California Plumbing Code changes include references to updated standards and some sections are re-written to clarify existing code requirements. Local amendments adopted with the 2013 code have been carried forward.

2016 California Mechanical Code: The California Mechanical Code changes include references to updated standards and re-written sections to clarify code requirements. No local amendments are recommended.

2016 California Energy Code: The California Energy Code changes result from requirements in the legislation to increase energy conservation. Lighting requirements to improve efficiency have been added and include outdoor lighting. No local amendments are recommended.

2016 California Fire Code: Changes to the 2016 California Fire Code are mainly in formatting and renumbering. There are no significant changes to the Code document. Local amendments adopted with the 2013 code have been carried forward. One new local amendment is proposed. Specifically, the requirement for Fuel-Modified Defensible Space on either side of fire access roads in Wildland/Urban Interface areas is increased from 30 feet on each side to a total of 50 feet on each side. Actual fire ground

experience has shown that 50 feet on each side provides a more adequate level of protection and most jurisdictions in the State have adopted this requirement.

B. ENVIRONMENTAL REVIEW

The Ordinance is exempt from the provisions of the California Environmental Quality Act under Section 15308 (Class 8) because the project is an action being taken in compliance with state mandates where the process involves procedures for the protection of the environment which do not have the potential to cause significant effects on the environment.

C. STAFF RECOMMENDATION

1. Conduct and close the Public Hearing
2. Adopt the Ordinance

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AN ORDINANCE OF THE CITY OF SANTEE, CALIFORNIA, RESCINDING CHAPTERS 15.02, 15.04, 15.06, 15.08, 15.10, 15.12, 15.16, 15.18 AND 15.22 OF TITLE 15 OF THE SANTEE MUNICIPAL CODE ENTITLED "BUILDING AND CONSTRUCTION", IN THEIR ENTIRETY AND ADOPTING BY REFERENCE THE 2016 CALIFORNIA BUILDING STANDARDS CODE, INCLUDING THE 2016 CALIFORNIA ADMINISTRATIVE CODE, THE 2016 CALIFORNIA BUILDING CODE, THE 2016 CALIFORNIA RESIDENTIAL CODE, THE 2016 CALIFORNIA ELECTRICAL CODE, THE 2016 CALIFORNIA MECHANICAL CODE, THE 2016 CALIFORNIA PLUMBING CODE, THE 2016 CALIFORNIA ENERGY CODE, THE 2016 CALIFORNIA HISTORICAL BUILDING CODE, THE 2016 CALIFORNIA EXISTING BUILDING CODE, THE 2016 CALIFORNIA GREEN BUILDING STANDARDS CODE, THE 2016 CALIFORNIA FIRE CODE, AND THE CALIFORNIA REFERENCED STANDARDS CODE. TOGETHER WITH MODIFICATIONS, ADDITIONS, AND DELETIONS THERETO

WHEREAS, the City of Santee last adopted its building and fire codes in 2013; and California Health and Safety Code section 17922 requires that a jurisdiction in the state adopt the most recent edition of the California Building Standards Code, which includes the Fire Code; and

WHEREAS, Government Code Section 50022.2 et seq. and California Health & Safety Code Section 17922 empower the City to adopt by reference the California Building Standards Code, adopting certain uniform codes, including the California Fire Code, 2016 Edition, (which incorporates and amends the International Fire Code 2015 Edition) with certain appendices and amendments; and

WHEREAS, California Health & Safety Code Section 17958.5 provides, in pertinent part, that a City may make such changes or modifications to the provisions published in the California Building Standards Code and other regulations adopted pursuant to Section 17922 as it determines, pursuant to the provisions of Section 17958.7, are reasonably necessary because of local climatic, topographical, or geological conditions; and

WHEREAS, the City desires to adopt the California Fire Code, 2016 Edition, which is a part of the California Building Standards Code in Title 24 of the California Code of Regulations ("CFC"), with necessary amendments to assure the CFC is tailored to the particular safety needs of the City as required by its unique climatic, topographical and geological conditions; and

WHEREAS, prior to making modifications permitted under California Health & Safety Code Section 17958.5, the City Council is required to make express findings that such modifications or changes are needed in accordance with California Health & Safety Code Section 17958.7; and

WHEREAS, California Health and Safety Code section 17958 requires that cities adopt building regulations that are substantially the same as those adopted by the California Building Standards Commission and contained in the California Building Standards Code; and

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WHEREAS, this amendment to the Santee Municipal Code has been determined to be exempt from review by the San Diego Regional Airport Authority as it would not affect Gillespie Field Airport operations nor result in land use incompatibilities with the Gillespie Field Airport Land Use Plan; and

WHEREAS, this project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15308 (Class 8) because the project is an action being taken in compliance with state mandates where the process involves procedures for the protection of the environment which do not have the potential to cause significant effects on the environment; and

WHEREAS, on October 12, 2016, the City Council of the City of Santee held a duly advertised public meeting to introduce the Ordinance by title only and to set the Public Hearing on this proposed Ordinance for October 26, 2016; and

WHEREAS, the City published notice of the aforementioned public meeting on October 7, 2016, and thereafter published notice of the Public Hearing pursuant to California Government Code Section 6066 on October 13, 2016 and October 20, 2016; and

WHEREAS, the City Council held a Public Hearing on October 26, 2016, at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the California Building Standards Code, as amended herein; and

WHEREAS, any and all other legal prerequisites relating to the adoption of this Ordinance have occurred.

NOW, THEREFORE, the City Council of the City of Santee does ordain, as follows:

SECTION 1 Findings in support of local amendments. To the extent that the following changes and modifications to the 2016 California Building Standards Code are deemed more restrictive, thus requiring that findings be made pertaining to local conditions to justify such modifications, the City Council hereby finds and determines that the following changes and modifications are reasonably necessary due to local climatic, topographical, and geological conditions consisting of the following:

A. Climatic Conditions:

1. The City of Santee is located in a semi-arid Mediterranean type climate. It annually experiences extended periods of high temperatures with little or no precipitation. The winds prevail from the west with seasonal strong dry east winds that vary in duration and intensity. These winds can significantly enlarge wildland fires as well as cause abrupt and unpredictable changes in fire direction. Temperatures ranging between 75 and 100 degrees F are common throughout the year. Hot, dry foehn (Santa Ana) winds, which may reach speeds of 45 miles per hour or greater, are also common to the area. These climatic conditions cause extreme drying of vegetation and common building materials. Frequent periods of drought and low humidity add to the fire danger.

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2. The local climate alternates between extended periods of drought and brief flooding conditions. Flood conditions may affect the Santee Fire Department's ability to respond to a fire or emergency condition. Floods also disrupt utility services to buildings and facilities within the County.

3. Dry climatic conditions and winds can contribute to the rapid spread of fires. Fires spread very quickly and create a need for increased levels of fire protection. The added protection of fire sprinkler systems and other fire protection features will supplement normal Fire Department response by providing immediate protection for the building occupants and by containing and controlling the fire spread to the area of origin. Fire sprinkler systems will also reduce the use of water for firefighting by as much as 50 to 75 percent.

4. The water supply is limited making it necessary for fire apparatus to travel time-consuming distances to refill once their initial water supply has been utilized.

B. Topographical Conditions:

1. The City is situated in hilly, inland terrain. Approximately 50% of the area is classified as "wildland" for fire purposes, covered by native vegetation on steep and frequently inaccessible hillsides. The native ground cover is highly combustible grasses, dense brush and chaparral. Natural firebreaks in these areas are insignificant. Natural slopes of 15 percent or greater generally occur in the foothills of Santee. Several developments are currently planned for these hillsides and future development may potentially occur in such areas.

2. The topographical conditions combine to create a situation that places Fire Department response time to fire occurrences at risk and makes it necessary to provide automatic on-site fire-extinguishing systems and other protection measures, such as Class B roofing material to protect occupants and property.

3. The amount of traffic will continue to grow with regional population growth, creating an artificial obstructive topographical condition. The three major highways (Hwy. 67, Hwy. 125, and Hwy. 52) that traverse through the City support the transportation of hazardous materials. The eventual release or threatened release of hazardous materials along one of these highways is possible, given the volume transported daily. The City is also transected by a mass transit trolley line that begins in the City of San Diego and terminates in the City of Santee. The Trolley operates throughout the day and delays emergency vehicles on a daily basis. These conditions may negatively affect access and the Fire Department's ability to deliver service.

4. The potential for fire damage is great in the wildland area, as such, a fire can spread rapidly and difficult terrain and explosive vegetation can slow response time.

5. Rural roads include many narrow winding roadways, often with grades in excess of that necessary for optimal response time for large fire apparatus. An additional factor affecting response time is the distance between the two fire stations and the fire location.

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C. Geological Conditions:

1. The City of Santee is situated near three major earthquake faults, each capable of generating quakes with a magnitude of up to 7.0. These faults are: the Elsinore Fault, approximately 20 miles northeast of Santee; the Rose Canyon Fault, which extends south from La Jolla Cove, through Rose Canyon and west into San Diego; and the Coronado Banks Fault, which extends from the north to south direction, just off the Southern California coastline. In as much as these faults are considered major California earthquake faults, subject to becoming active at any time, the City of Santee is particularly vulnerable to devastation requiring significant emergency response, should an earthquake of such magnitude occur.

2. According to the soil ratings devised by the National Earthquake Hazards Reduction Program (NEHRP), certain portions of the City (through the San Diego River bed) have soft soils that are subject to a risk of Liquefaction in the event of an earthquake.

3. Additionally, this same low lying portion of the City is within a "High Risk Dam Inundation" area subject to severe flooding from the San Vicente and El Capitan Reservoirs in the event of a Dam failure. The potential effects include isolating the City from the north and south due to the potential of flood through the river bed. Additional potential situations inherent in an earthquake situation include: water main breaks, broken natural gas mains causing structure and other fires, possible leakage of hazardous materials, the need for rescues from collapsed structures, and the rendering of first aid and other medical attention to large numbers of people.

SECTION 2 Findings in compliance with the California Environmental Quality Act.

The City Council of the City of Santee finds that this project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15308 (Class 8) because the project is an action being taken in compliance with state mandates where the process involves procedures for the protection of the environment which do not have the potential to cause significant effects on the environment.

SECTION 3 Recitals. The City Council of the City of Santee hereby finds and declares that all of the recitals set forth above are correct and true and wishes to amend the Santee Municipal Code by rescinding and replacing various Chapters of Title 15 "Buildings and Construction", to include various sections of the Fire Code (Section 307.4.3 with subsections, Section 503.2.1, Section 503.2.3, Section 503.7, Section 503.8, Section 505.3, Section 903.2(a), Section 903.2(b), Section 903.4.2, Section 905.3(a), Section 2206.2.3, Section 5607 with subsections, Section 4903, Section 4905.2 with subsections, Section 4907.2 with subsections, and Section 4908 with subsections as set forth in this Ordinance.

SECTION 4: The City Council of the City of Santee hereby:

- A. Rescinds Chapters 15.02, 15.04, 15.06, 15.08, 15.10, 15.12, 15.16, 15.18 AND 15.22 of the Santee Municipal Code; and

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- B. Adopts new Chapters 15.02, 15.04, 15.06, 15.08, 15.10, 15.12, 15.14, 15.18, 15.20, 15.22, 15.24 AND 15.26 of the Santee Municipal Code to read as follows:

Chapter 15.02

CALIFORNIA ADMINISTRATIVE CODE

Sections:

15.02.010 Adoption.

15.02.010 The California Administrative Code Chapter, 2016 edition, Chapter 15.02 is adopted by reference without change to the Buildings and Construction Code.

Chapter 15.04

CALIFORNIA BUILDING CODE

Sections:

15.04.010 Adoption.

15.04.020 Findings.

15.04.030 Deletions, revisions and additions.

15.04.040 Table 1505.1 Amended.

15.04.050 Appendices C, H and I adopted.

15.04.010 Adoption of the 2016 California Building Code, Part 2, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the City building code for the purpose of prescribing regulations in the City of Santee for the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of buildings and structures, the 2016 California Building Code, Part 2, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California State Health and Safety Code, Section 18901 et seq. which is based on the International Building Code, 2015 Edition, including those Appendix Chapters shown as adopted by this Chapter. Except as otherwise provided by this Chapter and Chapter 15.02 of the City of Santee Municipal Code, all erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings and structures within the City of Santee shall be in conformance with the 2016 California Building Code published by the California Building Standards Commission.

15.04.020 Findings.

The City of Santee has many large brush-covered hillsides. The City is subject to frequent Santa Ana conditions consisting of dry gusting winds, which create extreme fire dangers. The City Council specifically finds that these geographic and topographic

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conditions necessitate greater fire protection than that provided by the 2016 California Building Code. Therefore, this chapter alters the 2016 California Building Code, to require more fire retardant roof coverings.

15.04.030 Deletions, revisions and additions to the 2016 California Building Code.

Deletions, revisions and additions to the 2016 California Building Code shall be as set forth in Sections 15.30.040 as follows:

Section 104.7.1 of the California Building Code is added to read as follows:

Section 104.7.1 Permit History Survey. Upon receipt of a written request from the owner of a parcel of property for a Permit History Survey, and the payment of the fee specified in a resolution duly adopted by the City Council, the Building Official may review City records and provide a report listing those building, plumbing, electrical and mechanical permits that have been issued for a specific parcel of property.

Section 105.2 of the California Building Code is amended to read as follows:

Section 105.2 Exempt from permit is amended by adding the following subsections 14 through 17:

1. through 13. remain unchanged.
14. Satellite dish antenna, other than roof-mounted, in Office, Commercial, and Industrial zoning districts.
15. Renewal of roof coverings on any buildings.
16. Attached open residential patio covers structures up to 120 square feet in projected roof area. These structures must be attached to an R-3 occupancy.
17. Fences not over 8 feet high, where permitted to be installed by City Zoning Code in commercial and industrial zones.
18. Installation of metal storage containers for use as temporary storage structures. This exception does not apply to any structure used as defined under 'habitable space' in section 202 of the California building Code. This exemption is intended to be applied only to prefabricated shipping and cargo containers commonly used in the shipping and trucking industries.
19. Repairs which involve only the replacement of component parts of existing work with similar materials only for the purpose of maintenance and which do not aggregate over \$750.00 in valuation and do not affect any electrical or mechanical installations. Repairs exempt from permit requirements shall not include any addition, change or modification in construction, exit facilities or permanent fixtures or equipment. Specifically exempt from permit requirements without limit to valuation are:
 - a. Painting
 - b. Installation of floor covering
 - c. Cabinet work
 - d. Outside paving not involving restriping of disabled access parking stalls

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Section 105.3.1.1 of the California Building Code is added to read as follows:

Section 105.3.1.1 Permits shall not be issued for construction on a site where the City Engineer determines that a grading permit or public improvements are required until the City Engineer or his/her representative notifies the Building Official in writing that grading or public improvements has been satisfactorily completed to allow building permits to be issued.

Permits shall not be issued if the City Engineer determines that flooding or geologic conditions at the site may endanger the public safety or welfare.

Section 109 of the California Building Code shall be deleted and replaced with the following:

Section 109.1 FEES

Section 109.2 GENERAL. Fees shall be assessed as set forth in a resolution duly adopted by the City Council.

Section 109.3 PERMIT FEES. The fee for each permit shall be as set forth in a resolution duly adopted by the City Council.

The determination of value or valuation under any of the provisions of these codes shall be made by the Building Official. The value to be used in computing building permit and building plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment. The permit fees for those projects subject to State energy code compliance and /or State disabled access regulation compliance shall be as set forth in a resolution duly adopted by the City Council.

Section 109.4 PLAN REVIEW FEES. When submittal documents are required by section 107, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be set forth in a resolution duly adopted by the City Council. The plan review fee for electrical, mechanical, and plumbing work shall be set forth in a resolution duly adopted by the City Council. The plan review fees for State energy code compliance and/or State disabled access regulation compliance shall be as set forth in a resolution duly adopted by the City Council. The plan review fees specified in this section are separate fees from the permit fees specified in Section 109.3 and are in addition to the permit fees.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 107.3.4.1, an additional plan review fee shall be charged at the rate set forth in a resolution duly adopted by City Council.

Section 109.5 EXPIRATION OF PLAN REVIEW. An application for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not to exceed 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. An application shall not be extended more than once. An application shall not be extended if this code or any other pertinent laws or ordinances have been amended subsequent to the date of application. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan check

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fee.

Section 109.6 INVESTIGATION FEES: WORK WITHOUT A PERMIT.

Section 109.6.1 INVESTIGATION. Whenever any work for which a permit is required by this code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for such work.

Section 109.6.2 FEE. An investigation fee, in addition to the permit fee, shall be equal to the amount of the permit fee required by this code. The minimum fee shall be the same as the minimum permit fee set forth in a resolution duly adopted by the City Council. The payment of such investigation fee shall not exempt an applicant from compliance with all other provisions of either this code or the technical codes not from any penalty prescribed by law.

Section 109.7 FEE REFUNDS. The Building Official may authorize refunding of a fee paid hereunder which was erroneously paid or collected.

The Building Official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The Building Official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid has been withdrawn or cancelled before any examination has been expended.

The Building Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Section 109.8 PERMIT HISTORY SURVEY FEE. The fee for conducting a permit history survey for an existing structure or facility shall be as set forth in a resolution duly adopted by City Council.

Section 109.9 DEMOLITION PERMIT FEE. The fee for a permit to demolish a building shall be as set forth in a resolution duly adopted by the City Council.

Section 109.10 FEE EXCEPTIONS. The government of the United States of America, the State of California, local school districts proposing work exempt from building permits, the County of San Diego, and the City shall not be required to pay for filing an application for a building permit pursuant to this code unless City plan review and inspection services are requested. If so requested, the fee schedules adopted in a resolution by City Council shall apply.

Section 111 of the California Building Code is amended to read as follows:

Section 111.1 CERTIFICATE ISSUED. After final inspection where the Building Official has inspected the building or structure and has found no violations of the provisions of this code or other laws which are enforced by the Building Division, the Building Official shall indicate approval on the Inspection Record Card, and the signed Inspection Record Card shall serve as the Certificate of Occupancy.

Section 113.1 of the California Building Code is amended to read as follows:

Section 113.1 General. In order to hear and decide appeals or orders, decisions, or determinations made by the Building Official relative to the application and interpretation of the technical codes, the City Council shall serve as the appeals board. The applicant may appeal the order, decision, or determination of the Building Official by filing with the City Clerk a written appeal within ten days after the date of the written

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decision.

Section 114.4 of the California Building Code shall be replaced as follows to read:

Section 114.4 Violations. Any person, firm or corporation violating any provision of this code or the technical codes shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined an amount not to exceed five hundred dollars, or imprisoned for a period of not more than six months in the county jail, or both fined and imprisoned.

Section 114.5 of the California Building Code shall be added as follows to read:

Section 114.5 Public Nuisance. Any building or structure erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted, or demolished, equipped, used, occupied, or maintained contrary to the provisions of this code shall be and the same is hereby declared to be unlawful and a public nuisance. The City Attorney shall, upon order of the City Council, commence necessary proceedings for the abatement, removal and/or enjoinder of any such public nuisance in the manner provided by law. Any failure, refusal or neglect to obtain a permit as required by Chapter one (1) of this code shall be prima facie evidence of the fact that the public nuisance has been committed in connection with the erection, construction, enlargement, alteration, repair, movement, improvement, removal, conversion or demolition, equipment, use, occupation, or maintenance of a building or structure erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished, used, occupied, or maintained contrary to the provisions of this code or the technical codes.

Add the following to the end of the first paragraph of Section 1505.1 General:

Section 1505.1 The installation of wood shingle or shake roofing material for reroofing or repair which exceeds 25 percent of the projected roof area within any 12 month period shall be as required for new roof installations or a minimum of Class B Rating.

15.04.040 Table 1505.1 Amended.

Table 1505.1 of the 2016 California Building Code and the International Building Code, 2015 Edition, is amended to read as follows:

**TABLE 1505.1
MINIMUM ROOF COVERING CLASSIFICATION
FOR TYPE OF CONSTRUCTION**

IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
B	B	B	B	B	B	B	B	B

15.04.050 Appendices C, H and I adopted.

Appendix C, H and I are adopted.

Chapter 15.06

CALIFORNIA RESIDENTIAL CODE

Section 15.06.010 Adoption

15.06.010 Adoption of the 2016 California Residential Code, Part 2.5, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the City Residential Code for the purpose of establishing provisions for the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and townhouses not more than three stories above grade of the 2016 California Residential Code. Except as otherwise provided by this Chapter and Chapter 15.02 of the City of Santee Municipal Code, all construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal or demolition of detached one- and two-family dwellings and townhouses not more than three stories above grade within the City of Santee, shall be in conformance with the 2016 California Residential Code, published by the California Building Standards Commission.

Section R104.7.1 of the California Residential Code is added to read as follows:

Section R104.7.1 Permit History Survey. Upon receipt of a written request from the owner of a parcel of property for a Permit History Survey, and the payment of the fee specified in a resolution duly adopted by the City Council, the Building Official may review City records and provide a report listing those building, plumbing, electrical and mechanical permits that have been issued for a specific parcel of property.

Section R105.2 of the California Residential Code is amended to read as follows:

Section R105.2 Exempt from permit is amended by adding the following subsections 11 through 16:

1. through 10. remains unchanged.
11. Satellite dish antenna, other than roof-mounted, in Office, Commercial, and Industrial zoning districts.
12. Renewal of roof coverings on any buildings.
13. Attached open residential patio covers structures up to 120 square feet in projected roof area. These structures must be attached to an R-3 occupancy.
14. Fences not over 8 feet high, where permitted to be installed by City Zoning Code in commercial and industrial zones.
15. Installation of metal storage containers for use as temporary storage structures. This exception does not apply to any structure used as defined under 'habitable space' in section R202 of the California Residential Code. This exemption is intended to be applied only to prefabricated shipping and cargo containers commonly used in the shipping and trucking industries.
16. Repairs which involve only the replacement of component parts of existing work with similar materials only for the purpose of maintenance and which do not

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aggregate over \$750.00 in valuation and do not affect any electrical or mechanical installations. Repairs exempt from permit requirements shall not include any addition, change or modification in construction, exit facilities or permanent fixtures or equipment. Specifically exempt from permit requirements without limit to valuation are:

- a. Painting
- b. Installation of floor covering
- c. Cabinet work
- d. Outside paving not involving restriping of disabled access parking stalls.

Section R105.3.1.2 of the California Residential Code is added to read as follows:

Section R105.3.1.1 Permits shall not be issued for construction on a site where the City Engineer determines that a grading permit or public improvements are required until the City Engineer or his/her representative notifies the Building Official in writing that grading or public improvements has been satisfactorily completed to allow building permits to be issued.

Permits shall not be issued if the City Engineer determines that flooding or geologic conditions at the site may endanger the public safety or welfare.

Section R108 of the California Building Code shall be deleted and replaced with the following:

Section R108.1 FEES

Section R108.2 GENERAL. Fees shall be assessed as set forth in a resolution duly adopted by the City Council.

Section R108.3 PERMIT FEES. The fee for each permit shall be as set forth in a resolution duly adopted by the City Council.

The determination of value or valuation under any of the provisions of these codes shall be made by the Building Official. The value to be used in computing building permit and building plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment. The permit fees for those projects subject to State energy code compliance and/or State disabled access regulation compliance shall be as set forth in a resolution duly adopted by the city council.

Section R108.4 PLAN REVIEW FEES. When submittal documents are required by section R106, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be set forth in a resolution duly adopted by the City Council. The plan review fee for electrical, mechanical, and plumbing work shall be set forth in a resolution duly adopted by the City Council. The plan review fees for State energy code compliance and/or State disabled access regulation compliance shall be as set forth in a resolution duly adopted by the City Council. The plan review fees specified in this section are separate fees from the permit fees specified in Section R108.3 and are in addition to the permit fees.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in California Building Code Section 107.3.4.1, an additional plan review fee shall be charged at the

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rate set forth in a resolution duly adopted by City Council.

Section R108.5 EXPIRATION OF PLAN REVIEW. An application for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not to exceed 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. An application shall not be extended more than once. An application shall not be extended if this code or any other pertinent laws or ordinances have been amended subsequent to the date of application. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan check fee.

Section R108.6 INVESTIGATION FEES: WORK WITHOUT A PERMIT.

Section R108.6.1 INVESTIGATION. Whenever any work for which a permit is required by this code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for such work.

Section R108.6.2 FEE. An investigation fee, in addition to the permit fee, shall be equal to the amount of the permit fee required by this code. The minimum fee shall be the same as the same as the minimum permit fee set forth in a resolution duly adopted by the City Council. The payment of such investigation fee shall not exempt an applicant from compliance with all other provisions of either this code or the technical codes not from any penalty prescribed by law.

Section R108.7 FEE REFUNDS. The Building Official may authorize refunding of a fee paid hereunder which was erroneously paid or collected.

The Building Official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The Building Official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid has been withdrawn or cancelled before any examination has been expended.

The Building Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Section R108.8 PERMIT HISTORY SURVEY FEE. The fee for conducting a permit history survey for an existing structure or facility shall be as set forth in a resolution duly adopted by City Council.

Section R108.9 DEMOLITION PERMIT FEE. The fee for a permit to demolish a building shall be as set forth in a resolution duly adopted by the City Council.

Section R108.10 FEE EXCEPTIONS. The government of the United States of America, the State of California, local school districts proposing work exempt from building permits, the County of San Diego, and the City shall not be required to pay for filing an application for a building permit pursuant to this code unless city plan review and inspection services are requested. If so requested, the fee schedules adopted in a resolution by City Council shall apply.

Section R110 of the California Building Code is amended to read as follows:

Section R110.1 CERTIFICATE ISSUED. After final inspection where the Building Official has inspected the building or structure and has found no violations of the

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provisions of this code or other laws which are enforced by the Building Division, the Building Official shall indicate approval on the Inspection Record Card, and the signed Inspection Record Card shall serve as the Certificate of Occupancy.

Section R112.1 of the California Residential Code is added to read as follows:

Section R112.1 General is amended to read as follows: In order to hear and decide appeals or orders, decisions, or determinations made by the Building Official relative to the application and interpretation of the technical codes, the City Council shall serve as the appeals board. The applicant may appeal the order, decision, or determination of the Building Official by filing with the City Clerk a written appeal within ten days after the date of the written decision.

Section R113.4 of the California Residential Code shall be replaced as follows to read:

Section R113.4 Violations. Any person, firm or corporation violating any provision of this code or the technical codes shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined an amount not to exceed five hundred dollars, or imprisoned for a period of not more than six months in the county jail, or both fined and imprisoned.

Section R113.5 of the California Residential Code shall be added as follows to read:

Section R113.5 Public Nuisance. Any building or structure erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted, or demolished, equipped, used, occupied, or maintained contrary to the provisions of this code shall be hereby declared to be unlawful and a public nuisance. The City Attorney shall, upon order of the City Council, commence necessary proceedings for the abatement, removal and/or enjoinder of any such public nuisance in the manner provided by law. Any failure, refusal or neglect to obtain a permit as required by Chapter one (1) of this code shall be prima facie evidence of the fact that the public nuisance has been committed in connection with the erection, construction, enlargement, alteration, repair, movement, improvement, removal, conversion or demolition, equipment, use, occupation, or maintenance of a building or structure erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished, used, occupied, or maintained contrary to the provisions of this code or the technical codes.

Section R902.1.3 of the California Residential Code is altered to read as follows:

Section R902.1.3 Roof Coverings in all other areas. Alter the class of roof coverings in R902.1.3 at the end of the paragraph from "Class C" to "Class B."

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Chapter 15.08

CALIFORNIA ELECTRICAL CODE

Sections:

15.08.010 Adoption.

15.08.010 Adoption of the 2016 California Electrical Code, Part 3, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the City Electrical Code for the purpose of prescribing regulations in the City of Santee for the installation, alteration or repair of electrical systems and permit requirements and inspection thereof, the 2016 California Electrical Code, Part 3, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code based on the National Electrical Code, 2014. Except as otherwise provided by this Chapter and Chapter 15.02 of the City of Santee Municipal Code, all installation, alteration or repair of electrical systems within the City of Santee shall be in conformance with 2016 California Electrical Code published by the California Building Standards Commission.

Chapter 15.10

CALIFORNIA MECHANICAL CODE

Sections:

15.10.010 Adoption.

15.10.010 Adoption of the 2016 California Mechanical Code, Part 4, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the City Mechanical Code for the purpose of prescribing regulations in the City of Santee for the erection, installation, alteration, repair, relocation, replacement, addition to, use or maintenance of any heating, ventilating, cooling, refrigeration systems, incinerators or other miscellaneous heat-producing appliances, the 2016 California Mechanical Code, Part 4, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California Health and Safety Code, Section 18901 et seq. based on the Uniform Mechanical Code, 2015 Edition. Except as otherwise provided by this Chapter and Chapter 15.02 of the City of Santee Municipal Code, all erection, installation, alteration, repair, relocation, replacement, addition to, use or maintenance of any heating, ventilating, cooling, refrigeration systems, incinerators or other miscellaneous heat-producing appliances shall be in conformance with 2016 California Mechanical Code and any rules and regulations promulgated pursuant thereto, published by the California Building Standards Commission.

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Chapter 15.12

CALIFORNIA PLUMBING CODE

Sections:

- 15.12.010 Adoption**
- 15.12.020 Deletions and Additions**
- 15.12.030 Appendices A, B, D and I Adopted**

15.12.010 Adoption of the 2016 California Plumbing Code, Part 5, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the City Plumbing Code for the purpose of prescribing regulations in the City of Santee for the construction, alteration, moving, demolition, repair and use of all plumbing, gas or drainage piping and systems or water heating or treating equipment in or on any building or structure or outdoors on any premises or property, the 2016 California Plumbing Code, Part 5, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California Health and Safety Code, Section 18901 et seq. based on the Uniform Plumbing Code 2015 Edition . Except as otherwise provided by this Chapter and Chapter 15.02 of the City of Santee Municipal Code, all construction, alteration, moving, demolition, repair and use of all plumbing, gas or drainage piping and systems or water heating or treating equipment within the City of Santee shall be in conformance with 2016 California Plumbing Code , published by the California Building Standards Commission.

15.12.020 Deletions and Additions to the 2016 California Plumbing Code and the Uniform Plumbing Code, 2015 Edition.

Deletions and additions to the 2016 California Plumbing Code, shall be as set forth in Section 15.12.020 and 15.12.030

Section 104.1.1 of the California Plumbing Code is added as follows to read,

Section 104.1.1 SOLAR WATER HEATERS PRE-PLUMBING AND STORAGE TANK SPACE REQUIREMENT.

1. Any other provisions on this chapter to the contrary notwithstanding, no permit shall be issued by the Administrative Authority for a new residential building unless said building includes plumbing and adequate space for installation of a solar storage tank specifically designed to allow the later installation of a system which utilizes solar energy as the primary means of heating domestic potable water. No building permit shall be issued unless the plumbing required pursuant to this section is indicated in the building plans. Pre-plumbing and storage tank configuration shall be designed and installed to the satisfaction of the Administrative Authority. This section shall apply only to those new residential buildings for which a building permit was applied for after the effective date of the Ordinance amending this section.

2. The Administrative Authority is hereby authorized to exempt those applications from the provisions of this section which the Administrative Authority determines do not have feasible solar access due to shading, building orientation, construction constraints, or configuration of the subdivision parcel.

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Section 104.1.2 of the California Plumbing Code is added as follows to read,

Section 104.1.2 SWIMMING POOL HEATERS.

1. Any other provisions of this chapter to the contrary notwithstanding, no permit shall be issued for a new or replacement fossil swimming pool heater unless a solar system with a collector area a minimum of fifty percent of the surface area of the swimming pool being heated is also installed as the primary heat source for the swimming pool.

2. A fossil fuel swimming pool heater is defined as one which uses nonrenewable fuel including but not limited to natural gas, propane, diesel and electricity.

3. As used in this section a swimming pool means any confined body of water exceeding two feet in depth, greater than one hundred fifty square feet in surface area, and located either above or below the existing finished grade of the site, designed, used or intended to be used for swimming, bathing or therapeutic purposed.

EXCEPTION: A separate spa and a spa built in conjunction with a swimming pool may be heated by fossil fuels, provided the heating source cannot be used to heat the swimming pool.

4. Other provisions of this section notwithstanding, the owner of a swimming pool may request of the Administrative Authority a waiver of all, or a portion, of the requirements contained in this section when topographic conditions, development, or existing trees on or surrounding the swimming pool or probable location of the solar collection system preclude effective use of the solar energy system due to shading; or the swimming pool is located in a permanent, enclosed structure.

5. An applicant dissatisfied with a decision of the Administrative Authority relating to modification or waiver under this section may appeal said decision to the City Council by filing a written appeal with the City Clerk within ten days of the issuance of the written decision. The decision of the City Council in the case of any such appeal shall be final.

15.12.030 Appendices A, B, D, G and I Adopted.

Appendix Chapters A, B, D, G and I of the 2016 California Plumbing Code, are adopted.

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Chapter 15.14

CALIFORNIA ENERGY CODE

Sections:

15.14.010 Adoption.

15.14.010 Adoption of the 2016 California Energy Code, Part 6, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the City energy code for the purpose of prescribing regulations in the City of Santee for the conservation of energy in the 2016 California Energy Code, Part 6, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California Health and Safety Code, Section 18901 et seq. and the California Energy Code, 2016 Edition. Except as otherwise provided by this Chapter and Chapter 15.02 of the City of Santee Municipal Code, all construction of buildings where energy will be utilized shall be in conformance with California Energy Code and any rules and regulations promulgated pursuant thereto, including the California Energy Code, 2016 Edition, published by the California Energy Commission.

Chapter 15.18

HISTORICAL BUILDING CODE

Sections:

15.18.010 Adoption.

15.18.010 Adoption of the 2016 California Historical Building Code, Part 8, Title 24 of the California Code of Regulations.

The California Historic Building Code, 2016 edition, Chapter 15.18 is adopted by reference without change to Buildings and Construction Title 15.

Chapter 15.20

CALIFORNIA FIRE CODE

Sections:

15.20.010 Adoption.

15.20.040 Amendments made to the California Fire Code.

15.20.010 Adoption of the 2016 California Fire Code, Part 9, Title 24 of the California Code of Regulations, which incorporates and amends the International

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Fire Code 2015 edition with certain local amendments.

There is adopted and incorporated by reference herein as the City Fire Code for the purpose of enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encourage sustainable construction practices, the 2016 California Fire Code, Part 9, Title 24 California Code of Regulations, a portion of the California Building Standards Code. Except as otherwise provided by this Chapter and Chapter 15.02 of the City of Santee Municipal Code, planning, design, operation, construction, use and occupancy of every newly constructed building or structure shall conform with the 2016 California Green Building Code, published by the California Building Standards Commission.

- (A) There is hereby adopted by the City Council of the City of Santee for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain Code known as the International Fire Code, including Appendix Chapters 4, B, BB, C, CC, E, F, G, H, I and J.
- (B) Published by the International Code Council, being particularly the 2015 Edition thereof and California Amendments thereto, as incorporated into California law under Title 24 of the California Code of Regulations, save and except such portions as are hereinafter deleted, modified or amended by Section 15.20.040 of this Ordinance.
- (C) No less than three copies of these codes and standards have been, and are now filed in the office of the City Fire Department with one copy on file in the office of the City Clerk per Government Code Section 50022.6, and the same are adopted and incorporated as fully as if set out at length in this Chapter. From the date on which this Chapter shall take effect, the provisions thereof shall be controlling within the boundaries of the City.

15.20.040 Amendments made to the California Fire Code. The following Section repeals and replaces Section 15.20.040 of the Santee Municipal Code.

Section 15.20.040 The California Fire Code, 2016 Edition, is amended and changed in the following respects:

CHAPTER 3 AMENDED - GENERAL PRECAUTIONS AGAINST FIRE

Section 307.4.3 is hereby amended to read as follows:

307.4.3 Portable outdoor fireplaces. Portable outdoor fireplaces shall comply with all the following restrictions:

307.4.3.1 Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions. The use of washing machine tub fireplaces and other similar devices is prohibited within Santee City limits.

307.4.3.2 Portable outdoor fireplaces shall be constructed of steel or other approved non-combustible materials.

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307.4.3.3 During operation, the portable outdoor fireplace shall be covered with a metal screen or welded or woven wire mesh spark arrestor with openings no larger than ¼ " to reduce airborne embers.

307.4.3.4 Portable outdoor fireplaces shall only be used on a non-combustible surface or bare ground, void of all vegetation.

307.4.3.5 Portable outdoor fireplaces shall be operated at least 15 feet away from all combustible materials or structures and shall not be used under eaves, patio covers or other shade structures.

307.4.3.6 Portable outdoor fireplaces shall be supervised at all times and extinguished when no longer being used.

307.4.3.7 A garden hose or 4A fire extinguisher shall be readily available at all times when the outdoor portable fireplace is in operation.

307.4.3.8 The burning of trash, rubbish or paper products is strictly prohibited.

307.4.3.9 The Fire Code Official or other Fire Department representative is authorized to order extinguishment at any time because of misuse, objectionable situation, hazardous weather, or any other safety concern.

CHAPTER 5 AMENDED - FIRE SERVICE FEATURES

Section 503.2.1 is hereby amended by replacing language to read as follows:

503.2.1 Dimensions (Fire Apparatus Access Roads). Fire apparatus access roads shall have an unobstructed width of not less than 26 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches.

EXCEPTION: A fire apparatus access road may be reduced to an unobstructed width of not less than 16 feet (or other approved width) when in the opinion of the Fire Chief the number of vehicles using the roadway will not limit or impair adequate emergency fire department access.

Section 503.2.3 is hereby amended to read as follows:

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with an approved paved surface. In new development, all underground utilities, hydrants, water mains, curbs, gutters and sidewalks must be installed and the drive surface shall be approved prior to combustibles being brought on site.

Section 503 is hereby amended by adding subsection 503.7 and 503.8 to read as follows:

503.7 Gates across fire apparatus access roads. All gates or other structures or devices which could obstruct fire access roadways or otherwise hinder emergency operations are prohibited unless they meet standards approved by

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the Fire Chief/Fire Code Official, and receive specific plan approval. Written plans shall be submitted for approval and approved prior to the installation of any gate or other similar obstruction. Gates shall be equipped with approved emergency locks or locking devices.

503.8 Automatic gates. All automatic gates across fire apparatus access roads shall be equipped with approved emergency key switches. Gates serving more than four residential dwellings or gates serving projects that, in the opinion of the Fire Chief/Fire Code Official, require a more rapid emergency response, shall also be equipped with an approved strobe activating sensor(s) to open the gate upon approach of emergency apparatus. All gates shall have a manual release device to open the gate upon power failure.

Section 505 is hereby amended by adding subsection 505.3 to read as follows:

505.3 Map/Directory. A lighted directory map meeting current Santee Fire Department standards may be installed at each driveway entrance or other approved location(s) to multiple unit residential projects 15 units or more and other occupancies when in the opinion of the Fire Chief the directory will enhance emergency response to the project.

CHAPTER 9 AMENDED – FIRE PROTECTION SYSTEMS

Section 903.2 is hereby amended adding subsections 903.2(a) and 903.2(b) to read as follows:

903.2(a) Automatic fire sprinkler system required. The installation of an approved automatic fire sprinkler system shall be required in all buildings, regardless of size or occupancy, and irrespective of any occupancy or area separation. Sprinklers shall also be required in all additions made to existing buildings equipped with automatic fire sprinkler system. “Fire walls” and “Area or Occupancy Separation Walls” regardless of construction rating shall not constitute separate buildings for purposes of determining fire sprinkler requirements. An approved fire sprinkler system shall be required in an existing non-sprinklered building when a change of occupancy classification occurs.

EXCEPTION: Kiosks, sheds, out-buildings, small temporary buildings and other small buildings may not need an automatic fire sprinkler system if in the opinion of the Fire Chief, the site, and the use, does not pose a significant hazard.

903.2(b) Automatic fire sprinkler system required additions. An approved automatic fire sprinkler system shall be installed in any existing non-sprinklered buildings where structural additions are made greater than 5,000 square feet or resulting in a 50% increase in the size of the building. In this situation the entire building is required to be equipped with an approved automatic fire sprinkler system.

EXCEPTION: Group R, Division 3 occupancies.

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Section 903.4.2 is hereby amended by replacing language to read as follows:

903.4.2 Alarms. One or more exterior approved audio/visual device(s) shall be connected to every automatic sprinkler system in an approved location. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

Section 905 is hereby amended by adding Subsection 905.3(a) to read as follows:

905.3(a) Required installations. A wet standpipe system shall be installed in all levels of any parking structures below or above grade.

CHAPTER 23 AMENDED - MOTOR VEHICLE FUEL-DISPENSING FACILITIES AND REPAIR GARAGES

Section 2306.2.3 is hereby amended by replacing language for exception 3 to read as follows:

2306.2.3 Above-ground tanks located outside, above grade, exception 3.

3. Tanks containing fuels shall not exceed 1,500 gallons of Class I liquids, 12,000 gallons of Class II liquids in individual capacity and 26,000 gallons in aggregate capacity. Installations with the maximum allowable capacity shall be separated from other installations by not less than 100 feet.

CHAPTER 49 AMENDED – REQUIREMENTS FOR WILDLAND-URBAN INTERFACE (WUI) AREAS

Section 4903 is hereby amended to read as follows:

4903 Fire Protection Plan. A Fire Protection Plan (FPP), approved by the Fire Chief, shall be required for all new development within declared Fire Hazard Severity Zones and/or Wildland-Urban Interface (WUI) areas.

The FPP shall include mitigation measures consistent with the unique problems resulting from the location, topography, geology, flammable vegetation, and climate of the proposed site.

The FPP shall address access, water supply, building ignition fire resistance, fire protection systems and equipment, defensible space and vegetation management.

Section 4905.2 is hereby amended to read as follows:

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4905.2 Construction methods and requirements within established limits. Within the limits established by law, construction methods intended to mitigate wildfire exposure shall comply with the wildfire protection building construction requirements contained in the California Building Standards Code including the following:

1. California Building Code Chapter 7A,
2. California Residential Code Section R327,
3. California Reference Standards Code Chapter 12-7A
4. Santee Local Amendments
5. and applicable amendments

Section 4905.2 is hereby amended adding subsections 4905.2.1 through 4905.2.7

4905.2.1 Construction materials within Fire Hazard Severity Zones and/or Wildland Urban Interface areas. Prior to combustible materials being brought on site, utilities shall be in place, fire hydrants operational, an approved all-weather roadway must be in place, and the fuel modified defensible space must be established and approved by the fire code official.

Section 4907 is hereby amended adding subsections 4907.2, 4907.2.1, 4907.2.2 and 4907.2.3.

4907.2 Fuel Modified Defensible Space. All new developments, subdivisions or tracts that are planned in Fire Hazard Severity Zones and/or Wildland Urban Interface Areas shall have a minimum of 100 horizontal feet of "fuel modified" defensible space between structures and wildland areas. Depending on the percentage of slope and other wildland area characteristics, the Fuel Modified Defensible Space may be increased beyond 100 feet. Fuel Modified Defensible Space shall be comprised of two distinct brush management areas referred to as, "Zone One" and "Zone Two".

4907.2.1 Fuel Modified Defensible Space, Zone One. "Zone One" is the first 50 feet measured from the structure toward the wildland. This area is the least flammable, and consists of pavement, walkways, turf and permanently landscaped, irrigated and maintained ornamental planting. This vegetation should be kept in a well-irrigated condition and cleared of dead material. This area requires year-round maintenance. Fire resistive trees are allowed if placed or trimmed so that crowns are maintained more than 10 feet from the structure. Highly flammable trees such as, but not limited to conifers, eucalyptus, cypress, junipers and pepper trees are not allowed in WUI areas. This area shall be maintained by the property owner or applicable homeowners association(s).

4907.2.2 Fuel Modified Defensible Space, Zone Two. "Zone Two" is the second 50 feet of the 100 total feet of defensible space and is measured 50 feet from the structure to a total of 100 feet toward the wildland. Zone

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Two shall consist of low-growing, fire-resistant shrubs and ground covers. Average height of new plants for re-vegetation should be less than 24 inches. In this Zone, no more than 30% of the native, non-irrigated vegetation shall be retained. This area requires inspection and periodic maintenance. This area shall be maintained by the property owner or applicable homeowners association(s).

4907.2.3 Defensible space adjacent to roadways. An area of 50 feet from each side of fire apparatus access roads and driveways shall be improved to "Zone One" standards and maintained clear of all but fire-resistive vegetation. This area shall be maintained by the property owner or homeowners associations as with other defensible space areas. Defensible space adjacent to roadways may be increased to more than 50 feet on each side of a fire apparatus access road. This distance is to be determined by the approved Fire Protection Plan.

Chapter 49 is hereby amended adding section 4908 to read as follows:

4908 Special Fire Protection Requirements.

4908.1 Combustible fencing. Fencing within Fire Hazard Severity Zones and/or Wildland Urban Interface Areas shall consist of noncombustible or approved materials. The closest five (5) feet of fencing to any structure shall be approved noncombustible.

4908.2 Outdoor fireplaces, barbecues and grills. Outdoor fireplaces, barbecues and grills shall not be built, or installed in Fire Hazard Severity Zones and/or Wildland Urban Interface Areas without plan approval by the Fire Code Official. Portable outdoor fireplaces or other wood burning appliances shall be strictly prohibited within Fire Hazard Severity Zones and/or Wildland Urban Interface Areas.

4908.3 Spark arresters. Chimneys serving fireplaces, barbecues, incinerators or decorative heating appliances in which solid or liquid fuel are used, shall be provided with a spark arrester of woven or welded wire screening of 12-gauge standard wire having openings not exceeding ¼ inch.

4908.4 Storage of firewood and combustible materials. Firewood and combustible materials shall not be stored in unenclosed spaces beneath buildings or structures, or on decks, under eaves, canopies or other projections or overhangs and shall be stored at least 20 feet from structures and separated from the crown of trees by a minimum horizontal distance of 15 feet.

4908.5 Water supply. All water systems, specifically fire hydrants and storage tanks, must be approved by the Fire Department. Fire hydrants within Fire Hazard Severity Zones or Wildland Urban Interface Areas shall be spaced every 300 feet and shall have a fire flow of 2500 gallons per minute or a fire flow approved by the Fire Chief. Developments that

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require new or "stand alone" water storage facilities may also be required to provide secondary or back-up systems, such as independently powered pumps that will ensure adequate water supply for firefighting emergencies.

4908.6 Wildland access. To adequately deploy resources to protect structures threatened by wildfires, emergency access to wildland areas may be required. Access may include but is not limited to, gated vehicle access points and/or personnel corridors between homes or structures. The need, number, and location of wildland access points will be determined by the Fire Code Official.

CHAPTER 56 AMENDED - EXPLOSIVES AND FIREWORKS

Chapter 56 is hereby amended by adding section 5607 to read as follows:

5607 Blasting

5607.1 Scope. Section 5609 is intended to regulate blasting operations within the City of Santee.

5607.2 Grading permit required. Section 5609 shall apply to any project or construction operation where a grading permit is required. A grading permit must be approved and issued by the Engineering Department of the City of Santee prior to the issuance of a blasting permit issued by the Fire Department for blasting at construction sites.

5607.3 Definitions. For the purpose of this Division the following definitions shall apply:

Approved Blaster is a blaster who has been approved by the Fire Chief to conduct blasting operations in the City of Santee and who has been placed on the list of approved blasters.

Blaster is any person, corporation, contractor or other entity who uses, ignites, or sets off an explosive device or material.

Inspector is any person who has been approved by the Fire Chief to conduct pre and post blast inspections in the City of Santee.

Blasting Operations shall mean the use of an explosive device or explosive materials to destroy, modify, obliterate, or remove any obstruction of any kind from a piece of property.

Minor Blasting is any blasting operation associated with trenching operations, digging holes for utility poles, and other single shot operations.

Major Blasting is any other type of blasting operation.

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Permit for Blasting is a written document issued by the Santee Fire Department wherein the blaster is given permission to blast within the City of Santee under specific terms and conditions for the operation.

Certificate of Insurance is a written document issued by an insurance company authorized to do business in the State of California stating that the insurance company has issued a policy of liability insurance covering property damage and bodily injuries resulting from blasting operations occurring in the City of Santee.

Explosive Permit is a written document issued by the San Diego County Sheriff's Department pursuant to Section 12000, et seq. of the California Health and Safety Code wherein the Sheriff's Department allows blasting with explosives to be done by the permittee under the conditions specified therein.

5607.4 Permit to Blast: All blasting operations within the City of Santee are prohibited unless a permitted by the Santee Fire Department.

5607.4.1 Prerequisites. No Permit to Blast shall be granted or obtained unless the prerequisite conditions listed below are complied with and proof provided to the satisfaction of the Fire Department.

5607.4.2 Explosives permit. The blaster shall obtain an explosives permit from the San Diego County Sheriff's Department and a copy thereof shall be placed on file with the Santee Fire Department.

5607.4.3 Santee business license. The blaster shall obtain a business license from and issued by the Finance Department of the City of Santee and a copy thereof placed on file with the Santee Fire Department.

5607.4.4 Liability insurance. The property owner/developer or general contractor shall obtain liability insurance covering the blaster's activities in the minimum amount of \$2,000,000 for property damage and \$1,000,000 for bodily injury. The property owner/developer or general contractor shall file a copy of the Certificate of Insurance with the Santee Fire Department. The blaster shall have liability insurance, property insurance, and bodily injury insurance in the minimum amount of \$500,000 each. A copy of the Certificate of Insurance of the blaster shall also be filed with the Santee Fire Department by the property owner/developer or general contractor. The City of Santee shall be named as Co-Insured.

5607.4.5 Blaster's qualifications. The blaster's qualifications shall be reviewed by the Fire Chief. Approval and placement on the list of approved blasters shall be based upon a review of the blaster's qualifications, past safety record, and history of complaints of job performance. Failure on the part of the blaster to comply with the terms

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and conditions under which approval is granted may result in suspension from the list of approved blasters for a period not exceeding one year.

5607.5 Permit to Blast - repository and renewal.

5607.5.1 Permit to Blast filing. A copy of the Permit to Blast shall be kept on file with the Santee Fire Department at 10601 Magnolia Ave., Santee, California 92071. A copy of the Permit to Blast shall be retained by the general contractor or property owner/developer and by the blaster and shall be available at the job site for public or official inspection at all times during blasting operations.

5607.5.2 Permit to Blast cancellation. A Permit to Blast is required to be cancelled with the Fire Department when a blaster completes or discontinues, for thirty (30) days, blasting operations at a construction site.

5607.5.3 Permit to Blast - renewal. A Permit to Blast must be renewed with the Fire Department before any blasting operations are continued or resumed.

5607.6 Blasting operation procedures. After the Permit to Blast has been issued, the blaster shall comply with the following procedures.

5607.6.1 Notification of blasting operation. The contractor or property owner/developer shall give reasonable notice in writing at the time of issuance of building permit, grading permit or encroachment license to all residences or businesses within 600 feet of any potential blast location. The notice shall be in a form approved by the Fire Chief.

Any resident or business receiving such notice may request of the Fire Department that the blaster give a 12 hours advance notice of impending blast. The general contractor or property owner/developer shall obtain the advanced notification list of residents and businesses from the Fire Department, and shall make every reasonable effort to contact any and all parties requesting the second advanced notice.

5607.6.2 Inspections. Inspections of all structures within 300 feet of the blast site shall be made before blasting operations. The person(s) inspecting shall obtain the permission of the building owner prior to conducting the inspection. The inspections shall be performed by a qualified person(s) approved by the Fire Chief, and employed by the blaster or project contractor. The inspection shall be only for the purpose of determining the existence of any visible or reasonably recognizable pre-existing defects or damages in any structure. Waiver of such inspection shall be in writing by owner(s), and persons who have vested interest, control, custody, lease or rental responsibility of said property or their legally recognized agent. Post blast inspections shall be required upon receipt of a complaint of property damage by the person in charge of the property.

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Damage must be reported to the Fire Department within one year of the completion of blasting operations.

5607.6.3 Inspection report. Complete inspection reports identifying all findings or inspection waivers shall be signed by the inspector and property owners or owner's agent. Such inspection reports shall be retained by the inspecting agency, but shall be immediately available to the Fire Department and individuals directly involved in alleged damage complaints.

5607.6.4 Inspection waiver report. The inspector shall file with the Fire Department a summary report identifying address, occupant/owner's name, time and date of inspections, and any inspection waiver signed by property owner or owner's agent, with an explanation as to why an inspection of a specific structure was not made. This summary and waiver report shall be signed by the inspector.

5607.6.5 Blasting hours. Blasting shall only be permitted between the hours of 9:00 am and 4:00 pm during any weekday, Monday through Friday, unless special circumstances warrant another time of day and special approval is granted by the Fire Chief.

5607.6.6 Fire Department inspections. The blaster shall permit Fire Department personnel to inspect the blast site and blast materials or explosives at any reasonable time.

5607.6.7 Fire Department witness of blasting. If a Fire Department witness is desired by the general contractor, and or blaster, arrangements shall be made at least 12 hours prior to the blast. Confirmation shall be made to the Fire Department no less than one hour prior to the blast. The Fire Department may assign a Department member to be present and observe the blast at their discretion.

5607.6.8 Blast notification to Fire Department. The blasting companies are required to notify the Fire Department on the day of a tentative blasting operation, between the hours of 8:00 am and 8:30 am.

5607.6.9 Seismograph monitoring. All blasting operations shall be monitored by an approved seismograph located at the nearest constructed structure. All daily seismograph reports shall be forwarded to the Fire Department by the end of the blast week.

EXCEPTION: Public Utility Companies are not required to seismographically monitor minor blasting operations.

5607.6.10 Confiscation. Any explosives which are illegally manufactured, sold, given away, delivered, stored, used, possessed, or transported shall be subject to immediate seizure by the Fire Chief, issuing authority, or peace officer. When a permit has been revoked or has expired and is not immediately renewed, any explosive is subject to immediate seizure.

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5607.7 Complaints regarding blasting operations. Post-blast inspections shall be required on all structures for which complaints, alleging blast damage, have been received. Such inspections shall be written within thirty (30) days of receipt of complaint.

5607.8 Fee for Permit to Blast. The blaster shall pay a fee for the Permit to Blast designated within the Fire Department Schedule of Fees. Unless otherwise designated within the approved Schedule of Fees, a Permit to Blast shall be site specific and a separate fee shall be charged to each Blast operation or for each Permit to Blast issued.

5607.9 Fire Department conditions. The Santee Fire Department may impose such additional conditions and procedures as it deems are reasonably necessary to protect the public health and safety based upon the peculiar and individual facts and circumstances of a particular blasting operation. The Fire Department shall provide the blaster with the additional conditions or procedures in writing and the blaster shall comply with those requirements until such time as the Fire Department is satisfied they are no longer required and cancels the additional requirements.

SECTION 15.20.050 Special Regulations. The following Section repeals and replaces Section 15.20.050 of the Santee Municipal Code.

Section 15.20.050

(A) **Establishment of geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited.** The limits referred to in Section 5704.2.9.6.1 of the International Fire Code in which the storage of flammable or combustible liquids in above-ground tanks outside of buildings is prohibited are hereby established as the jurisdictional limits of the City.

The storage of Class I and Class II liquids in above ground tanks outside of buildings is prohibited in all residential zones within the City of Santee. The storage of Class I and Class II liquids in above ground tanks for motor vehicle fuel-dispensing may be allowed in commercial or industrial zones within the City, providing that applicable provisions of Chapter 23 and 57 are met, and if in the opinion of the Fire Chief, the site, and the use, does not pose a significant hazard.

(B) **Establishment of geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited.** The limits referred to in Section 5706.2.4.4 of the International Fire Code in which the storage of flammable or combustible liquids in above-ground tanks is prohibited are hereby established as the jurisdictional limits of the City.

The storage of Class I and Class II liquids in above ground tanks is prohibited in all residential zones within the City of Santee. The storage of Class I and Class

ORDINANCE NO. _____

Il liquids in above ground tanks for motor vehicle fuel-dispensing may be allowed in commercial or industrial zones within the City, providing that applicable provisions of Chapter 23 and 57 are met, and if in the opinion of the Fire Chief, the site, and the use, does not pose a significant hazard.

(C) Establishment of geographic limits in which the storage of liquefied petroleum gases is restricted for the protection of heavily populated or congested areas. The limits referred to in Section 6104.2 of the International Fire Code, in which the storage of liquefied petroleum gas is restricted, are hereby established as the jurisdictional limits of the City.

The storage of liquefied petroleum gases are prohibited within residential zones within the City of Santee. The storage of liquefied petroleum gases are allowed within commercial or industrial zones within the City of Santee to a maximum quantity of 2,000-gallon water capacity, providing all applicable provisions of Chapter 61 are met, and in the opinion of the Fire Chief, the site, and the use, does not pose a significant hazard.

EXCEPTION: Liquefied Petroleum Gas may be allowed for residential use where no other gas service is provided and the quantity, location and use do not pose a significant problem.

(D) Establishment of limits of districts in which storage of explosives and blasting agents is prohibited. Limits in which storage of explosives and blasting agents is prohibited, are hereby established as the jurisdictional limits of the City.

Permanent storage of explosives and/or blasting agents shall be strictly prohibited within the City of Santee. Temporary storage may be allowed during set-up for excavation, demonstration, or other use, when proper permits have been obtained, all applicable provisions of Chapter 56 have been met, and when in the opinion of the Fire Chief, there are no significant hazards.

EXCEPTION: Small quantities of black powder and explosive materials may be stored and used when they are permitted by the applicable law enforcement agency and permitted by the Fire Department.

(E) Establishment of geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited. The limits referred to in Section 3506.2 of the International Fire Code, in which the storage of flammable cryogenic fluids in stationary containers is prohibited are hereby established as follows:

The storage of flammable cryogenic fluids is prohibited within the City of Santee.

SECTION 15.20.060. Appeals. The following Section repeals and replaces Section 15.20.060 of the Santee Municipal Code.

ORDINANCE NO. _____

Section 15.20.060 Whenever the Chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code do not apply, or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal the decision of the Fire Chief to the City Council. A letter of appeal shall be submitted to the City Clerk within 30 days from the date of the decision being appealed. The appeal shall be heard by the City Council at the next available meeting.

SECTION 15.20.070. New Materials, Processes or Permits. The following Section repeals and replaces Section 15.20.070 of the Santee Municipal Code.

Section 15.20.070 The City Manager, the Fire Chief and the Fire Marshal shall act as a committee to determine and specify, after giving affected person an opportunity to be heard, any new materials, processes or occupancies for which permits are required in addition to those now enumerated in the *California Fire Code and International Fire Code*. The Fire Marshal shall post such list in a conspicuous place in the office of the City Clerk, at the bureau of fire prevention and distribute copies thereof to interested persons.

SECTION 15.20.080. Penalties. The following Section repeals and replaces Section 15.20.080 of the Santee Municipal Code.

Section 15.20.080(A) Any person who violates any provision of this Ordinance or of the code or standards adopted by reference in this Ordinance, is guilty of a misdemeanor. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

(B) The application of the above penalties shall not prevent the enforced removal of prohibited conditions.

Chapter 15.22

CALIFORNIA EXISTING BUILDING CODE

Sections:

15.22.010 Adoption.

15.22.010 Adoption of the 2016 California Existing Building Code, Part 10, Title 24 of the California Code of Regulations.

The California Existing Building Code, 2016 edition, Chapter 15.22 is adopted by

reference without change to Buildings and Construction Title 15.

Chapter 15.24

CALIFORNIA GREEN BUILDING STANDARDS CODE

Sections:

15.24.010 Adoption.

15.24.010 Adoption of the 2016 California Green Building Code, Part 11, Title 24 of the California Code of Regulations.

There is adopted and incorporated by reference herein as the City Green Building Code for the purpose of enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encourage sustainable construction practices, the 2016 California Green Building Code, Part 11, Title 24 California Code of Regulations, a portion of the California Building Standards Code. Except as otherwise provided by this Chapter and Chapter 15.02 of the City of Santee Municipal Code, planning, design, operation, construction, use and occupancy of every newly constructed building or structure shall conform with the 2016 California Green Building Code, published by the California Building Standards Commission.

Chapter 15.26

REFERENCED STANDARDS CODE

Sections:

15.26.010 Adoption.

15.26.010 Adoption of the 2016 California Referenced Standards Code, Part 11, Title 24 of the California Code of Regulations.

The California Referenced Standards Code, 2016 edition, Chapter 15.26 is adopted by reference without change to Buildings and Construction Title 15.

SECTION 5: If any provision or clause of this Ordinance or the application thereof is held unconstitutional or otherwise invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions, clauses, or applications of this Ordinance which can be implemented without the invalid provision, clause, or application, it being hereby expressly declared that this Ordinance, and each section, subsection, sentence, clause, and phrase hereof would have been prepared, proposed, approved, adopted and/ or ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses, and/or phrases may be declared invalid or unconstitutional.

ORDINANCE NO. _____

SECTION 6: This Ordinance shall become effective thirty (30) days after its passage.

SECTION 7: The City Clerk is hereby directed to certify the adoption of this Ordinance and cause 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 held on the 12th day of October 2016, and thereafter **ADOPTED** at a Regular Meeting of said City Council held on the 26th day of October 2016, by the following roll call vote:

AYES:

NOES:

ABSENT:

APPROVED:

**_____
RANDY VOEPEL, MAYOR**

ATTEST:

**_____
PATSY BELL, CMC, CITY CLERK**

City of Santee
COUNCIL AGENDA STATEMENT

4A

MEETING DATE October 26, 2016

AGENDA ITEM NO.

ITEM TITLE **CONSIDERATION OF RESCHEDULING THE NOVEMBER 9, 2016
REGULAR CITY COUNCIL MEETING**

DIRECTOR/DEPARTMENT Vice Mayor Jack Dale

SUMMARY

The Presidential and General Municipal Election is scheduled for November 8, 2016, the day before the City's regularly scheduled November 9th Council meeting. Is there a desire to cancel the November 9th meeting and reschedule it for November 16th? The rescheduling of this meeting would provide for a more evenly spaced timeframe between the only two regularly scheduled meetings in November and December.

jr

FINANCIAL STATEMENT N/A

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION *MSP*

Determine if the November 9th Council meeting should be cancelled and rescheduled to November 16th, or another date, and direct the City Clerk to post the appropriate legal notices.

ATTACHMENTS

None

**City of Santee
COUNCIL AGENDA STATEMENT**

MEETING DATE October 26, 2016

AGENDA ITEM NO.

ITEM TITLE **AUTHORIZE THE CITY MANAGER TO EXECUTE A 3-YEAR PROFESSIONAL SERVICES AGREEMENT FOR "AS NEEDED" LABOR COMPLIANCE SERVICES FOR CAPITAL IMPROVEMENT PROGRAM PROJECTS**

DIRECTOR/DEPARTMENT Melanie Kush, Director of Development Services



SUMMARY

This item requests the authorization of a professional services agreement for "as needed" labor compliance consulting services for capital improvement program projects. Labor Compliance is required for all public works projects awarded by the City using funds from Proposition 84 the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Costal Protection Bond Act of 2006. On February 10, 2016, the City Council adopted Resolution No. 020-2016 approving the City's Labor Compliance Program. Currently the only project funded by Proposition 84 which requires the implementation of a Labor Compliance Program is the Proposition 84 Infiltration Pilot Project (CIP 2013-23). The City may receive Proposition 84 funds in the future which will require Labor Compliance Services mandated by the State. Therefore a 3-year on-call contract is desired.

On August 31, 2016, staff issued a request for proposals from Labor Compliance firms for labor compliance services and received three proposals. Proposals were ranked based upon the qualifications and experience with labor compliance on public works projects and the cost associated with the required services. Of the three proposals, Alliant Consulting, Inc. was selected as the most qualified and cost effective consultant.

Staff requests authorization for the City Manager to execute a 3-year professional services agreement with Alliant Consulting Inc. on behalf of the City.

FINANCIAL STATEMENT



Funding for the "as needed" labor compliance services will be paid for out of CIP project adopted budgets for which the services are required. The contract shall not exceed \$50,000 per fiscal year for as needed labor compliance services.

CITY ATTORNEY REVIEW

N/A Completed

RECOMMENDATION



Authorize the City Manager to execute a 3-year professional services agreement with Alliant Consulting Inc. for "as needed" labor compliance services on capital improvement program projects in an amount not to exceed \$50,000 per fiscal year and authorize the Director of Development Services to negotiate and issue task orders to complete the work.

ATTACHMENTS

Adopted Labor Compliance Program

CITY OF SANTEE, CALIFORNIA

LABOR COMPLIANCE PROGRAM

February 2016

Prepared by:

**City of Santee
Department of Development Services
10601 Magnolia Avenue, Santee, CA 92071**

CITY OF SANTEE
LABOR COMPLIANCE PROGRAM
IMPLEMENTATION PLAN & OPERATIONS MANUAL

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INTRODUCTION

The City of Santee California (herein referred as "City") institutes this Labor Compliance Program ("LCP") for the purpose of implementing its policy relative to the labor compliance provisions of applicable State and Federally-funded public works contracts. This program is provided as part of the City's continuing commitment to the requirements of LCP laws and regulations.

This program is applicable to all public works projects awarded by the City using funds derived from Proposition 84, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 ("Prop 84"). On applicable projects, the City intends to actively enforce this LCP by monitoring the applicable construction sites for payment of prevailing wage rates and to require contractors and subcontractors with workers on applicable projects to submit copies of certified payroll records demonstrating their compliance with payment of prevailing wage rates.

California Labor Code Section 1770, et seq. requires contractors on public works projects to pay their workers based on the prevailing wage rates which are established and issued by the Department of Industrial Relations ("DIR"), Division of Labor Statistics and Research.

California Labor Code Section 1776 requires contractors to keep accurate payroll records of trades workers on all public works projects and to submit copies of certified payroll records upon request.

California Labor Code Section 1777.5 requires contractors to employ registered apprentices on public works projects.

In establishing this LCP, the City adheres to statutory requirements as enunciated in Section 1771.5(b) of the Labor Code. Further, on applicable projects, the City intends to actively enforce this LCP by monitoring City construction sites for payment of prevailing wage rates and to require contractors and subcontractors with workers on applicable City projects to submit copies of certified payroll records demonstrating their compliance with payment of prevailing wage rates.

This labor compliance program contains the labor compliance standards required by state laws, regulations, and directives, as well as City policies and contract provisions, which include, but are not limited, the following:

1. Payment of applicable prevailing wage rates.
2. Employment of properly registered apprentices.
3. Providing certified payroll records upon request but not less than monthly.

4. Monitoring applicable City construction sites for the verification of proper payments of prevailing wage rates and work classification.
5. Conducting pre-construction conferences with contractors/subcontractors.
6. Withholding contract payments and imposing penalties for noncompliance.
7. Submission of applicable reports to the California Labor Commissioner
8. Preparation and submittal of an Annual Report to the Department of Industrial Relations.

The City is committed to providing a current, complete and accurate LCP for all applicable projects. As such, the City will update this administrative manual and LCP documents each time the Labor Code is amended and/or the DIR issues new regulations relating to LCPs. The City will also continue to conduct periodic training of its LCP Officers and staff when the Labor Code and DIR regulations relating to LCPs change and/or as needed by the LCP staff.

SECTION I

PUBLIC WORKS SUBJECT TO PREVAILING WAGE LAWS

State prevailing wage rates as set forth in Labor Code Sections 1720 et seq., and include, but are not limited to, such types of work as construction, alteration, demolition, repair, installation or maintenance work. The Division of Labor Statistics and Research (DLSR) predetermines the appropriate prevailing wage rates for particular construction trades and crafts by county.

A. Types of Contracts to Which Labor Compliance Program Requirements Apply

The City of Santee institutes this LCP pursuant to Labor Code Section 1771.5. As provided in Public Resources Code Section 75075, an awarding body for any public works contract financed in any part from funds made available pursuant to Proposition 84, Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 ("Prop 84") shall adopt and enforce a labor compliance program pursuant to Labor Code Section 1771.5(b) with respect to that public works project. Accordingly, upon approval by the Director of the Department of Industrial Relations, the City's LCP shall apply to public works using funds derived from Prop 84.

B. Applicable Dates for Enforcement of the LCP

The applicable dates for enforcement of awarding body Labor Compliance Programs are established by Section 16422 of the California Code of Regulations. Contracts are not subject to the jurisdiction of the City's LCP until after the program has received initial or final approval.

SECTION II

CITY PUBLIC WORKS CONTRACTS – CONTRACT LANGUAGE & AWARD

All City solicitations for bids and contracts for projects funded in whole or in part by bonds issued by the State of California and requiring LCP compliance shall contain appropriate language concerning the requirements of the Public Works chapter of the Labor Code similar to the sample language listed below:

This project is subject to the requirements of Section 1770 et seq. of the California Labor Code requiring the payment of prevailing wages, the training of apprentices and compliance with other applicable requirements. The City has on file at the Office of the Director of Development Services, Building 4, 10601 Magnolia Avenue, Santee, CA 92071 copies of the prevailing rate of per diem wages to be paid to all applicable workers. The prevailing wage rate determinations on file with the City shall be made available to all interested parties upon reasonable request during normal business hours. Additionally, a copy of the prevailing wage determinations shall be available at each job site. Prevailing wage information may also be obtained via the internet at: www.dir.ca.gov. The City has instituted a Labor Compliance Program (LCP) and all contractors who perform work on projects covered by the LCP with this awarding body will be subject to the terms of that LCP.

As a condition to receiving progress payments, final payment and payment of retention on any and all projects on which the payment of prevailing wages is required, the contractor agrees to present to the City, along with its request for payment, all applicable and necessary certified payrolls and other required documents for the time period covering such payment request. The City shall withhold any portion of a payment, including the entire payment amount, until certified payroll forms and other required LCP documents are properly submitted. In the event that certified payroll forms do not comply with the requirements of Labor Code Section 1720 et seq., or wage violations are identified by the City, the City may continue to hold sufficient funds to cover estimated wages and penalties under the contract.

The City will provide notice to the Department of Industrial Relations of a public works contract within 5 business days from award of contract by the Santee City Council by filing the (PWC-100 Form) located at www.dir.ca.gov/pwc100ext/ in compliance with Labor Code Section 1773.3.

SECTION III

PRE-CONSTRUCTION CONFERENCE

After the City awards the public works contract, and prior to the commencement of the work, a mandatory Pre-Construction Conference shall be conducted with the contractor and those subcontractors listed in its bid documents. The contractor is responsible to see that the information provided at the Pre-Construction Conference, relating to LCP requirements, is distributed to all subcontractors.

At that meeting, the City will discuss the federal and state labor law requirements applicable to the contract, including prevailing wage requirements, the respective record-keeping responsibilities, the requirement for the submittal of certified payroll records to the City, the prohibition against discrimination in employment, and other items required to be covered at the Pre-Construction Conference.

At the Pre-Construction Conference, each contractor and subcontractor will be given 2 copies of the form "*Suggested checklist of Labor Law requirements to review at pre-job conference with certification form*", available at: www.dir.ca.gov/lcp/LCPEnforcementFormsResources.htm, (herein referred to as the "Checklist" and attached hereto as Exhibit "A"). The Checklist is a brief summary of the labor laws which will be reviewed in the Pre-Construction Conference.

The contractors and subcontractors present at the Pre-Construction Meeting will be given the opportunity to ask questions of the City relative to the items contained in the Checklist. The checklist will then be signed by the contractor's representative and a representative of each subcontractor and the City's Labor Compliance Officer.

The average time to review this information with contractors is approximately 30 minutes to one hour, depending on the number of contractors in attendance and the number of questions asked.

SECTION IV

REVIEW OF CERTIFIED PAYROLL RECORDS

A. Certified Payroll Records Required

The contractor and each subcontractor shall maintain payrolls and basic records (timecards, canceled checks, cash receipts, trust fund forms, accounting ledgers, tax forms, superintendent and foreman daily logs, etc.) during the course of the work and shall preserve them for a period of three (3) years thereafter for all trades workers working on City projects subject to the LCP. Such records shall include the name, address, and social security number of each worker, his or her classification, a general description of the work each employee performed each day, the rate of pay (including rates of contributions for or costs assumed to provide fringe benefits), daily and weekly number of hours worked, deductions made, and actual wages paid.

1. Submittal of Certified Payroll Records

The contractor and each subcontractor shall maintain weekly certified payroll records for submittal to the City's Labor Compliance Officer as required, but not less than monthly. The contractor shall be responsible for the submittal of payroll records of all its subcontractors. All certified payroll records shall be accompanied by a statement of compliance signed by the contractor or each subcontractor indicating that the payroll records are correct and complete, that the wage rates contained therein are not less than those determined by the Director of the Department of Industrial Relations, and that the classifications set forth for each employee conform with the work performed.

Time cards, front and back copies of canceled checks, daily logs, employee sign-in sheets, and/or any other record maintained for the purposes of reporting payroll may be requested by the Labor Compliance Officer at any time and shall be provided within ten (10) days following receipt of request.

For weeks in which a contractor/subcontractor is not working on a project, a Statement of Non-Performance is required. Once a particular contractor/subcontractor has completed its work, the last Certified Payroll submitted should be identified as the "Final" Certified Payroll.

2. Use of Electronic Reporting Forms

The certified payroll records required by Labor Code Section 1776 may be maintained and submitted electronically subject to all of the following conditions:

- a) The reports must contain all of the information required by Labor Code Section 1776, with the information organized in a manner that is similar or identical to

how the information is reported on the Department of Industrial Relations' suggested "Public Works Payroll Reporting Form" (Form A-1-131) Available at www.dir.ca.gov/lcp/LCPEnforcementFormsResources.htm,

- b) The reports shall be in a format and use software that is readily accessible and available to contractors, awarding bodies, Labor Compliance Programs, and the Department of Industrial Relations;
- c) Reports submitted to this Labor Compliance Program must be either (1) in the form of a non-modifiable image or record that bears an electronic signature or includes a copy of any original certification made on paper, or alternatively (2) printed out and submitted on paper with an original signature; and
- d) The requirements for redacting certain information shall be followed when certified payroll records are disclosed to the public pursuant to Labor Code Section 1776(e), whether the records are provided electronically or as hard copies.

3. Full Accountability of All Workers

Each individual, laborer or craftsman working on a public works contract must appear on the payroll. The basic concept is that the employer who pays the trades worker must report that individual on its payroll. This includes individuals working as apprentices in an apprenticeable trade. Owner-operators are to be reported by the contractor employing them; rental equipment operators are to be reported by the rental company paying the workers' wages.

Sole owners and partners who work on a contract must also submit a certified payroll record listing the days and hours worked and the trade classification descriptive of the work actually done. The contractor shall provide records required under this section to the City within five (5) days of each payday, and shall make these records available for inspection by the Department of Industrial Relations, and shall permit such representatives of each to interview trades workers during working hours on the project site.

4. Responsibility for Subcontractors

The contractor shall be responsible for ensuring adherence to labor standards provisions by its subcontractors. Moreover, the contractor is responsible for Labor Code violations by its subcontractors in accordance with Labor Code Section 1775.

- a) The contractor shall monitor the payment of the specified general prevailing per diem wages by each subcontractor to its employees by periodic review of the subcontractor's certified payroll records.

- b) Upon becoming aware of a subcontractor's failure to pay the specified prevailing rate of wages, the contractor shall diligently take corrective action to halt or rectify the failure, including, but not limited to, retaining sufficient funds due the subcontractor for work performed on the public works project (upon receipt of notification that a wage complaint has been resolved, the contractor shall pay any money retained from and owed to a subcontractor).
- c) Prior to making final payment to the subcontractor for work performed on the public works project, the contractor shall obtain an affidavit signed under penalty of perjury from the subcontractor that the subcontractor has paid the general prevailing rate of per diem wages to its employees on the public works project, as well as any penalties which may have been imposed for working hours violations (Labor Code Section 1775 and 1813).

5. Payment to Employees

Employees must be paid unconditionally, the full amounts which are due and payable for the period covered by the particular payday. An employer must, therefore, establish a fixed workweek (e.g., Sunday through Saturday) and an established payday (e.g., every Friday). On each and every payday, each worker must be paid all sums due and must be provided with an itemized wage statement.

If an individual is called a subcontractor, when, in fact, he/she is merely a journey level mechanic supplying only his/her labor, such an individual would not be deemed a bona fide subcontractor and must be reported on the payroll of the contractor who contracted for his or her services as a tradesworker. Moreover, any person who does not hold a valid contractor's license cannot be a subcontractor, and anyone hired by that person is the worker or employee of the contractor who contracted for his or her services for purposes of prevailing wage requirements, certified payroll reporting, and workers' compensation laws.

A worker's rate for straight time hours must equal or exceed the rate specified in the contract by reference to the Prevailing Wage Rate Determinations for the class of work actually performed. Any work performed on Saturday, Sunday, and/or a holiday, or a portion thereof, must be paid the prevailing rate established for those days regardless of the fixed workweek. The hourly rate for hours worked in excess of 8 hours in a day or 40 hours in a workweek shall be premium (overtime) pay. All work performed on Saturday, Sunday, and holidays shall be paid in accordance with the applicable Prevailing Wage Determination. Additionally, appropriate shift pay and applicable travel and subsistence pay is also required.

6. Maintaining Records:

The City shall maintain all records relating to any project subject to Labor Compliance for a period of three (3) years from the date of the filing of the Notice of Completion of the Project. In the event no Notice of Completion is filed, the City shall maintain all LCP records relating to a specific project for three (3) years from the date of actual completion or beneficial occupancy, whichever is later.

B. Apprentices

Apprentices shall be permitted to work as such only when they are registered, individually, under a bona fide apprenticeship program registered and approved by the State Division of Apprenticeship Standards. The allowable ratio of apprentices to journeypersons in any craft/classification shall not be greater than the ratio permitted to the contractor as to its entire workforce under the registered program. Any worker listed on a payroll at an apprentice wage rate who is not registered shall be paid the journey level wage rate determined by the Department of Industrial Relations for the classification of the work he/she actually performed.

The contractor shall furnish written evidence of the registration (i.e., Apprenticeship Agreement or Statement of Registration) of its training program and apprentices, as well as the ratios allowed and the wage rates required to be paid thereunder for the area of construction, prior to using any apprentices in the contract work.

Pre-apprentice trainees, trainees in non-apprenticeable crafts, and others who are not duly registered will not be permitted on public works projects unless they are paid full prevailing wage rates as journeypersons.

Compliance with California Labor Code Section 1777.5 requires all public works contractors and subcontractors to:

1. Register the prevailing wage project (DAS-140 Form) available at: www.dir.ca.gov/DAS/DASForm140.pdf;
2. Request to Train apprentices on public works projects in a ratio to journeypersons as stipulated in the Apprenticeship Standards under which each Joint Apprenticeship Committee operates, but in no case shall the ratio be less than one (1) apprentice hour to each five (5) journeypersons hours worked on the project. (DAS 142 Form) available at: www.dir.ca.gov/das/DASForm142.pdf or equivalent documentation or the actual employment of apprentices).
3. Contribute to the training fund in the amount identified in the prevailing wage rate publication for journeypersons and apprentices. Where the trust fund administrators cannot accept the contributions, then payment shall be made to the California Apprenticeship Council (CAC), Post Office Box 511283, Los Angeles, CA 90051-7838. Overnight payments shall be made to the California Apprenticeship Council (CAC), 455 Golden Gate Avenue, 9th Floor, San Francisco, CA 94102; and

If the contractor is registered to train apprentices, the contractor shall furnish written evidence of the registration (i.e., the Apprenticeship Agreement or Statement of Registration) of its training program and apprentices, as well as the ratios allowed and the wage rates required to be paid thereunder for the area of construction, prior to using any apprentices in the contract work. It should be noted that a prior approval for a separate project does not confirm approval to train on any other project. The contractor/subcontractor must check with the applicable Apprenticeship Committee to verify status.

C. Payroll Review and Audits

Payroll review and audits shall be conducted by the City's Labor Compliance Officer (LCO), or his/her trained designee, and may also be conducted at the request of the Labor Commissioner to determine whether all tradesworkers on project sites have been paid according to the prevailing wage rates.

At a time and in a manner of his/her convenience, the LCO shall review certified payroll records for all employees for all weeks of work on a project at least once a month. However, the LCO **shall** review the certified payrolls not less than once a month. The LCO **shall** review payrolls for **at least** one full week of payroll for each contractor or subcontractor performing work on the applicable project for each month in which work was performed on the project.

1. Audit of the obligation to pay the prevailing per diem wage means review and audit of weekly-certified payroll records for compliance with:
 - a) All elements defined as the General Prevailing Rate of Per Diem Wages in Title 8 CCR Section 16000, which were determined to be prevailing in the Director's determination in effect on the date of the call for bids, or as reflected in any subsequent revised determination issued by the Director's office, copies of which are available at the City's Facility Office and posted at the public works job site;
 - b) All elements defined as Employer Payments to Workers set forth in Title 8 CCR Section 16000, which were determined to be prevailing in the Director's determination in effect on the date of the call for bids, or as reflected in any subsequent revised determination issued by the Director's office, copies of which are available at the City's Facility Office and posted at the public works job site.

The LCO shall also seek verification of proper payment of prevailing wages to workers by randomly requesting paycheck verification for at least one worker from each contractor/subcontractor for at least one weekly period within each month.¹

¹ Title 8 CCR §16432- (c) "Confirmation" of payroll records furnished by contractors and subcontractors shall be defined as an independent corroboration of reported prevailing wage payments. Confirmation may be accomplished through worker interviews, examination of paychecks or paycheck stubs, direct confirmation of payments from third party recipients of "Employer Payments" (as defined at section 16000 of Title 8 of the California Code of Regulations), or any other reasonable method of corroboration. For each month in which a contractor or subcontractor reports having workers employed on the

2. Audit of the obligation to employ and train apprentices means inquiry to the program sponsor for the apprenticeable craft or trade in the area of the public work as to: whether contract award information was received (DAS 140 Form), including an estimate of journeyman hours to be performed and the number of apprentices to be employed; whether apprentices have been requested (DAS 142 Form), and whether the request has been met; whether the program sponsor knows of any amounts received from the contractor or subcontractor for the training fund or the California Apprenticeship Council (CAC2); and whether persons listed on the certified payroll in that craft or trade being paid less than the journeyman rate are apprentices registered with that program and working under apprentice agreements approved by the Division of Apprenticeship Standards. Alternatively or in addition to inquiring of the program sponsor, the LCO shall, as appropriate, reference the DIR website for the listing of enrolled apprentices and any contribution alleged to have been made by a contractor on a CAC2 form for the payment of training contributions.

- a) **DAS 140 - Register to Train** – The City must receive a (DAS-140 Form) from each contractor for **each** apprenticeable craft employed on the project. The original (DAS 140 Form) shall be sent within ten days of each contractor/subcontractor starting work on the project. A copy of (DAS 140 Forms) shall be turned in with each contractor's and subcontractor's first certified payroll. If the form is not completed correctly or is not submitted, the contractor/subcontractor will be notified of this deficiency and asked to take corrective action by completing and filing a correct (DAS-140 Form).
- b) **DAS 142 - Request apprentices** - The City (i) must verify that apprentices are employed on the project (through examination of certified payrolls) or (ii) must receive a DAS 142 (or its equivalent) from the contractor/subcontractor for each apprenticeable trade employed on the project and confirmation that the (DAS 142 form) was sent to an appropriate apprenticeship committee. A contractor is NOT REQUIRED to use the (DAS 142 Form), but can document its request for apprentices by other means. However, if a contractor does use the (DAS 142 Form) (filling it out properly and filing it promptly), with a delivery receipt, the contractor is "legally presumed" to be in compliance.
- c) **Employ Apprentices in 1:5 ratio** – To the extent that apprentices are available for employment, the Labor Code mandates that apprentices are employed in a 1:5 ratio. This means an average (calculated at the end of the project) of one apprentice hour for every 5 journeymen hours. Some approved Apprenticeship

public work, confirmation of furnished payroll records shall be undertaken randomly for at least one worker for at least one weekly period within that month"

Standards recognize a different ratio and those other ratios may be used so long as the apprenticeship committee has DAS approval.

- d) **Pay correct apprenticeship rates** - Apprenticeship wage rates will also be checked by the City against the applicable prevailing wage determination.
- e) **Pay correct training contribution (CAC2 Form)** - The City will review and confirm that the training contributions set forth in the prevailing wage determination are paid to either an approved apprenticeship committee or to the California Apprenticeship Council. (CAC2 contributions to be confirmed through DIR website.)

D. Additional Review

The City will also engage in the following additional review to determine LCP compliance:

1. Proper Licensing

Businesses and Professions Code Section 7000 et seq. requires all companies performing construction work to be properly licensed and bonded. The City will check the contractor's/subcontractor's license status through the Contractors State License Board website at: www.cslb.ca.gov. Contractors working without a valid license will be removed from the project.

2. Worker's Compensation Insurance

Labor Code Section 1861- All contractors and subcontractors employing workers on the project are required to provide worker's compensation coverage. The City will verify that all contractors/subcontractors have appropriate worker's compensation while employing workers on the project. This information can also be verified through the California Contractor's State Licensing Board website. Contractors who do not have worker's compensation for their employees will be removed from the project (recognizing that sole proprietor, owners, corporate officers and some related family members are excluded from worker's compensation requirements). Further, out of state contractors may be allowed to use their out of state workers compensation coverage for a period of up to 30 days.

3. Electrician Certification

The Division of Apprenticeship Standards also requires that all electricians in the State of California possess adequate training to perform their job. As such, all electricians must fall into one of the following categories:

- a) Journeyman - Certified
- b) Journeyman - Trainee
- c) Apprentice

The City will check the status of all electricians employed by using the DAS website. Electricians who do not fall into one of these categories will be removed from the project and the incident will be reported to the DAS at the end of the project.

The City shall also review and provide compliance review for all other items listed on the Checklist.

SECTION V

ONSITE VISITS AND WORKER INTERVIEWS

A. Site Visits

1. Safety is the paramount factor for any site visit to any City construction projects. Every visitor to the site is expected to exercise reasonable caution at all times.
2. All City labor compliance personnel (officer's, interviewer, site monitor) working on or visiting any City construction sites are required to be properly identified and wear a visible, City-issued picture ID (badge). Additionally, all authorized personnel are required to wear hard hats and safety shoes.
3. Authorized personnel shall visit all sites on a non-interference basis and take a minimum amount of the workers' time for interview purposes.

Each week upon arrival at a site, the LCO will check in at the site superintendent's (contractor's) trailer to determine if the appropriate postings are on the jobsite. These include, but are not limited to:

- a) Equal Employment Opportunity (EEO) Posters
- b) Prevailing wage sheets posted
- c) Notice informing the employees that the project is subject to a Labor Compliance Program and providing the City's LCP contact information.
- d) Other appropriate required postings required by law.

If any of these items are not readily visible, the LCO will remind the contractor that these postings are part of the contractual requirements. On subsequent visits, the LCO will make sure that these items are posted or the contractor will be found to be in noncompliance.

B. Interviewing

1. Once the LCO has checked in with the site superintendent and obtained access to the site, the LCO should conduct job site interviews of employees working at the site. It is the City's policy to attempt to interview at least one employee from each contractor/subcontractor who performs work on the project. With that goal in mind, interviews may be conducted on a weekly basis, but in no event less than monthly.
2. Once the LCO or his/her designee checks in with the site superintendent and obtains access to the site, the interviewer shall identify himself or herself as a City representative, and ask to speak to the employees for a few minutes. Interviews should

not be conducted in an area or during a time when either the interviewer or the worker would be subject to injury due to worksite activity.

These interviews are random; two or three tradespersons for each subcontractor is sufficient for one visit. Any persons missed are usually interviewed on subsequent visits. Thirty minutes of interviewing per site is typically sufficient, depending upon the site size and/or number of subcontractors present. Contractor tradespersons should also be interviewed.

3. Using the Labor Compliance Site Visitation Interview form, each person will be asked the following: name, social security number, employer, title (trade), rate of pay, and task being performed at the time of interview.

Guidelines for Interviewers:

- a) Should someone decline to speak with you, respect those wishes. If someone asks if this is union-related, tell them no. The City works with both open and closed shop trades.
- b) If you try to interview someone who does not speak English and you cannot communicate in the appropriate language, try to locate a coworker who can interpret for you. If you find an entire crew unable to speak English and no interpreter, include this in your report to the LCO.
- c) If someone refuses to disclose his/her social security number to you, respect those wishes. However, assure that person that all information given is kept strictly confidential.
- d) If someone does not know their rate of pay (most tradespersons do not know the exact penny of wages earned), ask for an estimate. If the response is, "whatever prevailing wage is", so indicate on the form.
- e) If someone indicates that he/she is an apprentice, make sure that you ask him/her what apprenticeship period he or she is in. These can be anywhere from 1st to 10th-. If they are not sure, ask him/her how many years they have been apprenticed in the specific trade and/or to estimate and so indicate on the interview form.
- f) Always thank interviewees for their time.
- g) Keep in mind that you are there to collect information only, do not tell them how to do their jobs. Should you witness what you consider a potentially unsafe or unwarranted condition, you are to contact the site inspector, project engineer or job superintendent and advise him of your findings immediately and also make a note on your site visitation log of what you observed. Upon your return to the office, report your findings to the LCO.

C. Reporting

All original interview forms shall be submitted to the LCO no later than the end of each workweek.

D. Daily Job Logs

The Daily Job Logs will be used by the City to cross check staffing on the various LCP projects. The Daily Reports should list those contractors and subcontractors present on the site on a specific day as well as the number of employees employed on the project by each contractor/subcontractor. While the Daily Reports are merely a “snap shot” of the project at the time of the report information, the Daily Reports are used by the City to determine if a Contractor has failed to properly list all employees performing work on the project.

E. Extended Audits

When the City finds a potential violation which leads it to believe that prevailing wages has not been properly paid and the documentation submitted by the contractor/subcontractor is inconclusive, the City will exercise its authority to conduct a full investigation to verify whether appropriate prevailing wages were paid on the project

1. Requesting Additional Documentation from Contractor

The City shall request additional documents in writing, listing the specific documentation requested. The City will also invoke the provisions of Labor Code Section 1776 in demanding that the documents be produced within 10 days.

2. Conducting Additional Interviews

Based on the City’s investigation, the City shall engage in additional interviewing of employees who worked on the project. These interviews may be conducted in person or via other means of communication (i.e. email, telephone, mail.)

SECTION VI ENFORCEMENT

A. Duty of the Awarding Body

The City, as the awarding body having an LCP, has a duty to enforce the Labor Code public works requirements (Chapter 1 of part 7 of Division 2 and Division 3 of the Labor Code).

1. Monthly Communication to the Contractor:

Upon completion of the monthly audit and review of certified payrolls, the City shall communicate with the prime contractor on the project as to all violations, inadequacies, or deficiencies for the prime contractor and any applicable subcontractor. The City shall create Monthly Audit Reports for each contractor/subcontractor on the project who has failed to submit correct LCP documentation and/or has failed to pay the applicable prevailing wage or comply with other LCP requirements.

If a contractor has no errors or incomplete information in the current month, but has outstanding items from a prior month, the City will continue to send a Monthly Audit Report until full compliance has been met.

The City's monthly report to the Contractor shall include:

- a) Name of Project
- b) Prime Contractor
- c) Subcontractor with outstanding violation
- d) Weeks of Certified Payrolls reviewed
- e) Any deficiency in paperwork
- f) Incorrect or Missing:
 - Certified Payrolls
 - Fringe Benefit Statement
 - DAS 140 Form
 - DAS 142 Form
 - CAC2 Form
- g) Identify any wage deficiencies, classification issues, etc.
- h) Direct Contractor to correct said deficiencies and provide documentation of corrective action.
- i) Invoke Labor Code Section 1776 documents request – as needed.

B. Withholding Contract Payments When Payroll Records are Delinquent or Inadequate

1. "Withhold" means to cease payments by the awarding body, or others who pay on its behalf, or agents, to the contractor. Where the violation is by a subcontractor, the contractor shall be notified of the nature of the violation and reference made to its rights under Labor Code Section 1729. A release bond under Civil Code Section 3196 may not be posted for the release of the funds being withheld for the violation of the prevailing wage law.
2. "Contracts," except as otherwise provided by agreement, means only contracts under a single master contract, or contracts entered into as stages of a single project which may be the subject of withholding pursuant to Labor Code Sections 1720, 1720.2, 1720.3, 1720.4, 1771, and 1771.5;
3. "Delinquent payroll records" means those not submitted on the basis set forth in the City contract and the Labor Compliance Program;
4. "Inadequate payroll records" are any one of the following:
 - a) A record lacking the information required by Labor Code Section 1776;
 - b) A record which contains the required information but which is not certified, or certified by someone not an agent of the contractor or subcontractor;
 - c) A record remaining uncorrected for ten (10) days after the awarding body has given the contractor notice of inaccuracies/omissions detected by audit or record review; provided, however, that prompt correction will stop any duty to withhold if such inaccuracies/omissions do not amount to 1 percent of the entire certified weekly payroll in dollar value and do not affect more than half of the persons listed as workers employed on that certified weekly payroll, as defined in Labor Code Section 1776 and Title 8 CCR Section 16401. Prompt correction will stop any duty to withhold if such inaccuracies are de minimus.

Progress payments will be withheld if certified payrolls have not been properly submitted. If the City does withhold any portion of a progress payment due to an identified prevailing wage violation, the contractor shall be notified in writing of such withholding and given an opportunity to have a meet and confer meeting/conference call with the City's representative not later than 15 days after the progress payment is withheld.

SECTION VII

THIRD PARTY REQUESTS AND ENFORCEMENT

A. Third Party Requests for Payroll

When the City receives a request for certified payrolls of a contractor /subcontractor from a third party pursuant to Labor Code Section 1776, any records which the City makes available to such a third party shall be appropriately redacted pursuant to Labor Code Section 1776 (e).

1. Records made available shall be marked or obliterated prevent the disclosure of an individual's name, address, and social security number.
2. Records made available shall not mark or obliterate those items stated in Section VII, Part A, Sub-Section 1, only when in accordance to Labor Code Sections 1776 (e) and (f).

B. Third Party Complaints

1. Within 15 days after receipt of the complaint, send a written acknowledgement to the complaining party that the complaint has been received and identifying the name, address and telephone number of the investigator assigned to the complaint.
2. Within 15 days after receipt of the complaint, provide the affected contractor with the notice required under Labor Code Section 1775(c) if the complaint is against a subcontractor;
3. Notify the complaining party in writing of the resolution of the complaint within 10 days after the complaint has been resolved by the Labor Compliance Program;
4. Notify the complaining party in writing at least once every 30 days of the status of a complaint that has not been resolved by the Labor Compliance Program; and
5. Notify the complaining party in writing at least once every 90 days of the status of a complaint that has been resolved by the Labor Compliance Program but remains under review or in litigation before another entity

SECTION VIII

PROJECT CLOSE-OUT, FORFEITURES & PENALTIES, REPORTING

A. Once the project has been completed, the City shall:

1. Write a letter to each contractor/subcontractor who still has outstanding documents or wage and apprenticeship violations requesting that the contractor provide any required documentation to the City or pay restitution due its employees within ten days from the date of the receipt of the letter. A copy of this letter will also be mailed to:

Subcontractor – Certified and Regular Mail
General Contractor – Certified and Regular Mail

2. After 10 business days, determine if all of items have been addressed.

IF NO WAGE VIOLATIONS HAVE OCCURRED during the course of the project, and nothing is outstanding, the City shall end its monitoring of wages paid during construction of the project and keep this data to reference in the City's Annual Report.

If ANY WAGE VIOLATION HAS OCCURRED during the course of the project, then the City will assess penalties as follows:

- a) **Wage Violation** – Labor Code Section 1775 - \$200 per calendar day per worker per violation. The City now has discretion to reduce or waive penalties. Reductions or waivers will only be made if the contractor meets the requirements of Labor Code Section 1775, subparagraph (b) i.e. good faith or inadvertent error, prompt correction and no additional violations. No reduction should be made if there are outstanding wages still due. Reasons for reduction of penalties will be documented and included in the form of Request for Approval of Forfeiture sent to the Labor Commissioner in the DIR-approved format.
- b) **Overtime Violation** – Labor Code Section 1813 - \$25 per calendar day per worker. Mandated by statute with no discretion for reduction. Even if certain union agreements allow for employees to work four days of 10 hours each day without overtime, it is the prevailing wage determination which will control in this instance with overtime pay being mandated after 8 hours worked in a day, and 40 hours in one calendar week per Labor Code Section 1811.
- c) **Failure to Provide Certified Payrolls** (including fringe benefit statements, timecards, canceled checks, etc.) within 10 days of Request - Labor Code Section 1776 (h). The penalty of \$100 per calendar day per worker continues until strict compliance is met (all documents delivered). Before imposing 1776 penalties, the City will ensure that any request for documentation includes:

- Identification of the specific documents requested
 - Identification that the request is made pursuant to Section 1776(h) of the Labor Code and that penalties of \$100 per day per worker will be imposed until there is strict compliance
 - Delivery of the notice must be by certified and regular first class mail
- d) **Willful and/or Repeat Offenders** will be subject to maximum penalties as stated above and a recommendation of debarment from public works will be made to the DIR.
- e) **Liquidated Damages** – If prevailing wages remain unpaid 60 days after a Notice to Withhold is issued to the contractor, the contractor shall be assessed liquidated damages equal to the amount of any unpaid wages. The City shall hold appropriate funds at the conclusion of the project to cover all wages due, penalties and liquidated damages.
- f) **Apprenticeship Violation** - Labor Code Section 1777.7 \$100 - \$300 per calendar day of noncompliance and debarment up to 3 years. This may include failure to pay training contributions, employ apprentices at the ratio required, etc. **The City does not have the authority to impose penalties for Apprenticeship Violations, but instead will file a Public Works Complaint detailing the violation and submitting relevant documentation of the violations to the DAS.**
- g) **Unlicensed Contractor** – Labor Code Section 1021. Any contractor working without a valid contractor license shall be subject to a penalty of \$200 per day per worker. This is not a penalty that LCPs enforce. Rather, the City will file a complaint with the DIR, as well as with the Contractors State License Board (CSLB).
3. If the total wages and penalties outstanding and due are less than \$1,000, then the LCO will proceed to issue a Notice of Withhold to the Contractor/and any applicable subcontractor.
4. If wages and penalties exceed \$1,000, the City will complete the Request for Approval of Forfeiture form located at:
and send it with the appropriate documentation to the Labor Commissioner for review and decision. “LCP Request for Approval of Forfeiture” and “Penalty Worksheet” spreadsheet will be completed in full. Penalty worksheet will list dates of violation and include summary worksheet, including the following:
- a) Audit summary (City’s penalty worksheet summary and individual employee penalty worksheets)
 - b) 1st Bid Advertisement Publication and Notice of Completion (if filed)
 - c) Scope of Work

- d) Complaint forms and declarations, if any, from third parties or employees. The close out documents will be sent to the following:
- General Contractor – certified and regular mail;
 - Affected Subcontractor – certified and regular mail;
 - Labor Commissioner - Overnight delivery (with signature required) or certified mail
5. The Labor Commissioner then has 30 days to respond. (Once the City has had a response from the Labor Commissioner, a Notice to Withhold shall issue. In the event the Labor Commissioner does not respond within 30 days, the City shall then issue a Notice to Withhold based on the information provided in the Request for Forfeiture Notice. The Notice to Withhold shall be sent as follows:
- a) General Contractor –certified and regular mail
 - b) Affected Subcontractor – certified and regular mail
6. Allow 60 days for the contractor to contest the penalties. If the contractor contests the Notice to Withhold, then the City (upon receipt of the written Request for Review) will promptly forward the Request for Review to the City’s Attorney.
- a) Potential Settlement Options – The City does have the ability to engage in settlement discussions and will do so before the filing of a Request for Forfeiture. Specifically, once the City has determined an actual violation has occurred, notification will be provided to the affected contractor/subcontractor with an opportunity to correct the wage deficiency. The contractor/subcontractor shall have at least 10 days from such notification to submit information/documentation that such error was made in good faith and corrected promptly. If the correction is made promptly and a waiver of penalties is determined, no Request for Forfeiture will be made to the Labor Commissioner. However, the City will keep this information and include it with its Annual Report. When considering the compromise or waiver of penalties, the City will consider the nature of the violation, good faith error versus a knowing violation. **Any contractor with an outstanding wage violation at the completion of the project (after being provided the information of the violation and at least 10 days to correct that violation) is NOT eligible for a reduction or waiver of penalties.**

After a Notice to Withhold is issued, a contractor or subcontractor may request a settlement meeting pursuant to Labor Code Section 1742.1(b). The LCP shall have and exercise the same rights and responsibilities as the Enforcing Agency (as defined in section 17202(f) of Title 8 of the California Code of Regulations) in responding to such a request for review, including but not limited to the obligations to (i) serve notices, (ii) transmit the Request for Review to the hearing office, and (iii) provide an opportunity to (a) review evidence in a timely manner, (b) participate through counsel in all hearing proceedings, and (c) meet the burden of establishing prima facie support for the Notice of Withholding of Contract Payments.

- b) If a contractor or subcontractor seeks review of a Labor Compliance Program enforcement action, the Labor Commissioner may intervene to represent the

Awarding Body, or to enforce relevant provisions of the Labor Code consistent with the practice of the Labor Commissioner, or both.

Except in cases where the Labor Commissioner has intervened pursuant to CCR Title 8 Section 16439 subpart (b), the Labor Compliance Program shall have the authority to prosecute, settle, or seek the dismissal of any Notice of Withholding of Contract Payments issued pursuant to Labor Code Section 1771.6 and any review proceeding under Labor Code Section 1742, without any further need for approval by the Labor Commissioner. Whenever the LCP settles in whole or in part or seeks and obtains the dismissal of a Notice of Withholding of Contract Payments or a review proceeding under Labor Code Section 1742, the LCP shall document the reasons for the settlement or request for dismissal and shall make that documentation available to the Labor Commissioner upon request.

7. If the 60-day time period expires and no request for review is filed, then the sums set forth in the Notice to Withhold are deemed forfeit to the City (except to the extent that any wages due must be turned over by the City to the affected employees. (If the employees cannot be located after a diligent search, then those wage funds are turned over to the Labor Commissioner.)

APPRENTICE/TRAINING VIOLATION:

- a) Unpaid training for any trade
- b) No (DAS 140 form) submitted
- c) No (DAS 142 form) submitted and no apprentices on the project
- d) Electrician certification violation

For any violation relating to apprenticeship or training, the City shall complete and file a Public Works Complaint with the Division of Labor Standards Enforcement Standards and enclose the applicable documentation.

The Public Works Complaint and applicable documents shall be sent to:

- General Contractor – certified and regular mail;
- Affected Subcontractor – certified and regular mail;
- DAS :

DLSE – BOFE Public Works
Attn: Complaints Unit
300 Oceangate, Suite 850
Long Beach, CA 90802

B. Close Out Completion Report:

For each LCP project, the City LCP shall prepare a Project Completion Report and keep such report in the applicable project file.

SECTION IX

NOTIFICATION OF CONTRACTOR AND APPEAL RIGHTS OF PROGRAM ENFORCEMENT ACTION

A. Notice of Withholding of Contract Payments (NWCP)

After determination of the amount of forfeiture by the Labor Commissioner, the City shall provide notice of withholding of contract payments to the contractor and subcontractor, if applicable. The notice shall be in writing and shall describe the nature of the violation and the amount of wages, penalties, and forfeitures withheld. Service of the notice shall be completed pursuant to Section 1013 of the Code of Civil Procedure by first-class and certified mail to the contractor and subcontractor, if applicable. Notice to Contractor shall be deemed notice to its performance bond surety. The notice shall advise the contractor and subcontractor, if applicable, of the procedure for obtaining review of the withholding of contract payments. The awarding body shall also serve a copy of the notice by certified mail to any bonding company issuing a bond that secures the payment of wages covered by the notice and to any surety on such bond, if their identities are known to the awarding body.

B. Review of NWCP

1. An affected contractor or subcontractor may obtain review of an NWCP under this chapter by transmitting a written request to the office of the LCP within 60 days after service of the NWCP listed below:

City of Santee
Director of Development Services
10601 Magnolia Avenue
Santee, CA 92071.

If no hearing is requested within 60 days after service of the NWCP, the NWCP shall become final.

2. Within five days following the receipt of the request for review, the LCP shall transmit to the Department of Industrial Relations, Office of the Director-Legal Unit the request for review and copies of the Notice of Withholding of Contract Payments, any audit summary that accompanied the notice, and a proof of service or other documents showing the name and address of any bonding company or surety that secures the payment of the wages covered by the notice.

Department of Industrial Relations
Director – Legal Unit
455 Golden Gate Avenue, Suite 9516
San Francisco, CA 94102

The Office of the Director- Legal Unit, shall complete and serve a Notice of Transmittal on the DIR and the applicable contractor(s) within ten days of the date the letter requesting review by the contractor was delivered to the City of Santee's LCO.

3. Upon receipt of a timely request, a hearing shall be commenced within 90 days before the Director, who shall appoint an impartial hearing officer possessing the qualifications of an administrative law judge pursuant to subdivision (b) of Section 11502 of the Government Code. The appointed hearing officer shall be an employee of the department, but shall not be an employee of the Division of Labor Standards Enforcement. The contractor or subcontractor shall be provided an opportunity to review evidence to be utilized by the LCP at the hearing within 20 days of the receipt of the written request for a hearing. Any evidence obtained by the LCP subsequent to the 20-day cutoff shall be promptly disclosed to the contractor or subcontractor.

A copy of a Notice of Opportunity to Review Evidence Pursuant to Labor Code Section 1742(b) form is available at:

<http://www.dir.ca.gov/lcp/LCPEnforcementFormsResources.htm>

The contractor or subcontractor shall have the burden of proving that the basis for the NWCP is incorrect. The NWCP shall be sufficiently detailed to provide fair notice to the contractor or subcontractor of the issues at the hearing.

Pursuant to Labor Code Section 1742.1, there shall be no liability for liquidated damages if the full amount of the assessment or notice, including penalties has been deposited by the contractor with the Department of Industrial Relations within 60 days following service of Notice to Withhold.

Within 45 days of the conclusion of the hearing, the Director shall issue a written decision affirming, modifying, or dismissing the assessment. The decision of the Director shall consist of a notice of findings, findings, and an order. This decision shall be served on all parties pursuant to Section 1013 of the Code of Civil Procedure by first-class mail at the last known address of the party on file with the LCP. Within 15 days of the issuance of the decision, the Director may reconsider or modify the decision to correct an error, except that a clerical error may be corrected at any time. The Director has adopted regulations setting forth procedures for hearings under this subdivision.

4. An affected contractor or subcontractor may obtain review of the decision of the Director by filing a petition for a writ of mandate to the appropriate superior court pursuant to Section 1094.5 of the Code of Civil Procedure within 45 days after service of the decision. If no petition for writ of mandate is filed within 45 days after service of the decision, the order shall become final. If it is claimed in a petition for writ of mandate that the findings are not supported by the evidence, abuse of discretion is established if the court determines that the findings are not supported by substantial evidence in the light of the whole record.
5. A certified copy of a final order may be filed by the Labor Commissioner in the office of the clerk of the superior court in any county in which the affected contractor or subcontractor has property or has or had a place of business. The clerk, immediately

upon the filing, shall enter judgment for the state against the person assessed in the amount shown on the certified order.

6. A judgment entered pursuant to this procedure shall bear the same rate of interest and shall have the same effect as other judgments and shall be given the same preference allowed by law on other judgments rendered for claims for taxes. The clerk shall not charge for the service performed by him or her pursuant to this section.
7. This procedure shall provide the exclusive method for review of a NWCP by the City to withhold contract payments pursuant to Section 1771.7.

SECTION X

PRIORITY FOR DISTRIBUTION OF FORFEITED SUMS

A. Withholding of Forfeited Sums

1. Before making payments to the contractor of money due under a contract for public work, the City shall withhold and retain from sums owing Contractor, if any, all amounts required to satisfy the NWCP. The amounts required to satisfy the NWCP shall not be disbursed by the City until receipt of a final order that is no longer subject to judicial review.
2. Pending a final order, or the expiration of the time period for seeking review of the Notice of the Withholding, the City shall not disburse any contract payments withheld.
3. From the amount recovered, the wage claim shall be satisfied prior to the amount being applied to penalties. If insufficient money is recovered to pay each worker in full, the money shall be prorated among all workers employed on the public works project who are paid less than the prevailing wage rate.
4. **Wages for workers who cannot be located shall be placed in the Industrial Relations Unpaid Fund and held in trust for the workers pursuant to Labor Code Section 96.7.** Penalties shall be paid to the City facility that has enforced this chapter pursuant to Section 1771.7.
5. If insufficient funds are withheld, recovered, or both, to pay each underpaid worker in full, the money shall be prorated among all said underpaid workers.
6. Where the involvement of the Labor Commissioner has been limited to a determination of the actual amount of penalty, forfeiture or underpayment of wages, and the matter has been resolved without litigation by or against the Labor Commissioner, the Labor Compliance Program shall deposit penalties and forfeitures with the City.

Where collection of fines, penalties or forfeitures results from administrative proceedings or court action to which the Labor Commissioner and City or its Labor Compliance Program are both parties (including cases where the Labor Compliance Program or the City make an appearance as a real party in interest), the fines, penalties or forfeitures shall be divided between the general funds of the state and the City, as agreed upon by the Labor Commissioner and the City. If the Labor Commissioner and the City cannot agree on the division of the fines, penalties or forfeitures, if the case is resolved by a Hearing Officer or court, the fines, penalties or forfeitures shall be divided between the general funds of the state and the City, as the Hearing Officer or court may decide.

All penalties recovered in administrative proceedings or court action brought by or against the Labor Commissioner and to which the City or its Labor Compliance Program is not a party or a real party in interest, shall be deposited in the general fund of the State.

SECTION XI

ANNUAL REPORTS

Annual Report on the Labor Compliance Program to the Director of the Department of Industrial Relations

The Labor Compliance Program Officer will prepare and submit to the Director of the Department of Industrial Relations an annual report (Form LCP-AR1) available at http://www.dir.ca.gov/lcp/LCP-AR1-AB_limited.doc on the operation of its Labor Compliance Program, within 60 days after the end of its fiscal year. The annual report will contain, as a minimum, the following information:

1. The LCP contact person;
2. An itemized list of public works contracts awarded after August 1, 2010, and within the past 12 months, using funds derived from any bond issued by the state to fund public works projects, the bid advertisement date, prime contractor and contract amount for each such project, and their total value;
3. A summary of wages due to workers resulting from failure by contractors to pay prevailing wage rates and all penalties assessed and/or recovered;
4. An itemized summary of those violations for which forfeiture was not requested;
5. An itemized summary of those violations for which forfeiture was requested;
6. An itemized summary of all Labor Code section 1742 proceedings (contractor-requested hearing).

Appendix A

CHECKLIST OF LABOR LAW REQUIREMENTS FOR REVIEW AT PRE-CONSTRUCTION CONFERENCE

The federal and state labor law requirements applicable to the contract are composed of but not limited to the following items:

- 1) The contractor's duty to pay prevailing wages under Labor Code Section 1770 et seq., should the project exceed the exemption amounts;
- 2) The contractor's duty to employ registered apprentices on the public works project under Labor Code Section 1777.5;
- 3) The penalties for failure to pay prevailing wages (for non-exempt projects) and employ apprentices including forfeitures and debarment under Labor Code Sections 1775 and 1777.7;
- 4) The requirement to keep and submit copies upon request of certified payroll records under Labor Code Section 1776, and penalties for failure to do so under Labor Code Section 1776(g);
- 5) The prohibition against employment discrimination under Labor Code Section 1777.6; the Government Code, and Title VII of the Civil Rights Act of 1964;
- 6) The prohibition against accepting or extracting kickback from employee wages under Labor Code Section 1778;
- 7) The prohibition against accepting fees for registering any person for public work under Labor Code Section 1779; or for filling work orders on public works under Labor Code Section 1780;
- 8) The requirement to list all subcontractors under Public Contracts Code Section 4104;
- 9) The requirement to be properly licensed and to require all subcontractors to be properly licensed and the penalty for employing workers while unlicensed under Labor Code Section 1021 and under the California Contractors License Law, found at Business and Professions Code Section 7000 et seq;
- 10) The prohibition against unfair competition under Business and Professions Code Sections 17200-17208;
- 11) The requirement that the contractor be properly insured for Workers Compensation under Labor Code Section 1861;
- 12) The requirement that the contractor abide by the Occupational, Safety and Health laws and regulations that apply to the particular construction project;
- 13) The federal prohibition against hiring undocumented workers, and the requirement to secure proof of eligibility/citizenship from all workers.
- 14) The requirement to provide itemized wage statements to employees under Labor Code Section 226.

CERTIFICATION:

I acknowledge that I have been informed and am aware of the foregoing requirements and that I am authorized to make this certification on behalf of the Contractor/Subcontractor listed below:

Company Name:

Name of Person Signing: (Print)

Signature:

Date:

City of Santee
COUNCIL AGENDA STATEMENT

6B

MEETING DATE October 26, 2016

AGENDA ITEM NO.

ITEM TITLE RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH KLEINFELDER, INC. FOR THE PREPARATION OF ENVIRONMENTAL DOCUMENTS, PLANS, SPECIFICATIONS AND ESTIMATES FOR THE SEISMIC SAFETY RETROFIT OF THE CARLTON OAKS DRIVE BRIDGE OVER SYCAMORE CREEK (CIP 2012-54)

DIRECTOR/DEPARTMENT Melanie Kush, Development Services 

SUMMARY

This item requests City Council authorize a professional services agreement with Kleinfelder, Inc. to provide environmental and design services for the seismic safety retrofit of the Carlton Oaks Bridge over Sycamore Creek. The state established a seismic retrofit program after the 1989 Loma Prieta Earthquake and the Carlton Oaks Bridge was identified as potentially seismically vulnerable. In 2012, Simon Wong Engineering prepared a seismic strategy report identifying the bridge's deficiencies and provided a retrofit strategy to the City. Funding for design was made available by the State on April 8, 2016 and staff issued the request for proposals on May 2, 2016.

Only one proposal was received by Kleinfelder Inc. on June 3, 2016 in the amount of \$165,100. Staff has reviewed the submitted proposal and based on extensive experience with projects similar in scope and familiarity with state and federal procedures, has determined Kleinfelder Inc. to be highly qualified to complete the required work. Therefore, staff recommends that the City Council authorize the City Manager to execute a professional services contract to the sole respondent, Kleinfelder, Inc.

ENVIRONMENTAL REVIEW

The adoption of this resolution does not constitute a "Project" under the California Environmental Quality Act pursuant to 15060(c)(3) and 15378(b)(5) because design work will not result in any direct or indirect physical change to the environment.

FINANCIAL STATEMENT 

Funding is provided on a reimbursement basis by the Federal Highway Bridge Program (HBP) which requires an 11.47% local match for this phase which will be provided through Gas Tax funds. The Carlton Oaks Bridge Retrofit project is included in the adopted Capital Improvement Program budget.

Contract Award	\$165,100.00
Contract Contingencies	10,000.00
Project Administration	<u>34,900.00</u>
Total Cost	<u>\$210,000.00</u>

CITY ATTORNEY REVIEW N/A Completed

RECOMMENDATION 

Adopt a Resolution authorizing the City Manager to execute a professional services agreement with Kleinfelder, Inc. in the amount of \$165,100 for the preparation of environmental documents, plans, specifications and estimates for the seismic safety retrofit of the Carlton Oaks Drive bridge over Sycamore Creek, and authorize staff to approve contract changes in an amount not to exceed \$10,000.

ATTACHMENTS

Resolution

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE,
CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE A
PROFESSIONAL SERVICES AGREEMENT WITH KLEINFELDER, INC. FOR THE
PREPARATION OF ENVIRONMENTAL DOCUMENTS, PLANS, SPECIFICATIONS
AND ESTIMATES FOR THE SEISMIC SAFETY RETROFIT OF THE CARLTON
OAKS DRIVE BRIDGE OVER SYCAMORE CREEK (CIP 2012-54)**

WHEREAS, the California Department of Transportation has deemed the seismic retrofit of the Carlton Oaks Drive Bridge over Sycamore Creek mandatory; and

WHEREAS, City staff issued a request for proposals for the required environmental and design needs of the project; and

WHEREAS, City staff received one proposal in response; and

WHEREAS, City staff reviewed the single proposal from Kleinfelder, Inc. and has deemed Kleinfelder, Inc. as qualified to perform the work as required; and

WHEREAS, staff recommends City Council authorize the City Manager to execute a professional services agreement with Kleinfelder, Inc. for the preparation of environmental documents, plans specifications and estimates for the seismic safety retrofit of the Carlton Oaks Drive bridge over Sycamore Creek in the amount of \$165,100.00; and

WHEREAS, staff requests authorization to expend \$10,000.00 for unforeseen change orders and additional qualifying work; and

WHEREAS, funding for the professional services will be provided by a Federal Highway Bridge Program grant and local match provided by Gas Tax funds.

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

SECTION 1: The City Manager is authorized to execute a professional services agreement with Kleinfelder, Inc. in the amount of \$165,100.00 for the preparation environmental documents, plans, specifications and estimates for the seismic safety retrofit of the Carlton Oaks Drive Bridge over Sycamore Creek.

SECTION 2: The Director of Development Services is authorized to approve change orders in an amount not to exceed \$10,000.00 for unforeseen items and additional work.

SECTION 3: The Clerk is directed to certify to the adoption of this Resolution.

RESOLUTION NO. _____

ADOPTED by the City Council of the City of Santee, California, at a Regular meeting thereof held this 26th day of October 2016, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

RANDY VOEPEL, MAYOR

ATTEST:

PATSY BELL, CMC, CITY CLERK

6C

City of Santee
COUNCIL AGENDA STATEMENT

MEETING DATE October 26, 2016

AGENDA ITEM NO.

ITEM TITLE RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA AWARDED THE CONSTRUCTION CONTRACT FOR THE TOWN CENTER COMMUNITY PARK MEMORIAL FLAGPOLE PROJECT (CIP 2016-34), APPROPRIATING PROCEEDS FROM THE SANTEE BLUEGRASS FESTIVAL AND APPROVING A CATEGORICAL EXEMPTION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

DIRECTOR/DEPARTMENT

Melanie Kush, Development Services *MK*

SUMMARY This item requests City Council to award the construction contract for the Town Center Community Park Memorial Flagpole (CIP 2016-34). This project will install a 50' tall aluminum flagpole with lighting at the Town Center Community Park site adjacent to the marine memorial monument and stage.

On October 13, 2016, the City Clerk publically opened and examined six (6) sealed bids with a low bid amount of \$25,531.00 submitted by Anton's Service, Inc. as shown on the attached bid summary. Upon review by staff, the bid submitted by Anton's Service, Inc. was deemed a nonresponsive bid due to Anton's Service not having a C-10 electrical contractor's license or listing a licensed electrical subcontractor which is a requirement to perform the work. The second low bid submitted by GEM Industrial Electric, Inc. has been deemed a responsive and responsible bid and was .3% lower than the engineer's estimate of \$30,000.00. Staff also requests authorization for the Director of Development Services to approve change orders in an amount not to exceed \$2,910.00 for unforeseen items and additional work. At its September 1, 2016 meeting, the Santee Parks and Recreation Committee voted to recommend that the City Council appropriate up to \$9,000 from the proceeds of the Santee Bluegrass Festival to purchase the flagpole.

ENVIRONMENTAL REVIEW The project is categorically exempt from environmental review pursuant to Section 15303(e) "New Construction or Conversion of Small Structures" and Section 15311(Class11) "Accessory Structures" of the Guidelines to the California Environmental Quality Act.

FINANCIAL STATEMENT Funding for this project will be provided by the General Fund in an amount up to \$42,310 from the Community Services Department Public Services Division adopted operating budget and by an appropriation of \$6,700 in the Recreation Revolving Fund from the proceeds of the Santee Bluegrass Festival for the cost of the flagpole.

Design and Bidding	\$ 8,000.00
Construction Contract	29,100.00
Construction Change Orders	2,910.00
Construction Engineering/Management	7,500.00
Project Closeout	1,500.00
Total Project Budget	<u>\$ 49,010.00</u>

CITY ATTORNEY REVIEW

N/A

Completed

RECOMMENDATION *MKB*

Adopt the attached Resolution:

1. Deeming the bid submitted by Anton's Service, Inc. as a non-responsive bid, and
2. Awarding the construction contract to GEM Industrial Electric, Inc. for a total amount of \$29,100.00 and authorizing the City Manager to execute the contract, and
3. Authorizing the Director of Development Services to approve change orders in an amount not to exceed \$2,910.00, and
4. Appropriating \$6,700 in the Recreation Revolving Fund from the proceeds of the Santee Bluegrass Festival
5. Approving a categorical exemption pursuant to the California Quality Environmental Quality Act.

ATTACHMENTS

Resolution

Bid Summary

Site Map

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA
AWARDING THE CONSTRUCTION CONTRACT FOR THE TOWN CENTER
COMMUNITY PARK MEMORIAL FLAGPOLE (CIP 2016-34), APPROPRIATING
PROCEEDS FROM THE SANTEE BLUEGRASS FESTIVAL AND APPROVING A
CATEGORICAL EXEMPTION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL
QUALITY ACT**

WHEREAS, the City Clerk, on the 13th day of October, 2016 publicly opened and examined six bids for the Town Center Community Park Memorial Flagpole (CIP 2016-34) ("Project"); and

WHEREAS, the low bid was submitted by Anton's Service, Inc. in the amount of \$25,531.00; and

WHEREAS, upon review by staff, Anton's Service Inc. does not hold a valid C10 "Electrical Contractors" license, nor was a licensed C10 "Electrical Contractor" listed as a subcontractor in the bid documents, a requirement of the contract; and

WHEREAS, staff recommends City Council deem the bid submitted by Anton's Service as a nonresponsive bid for not meeting the requirements set forth in the contract; and

WHEREAS, the second low bid submitted by GEM Industrial Electric, Inc. was found to be the lowest responsive and responsible bidder with their total bid amount of \$29,100.00; and

WHEREAS, staff recommends awarding a construction contract to GEM Industrial Electric Inc. totaling \$29,100.00; and

WHEREAS, staff requests authorization to expend up to \$2,910.00 for unforeseen change orders and additional work; and

WHEREAS, on September 1, 2016 the Santee Parks and Recreation Committee voted to recommend that the City Council appropriate up to \$9,000 from the proceeds of the Santee Bluegrass Festival to purchase the flagpole; and

WHEREAS, the project is categorically exempt from environmental review pursuant to Section 15303(e) "New Construction or Conversion of Small Structures" and Section 15311 (Class 11) "Accessory Structures" 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 bid submitted by Anton's Service Inc. Inc. is deemed a nonresponsive bid.

RESOLUTION NO. _____

SECTION 2: The construction contract for the Town Center Community Park Memorial Flagpole, (CIP 2016-34) is awarded to GEM Industrial Electric, Inc. as the lowest responsive and responsible bidder in the amount of \$29,100.00 and the City Manager is authorized to execute the contract on behalf of the City.

SECTION 3: The Director of Development Services is authorized to approve change orders in an amount not to exceed \$2,910.00 for unforeseen items and additional work.

SECTION 4: An appropriation from the proceeds of the Santee Bluegrass Festival in the Recreation Revolving Fund in the amount of \$6,700.00 is approved.

SECTION 5: The categorical exemption for environmental review pursuant to Section 15303 "New Construction or Conversion of Small Structures" and Section 15311 (Class 11) "Accessory Structures" of the Guidelines to the California Environmental Quality Act is approved.

ADOPTED by the City Council of the City of Santee, California, at a Regular meeting thereof held this 26th day of October, 2016 by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

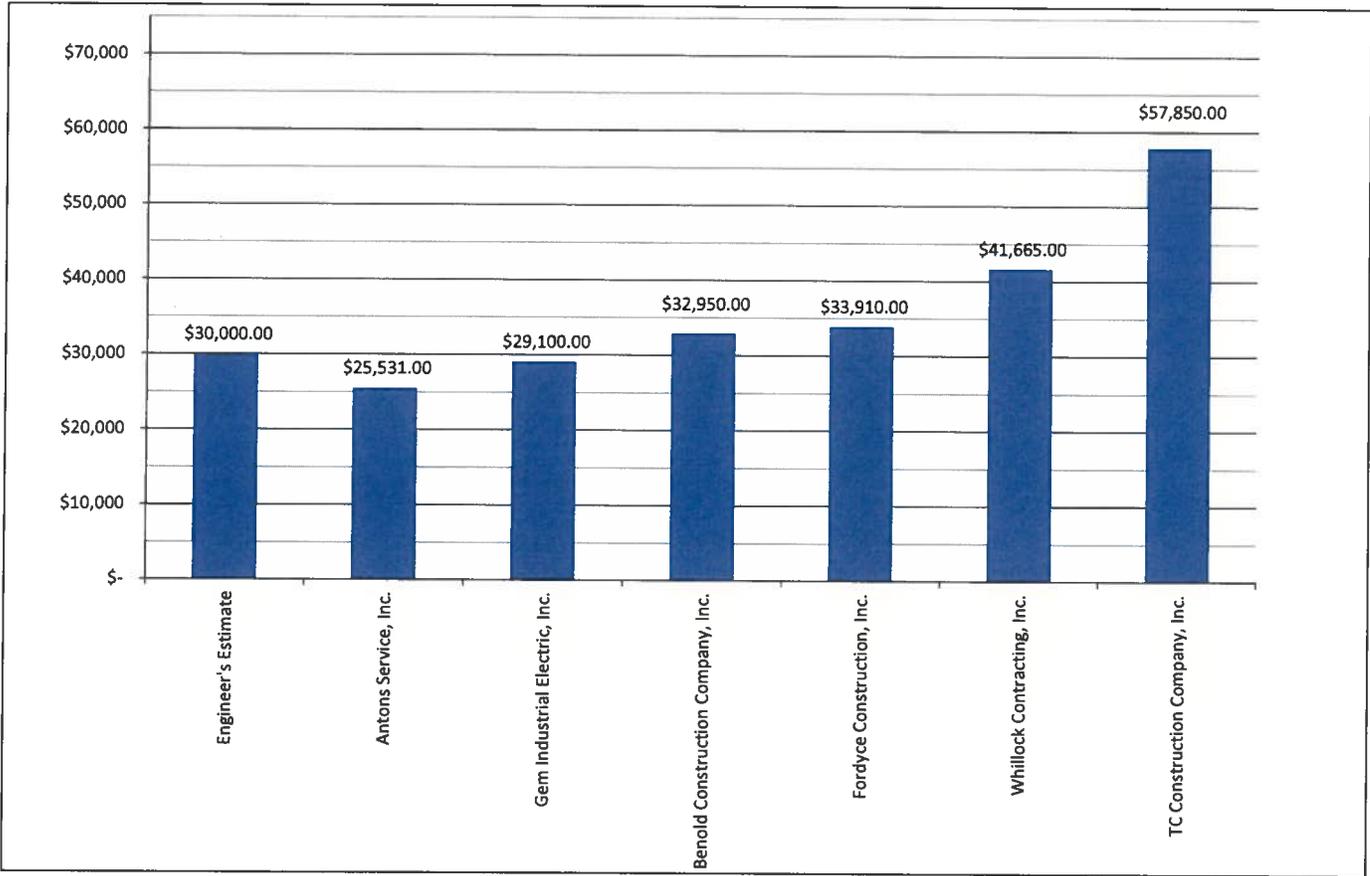
APPROVED:

RANDY VOEPEL, MAYOR

ATTEST:

PATSY BELL, CMC, CITY CLERK

BID SUMMARY
TOWN CENTER COMMUNITY PARK MEMORIAL FLAGPOLE (CIP 2016-34)



SITE MAP



FLAG POLE LOCATION

MARINE MEMORIAL
MONUMENT

STAGE / AMPITHEATRE